RULES AND REGULATIONS

ARTICLE XIV SEWAGE MANAGEMENT



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Effective December 1, 1997

ALLEGHENY COUNTY HEALTH DEPARTMENT

Article XIV - "Sewage Disposal Rules and Regulations

ARTICLE XIV. SEWAGE MANAGEMENT

1401 PURPOSE

This article provides for the regulation of sewage facilities; setting forth definitions; provides regulations for installation, operation, and maintenance of such systems; provides for inspections; regulates and requires permits; provides for connections to public sewers; provides for standards; prohibits the continued use of malfunctioning sewage facilities; requires municipal management and cooperative sewage management between municipalities; and provides penalties for violations thereof.

The purpose of this Article is to encourage owners, operators and users of sewage disposal systems to institute pollution prevention programs and practice pollution prevention to the extent possible.

1402 EFFECTIVE DATE

The provisions of this Article shall become effective on December 1, 1997.

1403 DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of these regulations:

ARTICLE - Allegheny County Health Department Rules & Regulations, Article XIV, "Sewage Disposal".

BUILDING SEWER - A piping system to carry sewage wastes from a single building, which terminates with a connection to a public sewer, common sewer lateral, or sewage disposal system.

COMMON SEWER LATERAL - A private sewer that collects the sewage discharge of more than one building sewer and conveys it to a public sewer. A common sewer lateral does not include a private sewer conveying wastes from more than one building under one ownership (i.e. shopping centers, etc.).

CORRECTIVE ACTION PLAN - A proposed method of addressing a sewage problem submitted by a responsible person in response to an order of the Department.

DEPARTMENT - Allegheny County Health Department.

DIRECTOR - The Director of the Allegheny County Health Department, or the Director's authorized representative.

EQUIVALENT DWELLING UNIT - For planning purposes only, to determine the number of lots in a subdivision, that part of a multiple family dwelling or commercial or industrial establishment with flows equal to 400 gallons per day.

EVENT - Any activity attracting more than fifty (50) persons that is sponsored, organized, promoted, managed or financed by any person, group of persons, partnership, organization, corporation, business or government entity where individuals congregate to participate in or observe an activity in an outdoor setting or semi-enclosed structure for more than two (2) consecutive hours.

JOINT MANAGEMENT AGREEMENT - An agreement between two (2) or more municipalities sharing a water drainage basin, which provides for cooperation and apportioning responsibility for conveyance and treatment of sewage in the water drainage basin.

LOT - A part of a subdivision or parcel of land used as a building site or intended to be used for building

purposes, whether immediate or future, which would not be further subdivided. Whenever a lot is used for a multiple family dwelling or for commercial, institutional or industrial purposes, the lot shall be deemed to have been subdivided into an equivalent number of single-family residential lots as determined by estimated sewage flows.

MUNICIPALITY - A city, incorporated town, township, borough, or home rule municipality other than a county, or any authority created pursuant to the laws of the Commonwealth of Pennsylvania.

NONSEWERED TOILET SYSTEM ("NST") - A portable, self-contained holding tank/toilet unit that is designed to provide toilet facilities for a temporary period of time, such as at events and building construction sites.

NPDES - National Pollutant Discharge Elimination System.

OPERATOR - A person certified by the Commonwealth of Pennsylvania who operates a wastewater treatment facility as required by law or regulation.

OWNER - The person who is the owner of record or equitable owner of a wastewater treatment facility, home, property, residence or development, including but not limited to the executor, trustee, or administrator of any property which falls under this regulation.

PENNSYLVANIA CLEAN STREAMS LAW - The Pennsylvania Clean Streams Law, Act of June 22, 1937, P.L. 1987, as amended.

PENNSYLVANIA SEWAGE FACILITIES ACT - The Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended.

PERMITTEE - The person to whom a permit is issued.

PERSON - An individual, association, public or private corporation for profit or not for profit, partnership, firm, trust, estate, department, board, bureau, or agency of the United States, Commonwealth, political subdivision, municipality, district, authority, or another legal entity which is recognized by law as the subject of rights and duties. The term includes the members of an association, partnership, or firm and the officers of a local agency or municipal, public, private corporation for profit or not for profit.

POLLUTION PREVENTION - Any practice that reduces or eliminates potentially harmful pollutants at the source, or that reduces the use and consumption of resources, such as water or energy, in accordance with the National Pollution Prevention Policy.

PUBLIC SEWER - A common sewer owned and/or controlled by a municipality or municipal authority.

RETAINING TANK - A watertight receptacle which receives and retains sewage and is designed and constructed to facilitate ultimate disposal of the sewage at another site. The term includes, but is not limited to, the following:

- Non-sewered toilet
- 2. Chemical toilet
- 3. Holding tank
- 4. Privy
- 5. Incinerator toilet
- 6. Composting toilet
- 7. Recycling toilet

SEWAGE - A substance that contains the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life, or to the use of waters for domestic water supply or for recreation, or which constitutes pollution under the PA Clean Streams Law.

SEWAGE FACILITIES - Systems of sewage collection, conveyance, treatment and disposal which will prevent the discharge of untreated or inadequately treated sewage or other waste into waters of this Commonwealth or otherwise provide for the safe and sanitary treatment and disposal of sewage or other waste.

- 1. INDIVIDUAL SEWAGE SYSTEM A sewage facility, whether publicly or privately owned, located on a single lot and serving one (1) equivalent dwelling unit and collecting, treating, and disposing of sewage in whole or in part into the soil or into waters of this Commonwealth, or by means of conveyance of retaining tank wastes to another site for final disposal.
 - a. INDIVIDUAL ON-LOT SEWAGE SYSTEM An individual sewage system which uses a system of piping, tanks, or other facilities for collecting, treating and disposing of sewage into a subsurface absorption area or a retaining tank.
 - b. INDIVIDUAL SEWERAGE SYSTEM An individual sewage system which uses a method of sewage collection, conveyance, treatment and disposal other than renovation into a subsurface absorption area, or retention in a retaining tank.
- 2. COMMUNITY SEWAGE SYSTEM A sewage facility, whether publicly or privately owned, for the collection of sewage from two (2) or more lots, or two (2) or more equivalent dwelling units and the treatment or disposal, or both, of the sewage on one (1) or more of the lots or at another site.
 - a. COMMUNITY ON-LOT SEWAGE SYSTEM A community sewage system which uses
 a system of piping, tanks, or other facilities for collecting, treating and disposing of
 sewage into a subsurface absorption area or a retaining tank.
 - b. COMMUNITY SEWERAGE SYSTEM A community sewage system which uses a method of sewage collection, conveyance, treatment and disposal other than renovation into a subsurface absorption area, or retention in a retaining tank.

SEWAGE MANAGEMENT PROGRAM - A program authorized by the official action of a municipality, authority, or political subdivision for the administration, management, and regulation of the disposal and/or conveyance of sewage.

WATERS OF THE COMMONWEALTH - Rivers, streams, creeks, rivulets, impoundments, ditches, water courses, storm sewers, lakes, dammed water, ponds, springs and other bodies or channels of conveyance of surface and underground water, or of their parts, whether natural or artificial, within or on the boundaries of this Commonwealth.

WATER DRAINAGE BASIN - That area drained by a river, stream, or other body of water whether artificial or natural.

1404 REQUIREMENTS FOR SEWAGE DISPOSAL SYSTEMS

- The Director is authorized to promulgate minimum standards governing the management, design, construction, installation, reconstruction, and operation of individual and community sewage systems. These minimum standards will ensure that the discharge from any individual or community sewage systems:
 - A. Does not actually or potentially contaminate any drinking water supply;
 - B. Is not accessible to insects, rodents, or other possible carriers of disease which may actually or potentially come into contact with food or drinking water;
 - C. Is not a health hazard by being actually or potentially accessible to children;
 - D. Is not discharged to any underground mine, well, or cavern;

- E. Does not give rise to a nuisance due to odor or unsightly appearance;
- F. Does not contaminate any stream or other water of the Commonwealth; and
- G. Will not violate the PA Clean Stream Law, as amended; the PA Sewage Facilities Act, as amended; or any other statute or regulation referring to water pollution, sewage disposal, or nuisances.
- Violations of the standards identified in §1404.1 are declared health hazards and/or nuisances and it shall be unlawful for any person to continue to allow, or fail to eliminate the discharge of sewage in a manner which fails to conform to the requirements of §1404.1, or fail to abate the nuisance caused by such discharge of sewage.

1405 PERMITS FOR SEWAGE DISPOSAL SYSTEMS & SEWAGE WASTE HAULING VEHICLES

1405.1 SEWAGE DISPOSAL SYSTEMS

- A. It shall be unlawful for any person to cause to be constructed, installed, altered, repaired, or extended on any piece or parcel of ground under that person's ownership, care, or control, either an individual on-lot or community on-lot sewage disposal system or install, construct, occupy or use a building to be served by that system unless said person has previously applied for and obtained a permit from the Department. Said permits must be acquired prior to the commencement of any construction, related to the installation of, repair, or preparation for the installation of any such system. Application for permits will be made on forms provided by the Department.
 - It is unlawful for any person or use or cause to be used a sewage disposal system that has been installed and/or repaired without the permits required by state laws and county regulations.
 - 2. For purposes of this Section, daily usage of a system is considered a separate violation.
- B. The Director reserves the right to deny a permit where in his/her opinion the creation of a health hazard or nuisance may result from the construction, installation, alteration, or extension of an individual on-lot system or community on-lot system, as proposed in the application. The Director may require that such system will provide the degree of treatment necessary to assure compliance with the requirements of §1404.1.
- C. No individual or community sewage system shall be put into use until final inspection and approval of the completed system has been obtained from the Director.

1405.2 SEWAGE WASTE HAULING VEHICLES

Any vehicle that pumps and hauls sewage or sewage sludge from septic tanks, nonsewered toilet systems (NSTs), or other facilities for disposal shall obtain and display a permit for such from the Department, pursuant to the requirements and standards of the Allegheny County Health Department Rules & Regulations, Article VIII, "Solid Waste & Recycling Management".

1406 INSPECTIONS

- The Director is hereby authorized to make such inspections and investigations as are necessary to ensure satisfactory compliance with the Rules and Regulations promulgated by the Department.
- 1406.2 It shall be the duty of the owner or occupant of a residence, building, occupied parcel, or operator of a sewage treatment plant, to provide the Director free access to such premises at all reasonable times for the purpose of making such inspections and investigations as are necessary to ensure compliance with

the requirements of the Rules and Regulations promulgated hereunder.

An owner of a residence, building or occupied parcel of land or his authorized agent may enter the premises at all reasonable times for the purpose of complying with any provision of these Rules and Regulations or with any order issued thereunder. Tenants or occupants shall not prohibit or hinder access for the purpose of complying with this regulation.

1407 NONSEWERED TOILET SYSTEMS

- 1407.1 It is the responsibility of both the lessor and owner of an NST to maintain such NST in a condition that does not create a nuisance by reason of discharge, leaks, overflow, or other cause.
- It shall be the responsibility of the holder of any event in Allegheny County to secure a sufficient number of toilet facilities for each event. Where NSTs are utilized, the holder of the event shall have a minimum number of NSTs in accordance with Table 1. Where NSTs are used for large events (> 10,000 persons), an alternate plan, submitted to the Department for approval thirty (30) days prior to the event, can be utilized.
- Where toilet facilities are not available at a building construction site, NSTs shall be provided when workers spend six (6) hours or more at the construction site daily. This Section shall not apply to the construction of one (1) single family dwelling. (See Table 1)
- An NST must be constructed of smooth, non-absorbent, easily cleanable materials, and provide ready access to the storage tank for easy maintenance. The NSTs holding tank must be vented and screened to prevent entry of insects. NSTs shall meet the installation specifications of the manufacturer.
- An owner or lessor of an NST shall not transport an NST with any sewage in the storage tank. All sewage removed from an NST shall be disposed of only in a manner permissible under State law or regulation.
- The NST owner shall maintain records of the name of the lessor and the location of the NST. Such records shall be made available for inspection by the Department.

1408 MUNICIPAL PLANNING

- All municipalities in Allegheny County shall submit to the Department, a map of all municipal, community or common sewage conveyance and treatment systems within the municipal borders. Such map shall be in a form satisfactory to the Department and at a minimum, accurately depict the location of municipal sewers, as well as size, flow direction, manhole locations, pump stations, sewage treatment facilities, and any combined sewer or sanitary sewer discharge points. These maps shall be submitted according to the following schedule:
 - A. By January 1, 1998, all municipalities tributary to the Allegheny County Sanitary Authority (ALCOSAN) sewage treatment plant which have permitted separate sanitary sewer systems shall submit the required mapping referenced in §1408.1.
 - B. By January 1, 1999, all municipalities with permitted combined sewers shall submit the required mapping referenced in §1408.1.
 - C. By January 1, 2000, all other municipalities shall submit the required mapping referenced in §1408.1.
- If the Director determines that because of existing or intermittent health hazards in any municipality relating to sewage, the Director may order any municipality or municipalities affecting or partially affecting such condition to submit the map required by §1408.1 on an accelerated schedule. Such schedule shall not require map submittal earlier than six (6) months after the date of such order.

- If the Department determines that any condition which violates the within sewage regulations is the responsibility of a person or municipality or municipalities, the Department may order a Corrective Action Plan (CAP) or joint CAP be developed and submitted by a specific date. The person or municipality or municipalities must submit the CAP by the dates specified. Once received, the Department has thirty (30) days to reject or approve such CAP. If rejected, the Department shall specify the reasons for rejection and the party submitting the CAP shall have sixty (60) days to amend the CAP and obtain approval from the Department.
- All permittees of individual sewerage or community sewerage systems are required to have a written agreement with a municipality, or public authority, providing for the continued operation and maintenance of the system.

1409 MUNICIPAL SEWAGE MANAGEMENT

Any time a sewershed drainage basin encompasses more than one (1) municipality within Allegheny County, the Department may order all the municipalities that share the drainage basin to enter into a Joint Management Agreement (JMA). The JMA must specifically designate responsibility for maintenance of multi-municipal sewer systems, as well as malfunctions. JMAs shall be submitted to the Department when so ordered. The Department shall give municipalities a minimum of one hundred eighty (180) days to adopt a JMA which may become part of a CAP. All JMAs must be reviewed and updated every five (5) years.

1409.2 SEWER FACILITIES

Subject to the provisions of an approved JMA, each municipality shall be responsible for proper sewage conveyance and treatment that occurs within the boundaries of the municipality.

1409.3 ON-LOT SEWAGE DISPOSAL

When a municipality approves plans to develop property containing eleven (11) or more single family lots utilizing on-lot disposal of sewage, the municipality shall first create a sewage management district for the development which shall be responsible for:

- A. Routine maintenance and repair of all on-lot sewage disposal systems in the municipality, including removal of solids from tanks every three (3) years;
- B. maintenance and management of stormwater to protect sewage facilities; and
- C. imposition of water conservation practices where necessary.
- Prior to issuing any building or occupancy permit for a newly constructed structure, the municipality shall ascertain the methods of sewage disposal contemplated and verify that all necessary permits for such have been obtained. Where any type of on-lot disposal is proposed, a permit issued by the Department is necessary prior to any construction.

1409.5 COMMON SEWER LATERALS

It shall be the responsibility of the municipality to manage the repair, upgrade, and maintenance of common sewer laterals within its boundaries in so far as it is necessary to undertake action to eliminate a public health problem. In the event that a municipality expends public funds for the purpose of addressing such a public health problem caused by the illegal discharge of sewage from a common sewer lateral or in the event that it becomes necessary to upgrade the lateral to meet current code requirements, nothing shall prevent the municipality from assessing such costs to the property owners whose property is connected to the common sewer lateral.

1409.6 CONNECTION TO A PUBLIC SEWER



B. Where a public sewer line or public sewer line extension is constructed after January 1, 1994, all buildings or structures used for human occupancy within two hundred fifty (250) feet of such public sewer or sewer line extension, where such sewer has been made available by the municipality or authority, shall have the building systems connected to the public facility and discontinue the use of any individual or community sewage treatment system. Owners of affected properties under this section may be given up to ninety (90) days by the Department to connect to the public sewer.

1410 ABANDONED SEWAGE FACILITIES

When a sewage facility is to be abandoned, it shall be the responsibility of the property owner and permittee of such system to properly abandon such sewage facility. This section shall not apply to tankage converted to equalization and retention facilities. Proper abandonment shall include:

- A. Removal and proper disposal of all liquids, sludges, and solids from all tanks and distribution boxes;
- B. removal or filling of all tanks and distribution boxes with inert material; and
- C. such other conditions as may be required by the Director.

1411 OPERATION & MAINTENANCE PLANS AND EMERGENCY RESPONSE PLANS

Any permittee of a community sewage system shall develop an Operation & Maintenance Plan and an Emergency Response Plan for such facility. These plans must be submitted to the Department for approval and updated by March 31 of each year.

1412 VIOLATIONS

Whenever the Director determines that there has been a violation of any provisions of these Rules and Regulations, he/she shall give notice of the violation in the manner provided in this section to the person responsible for compliance under these Rules and Regulations.

1412.2 The notice shall:

- A. Be in writing.
- B. Include a statement of the reason why it is being issued.
- C. Inform the person responsible for compliance of his/her right to a hearing.
- **1412.3** The notice shall be served upon the person responsible in the following manner:
 - 1. By handing a copy to the responsible person, or by handing a copy to the persons designated in Rule 402 of the Rules of Civil Procedure promulgated by the Supreme Court of Pennsylvania; or
 - 2. By sending a copy to the responsible person's last known address by regular mail; or
 - 3. By posting a copy in a conspicuous place in or about the premises.

1413 EMERGENCY ORDER: ACTION BY THE DIRECTOR WITHOUT PRIOR NOTICE

Whenever the Director determines that an emergency exists which necessitates immediate action to protect the public health, safety or welfare, he/she shall without prior notice, issue a written order reciting the existence of the emergency and requiring whatever action he/she deems advisable to meet the emergency, notwithstanding the provisions of §1412.1 and §1412.2. This order shall be effective upon service as provided in §1412.3 and shall be complied with immediately or as specified in the order.

1414 ORDERS: NON-COMPLIANCE

In the event of non-compliance with an order issued pursuant to any section of these Rules and Regulations, the Director may institute appropriate actions or proceedings at law or in equity to restrain, correct or abate the violations of the order including causing the order to be carried out at the expense of the county. The county may recover the amount of the expense of any action or proceeding or of causing construction work to be postponed in carrying out an order, by action of assumpsit, or, where appropriate in the manner provided by law for the collection of claims under the Act of May 16, 1923, P.L. 207, or any amendment or reenactment thereof.

1415 APPEALS

Any person aggrieved by any action taken by the Director may request a hearing within ten (10) days, in accordance with Article XI of the Rules and Regulations of the Allegheny County Health Department.

1416 PENALTIES

1416.1 CIVIL PENALTIES

A person who violates any of the provisions of this Article or any order issued by the Director under this regulation is subject to a Civil Penalty in accordance with the provisions of the Allegheny County Health Department Rules and Regulations, Article XVI, "Environmental Health Civil Penalties".

1416.2 SUMMARY OFFENSES

Any person who violates any of the provisions of this article or any rule or regulation of the Department, or who interferes with the Director or any other agent of the Department in the discharge of his/her official duties, shall, for the first offense, upon conviction thereof in a summary proceeding before any district magistrate in Allegheny County, be sentenced to pay the costs of prosecution and a fine of not less than thirty dollars (\$30.00) nor more than three hundred dollars (\$300.00) and, in default thereof, to undergo imprisonment of not less than ten (10) days nor more than thirty (30) days.

1416.3 MISDEMEANORS

Any person who violates any of the provisions of this article or any rule or regulation of the Department, or who interferes with the Director or any other agent of the Department in the discharge of his/her official duties and is convicted of a second or subsequent offense, shall be guilty of a misdemeanor and shall, upon conviction thereof, be sentenced to pay a fine of not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00), or to undergo imprisonment not exceeding one (1) year, or both.

1416.4 SEPARATE OFFENSES

For the purpose of this section, violations on separate days shall be considered separate offenses. Each violation of any separate subsection or section of this article shall constitute a separate offense.

1417 UNCONSTITUTIONALITY

Should any section, paragraph, sentence, clause, or phrase of these Rules and Regulations be declared unconstitutional or invalid for any reason, the remainder of said Rules and Regulations shall not be affected thereby.

1418 REPEALER

Upon the effective date of this Article, the existing Article XIV, "Sewage Disposal", effective June 1, 1963, as amended, is hereby repealed and superseded by this Article.

MINIMUM NUMBER OF TOILET FACILITIES EVENTS

Maximum Line Per Unit 10 People Average Time Between Use 2 Hours

	Average Time At Event (Hours) MEN								Average Time At Event (Hours) WOMEN											
PEAK CROWD SIZE	1	2	3	4	5	6	7	8	9	10	1	2	3	4	5	6	7	8	9	10
250	2	2	2	2	2	3	3	3	3	3	2	2	3	3	3	3	3	3	3	3
500	2	3	4	4	4	4	4	4	4	4	3	4	5	5	5	5	5	5	5	6
1,000	4	5	6	7	7	8	8	8	8	8	5	7	8	9	9	10	10	10	10	10
2,000	6	10	12	13	14	14	14	15	15	15	8	13	15	17	18	19	19	19	19	19
3,000	9	14	17	19	20	21	21	21	21	22	12	19	23	25	28	28	28	30	30	30
4,000	12	19	23	25	28	28	28	30	30	30	16	24	30	34	36	38	38	38	38	38
5,000	15	23	28	32	34	36	36	36	36	36	19	32	38	42	44	46	46	48	48	48
6,000	17	28	34	38	40	42	42	42	44	44	23	38	46	50	54	57	57	57	57	57
7,000	20	32	40	44	46	48	50	50	50	50	28	42	54	60	63	63	66	66	66	66
8,000	23	38	46	50	54	57	57	57	57	57	32	48	60	66	72	72	75	75	75	75
10,000	30	46	57	63	66	69	69	72	72	72	38	60	75	84	88	92	92	96	96	96
12,500	36	57	72	80	84	88	88	88	88	92	48	75	92	105	110	115	115	120	120	120
15,000	44	69	84	96	100	105	105	105	110	110	57	92	115	125	132	138	138	144	144	144
17,500	50	80	100	110	115	120	125	125	125	125	66	105	132	177	154	161	161	168	168	168
20,000	57	92	115	125	132	138	138	144	144	144	75	120	150	168	175	184	184	192	192	192
25,000	72	115	144	154	168	175	175	175	176	184	96	150	184	207	225	225	230	240	240	240
30,000	88	138	168	192	200	207	207	216	216	216	115	184	225	250	264	275	275	288	288	288
40,000	115	184	225	250	264	275	276	288	288	288	150	240	300	336	350	360	375	375	375	375
50,000	144	225	288	312	336	350	350	350	360	360	192	300	375	425	450	450	475	475	475	475
75,000	216	350	425	475	500	525	525	525	528	550	388	450	550	625	650	675	700	700	725	725
100,000	288	450	575	625	675	675	700	700	725	725	375	600	750	825	875	900	925	950	950	950

Sanitarian & Health Official Guide, Portable Restroom Requirements at Special Events & Crown Gatherings, University of Missouri, St. Louis Missouri

MINIMUM NUMBER OF TOILET FACILITIES CONSTRUCTION SITES

Number Of Employees	Minimum Number Of Toilet Facilities						
If Serviced Once per Week*							
1-10	1						
11-20	2						
21-30	3						
31-40	4						
Over 40	1 additional facility for each 10 additional employees						
If Serviced More Than Once per Week*							
1-15	1						
16-35	2						
36-55	3						
56-75	4						
76-95	5						
Over 95	1 additional facility for each 20 additional employees						

^{*}Servicing refers to the emptying of waste and the cleaning of the toilet facility. A camp equipped with flush toilets shall meet the standard for "minimum number of toilet facilities if serviced more than once per week."