



*The ARAMARK Tower
1101 Market Street
Philadelphia, Pennsylvania 19107-2994*

*BERNARD BRUNWASSER
Commissioner*

INSTRUCTIONS FOR SUBMITTING APPLICATION FOR PRIVATE SANITARY FACILITIES OPERATION/MAINTENANCE AND OVERSIGHT AGREEMENT

Introduction

Title 25, Environmental Protection, of the Pennsylvania Code requires in Chapter 71, Section 71.71 that a municipality assure the proper operation and maintenance of sanitary facilities within its borders. This includes private sanitary facilities. To comply with this requirement, the City of Philadelphia, acting through its Water Department (PWD), requires that anyone proposing to utilize private sanitary facilities to connect to the publicly-owned sewerage system submit an Application for Private Sanitary Facilities Operation/Maintenance and Oversight Agreement. Private sanitary facilities include, but are not limited to, facilities required to pump or lift sewage to the publicly-owned sewerage system and privately-owned sanitary or combined sewers to convey sewage to the publicly-owned sewerage system.

Sanitary facilities require routine and scheduled maintenance to ensure proper operation and the owner of the proposed private sanitary facilities is responsible for the proper operation and maintenance of the private sanitary facilities.

Procedure

In order to complete the planning process required by the Pennsylvania Sewage Facilities Act (Act 537), an Applicant proposing the use of private sanitary facilities for new land development within the City of Philadelphia must submit to PWD certain documentation with the Sewage Facilities Planning Module submission. Documentation is required to establish legal ownership of the proposed private facilities and the legal right to utilize the private facilities if the entity proposing to use the private sanitary facilities is not the owner of the facilities. Documentation is also required to provide for the proper operation and maintenance of the private sanitary facilities by a qualified service provider.

To document legal ownership of the private sanitary facilities, a copy of the deed to the property, along with a copy of a certified survey detailing the location of the private sanitary facilities, should be submitted. If the entity proposing to use the private sanitary facilities is not the owner of the facilities, then a notarized letter or similar document granting permission to use the private sanitary facilities from the owner of the private sanitary facilities should be included with the submission.

To document that the private sanitary facilities will be operated and maintained in accordance with all applicable state and local law, a copy of an operation and maintenance contract with a qualified service provider should be included with the Application for Private Sanitary Facilities Operation/Maintenance and Oversight Agreement. A qualified service provider is one who meets all of the following:

Is currently providing management and service of sewage pumping and control systems in at least five municipalities within the Commonwealth of Pennsylvania and is not prohibited from providing services within the City of Philadelphia.

2. Is a certified operator holding a valid certification in accordance with the Pennsylvania Water and Wastewater Operators' Certification Act (copy of certification must be provided) for any private sewage pumping facility serving more than one EDU.

Has not received a notice of violation or been convicted of or entered into a plea agreement or settlement with any regulatory agency regarding the management and service of sewage pumping and control systems as listed in Pennsylvania's Environment Facility Application Compliance Tracking System (eFACTS).

4. Provides service on a 24-hour, 7-day per week basis and must demonstrate the ability to respond to a system alarm within four hours
5. Is registered with the Pennsylvania Department of Environmental Protection as a septage hauler or has a contract with a Pennsylvania Department of Environmental Protection registered septage hauler (registration numbers must be provided). If pumping services will be provided through a subcontractor, the subcontractor must meet the requirements of this paragraph and paragraphs 2 and 3 above. A copy of the subcontracting document(s) must be submitted with the Application for Private Sanitary Facilities Operation/Maintenance and Oversight Agreement.

The maintenance contract must include a provision that PWD will be notified in writing at least 30 days prior to any changes in the contract or of the qualified service provider.

If the Applicant is unable to enter into an appropriate maintenance contract at the time of the submission of the Application for Private Sanitary Facilities Operation/Maintenance and Oversight Agreement, then the Applicant shall submit a bond acceptable to the City of Philadelphia to cover the estimated costs of six months of operation of and maintenance to the private sanitary facilities and the costs to environmentally close the private sanitary facilities.

**APPLICATION FOR PRIVATE SANITARY FACILITIES
OPERATION/MAINTENANCE AND OVERSIGHT AGREEMENT**

The undersigned is requesting authorization to connect to and/or operate private sanitary facilities within the City of Philadelphia and hereby is agreeing to maintain said private sanitary facilities in accordance with all state and local law including all applicable provisions of the Philadelphia Code and any related regulations thereto.

The undersigned understands that failure to maintain said private sanitary facilities in accordance with all state and local law including all applicable provisions of the Philadelphia Code and any related regulations thereto may result in enforcement action by the City of Philadelphia including suspension of water service.

Along with this application, the undersigned is submitting: (1) documentation verifying that the undersigned is the owner of said private sanitary facilities or has legal right to connect to and/or operate and maintain said private sanitary facilities; and (2) documentation demonstrating how said private sanitary facilities will be maintained in accordance with all state and local law including all applicable provisions of the Philadelphia Code and any related regulations thereto.

Applicant Name _____

Address _____

Signature _____

Date _____

Approved as to Form

For the CITY OF PHILADELPHIA