

RESOLUTION 71-02

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A RESOLUTION OF THE WEST MIFFLIN SANITARY SEWER MUNICIPAL AUTHORITY, ALLEGHENY COUNTY, PENNSYLVANIA AMENDING RESOLUTION 69-02 AND PROVIDING FOR PRETREATMENT FEES AND CHARGES AND SURCHARGES FOR TREATMENT OF INDUSTRIAL WASTE.

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NOW THEREFORE, be it resolved and it is hereby resolved as follows:

1. Resolution No. 69-02 is hereby amended to add the following provisions:

Section 9. Pretreatment Fees and Charges and Surcharges for Treatment of Industrial Wastes.

(A) Purpose.

It is the purpose of this Section to provide for the recovery of costs from users of the sewer system for the implementation of the program established herein and for treating industrial wastewater. The applicable charges and fees shall be established by resolution by the WMSSMA's Board of Directors.

(B) Charges and fees.

A user charge shall be levied on all users including, but not limited to persons, firms, corporations or governmental entities that discharge, cause or permit the discharge of sewage into the POTW. The WMSSMA shall adopt charges and fees, which shall include:

- (1) The user charge shall reflect at least the cost of debt service, operation and maintenance (including replacement) of the POTW;
- (2) Each user shall pay its proportionate cost based on volume of flow;
- (3) The WMSSMA's management shall review annually the sewage contributions of users, the total cost of debt service, operation and maintenance of the WMSSMA and will make recommendations to the WMSSMA's Board of Directors for adjustments in the schedule of charges and fees as necessary;
- (4) Charges for flow to the POTW not directly attributable to the users shall be distributed among all users of the WMSSMA based upon volume of flow of the users;
- (5) Fees for consistent removal of pollutants otherwise subject to federal pretreatment standards;
- (6) Fees for wastes from holding tanks;

- (7) Fees for reimbursement of maintenance costs for clean out of sewer line stoppage caused by a non-compliant user; and
- (8) Other fees as the WMSSMA shall deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this Section and are separate from all other fees chargeable by the WMSSMA.

(C) Surcharges.

All industrial users of the WMSSMA are subject to industrial waste surcharges on discharges, which exceed the following levels:

ALCOSAN Treatment Plant

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Parameter Concentration mg/l

Biochemical oxygen demand (BOD) 300

Total Suspended solids (TSS) 275

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Thompson Run Treatment Plant

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Parameter Concentration mg/l

Biochemical oxygen demand (BOD) 250

Total Suspended solids (TSS) 250

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New England Road Treatment Plant

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Parameter Concentration mg/l

Biochemical oxygen demand (BOD) 250

Total Suspended solids (TSS) 250

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Said surcharge shall be invoked as herein provided in addition to any sewer charge imposed after the adoption of this Section. The aforesaid surcharge may include:

- (1) All fixed charges and amortization costs or additional plant capacity for treating said industrial wastes; and

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- (2) A charge covering the actual cost of operation and maintenance incurred in treating said industrial wastes in the POTW.

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- (3) Fees charged by ALCOSAN for surcharges in the ALCOSAN service area.

(D) Amount of surcharge.

The amount of surcharge will be based upon the mass emission rate discharged above the levels listed above. The amount charged will be set forth in the schedule of charges and fees. The said sewer surcharge shall be determined in the following manner:

- (1) The WMSSMA shall compute and recommend the rate to be charged during each fiscal year for BOD, and TSS which is discharged into the WMSSMA's POTW based upon the operating cost and the amortization and fixed costs of the WMSSMA's POTW as experienced at said plant during the preceding fiscal year.
- (2) The WMSSMA shall review the recommended rate and adopt a rate or rates to be charged during the ensuing fiscal year or until revised.
- (3) The combined surcharge, as set forth in paragraph (c) of this Section shall be billed and payable monthly on a bill rendered to the proper persons by the WMSSMA's billing department. Surcharges imposed hereunder shall be collected in the same manner as other utility charges and nonpayment or delinquency shall subject the customer to the same penalties, including termination of services, as those for other utility services.
- (4) The volume of flow used in determining the total discharge of wastewater for payment of user charges and surcharges shall be based on the following:
 - a. Metered water consumption as shown in the records of meter readings maintained by the WMSSMA; or
 - b. If required by the WMSSMA or at the individual discharger's option, other flow monitoring devices that measure the actual volume of wastewater discharged to the sewer. Such devices shall be accessible and safely located, and the

measuring system shall be installed in accordance with plans approved by the WMSSMA. The metering system shall be installed and maintained at the users expense.

- c. Where any user procures all or part of their water supply from other sources other than the Pennsylvania American Water Company, the user shall install and maintain at their own expense a flow-measuring device of a type approved by the WMSSMA.

- (5) The character and concentration of the constituents of the wastewater used in determining surcharges shall be determined by samples collected and analyzed by the WMSSMA. Samples shall be collected in such a manner as to be representative of the actual discharge and shall be analyzed using procedures set forth in 40 CFR part 136.

<![if !supportLists]>(6) <![endif]>The determination of the character and concentration of the constituents of the wastewater discharge by the WMSSMA or his duly appointed representatives shall be binding as a basis of charges.

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<![if !supportLists]>(7) <![endif]>ALCOSAN service area surcharges and fees shall be calculated by ALCOSAN and submitted to the WMSSMA.

- (E) Pretreatment program administration charges.

The schedule of charges and fees adopted by the WMSSMA may include charges and fees for:

- (1) Fees for reimbursement of costs for setting up and operating the WMSSMA's pretreatment program;

- (2) Fees for monitoring, inspection and surveillance procedures;

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- (3) Fees for reviewing accidental discharge procedures and construction;

- (4) Fees for permit applications;

- (5) Fees for filing appeals;

<![if !supportLists]>(6) <![endif]>Other fees as the WMSSMA may deem necessary to carry out the requirements of the pretreatment program.

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(7) Surcharges calculated by a third party sewage treatment provider and invoiced to WMSSMA.

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(F) Schedule of Surcharge and Fees

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ALCOSAN Treatment Plant

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Parameter Fee (factor)

Biochemical oxygen demand (BOD) 0.0016353

Total Suspended solids (TSS) 0.0018651

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Thompson Run Treatment Plant

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Parameter Fee (factor)

Biochemical oxygen demand (BOD) 0.0000000

Total Suspended solids (TSS) 0.0000000

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New England Road Treatment Plant

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Parameter Fee (factor)

Biochemical oxygen demand (BOD) 0.0000000

Total Suspended solids (TSS) 0.0000000

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Amount of Surcharge \$ = Quantity (mg/l)-Allowable (mg/l)) x Fee (factor) x Consumption (/1000 gallons).

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2. All other provisions of Resolution 69-02 are hereby incorporated by referenced as though set forth fully in length.

3. This amendment shall take effect immediately.

RESOLVED, this 11th day of July 2002.

ATTEST:

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William G. Kiger, Chairman

John P. Schmidt, Secretary

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