

RESOLUTION NO. 2007 - 11-19-B

**AN RESOLUTION OF EASTON AREA JOINT SEWER AUTHORITY,
NORTHAMPTON COUNTY PENNSYLVANIA, AMENDING
RESOLUTION 1998-10-19-B WHICH PROVIDES UNIFORM
ENFORCEMENT RESPONSES FOR VIOLATIONS OF THE
AUTHORITY'S WASTEWATER PRETREATMENT REQUIREMENTS TO
INCORPORATE REVISIONS MADE TO THE FEDERAL PART 403
REGULATIONS.**

The Easton Area Joint Sewer Authority hereby resolves:

- A. The definitions, abbreviations and acronyms used in this Resolution shall be the same as those found in Resolution No. 1998-10-19-A.
- B. Significant Noncompliance (SNC).
 - 1. Definition (z.) on Page No. 6 of Resolution No. 1998-10-19B is amended to read as follows.

Significant Noncompliance (SNC) - An Industrial User or User is in significant noncompliance if its violation meets one or more of the specific criteria set forth in 40 CFR 403.8 (f) (2) (viii). For purposes of this definition, a User is in significant noncompliance if its violations meets one or more of the following criteria:

- (a) Chronic violations of Wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of Wastewater measurements taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3 (l).
- (b) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of Wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3 (l) multiplied by the applicable criterion (1.4 for BOD, CBOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- (c) Any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR 403.3 (l) (daily maximum, long-term average, instantaneous limit or narrative standard) that the Pretreatment Coordinator determines has caused,

alone or in combination with other discharges, interference or pass through (including endangering the health of City/Township personnel or the general public);

- (d) Any discharge of pollutants that has caused imminent endangerment to the public health and welfare or to the environment, or has resulted in the Pretreatment Coordinator's exercise of his/her emergency authority to halt or prevent such a discharge;
- (e) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a Wastewater Discharge Permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- (f) Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- (g) Failure to accurately report noncompliance; or
- (h) Any other violation(s), which may include violation of Best Management Practices, which the Pretreatment Coordinator determines will adversely affect the operation or implementation of the local pretreatment program.

C. Slug Control.

1. Add new definition (ag.) on Page No. 7 of Resolution No. 1998-10-19B which reads as follows.

Slug Discharge - Any pollutant released in a discharge at a flow rate or concentration which will cause a violation of the specific discharge prohibitions in 40 CFR 403.5 (b) and/or any discharge of non-routine nature, episodic nature, including but not limited to accidental spills or non-customary batch discharges, which has a reasonable potential to cause interference or pass through, or in any other way violate the Authority's regulations, prohibited discharge standards in the Rules and Regulations, local limits or NPDES permit conditions.

D. Best Management Practices (BMPs).

1. Add a new Definition (ah.) on Page No. 7 of Resolution No. 1998-10-19B which reads as follows.

Best Management Practices (BMPs) - The term Best Management Practices (or BMPs) means schedules of activities, prohibition of practices, maintenance

NO. 2007-11-19-B


BY: The Easton Area Joint Sewer Authority

RESOLUTION

Resolved, by the Easton Area Joint Sewer Authority, that at the November 19, 2007 Board Meeting,

The Easton Area Joint Sewer Authority adopt a resolution for amending Resolution 1998-10-19-B which provides uniform enforcement responses for violations of the Authority's Wastewater Pretreatment requirements to incorporate revisions made to the Federal Part 403 Regulations.

This is to certify that the above Resulotion was adopted by the Authority on the above date.

Signed: 
Chairman