

Randy E. Hayman, Esq., Water Commissioner

MEMORANDUM

To: James Leonard, Records Commissioner

From: Randy E. Hayman, Water Commissioner

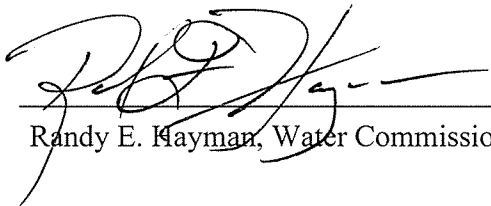
Date: July 27, 2021

Subject: Amendments to the Philadelphia Water Department Regulations: Chapter 5

Please find attached for filing proposed amendments to Chapter 5 of the Philadelphia Water Department Regulations. In accordance with Section 8-407 of the Philadelphia Home Rule Charter, I am filing these amendments with your Department in order to initiate the public inspection period.

Please also find attached a memorandum from the Law Department approving these amendments.

Thank you for your assistance in this matter.



Randy E. Hayman, Water Commissioner

Attachment



City of Philadelphia

LAW DEPARTMENT
Water Division
1101 Market Street
5th Floor
Philadelphia, PA 19107
(215) 685-6160
ji.jun@phila.gov

MEMORANDUM

TO: Randy E. Hayman, Water Commissioner

FROM: Ji Y. Jun, Divisional Deputy City Solicitor

DATE: July 27, 2021

RE: Amendments to the Philadelphia Water Department Regulations: Chapter 5

I have reviewed the attached amendments to Chapter 5 of the Philadelphia Water Department Regulations and find the regulations to be legal and in proper form.

In accordance with Section 8-407(a) of the Philadelphia Home Rule Charter, you may forward the regulations to the Department of Records where they will be available for public inspection.

A handwritten signature in cursive script that reads "Ji Y. Jun".

Ji Y. Jun
Divisional Deputy City Solicitor

Attachment

501.8 Fees

(a) Purpose: It is the purpose of this Section to provide for the recovery of costs from the Users of the City's Wastewater System for the implementation of the program established herein.

(b) Charges and Fees

(1) All Industrial Users applying for or issued a permit after the promulgation of these Regulations shall pay a fee of One Thousand ~~Nine Hundred Sixty~~ Dollars (~~\$1,000.00~~\$1,960.00) per permit application.

(2) The City may adopt charges and fees which may include:

(A) fees for reimbursement of costs of setting up and operating the City's Pretreatment Program;

(B) fees for monitoring, inspections and surveillance procedures;

(C) fees for reviewing accidental discharge procedures and construction; and

(D) other fees as the City may deem necessary to carry out the requirements contained herein.

(3) These fees relate solely to the matters covered by these Regulations are separate from all other fees chargeable by the City. The City reserves the right to change the fees set forth herein.

501.9 Civil Penalty Assessment Policy

(a) Purpose: The purpose of this section is to enact a civil penalty assessment policy pursuant to the Publicly Owned Treatment Works Penalty Law, Act No.1992-9.

(b) Scope: The POTW Penalty Law allows the City, as the owner and operator of publicly owned treatment works with an approved pretreatment program, to assess civil penalties of up to Twenty-Five Thousand Dollars (\$25,000) per violation of any Pretreatment Standards or Requirements per day. Each term, condition or parameter violated shall constitute a separate and distinct offense. Each day on which a violation occurs or continues to occur shall constitute a separate and distinct offense. In developing this Civil Penalty Assessment Policy, the City considered the following factors:

(1) the damage to air, water, land or other natural resources of this City and Commonwealth and their uses;

(2) cost of restoration and abatement;

(3) savings resulting to the person in consequence of the violation;

(4) history of past violations;

(5) deterrence of future violations;

(6) harm and/or potential harm to the POTW and/or its employees;

(7) whether the violation resulted or could have resulted in the City violating its NPDES Permit; and

(8) whether the violation resulted or could have resulted in the City violating any law or regulation affecting its sludge disposal options.

(c) Mandatory Civil Penalties: Civil Penalties shall be assessed against any Industrial User in significant noncompliance ("SNC") with any Pretreatment Standards or Requirements. The amount of the civil

City may suspend water service at any time to prevent an immediate hazard to health or public or private property in accordance with the Philadelphia Administrative Code.

(e) If a violation of this Section as described in an issued Notice of Violation is not corrected or if public health, safety, or public or private property is in jeopardy, the City may correct the violation itself or by contract. The property owner(s) shall be responsible for the full cost of repair and shall be billed for such costs by the City. If the property owner(s) fails to pay the bill in the time allowed, the City may take any and all additional enforcement measures permitted by law.

(f) If a Plumber fails to meet his or her obligations under this Section, the City may enforce the penalty provisions of Philadelphia Code § 9-1003(8) (license suspension and revocation). The City may also require the Plumber to correct improper or unsatisfactory work. If, after notice from the City, a Plumber fails to correct unsatisfactory work, the City may correct the violation and invoice the Master Plumber for time and materials. The Water Department may withhold permits from a Master Plumber who fails to pay such an invoice, or who fails to resolve a legitimately disputed invoice.

504.14 Sewer Connection Fees

(a) The fees for a Sewer Connection Permit shall be:

<u>Size and Type</u>	<u>Charge</u>
5” or 6” connection	\$265.00 <u>\$375.00</u>

8” Saddle connection
~~\$400.00~~\$560.00

8” Wye connection
~~\$475.00~~\$665.00
and any other PWD approved Sewer Connection requiring a connection method other than core drilling.

(b) Additional Fees:

Approved Generally
~~\$100.00~~\$140.00
Prohibited Connections

Connections or Repairs
\$80.00
During Non-Business Hours

(c) The fee for re-inspection of a violation of this Section or for a rescheduled inspection shall be ~~\$65.00~~\$95.00.

(d) With the Water Department’s approval, depending on the type of connection or repair intended, the fee for an additional Sewer Connection Permit for work to be performed in the same trench and at the same time as work to be performed in association with an initial Sewer Connection Permit may be \$50.

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