

BOROUGH OF DICKSON CITY, LACKAWANNA COUNTY, PENNSYLVANIA**ORDINANCE No. 3 - 2017**

AN ORDINANCE ESTABLISHING REQUIREMENTS FOR THE DISCHARGE OF WASTEWATER TO THE PENNSYLVANIA-AMERICAN WATER COMPANY TREATMENT WORKS AND REPEALING PRIOR ORDINANCES AND RESOLUTIONS AS THEY PERTAIN TO THE DISCHARGE OF WASTEWATER TO THE SEWER AUTHORITY OF THE CITY OF SCRANTON

WHEREAS, portions of the Borough of Dickson City (the "Borough") historically have been served by the Sewer Authority of the City of Scranton ("SSA"); and

WHEREAS, the Borough and SSA previously had entered into certain agreements regarding such service (the "Agreements"), particularly as follows:

"Agreement for the Acceptance, Conveyance, Treatment, and Disposal of Wastewater Received from the Siniawa Enterprises Wastewater Collection System at the Scranton Wastewater Collection System and Wastewater Treatment Plant," dated June 14, 1989, and

"Interjurisdictional Agreement Between The Sewer Authority of The City of Scranton and The Borough of Dickson City," dated April 14, 2003; and

WHEREAS, in connection with the Agreements, the Borough previously adopted Ordinance No. 3 of 2008 establishing regulations for the discharge of industrial waste into the SSA sewer system and related matters; and

WHEREAS, SSA has sold to Pennsylvania-American Water Company ("PAWC") assets relating to the SSA combined sewer and wastewater system; and

WHEREAS, in connection with the sale of those assets, PAWC requested and the Borough agreed to allow the assignment of the Agreements by SSA to PAWC; and

WHEREAS, in connection with the assignments of the Agreements by SSA to PAWC, the Borough agreed to adopt, enforce, and keep in full force and effect during the term of the Agreements, ordinances or resolutions, as appropriate, that:

Prohibit discharges into their sewer system of wastes prohibited to be discharged under PAWC's Industrial Pretreatment Program, and

Implement a program to regulate and control discharges of non-domestic waste that is at least as stringent as PAWC's Industrial Pretreatment Program, and

Assure compliance with any Specific Pollutant Discharge Limitations (Local Limits) specified in PAWC's Industrial Pretreatment Program.

WHEREAS, NPDES Permit No. PA0026492A-1 (the "NPDES Permit") issued by the Pennsylvania Department of Environmental Protection ("PADEP") to PAWC requires the development, submission to

PADEP, implementation and periodic updating of an Industrial Pretreatment Program containing specific elements and provisions; and

WHEREAS, a copy of the PAWC Industrial Pretreatment Program, as submitted to PADEP, is attached as Exhibit "A" hereto and incorporated herein by reference; and

WHEREAS, the fees and charges associated with administration of the Industrial Pretreatment Program and discharges of pollutants to the PAWC system have been approved by the Pennsylvania Public Utility Commission ("PUC");

NOW, THEREFORE, BE IT ORDAINED as follows:

SECTION 1. The rules, requirements, standards, prohibitions and limitations stated in the PAWC Industrial Pretreatment Program, as attached as Exhibit A, and the fees and charges with respect to such Industrial Pretreatment Program approved by the PUC, are adopted and established as requirements of the Borough for any direct or indirect discharge of wastewater to the PAWC Treatment Works. A copy of the PAWC Industrial Pretreatment Program is on file with the Borough Manager Office, 901 Enterprise Street, Dickson City, Pa 18519 and incorporated herein by reference.

SECTION 2. Ordinance No. 3 of 2008 is hereby repealed in its entirety.

SECTION 3. All prior "Local Limits" applicable to portions of the Borough previously served by SSA are hereby repealed in their entirety.

SECTION 4. All rules, requirements, standards, prohibitions, limitations, fees, and charges of SSA shall no longer apply within the Borough.

SECTION 5. This Ordinance shall be effective upon passage.

ENACTED this 11th day of April 2017

**BOROUGH OF DICKSON CITY,
LACKAWANNA COUNTY, PENNSYLVANIA**

BY: Barbara Mecca
Barbara Mecca, President of Council

ATTEST:

Donna Sosik
Donna Sosik, Secretary

EXAMINED AND APPROVED this 11th day of April 2017

Stanley Prushynski
Stanley Prushynski, MAYOR