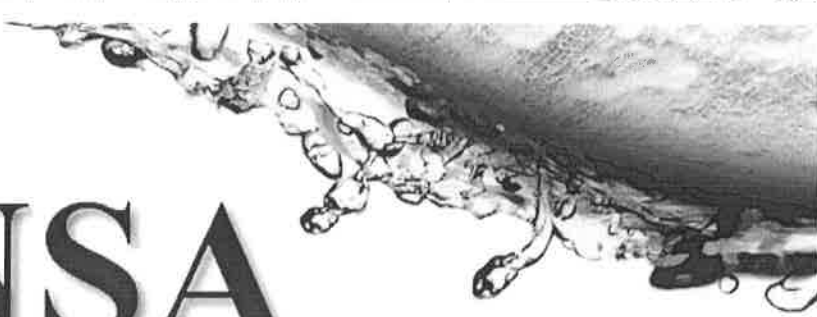


# TNSA



## **RULES AND REGULATIONS**

*OF THE*

*TOWNSHIP OF NEPTUNE SEWERAGE AUTHORITY*

Proudly Serving:

Neptune Township, Ocean Grove, Bradley Beach, Avon,  
Neptune City, Tinton Falls & Wall

### **MISSION STATEMENT**

We are committed to protecting the Environment  
while providing our customers with Professional, Safe  
and Efficient Wastewater Treatment in accordance  
with all State and Federal Regulations

Adopted: March 20, 1996  
April 24, 1996  
Revised: June 18, 1997  
June 17, 1998  
October 17, 2018

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SECTION 1.

INTRODUCTION AND DEFINITION OF TERMS

§ 1.1. General

1.1.1. These Rules and Regulations set forth uniform requirements for customers and users of the Township of Neptune Sewerage Authority's (the "Authority") system and enables the Authority to comply with applicable Federal and State laws.

1.1.2. The objectives of these Rules and Regulations are:

- (a) to prevent the introduction of pollutants into the Authority's system which will interfere with its operation;
- (b) to prevent the introduction of pollutants into the Authority's system which would pass through the system treated inadequately or would otherwise interfere with the Authority's system;
- (c) to protect both the Authority's employees who may be affected by wastewater and sludge that does not meet the minimum requirements set forth herein in the course of their employment and the general public;
- (d) to promote the reuse and recycling of wastewaters and sludges from the Authority's system; and
- (e) to enable the Authority to comply with its regulatory requirements.

§ 1.2. Definitions

1.2.1. Unless the context indicates otherwise, the meaning of terms used throughout these Rules and Regulations shall be as follows:

- (a) "Approved User" - See definition set forth in Section 4.4.
- (b) "Approved Unit Not Connected" - See definition set forth in Section 4.5.
- (c) "Authority" means the Township of Neptune Sewerage Authority or where appropriate, any duly authorized representative or employee of the Township of Neptune Sewerage Authority.
- (d) "Authority's System" means the treatment plant, ocean outfall, and appurtenances which are owned and operated by the Authority.

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- (e) “Authorized Representative” means a person employed by a customer or a user who holds such a position that the Authorized Representative is knowledgeable of the sewage produced and discharged and therefore has the authority to control the sewage discharged.
- (f) “Customer” means a public body which has entered into a Service Agreement with the Authority.
- (g) “Customer Capacity” - See definition set forth in Section 4.1.
- (h) “Customer Metering Stations” means the locations approved by the Authority for the measurement of customer flows.
- (i) “Customer Reserve Utilization” - See definition set forth in Section 4.7.
- (j) “Customer Total Utilization” - See definition set forth in Section 4.8.
- (k) “Discharge” means an intentional or unintentional action or omission resulting in the releasing, spilling, leaking, pumping, pouring, admitting or emptying either directly or indirectly into the Authority’s system, onto land or into wells from which it might flow or drain directly or indirectly into the Authority’s system.
- (l) “GPD” means gallons per day.
- (m) “NJDEP” means the New Jersey Department of Environmental Protection.
- (n) “NJPDES” means the New Jersey Pollutant Discharge Elimination System.
- (o) “Sewage” means any waste that is discharged to or otherwise enters the Authority’s system, including wastes from humans, households, commercial establishments, and industries.
- (p) “Septage” means the liquid and solid material pumped from a septic tank, cesspool, or similar domestic sewage treatment system or a holding tank, when the system is cleaned or maintained.
- (q) “Significant Indirect User” means any user in the State including, but not limited to, any significant industrial user as defined in 40

CFR 403.3(t) but excluding municipal collection systems, who discharges wastewater into a local agency where:

1.
  - (a) The user is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N;
  - (b) The user's average volume of process wastewater exceeds 25,000 gallons per day;
  - (c) The amount of BOD, COD or Suspended Solids in the industrial process wastewater discharge exceeds the mass equivalent of 25,000 gallons per day of the domestic waste of the affected local agency;
  - (d) The volume of industrial process wastewater in the discharge exceeds five percent or more of the average daily dry weather flow of the local agency;
  - (e) The user's discharge of process wastewater contributes, five percent or more of the daily mass loading of any of the pollutants listed in N.J.A.C. 7:14A-4, Appendix A Tables II through V;
  - (f) The user is designated as an SIU by the control authority on the basis that the user has a reasonable potential for adversely affecting the local agency's operation;
  - (g) The user is designated as an SIU by the control authority on the basis that the use has been in violation of any Federal, State, or local pretreatment standard or requirement, including, but not limited to, significant noncompliance as defined in 40 CFR 403.8(f)(2)(vii); or
  - (h) The control authority determines it would be consistent with the intent of the Pretreatment Act or State Act to require a permit for the indirect user; and
  
2. Any user in areas of the State in which the Department is the control authority where;
  - (a) The user is determined to be a hazardous waste facility that received a permit in accordance with N.J.A.C. 7:26-12;
  - (b) The user's discharge consists of landfill leachate, which is either pure, treated, or diluted; or
  - (c) The user's discharge consists of 25,000 gallons per day or more of process wastewater and/or polluted ground water which is pumped from the ground in order to decontaminate an aquifer.
  
- (r) "Sludge" means the solid residue and associated liquid resulting from the physical, chemical, or biological treatment of sewage.

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- (s) "TWA-1" (formerly CP-1) means a Treatment Works Approval Application as promulgated by the NJDEP.
- (t) "USEPA" means the United States Environmental Protection Agency.
- (u) "USER" means any person, individual, firm, company, partnership, corporation, association, group or society, mobile source, and includes political sub-divisions of this State and any Federal, State or interstate agency who is connected directly or indirectly to the Authority's system.
- (v) "Violator" means any customer and/or user who violates these Rules and Regulations.

1.2.2. Where appropriate, all terms used throughout these Rules and Regulations shall include the singular as well as the plural.

SECTION 2. PROHIBITED DISCHARGE STANDARDS

§ 2.1. General Prohibitions

2.1.1. No customers or users shall introduce, or cause to be introduced into the Authority's system any pollutants which would pass through the Authority's system treated inadequately or interfere with the Authority's system. These general prohibitions apply to all customers and users whether or not they are subject to categorical pretreatment standards or any other Federal, State, or local pretreatment standards or requirements.

2.1.2. Customers shall not accept from any user and shall not discharge at Customer Metering Stations any sewage that;

- (a) fails to comply with USEPA and NJDEP Standards;
- (b) upsets normal operation of treatment processes;
- (c) passes through normal operation of treatment processes without adequate treatment;
- (d) endangers the health or safety of Authority employees; or
- (e) causes unusual expenses in the operation and maintenance of the Authority's system.

§ 2.2. Specific Prohibitions

2.2.1. Customers shall not accept from any user and shall not discharge at Customer Metering Stations any:

- (a) sewage discharged from any plumbing facilities not installed in compliance with the National Standard Plumbing Code as adopted by the State of New Jersey;
- (b) sewage containing any materials not normally present in human bodily wastes, household food wastes, household laundering wastes, and household cleaning wastes;
- (c) sewage causing two successive readings greater than five (5) percent or a single reading more than ten (10) percent of the Lower Explosive Limit as measured using a standard explosion hazard meter;
- (d) sewage with a pH less than 5.0 or more than 8.5;

- (e) sewage containing any hazardous material listed in the Emergency Response Guidebook or any amendments thereto published by the United States Department of Transportation (USDOT publication P 5800.5) unless authorized by permit issued by the NJDEP with specific limitations or subject to local limits hereunder;
- (f) sewage containing visual accumulations of grease or containing more than 25 milligrams per liter of combined petroleum based and non-petroleum based oil and grease;
- (g) sewage, septage, sludges, or any other material that is trucked or hauled for discharge to collection systems;
- (h) sewage containing sludges from water treatment plants, septage from septic tanks, or sludges or septage from any other sources;
- (i) sewage containing storm water, surface water, ground water, roof runoff, sub-surface drainage, swimming pool drainage, condensate, and non-contact cooling water;
- (j) any sewage or waste stream from any process or equipment containing total metal concentrations expressed in micrograms per liter in excess of the following local limits:

micrograms per liter

(1)	cadium	100
(2)	chromium (hexavalent)	100
(3)	copper	100
(4)	lead	100
(5)	mercury	1
(6)	nickel	100
(7)	silver	50
(8)	zinc	200

- (k) sewage from Significant Indirect Users containing more than two hundred milligrams per liter (200 mg/l) of nitrates.



SECTION 3.

REPORTING, INSPECTION AND TESTING OF SEWAGE  
DISCHARGES

§ 3.1. Reporting Requirements

3.1.1. An authorized representative of a user shall complete and sign any questionnaire promulgated by the Authority pertaining to the quantity, character and composition of a user's sewage. Users shall return completed questionnaires to the Authority within thirty (30) days of receipt. An authorized representative shall submit revised questionnaires to the Authority whenever any information contained in a previous questionnaire has changed.

§ 3.2. Inspection

3.2.1. Inspection of a user's discharge facilities may be performed by the Authority without prior notice at any reasonable time. The frequency of inspections shall be determined in the sole discretion of the Authority.

3.2.2. The Authority shall have the right to enter the premises of any user to determine whether a user is complying with all requirements of the Authority's Rules and Regulations and/or any NJDEP issued permit. Users shall allow the Authority ready access to all parts of the premises for the purpose of inspection, sampling, record examination and copying, and the performance of any additional duties pertaining to compliance with these Rules and Regulations.

(a) Where a user has security measures in force which require proper identification and clearance before entering into its premises, the user shall make necessary arrangements with its security guards so that upon presentation of suitable identification the Authority will be permitted to enter without delay for the purposes of performing specific responsibilities related to the Authority's compliance program;

(b) The Authority shall have the right to set up and maintain on the user's property such equipment as the Authority deems necessary to monitor and/or sample the user's sewage discharges;

(c) Any obstruction to safe and easy access to the premises to be inspected shall be removed promptly by the user, at its sole cost and expense, at the written or verbal request of the Authority and shall not be replaced.

3.2.3. If the Authority has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there

may be a violation of the Authority's Rules and Regulations or that there is a need to inspect as part of the Authority's routine inspection and sampling program designed to verify compliance with these Rules and Regulations or to protect the overall public health, safety, and welfare of the community within the Authority's service area, then in addition to any applicable enforcement actions set forth in Section 7, the Authority may seek issuance of a search warrant from the appropriate Municipal or Superior Court.

§ 3.3. Testing

- 3.3.1. Testing will be performed by the Authority. The cost of testing will be borne by the Authority only when the test indicates that the user is in compliance with the Authority's Rules and Regulations. However, if the test indicates that the user is not in compliance with these Rules and Regulations, the user will be surcharged for the cost of the test as set forth in Section 7.2.
- 3.3.2. Any other laboratory reports of sewage analysis that may be performed by the user or another Federal, State, or local agency shall be submitted to the Authority by the user within ten (10) days of the user's receipt of said report.

SECTION 4. CAPACITY UTILIZATION

§ 4.1. Customer Capacity

4.1.1. “Customer Capacity” means the treatment capacity for a customer which is expressed as the maximum thirty (30) day average flow in million gallons daily which is provided in a Service Agreement and amendments thereto between the customer and the Authority.

§ 4.2. Customer Recorded Utilization

4.2.1. “Customer Recorded Utilization” means the highest measured flow as indicated by the Authority’s certified records for a customer which is expressed as the maximum average flow in million gallons daily for three (3) consecutive months.

4.2.2. The Authority will determine the Customer Recorded Utilization for each customer.

§ 4.3. Request for Adjustment of Customer Recorded Utilization

4.3.1. A customer may request that the Authority review its Customer Recorded Utilization based on infiltration/inflow remedial measures performed by the customer. A customer’s request shall be accompanied by:

(a) An engineer’s report certifying the completion of flow reduction measures and the amount of reduction therefrom; and

(b) A resolution adopted by the customer endorsing the engineer’s report.

4.3.2. After reviewing the material required pursuant to Section 4.3.1, the Authority may accept or reject the request of a customer for adjustment of its Customer Recorded Utilization. If a customer request is accepted, the Authority will make an appropriate adjustment of the Customer Recorded Utilization consistent with the findings contained in the engineer’s report regarding infiltration/inflow remedial measures performed by the customer.

§ 4.4. Approved User

4.4.1. “Approved User” means a user who holds a valid permit issued by the Authority or NJDEP to obtain sewer service for a specific number of establishments as set forth in N.J.A.C. 7:14A-23.3.

§ 4.5. Approved Unit Not Connected

4.5.1. “Approved Unit Not Connected” means an approved establishment which has not been issued a municipal certificate of occupancy.

§ 4.6. Customer Report

4.6.1. “Customer Report” means a certified report which contains projected flow criteria (i.e., type of establishment, measurement unit and gallons per day) set forth in N.J.A.C. 7:14A-23.3 for each Approved Unit Not Connected as of December 31<sup>st</sup> of each year.

4.6.2. On or before March 1<sup>st</sup> of each year, each customer shall submit a Customer Report to the Authority.

4.6.3. If a Customer Report is not submitted to the Authority on or before March 1<sup>st</sup> of each year, then in addition to any applicable enforcement actions set forth in Section 7.0, the Authority will utilize the best available information in determining the Customer Reserve Utilization as set forth in Section 4.7.

§ 4.7. Customer Reserve Utilization

4.7.1. “Customer Reserve Utilization” mean’s a customer’s remaining capacity for Approved Units Not Connected.

4.7.2. The Authority will determine the Customer Reserve Utilization by:

- (a) Computing the projected flow by multiplying the number of each type of establishment set forth in the Customer Report by the allocated gallons per day for each type of establishment as set forth in N.J.A.C. 7:14A-23.3;
- (b) Multiplying the projected flow by 1.0; and
- (c) Summating the Customer Reserve Utilization for each type of establishment.

4.7.3. For the purposes of determining a projected flow, the Authority reserves the right to assign the number of bedrooms attributed to dwelling units.

§ 4.8. Customer Total Utilization

4.8.1. “Customer Total Utilization” means the sum of Customer Recorded Utilization and Customer Reserve Utilization.

4.8.2. The Authority will determine the Customer Total Utilization.

§ 4.9. Customer Available Capacity

- 4.9.1. If Customer Capacity exceeds Customer Total Utilization, the Authority will determine Customer Available Capacity as Customer Capacity less Customer Total Utilization.
- 4.9.2. The Authority will approve or endorse applications submitted in accordance with Section 5 of these Rules and Regulations if the treatment capacity set forth in the application does not exceed the Customer Available Capacity.

§ 4.10. Customer Deficit Capacity

- 4.10.1. If Customer Total Utilization exceeds Customer Capacity, the Authority will determine Customer Deficit Capacity as Customer Total Utilization less Customer Capacity.
- 4.10.2. The Authority will not approve or endorse applications where a Customer Deficit Capacity exists.
- 4.10.3. In cases of Customer Deficit Capacity the Authority, in addition to any remedies contained in these Rules and Regulations, may enforce the relevant provisions set forth in the Service Agreement and amendments thereto between the customer and the Authority.

§ 4.11. Authority Notification

- 4.11.1. The Authority will notify each customer before April 1<sup>st</sup> of each year regarding:
  - (a) Customer Recorded Utilization;
  - (b) The action on any request for a review of Customer Recorded Utilization;  
and
  - (c) Customer Available Capacity or Customer Deficit Capacity.

SECTION 5. TWA-1 APPLICATIONS

§ 5.1. General Policy

- 5.1.1. In accordance with NJDEP rules and regulations, the Authority will not approve or endorse a TWA-1 until all information that the Authority deems necessary and proper regarding the quantity, character, and composition of sewage to be discharged is provided to the Authority.
- 5.1.2. The Authority will not examine any submitted TWA-1 unless the customer has complied with the requirements set forth in Section 4.6.

§ 5.2. Requirements

- 5.2.1. Customers shall submit a completed and endorsed TWA-1 to the Authority and shall include a Customer Report prepared in accordance with Section 4.6 which includes projected flow for the TWA-1.
- 5.2.2. A TWA-1 approval or endorsement from the Authority is required except for the following: the building, installing, modifying, or operating of any sewer lateral (whether forced or gravity) which will provide conveyance from a single family dwelling.

§ 5.3. Approval

- 5.3.1. The Authority may approve a TWA-1 when the total daily average flow is less than 8,000 gpd as determined by using NJDEP projected flow criteria set forth in N.J.A.C. 7:14A-23.3. When approved by the Authority, the approved TWA-1 will be returned to the customer.

§ 5.4. Endorsement

- 5.4.1. The Authority may endorse a TWA-1 when the total daily average flow is equal to or greater than 8,000 gpd as determined by using NJDEP projected flow criteria set forth in N.J.A.C. 7:14A-23.3. When endorsed by the Authority, the endorsed TWA-1 will be submitted to the NJDEP.

§ 5.5. Customer Reserve Utilization

- 5.5.1. Upon approval or endorsement of TWA-1 the Authority will allocate against the customer its Customer Reserve Utilization by:
- (a) Computing the projected flow by multiplying the number of each type of establishment set forth in the TWA-1 by the allocated gallons per day for each type of establishment as set forth in N.J.A.C. 7:14A-23.3;

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- (b) Multiplying the projected flow by 1.0; and
- (c) Summating the Customer Reserve Utilization for each type of establishment.

SECTION 6.

VIOLATIONS FOR DISCHARGE OF PROHIBITED WASTES

§ 6.1. Violations

- 6.1.1. If any inspection and/or test indicates any violation of the Authority's Rules and Regulations, the violator will be issued a written notice of violation which shall instruct the violator to cease and desist such violation within the time specified by the Authority, but in no case shall the time specified exceed twenty-four (24) hours of the date the notice of violation was received.
- 6.1.2. The Authority may mail the notice of violation to the violator by certified mail return receipt requested and/or hand deliver the notice of violation to the violator.
- (a) If the violator is a user, the notice of violation will be addressed to its authorized representative and a copy of the notice of violation will be provided to the appropriate customer.
- (b) If the violator is a customer, the notice of violation will be issued to the appropriate municipal clerk or administrator.
- 6.1.3. The Authority will conduct any sampling and/or monitoring as well as implement any other procedures that it deems necessary in order to protect the Authority's system. The violator shall be surcharged for the cost of the aforementioned procedures as set forth in Section 7.2 of these Rules and Regulations.

§ 6.2. Reporting of Potential Problems

- 6.2.1. In the case of any discharge that may violate these Rules and Regulations, the customer shall immediately telephone and notify the Authority of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and any corrective action taken by the customer. Such notification shall not relieve the customer and/or user of any fine, penalty, or other liability which may be imposed pursuant to these Rules and Regulations as well as any applicable Federal, State, and/or local law.



SECTION 7. ENFORCEMENT

§ 7.1. Enforcement Actions

7.1.1. Enforcement actions available to the Authority include, but are not limited to, the following:

- (a) seeking injunctive relief against a violation or threatened violation of these Rules and Regulations in Superior Court;
- (b) sealing or closing off such sewage connections from the Authority's system until the Authority is satisfied that adequate measures have been taken to prevent the re-occurrence of any violation;
- (c) petitioning the Attorney General or County Prosecutor for the commencement of a criminal action; and
- (d) notifying NJDEP of the date, time, place, and nature of a violation.

§ 7.2. Surcharges

7.2.1. The Authority shall be reimbursed for the costs of operating its compliance program. Such costs may include, but are not limited to:

- (a) costs for monitoring and/or inspection procedures including the costs of collecting and analyzing sewage discharges;
- (b) costs for responding to and mitigating any prohibited discharges into the Authority's system;
- (c) reimbursement from a violator for any fine, penalty, or other monetary damages imposed by the NJDEP upon the Authority for any violation of the Authority's NJPDES permit attributed to the violator;
- (d) other costs as the Authority may deem necessary to carry out the requirements contained in these Rules and Regulations.
  - (1) these costs will relate to the matters covered by these Rules and Regulations and are separate from all other costs, fines, and penalties which may be incurred by the Authority pursuant to applicable Federal, State, and local law.
- (e) costs for professional services rendered, including but not limited to, legal, engineering, and expert fees incurred by the Authority as a result of a violation of these Rules and Regulations.

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- 7.2.2. Surcharges will be calculated in accordance with the costs incurred or the amount paid by the Authority for such items, including but not limited to, manpower, supplies and materials, tests and reports, and professional services.

SECTION 8. METERING PLAN FOR CUSTOMER SEWAGE FLOWS

The Authority's metering plan for customer sewage flows will enable the Authority to continue providing for proper and accurate measurements of customer sewage flows for billing in accordance with the Service Agreement with its customers and for determining customer recorded utilization in accordance with these Rules and Regulations.

§ 8.1. Customer Metering Station

8.1.1 Each customer metering station is equipped with a flume or pipe section which serves as the primary device for flow metering. Flumes are equipped with ultrasonic or float depth sensors and pipes are equipped with magnetic or Doppler flow sensors. Both flumes and pipes are also equipped with a sensor signal device, a recorder chart and a totalizer.

8.1.2. A diagram of the Authority's Customer Metering Stations is attached.

8.1.3. Although the Authority conducts weekly meter readings of the metering equipment and its specialized contractor makes quarterly adjustments and calibrations of the metering equipment, customers are responsible for repairs and/or replacements when required in order to insure the accuracy of flow metering at the customer owned metering stations.

§ 8.2. Inspection

8.2.1. As part of its ongoing compliance program, the Authority will notify each customer in writing of any equipment which requires repair and/or replacement.

§ 8.3. Meter Reading

8.3.1. In order to prevent any errors due to signal transmission, the Authority will read the totalizers directly at the customer metering stations. The Authority will take readings weekly and at the close of each month.

8.3.2. Following the close of each month, the Authority will provide each customer in writing of its monthly flow volume.

8.3.3. If a customer disputes its monthly flow volume, it must inform the Authority in writing within seven (7) business days of receiving the monthly flow volume of the nature of its disagreement along with the documentation supporting the customer's contentions. If a customer fails to respond in a timely manner, they will be precluded from disputing their monthly flow volumes.

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8.3.4. The Authority will respond to a customer's inquiry in writing. The Authority's determination shall be final.

§ 8.4. Annual Flow Volumes

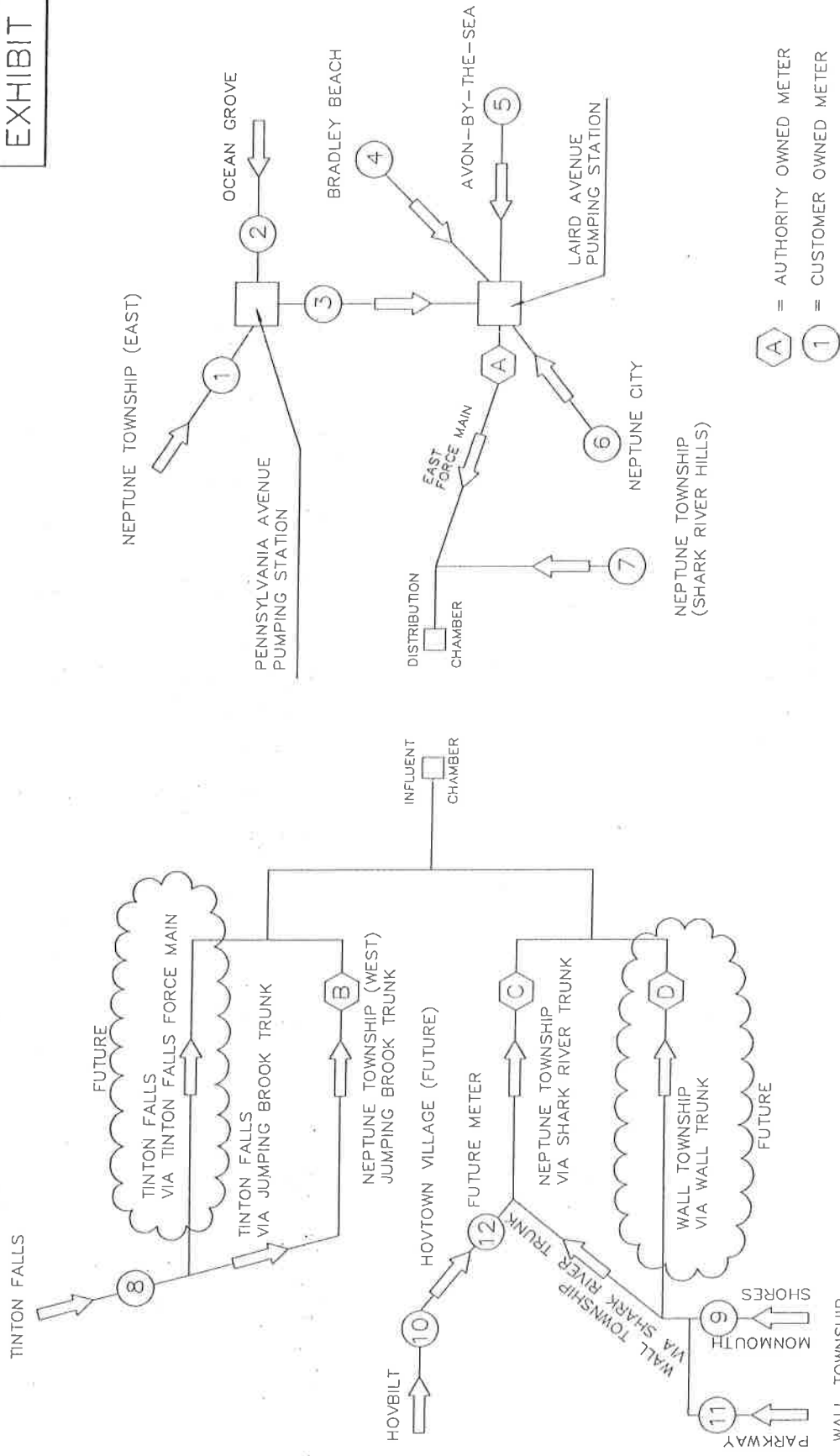
8.4.1. The annual flow volumes for each customer will consist of the aggregate monthly flow volumes for the calendar year. At the close of the calendar year, upon certification by the Authority engineer, the annual flow volumes will be provided in writing to each customer. The annual flow volumes will be used for determining the operation and maintenance charges for each customer.

SECTION 9.

MISCELLANEOUS

- § 9.1. These Rules and Regulations shall become effective immediately following adoption by the Authority except for Section 7.2 “Surcharges”.
- 9.2. Any reference in these Rules and Regulations to any State or Federal law, regulation, rule, or statute includes any subsequent revisions thereto.
- 9.3. If any provision of the Authority’s Rules and Regulations is invalidated by any Court of competent jurisdiction, the remaining provisions shall not be effected and shall continue in full force and effect.

EXHIBIT 1



A = AUTHORITY OWNED METER  
 1 = CUSTOMER OWNED METER

TOWNSHIP OF NEPTUNE SEWERAGE AUTHORITY  
 MONMOUTH COUNTY, NEW JERSEY  
 SYSTEM METERS  
 REVISED JUNE 23, 1993

Birdsall Engineering, Inc.  
 CONSULTING ENGINEERS