

**TOWNSHIP OF LOWER NAZARETH
NORTHAMPTON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 239-10-21

AN ORDINANCE OF THE TOWNSHIP OF LOWER NAZARETH, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING TOWNSHIP ORDINANCES NO. 158, 159, AND 160 ESTABLISHING RULES AND REGULATIONS FOR USE OF THE LOWER NAZARETH TOWNSHIP SEWER SYSTEM; AMENDING REVISED SPECIFIC POLLUTANT DISCHARGE LIMITATIONS AND NARRATIVE CONDITIONS FOR USERS OF THE LOWER NAZARETH TOWNSHIP WASTEWATER COLLECTION SYSTEM CONCERNING ARSENIC, SWIMMING POOL DISCHARGE, AND COLOR; AND PROVIDING FOR OTHER MISCELLANEOUS MATTERS.

WHEREAS, the Township of Lower Nazareth is served by the Easton Area Joint Sewer Authority (or EAJSA) Conveyance System and Wastewater Treatment Plant (WWTP) (collectively, the “EAJSA Sewer System”);

WHEREAS, the EAJSA Sewer System, including Industrial Pretreatment Program (IPP), is operated pursuant, inter alia, to a NPDES permit, which limits discharges through EAJSA Sewer System;

WHEREAS, in order to implement NPDES requirements, as well as for other reasons, the EAJSA has adopted Rules and Regulations for use of the EAJSA Sewer System;

WHEREAS, as a discharger to the EAJSA Sewer System, and in accordance with EAJSA requirements and agreements, the Township of Lower Nazareth has adopted Ordinances No. 158, 159, and 160 (also referred to as the Township’s Sewer Use Ordinance [SUO]), which establishes limits regarding discharges to the Township sewer system;

WHEREAS, the definitions, abbreviations and acronyms used in this Ordinance shall be the same as those found in Lower Nazareth Township Ordinances No. 158, 159, and 160 (also referred to as the Township’s SUO);

WHEREAS, in November 2019, the EAJSA submitted an evaluation of its Industrial Pretreatment Program (IPP) local limits to the United States Environmental Protection Agency (USEPA) for review and approval in accordance with conditions found in its NPDES permit for its WWTP;

WHEREAS, in July 2020, the USEPA accepted the EAJSA's existing local limits submission subject to some minor revisions regarding arsenic limit, swimming drainage and color;

WHEREAS, consistent with the USEPA's acceptance of the EAJSA's revised limits, EAJSA adopted the required revisions to its existing local limits;

WHEREAS, municipalities served by the EAJSA must adopt and amend their SUOs to be consistent with the EAJSA's Rules & Regulations in accordance with Agreements and USEPA requirements.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Lower Nazareth Township, Northampton County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

SECTION 1: The Township's SOU is amended as follows:

- (i) **Revised Arsenic Limit.** The SOU is amended to provide that the maximum weekly average pollutant limit for Arsenic is 0.20 mg/l.
- (ii) **Revised Swimming Pool Language.** The SOU is amended to implement revisions to prohibition against swimming pool drainage without authorization of Industrial Pretreatment Coordinator, so as to clarify that the prohibition applies to non-residential swimming pool drainage, and not residential pool drainage. See Morgan Memorandum, dated 9/10, 2020.
- (iii) **Revised Color Limitation.** The color prohibition/limit of the SOU is amended and restated, in its entirety, as set forth in Exhibit A hereto, which is incorporated by reference.

SECTION 2: Except as provided herein, the Township's SOU remains in full force and effect.

SECTION 3: If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of Lower Nazareth Township that such remainder shall be and shall remain in full force and effect.

SECTION 4: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed insofar, but only insofar, as the same are inconsistent herewith. To the extent the provisions of this Ordinance are the same or similar in substance to Ordinance provisions in force immediately prior to enactment of this Ordinance, the provisions of this Ordinance are intended as a continuation of such prior provisions and not as new provisions. The provisions of this Ordinance shall not affect any act done or liability incurred, nor shall such provisions affect any suit or prosecution pending or to be initiated to enforce any right or penalty or to punish any offense under the authority of any ordinance in force prior to adoption of this Ordinance.

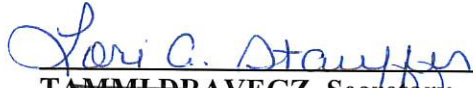
SECTION 5: This Ordinance shall take effect five (5) days after the date of its enactment.

DULY ENACTED AND ORDAINED by the Board of Supervisors of Lower Nazareth Township, Northampton County, Pennsylvania, this 13 day of October, 2021.

LOWER NAZARETH TOWNSHIP

ATTEST:

By:  _____



TAMMI DRAVECZ, Secretary
(on: Staff. Asst ")

EXHIBIT A

REVISED COLOR LANGUAGE

Where a User has a Wastewater discharge that contains true color from any source and of any hue:

- a. greater than that of a 500 color unit platinum-cobalt stock standard, as determined by a USEPA approved analytical method ; and
- b. that is not removed in the POTW treatment process, and
- c. that causes the Plant effluent to have a true color in excess of 100 color units on the platinum-cobalt scale, or its equivalent;

the User shall not discharge such Wastewater to the POTW without prior written approval of the Control Authority.