

REVISED

SERVICE RULES

December 30, 1996

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ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY

SERVICE RULES

ARTICLE I

INTRODUCTION

The following Service Rules are hereby declared to be the Service Rules of the Rockaway Valley Regional Sewerage Authority (RVRSA) regarding the use of the Regional Sewerage System and the nature of wastes to be discharged into the regional system. The Service Rules are intended to insure and carry out the purposes and provisions of the existing Service Contract between the RVRSA and the participants.

ARTICLE II

PURPOSE

Section 2.01 The purposes of these Service Rules are as follows:

1. To prohibit the discharge into the Regional Sewerage System and the Local Sewerage System of wastewaters that are not in compliances with Federal Standards promulgated pursuant to the Clean Water Act (33 U.S.C.A. 1251 et. seq. as the same may be further amended and supplemented).
2. To require the pretreatment of wastewaters discharged into the Regional Sewerage System and the Local Sewerage Systems for which pretreatment standards have been promulgated by the United States Environmental Protection Agency (EPA) pursuant to the Clean Water Act, by the New Jersey State Department of Environmental Protection (DEP), and/or by the RVRSA.
3. To prohibit the discharge of wastewaters which create a poisonous or hazardous environment for the RVRSA's maintenance and operating personnel, the general public, or which threatens the environment, degrades the quality of the receiving waters or contaminates the solid by-product of the wastewater treatment process.
4. To prohibit the discharge of wastewaters into the Regional Sewerage System which may cause operational or maintenance difficulties in the System as it is now constructed or as it may be modified, expanded, or improved in the future.
5. To establish procedures for connecting individual dwellings, developments of all types and commercial or industrial facilities to the Regional Sewerage System or the Local Sewerage System.
6. To regulate excessive volumes and/or inordinate rates of discharge of wastewaters into the Regional Sewerage System.

7. To identify wastewaters which require the levying of a surcharge for treatment by the Regional Sewerage System.
8. To establish a schedule of rates and charges for application, technical review and inspection fees.

ARTICLE III

DEFINITIONS

Section 3.01. Unless the context specifically and clearly indicates otherwise, the terms used in the Service Rules are defined as follows:

1. "Act" means the Sewerage Authorities Law of the State of New Jersey (N.J.S.A. 40:14A-1 et. seq. as the same may be amended and supplemented).
2. "Authority" means the Rockaway Valley Regional Sewerage Authority (RVRSA).
3. "BOD" (Biochemical Oxygen Demand) means the quantity of oxygen, expressed in ppm by weight, utilized in the biochemical oxidation of organic matter under standard laboratory procedure for five (5) days at twenty (20) degrees centigrade. The standard laboratory procedure shall be that found in the 18th or latest accepted edition of Standard Methods for the Examination of Water and wastewater; ASTM Annual Book of Standards, Volumes 11.01 and 11.02 for Water; EPA Methods for Chemical Analysis of Water and Wastes (March 1979). Later editions of these standards may be required to be utilized without notice.
4. (Deleted)
5. "Change of use" means the use of a sewer or facility of the Regional Sewerage System or the Local Sewerage System by a Participant, Customer or Person which is different from the previous use including but not limited to the introduction of new wastewaters or a change in the nature or quantity of wastewater discharged.
6. "Chlorine Demand" means the quantity of chlorine that is reduced or converted to inert or less active forms of chlorine by substances in the wastewater. The standard laboratory procedure is that found in the latest approved edition of "Standard methods for the Examination of Water and Wastewater".

7. "Connection" means any physical change or addition to the plumbing or piping of a building, facility, or other structure, either proposed or existing, for which a building permit or other municipal approval is required and which connects directly or indirectly to a portion of the Regional Sewerage System or the Local Sewerage System which results in additional flow into the system.
8. (Deleted)
9. "Customer" means an individual, association, corporation, or governmental entity, including State, County, Municipality, Sewerage or other Authority, other than a Participant, whose wastes are accepted into the Regional or Local Sewerage System with the consent of and under agreement with the RVRSA.
10. "District" means the area within the territorial boundaries of the Participants.
11. " Dwelling Unit " or "DU" means one or more rooms designed, occupied, or intended for occupancy as separate living quarters with sleeping, cooking and sanitary facilities provided with the dwelling unit for the exclusive use of a single family.
12. "Equivalent Dwelling Unit: or "EDU" equals 250 gallons per day (gpd) of sanitary wastes/sewage (domestic sewage) having the strength and quality of normal domestic sewage as defined by the Service Rules.
13. "ESA" means "environmentally sensitive area," which includes a wetland area as mapped by the U.S. Fish and Wildlife Service in the National Wetland Inventory (NWI).
14. "Garbage" means solid wastes, refuse, and other discarded or spent residual materials resulting from industrial, commercial and agricultural operations, and from domestic and community activities, including but not limited to solid wastes resulting from preparation, cooking, dispensing, handling, storage or sale of food and shall include containers of all types as well as paper goods.
15. "Grant Condition" means the condition attached to RVRSA Federal Grant No. C340389-04 as set forth in Appendix II.
16. "Grant Condition Waiver/Mapping Revision Request" is a waiver to grant condition or an environmentally sensitive mapping revision issued by either USEPA or NJDEP in accordance with criteria set forth in Appendix III.

17. "Industrial Wastes" means waste or pollutant which cannot be classified as sanitary waste/sewage (domestic sewage) as defined in Regulations Concerning Industrial Users and General Sewer Use Requirements, Addendum to Service Rules, separate publication.
18. "Industrial User" means a person who discharges industrial wastes as defined in the Regulations Concerning Industrial Users and General Sewer Use Requirements, Addendum to Service Rules, separate publication.
19. "I/I" means Infiltration/Inflow.
20. "Inspection" means observation of work by an RVRSA Inspector including but not limited to pressure and/or hydrostatic testing of sewer extension and lateral connections, quality of construction as it applies to the water tightness of the system installed, and conformance of the wastewater discharges to the Authority's Service Rules contained herein, and the Regulations concerning Industrial Users: Industrial Sewer Permits and Regulations Concerning Sewer Use: Pretreatment Regulations.
21. "Interceptor Sewer" means a sewer of the RVRSA whose primary purpose is to transport and meter wastewaters to the treatment facility.
22. "Infiltration" means the passage of subsurface groundwater into a sanitary sewer through defects in pipelines, joints and manholes.
23. "Inflow" means the leakage of rainfall related surface runoff into a sanitary sewer through sources such as roof leaders, cellar and yard drains, foundation drains, sump pumps, manhole covers and cross connections with storm sewers.
24. "Lateral Sewer Connections" means building connections directly connected to the System and specifically excludes Sanitary Sewer Extensions.
25. "Local Collection Sewerage System" or "Local Sewerage System" means sewerage systems of Participants and Customers which are or may be connected or are or may be required to be connected, to the Regional Sewerage System, including but not limited to outfalls of the systems and extensions or enlargements of the systems.
26. "mg/l" means a concentration expressed in milligrams per liter.
27. "Member Municipality" means the governing bodies of the Town of Boonton, Township of Boonton, City of Jersey City, Township of Denville, Town of Dover, Township of Randolph, Borough of Rockaway, Township of Rockaway, Borough of Victory Gardens and Borough of Wharton.

28. "NJDEP" means the New Jersey Department of Environmental Protection.
29. "NJPDDES" means the National Pollutant Discharge Elimination System program as it is being administered by the NJDEP.
30. "NJPDDES" Permit" means New Jersey Pollutant Discharge Elimination System Permit No. 0022349, which regulates the RVRSA wastewater discharge to the Lower Rockaway River and the disposal of the wastewater treatment system residuals.
31. "non-residential connections" means service connections conveying wastes from commercial and/or industrial development into the System.
32. "Participant" means a Member Municipality.
33. "Person" means an individual, association, corporation, nation, state or an agency or subdivision thereof, including a county, municipality, sewerage, or other authority, other than a Participant or Customer.
34. "pH" means the logarithm of the reciprocal of the weight of hydrogen ions, expressed in grams per liter of solution, and indicates the degree of acidity or alkalinity of a substance or wastewater.
35. "ppm" means a concentration expressed in parts per million.
36. "Pretreatment" means a sewage treatment process or processes that are required to produce a discharge to the Regional Sewerage System or Local Collection Sewerage system that conform to standards promulgated by the USEPA, the NJDEP or the RVRSA.
37. "RVRSA" means the Rockaway Valley Regional Sewerage Authority, a public body politic and corporate of the State of New Jersey.
38. "RVRSA Sewer Connection Permit" means a permit issued by the Rockaway Valley Regional Sewerage Authority authorizing a Person to connect and/or discharge to the Local Collection or Regional Sewerage System.
39. "Regional Sewerage System" means the facilities owned and/or constructed by the RVRSA consisting of sewers, conduits, pipelines, force mains, metering stations, interceptor sewers, pumping stations, lift stations, wastewater treatment facilities, disposal systems, plants, structures, equipment, boats, conveyances and works and other real or tangible personal property acquired or constructed or to be acquired or constructed by the RVRSA for the purpose of the RVRSA under this Act, but does not include a Local Collection Sewerage System or the facilities of a Participant, or Customer.

40. "Residential Connections": means service connections conveying domestic wastewaters from residential structures.
41. "Sanitary Wastes/Sewage (Domestic Sewage)" means the wastewater discharge from a residential dwelling consisting primarily of effluent from water closets, bathing facilities, sinks, clothes washers, and dishwashers. The typical characteristics of the sanitary waste are as follows: pH 5.5 to 9.5, biochemical oxygen demand 100 to 250 mg/l, suspended solids 100 to 250 mg/l, total nitrogen 20 to 85 mg/l and phosphorus 6 to 20 mg/l.
42. "Sanitary Sewer Extensions" means additions, improvements, enlargements and/or extensions to sanitary sewerage facilities with the Authority's Water Quality Management Area which are, by NJDEP's Rules and Regulations, subject to NJDEP's Treatment Works Approval (TWA) application process.
43. "Septage" means the mixed liquid and solid contents pumped from septic tanks and dry wells receiving domestic sewage.
44. "Service Rules" means rules of the Rockaway Valley Regional Sewerage Authority regarding the use of the Regional Sewerage System and the nature of wastes to be discharged into the regional system, as the same may be amended and supplemented.
45. "Service Charges" means rents, rates, fees or other charges for direct or indirect connection with, or the use of services of, the System which the RVRSA is or may be authorized to charge and collect with regard to persons or real property, in accordance with the provisions of these Service Rules and the RVRSA's "User Charge System" (Separate Publication).
46. "Slug" means the discharge of wastewater in which the concentration of given constituent or the quantity of flow for any period would adversely affect either the Local Collection Sewerage System or the Regional Sewerage System, and/or interfere with the treatment process.
47. "Surcharge" means the additional charge that shall be levied against a Participant or Customer or Persons discharging wastewater whose BOD and/or suspended solids concentrations are in excess of 250 mg/l or which contain constituents in concentrations for which the RVRSA has determined an additional charge is required for their treatment.
48. "Suspended Solids" means that fraction of solids in a well mixed sample which is filtered through a weighed standard glass-fiber filter, and the residue retained on the filter is dried to a constant weight at 103-105 degrees centigrade. The standard laboratory procedure shall be that found in the 18th or latest accepted edition of Standard Methods for the Examination of Water and Wastewater; ASTM Annual Book of Standards, Volumes 11.01 and 11.02 EPA Methods for Chemical analysis of Water and Wastes, or subsequent edition to these standards as approved by the RVRSA.

49. "Treatment Works Approval" means an approval issued pursuant to the Water Pollutant Control Act and Rules and Regulations of the NJDEP, for the construction, installation, modification or operation of a facility for the collection, treatment, or discharge of any pollutant.
50. "USEPA" means the United States Environmental Protection Agency.
51. "Wastewater" means industrial wastes and sanitary sewage discharged from residences, buildings, institutions, industrial establishments, or other places together with such groundwater infiltration, inflow, or other wastes as may be present.
52. "Wastewater Treatment Facility" or "Sewage Treatment Plant" means arrangements of devices and structures used for treating sewage.

ARTICLE IV

CONNECTIONS TO THE REGIONAL
OR LOCAL SEWERAGE SYSTEMS

Section 4.01 General Rules and Requirements.

- a) These rules and regulations shall apply to new connections, introductions of new flow resulting from a change of use, increases of flow from existing uses, or extensions to either the Regional or Local Sewerage Systems and shall not apply to the required interconnections between the existing Systems, which shall be made in accordance with the provisions of the Service Contracts.
- b) Lateral sewer connections (8-inch diameter or larger) made directly to the Regional Sewerage System, shall be made at manholes. No direct connections to the interceptor sewer shall be permitted.
- c) Individual industrial, commercial or residential service connections (6-inch diameter or smaller) shall not be connected directly to the RVRSA interceptor sewer except as permitted within the discretion of the RVRSA and upon such terms and connections as may be established by the RVRSA.
- d) Lateral sewer connections made to the RVRSA's manholes shall be made at invert elevations matching the 0.8 depth of both sewers, except as permitted within the discretion of the RVRSA and upon such terms and conditions as shall be established by the RVRSA.
- e) Sewer extensions which are connected to either the Regional or Local Sewerage System, shall be plugged at the downstream end until all inspections and testing are completed and approvals of the work are issued by representatives of the RVRSA, the Participant or Customer.
- f) Sewer extensions shall not become the property of the RVRSA by reason of connections to the Regional Sewerage System, but that portion of such extension which is located upstream of the point of connection to the Regional Sewerage System shall be owned and maintained and replaced by either a Participant, Customer or Person.
- g) Extensions or connections to the Regional or Local Sewerage Systems shall be designed and constructed in accordance with state and local regulations.

Section 4.02. Procedures for Connection.

No Participant, Customer or Person shall uncover, connect with, make opening into, use or change an existing use of a sewer or make opening into, use or change an existing use of a sewer or facility of the Regional Sewerage System or the Local Sewerage System without first obtaining an RVRSA Sewer Connection Permit. The sewer connection process is a 5 step procedure as follows:

1. Review for Environmentally Sensitive Areas (ESA's).

Appendix II contains the special grant condition which prohibits sewer hook-ups or other connections to the sewage treatment facilities from building on parcels of land which contain wetlands or floodplain. The prohibition may be waived by the Regional Administrator of USEPA upon application by the RVRSA to NJDEP/USEPA prior to an application for state sewer extension permit or an RVRSA connection permit. The procedure is as follows:

- A. Applicant identifies, certifies and delineates on a site plan, the location of wetlands through the use of the U.S. Fish and Wildlife National Wetlands through the use of the U.S. fish and Wildlife National Wetlands Inventory (NWI), the RVRSA wetlands mapping and through a site inspection by a person qualified in the identification of wetlands.
- B. Applicant secures a written recommendation of endorsement from the municipality in which the project is located for the waiver/mapping revision application to RVRSA. (See Appendix V for a suggested form of resolution).
- C. Applicant submits an application for a grant condition waiver/mapping revision to the RVRSA, attention to the Executive Director. Applications will be reviewed in accordance with the procedures contained in Appendix VI.
- D. If approved by the RVRSA, the application shall be forwarded to NJDEP/USEPA for review. A favorable finding (mapping revision allowing a structure(s) to be sewerred in an upland area or an actual grant condition waiver) shall allow the applicant to apply for a state sewer extension permit or an RVRSA connection permit, whichever is appropriate.

2. Application for Time Extension.

Individual time extensions may be applied for circumstances where the extension of NJDEP sewer extension permit beyond the original 2 year permit period is granted. Time extensions may be granted by the RVRSA, in its discretion, upon a showing of good cause, and subject to such conditions as the RVRSA may impose.

3. Application for State Sewer Extension Permit.

If a project requires a NJDEP sewer extension permit in accordance with state regulations, the applicant shall submit the following documents to the RVRSA for review and endorsement:

- A. Standard Application Form (TWA), "Construction Related and Discharge Permits."
- B. State of New Jersey Form WQM-003, "Endorsement."
- C. State of New Jersey Form WQM-006, "Engineer's Report for Sewer Systems."
- D. One set of plans and specifications.
- E. Certification from a qualified person that floodplain and/or wetlands are not located within the parcel, or evidence that a mapping revision or grant condition waiver has been granted.

4. RVRSA Sewer Connection Permit Application.

Provided that steps 1, 2, and 3 have been complied with or deemed to be inapplicable, an RVRSA sewer connection permit shall be applied for in the following manner: (See copy of the application in Appendix VII).

- A. Applicant secures an RVRSA sewer connection permit application from the municipality or from the RVRSA.
- B. Applicant completes sections I, II and III of the application.
- C. Applicant includes certification from a qualified person that floodplains/wetlands are not located within the parcel, or evidence that a mapping revision or grant condition waiver has been granted.
- D. The application is submitted to the RVRSA.

(A copy of the RVRSA connection permit is included in Appendix VIII.)

5. RVRSA Inspection and Approval.

- A. In the case of lateral sewer connection, the RVRSA shall be notified 48 hours in advance of backfilling of the trench and pressure testing. The RVRSA Inspector shall have access to the premises to be connected in order to determine compliance with the provision of Article V Section 5.02 of the Service Rules.

- B. In the case of a municipal or private sewer extension of a main, the RVRSA shall be notified 48 hours in advance of backfilling and pressure testing.
- C. RVRSA approval shall be conditioned upon compliance with the provisions of the Service Rules, and applicable regulations. The construction of sewer lines shall be performed in a good and workmanlike manner.

Section 4.03 Allocation of Gallonage

The allocation of gallonage by the RVRSA, after the termination of the Court-Ordered allocation system (December 31, 1996), shall be made using the gallonage assumptions for various uses that have historically been used by the RVRSA, and in accordance with the following requirements:

1) FOR EXISTING STRUCTURES PRESENTLY SERVED BY SEPTICS SYSTEMS:

- a) A gallonage reserve of 200,000 gallons per day shall be established, from which gallonage shall be allocated exclusively for the purpose of providing sewer service to structures constructed prior to January 1, 1990 and which are served by septic systems.
- b) Gallonage from this reserve shall be allocated by the RVRSA staff upon the receipt of an application submitted in accordance with the requirements and procedures set forth in the RVRSA Service Rules and upon the payment of appropriate fees and subject to the requirements of any other governmental entity having jurisdiction.

2) FOR APPLICANTS REQUIRING LESS THAN 8,000 GALLONS PER DAY:

Gallonage shall be allocated by the RVRSA staff under the following conditions:

- a) The specific project for which gallonage is sought shall either be entitled to be construed without subdivision approval or variances shall have obtained preliminary site plan and/or subdivision approval from the local Planning Board and shall have obtained such variances as may be required.
- b) The applicant shall have paid all appropriate fee and otherwise comply with all applicable regulations concerning the issuance of a New Jersey Department of Environmental Protection Treatment Works Approval ("TWA") or connection permit and the Service Rules of the RVRSA and the requirements of any other governmental entity having jurisdiction.

- c) The allocation of gallonage shall be valid for period of one year and shall be renewable upon request for an additional year. Further renewals shall be provided only upon a showing of good cause.

3) FOR APPLICANTS REQUIRING MORE THAN OF 8,000 GALLONS PER DAY:

- a) The project for which gallonage is sought shall have obtained preliminary site plan/and or subdivision approval from the Local Planning Board and shall have obtained such variances as may be required.
- b) The applicant shall have paid all appropriate fee and shall otherwise comply with all the regulations concerning the issuance of a TWA or connection permit and the Service Rules of the RVRSA and the requirements of any other governmental entity having jurisdiction.
- c) This allocation shall be valid for the duration of the TWA as specified by the regulations of the New Jersey Department of Environmental Protection.
- d) This allocation shall be made only upon the adoption of an authorizing resolution by the Rockaway Valley Regional Sewerage Authority.
- e) In the event that the allocation remains unconnected to the RVRSA System for longer than eighteen (18) months, then payments shall be made to the RVRSA representing the debt service portion of the RVRSA user charge for the prior year -- calculated on the number of gallons per day allocated but unconnected. Such payment shall be made each year until the allocated gallonage is connected or terminated.

4) MUNICIPAL APPROVAL/NOTICE

- a) No approvals for gallonage allocations shall be made in any category, unless, the applicant shall demonstrate to the satisfaction of the RVRSA that the municipality in which the property is located has received prior notice of the application for sewer connection or has otherwise approved the project or connection.

Notice shall be satisfactory if the applicant has provided notice to the municipality (on forms provided by the Authority) at least fifteen (15) days in advance of the issuance of approval for a gallonage allocation by the Authority. Evidence of approval of the municipality shall be acceptable if (i) the project has received preliminary site plan or subdivision approval, (ii) a plumbing or construction permit shall have been issued or (iii) the municipality has adopted a Resolution of approval for the project or connection.

The utilization of these procedures is subject to and dependant upon the availability of sufficient gallonage capacity.

4.04 Procedure for Industrial Connections

The procedures established in Section 4.01 of these service rules apply to Industrial connections. In addition, the service rules regarding "Regulations Concerning Industrial Users: Industrial Sewer Permits" and "Regulations Concerning Sewer Use: Pretreatment Regulations" adopted March 22, 1984, amended August 23, 1984 and hereafter, shall apply to Industrial dischargers. All industrial regulations shall be complied with before the Authority endorses a sewer extension permit or grants an RVRSA sewer connection permit.

Section 4.05 Procedures for Direct Connections to the Regional Sewerage System

The applicable requirements of Article IV, Sections 4.01, 4.02, 4.03 and 4.04 shall apply to direct connections to the Regional. In addition, plans and specifications shall include detailed information on proposed procedures for constructing the actual connection to the Regional Sewerage System. These procedures shall be reviewed by the RVRSA's Engineer and shall be modified as required, in order to guarantee the integrity and protection of the Regional Facility.

ARTICLE V

PROHIBITION AND LIMITATIONS ON WASTEWATER DISCHARGES

Section 5.01 General.

No Participant, Customer or Person shall discharge or permit to be discharged into the Regional Sewerage System or Local Sewerage System wastewater, the characteristics of which do not conform to the concentration limits prescribed herein, toxic substances, or other objectionable material or substances as specified under the Services Rules, except upon written approval by the RVRSA and upon such terms and conditions as may be established by the RVRSA for the acceptance of wastewater.

Section 5.02 Prohibitions

No Participant, Customer or Person shall discharge or permit the discharge or infiltration into the Regional Sewerage System or Local Sewerage System the following:

- a) Storm waters, surface water, groundwater, roof runoff, swimming pool water, subsurface drainage, foundation or basement sump drainage, pond water, cooling water, or unpolluted industrial process water;
- b) Liquid or vapor having a temperature higher than 150 degrees F. (65 degrees C.) or in excess of that permitted by pretreatment standards;
- c) Liquid containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 mg/l of solvent soluble materials or containing substances which solidify or become viscous at temperatures between 32 and 150 degrees F. (0 degrees and 65 degrees C.);
- d) Residues from petroleum storage, refining or processing; waste fuels, lubricants, solvents, or paints; or
- e) Wastewater containing liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to create an explosive, flammable or combustible atmosphere in the Regional or Local Sewerage System;
- f) Solid or viscous substance in quantities or a size capable of causing obstruction to the flow in sewers or interference with the proper operation of the Sewerage System, including, but not limited to, mud, straw, metal, rags, glass, tar, plastics, wood, shavings, ashes, cinders, sand, feathers, whole blood, paunch manure, hair, fleshings, entrails, paper or plastic containers; or
- g) Ground or unground garbage from garbage disposal units or other sources;
- h) Waste having a pH lower than 5.0 or higher than 9.5 or having other corrosive properties capable of causing damage or hazard to structures, equipment, or personnel of the RVRSA;
- i) Radioactive waste or isotopes with a half - life or concentration in excess of that permitted by regulation or in such quantity that causes damage or hazard to structures, equipment or personnel of the RVRSA;
- j) Waste containing phenols, noxious or malodorous solids, liquids or gases which, singly or by interaction with other wastes, create a public nuisance or hazard to life,

- k) Wastewater containing substances in sufficient quantity cause injury, damage or hazard to personnel, structures or equipment, to interfere with the Regional or Local Sewerage System or the liquid or solids treatment or handling processes, or to pass through the treatment facilities in a condition not in compliance with State, Federal, RVRSA or other requirements for the effluent or receiving waters. The following substances are specifically prohibited:

alcohols, aldehydes, arsenic, arsenicals, bromine, chlorinated, hydrocarbons, volatile organic compounds, chromium, chromium compounds, copper, copper salts, cresols, cyanides, cyanide compounds, fluorine, iodine, mercury, mercury compounds, nickel, nickel compounds, pesticides, silver, silver compounds, sulfonamides, toxic dyes (organic or mineral), zinc, zinc compounds or other heavy metals; strong oxidizing agents including but not limited to peroxides, chromates, dichromates, permanganates; compound producing hydrogen sulphide or other toxic, inflammable or explosive gases upon acidification, alkalization, reduction or oxidation; strong reducing agents including but limited to nitrates, sulfites, sulphides; strong acids or strong alkalis.

1) Material which exerts or causes:

- 1) Unusual concentrations of inert suspended solids (including, but not limited to, Fuller's earth, lime slurries and lime residues) or of dissolved solids (including, but not limited to, sodium chloride and sodium sulfate);
- 2) Excessive discoloration (including, but not limited to, dye solutions and vegetable tanning solutions) which cannot be removed by the wastewater treatment plant. In no case shall a discolored discharge be permitted if, in the opinion of the Authority, said discharge is likely to interfere with the operation of the treatment system or to cause a violation of the facility's NJPDES permit;
- 3) Unusual BOD, COD, or chlorine requirements in such quantities constituting an unacceptable load on the wastewater treatment works; or
- 4) Unusual volume of flow or concentration of wastes constituting a "slug" of volume or strength which causes a treatment process upset and subsequent loss of treatment efficiency;

m) Wastes containing pollutants of such character or quantity that will:

- 1) not be susceptible to treatment or will interfere with the process or efficiency of the treatment system, or will exhibit inhibitory toxicity in the treatment system; or

- 2) violate Federal or State Pretreatment standards as the may be promulgated from time to time; or
 - 3) cause the RVRSA facilities to violate their NPDES or NJPDES Permit, applicable receiving water standards, Permit regulating sludge which is produced during treatment or other Permit issued to the RVRSA;
- n) Cooling water:
 - o) Septage or wastes from septic tanks, cesspools or other sources of sanitary wastes; or
 - p) Water added for the purpose o diluting wastes which would otherwise exceed applicable maximum concentration limits.

Section 5.03 Limitations.

The admission into the Regional or Local Sewerage System of waters or wastes having the following characteristics shall be subject to the review and approval of the RVRSA and shall be further subject to surcharges established within the RVRSA's "User Charge System" (Separate Publication).

- a) a five-day BOD concentration greater than two hundred fifty (250) mg/l or
- b) A suspended solids concentration in excess of two hundred fifty (250) mg/l by weight.

Section 5.04. Exceptions.

No statement contained in this Article shall be construed to prevent special agreements or arrangements between the RVRSA and a Participant, Person or Customer whereby wastewater with high BOD or suspended solids values, or with unusual strength or characteristics may be accepted by the RVRSA has determined, at the expense of the Participant, Customer or Person, that the wastewater can be adequately treated by the Regional Sewerage System without deleterious effects.

Article VI

VIOLATIONS, DISCHARGE OF PROHIBITED SUBSTANCES INTO THE REGIONAL SEWERAGE SYSTEM

Section 6.01 General

If the RVRSA determines that a Participant, Person or Customer is in violation of the provisions of Article V of the Service Rules, the RVRSA shall give written notice to the Participant, Person or Customer, stating the nature of the violation and requiring the discharge to be discontinued immediately. Depending upon the nature of the violation and where there are only minor effects on the System, the RVRSA may elect to provide a time limit for the satisfactory correction of the violation by the responsible Participant, person or Customer.

Section 6.02 Actions and Penalties.

A Participant, Person or Customer who violates the provisions of the Service Rules shall be subject to the following actions or penalties:

- 1) A civil suit may be instituted in the Superior Court of the State of New Jersey for injunction relief to prohibit and prevent the violation and the Court may proceed in a summary manner; and
2. A penalty may be collected in a civil action by summary proceeding under N.J.S.A. 2A:58-1; and
3. The RVRSA may take steps necessary to seal or close off the discharge of industrial and/or harmful wastes until adequate measures have been taken to prevent the recurrence of the violation.
- 4) The RVRSA may proceed in accordance with the provisions set forth in N.J.S.A. 40:14A-28, the amendments and supplements thereto.
- 5) The RVRSA may proceed in accordance with the provisions set forth in 33 U.S.C.A. Section 1365.

The remedies are cumulative and one or more may be exercised by the RVRSA alone or in conjunction with an appropriate Federal and/or State Agency, as the circumstances require.

Section 6.03. Liability for Damages.

A Participant, Person or Customer who violates the provisions of the Service Rules, particularly provisions pertaining to the discharge of industrial wastes, shall be liable to the RVRSA for expenses, losses, or damages occasioned by the RVRSA by reason of the violation. The RVRSA may require discontinuance of the waste discharge into the Regional Sewerage System or the Local Collection Sewerage System in addition to the penalties authorized in the preceding section.

ARTICLE VII

PROTECTION FROM DAMAGE

Section 7.01 General

No Participant, Person or Customer shall willfully, deliberately or maliciously break, damage, destroy, uncover, deface or tamper with a structure, appurtenance, or equipment which is part of the Regional Sewerage System.

ARTICLE VIII

MISCELLANEOUS

Section 8.01. Amendments.

The RVRSA reserves the right to amend the Service Rules or to adopt additional Service Rules from time to time as the RVRSA shall deem necessary in order (1) to operate, maintain and protect the Regional Sewerage System; (2) to comply with revised standards of influent and effluent quality of regulatory agencies having jurisdiction; or (3) to comply with the requirements of the Service Contract, or for any other reason the RVRSA deems desirable or necessary for performing its functions. The Service Rules shall be amended by Resolution of the RVRSA adopted after a public hearing. The RVRSA shall hold the hearing at least 30 days after notice of the time and place of the hearing is given to each Participant. Amendments shall be effective 10 days after a copy thereof as adopted is given to each Participant.

Section 8.02 Invalid Portions.

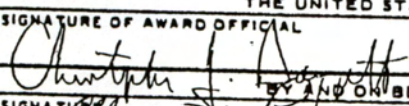
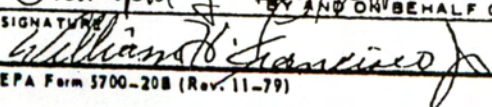
In the event that a provision, section, sentence, clause or part of the Service Rules shall be held to be invalid, such invalidity shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of the Service Rules, it being the intent of the RVRSA that such remainder shall be and shall remain in full force and effect.

APPENDIX I

(Deleted)

APPENDIX II
RVRSA Grant Condition

RVRS Grant Condition

U.S. ENVIRONMENTAL PROTECTION AGENCY ASSISTANCE AMENDMENT <i>(Optional)</i> (Please read instructions on reverse)		ASSISTANCE I.D. NO. C340389-04-2 AMENDMENT NO. 2
<p>NOTE: The original Amendment with one copy must be executed and returned to the Grants Administration Division for Headquarters assistance awards and to the Grants Administration Branches for State and local assistance awards within 3 weeks after receipt or within any extension of time as may be granted in writing by EPA. Except as may be otherwise provided, no costs as a result of the Amendment may be incurred prior to the execution of the Assistance Amendment by the parties thereto.</p> <p>Receipt of a written refusal, or failure to receive the properly executed document within the prescribed time will result in the termination of consideration of the Assistance Amendment by EPA.</p>		
GENERAL INFORMATION		
APPROPRIATION AND ACCOUNTING DATA		
APPROPRIATION NUMBER N/A	ACCOUNT NUMBER N/A	OBJECT CLASS CODE N/A
DESCRIPTION OF AMENDMENT: PURSUANT TO EPA ASSISTANCE REGULATION 40 CFR 30.300 "PROJECT CHANGES AND ASSISTANCE MODIFICATIONS" AND 40 CFR 30.300-1 "FORMAL ASSISTANCE AMENDMENTS," THE ABOVE NUMBERED ASSISTANCE AGREEMENT IS AMENDED AS FOLLOWS:		
<p>Special Grant Condition No. 4 entitled "Environmentally Sensitive Area Protection" is hereby revised to include paragraph (d), as requested by the grantee in his letter dated February 9, 1984 to the Regional Administrator. This paragraph is added to facilitate compliance with the condition for developers who received Superior Court approval for sewer hook-ups to certain parcels of environmentally sensitive areas (ESA) prior to the incorporation of approvable ESA maps into the Facility Plan.</p> <p>See attached revised special condition number 4.</p>		
AWARD APPROVAL OFFICE		ISSUING OFFICE
ORGANIZATION Environmental Protection Agency		ORGANIZATION EPA, Grants Administration Branch
ADDRESS Region II 26 Federal Plaza New York, New York 10278		ADDRESS Room 937A 26 Federal Plaza New York, New York 10278
RECIPIENT ORGANIZATION		
NAME Rockaway Valley Regional Sewerage Authority		ADDRESS 99 Green Bank Road, R.D. #1 Boonton, New Jersey 07005
Except as provided herein all terms and conditions of the basic assistance agreement, including prior amendments, remain unchanged and in full force and effect and subject to all applicable provisions of 40 CFR Chapter I, Subpart B.		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY		
SIGNATURE OF AWARD OFFICIAL 	TYPED NAME AND TITLE Christopher J. Daggett Regional Administrator - Region II	DATE April 17, 1985
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION		
SIGNATURE 	TYPED NAME AND TITLE William H. Francisco, Jr., Exec. Dir.	DATE April 17, 1985

4. Environmentally Sensitive Area Protection

- a. In accordance with Region II guidance, the Grantee has submitted an approvable facilities plan amendment including maps that clearly delineate specific vacant parcels of land within the 100 year floodplain as defined by the Federal Emergency Management Agency (FEMA), or within wetlands as defined by the U.S. Fish and Wildlife Service. The above facilities plan amendment was found to be approvable by NJDEP on November 29, 1983.
- b. The grantee agrees that for a period of 50 years from November 29, 1983, no sewer hook-up or other connection to the sewage treatment facilities included in the scope of this grant will be allowed or permitted so as to allow the discharge of wastewater from any building, facility or other construction on any parcel of land, as delineated on the maps cited in (a) above, that is within any wetlands or within the 100 year floodplain, which land parcel as of November 29, 1983 was undeveloped (i.e., upon which no building, facility or other construction had been erected or placed) unless approved in writing by the Regional Administrator.
- c. This condition is intended to benefit any persons or private organization or governmental entity which may have an interest in the avoidance of any future development in the designated areas. Any such beneficiary (who may otherwise have standing to seek enforcement and the right to begin such action in a court of competent jurisdiction) may seek to enforce compliance with this condition in the courts of the State of New Jersey against the Grantee or any non-federal person, organization, or entity subject to this condition if notice of intent to seek such enforcement is first given to the EPA Regional Administrator, the NJDEP, the Grantee and affected governmental entities and if none of those so noticed initiates corrective action within ninety days of such notice.
- d. This condition shall not prevent the connections of premises for which sewerage allocations were approved by the Chancery Division of the Superior Court of New Jersey prior to the date of the Amendment; provided that EPA is notified in writing of such allocations.

APPENDIX III

Procedures for Reviewing Requests for Environmentally Sensitive Mapping Revisions and Grant Conditions Waivers

Introduction Parcels of land affected by grant conditions for the protection of environmentally sensitive areas (ESAs) can be permitted sewer hookups if the approved ESA mapping is revised or waivers from the grant conditions are obtained from the Regional Administrator. Approved ESA mapping can be revised when circumstances have changed following initial mapping approval and it can be shown that allowing sewer hookups to certain parcels will no longer affect ESAs. Waivers from applied grant conditions can be granted for certain parcels that contain ESAs if certain criteria are met. Procedures to be followed for reviewing and approving and/or denying requests for ESA mapping revisions and grant condition waivers are detailed below.

The following procedures apply to those projects which have formal ESA protection conditions included in the grant agreement. The New Jersey Department of Environmental Protection (NJDEP) may wish to adopt a similar procedure for reviewing requests for sewer hookups for ESAs that are designated as non-sewer service areas in facility plans and which are, therefore, protected by New Jersey's sewer extension permit program.

Review Procedures: Parties seeking to obtain sewer hookups for parcels affected by ESA protection grant conditions should submit requests for mapping revisions or grant condition waivers to the grantee for its review. These requests must contain sufficient information consistent with the circumstances and/or criteria below to allow a complete review of their merits. Grantees will evaluate the requests for consistency with the approved facilities plan and the establishment circumstances and/or criteria.

Following the grantee's review and conditional approval (if recommended), it will submit the request and supporting documentation to the NJDEP for its review and action. The NJDEP will use the following procedures, as appropriate, when reviewing and acting on requests.

1. Mapping Revision Requests: The NJDEP will review requests for mapping revisions to determine their consistency with one of the following circumstances. If the submitted request meets one of these circumstances, the request can be approved.
 - a) the vacant parcel(s) in question has (have) been subdivided to exclude ESAs.

- b) Site-specific environmental conditions have changed since the date of the FNSI/EA which alter the floodplains/wetlands delineation on the approved ESA mapping.
- c) Modifications to delineated ESAs have been demonstrated by more accurate or updated floodplain/wetland base maps, (eg., National wetlands Inventory or Flood Insurance Rate Maps).

The NJDEP will submit its recommendations for approval or denial of the request (with supporting documentation) to EPA's Environmental Impacts Branch (EIB). EPA will review the NJDEP recommendations and notify the grantee and the NJDEP (by cc) of its decision on the requested mapping revision.

It may be necessary to require additional public participation activities (e.g., a public hearing) depending on the extent to which the mapping will be revised. If additional activities are required (need and extent to be determined jointly by NJDEP and EPA's final action will await the results of the required public participation activities.

2. Grant Condition Waiver Requests: The NJDEP will review grant condition waiver requests to determine their consistency with the following criteria. Approval of a request will be based on the parcel-in-question's ability to be granted if a greater number of the criteria are met.

- a) Areal extent of vacant parcel(s) which contain ESAs (i.e., floodplains and/or wetlands).
- b) Extent and ecological quality of ESAs affected.
- c) Amount of existing development surrounding the parcel(s).
- d) Potential to cause economic hardship to grantee or municipality if sewer hookup is denied for vacant parcel(s) in question. (Notes: 1. To a lesser extent this criteria applies to the individual property owner. 2. This criteria does not apply to a grant applicant's refusal of a grant with ESA protection conditions.)
- e) Status of development commitments (e.g., planning board and building permits).
- f). Amount of investment in infrastructure (e.g., roads, water and gas mains, electrical service, and storm sewers) already in place which is intended to serve the undeveloped parcel(s).

Consideration from granting waivers may also be given if other federal or state agencies have ESA protection requirements in effect that duplicate the ultimate protection afforded by the grant conditions.

The NJDEP will submit its recommendations for approval or denial of the request (with supporting documentation) to EPA's Environmental Impacts Branch. EPA will review the NJDEP recommendations and notify the grantee and the NJDEP (by cc) of its decision on the requested grant condition waiver. As required by the regional procedures and the grant condition language, the letter of notification will be signed by the Regional Administrator.

As with mapping revisions, it may be necessary to require additional public participation activities depending on the extent of approvable grant condition waivers.

APPENDIX IV

Rate Schedule

See Separate Publication

APPENDIX V

Model Municipal Resolution
Recommending the Endorsement of
a Wetlands Waiver/Mapping Revision

RESOLUTION RECOMMENDING THE ENDORSEMENT OF
A WETLANDS/FLOODPLAIN-WAIVER/MAPPING REVISION

WHEREAS _____ desires to connect premises known
name of applicant
and designated as Lot _____ Block _____ on the Tax Map of
the _____ and located at _____
name of municipality street address
to the Local sewer system for ultimate discharge to the Rockaway
Valley Regional Sewerage Authority; and

WHEREAS, a portion of the property to be connected to the
System contains designated wetlands as defined by the United States
Fish and Wildlife Service and/or is within the 100 year floodplain
as defined by the Federal Emergency Management Agency (FEMA); and

WHEREAS, one of the conditions imposed by the United States
Environmental Protection Agency (EPA) upon the grant for the
construction of the RVRSA facilities prevents the connection of
any building, facility or any construction on any parcel of land
containing any wetland area or located within the 100 year flood-
plain (as delineated on maps approved by EPA) to the System for a
period of 50 years after November 29, 1983; and

WHEREAS, said grant conditions provides for exceptions to
the prohibition if approved, in writing, by the Regional Adminis-
trator of EPA; and

WHEREAS, the waiver request procedures established by EPA
and the New Jersey Department of Environmental Protection (DEP)
require that the grantee (i.e. RVRSA) approve the submission of the
waiver/mapping revision; DEP; and

WHEREAS, by Resolution dated March 13, 1986. the RVRSA determined that:

the issues relating to the approval or denial of such a request are more appropriately the subject of an evaluation by the officials of the municipality within which the site of the proposed project is located, than by members of a regional sewerage authority; and

WHEREAS, the RVRSA also determined in said Resolution that it will not take any action upon a waiver request until it receives a "written recommendation of endorsement by the appropriate officials or body of the affected municipality"; and

WHEREAS, the application of _____ for a waiver request/mapping revision for the project referred to above has been reviewed by the _____;
name of applicant
name of body

NOW, THEREFORE, BE IT RESOLVED by the _____ as follows:
name of body and municipality

- 1) The waiver/mapping revision request submitted by _____ for the project described above is hereby granted a written recommendation of endorsement.
name of applicant
- 2) The Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the RVRSA.

ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY
 RD #1, 99 Greenbank Road
 Boonton, NJ 07005-9801
 (201) 263-1555/Fax: (201) 263-9068

Local Permit: _____
 RVRSA Permit: _____
 Issuance Date: _____
 Expiration Date: _____

APPLICANT/OWNER:

Name: _____
 Mailing Address: _____
 Tel. No.: _____
 Signature: _____ Date: _____

SITE INFORMATION:

Block: _____ Lot: _____
 Street Address: _____
 Municipality: _____
 Contractor: _____ Tel. No.: _____
 _____ Part of Project (TWA-1): _____)
 _____ Single Connection
 _____ Septic (Septic Reserve connections require municipal certification of need for relief from Septic Service and date of C.O.)
 _____ Wetlands (if yes, Grant waiver is required for properties with C.O.'s issued after 11/29/83).

STRUCTURE:

_____ Existing _____ New
 _____ Single Family _____ Multiple (# _____ of families)
 _____ Townhouse (_____ One BR _____ Two BR's _____ Three BR's)
 _____ Apartment (_____ One BR _____ Two BR's _____ Three BR's)
 _____ Additions (Remarks: _____)
 _____ Commercial _____ Sq. Ft. (Remarks: _____)
 _____ Industrial _____ Sq. Ft. (Remarks: _____)

Industrial connections are subject to RVRSA Industrial Pretreatment Program Regulations.

Do not write below this line.			
Gallonge _____ GPD			
Municipal Approval / Notice		RVRSA Authorization:	
Received _____	Date _____	Signature _____	Date _____
		Fee _____	Ck # _____

APPENDIX VII

Permit for Sewer Connection

RESOLUTION AUTHORIZING EXECUTION OF EPA GRANT
AMENDMENT IMPOSING CONDITIONS REGARDING
ENVIRONMENTALLY SENSITIVE AREAS

WHEREAS, in September, 1982, the United States Environmental Protection Agency amended the Step II assistance grant to the RVRSA to include a grant for the mapping of environmentally sensitive areas (ESA); and

WHEREAS, the RVRSA through Elson T. Killam Associates, its engineering consultants, did complete the mapping of environmentally sensitive areas and did conduct the required Public Hearing with respect thereto on October 20, 1983; and

WHEREAS, on November 29, 1983, the New Jersey Department of Environmental Protection formally approved the Facility Plan Amendment submitted by RVRSA including maps that delineate specific vacant parcels of land within environmentally sensitive areas; and

WHEREAS, the U.S. EPA now proposes to amend the Step III assistance grant by imposing the requirement that the RVRSA for a period of 50 years not permit any sewer hook-up or other connection to the sewage treatment facilities with respect to any parcel of land undeveloped as of November 29, 1983, that is within any wetlands or within the 100 year flood plan unless approved in writing by the Regional Administrator of U.S. EPA; and

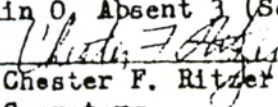
APPENDIX VI

Resolution Authorizing Execution of EPA Grant
Amendment Imposing Conditions Regarding
Environmentally Sensitive Areas

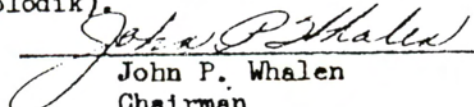
NOW, THEREFORE, BE IT RESOLVED, by the Rockaway Valley Regional Sewerage Authority, as follows:

1. William H. Francisco, Jr., Executive Director of the RVRSA, is hereby authorized and directed to execute the U.S. EPA Assistance Amendment dated January 19, 1984, a copy of which is attached hereto and made part hereof, provided that the Amendment is further clarified to exclude from its provisions any premises for which an Order of the Superior Court of New Jersey had been entered to allow connection to the system, prior to November 29, 1983.

This resolution was adopted at regular (reorganization) meeting of the RVRSA held on February 3, 1984, on motion of Mr. Ruisi, seconded by Mr. Ritzer, and roll call vote: Yea 7 (Busch, Hopkins, McElroy, Ruisi, Delaney, Ritzer and Whalen), Nay 0, Abstain 0, Absent 3 (Secco, Steinberg and Golodik).



Chester F. Ritzer
Secretary



John P. Whalen
Chairman