

APPENDIX 1.2: BASIC CAPACITY PURCHASE AGREEMENT (“BASIC-CPA”) is intended for use by:

1. APPLICANT who is connected to a septic system and seeks to connect to WRF and other APPLICANTS whose “project” meets the criteria in this section
2. Local Planning Agency approval under the Municipal Land Use Law is NOT required
3. involves a “small” project needing little or no phasing of minimal stages of construction
4. user expects to connect all EDU(s) within 18 months of signing the Basic-CPA
5. typically involves a single-stage, one-lot, residential or commercial structure
6. is NOT part of an already-connected facility whose wastewater flow/loading exceeds the treatment capacity limit (See 90-Day CPA)
7. is NOT intended for long-term, multi-stage projects like major site plans or large residential subdivisions that require numerous governmental permits or approvals and reservation of inchoate capacity over many phases of construction (See LF-CAA)

The Basic-CPA Form to use starts on the next page (p. 2). The Basic-CPA to be signed and submitted by the APPLICANT/OWNER must begin with the Title of the CPA and include the Reference number located immediately below the Title.

TITLE: BASIC CAPACITY PURCHASE AGREEMENT (“BASIC-CPA”)

Ref. # _____

The parties agree to enter this **Basic-CPA** between the LOGAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY (“LTMUA”) and the APPLICANT (identified below). It provides for the APPLICANT to offer to connect to the LTMUA’s 500,000 gpd ETF-1 addition to the LTMUA Wastewater Reclamation Facility (“WRF”) located at 69 Jefferson Lane, Logan Township, Gloucester County, NJ 08085. It further provides for the LTMUA to accept the offer. Under the Basic-CPA, after payment of the connection fee, the LTMUA issues a connection permit for the EDU(s) acquired under the Basic-CPA and shall be memorialized by an LTMUA Resolution.

RESOLUTION # ____ - ____, adopted _____

I, the undersigned, request that one (1) EDU be issued to me and offer and agree to pay a \$5,528.00 connection fee for one (1) EDU for the following property:

§ 1. APPLICANT INFORMATION

Name: _____

Address: _____

Phone #: _____

Fax #: _____

Email: _____

§ 2. PROPERTY CONNECTION

Address: _____

Tax Block: _____ Lot: _____

Description of Project: _____

§ 3. CONNECTION FEE FOR EDU CONNECTION PERMITS

Current EDU(s) Issued: None

EDU to be acquired: One (1)

Total Connection Fee for site: \$5,528 (1 EDU x \$5,528) ¹

§ 4. REPRESENTATIONS BY APPLICANT

- 4.1 The Project for which an EDU is sought under this Basic-CPA does not require any additional governmental approvals including, but not limited to, Local Planning Agency approvals under the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. or Treatment Works Approval by the New Jersey Department of Environmental Protection, N.J.A.C. 7:14A-23 et seq.
- 4.2 A connection fee for the EDU shall be paid by the APPLICANT. Thereafter, the LTMUA shall issue one (1) EDU for connection no later than two (2) years from the date of the LTMUA's acceptance of this Offer to obtain the 1 EDU.
- 4.3 No essential infrastructure improvements are necessary to handle the additional flow/loading added by the EDU issued under this Basic-CPA or, if any infrastructure improvements are necessary, APPLICANT shall install such improvements not later than eighteen (18) months from the date of the accepted Offer.

§ 5. REPRESENTATIONS BY THE LTMUA

- 5.1 The S/LO certifies that ETF-1 has sufficient unused treatment capacity to accommodate the reasonably anticipated wastewater flow/loading from APPLICANT's single-lot property under the terms of the Basic-CPA.
- 5.2 The LTMUA's Superintendent/Licensed Operator accepts APPLICANT's offer to acquire 1 EDU under the terms recited herein.

APPLICANT

LOGAN TOWNSHIP MUNICIPAL
UTILITIES AUTHORITY

BY:

BY:

2

CHRISTOPHER WHALEN

Title: LTMUA Superintendent/Licensed Operator

¹ The current connection fee is five thousand five hundred twenty-eight (\$5,528) dollars subject to recalculation of the amount of the connection fee to be paid should a different connection fee take effect (according to the statutory formula mandated by state law) before the actual date of payment of the connection fee. Connection fees for the EDU(s) allocated for a project may vary depending upon the number of stages of construction and the longevity of the project. All connection fee obligations under all Forms of Agreement are subject to change as noted.

² Type or Print the Name of the Applicant below the line

APPENDIX 3

Summary of Fundamental Principles for Allocation of Capacity

APRR, ART. 8, § 1 establishes fundamental principles for allocation of capacity by issuing EDUs derived from the 500,000 gpd of capacity added by ETF-1:

- 1.1 The LTMUA exclusively has the right, in its sole discretion, to allocate and/or reallocate treatment capacity based upon actual flows treated by the WRF from all connected units after June 1, 2019 as well as additional treatment capacity achieved by LTMUA innovation and efficient operation of the WRF.
- 1.2 Access to connections to the WRF shall be granted on a “1st come, 1st served” basis to users within the NJDEP-approved Wastewater Management Plan Area.
- 1.3 There shall be no reservation of EDUs of treatment capacity to any APPLICANT seeking connection to the capacity of ETF-1 except for the following:
 - 1.3.1 Summit’s reservation of 300 connection units, none of which may be reallocated, subject to the terms of the 4th A. to the 2000.09.14 SSA
 - 1.3.2 an inchoate reservation of capacity in a fully-signed SF-CAA (“APP.2.1”) that remains viable under the terms established by the SF-CAA ¹
 - 1.3.3 an inchoate reservation of capacity in a fully-signed LF-CAA (“APP.2.2”) that remains viable under the terms established by the LF-CAA (See fn. 1)
 - 1.3.4 an inchoate reservation of capacity in a fully-signed SF-CPA (“APP.1.3”) that remains viable under the terms established by the SF-CPA (See fn. 1)
 - 1.3.5 an inchoate reservation of capacity under APP. 1.2 (See fn. 1)
- 1.4 The **APRR** adopts the NJDEP standard of “equivalent to 300 gpd” for a single unit of treatment capacity (known as an “Equivalent Domestic Unit” and the acronym “EDU”). For allocation purposes, one EDU consists of “up to 300 gpd” per unit; actual flow from an EDU may range from 0 to 300 gpd. Since CPAs and CAAs apply to residential and non-residential uses, a connection unit under the APRR and APPENDICES is referred to as an EDU as an appropriate standard of measurement encompassing wastewater flow/loading from either residential or non-residential sites. See ART. 1, § 1.2. §2.

¹ After payment of the connection fee(s) before passing deadlines imposed by the signed CAA (APP. 2.1 and 2.2) or CPA (APP. 1.2 and 1.3), reserved inchoate EDUs of capacity convert to connection units eligible for connection permits.