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ORDINANCE NO. 2024-F

AN ORDINANCE ADOPTED TO REQUIRE PRETREATMENT OF INDUSTRIAL WASTEWATERS INTO THE TOWNSHIP SEWAGE SYSTEM AND THE HANOVER BOROUGH SEWAGE TREATMENT SYSTEM AND TREATMENT PLANT; TO AMEND THE ADOPTED STANDARDS PROMULGATED BY HANOVER BOROUGH AS THE OWNER AND OPERATOR OF THE HANOVER AREA REGIONAL WASTEWATER TREATMENT PLANT, AND EMPOWERING THE BOROUGH OF HANOVER TO ENFORCE THIS ORDINANCE AND THE AMENDED STANDARDS ADOPTED BY THE BOROUGH OF HANOVER IN ITS PRETREATMENT ORDINANCE KNOWN AS ORDINANCE No. 2373.

WHEREAS, sewage produced in Conewago Township, Adams County, Pennsylvania, is currently treated at the sewage treatment plant owned and operated by the Borough of Hanover, pursuant to an inter-municipal agreement for such treatment between the Borough of Hanover of York County, Pennsylvania, the Borough of McSherrystown and the Township of Conewago of Adams County, Pennsylvania; and

WHEREAS, the provisions of said inter-municipal agreement and the best interest of the Township of Conewago require that the Pretreatment Ordinance of Conewago Township, Adams County, Pennsylvania, contain the same provisions contained in the Pretreatment Ordinance of the Borough of Hanover; and

WHEREAS, the Pretreatment Ordinance of the Borough of Hanover must be amended periodically to reflect changes in sewage treatment requirements of the U.S. Environmental Protection Agency and the Pennsylvania Department of Environmental Protection, their successor or assigns; and

WHEREAS, the need and desire of the Township of Conewago, Adams County, Pennsylvania, is to keep the provisions of its Pretreatment Ordinance matched to the provisions of the Pretreatment Ordinance of the Borough of Hanover, as it is amended from time to time; and

WHEREAS, the further need and desire of the Township of Conewago, Adams County, Pennsylvania, is to empower the Borough of Hanover, which is better situated to monitor and discover violations of the Borough's Pretreatment Ordinance, to enforce the provisions of the Pretreatment Ordinance in conjunction with the officials of the Township of Conewago, the Commonwealth of Pennsylvania and agencies of the federal government against violators located within the Township of Conewago, hereafter referred to as the Township.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is hereby adopted, enacted and ordained by the Board of Supervisors of the Township of Conewago, Adams County, Pennsylvania, as follows:

SECTION 1. Adoption of Hanover Ordinance Provisions.

A. All provisions of Ordinance No. 1977 of the Borough of Hanover, York County, Pennsylvania, as amended by Ordinance No. 2173, and Ordinance No. 2293, be amended to incorporate the provisions established within the Borough of Hanover Ordinance No. 2373, which will be enacted and ordained by the Borough of Hanover officials on October 23, 2024.

B. All provisions of Ordinance No. 1977, Ordinance No. 2173, Ordinance No. 2293, and Ordinance No. 2373 of the Borough of Hanover, York County, Pennsylvania, as amended to the date of this Ordinance, are hereby incorporated herein and this Ordinance, including the content of the incorporated Ordinances, is adopted as an Ordinance of this Township and is expressly declared to be applicable to and enforceable against all entities and individuals located, doing business or residing in Conewago Township of Adams County, Pennsylvania.

C. The draft of the Borough of Hanover Ordinance No. 2373 containing the revised pollutant limits is attached hereto as Exhibit A and is incorporated herein by reference.

SECTION 2. Enforcement Authority.

Conewago Township of Adams County, Pennsylvania hereby delegates to the Borough of Hanover power and authority to enforce the provisions of this Ordinance together with officials of Conewago Township and other state and federal bodies having jurisdiction over this matter and the Borough of Hanover is hereby expressly designated as the authorized agent of Conewago Township, Adams County, Pennsylvania, for purposes of enforcement of this Ordinance.

SECTION 3. Available Copy of Hanover Ordinance.

A copy of the full text of Ordinance No. 2373 of the Borough of Hanover, as amended from time to time, shall be available for inspection at the Hanover Municipal Building located at 44 Frederick Street, Hanover, Pennsylvania, as well as the Conewago Township Municipal Office located at 541 Oxford Avenue, Hanover, Pennsylvania.

SECTION 4. Repeal of Prior Ordinances.

The Township Ordinance provision inconsistent with the provisions of this Ordinance including the provisions of the Hanover Borough Ordinance reference above are hereby deemed null and void. Any Township Ordinance or Ordinance provisions not inconsistent herewith shall not be effected hereby.

SECTION 5. Construction and Severability.

If any of the provisions, sections, clauses or parts of this Ordinance or the application thereof shall, for any reason, be held invalid, such invalidity shall not affect or impair any of the remainder of this Ordinance, it being the intention of Conewago Township of Adams County, Pennsylvania, that such remainder shall be and remain in full force and effort.

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SECTION 6. Effective Date.

This Ordinance shall become effective five (5) days following its enactment as provided.

DULY ENACTED AND ORDAINED this 21st day of October, 2024, by the Board of Supervisors of Conewago Township, Adams County, Pennsylvania, in lawful session duly assembled.

ATTEST:

Tamara Bittle, Secretary

(SEAL)

CONEWAGO TOWNSHIP

By: Charlotte M. Shaffer
Charlotte Shaffer, Chair

EXHIBIT A

Draft Borough of Hanover Pretreatment Ordinance

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ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 290, SECTION 290-9, LOCAL LIMITS, OF THE CODE OF ORDINANCES OF THE BOROUGH OF HANOVER, YORK COUNTY, PENNSYLVANIA

WHEREAS, the Borough of Hanover is authorized to establish and revise local discharge limits pursuant to 40 CFR 403.5(c) and pursuant to the Borough's National Pollutant Discharge Elimination System Permit following the procedure as outlined in 40 CFR 403.5(c)(3); and

WHEREAS, the Borough submitted a Pretreatment Program Local Limits Reevaluation to EPA; and

WHEREAS, on June 28, 2024, the Borough received notice from EPA that the Borough's proposed Pretreatment Program Local Limits Reevaluation was accepted; and

WHEREAS, pursuant to Borough's National Pollutant Discharge Elimination System Permit, the Borough must now adopt the revised local discharge limits; and

WHEREAS, in order to adopt the revised local limits accepted by EPA, the Borough Council wishes to amend Chapter 290, Section 290-9 B. as set forth below.

BE IT ENACTED AND ORDAINED by the Council of the Borough of Hanover, York County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1: That Section 290-9 B. of the Code of Ordinances of The Borough of Hanover is hereby amended to read as follows:

§ 290-9 B.

B. The following pollutant limits are established to protect against pass through and interference.

(1) No person shall discharge wastewater containing in excess of the following daily maximum limit.

Pollutant	Local Limit (mg/L)
Antimony	0.28
Arsenic	0.10
BOD	1,180
Cadmium	0.01
Chloroform	0.28
Chromium	3:30
Chromium, Hexavalent	0.47
Copper	1.00
Cyanide	0.14
Lead	0.45
Mercury	0.0085
Molybdenum	0.16
Nickel	1.00
Selenium	0.11
Silver	0.39
Trichloroethylene	0.24
Zinc	0.56

SECTION 2: Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed to be a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of the present Ordinance.

SECTION 3: Repealer. Any Ordinance or Resolution, or any portion of any Ordinance or Resolution, of the Borough of Hanover, which is inconsistent with the contents of the present Ordinance shall be, and the same is hereby, repealed insofar as the same is affected by or inconsistent with the provisions of the present Ordinance. Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 4: Codification. The Code of the Borough of Hanover, as amended, shall be and remain unchanged and in full force and effect except as amended, supplemented and modified by this Ordinance. This Ordinance shall become a part of

the Code of the Borough of Hanover, as amended, specifically Chapter 290 thereof, upon enactment.

SECTION 5: Effective Date. This Ordinance shall take effect and be in full force and effect in accordance with Section 3301.3 (b) of the Borough Code.

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NOW, THEREFORE, BE IT ENACTED AND ORDAINED this ____ day of _____, 2024

ATTEST: **THE BOROUGH OF HANOVER**

_____ _____

Secretary William W. Reichart, II, Council
President

APPROVED this ____ day of _____, 2024.

_____

Sueann Whitman, Mayor