

Meetings held third Tuesday of each month

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**M E M O R A N D U M**

*The Property Owner or Responsible Party shall notify the PGJTA of an intention to Transfer a Serviced Property in the Municipality as soon as practical.*

**TO: Homeowner with Property for Sale / Settlements Scheduled**

**SUBJECT: I&I Ordinance / Inspection of Transfer / JTA Rules & Regulations / Forms**

Effective April 1, 2011; In accordance with Section 6.05 of the Pine Grove Joint Treatment Authority's Rules and Regulations and Ordinance 411 of Pine Grove Borough, Ordinance No. 80 of Pine Grove Township, and Ordinance No. 2011-01 of Washington Township; It shall be unlawful for any Property Owner/Responsible Party, connected to the public sewer system, to sell, give, donate, transfer or otherwise change titled ownership of Service Property (Transfer) in the municipality without first having secured a certificate of sewer system status (CSS) from the Pine Grove JTA.

Excerpts from Ordinances:

**Introduction:** Municipalities have an obligation to provide for adequate sewage treatment facilities and protection of the public health by preventing the discharge of untreated or inadequately treated sewage as mandated by municipal codes, the Clean Streams Law (35 P.S. §691.1001 and the Pennsylvania Sewage Facilities Act (35 P.S. §750.1 et seq.).

A recent study conducted by the Pine Grove Joint Treatment Authority (PGJTA) has disclosed that during periods of heavy rains the discharge into the sanitary sewer system rises dramatically in direct relation to the rainfall. This discharge increase is commonly known as Inflow and Infiltration (I&I). Inflow is ground water coming into the system by intentional means and Infiltration is ground water coming into the system by unintentional means. The study revealed that the PGJTA Sewage Treatment Plant exceeded its discharge capacity during recent heavy rain events. Further, undocumented connections and connections which permit a discharge of regulated or prohibited materials is likely to be exposed and eliminated, regulated and properly charged for in the case of certain regulated but unascertained discharge. The examination of all types of connections and all manner of disposal systems is contemplated under this ordinance, including but not limited to gravity systems, grinder pump and other assisted delivery systems including but not limited to low pressure systems and any other technology by which wastewater is delivered to the PGJTA Sewage System.

Excess treatment capacity is a valuable resource which when available can economically provide future growth in both the Township and the Borough. As I&I and other types of unregulated and undocumented connections are consuming this valuable excess capacity, the elimination of I&I and the regulation and documentation of such discharge is a priority project of the PGJTA.

The PGJTA has considered several means of solving these problems and has determined that the most even handed and cost effective way to begin implementing its I&I reduction program and the regulation and documentation of certain connections is to have a property owner's sewer system inspected on a random basis such as when a property is transferred. It is also believed that when a property changes hands, the new property owner should be assured that the property's sewer system is in good working order. Further, when a property is transferred there is usually an accompanying transfer of value from which a fund is available to pay for necessary remedial work.

**Purpose:** The purpose of the ordinance is therefore to minimize I&I, discover undocumented and unregulated systems, maintain the PGJTA within its discharge limitations as prescribed by its NPDES permit and to provide for the orderly and random inspection of a certain number of properties each year as properties are transferred. This ordinance will set forth the guidelines for inspection of property sewer systems and the procedure to be followed to administer the pre transfer inspection of property sewer systems.

PGJTA proposes to address Inflow, Infiltration and undocumented and unregulated systems by examining a property owner's sewer system to eliminate inflow which may be deliberately placed in the system and infiltration which often results as a consequence of a defective or improperly maintained system. The elimination of inflow and infiltration will reduce the sewage treatment burden on the PGJTA sewage treatment plant. The minimization of inflow and infiltration, in addition to reducing the burden will lessen the likelihood that the PGJTA will exceed its NPDES permitted discharge authority and will preserve valuable capacity for future users. Ultimately, the elimination of inflow and infiltration and undocumented and unregulated uses will extend the life of the plant as when the plant comes near to its capacity, the Pennsylvania Department of Environmental Protection is expected to call on the PGJTA to further expand the plant. It is therefore clearly in everyone's current and future interests to eliminate I&I as well as unregulated and undocumented connections to the PGJTA facility.

**Applicability:** This ordinance shall be applicable from its hereinafter stated effective date and shall apply to all properties in this municipality that are connected to the Pine Grove Joint Treatment Authority public sewer system. For purposes of clarity, this includes but is not limited to all residential, commercial, and industrial uses.

**Method of application:** The Property Owner or Responsible Party shall notify the PGJTA of an intention to Transfer a Serviced Property in the Municipality as soon as practical. The Property Owner/Responsible Party shall do so in writing on a form prescribed by the PGJTA designated as an Application to Transfer. The form shall notify the PGJTA of the intended transfer and the anticipated time and date of transfer. The PGJTA shall also provide the Property Owner or Responsible Party with the requirements that need to be met in order for the sewer system to be considered in good repair by then current standards in place in the Rules and Regulations of the PGJTA. With the application, the applicant shall pay an inspection fee in accordance with the PGJTA rules and regulations in effect at the time of the application.

**Transfer without Inspection - Penalty:** It shall be a violation of this ordinance for a property owner to fail to first secure a CSS or Deemed Approval before a transfer occurs. The penalty for a violation of this section shall be a fine of \$500 for the initial failure to comply with the ordinance and a continuing violation punishable by a fine of \$25.00 per day for each day after the Transfer that the Serviced Property goes without a valid CSS or Deemed Approval. The penalties imposed by this ordinance shall be reduced to a lien and placed against the current property owner by action of PGJTA or the Municipality.

**Remediation/Re-inspection:** If after inspection the PGJTA or its Agent determines that the property has failed to meet the PGJTA Sewer System Standards, a report designated Notice of Failure shall be issued and the Serviced Property shall not be Transferred until either the status of the sewer system has been corrected to the satisfaction of the PGJTA or the Designated Inspector and a CSS is issued, or an Adequate Reserve has been set aside in an escrow account naming the PGJTA and the Responsible Party as joint owners on the account and which account is designated for sewer system repairs to the Serviced Property.

Adopted Ordinances are available for viewing in their entirety on our website: [www.pinegrovejta.com](http://www.pinegrovejta.com)

We thank you for your participation and cooperation in our efforts to reduce inflow & infiltration into our system.

Enclosures:    Application to Transfer Form  
                      PGJTA Rules & Regulations Section 6.05