

CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY
CAMDEN COUNTY REGIONAL SEWER SYSTEM
RULES & PROCEDURAL GUIDELINES FOR REVIEWING REQUESTS FOR CONNECTION

I. STAGES OF REVIEW

A. Endorsement of NJDEP Sewer Construction Permit Application

The applicant for connection to the regional sewer system must first obtain an NJDEP sewer construction Permit to build the proposed connection. The Authority's endorsement of applications for such permits is required. Review procedures for this Stage I Review are discussed in III A below.

B. Endorsement of NJDEP Sewer Operation Permit Application

After the connection is constructed, NJDEP approval to operate the line (i.e. send sewage through it) must be obtained. Again the Authority's endorsement is required. Review procedures for this Stage 2 review are discussed in III B below.

C. Issuance of CCMUA Connection Certification

The applicant must pay a connection fee to the Authority before the subject municipality issues a certificate of occupancy and before the Authority's sewage treatment capacity is made available for the proposed connection.

II. TYPES OF APPLICANTS AND CONNECTIONS

A. Applicants

1. Municipality or Municipal Authority

In accordance with the service agreement between the Authority and the municipal entities of Camden County, connections of the sewer collection systems of municipalities and/or municipal authorities that effect the town's connection into the regional sewer system as specifically identified in the USEPA/NJDEP 201/208 Facilities Plans shall be accomplished by the Authority. Moreover, the Authority shall be responsible to obtain NJDEP sewer construction and operation permits. No connection fee shall be charged in these instances.

The connections defined in II A (1) above will be limited to the direct connections of municipal wastewater treatment plants and connection of large sections of a municipal sewer collection system which is to service existing structures previously serviced by septic systems (i.e. Berlin Township, Chesilhurst, Gibbsboro (part), Winslow Township (Cedarbrook), as per the 201/208 Plans.

2. Existing Facilities Utilizing Septic Systems

As sewer bans are lifted and as regional and/or municipal sewer service becomes available, there may be property owners who wish to abandon their existing septic system and connect into the Authority's system directly or indirectly (see II B below). These applicants shall be subject to Stage 1 and 2 reviews unless they are not required to obtain NJDEP permits. (One connection generating less than 8000 gallons per day). In that case, however the applicant would still be required to receive a local sewer permit. At that time, the municipality of municipal authority and/or building code official will direct the applicant to seek the Authority's operating endorsement.

Potential applicants in this category shall be required to pay a connection fee if the connection is not accomplished within two years from the formal adoption of this policy by the Authority or within two years from the provision of regional sewer service to the subject municipality as defined in II A (1) above. If the connection is made in accordance with receipt of all required approvals prior to the dates established above, then the connection fee requirement shall be waived for these applicants only.

3. New Structures

New Structures are subject to Stage 1 and 2 review unless they do not require a NJDEP Sewer Construction and Operation Permits. The Authority's operating approval must be obtained before the local sewer permit is issued. Connection fees shall be required in all instances if the connection is not accomplished within 30 days of the adoption of this policy or within the provision of regional sewer service as defined in II A (1).

B. Connections

1. Indirect Connections

An indirect connection to the regional sewer system is one in which the physical connection is made to the municipal sewer collection system and flow is thereby conveyed to the regional sewer system. Each of the provisions defined in this policy document apply to these connections.

2. Direct Connections

A direct connection to the regional sewer system is one in which the municipal sewer collection system is bypassed and the physical connection is made to the regional sewer system. Each of the provisions defined in these rules apply to these connections. In addition, however, the Authority's policy is consistent discourage the concept of direct connections as this is inconsistent with the concept of the regional sewer system. Specifically, the Authority shall approve direct connections to its system on a case by case basis at its sole discretion.

In general, it shall only consider direct connections which result in environmental benefit and/or result in the connection of existing facilities for which there is no practical alternative for provision of sewer service. Cost savings shall generally not be considered except in the absence of practical alternatives.

If a direct connection is permitted, the connection shall be made at the applicant's sole expense. The applicant shall be responsible to reimburse the Authority for any and all additional costs to the Authority resulting from the direct connection. This includes but is not limited to construction, repair, review, and inspection costs. The applicant may be required, at the discretion of the Authority, to provide metering, sampling and telemetry facilities so that the Authority can monitor the new connection in the same way that it monitors its present connections. The Authority will have sole discretions in accepting and/or determining the nature and location of the connection so that it may best protect its regional sewer system. The applicant must indemnify the Authority against any and all claims against the Authority resulting from backflow through the connection, injury during construction of the connection and fines. The applicant will continue to own the connection and the metering, sampling and telemetry facilities and will be entitled to access to the direct connection, metering, sampling and telemetry and to receive monthly operating data. Finally, the applicant will be required to enter into an agreement with the Authority to formalize the conditions described herein.

3. Connection

A physical connection is defined to be made when the sewer facilities within the building are capable of being used, thereby requiring the treatment of the wastewater at the Authority's treatment facilities.

III. REVIEW PROCEDURES

C. NJDEP Construction Permit Endorsement Applications

The Authority presently has a policy for this review which is herewith incorporated by reference. Generally, the Authority will review such application utilizing the following criteria:

1. Completion of application as defined in present policy.
2. Potential for physical conflict with regional sewer system.
3. Potential adverse impact to environmentally sensitive areas in accordance with federal grant conditions.
4. Potential for operations and maintenance problems such as infiltration / Inflow, corrosion and odor.
5. Availability of regional sewage conveyance and sewage treatment capacity.
6. Consistency with approved facilities plans and wastewater management plans.
7. Consistency with Industrial Pretreatment Program guidelines.

After the Authority issues its endorsement, the applicant is permitted to apply for the NJDEP construction permit. The Authority's endorsement shall be effective for two years. If the NJDEP construction permit has not been received within two years from the date of the Authority's endorsement, the applicant shall be required to apply for a new endorsement. If the project has not changed since the original application, only the minimum review fee shall be charged for the new application.

Applicants should understand that both the US EPA and NJDEP exercise jurisdiction over sanitary sewage facilities and may adopt rules and regulations affecting said services. In the event that the Authority is prohibited from providing offering or extending sewer services to an applicant by reason of any rule, order, or regulation of either US EPA or NJDEP, the obligation of the Authority to provide or extend such services to the applicant will be suspended until such time as the said prohibition is lifted by US EPA and/or NJDEP, as appropriate. The applicant should also understand that the Authority's ability to provide sewer services and connections is contingent upon the Authority's having capacity in its plants as well as its conveyance system, at the time the application is being made until consideration is given to existing sewer service agreements or outstanding requests for connections for which other applicants have completed all requirements including full payment of their connection fee. In the event that the Authority would be prohibited for extending any additional service connections by either US EPA or NJDEP, the Authority will be obligated to provide sewer service to applicants as soon its permitted by both agencies and/or as capacity is available. Capacity will be granted on a first come first serve basis, based upon requests and approval for connections and other applicants which have completed their applications, received endorsements and fully paid connection fees, at the time capacity is available.

D. NJDEP Operating Permit Endorsement Applications

After the NJDEP construction permit is obtained and the line constructed, the applicant must obtain a NJDEP operating permit. The Authority's operating endorsement shall be required before the NJDEP operating permit is issued. If a NJDEP construction and operation permit has already been issued, then the Authority's operation endorsement will still be required.

Generally, the Authority shall utilize the following criteria in this review:

1. Inspection, at the Authority's option, of the construction to insure that it was accomplished in accordance with the Authority's requirements from the construction permit review and will not result in a physical conflict or an operations and maintenance problem.
2. Inspection, at the Authority's option, of the development to ensure that it is consistent with Stage 1 endorsement and will not result in violations of environmentally sensitive areas or grant conditions.

3. Availability of regional sewage conveyance and treatment capacity.
4. Execution of NJDEP form WQM-005 and accompanying certification by applicant's engineer that construction was accomplished in accordance with approved contract documents and with all applicable NJDEP regulations.

When the Authority issues its operating endorsement, it will also issue the applicant a copy of its connection fee policies.

C. CCMUA Connection Certification Procedures

If the applicant has received all of its required construction and operation approvals, the Authority will charge a connection fee to each of its potential customers in accordance with section II A and below. The connection fee is established on a yearly basis.

The Authority shall formally make sewage conveyance and treatment capacity available to the project in accordance with its NJDEP operating permit when the connection fee is paid in full. The applicant can pay the connection fee during the Stage 1 review (NJDEP Construction Permit Endorsement Application) if it wishes to reserve capacity at the current connection fee rate. Alternatively, the applicant can pay the connection fee when it applies for its building permit. If the connection permit is not applied for within two years of receipt of the NJDEP operation permit, the Authority's endorsement of the project is withdrawn. When the Authority's connection fee is paid, the Authority will issue a connection certificate which will serve as evidence of the connection fee having been paid and will specifically note the block(s) and Lot(s), the owner/applicant and the basis for the fee (i.e. number and type of units). The number of units will be defined in accordance with the user charge system established for the annual user fee. Municipalities or Municipal Authorities shall issue a building permit or certificate of occupancy only after presentation of the fully executed construction certificate from the Authority for that property. The sole exception to this restriction is the grace period defined in II A above. The Municipalities and Municipal Authorities shall be required to comply with the terms of section 303 of the Service Agreement which provides for the adoption of resolutions or ordinances to implement these rules and regulations.

The procedure for the issuance of construction certifications shall be as follows:

1. The applicant shall apply to the Engineering Department for issuance of the construction certification.
2. Engineering Department shall review the project status and approve the certification if all outstanding matters remaining from the previous reviews have been satisfactorily resolved. Engineering Department shall signify its readiness to issue the certification by executing the first of three required signoffs by signing a separate form which will state this intent pending payment of the associated connection fee which will be established on the same form.

3. The applicant will bring this separate form to the cashier's office, pay the prescribed fee and in turn receive a receipt for the same from the cashier.
4. Applicant will return the receipt to the Engineering Department who will validate same by executing the second of three required signoffs.
5. Applicant will then execute third of three signoffs stating that it has read and understood the Authority's connection fee policies and agrees to fully abide by them as a condition of acceptance of the connection certification.
6. Engineering Department shall then affix a special seal/stamp signifying that all requirements have been met and release the certification which will be in triplicate. The Engineering and Finance Departments will each keep a copy.

The Authority's connection certificate will remain in effect for two years. After two years, the certification holder who has not achieved the authorized connection has the following options:

1. Forfeit its reserved capacity. In the event physical connection is not made within the 24 months (2 year period), the connection certificate shall automatically expire and shall be void and of no force and effect. The applicant hereby agrees that the Authority shall retain twenty percent (20%) of the connection fee paid for each expired permit as a charge for administrative costs, for a reservation of capacity and loss of service revenue. It is hereby stipulated that said charges are reasonable and shall be considered a liquidated damages, not a penalty. Upon the acceptance of the connection certification represents full acceptance of all the conditions established by this policy, including acceptance of the 20% liquidated damage assessment described herein, and that this amount is reasonable. The balance of the connection fee paid for the expired connection certificate shall be returned to the applicant by the Authority. The applicant may file a new request for a connection certificate and the payment of the connection fee at any time thereafter.
2. Within thirty (30) days prior to expiration of the connection certificate, the applicant may pay the difference between the present connection fee rate and the rate in effect at the time of the issuance. This will then extend the connection certificate an additional two (2) years. This option is only available once and cannot be utilized a second time. The mechanism of obtaining this extension is as follows: Applicant shall bring the original connection certificates to the Engineering Department. If the Engineering Department has no objection, it shall sign an in-house extension form which the applicant can bring to the cashier. The cashier then will receive the balance due and issue a receipt. Applicant would return the receipt to the Engineering Department, sign a release similar to the original release along with the additional condition that there are no further options for extension. Finally a revised certification shall be issued with the original number and an additional A. The original certificates shall be turned in by the applicant simultaneously and destroyed

by the Authority. The Authority's connection certification is site specific, project specific and cannot be transferred to another and/or a different project. The connection certificate can be transferred to a new owner of the specific site, provided that 10 days advance notice has been given to the Authority.

D. Certification of Physical Connection and Use

The applicant shall certify in writing to the Authority the day of dates that physical connections are made, along with the name and address of the applicant, name and address of the project, as well as the project's Lot(s), Block(s) or unit number. Upon the date of physical connection and start of use, certified above, the Authority shall charge the applicant and/or the owner the sewer service charges for the unit or project connected.

IV Penalties for Violations of Rules and Regulations

- A. Connection fees are imposed on new customers in accordance with the Service Agreement and N.J.S.A. 40:14B-22. Participants who fail to notify the Authority of new or additional connections under the terms of these rules shall be liable to the Authority for all of the resulting uncollected connection fees in accordance with the provision of the Service Agreements.
- B. If the Authority finds that a municipality has issued either building or CO permits to an applicant without first verifying that the appropriate connection fee has been paid, the Authority will at its discretion cease approving and endorsing any sewer extension applications for the connection of sewer connections in that municipality. When the municipality develops a system through adoption of a resolution and/or ordinance which demonstrably will assure that payment of the Authority's connection fee is a prerequisite to issuance of the local building or CO permit, the Authority will resume review of sewer extension endorsement applications for projects in that municipality.