

RESOLUTION NUMBER 005 OF 2018

**GREATER HAZLETON JOINT SEWER AUTHORITY
Luzerne County, Pennsylvania**

AMENDED RATE RESOLUTION

**AMENDED: FEBRUARY 26, 2018
EFFECTIVE: JULY 31, 2018 BILLING**

AN AMENDED RESOLUTION

OF THE BOARD OF DIRECTORS OF THE GREATER HAZLETON JOINT SEWER AUTHORITY LUZERNE COUNTY, PENNSYLVANIA IMPOSING SEWAGE TREATMENT RATES, SEWAGE TRANSMISSION RATES, AND OTHER CHARGES FOR THE USE OF THE SEWER SYSTEM OWNED AND OPERATED BY THIS AUTHORITY AND FOR SERVICES RENDERED BY THIS AUTHORITY IN CONNECTION THEREWITH; PROVIDING FOR COLLECTION OF SUCH SEWAGE TREATMENT RATES, SEWAGE TRANSMISSION RATES, AND OTHER CHARGES; REGULATING THE DISCHARGE OF SEWAGE INTO SUCH SEWER SYSTEM; AND ADOPTING CERTAIN RULES AND REGULATIONS AND PROVIDING FOR ADOPTION OF ADDITIONAL RULES AND REGULATIONS

The Board of the Greater Hazleton Joint Sewer Authority, Luzerne County, Pennsylvania, hereby resolves as follows:

WHEREAS, the Greater Hazleton Joint Sewer Authority by Resolution 001 of 2013 dated January 28, 2013, did fix sewage treatment and transmission rates and charges for the use of the Greater Hazleton Joint Sewer Authority's Sewer System; and

WHEREAS, the Greater Hazleton Joint Sewer Authority by Resolution 004 of 2015 dated September 21, 2015, did amend Article 3.B(6) of Resolution 001 of 2013 relative to High Strength Waste Surcharge Fees, Rates, and Charges; and

WHEREAS, the Greater Hazleton Joint Sewer Authority intends to modify the Sewage

Treatment Rates, Sewage Transmission Rates, and other charges by adoption of this resolution to be effective as provided herein;

NOW THEREFORE, BE IT RESOLVED, by the Board of Directors of the Authority, that the entire Resolution 001 of 2013 dated January 28, 2013, remain unchanged and unaffected other than Article 3 - Computation of Sewage Treatment Rates and Other Charges and Article 3.1 - Computation of Sewage Transmission Rates and Other Charges, which shall hereinafter be set forth as follows:

ARTICLE 3 - COMPUTATION OF SEWAGE TREATMENT RATES AND OTHER CHARGES

Sewage Treatment Rates and other charges imposed under Article 2 of this Resolution shall be computed in accordance with the following schedule of rates and classifications:

A. Dwelling Units

Each Dwelling Unit - \$387.00 per annum, payable at the rate of \$96.75 per quarterly billing period.

Each Dwelling Unit located in one building or house, in a row of connecting houses or in an apartment shall be billed and considered as a separate entity.

B. Commercial Establishments, Industrial Establishments, Institutional Establishments

1. All Owners of Commercial Establishments, Industrial Establishments and Institutional Establishments which shall be connected to a Sewage Collection System shall pay Sewage Treatment Rates and other charges based upon actual water consumption, with exceptions as hereinafter noted. All Sewage Treatment Rates and other charges based upon water consumption shall be computed at the rate of \$7.17 per 1,000 gallons of water in excess of 13,500 gallons consumed during the quarter annum for which the billing is rendered; provided, however, that the minimum Sewage Treatment Rate or other charge for each Commercial Establishment, Industrial Establishment or Institutional Establishment shall be \$96.75 per quarterly billing period; subject, however, to provisions of subsections B5, B6 and B7 of this Article 3.

2. The volume of water to be used for billing Sewage Treatment Rates and other charges to Owners of Commercial Establishments, Industrial Establishments and Institutional Establishments which shall be connected to a Sewage Collection System shall include any and all water purchased from the Hazleton City Authority - Water

Department or any other private or public water company and, in addition, all water obtained from any other source (wells, springs, streams, etc.), as determined: (a) by meters installed and maintained by the Hazleton City Authority - Water Department or any other private or public water company; or (b) by meters maintained and installed by the Owner of such Commercial Establishment, Industrial Establishment or Institutional Establishment, as approved by the applicable Municipality and/or the Authority; or (c) by meters installed and maintained by a Municipality; or (d) from estimates or measurements made by a Municipality or the Authority, where such Municipality or the Authority consider metering impractical.

3. Exclusion from the Sewage Disposal System of non-contaminated waste waters may be required by the Authority. When such non-contaminated waste waters are so excluded, the Sewage Treatment Rates and other charges will be based on total water consumed, less water excluded, at the rate stipulated under Subsection B1 above.

Volumes of non-contaminated waste waters excluded from the Sewage Disposal System may be determined from meters installed and maintained by the Owner of the Commercial Establishment, Industrial Establishment, or Institutional Establishment, as approved by the applicable Municipality or the Authority, or by measurement of the volume of wastes actually discharged to a Sewage Collection System as hereinafter provided.

4. A Municipality may require an Owner of an Industrial Establishment or the Owner of an Industrial Establishment may elect to install, pay for and maintain a meter approved by such Municipality or the Authority for measuring wastes discharged into a Sewage Collection System, in which case the Sewage Treatment Rates and other charges shall be based on the actual volume of waste discharged into a Sewage Collection System; said Sewage Treatment Rates and other charges shall be computed at the rate of \$7.17 per 1,000 gallons in excess of 4,500 gallons of wastes discharged into a Sewage Collection System during the month for which the billing is rendered; provided, however, that the minimum Sewage Treatment Rates or other charge for each Industrial Establishment shall be \$32.25 per monthly billing period, subject, however, to provisions of subsections B5, B6 and B7, respectfully, of this Article 3.

5. The average Sewage Treatment Rates and other charges for schools shall be not less than \$26.23 per pupil per year or \$6.56 per pupil per quarter, or its adjusted equivalent for service period less than one quarter, based upon the average number of pupils enrolled on days when the schools were in session during the full school term immediately preceding the date of each bill rendered. Teachers, administrators and

employees of schools shall be classified as pupils for purposes of calculation of Sewage Treatment Rates and other charges.

6. High Strength Waste Surcharge Fees, Rates, and Charges

a) High Strength Waste Surcharge Fees, Rates, and Charges are hereby established for non-residential users who discharge high strength waste to the Authority's Sewage Disposal System for treatment and disposal with characteristics in concentration greater than typical domestic strength concentrations for residential users. Typical domestic strength shall be defined as waste that does not exceed the following conventional pollutant concentrations:

Five Day Biochemical Oxygen Demand (BOD ₅)	200 mg/L
Total Suspended Solids (TSS)	200 mg/L
Total Nitrogen (TN)	30 mg/L
Total Phosphorus (TP)	5 mg/L

A high strength wastewater surcharge shall be applied to those sources of wastewater with average discharge qualities that significantly exceed the Typical Domestic Strength Wastewater Concentrations listed above. The high strength wastewater surcharge shall be calculated using the 3-year average per pound removal cost as contained in the most recent "High Strength Surcharge Study". High Strength Wastewater Surcharges shall be calculated in dollars using the following formulas:

Biochemical Oxygen Demand	(Removal Cost)(MG)(8.34)(BOD ₅ -200)
Total Suspended Solids	(Removal Cost)(MG)(8.34)(TSS-200)
Total Nitrogen	(Removal Cost)(MG)(8.34)(TN-30)
Total Phosphorus	(Removal Cost)(MG)(8.34)(TP-5)

For the purpose of this fee schedule "MG" is defined as millions of gallons of metered water; "BOD₅" is defined as carbonaceous biochemical oxygen demand expressed as milligrams per liter; "TN" is defined as Total Nitrogen, which is the sum of Total Kjeldahal Nitrogen, Nitrate, and Nitrite, expressed as milligrams per liter; "TP" is defined as Total Phosphorus expressed as milligrams per liter; "Removal Cost" is defined as the High Strength Surcharge in dollars per pound (\$/lb) for each respective pollutant as contained in the Authority's most recent High Strength Surcharge Study.

b) The strength of waste to be used for establishing the amount of surcharge

shall be determined at least once annually either: (a) by suitable sampling and analysis of the wastes for a 3-day period during which time the strength of waste discharged or production is as a maximum; or (b) by relating production and waste strength at the time of sampling to waster strength at maximum production if sampling is not performed at the time of maximum production; or (c) from estimates made by a Municipality or this Authority; or (d) from known relationships of products produced to strengths of waste for those industries where such factors have been established. The method utilized in establishing strength of waste surcharges shall be subject to approval by this Authority. In establishing waste strengths for surcharge purposes, analysis shall be made in accordance with procedures outlined in the latest edition of "Standard Methods for the Examination of Water and Sewage" published by the American Public Health Association.

7. Additional classifications and Sewage Treatment Rates and other charges or modifications of the above schedule of Sewage Treatment Rates and other charges may be established by the Authority from time to time as deemed necessary.

The aforescribed amended Sewage Treatment Rates and charges shall become effective for the July 31, 2018 billing and for all bills with a due date of August 20, 2018 or later.

ARTICLE 3.1 –COMPUTATION OF SEWAGE TRANSMISSION RATES AND OTHER CHARGES

Sewage Transmission Rates and other charges imposed under Article 2 of this Resolution shall be computed in accordance with the following schedule of rates and classifications:

A. Dwelling Units

Each Dwelling Unit - \$129.00 per annum, payable at the rate of \$32.25 per quarterly billing period.

Each Dwelling Unit located in one building or house, in a row of connecting houses or in an apartment shall be billed and considered as a separate entity.

B. Commercial Establishments, Industrial Establishments, Institutional Establishments

1. All Owners of Commercial Establishments, Industrial Establishments and Institutional Establishments which shall be connected to a Sewage Collection System shall pay Sewage Transmission Rates and other charges based upon actual water

consumption, with exceptions as hereinafter noted. All Sewage Transmission Rates and other charges based upon water consumption shall be computed at the rate of \$2.39 per 1,000 gallons of water in excess of 13,500 gallons consumed during the quarter annum for which the billing is rendered; provided, however, that the minimum Sewage Transmission Rate or other charge for each Commercial Establishment, Industrial Establishment or Institutional Establishment shall be \$32.25 per quarterly billing period; subject, however, to provisions of subsections B5 and B6 of this Article 3.1.

2. The volume of water to be used for billing Sewage Transmission Rates and other charges to Owners of Commercial Establishments, Industrial Establishments and Institutional Establishments which shall be connected to a Sewage Collection System shall include any and all water purchased from the Hazleton City Authority - Water Department or any other private or public water company and, in addition, all water obtained from any other source (wells, springs, streams, etc.), as determined: (a) by meters installed and maintained by the Hazleton City Authority - Water Department or any other private or public water company; or (b) by meters maintained and installed by the Owner of such Commercial Establishment, Industrial Establishment or Institutional Establishment, as approved by the applicable Municipality and/or the Authority; or (c) by meters installed and maintained by a Municipality; or (d) from estimates or measurements made by a Municipality or the Authority, where such Municipality or the Authority consider metering impractical.

3. Exclusion from the Sewage Collection System of non-contaminated waste waters may be required by the Authority. When such non-contaminated waste waters are so excluded, the Sewage Transmission Rates and other charges will be based on total water consumed, less water excluded, at the rate stipulated under Subsection B1 above.

Volumes of non-contaminated waste waters excluded from the Sewage Collection System may be determined from meters installed and maintained by the Owner of the Commercial Establishment, Industrial Establishment, or Institutional Establishment, as approved by the applicable Municipality or the Authority, or by measurement of the volume of wastes actually discharged to a Sewage Collection System as hereinafter provided.

4. A Municipality may require an Owner of an Industrial Establishment or the Owner of an Industrial Establishment may elect to install, pay for and maintain a meter approved by such Municipality and the Authority for measuring wastes discharged into a Sewage Collection System, in which case the Sewage Transmission Rates and other charges shall be based on the actual volume of waste discharged into a Sewage

Collection System; said Sewage Transmission Rates and other charges shall be computed at the rate of \$2.39 per 1,000 gallons in excess of 4,500 gallons of waste discharged into a Sewage Collection System during the month for which the billing is rendered; provided, however, that the minimum Sewage Transmission Rate or other charge for each Industrial Establishment shall be \$10.75 per monthly billing period, subject, however, to provisions of subsections B5 and B6, respectfully, of this Article 3.1.

5. The average Sewage Transmission Rates and other charges for schools shall be not less than \$8.73 per pupil per year or \$2.18 per pupil per quarter, or its adjusted equivalent for service period less than one quarter, based upon the average number of pupils enrolled on days when the schools were in session during the full school term immediately preceding the date of each bill rendered. Teachers, administrators and employees of schools shall be classified as pupils for purposes of calculation of Sewage Transmission Rates and other charges.

6. Additional classifications and Sewage Transmission Rates and other charges or modifications of the above schedule of Sewage Transmission Rates and other charges may be established by the Authority from time to time as deemed necessary.

The aforescribed amended Sewage Transmission Rates and charges shall become effective for the July 31, 2018 billing and for all bills with a due date of August 20, 2018 or later.

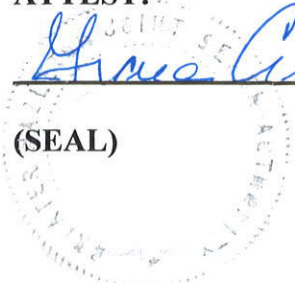
DULY ADOPTED this 26th day of **February, 2018** by the Board of Directors of the GREATER HAZLETON JOINT SEWER AUTHORITY, Luzerne County, Pennsylvania, in lawful session duly assembled.

GREATER HAZLETON JOINT SEWER AUTHORITY

BY: *Theodore Skerwood*
Chairman

ATTEST:
Grace Cropp
Secretary

(SEAL)



CERTIFICATE

We, the undersigned, Chairman and Secretary, respectively, of GREATER HAZLETON JOINT SEWER AUTHORITY (the "Authority") hereby certify that the foregoing Amended Rate Resolution is a full, true and correct copy of a Resolution duly adopted by majority vote of the Board of the Authority at a meeting of said Board duly convened and held according to law on February 26, 2018, that said Resolution was adopted by a roll call vote; that said Resolution and the vote thereon have been recorded in the minutes of said meeting; and that said Resolution remains in full force and effect, without alteration, amendment, modification or repeal, as of the date of this Certificate.

IN WITNESS WHEREOF, we hereunto affix our hands and the Secretary affixes the corporate seal of GREATER HAZLETON JOINT SEWER AUTHORITY, this 26th day of February, 2018.

GREATER HAZLETON JOINT SEWER AUTHORITY

BY: *Theodore Sherwin*
Chairman

ATTEST:

Grace Croygo
Secretary

