

RESOLUTION NO. 3-2006

SCOTT TOWNSHIP AUTHORITY
COLUMBIA COUNTY, PENNSYLVANIA

A RESOLUTION OF THE SCOTT TOWNSHIP AUTHORITY, COLUMBIA COUNTY, PENNSYLVANIA, AMENDING, RESOLUTION NO. 1-2003 SPECIFICALLY, SECTIONS 1308 AND 1402 THEREOF SO AS TO ESTABLISH A MINIMUM PENALTY UNDER SAID SECTIONS.

BE IT RESOLVED by the Scott Township Authority, Columbia County, Pennsylvania, that Article 1308, Section XIII of Resolution No. 11 08 02.01 of the Bloomsburg Municipal Authority which was incorporated by reference into Scott Township Authority Resolution 1-2003 (hereinafter the "Original Resolution") shall be amended to read as follows:

Article 1308. Administrative Fines and/or Fines with Administrative Penalties or Orders. Whenever the Authority finds that any User has violated or continues to violate any provision of this Resolution, as amended, its Wastewater Discharge Permit, or any orders issued hereunder, or any other pretreatment standard or requirement, the Authority may fine such user in an amount not less than \$100 and not more than \$25,000. Such fines shall be assessed on a per violation, per day basis. In the case of monthly or other long term average discharge limits, fines shall be assessed for each day during the period of the violation. The Authority may impose Administrative Fines on an Industrial User without going through a Court or District Magistrate, as described in this Resolution. The Authority can impose Administrative Fines on an Industrial User by the following means, including but not limited to: adding it to the user's next scheduled sewer service charge, by a Notice of Violation, as the result of a Show Cause Hearing, or as an Administrative Order. The Authority shall have such other collection remedies as may be available for other service charges and fees.

After thirty (30) calendar days, any unpaid charges, fines, and penalties shall be assessed an additional penalty of ten percent (10%) of the unpaid balance and interest shall accrue thereafter at a rate of one percent (1%) per month. Any amount past due shall immediately, and without filing, become a lien against the industrial user's property.

Users desiring to dispute such fines must file a written request for the Authority to reconsider the fine along with full payment of the fine amount within ten (10) days of being notified of the fine. Upon the filing of any such appeal, the Authority shall convene a hearing on the matter within thirty (30) days of receiving the request from the industrial user. If the Industrial User's appeal is successful, the payment along with any interest accruing thereto shall be returned to the Industrial User. The Authority may add the costs of preparing administrative enforcement actions such as attorney fees, notices and orders to the fine. Issuance of an administrative fine shall not be a prerequisite for taking any other action against the User. A User may take appeal

from a decision rendered by the Authority after hearing pursuant to the provisions of the Local Agency Law, as amended.

The Authority may issue written directions as described in article 1304, part D, of this Section without a Show Cause Hearing if the Authority determines that such directions are necessary to correct conditions or remedy continuing violations of this Resolution or any Wastewater Discharge Permit or other Industrial Pretreatment Requirements, the Authority or Federal Or State regulations.

BE IT RESOLVED by the Scott Township Authority, Columbia County, Pennsylvania, that Article 1402.A, Section XIV, of Resolution No. 11 08 02.01 of the Bloomsburg Municipal Authority which was incorporated by reference into Scott Township Authority Resolution 1-2003 (hereinafter the "Original Resolution") shall be amended to read as follows:

Article 1402. Civil Penalties and Costs.

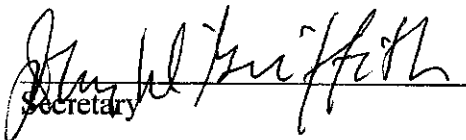
A. Any user who shall be found to violate, or continues to violate an Order of the Authority or who violates any provision or requirement of this Resolution, and/or the rules, regulations, and permits issued hereunder, upon conviction thereof, shall be liable to the Authority for a maximum Civil Penalty not less than \$100 per day and not more than \$25,000.00 per day for each offense. Each day in which a violation shall occur or continue shall be deemed a separate and distinct offense.

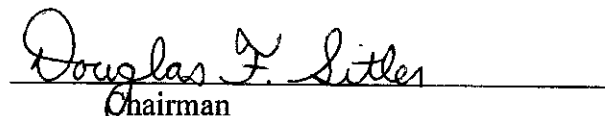
This Resolution shall be effective immediately.

This Resolution is hereby entered into and approved on this 24th day of April, 2006.

ATTEST:

SCOTT TOWNSHIP AUTHORITY


Secretary


Chairman