

RESOLUTION NO.: 01-12-2017-01

LATERAL TESTING RESOLUTION REQUIREMENTS

WHEREAS, the Collier Township Municipal Authority (CTMA) is party to a required Consent Order of Allegheny County Health Department (ACHD) and Allegheny County Sanitary Sewer Authority (ALCOSAN) that has required the CTMA to utilize all efforts to remove extraneous infiltration from the CTMA sanitary sewer system, which discharges into the ALCOSAN system; and,

WHEREAS, the Consent Order was entered into in January of 2004 and has required CTMA to clean and video camera inspect all sanitary sewer lines owned and maintained by CTMA; and,

WHEREAS, the Consent Order requires that CTMA identify and report all sources of infiltration and implement a plan to correct and eliminate the sources of infiltration; and,

WHEREAS, the obligation to clean and camera inspect is ongoing and will continue for the foreseeable future; and,

WHEREAS, ALCOSAN is under a Pennsylvania Department of Environmental Protection (DEP) and United States Environmental Protection Agency (EPA) order to reduce and eliminate infiltration and overflows into the waters of the Commonwealth of Pennsylvania; and,

WHEREAS, the various orders require the elimination of existing overflows throughout the ALCOSAN system within Allegheny County, as well as major construction on the part of ALCOSAN and major plant expansion; and,

WHEREAS, as part of the various Consent Orders, CTMA was required to monitor the flow discharging into the ALCOSAN system and ALCOSAN has also conducted flow monitoring in an effort to determine the flows both from sanitary sewer usage and extraneous infiltration; and,

WHEREAS, CTMA, as well as numerous other municipalities, are under the same obligation to reduce and eliminate the overflows, by means of the Consent Orders, and CTMA has determined that it is necessary to more effectively monitor the individual privately-owned laterals and industrial and commercial privately-maintained systems that are discharging into the CTMA main lines; and,

WHEREAS, CTMA has conducted, over the years, dye-testing as part of a municipal lien letter request and has required the removal of improper connections into the sanitary sewer system; and,

WHEREAS, a major portion of the sewer collecting system consists of privately-owned laterals, and industrial and commercial connections that are the responsibility of the various owners to maintain and to improve.

The various testing by CTMA has found clear and convincing evidence of improper property owner connections into the sanitary sewer system, to include roof drain connections, driveway drain connections, improperly maintained cleanouts and air vents, and evidence of root infiltration into privately-owned lateral systems, all of which provide evidence of infiltration that leads into the CTMA system and the ALCOSAN system; and,

WHEREAS, the smoke-testing and dye-testing has been somewhat effective in the identification and the elimination of infiltration, it has not completely identified or eliminated private property infiltration into the system.

NOW THEREFORE, CTMA, effective January 1, 2017, has implemented a mandatory lateral inspection system before a municipal lien letter can be issued for the sale, transfer or re-financing of property within the CTMA system. The lateral testing requirements are as follows and are the minimum mandatory standards required prior to the issuance of a municipal lien letter. All residential, commercial and industrial property, and other property, within Collier

Township are subject to both a dye-testing inspection and a lateral camera-inspection that meets the following requirements:

Collier Township Municipal Authority
Lateral Testing Mandatory Requirements

Testing Procedures

- a. The property owner shall submit an application on the Authority's form and make payment of fees associated with the lateral testing at least twenty (20) days prior to the date of sale.
- b. All testing shall be on a pass-fail basis. If the lateral fails, then the entire lateral shall be replaced or relined in accordance with the Allegheny County Plumbing Code. One (1) spot repair of the lateral pipe will be allowed only if the lateral pipe is comprised entirely of polyvinyl chloride (PVC) or Acrylonitrile Butadiene Styrene (ABS) and there are no other structural defects observed during inspection.

Lateral Testing

- a. All third party registered plumbers must comply with the requirements of the Lateral Testing Ordinance. The plumber shall provide personnel certified through the NASSCO Lateral Assessment and Certification Program and thoroughly knowledgeable with the NASSCO Condition Grading System.
- b. In an effort to lower the testing costs and maintain consistency in testing results, the Authority may publically bid an annual contract for the testing work through the competitive bidding process. Further, this may provide for easier communication between the Authority and the plumber and also ensure that all tests are being performed to the ordinance requirements.
- c. It is required that laterals be tested in the following manner:
 1. A basic property inspection of roof leaders, driveway drains, stairwell drains, sump pumps, and all other area drains. If the discharge point of these drains is not evident, the plumber shall insert dye into the suspected drain, roof leader or sump pump to determine the ultimate discharge point. Should an illegal connection be confirmed, the test shall be deemed as a fail and the illegal connection(s) must be removed and rerouted immediately.
 2. Property sump pumps will be operated with dye colored water to verify discharge location. The test shall be considered a failure if the water enters the sanitary sewer system and the discharge pipe must be removed and rerouted immediately.

3. A camera shall be inserted into the lateral through a cleanout, inside floor drain, or excavation. The pipe shall be evaluated per the NASSCO Condition Grading System. Any lateral that has a structural defect rating of three (3) or higher, shows signs of any infiltration, or has roots present shall require complete replacement or rehabilitation. Other deficiencies observed but not listed herein, as determined by the Authority and at their discretion, may constitute a failure also.
4. If it is necessary to excavate an access point for the camera insertion, a plumber chosen by, and at the homeowner's or applicant's expense, shall install a cleanout at this location to facilitate future maintenance of the lateral. The cleanout shall be provided with a cast iron frame & cover in paved areas and other areas subject to vehicular traffic.
5. The Authority reserves the right to reject any tests or test results which it feels are inconclusive or inaccurate. If this is the case, the Authority may require further testing at the property owner's expense.
6. Foundation drains connected into the sanitary sewer lateral are illegal connections. The Authority reserves the right to require further testing if it is suspected that the building foundation drain is connected to the sanitary sewer.

Lateral Replacement/Rehabilitation

- a. All tests shall be on a pass-fail basis. Failure shall require complete replacement or cured-in place lining of the entire lateral from the house trap to the road right of way or sewer easement.
- b. The property owner is required to replace or reline the entire lateral at their own expense. Work shall be in accordance with the Allegheny County Plumbing Code regulations. Inspection of all work shall be completed by Allegheny County and the Authority. Any fees pertaining to these inspections shall be the responsibility of the property owner. The inspection must occur prior to backfilling of the pipe trench.
- c. All work must be completed within sixty (60) days of notification of failure unless otherwise extended by the Authority.
- d. Cured in place liners must be televised after installation. A copy of the post lining CCTV video shall be provided to the Authority for inspection.

Lateral Testing Exemptions

- a. Laterals that are less than five (5) years old; are constructed of polyvinyl chloride (PVC), Acrylonitrile Butadiene Styrene (ABS), or other approved materials; and were inspected by the Authority and Allegheny County are exempt from the lateral testing requirements.

- b. Properties that have passed lateral testing shall be exempt from further camera testing for a period of five (5) years. Lateral dye tests are valid for a period of two (2) years.
- c. The following property changes are exempt from lateral testing:
 - 1. the sale or transfer of real estate between spouses in the event of marriage, divorce or death or
 - 2. the transfer of real estate into a Trust in which the current owner(s) is exclusively named as beneficiary.

Temporary Approval

- a. When testing cannot be performed due to weather conditions, the property owner shall provide the Authority with security in the amount of three thousand dollars (\$3,000) to guarantee that the appropriate test will be performed. In addition, the property owner shall provide a signed written acknowledgement from the purchaser of the property, agreeing to correct, at the said purchaser's sole expense, any violations/defects that may be discovered as the result of the lateral testing.
- b. The lateral testing shall be performed as soon as possible at such time weather conditions make testing possible.
- c. In cases where it is determined by the Authority that lateral testing cannot be performed prior to a scheduled closing between a purchaser and a seller, the purchaser may apply for temporary approval upon the written agreement, to escrow from the real estate closing, the sum of three thousand dollars (\$3,000) in favor of the Authority, which funds are to be used to perform the required testing and, if necessary, to correct any and all lateral testing failures found by the Authority.

In the event there is a balance left in the escrow account after the corrections have been completed, the same shall be refunded from the escrow agent to the purchaser. In the event there is a shortage of funds, the seller shall be required to make up the difference in costs for said corrections. The Authority may reject or approve such an application as it deems necessary after a preliminary visual investigation of the property in question.

- d. When a lateral fails the testing and the necessary remedial activities to correct said failures would require a length of time such as to create a practical hardship for the applicant, the applicant may apply to the Authority for temporary approval which may only be issued when the applicant provides the Authority with all of the following:
 - 1. A bona fide executed Contract between the applicant and a registered plumber to complete the necessary remedial work with the Authority listed therein as a third party beneficiary;

2. Security in the amount of said Contract as posted with the Authority; and
3. An agreement by the purchaser to be responsible for all cost overruns related to the remedial work, together with a license to the Authority to enter upon the property to complete work in case of default by the Contractor. The Authority shall determine when such temporary approval shall expire, at which time the security shall be forfeited. The Authority shall use the security to have the necessary remedial work completed.

A copy of a general notice of dye-testing and cameral inspection of all property has been sent to the Realtors Association of Metropolitan Pittsburgh, as well advertised as a legal notice in the Pittsburgh Post-Gazette and has been included within all CTMA account billings for a period of three consecutive months, beginning after the date of the adoption of this Resolution.

All prior resolution and or requirements that are inconsistent or in conflict with these testing; inspection repair or replacement standards as well as escrow requirements are repealed and replaced by this Resolution.

Adopted this 12th day of January, 2017, by a majority vote of the Collier Township Municipal Authority Board members.

Collier Township Municipal Authority



Daniel Oberleitner, Chairman



Dan Fotovich, Secretary