

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF GREEN LANE (“BOROUGH”) INTENDED TO EFFECTIVELY REGULATE AND CONTROL ALL NON-DOMESTIC WASTEWATER DISCHARGES AND ISSUANCE OF ASSOCIATED PERMITS WITH REGARD TO DISCHARGE WASTEWATER WHICH COMPRISE WASTES OTHER THAN DOMESTIC SEWAGE.**

**WHEREAS**, the Borough, jointly with the Township of Marlborough, organized the Green Lane Marlborough Joint Authority (the “**Authority**”) pursuant to the Municipality Authorities Act, 53 Pa. C.S.A. § 5601 *et seq.* (the “**Authorities Act**”); and,

**WHEREAS**, the Sewer Authority is charged with the administration, design, finance, maintenance, and operation of the public sanitary sewer system that, in part, serves the Borough;

**NOW THEREFORE**, it is hereby **ENACTED** and **ORDAINED** by the Borough Council of the Borough, as follows:

**I. AMENDMENT OF SECTION 319-1.** Article I of Chapter 319 of the Green Lane Borough Code (relating to Definitions) is hereby, effective immediately, amended to add the following definitions (to be inserted in alphabetical order):

**§319-1 – Definitions.**

**Best Management Practices (BMPS)**

Schedules of activities, prohibition of practices, maintenance procedures and other management practices which may be implemented in lieu of numeric discharge limits in order to meet the prohibited discharges in this Ordinance. BMPs also include treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal or drainage from raw materials storage. Any BMPs which are required to be implemented are mandatory and failure to properly implement required BMPs will result in enforcement actions.

**Permittee**

An owner or person who has applied for and is issued a permit to discharge wastewater into the Authority’s Sewage Collection System.

**II. AMENDMENT OF SECTION 319-18.C.** Article V of Chapter 319, subsection 18.C of the Green Lane Borough Code (relating to Discharge Restrictions) is hereby, effective immediately, amended to add subsection 12 and 13 as follows:

**§319-18 – Prohibited discharges.**

...

- C. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described wastes or waters to any sanitary sewer:

...

- (12) No person shall contribute or cause to be contributed, directly or indirectly, water or waste containing pollutant levels in excess of the following maximum discharge limitations listed below.<sup>1</sup>

<u>Pollutants</u>	<u>Limit (mg/l)</u>
Five Day Biochemical Oxygen Demand (BODs)*	250
Total Suspended Solids (TSS)*	250
Ammonia-Nitrogen (NH <sub>3</sub> -N)*	25
Total Phosphorus*	10
Total Dissolved Solids	1,000

\* - At the sole discretion of the Authority, a person may be allowed to exceed these discharge limitations but will be surcharged according to the Authority's "High Strength" Surcharge Formula and its costs.

\*\* - A person may request relief from the Authority Board to exceed these concentration-based discharge limits if they can show that the mass loading of these pollutants discharged from their facility is de minimis and will not cause pass through or interference at the WWTP. The mass loading calculations must be based on actual flow meter readings of the facility's incoming potable water, internal water uses and/or wastewater discharges and not estimated values. The decision to grant a variance to exceed any of these concentration-based limits will be the at the sole discretion of the Authority on a case-by-case basis and does not create any exemption from any other Ordinance requirements.

The Authority reserves the right to calculate and enforce compliance with numeric discharge limits for other pollutants of concern contained in wastewaters from non-domestic sources on a case by case basis.

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<sup>1</sup> These discharge limits are based upon the Authority's current discharge limits as set by PaDEP in the Authority's current license. These discharge limits are subject to change and may change (by PaDEP changing these limitations and by PaDEP adding numeric discharge limits for other pollutants) by Resolution of the Authority to reflect the discharge limits set by the PaDEP in the Authority's then current license.

The Authority reserves the right to require wastewaters from non-domestic sources be collected and hauled to an appropriate disposal site and not discharged to the sewage collection system.

- (13) No person shall contribute or cause to be contributed, directly or indirectly, a slug discharge which is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through at the Authority Wastewater Treatment Plant, or in any other way violate requirements of this Ordinance or NPDES permit conditions. All persons are required to notify the Authority immediately of any changes at its facility affecting potential for a slug discharge.

The Authority can require any person to prepare a slug control plan that shall contain, at a minimum, the following elements:

- a. Description of discharge practices, including non-routine batch discharges;
- b. Description of stored chemicals;
- c. Procedures for immediately notifying the Authority of Slug Discharges with procedures for follow-up written notification within five days;
- d. If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, and/or measures and equipment for emergency response.

**III. AMENDMENT OF SECTION 319-19.** Article V of Chapter 319, subsection 19 of the Green Lane Borough Code (relating to Discharges subject to Authority approval) is hereby, effective immediately, amended to read as follows:

**§319-19 – Discharges subject to Authority approval.**

- A. Five Day Biochemical Oxygen Demand (BOD<sub>5</sub>) greater than 250 mg/l.
- B. Total Suspended Solids (TSS) greater than 250 mg/l.
- C. A chlorine demand greater than 15 ppm.
- D. An average daily flow greater than 2% of the average daily sewage flow at the sewage treatment works.
- E. Any toxic substance.

- F. Any wastes which are considered by the Sewer Authority to offer possibilities of harm to structures, processes or operation of the plant.

**IV. AMENDMENT OF SECTION 319-23.** Article V of Chapter 319, subsection 23 of the Green Lane Borough Code (relating to Connection permits) is hereby, effective immediately, amended to add subsection E to read as follows:

**§319-23 – Connection permits; procedure upon finding discharge to be harmful; right of Borough to inspect.**

...

- E. Permits to discharge wastewater, comprising wastes other than domestic sewage, issued to a Permittee shall contain and/or be subject to the following conditions, as applicable, based on the sole discretion of the Authority upon receipt of a properly completed Authority Permit Application. Properly completed Authority Permit Applications must be returned no more than forty-five (45) days from issuance of the application by the Authority.
  - 1. Permits shall be expressly subject to all provisions of this Ordinance and all other applicable regulations, charges, strength surcharges, and fees established by the Authority. Any violation of the terms and conditions of a Permit shall be deemed a violation of this Ordinance and, regardless of the terms of the Permit, shall subject the Permittee to enforcement and penalties as set forth in this Ordinance. The Permit may contain the following:
    - a. The schedule of charges and fees for the wastewater to be discharged to a sewer.
    - b. Limits on the average and maximum wastewater constituents and characteristics.
    - c. Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization.
    - d. Requirements for installation and maintenance of inspection, sampling and flow metering facilities.
    - e. Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types, and standards for tests and reporting schedule.
    - f. Compliance schedules.
    - g. Requirements for submission of self-monitoring reports, technical reports, flow reports, supplemental data or information or other reports.
    - h. Requirements for maintaining and retaining records relating to wastewater discharge as specified by the Authority and affording the Authority access thereto. All records shall be maintained for a minimum of three (3) years,

and, in the case of litigation, a minimum of three (3) years from the termination or settlement of said litigation.

- i. Requirements for notification to the Authority of a proposed or actual modification of the wastewater being introduced into the sewer system, ninety (90) days prior to the discharge of such modified discharge. For purposes of this Section, a modified discharge shall be considered: (1) any increase in the volume of the discharge beyond that allowed in the Permit; (2) the introduction of any previously unreported wastewater constituent, or (3) an increase in the character or amounts of constituents beyond that allowed in the Permit.
- j. Requirements for prevention and notification of slug discharges.
- k. Requirements that all wastewater samples be representative of the Permittee's discharge and that wastewater monitoring and flow measurement facilities be properly operated, kept clean, and maintained in good working order at all times. The failure of a Permittee to keep its monitoring facility in good working order shall not be grounds for the Permittee to claim that sample results are unrepresentative of its discharge.
- l. A statement of applicable civil and criminal penalties for violation of this Ordinance or a Permit condition.
- m. Best Management Practices (BMPs) including requirements to collect and haul certain waters and wastes off-site for disposal.
- n. Allowance for access for announced and unannounced sampling and facility inspections.
- o. Pre-treatment equipment installation requirements.
- p. Other conditions as deemed necessary by the Authority to ensure compliance with this Ordinance.

## 2. Permit Duration.

- a. Permits shall be issued for a specified time period, set by the Authority, not to exceed five (5) years. The Permittee shall apply for Permit re-issuance by submitting a complete Permit application, a minimum of one hundred and eighty (180) days prior to the expiration of the existing Permit.
- b. The terms and conditions of a Permit may be subject to modification by the Authority during the term of the Permit, if discharge limits or other limitations or requirements as identified in this Ordinance, are modified or if other just cause exists. A Permittee shall be informed of any proposed changes to its Permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the Permit shall include a reasonable time schedule for compliance.

## 3. Permit Transfer.

- a. Permits are issued to a specific Permittee for a specific operation. A Permit shall not be reassigned or transferred or sold to a new Owner, new Permittee, different premises, or a new or changed operation without the

written approval of the Authority in its sole and absolute discretion. Any succeeding Owner shall also comply with the terms and conditions of the existing Permit.

4. Permit Appeals.

- a. A Permittee may petition the Authority to reconsider the terms of a Permit, within thirty (30) days of receipt of notice of its issuance and as more fully set forth in §319-39 (dealing with Appeals).
- b. Failure to submit a timely petition for review shall be deemed a waiver of the Permittee's right to appeal.
- c. In its petition, the appealing party must indicate the Permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the Permit.
- d. The effectiveness of the Permit shall not be stayed pending the appeal.
- e. If the Authority fails to act within thirty (30) days, a request for reconsideration shall be deemed to be denied. The Authority may, at its discretion, hold an administrative hearing before the Authority, or a designee of the Authority, during which a record of the proceeding and any decision on such request for reconsideration shall be made. Decisions not to reconsider a Permit, not to issue a Permit, or not to modify a Permit shall be considered final administrative actions for purposes of judicial review.
- f. A Permittee seeking judicial review of the final administrative Permit decision must do so by filing a complaint with the Court of Common Pleas of Montgomery County within thirty (30) days of the final administrative Permit decision.

**V. REPEALER AND RATIFICATION.** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed. The remainder of the Chapter 319 of the Borough's Code, which is unaffected by this ordinance, shall remain in full force and effect, and the same is hereby ratified and affirmed.

**VI. SEVERABILITY.** Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and for this reason the provisions of this Ordinance shall be severable.

**VII. ENACTMENT AND EFFECTIVE DATE.** This Ordinance shall be effective in five days and shall remain in force until modified, amended or rescinded by Green Lane Borough, Montgomery County, Pennsylvania.

**ENACTED and ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**GREEN LANE BOROUGH COUNCIL**

By: \_\_\_\_\_  
\_\_\_\_\_, President

Attest: \_\_\_\_\_  
\_\_\_\_\_, Secretary

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
\_\_\_\_\_, Mayor