

SUBURBAN LANCASTER SEWER AUTHORITY
Lancaster County, Pennsylvania

REQUIREMENTS AND PROCEDURES
TO CONSTRUCT EXTENSIONS TO THE SEWER SYSTEM

1. Applicants desiring capacity allocation from SLSA must provide the following information:
 - a. Date of formal written request.
 - b. Name of the development, project or legal entity.
 - c. Name, address and phone number to which communications should be directed.
 - d. Municipality and exact location.
 - e. Date on which plans were, or will be, filed with the municipality.
 - f. Two (2) copies of the subdivision and/or land development plan.
 - g. Number of equivalent dwelling units (EDU's) proposed.
 - h. Total projected sewage flow (at 350 GPD per EDU).
 - i. Anticipated timing, including:
 - (1) Start of construction.
 - (2) Rate of sewer permit acquisition.
 - (3) Completion of construction.
 - j. Statement as to whether the development or project is in compliance with the most recent Act 537 Plan for the municipality. If not, please state the Applicant's plans and schedule to achieve compliance.
 - k. Evidence that the Applicant has provided written notification to the appropriate municipality that this capacity is being requested of SLSA. Municipal approval of capacity allocation will be required prior to capacity reservation by SLSA (see Attachment 1).

2. The Applicant requesting a capacity allocation from SLSA 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 sewered. SLSA will not accept requests from an individual or individuals representing property in which they do not have controlling equity interest.

3. Information submitted by the Applicant in accordance with Item 1 of these Requirements and Procedures will be reviewed by SLSA. All Applicants will be issued a capacity request response letter by the Authority, with a copy to the municipality, which will state whether or not the SLSA sewer system has sufficient conveyance and treatment capacity for the proposed use at that particular point in time. Capacity request response letters will not allocate, reserve or guarantee capacity to the Applicant. However, if it is the Applicant's desire to guarantee that capacity is reserved by SLSA for his project, and, if the information submitted in accordance with Item 1 is 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.
4. Placing a project on the Capacity Request List does not guarantee that capacity will be provided by SLSA, but it does guarantee that capacity is reserved by SLSA for that project and capacity is committed to that project. The ultimate capacity and service area of the SLSA system is also dependent on decisions of local municipalities, the County and the Pennsylvania Department of Environmental Protection.
5. SLSA has a limited reserve capacity for sewage treatment. In order to assure that SLSA'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 SLSA's conveyance facilities. In certain cases, the conveyance review will also include the City of Lancaster's sewer system.
6. As of the Applicant's Commitment Date, the Applicant shall be required to pay to SLSA a Capacity Reservation/Commitment Fee of \$100 per EDU per year. 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/Commitment 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. If the Capacity Reservation/Commitment Fee is not paid by the applicant within 30 days of the due date, the project will be dropped from the Capacity Request List. If reinstatement of the project is requested by the Applicant, then the Applicant must begin with Item No. 1 of these Requirements and Procedures.
7. As of the date planning modules or preliminary development plans are submitted to SLSA, the Applicant shall deposit funds in escrow with SLSA to cover the cost of engineering review of the project. Initially, the amount to be deposited will be \$30.00 per dwelling unit proposed in the project. However, the minimum initial deposit shall be \$750.00 for developments proposing a gravity sanitary sewer system, and \$1,500.00 for developments proposing a low-pressure sanitary sewer system (using individual grinder pumps for each proposed dwelling unit). This deposit will be held for the Applicant in a non-interest-bearing escrow account. Requirements for preliminary development plans are outlined in "Section 1 - General" of the SLSA "Standard Specifications for Sanitary Sewer System Construction" (Standard Specifications). At his election, the Applicant may choose to submit preliminary development plans for review prior to the project being placed on the Capacity Request List. SLSA will review the plans as long as funds

are deposited in escrow to cover the cost of engineering review of the project. In this event, SLSA will not provide a guarantee of capacity reservation/commitment for that project and the development will not be placed on the Capacity Request List.

8. In the event planning modules are submitted to SLSA 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.
9. After preliminary development plans have been approved by SLSA, the Applicant shall perform the following:
 - a. Furnish SLSA 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 also include pavement restoration for any existing roads that may be disturbed by installation of sanitary sewer facilities. The cost shall be established by submission to SLSA of a bona fide bid or bids from the contractor(s) chosen by the Applicant.
 - b. Furnish SLSA 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 SLSA 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 based on the development size and/or the need for a sewage pumping station. Although this permit will be issued in the name of SLSA, it is the responsibility of the Applicant to apply for the Water Quality Management Permit. As of September 5, 1989, developments of 250 dwelling units or less may not be required to obtain a Water Quality Management permit.
 - d. Furnish SLSA 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 SLSA, and will not be binding on the Applicant insofar as the number of permits per year which need to be obtained. However, the schedule should be updated on an annual basis.
 - e. Deposit funds in escrow with SLSA to cover the estimated cost of inspection and testing of the installation of the proposed sewerage facilities plus attorney's fees to cover the preparation of legal documents. The initial escrow amount shall be determined by SLSA's estimate of the work to be performed based on experience with similar projects. This deposit will be held for the Applicant in a non-interest-bearing escrow account.
10. After all of the preceding activities have been completed, the Applicant shall enter into a Developer's Agreement with SLSA for extension of SLSA's sewer system in a form

acceptable to the SLSA solicitor. Upon execution of the Developer's Agreement, the projects that have been on the Capacity Request List shall be placed on the SLSA Management Plan. A project's placement on the Management Plan shall reserve the capacity granted by the Authority for a period of five years from the date of execution of the Developer's Agreement provided that the Applicant continues to pay the Capacity Reservation/Commitment Fee. The Applicant can also elect to continue to proceed without reserving capacity if so desired.

11. The Capacity Reservation/Commitment Fee will remain in effect at \$100 per EDU per year throughout the project's duration on the Management Plan for those EDUs for which permits have not yet been obtained by the Applicant in any given year.
12. In the event sewer lines are to be installed within any state highways, the Applicant must obtain a highway occupancy permit (HOP), submitted in the name of SLSA, from the Pennsylvania Department of Transportation and any required bonds.
13. Sanitary sewer construction and testing shall be performed in accordance with the provisions of SLSA's "Standard Specifications for Sanitary Sewer System Construction". Prior to commencement of construction of the sewer line extension, the Applicant shall provide SLSA with a construction schedule. Inspection of the construction will be performed by SLSA or its designated representative.
14. Upon the completion and satisfactory inspection of the sewer extension, the Applicant shall furnish SLSA with record plans for the sewer extension including all lateral depths, lengths and locations. Record plans shall be provided using the same base plans as the approved preliminary development plans and should show all as-built and existing utilities. Record plans shall be submitted for an entire project, a phase of a project, or a section of a phase, at one time, as defined in the Developer's Agreement. The Developer shall also submit record information in digital format as described in "Section 1 - General" of the SLSA "Standard Specifications", for the purpose of updating SLSA's GIS database. Following review and acceptance of the record plans and GIS files by SLSA's Engineer, the Applicant shall be eligible to obtain sewer connection permits for the development on an as-needed basis.
15. An exception to the record plan requirement prior to issuance of sewer connection permits 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.
16. Payment of tapping fees, connection fees and service connection inspection fees shall be made at the time the sewer connection permits are obtained. Applicants are reminded that sewer connection permits are only valid for a period of one year from the date on which they are obtained. Acquisition of sewer connection permits and payment of these fees shall guarantee capacity to the Applicant.
17. 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 SLSA. 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 SLSA user fees, in lieu of reservation/commitment fees, for all EDU's secured by payment of tapping fees after the five year period.

18. 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 SLSA to maintain the continuity of the capacity reservation.
19. The construction of service connections to the sewer extension shall be in accordance with the SLSA's "Standard Specifications". Inspection of the installation of service connections will be performed by SLSA or its designated representative. The date of the inspection at which the service connection is approved shall become the start date for billing of SLSA user fees for that property.
20. The Applicant shall deliver executed sewer easement agreements for all cases where sanitary sewer lines to be dedicated to SLSA are located on private property. The Applicant shall provide evidence that all easement agreements have been recorded on the respective deeds.
21. The Applicant shall execute and deliver to SLSA a Bill of Sale transferring the sewer lines to SLSA and a Maintenance Guarantee. The Bill of Sale shall include a legal description and plans of the sewer lines being conveyed to SLSA.
22. The Applicant shall be responsible for correcting any defects in workmanship or materials for a period of 18 months following the acceptance of the sewer line extension by SLSA. The Applicant's letter of credit shall be maintained at 15 percent of the construction cost estimate for the 18-month period.
23. At the completion of the project, SLSA will release the Applicant's letter of credit and return any unused escrow funds. In the event SLSA's costs related to the sewer extension exceed the amount deposited in escrow, the Applicant will be responsible for paying any excess costs to SLSA at the time these excess costs are anticipated.

Note: The foregoing outline and explanation are 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 SLSA encourages any applicant to attend the regular meetings of the Authority which are held at the offices of CDM Smith Inc., 280 Granite Run Drive, Suite 160, Lancaster, Pennsylvania, on the fourth Thursday of each month at 4:00 p.m. to obtain further information and guidance.

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ATTACHMENT 1

Item 1.k in the Requirements and Procedures document provides the municipality with the opportunity to question or raise objections to the requested allocation of capacity to the Applicant. If the municipality objects to the allocation of capacity to the Applicant, the municipality shall provide grounds for its objection. Such grounds may include, but are not limited to, failure of the proposal to comply with the municipality's Act 537 Plan, zoning ordinance or subdivision and land development ordinance.

If the municipality objects to the allocation of capacity to the Applicant, SLSA shall inform the Applicant of the municipality's decision to refuse capacity allocation, and SLSA will not include the Applicant's request on its Capacity Request List.

If the municipality does not object to the allocation of the requested portion of the municipality's capacity allotment to the Applicant, a letter to that effect must be provided by the municipality to SLSA. Upon receipt of the letter, the Applicant's capacity will be listed on SLSA's Capacity Request List if the Applicant desires to reserve the capacity in accordance with the provisions of these Requirements and Procedures.

Expiration of Capacity Reservation

Capacity may not be indefinitely reserved by an applicant. Reserved capacity shall revert to SLSA and become available for reallocation to other applicants within the appropriate municipality when any of the following occur:

1. The Applicant fails to pay any reservation fee within 30 days of its due date.
2. The Applicant informs SLSA that it no longer desires to proceed with the development for which capacity has been reserved.
3. The municipality does not approve the Applicant's planning module for land development, and the Applicant does not file a private request for approval of the planning module with PADEP.
4. PADEP refuses to approve a private request filed by the Applicant for approval of its planning module for land development, and the Applicant does not appeal such determination or such determination is affirmed by the Environmental Hearing Board or a court of competent jurisdiction.
5. The Applicant transfers the land for which capacity has been reserved, and the new owner fails or refuses to enter into an agreement with SLSA by which the new owner accepts the obligations and duties to which the prior Developer has agreed.
6. The Applicant ceases to have a legal or equitable interest in the land for which capacity has been reserved unless a transfer is approved by SLSA in accordance with its Rules and Regulations.

7. The preliminary or final subdivision and/or land development plan is denied, and the Applicant does not: (a) file an appeal to the Lancaster County Court of Common Pleas and diligently prosecute such appeal, or (b) file a revised subdivision or land development plan within nine months of the date of denial of the plan.
8. The municipality makes changes to its zoning ordinance, subdivision and land development ordinance or other governing ordinance which would affect the ability to complete development in accordance with the final subdivision or land development plan, and the protective period set forth in Section 508(4) of the Pennsylvania Municipalities Planning Code has expired.
9. A governmental entity with the power of eminent domain acquires all or a portion of the tract. If a portion of the tract is acquired, the Applicant shall only retain such capacity as is necessary for the development of the remainder of the tract.
10. The Applicant has failed to take any action to pursue development of the tract for a period of five or more years, and the municipality has notified SLSA of the failure of the Applicant to pursue development and has requested that SLSA cease to reserve capacity for the Applicant and restore the amount of unused capacity to the allotment of the municipality. If SLSA receives such a request from a municipality, SLSA shall notify the Applicant in writing of the municipality's decision to cease the capacity reservation, and SLSA will remove the project from its Capacity Request List.

The above conditions for reverting reserved capacity to SLSA will not apply to projects on the SLSA Capacity Request List prior to January 1998.