

**DELAWARE COUNTY REGIONAL  
WATER QUALITY CONTROL AUTHORITY**

**RESOLUTION NO. 2011-08**

**ADOPTED SEPTEMBER 20, 2011**

**REQUIRING THAT ALL TRUCKED OR HAULED WASTES  
MUST BE DISCHARGED ONLY AT THE WESTERN  
REGIONAL TREATMENT PLANT; PROHIBITING  
DISCHARGES OF SUCH POLLUTANTS INTO  
MANHOLES; PROVIDING THAT ALL SUCH  
DISCHARGERS MUST AGREE TO COMPLY WITH  
CERTAIN TERMS AND CONDITIONS; PROVIDING THAT  
ALL SUCH DISCHARGERS MUST OBTAIN A DISPOSAL  
PERMIT; PROVIDING FOR ENFORCEMENT OF THE  
PROVISIONS OF THIS RESOLUTION; AND REPEALING  
ALL RESOLUTIONS INCONSISTENT HEREWITH.**

WHEREAS, the Environmental Protection Agency on July 24, 1990 adopted certain amendments to the General Pretreatment Regulations for the Clean Water Act, 33 U.S.C.A. §§1251 et. seq.; and

WHEREAS, one of these amendments, 40 C.F.R. §403.5(b)(8), provides as follows:

**Prohibited Discharges**

(b) Specific prohibition. In addition the following pollutants shall not be introduced in a POTW:

(8) Any trucked or hauled pollutants, except at discharge points designated by the POTW;

WHEREAS, pursuant to 40 C.F.R. §403.5(b)(8), and §220 of the DELCORA Standards, Rules and Regulations of 2011, Resolution 2011-04 (April 19, 2011), the Delaware County Regional Water Quality Control Authority (DELCORA) is required to adopt rules and regulations concerning the discharge of trucked or hauled pollutants.

NOW, BE IT RESOLVED BY DELCORA that the following rules and regulations are hereby adopted:

**SECTION 1      DISCHARGE LOCATION**

A. All discharges into manholes located within DELCORA's service area of trucked or hauled wastes from on-site domestic waste collection septic systems, holding tanks, package plants, grease traps, domestic or industrial wastewaters, and industrial or municipal sludges are hereby prohibited.

B. The designated discharge point for all trucked or hauled wastes collected from on-site domestic waste collection septic systems, holding tanks, package plants, grease traps, domestic or industrial wastewaters, and industrial or municipal sludges is DELCORA'S Western Regional Treatment Plant ("WRTP").

## **SECTION 2**            **REGULATIONS**

A. All persons wishing to discharge such collected trucked or hauled wastes must agree to comply with certain terms and conditions known as the DELCORA Hauled Waste Disposal Regulations (the "Regulations"), which are attached, identified as Exhibit "A" and made a part hereof.

## **SECTION 3**            **PERMITS**

A. All persons wishing to discharge such collected trucked or hauled wastes must first obtain a disposal permit from DELCORA.

B. Permits shall be issued for a period not greater than five (5) years to approved dischargers. These permits shall be subject to revocation at any time for violation of any DELCORA procedures, standards, or requirements established to govern such discharges or dischargers including, but not limited to this Resolution or the Regulations.

C. In addition to the revocation of the permit under Section 3B above, any person who shall violate any of the provisions of this Resolution, the Hauled Waste Disposal Regulations or the Permit shall be subject to the enforcement actions provided for by the DELCORA Standards, Rules & Regulations of 2011, Resolution 2011-04 (April 19, 2011), as amended.

## **SECTION 4**            **INSURANCE PROVISIONS**

A. All persons wishing to discharge such collected trucked or hauled pollutants must provide insurance in amounts sufficient to adequately protect DELCORA'S facilities. All dischargers shall be required to obtain and maintain on an annual basis contractor's comprehensive liability insurance in a minimum amount of \$1,000,000.00 per occurrence/\$2,000,000.00 aggregate. Evidence of coverage shall be provided by execution of the Certificate of Insurance Form provided by DELCORA or an Insurance Industry Acord Form. It shall be the discharger's responsibility to provide DELCORA with a renewal certificate prior to the end of the initial term of coverage. Failure to do so will result in the suspension of the discharge permit and all privileges and rights thereunder until a new certificate is presented to DELCORA.

## **SECTION 5**            **PROGRAM ADMINISTRATION**

A. DELCORA is authorized to establish additional regulations for the administration of this program. These shall include the issuance of permits and the procedures to be utilized in physically accepting and testing such wastes, recording and billing, and establishing any necessary limits on such discharges.

**SECTION 6**            **RATES**

A. Rates for discharge of hauled waste shall be adopted by DELCORA's Board of Directors, assessed on the total holding capacity of the discharging vehicle or certified tank measurement with receipt. Permittees shall be billed monthly based on the appropriate rate class and volume. Payment is due within thirty (30) days of invoice date. DELCORA reserves the right to seek interest allowable by law for late payments and to seek restitution for non-payment of invoices.

**SECTION 7**            **DEFINITIONS**

A. All terms in this Resolution, the DELCORA Hauled Waste Disposal Regulations, and the Permit shall be construed to have the same meaning as is given to them in §107 of the DELCORA Standards, Rules and Regulations of 2011, Resolution 2011-04 (April 19, 2011), as amended.

**SECTION 8**            **SEVERABILITY**

A. Should any provision hereof for any reason be held illegal or invalid, no other provision of this Resolution shall be affected, and this Resolution shall then be construed and enforced as if such illegal or invalid provision had not been contained herein.

**SECTION 9**            **REVOCATION**

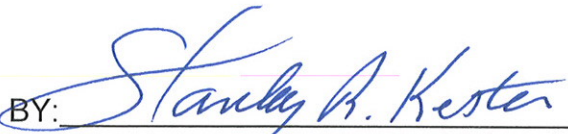
Resolution 2005-04 is hereby repealed in its entirety and all other resolutions inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 10**          **ADOPTION**

This Resolution shall become effective October 1, 2011.

**RESOLVED** this 20<sup>th</sup> day of September, 2011.

**DELAWARE COUNTY REGIONAL  
WATER QUALITY CONTROL AUTHORITY**

BY:   
Stanley R. Kester, Chairman

[SEAL]

Attest:

  
David G. Gorbey, Secretary

**DELAWARE COUNTY REGIONAL  
WATER QUALITY CONTROL AUTHORITY  
100 EAST 5<sup>TH</sup> STREET  
POST OFFICE BOX 999  
CHESTER, PENNSYLVANIA 19016**

**HAULED WASTE DISPOSAL REGULATIONS**

Pursuant to Resolution 2011-08, DELCORA is authorized to accept at its Western Regional Treatment Plant (WRTP) septic wastes pumped from on-site disposal systems located within DELCORA's service area subject to the following terms, conditions, and limitations (Regulations) with which the undersigned applicant, intending to be legally bound agrees to comply:

**I. ADMINISTRATIVE PROVISIONS**

1. All persons desiring to utilize DELCORA's hauled waste disposal capability to dispose of wastes pumped from on-site domestic waste collection septic systems, holding tanks, package plants, grease traps, domestic or industrial wastewaters, and industrial or municipal sludges must first obtain a Waste Hauler Permit or Permit for Sludge (Form U/Form 43). Permits may be acquired or renewed by submitting the necessary permit application information on a form to be provided by DELCORA. The Permit Application and Certification of Receipt of Waste Regulations are to be completed and returned to DELCORA. It shall include:

- (a) general applicant information – name, address, telephone number;
- (b) vehicle information – license number include state in which issued, and holding capacity of all vehicles to be used;
- (c) applicant's business summary – number of years experience in septic waste disposal, names and titles of principals, and the names, addresses and telephone numbers of business references.
- (d) analytical information, PADEP Form U or PADEP Form 43, as directed by DELCORA.

2. In order to be issued a Permit, the applicant must provide DELCORA with the following assurances:

- (a) The permit applicant must be accompanied by a Certificate of Insurance signifying that the applicant is maintaining an annual policy of contractor's comprehensive liability insurance written on an occurrence basis on a minimum amount of \$1,000,000.00 per occurrence/\$2,000,000.00 aggregate with DELCORA named as an additional insured. Such insurance must be in place prior to any disposal deliveries of septic waste, grease waste, residual

waste, municipal sludge, and hauled domestic or industrial wastewaters and must be primary insurance with no recourse to any insurance carried by DELCORA. The Certificate of Insurance shall be executed on the form provided by DELCORA with the permit application or an Insurance Industry Acord Form and which contains a provision requiring that the insurer must notify DELCORA in writing at least thirty (30) days prior to any change, cancellation or termination of this coverage. Evidence of coverage shall be provided by execution of the Certificate of Insurance Form provided by DELCORA or an Insurance Industry Acord Form and it shall be the discharger's responsibility to provide DELCORA with a renewal certificate prior to the end of the initial term of coverage. Failure to do so will result in the suspension of the discharge permit and all privileges and rights thereunder until a new certificate is presented to DELCORA.

3. By accepting the Waste Hauler Permit, the permittee warrants:

(a) that only septic waste, domestic sewage, industrial wastewater, and/or kitchen/food waste grease trap wastes will be transported to the WRTP for disposal;

(b) that the permittee will comply with DELCORA rules, regulations, procedures (including clean-up) and service charge assessments governing waste disposal;

(c) that the permittee will reimburse DELCORA for any damages to DELCORA's facilities arising from the permittee's on-site waste disposal practices;

(d) that DELCORA may inspect any load, sample any load, and reject improper loads;

(e) that the Permit is non-transferable, except with DELCORA approval; and

(f) that the failure to comply with these Regulations will subject the permittee to revocation of the Permit to dispose on-site wastes at DELCORA's facilities and the enforcement actions provided for by the DELCORA Standards, Rules & Regulations of 2011, Resolution 2011-04 (April 19, 2011), as well as any other enforcement powers granted to DELCORA by any other law or regulation.

4. By accepting the Permit for Sludge for Form U and Form 43 wastes, the permittee warrants:

(a) that only Form U or Form 43 waste, as defined by the PADEP will be transported to the WRTP for disposal;

(b) that the permittee will comply with DELCORA rules, regulations, procedures (including clean-up) and service charge assessments governing waste disposal;

(c) that the permittee will reimburse DELCORA for any damages to DELCORA's facilities arising from the permittee's on-site waste disposal practices;

(d) that DELCORA may inspect any load, sample any load, and reject improper loads;

(e) that the Permit is non-transferable, except with DELCORA approval; and

(f) that the failure to comply with these Regulations will subject the permittee to revocation of the Permit to dispose on-site wastes at DELCORA's facilities and the enforcement actions provided for by the DELCORA Standards, Rules & Regulations of 2011, Resolution 2011-04 (April 19, 2011), as well as any other enforcement powers granted to DELCORA by any other law or regulation.

## II. **DISPOSAL PROCEDURES**

1. The current disposal schedule is between the hours 7:00 a.m. and 7:00 p.m., Monday through Saturday, excluding holidays.

(a) Wastes will be accepted from 7:00 a.m. to 3:00 p.m. on the following holidays:

Martin Luther King, Jr. Day  
President's Day  
Easter Monday  
Columbus Day  
General Election Day  
Veteran's Day  
Day after Thanksgiving

(b) No wastes will be accepted on the following holidays:

New Year's Day  
Memorial Day  
Independence Day  
Labor Day  
Thanksgiving Day  
Christmas Day

2. Disposal during or immediately following rainstorms may be limited at DELCORA's discretion.

3. Permittees should complete applicable sections of the waste manifest prior to arrival at WRTP.

4. After entering WRTP, vehicle operators shall announce their arrival at WRTP at the sludge discharge station and await instructions concerning:

- (a) obtaining a representative sample of the truck's contents;
- (b) review of credentials and manifest; and
- (c) disposal instructions.

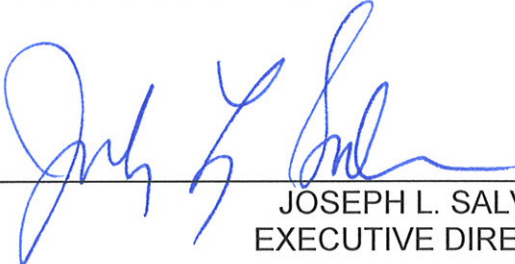
5. If all documents are in order, the vehicle shall be directed to accompany DELCORA personnel to a designated disposal location. The vehicle operator shall also ensure that the drop site and surrounding area are kept clean of materials resulting from his activities. The vehicle operator shall wait for DELCORA personnel to verify that he has complied with all disposal procedures. The vehicle operator will then be directed off site.

6. Should the vehicle operator fail to adhere to all prescribed procedures, fail to provide the necessary documentation, or should waste analysis indicate a waste of an unsuitable nature, the vehicle shall be refused admittance to dispose of the waste and shall be conducted from DELCORA facilities.

7. Discharge of prohibited materials, falsification of data or manifest form, failure to properly clean up the drop site, or failure to render service charges as set forth herein shall subject the permittee to permit revocation with attendant termination of its authorization to use DELCORA facilities for hauled waste disposal.

The provisions comprise the current Septic Waste Disposal Regulations of the Delaware County Regional Water Quality Control Authority (DELCORA), effective October 1, 2011.

**DELAWARE COUNTY REGIONAL  
WATER QUALITY CONTROL AUTHORITY**

  
\_\_\_\_\_  
JOSEPH L. SALVUCCI  
EXECUTIVE DIRECTOR