

RESOLUTION 76-2

BE IT RESOLVED and it is hereby resolved by the Board of Supervisors of West Bradford Township as follows:

The Board of Supervisors of West Bradford Township this 24th day of February, 1976 does hereby adopt "Holding Tank Rules and Regulations" a copy of which is attached hereto and made a part hereof.

Said Rules and Regulations are hereby adopted in accordance with Ordinance #76-1, 1975 entitled "An Ordinance establishing the right to install holding tanks and the criteria therefore, establishing procedures for insuring the maintenance, operation, pumping, cleaning and removal thereof and establishing penalties for violations".

The Rules and Regulations adopted pursuant to this Resolution shall have the same force and effect of law as if set forth in the Ordinance entitled 76-1, 1975.

ATTEST:

BOARD OF SUPERVISORS OF WEST
BRADFORD TOWNSHIP:

Paul S. Moller
(Secretary)

Thomas J. McReady

R. B. Sam Ayer

Stephen P. Felt

BOARD OF SUPERVISORS
WEST BRADFORD TOWNSHIP, PA.
HOLDING TANK RULES AND REGULATIONS

These Regulations are promulgated in accordance with the Ordinance No. 76-1, 1976 "An Ordinance Establishing The Right To Install Holding Tanks and The Criteria Therefore, Establishing Procedures For Insuring The Maintenance, Operation, Pumping, Cleaning and Removal Thereof and Establishing Penalties For Violation"; and with DER Chapter 71 & 71.35.

SEC 1 DEFINITIONS

The following words and terms, when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

- (1) ACT - The Pennsylvania Sewage Facilities Act (Act of January 24, 1966 PL 1535, as amended 35 P.S. & 750.1 Et. Seq.).
- (2) BUILDING SEWER - Piping carrying liquid wastes from a building to the holding tank.
- (3) COMMUNITY SEWAGE SYSTEM - Any system whether publicly or privately owned, for the collection of sewage or industrial wastes of a liquid nature from two or more lots, and the treatment and/or disposal of the sewage or industrial waste on one or more of the lots or at any other site.
- (4) DER - The Department of Environmental Resources of the Commonwealth of Pennsylvania.
- (5) HOLDING TANK - Holding Tank means a watertight receptacle or a series thereof which receives and retains sewage and is designed and constructed to facilitate ultimate disposal of the sewage at another site. Holding tanks include but are not limited to the following:
 - 5.1 - "Chemical Toilet" which is a toilet using chemicals that discharge to a holding tank.
 - 5.2 - "Retention Tank" which is a holding tank where sewage is conveyed to it by a water carrying system.
 - 5.3 - "Vault Pit Privy" which is a holding tank designed to receive sewage where water under pressure is not available.
- (6) HOLDING TANK CLEANER - A person, including a holding tank owner, who removes the contents of a holding tank for purposes of disposing of the sewage at another site.
- (7) IMPROVED PROPERTY - Improved property shall mean any property within the Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings

and from which structure sewage shall or may be discharged.

- (8) ISSUING AUTHORITY - The issuing authority shall be deemed to mean and include the Department of Environmental Resources (DER) and to the extent of the DER's delegation of its authority, the Chester County Department of Health.
- (9) LEGALLY APPROVED SEWER COMPANY - The Municipality's Sewer Authority or an authorized public utility duly approved, franchised and regulated by the Public Utility Commission of Pennsylvania.
- (10) LIMITING ZONE - Any soil horizon in the soil profile or underlying strata which shall include indication of seasonal water table, including perched water table, and impervious strata which shall include rock which is so slowly permeable that it prevents downward passage of effluent rock with open joints or solution channels, and masses of shattered rock fragments with insufficient fine soil to fill the voids between the coarse fragments.
- (11) LOT - A part of a subdivision or a 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 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.
- (12) MUNICIPALITY - Municipality shall mean West Bradford Township, Chester County, Pennsylvania.
- (13) OFFICIAL PLAN - A comprehensive plan for the provision of adequate sewage systems adopted by a municipality or municipalities possessing authority or jurisdiction over the provisions of such systems and submitted to and approved by the State Department of Environmental Resources as provided by the Pennsylvania Sewage Facilities Act, and Chapter 71, Rules and Regulations promulgated thereunder.
- (14) ORDINANCE - Ordinance No. 76-1, 1976 establishing the right to install holding tanks and the criteria therefore, establishing procedures for insuring the maintenance, operation, pumping, cleaning and removal thereof and establishing penalties for violation.
- (15) OWNER - Owner shall mean any person vested with ownership, legal or equitable, sole or partial, as well as any person in total or partial control or possession of any property located in the Township.
- (16) PERSON - Person shall mean any individual partnership, trust, company, association, corporation or other group or entity, but shall not include West Bradford Township. With respect to the imposition of penalties for violations as set forth in Section 10 of the Ordinance where the person is a partnership, joint venture or unincorporated, the term with respect to Section 10 of the Ordinance shall be deemed to include

all partners, joint venturers and members thereof. Where the person is a corporation, the term under Section 10 of the Ordinance shall be deemed to include all officers and directors thereof. When the person is a trust, the term under Section 10 of the Ordinance shall be deemed to include all trustees thereof.

- (17) SEWAGE - Sewage shall mean any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substance being harmful or inimical to the public health, or to animal or aquatic life or to the use of water for domestic water supply or for recreation. It is contemplated that the term "sewage" shall be broadly construed and shall be co-extensive within the meaning ascribed thereto under the regulations of the Department of Environmental Resources of the Commonwealth of Pennsylvania.
- (18) SUPERVISORS - Supervisors shall mean the Board of Supervisors of West Bradford Township, Chester County, Pennsylvania.

PERMIT REQUIREMENTS

SEC 2 GENERAL REQUIREMENTS

The installation of any holding tank constitutes the interim installation of a community sewage system and requires a holding tank permit prior to beginning the installation of the system or beginning the construction installation or occupancy of any building or buildings for which such a system will be installed. For purposes of this section the installation of a community sewage system shall include the repair, or replacement of any holding tank.

SEC 3 APPLICATIONS FOR PERMITS

- (a) Requirement - Application for a permit to install a holding tank shall be made by a legally approved sewer company to the supervisors prior to the commencement of construction of any building for which such a holding tank system is to be installed.
- (b) Contents - The application shall contain such information as the supervisors shall deem necessary including:
 - (1) The information found on the Pennsylvania Sewage Facilities Act Application for Sewage Disposal System form ER-BCE-128.
 - (2) The information found on the Chester County Health Department application form DESIGN SHEET FOR HOLDING TANKS, together with the Plan and Detail of the proposed installation.

The Plan and Detail for holding tanks shall contain such information as the designated township engineer or the issuing Authority shall deem necessary including:

- 2.1 Location - A layout of the collection system showing all improved or proposed to be improved properties proposed to discharge sewage into the holding tank.
- 2.2 Limiting Distances - The distances to the nearest wells, adjoining property lines (or rights-of-ways), individual water supply or water supply system suction line, water supply lines under pressure, streams, lakes, or other surface waters, water courses, intermittent drainage ways shall be shown.
- 2.3 Topography - Contour lines to a 2 foot interval. (Existing, proposed and contours after tank removal)
- 2.4 Warning Devices
- 2.5 Basis for design of foundation, tank walls and roofs.

- 2.6 Method of floatation prevention
- 2.7 Names of adjoining property Owners, adjacent streets, existing easements
- 2.8 Soil Data, Ground Water Table
- 2.9 Details of access road

- 3) Such further information as may be required by the Supervisors to insure the proposed construction, installation, alteration or extension complies with these regulations.

SEC 4 INCOMPLETE APPLICATIONS

When the Chester County Health Department or the Designated Township Engineer has found an application incomplete, or is unable to verify the information submitted, the applicant shall be notified in writing. The time for acting thereon shall be extended beyond the date of receipt of adequate supplementary or amendatory data.

SEC 5 ISSUANCE OF PERMITS

- (a) When the Health Department on recommendation by the designated Township Engineer is satisfied the application is complete and proposed design meets the requirements of these regulations and DER Rules & Regulations and the Act and will adequately protect the public health and prevent pollution, a permit shall be issued.
- (b) Permits shall be issued or denied by the issuing Authority in writing after receiving a completed application for permit.
- (c) Any application for a permit for a community sewage system where a license, certificate of registration or permit is required from DER under their regulations shall receive the concurrence of DER in writing prior to its issuance by the issuing Authority.
- (d) If construction or installation of a holding tank system and of any building or structure for which such system is to be installed has not commenced within two months after the issuance of a permit for such system, the said permit shall expire. A new permit shall be obtained prior to the commencement of said construction or installation.
- (e) A permit for a holding tank can be issued only when the Municipality has met the conditions of the DER regulations. The DER regulations require that:

- 1) The Official Plan must indicate the use of holding tanks for the lots in question and must provide for their replacement by adequate sewage services according to an approved schedule.
- 2) The proposed sewerage project must be able to be financially feasible.
- 3) DER must have approved the holding tank ordinance enacted by the municipality.
- 4) The disposal of holding tank waste must be by contract at a site approved by DER.

SEC 6 REVOCATION OF PERMITS

A permit shall be revoked by the issuing Authority at any time for any one or more of the following reasons, which shall be incorporated into the written revocation:

- (1) When any change which has occurred in the physical conditions of any lands which will materially affect the operation of a holding tank system covered by any permit issued by the issuing Authority under the provisions of these regulations.
- (2) When one or more tests material to the issuance of the permit has not been properly conducted; or
- (3) When information material to the issuance of the permit has been falsified; or
- (4) When the original decision of the issuing Authority otherwise failed to conform with the provisions of the Act and these or other regulations of the Municipality under this title.
- (5) When the permittee has violated the provisions of these regulations or the DER Rules & Regulations.

SEC 7 INSPECTION

- (a) No part of any installation shall be covered until it is inspected and given final written approval by the issuing Authority and the township's designated engineer.
- (b) The applicant shall notify the issuing Authority and the township's designated engineer: 1) when the installation is completed and ready for inspection prior to covering
2) when the installation is ready for backfilling.
- (c) The applicant may cover the installation upon receipt of written approval, or in the absence of written approval or disapproval, at the expiration of 72 hours, excepting Sunday and holidays, from receipt of notice to inspect.

- (d) The issuing Authority and the township's designated engineer may inspect and make tests at any time either before, during or after construction and may by order require an installation to be uncovered at the expense of the applicant, if the installation has been covered contrary to the provisions of this Chapter.
- (e) When the inspection reveals that the installation of the system, water supply location or the underlying soil or geologic conditions differ from those stated in the application, the permit shall be revoked and no further construction of either the system or the building for which it is intended may take place until the permit has been reinstated.

SEC 8 DESIGN AND CONSTRUCTION CRITERIA STANDARDS FOR HOLDING TANKS

- (1) Capacity - Sewage Flows - The holding tank shall be a minimum of 1,000 gallons per dwelling unit capacity and in addition shall be large enough to hold at least three days sewage from all dwelling units served thereby or the quantity of sewage shall be determined from the information in the DER Regulations, paragraph 73.31 and 73.91 if of higher capacity.

The design liquid depth of any holding tank shall not be less than three feet nor greater than seven feet. The tank shall be sized to be 25% larger in capacity than the anticipated flows.

- (2) Construction - A holding tank shall be constructed of durable material and shall be water-tight. If of concrete, the tank shall be designed and constructed in accordance with the American Concrete Institute Title No. 68-50, "Concrete Sanitary Engineering Structures".

Concrete tanks as above delineated are the only acceptable materials of construction for holding tanks. The factor of safety against floating shall be 1.5.

- (3) Details of Construction - Backfill around holding tanks should be made in thin layers, thoroughly tamped in a manner that will not provide undue strain on the tank. Settlement of backfill may be done with the use of water, providing the material is thoroughly wetted from the bottom upwards and the tank is first filled with water to prevent floating. The ground shall slope away from the tank cover.

Adequate access must be provided to the tank for pumping, inspection and cleaning. The inlet device shall be accessible. An access manhole, 24" in diameter shall be provided. A sealed watertight, bolted manhole cover shall be provided to keep odors from escaping.

The inlet invert shall enter the tank at least 2" above the 75% capacity liquid level in the tank. A vented inlet tee, or baffle, shall be provided to divert the incoming sewage

downward. It shall penetrate at least 30% of the design liquid depth.

A hooded vent with screen and damper shall be provided. The vent outlet (4' minimum) shall be at an elevation to avoid clogging by snow/ice. A cyclone fence (6'-0) with a locked gate shall be required around the perimeter of the holding tank.

- (4) Warning Devices - Holding tanks shall be equipped with a warning device to indicate when the unit is within 75% of capacity. Such warning device shall create an audible and visible signal at a location frequented by the person responsible for maintenance of the holding tank.
- (5) Flow Records - All facilities connected to the holding tank shall have water meters in order to determine the amount of sewage being discharged into the tank.

The holding tank cleaner shall weekly furnish the municipality with a record of the day, time of day, amount of sewage removed and any other information required by the Supervisors.

SEC 9 MAINTENANCE

- (a) The holding tank shall be pumped as often as necessary to keep contents from overflowing. The permit shall state the frequency of pumping required and the location where the contents will be dumped. The municipality shall be provided with a copy of the permit with the name of the holding tank cleaner and the name of the person responsible for maintenance.
- (b) The alarm system shall be tested once a week for proper functioning.
- (c) The sewage in the holding tank shall, on direction by the supervisors or issuing Authority, be pretreated to prevent obnoxious odors from developing prior to disposal. An alternative aeration system may be proposed to prevent the sewage from becoming septic and thereby causing obnoxious odors.

TERMINATION OF USE OF HOLDING TANK

At the end of the term of the holding tank permit, or such time as designated by the supervisors, the permittee shall demolish, dispose of, sanitize and disinfect the area of, the holding tank as directed by the supervisors. The entire area shall be restored to its original condition.