

**ELIZABETHTOWN REGIONAL SEWER AUTHORITY
Lancaster County, Pennsylvania**

**DEVELOPER'S REQUIREMENTS AND PROCEDURES
TO CONSTRUCT EXTENSIONS TO THE SANITARY SEWER SYSTEM
OF THE ELIZABETHTOWN REGIONAL SEWER AUTHORITY**

A. Pre-Submission Phase

1. The Authority's Administrator ("Administrator") shall be the initial point of contact for a developer seeking to obtain sanitary sewer service for a potential land development project. The developer or his representative may make contact by telephone or email, but it is suggested that an initial meeting be held with the Administrator to explain the proposed project and to learn the Authority's requirements for obtaining sanitary sewer service.
2. Following this initial meeting, the developer and or his engineering representative shall hold a second meeting with the Authority's Engineer and Administrator to discuss issues concerning the proposed extension to the sanitary sewer system, availability of collection, conveyance and treatment capacity and the modification of existing facilities. The meeting shall be scheduled through the Authority office, and the developer shall post an initial escrow of \$2,000 prior to the meeting. The escrow fund shall cover the Authority Engineer's fees for preparing and attending the meeting as well as initial costs associated with the review of subsequent requests and plans associated with the project.

B. Capacity Reservation Phase

1. Applicants desiring capacity allocation from Elizabethtown Regional Sewer Authority (ERSA) must provide the following information:
 - a. Date of formal written request.
 - b. Name and location of the development or project.
 - c. Name, address, and phone number to which communications should be directed.
 - d. Date on which plans were, or will be, filed with the Township.
 - e. Two (2) copies of the subdivision and/or land development plan.
 - f. Number of equivalent dwelling units (EDU's) proposed.
 - g. Total projected sewage flow (at 235 GPD per EDU).
 - h. Anticipated timing, including:
 - (1) Start of construction.
 - (2) Rate of Sewer Permit acquisition.
 - (3) Completion of construction.
 - i. Statement as to whether the development or project is in conformance with the most recent Act 537 Plan for the Township. If not, please state the applicant's plans and schedule to achieve conformance.

2. The applicant requesting a capacity allocation from ERSA must represent and have responsibility for the entire property or development for which sewage capacity is being requested, i.e. a developer representing his proposed development or a Township (or developer) representing a particular area desiring to be sewerred. ERSA will not accept requests from an individual or individuals representing property in which they do not have controlling equity interest.
3. In the case of a sewer capacity request for a non-residential waste discharge, the applicant is advised of the possible requirement, and associated expenses, for an executed Industrial Waste Discharge Agreement, dependent upon the characteristics of the proposed discharge.
4. Information submitted by the applicant in accordance with Item B.1 of these Requirements and Procedures will be reviewed by ERSA and, if acceptable, the project will be placed on the Capacity Request List. The date the project is placed on the Capacity Request List shall be defined as the Applicant's Commitment Date.
5. Placing a project on the Capacity Request List does not guarantee that capacity will be provided by ERSA. The ultimate capacity and service area of the ERSA system is also dependent on decisions by the County and the Pennsylvania Department of Environmental Protection.
6. ERSA has a limited reserve capacity for sewage conveyance and treatment. In order to assure that ERSA's reserve is not exceeded, the engineer's review will include the projected impact of the proposed project on both the reserve capacity at the treatment plant and ERSA's conveyance facilities.
7. Should the Authority determine that a feasibility study is necessary to assess the ability of the Authority's sewer system to accommodate the project, the applicant will be advised of the estimated cost for the feasibility study to be performed by the Authority's Engineer. The applicant shall deposit such estimated cost with the Authority prior to the initiation of the study. Should the scope of the feasibility study increase for any reason, the applicant shall deposit additional funds as requested. Payment of all actual costs associated with the preparation of feasibility studies must be made by the applicant prior to Authority acceptance of the preliminary plans.
8. Assuming capacity is available, the applicant will be able to reserve capacity with the Authority. While reservation of capacity prior to construction is not mandatory, it is recommended, in particular for projects located within drainage basins of limited available conveyance capacity.
9. To reserve capacity, the applicant shall be required to pay to ERSA a Capacity Reservation Fee per EDU per year for a maximum of five years. For commercial applicants, the volume of the proposed wastewater discharge will be converted to EDUs using the Authority's standing EDU value at the time of the reservation. The amount of the reservation fee is periodically updated and will be at the rate established by the

Authority as of the day of payment. A full year's payment in advance will be required on the Applicant's Commitment Date and will cover reservation fee expenses through the same date of the following year. A full year's payment in advance of the Capacity Reservation Fee will be required on the anniversary of the Applicant's Commitment Date for each subsequent year, for as long as the project remains on the Capacity Request List, not to exceed five years (discussed in C.6 of these procedures). Alternatively, the applicant may choose to pay the Authority's established tapping fee per EDU. In this scenario, annual reservation fees would not be required. If the applicant does not pay the Capacity Reservation/Tapping Fee within 30 days of the due date, the project will be dropped from the Capacity Request List.

B. Plan Review Phase

1. If not provided in conjunction with the capacity review phase, the applicant shall submit two copies of preliminary development plans and/or sewage planning modules to ERSA and one copy of each to the Authority Engineer for review. Requirements for preliminary development plans are outlined in Exhibit A.
2. The developer shall be responsible for maintaining a positive balance in the escrow account held by ERSA to cover the cost of Authority engineering and legal services associated of the project. This deposit will be held for the applicant in a non-interest-bearing escrow account. ERSA will provide the developer with a quarterly statement of the account and shall requisition additional funds from the developer as necessary to maintain a positive balance. Should the developer fail to make additional deposits in the escrow account as requested, ERSA shall have the right to discontinue development plan reviews.
2. In the event planning modules are submitted to ERSA prior to preliminary development plans, the applicant shall submit with the planning modules: (a) a site plan showing all lots in the development, (b) the point(s) of connection to the existing system, and (c) the number of EDUs per point of connection. This information must be submitted prior to engineering review.
3. After preliminary development plans have been approved by ERSA, the applicant shall perform the following:
 - a. Furnish ERSA with an estimate of the cost of completion of the sewer line extension reflecting the full cost to install the sewers, including all related manholes, accessories and appurtenances. The cost shall be established by submission to ERSA of a bona fide bid or bids from the contractor(s) chosen by the applicant.
 - b. Furnish ERSA with an irrevocable letter of credit from a bank authorized to do business in Pennsylvania guaranteeing the installation of the sewer lines. The letter of credit must be in the form provided by ERSA and must be equal to 110% of the cost to install the sewer line extension.

- c. Obtain a Water Quality Management Permit from the Pennsylvania Department of Environmental Protection, if required. Although this permit will be issued in the name of ERSA, it is the responsibility of the applicant to apply for the Water Quality Management permit.
 - d. Furnish ERSA with a proposed schedule by which sewer permits will be obtained for the development. The schedule is intended to serve as a planning tool for ERSA, and will not be binding on the applicant insofar as the number of permits per year which need to be obtained.
 - e. Deposit funds in escrow with ERSA to cover the estimated cost of inspection and testing of the installation of the proposed sewerage facilities. The initial escrow amount shall be determined by ERSA's estimate of the work to be performed based on experience with similar projects. Should the developer fail to make additional deposits in the escrow account as requested, ERSA shall have the right to discontinue construction of the sewer facilities.
- 4. After all of the preceding activities have been completed, the applicant shall enter into a Developer's Agreement with ERSA for extension(s) of ERSA's sewer system, as well as any required improvements to existing ERSA facilities, in a form acceptable to the ERSA solicitor. Upon execution of the Developer's Agreement, the applicant's project shall be placed on the ERSA Management Plan that shall reserve the capacity granted by the Authority for a period of five years from the date of execution of the Developer's Agreement.
 - 5. The Capacity Reservation Fee will remain in effect per EDU per year throughout the project's duration for those EDUs for which the applicant has not yet obtained permits in any given year. Reservation Fees shall be pro-rated or credited to the applicant on a quarterly basis in any case where a partial year payment may apply.

C. Construction Phase

- 1. In the event sewer lines are to be installed within any state highways, the applicant must obtain a highway occupancy permit from the Pennsylvania Department of Transportation and any required bonds.
- 2. Sanitary sewer construction and testing shall be performed in accordance with the provisions of ERSA's Specifications for Sanitary Sewer Construction. Prior to commencement of construction of the sewer line extension, the applicant shall provide the ERSA with a construction schedule. ERSA or its designated representative will perform inspection of the construction.
- 3. Upon the completion and satisfactory inspection of the sewer extension, the applicant shall furnish the ERSA with record plans for the sewer extension including all lateral depths, lengths, and locations.

4. Following review and acceptance of the record plans by ERSA's Engineer, the applicant shall be eligible to obtain Sewer Connection Permits for the development on an as-needed basis. In lieu of submitting complete record plans for an entire project or phase at one time, applicants shall have the option of submitting record plans for individual sewer lines or combination of lines. Upon review and acceptance of such lines, the applicant shall be eligible to obtain Sewer Connection permits for the lines in question. An exception to the record plan requirement prior to Sewer Connection Permit issuance will be made for up to 50 percent of the total number of EDUs in the completed portion of the project, or a maximum of 20 EDUs, whichever is less, provided construction and satisfactory inspection of the sewer lines has been completed.
5. Payment of connection and tapping fees shall be made at the time the Sewer Connection Permits are obtained, if not paid previously in conjunction with capacity reservation. Applicants are reminded that Sewer Connection Permits are only valid for a period of one year from the date on which they are obtained.
6. Capacity for Sewer Connection Permits not obtained within the five-year guaranteed capacity period may only be maintained by payment of the associated tapping fees prior to the expiration of the guaranteed capacity period, unless otherwise specifically approved by ERSA. All capacity not reserved by payment of the appropriate tapping fees will be forfeited by the applicant. The applicant shall also be responsible for the payment of ERSA user fees equivalent to the typical billing cycle for the service area in which the project is located, in lieu of reservation/commitment fees, for all EDU's secured by payment of tapping fees after the five-year period.
7. The guarantee of sewage capacity by the Authority shall apply only to the party executing the Developer's Agreement with the Authority. Should the applicant subsequently transfer any of the properties covered by the Developer's Agreement to another party, it shall be the applicant's responsibility to provide documentation of the transfer in a form acceptable to ERSA to maintain the continuity of the capacity reservation.
8. The construction of service connections to the sewer extension shall be in accordance with the ERSA's Specifications for Sanitary Sewer Construction. ERSA or its designated representative will perform inspection of the installation of service connections.
9. The applicant shall deliver executed sewer easement agreements for all cases where sanitary sewer lines to be dedicated to ERSA are located on private property. The applicant shall provide evidence that all easement agreements have been recorded on the respective deeds.
10. The applicant shall execute and deliver to ERSA a Bill of Sale transferring the sewer lines to ERSA and a Maintenance Guaranty. The Bill of Sale shall include a legal description and plans of the sewer lines being conveyed to ERSA.

D. Warranty Phase

1. The applicant shall be responsible to correct any defects in workmanship or materials for a period of 18 months following the acceptance of the sewer line extension by ERSA. The applicant's letter of credit shall be maintained at 10 percent of the construction cost estimate for the 18-month period.
2. At the completion of the project, ERSA will release the applicant's letter of credit and return any unused escrow funds. In the event ERSA's costs related to the sewer extension exceed the amount deposited in escrow, the applicant will be responsible to pay any excess costs to ERSA at the time these excess costs are anticipated.

Note: The foregoing outline and explanation is not intended to be a complete statement of all of the requirements and procedures applicable to sewer extensions. Furthermore, in some instances, the applicant will have to determine, based upon his own circumstances, the sequence in which various approvals will be obtained. It is anticipated that the foregoing information will be a helpful guide to applicants, and ERSA encourages any applicant to attend the regular meetings of the Authority that are held at Five Municipal Drive, Elizabethtown, Pennsylvania, on the second Tuesday of each month at 7:00 p.m. to obtain further information and guidance.

EXHIBIT A

**Elizabethtown Regional Sewer Authority
Preliminary Development Plans**

- | Yes | No | <u>Development Information</u> |
|-------|-------|--|
| _____ | _____ | 1. Name and address of the developer and developer's engineer. |
| _____ | _____ | 2. Name and location of project. |
| _____ | _____ | 3. Date(s) the project plans were filed with ERSA. |
| _____ | _____ | 4. Number of dwelling units proposed in the project. |
| _____ | _____ | 5. Written request for sewage treatment capacity. |

Minimum Plan Requirements

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Vicinity map showing which part of the Township the project will be located. Scale 1" = 2000' |
| _____ | _____ | 2. Plans should indicate all easements as required for sanitary sewers or other utilities. In those cases where sanitary sewer lines which are to be dedicated to ERSA will be installed on private property, the applicant shall furnish ERSA with legal descriptions and plans for sanitary sewer easements. In addition, applicants must provide ERSA with the name and address of all property owners who will be granting easements to ERSA and the name and address of any lien holders who hold mortgages or judgments against the property through which the easements will be granted. |
| _____ | _____ | 3. A site plan showing all lots and utilities (sewer, water and stormwater at a minimum) in the development. Plan and profile views showing sewers and water lines (if applicable). Isolation distances between sewer and water lines should be provided on the plans and profiles. |
| _____ | _____ | 4. Plans should show locations of existing wells. |
| _____ | _____ | 5. Plan views should be at a scale of 1" = 50'. Profile view should be at a scale of 1" = 50' horizontally and 1" = 10' vertically. All sheets should be standard size of 22"x34" or 24"x36" |
| _____ | _____ | 6. Material of construction of the sewer and water lines must be noted (e.g. 8" SDR 35, etc.) |

- _____ 7. Length and slope of each section of sewer line between manholes must be noted on the plan and profile sheets.
- _____ 8. All manholes must be numbered in plan and profile.
- _____ 9. Location of the existing manhole, sewer or pumping station, to which the proposed project will connect must be clearly noted on the plans. The DEP permit number and ERSA - designated manhole number of where the connection will be made should be provided.
- _____ 10. Rim and invert elevation must be indicated for each manhole.
- _____ 11. If a pumping station or individual submersible pumps are required, detailed drawings and specifications should be provided.
- _____ 12. The following details should be provided.
- a. Precast concrete manhole detail.
 - b. Concrete encased outside drop, if used in plans.
 - c. Service connection detail.
 - d. Service pipe riser detail.
 - e. Pipe trenching detail
- _____ 13. A Note stating: "All sanitary sewers and appurtenances shall be constructed in accordance with Elizabethtown Regional Sewer Authority Specifications."
- _____ 14. All plans and specifications submitted for review should be sealed and signed by a Registered Professional Engineer or Land Surveyor.

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