

CHAPTER XVIII - SEWER ORDINANCE AND RATES

ARTICLE I - GENERAL

Section 18.1 – Purpose.

This ordinance sets forth uniform requirements for direct and indirect discharges into the wastewater collection and treatment system for the Town of Iron Gate and enables the Town to comply with all applicable State and Federal Laws required by the Clean Water Act of 1977 and the General Pre-treatment Regulations (40 CFR, Part 403).

Section 18.2 – Objectives.

The objectives of this Ordinance are:

- (a) To prevent the introduction of pollutants into the municipality wastewater system that will interfere with the operation of the system or contaminate the resulting sludge;
- (b) To prevent the introduction of pollutants into the municipal wastewater system which will pass through the system, inadequately treated, into receiving waters of the atmosphere or otherwise be incompatible with the system;
- (c) To improve the opportunity to recycle and reclaim wastewaters and sludges from the system;
and
- (d) To provide for equitable distribution of the cost of the municipal wastewater system.

This ordinance provides for the regulation of direct and indirect discharges to the municipal wastewater system through the issuance of permits to certain non-domestic users and through enforcement of general requirements of the other users, authorizes monitoring and enforcement activities, requires user reporting, assumes that existing customer's capacity will not be preempted, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

This ordinance shall apply to the Town of Iron Gate and to persons outside the Town who are, by contract or agreement with the Town, users of the Town Sewer System.

Section 18.3 – Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“Act” or “the Act” means the Federal Water Pollution Control Act, also know as the Clean Water Act, as amended, 33 U.S.C. § 1251, *et seq.*

“Approving Authority” means the Town Council or its duly authorized representative.

“BOD (Biochemical Oxygen Demand)” is the quantity of oxygen, by weight, expressed in mg/l, utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five (5) days at a temperature of twenty (20) degrees centigrade.

“Building Sewer” means the extension from the building drain to the public sewer or other place of disposal (also called house lateral and house connection).

“Capital Costs” means a sum sufficiently recovered by user charges computed by using the capital recovery factor for the average life of all capital items including capitalized Operation and Maintenance (O&M) charges (unless collected separately) on which expenditures have been made or will have to be made for wastewater conveyance and/or treatment facilities. Capital costs may be adjusted from time to time to reflect costs experience.

“COD (Chemical Oxygen Demand)” is the measure, expressed in mg/l, of the oxygen consuming capacity of inorganic and organic matter present in water or wastewater, expressing the amount of oxygen consumed from a chemical oxidant in a specific test, but not differentiating between stable and unstable organic matter and thus not necessarily correlating with biochemical oxygen demand.

“COD/BOD Ratio” is the ration of the value of COD to BOD as these values are defined above.

“COD (Soluble)” is the COD of the filtrate from wastewater that is filtered through a Gooch Crucible in accordance with the technique for suspended solids as contained in “Standard Methods.”

“Composite Sample” is the accumulation of a number of individual samples collected over a period of time, so taken as to be more representative to the wastewater character than individual grab samples.

“Control Manhole” is a manhole which provides access to a building sewer discharge at some point prior to mixing with other sewer discharges.

“Control Point” is a point of access to a course of discharge before the discharge mixes with other discharges in the public sewer.

“Domestic Wastewater” is wastewater derived principally from dwellings, business buildings, and institutions, exclusive of industrial wastewater. Generally characterized by BOD and total suspended solids concentrations less than equal to 260 mg/l for each constituent. (*See Normal Wastewater*).

“Effluent” is the treated flow discharged from a wastewater treatment facility.

“Garbage” is animal and vegetable wastes and residue from preparation, cooking, and dispensing of food; and from the handling, processing, storage and sale of food products and produce.

“Grab sample” means a sample which is taken from a wastewater stream on a one-time basis

with no regard to the flow in the wastewater stream and without consideration of time.

“Incompatible waste” is a liquid or solid waste which cannot be adequately treated by the wastewater treatment facility.

“Industrial user” is any non-governmental user of publicly owned treatment works which discharges industrial wastewater into the wastewater treatment facilities.

“Industrial waste” is wastewater resulting from any process of industry, manufacturing, trade, or business as distinguished from normal domestic wastewater.

“Infiltration” is groundwater which enters a sewer system, including service connections, through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls. Infiltration does not include, and is distinguished from inflow.

“Inflow” is water discharged into a sewer system, including service connections, from such sources as, but not limited to, roof leaders, cellar, yard, and area drains, foundation drains, cooling water discharges, drains from springs, and swampy areas, manhole covers, cross connections from storm sewers and combined sewers, catch basins, stormwaters, surface runoff, street wash waters, or drainage. It does not include, and is distinguished from infiltration.

“Influent” is the wastewater received at the wastewater treatment facility.

“Natural outlet” is any outlet into a watercourse, ditch, lake, or other body of surface water or groundwater.

“Normal wastewater” is wastewater discharged into the sanitary sewers in which the average concentration of total suspended solids or BOD is not more than 260 mg/l, except those materials expressly excluded under Articles 3, 4 and 5.

“Overload” means the imposition of organic or hydraulic loading on a treatment facility in excess of its engineered design capacity.

“Persons” includes any individual, corporation, organization, government or governmental subdivision or agency, business trust, estate trust, partnership association, or any other legal entity.

“pH” is the logarithm (Base 10) of the reciprocal of the weight of hydrogen concentration expressed in grams per liter of solution.

“Phosphorus (Total) is the sum of the various types of phosphate expressed as elemental phosphorus found in wastewater. The various forms include orthophosphate, condensed phosphates (Pyro-, and phosphates), and organically bound phosphates. The concentration of total phosphate is to be determined by the “Standard Methods” test procedure.

“Public sewer” means pipe or conduit carrying wastewater or unpolluted drainage in which owners of abutting properties shall have the use, subject to control by the Town.

“Sanitary sewer” is a public sewer that conveys domestic wastewater or industrial wastes or a combination of both, and into which storm water, surface water, groundwater, and other unpolluted wastes are not intentionally passed.

“Slug” is any discharge of water, wastewater or industrial wastes which in concentration of any given constituent or in quantity of low, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

“Standard methods” means the examination and analytical procedures set forth in the latest edition, at the time of analysis of “Standard Methods for the Examination of Water and Wastewater” as prepared, approved, and published jointly the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

“Storm sewer” means a public sewer which carries storm and surface waters and drainage and into which domestic wastewater or industrial wastes are not intentional passed.

“Storm water” means rainfall and any other forms of precipitation.

“Suspended solids” means solids measured in mg/l that either float on the surface of, or are in suspension in, water, wastewater, or other liquids, and which are largely removable by a laboratory filtration device.

“To discharge” includes to deposit, conduct, drain, emit, throw, run, allow to seep or otherwise release or dispose of, or to allow, permit, or suffer any of these acts or omissions.

“Total Kjeldahl Nitrogen” is the combined ammonia and organic nitrogen in a given wastewater as measured by the “Standard Methods” test procedure. It does not include nitrite and nitrate nitrogen.

“Town” means the Town of Iron Gate, Virginia, or any authorized person acting in its behalf.

“Trap” is a device designated to skim, settle, or otherwise remove grease, oil, sand, flammable wastes or other harmful substances.

“Unpolluted wastewater” is water containing:

- a. No free or emulsified grease or oil
- b. No acids or alkalis
- c. No phenols or other substances producing taste or odor in receiving water
- d. No toxic poisonous substances in suspension, colloidal state, or solution
- e. No noxious or otherwise obnoxious or odorous gases
- f. Not more than 260 mg/l each of suspended solids and BOD

“User charge” is the charge applied to those persons who discharge normal wastewater into the town’s sewage system. This charge shall include a proportionate share of any capital improvements to the system.

“Users surcharge” is the charge applied, in excess of the user charge, for all wastewater over and above the loading defined as normal domestic wastewater.

“Waste” means rejected, unutilized or superfluous substances in liquid, gaseous, or solid form resulting from domestic, agricultural or industrial activities.

“Wastewater” is a combination of the water-carried waste from residences, business buildings, institutions, and industrial establishments, together with any ground surface, and storm water that may be present.

“Wastewater facilities” includes all facilities for collection, pumping, treating, and disposing of wastewater and industrial wastes.

“Wastewater treatment facilities” means any town owned facilities, devices, and structures used for receiving, processing and treating wastewater and industrial waste from the sanitary sewers.

“Wastewater service charge” is the charge on all users of the public sewer whose wastes is treated and is the appropriate sum of the sewer charge and user surcharge.

“Watercourse” is a natural or man-made channel in which a flow of water occurs, either continuously or intermittently.

Secs. 18-4—18-10. - Reserved.

ARTICLE II - SEWER CONNECTION REQUIREMENTS, FEES, USER CHARGES, PENALTIES AND RESPONSIBILITIES.

Section 18.11 – Connections.

When a town sewer line is installed along any street or alley in the Town of Iron Gate, the owner or tenant of any abode, place of habitation or commercial business bordering on such street or alley shall have such abode, place of habitation or commercial business connected to such sewer main by making application and paying the tapping fee prescribed herein.

Private lateral sewer lines installed within the town corporate limits shall be of PVC SDR-35 or better (Schedule 40) or ASTM D303r with an inside diameter of four (4) inches or greater.

Section 18.12 – New Building Connections

All builders of homes, home owners, trailer owners and commercial building owners who connect to either an existing sewer lateral or a new lateral onto the town sewage system shall:

- (a) Pay a six hundred dollar (\$600) tapping fee for four (4) inch service; for services larger than four (4) inches the fee shall be actual cost plus ten percent (10%).
- (b) Install lateral from owners building to property line. The town will make the tap and install and

maintain line to the owners' property line. If the distance from the tap point to the property line exceeds thirty (30) feet the property owner shall pay the cost of the portion that exceed thirty (30) feet.

- (c) Consult the Town Clerk prior to installing lateral so the town may determine the most economical and/or convenient routing of the lateral to the sewer main tap point.
- (d) Have all new or replaced laterals inspected by the town prior to cover-up.
- (e) Pay the cost of any boring under or cutting across roads and cost of manhole if needed. No more than one dwelling apartment or commercial business shall be connected to the same tap or lateral.
- (f) Maintain building lateral in a suitable operation condition acceptable to the town. Groundwater infiltration which enters the sewer system through such mains as, but not limited to, defective pipes, pipe joints or connections will not be permitted. Infiltration does not include, and is, distinguished from inflow.
- (g) Should a water service be discontinued by the Town for non-payment and/or by the owner or tenant of any dwelling, abodement, apartment, or business for one (1) year from using the services, the Town has the right to disconnect the services from the Town's lines and there will be a new tap fee applied to have the sewer service restored.

Section 18-13 - Separation of Sewer and Water Lines.

If water lines and sewer lines intersect or cross there shall be a vertical separation of eighteen (18) inches from bottom of water line to the top of sewer line. Where possible, water and sewer lines shall be separated by at least ten (10) feet when laid parallel.

Section 18-14 - Other than Normal Domestic Wastewater.

All users discharging other than normal domestic wastewater shall have their user charges computed as described under XX Article 19, the attached schedule of charges and fees.

Section 18-15 - Discontinued Services.

It shall be unlawful for any owner, lessee or tenant whose water services has been discontinued by the town, to discharge, empty or dump or cause to be discharged, emptied or dumped, any domestic sewage or industrial waste into the Town sewer system or sewage disposal works. Any owner, lessee or tenant violating the provision of this paragraph shall, upon conviction thereof, be fined not less than one hundred dollars (\$100). Each day's continuance of such violation shall constitute a separate offense. Such conviction shall not relieve any such owner, lessee or tenant from the payment of the sewage disposal service charges imposed by the provision of this ordinance.

Secs. 18-16—18-24. - Reserved.

ARTICLE III - GENERAL DISCHARGE PROHIBITIONS

Section 18-25 – Discharge of Pollutants.

No user shall discharge or cause to be discharged, directly or indirectly, a pollutant or wastewater which will interfere with the operation or performance of the Town Sewer System. These general prohibitions apply to all such users whether or not the user is subject to National Categorical Pre-treatment Standards or any other National, State, or Local Pre-treatment Standards or requirements.

No user shall contribute the following substances to the town sewer system:

(a) Any liquids, solids or gases which by reason of their nature or quantity are, or may be sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the sewer system or to its operation. At no time, shall two successive readings on any explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent (5%) nor any single reading over ten percent (10%) of the lower explosive limit (LEL) of the meter.

Prohibited materials include, but not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the Town, the State or EPA has notified the user is a fire hazard or a hazard to the system

(b) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or any sufficient to prevent entry into the sewers for maintenance and repairs

(c) Any substance which may cause the effluent or any other product of the sewer system such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged into the sewer system cause the system to be in non-compliance with sludge use or disposal criteria.

Secs. 18-26—18-30. - Reserved.

ARTICLE IV - CHEMICAL DISCHARGES

Sections 18-31 – Prohibition of Chemical Discharges.

Discharges into public sewer shall not contain:

- (a) Fluoride other than that contained in the public water supply
- (b) Gasoline, benzene, naphtha, fuel oil, or other flammable or explosive
- (c) Any substance causing a Chemical Oxygen Demand (COD) greater than 1,000 mg/l
- (d) Strong acid or concentrated plating solutions whether neutralized or not

- (e) Fats, wax, grease or oils, whether emulsified or not, in excess of two hundred and forty (240) mg/1 or containing substances which may solidify or become viscous at temperatures between thirty-two (32) degrees and one hundred fifty (150) degrees Fahrenheit (0 degrees and 65 degrees Centigrade)
- (f) Obnoxious, toxic, or poisonous solids, liquids, gases or radioactive wastes or isotopes
- (g) Waste, wastewater, nor any other substance having a pH lower than 5 or higher than 9.5, nor any other substance with a corrosive property capable of causing damage or hazard to structures, equipment, and personnel at the wastewater treatment facility.
- (h) Waste, wastewater, or other substance containing phenols, hydrogen sulfide, or other taste-and odor producing substances that have not been minimized. After treatment of the composite wastewater, effluent concentration limits shall not exceed the requirements established by State, Federal, or other agencies with jurisdiction over discharges to receiving waters.

Secs. 18-32—18-34. - Reserved.

ARTICLE V - HEAVY METALS AND TOXIC MATERIALS

Section 18-35 – Discharge of Heavy Metals and Toxic Materials.

Discharges shall not contain concentrations of heavy metals or pre-treatment limits greater than amounts specified in Section 18-36 of this Article.

Section 18-36 – Maximum Allowable Concentrations

The maximum allowable concentrations of pollutants and pre-treatment limits stated in terms of milligrams per liter (mg/1), as determined on the basis of individual sampling in accordance with “Standard Methods” are:

(a)	Fluoride	No addition
(b)	Gas Naptha Benzene etc.	Prohibited
(c)	COD	1,000 mg/1
(d)	Strong Acid/Base	
(e)	Oil and Grease	240 mg/1
(f)	pH	5 to 9.5
(g)	Temperature	>150 degrees Fahrenheit
(h)	Suspended Solids	250 mg/1
(i)	BOD	260 mg/1
(j)	Phosphorous	10 mg/1

In addition, if it is determined that any one of these parameters, exceeds the state effluent requirements for wastewater treatment plant, an adjustment in the given parameter concentration limit will be required. To accomplish this, the discharge permit for industries discharging the particular compound will be adjusted to insure compliance.

Section 18-37 – Permit required.

No other heavy metals or toxic materials shall be discharged into public sewers without a permit from the Town of Iron Gate specifying conditions of Pre-treatment, concentrations, volumes, and other applicable provisions.

Section 18-38 – Prohibited Heavy Metals and Toxic Materials.

Prohibited heavy metals and toxic materials include but are not limited to: Antimony, Beryllium, Bismuth, Cobalt, Molybdenum, Uranium, Rhenium, Strontium, Tellurium, Herbicides, Fungicides, Pesticides.

Secs. 18-39—18-40. - Reserved.

ARTICLE VI – GARBAGE

Section 18-41 – Garbage Disposal Prohibited.

No person may discharge garbage into public sewers unless it is shredded to a degree that all particles can be carried freely under the flow conditions normally prevailing in public sewers. Particles greater than one-half (1/2) inch in dimension are prohibited.

Section 18-42 – Approval of Garbage Grinders

The Town of Iron Gate reserves the right to review and approve the installation and operation of any garbage grinder equipped with a motor of three fourths ($\frac{3}{4}$) horsepower (0.76hp metric) or greater.

Secs. 18-43—18-44. - Reserved.

ARTICLE VII - STORM WATER AND OTHER UNPOLLUTED DRAINAGE

Section 18-45 – Unpolluted Drainage Prohibited.

No person shall discharge into public sanitary sewers:

- (a) Unpolluted storm water, surface water, ground-water, gutter down spouts, roof runoff, sump water, subsurface drainage or water from swimming pools or hot tubs;
- (b) Unpolluted cooling water;
- (c) Unpolluted industrial process water; or
- (d) Other unpolluted drainage.

Section 18-46 – Designation of Watercourses for Unpolluted Drainage.

The Town of Iron Gate shall designate those storm sewers and other watercourses into which unpolluted drainage described in Section 18-45 of this Chapter may be discharged.

Secs. 18-47—18-50. - Reserved.

ARTICLE VIII – TEMPERATURE

Section 18-51 – Regulation of Temperature of Discharge.

No person shall discharge liquid or vapor having a temperature higher than one hundred (100) degrees Fahrenheit (40 degrees centigrade), or any substance which causes the temperature of the total wastewater treatment plant influent to increase at a rate of ten (10) degrees Fahrenheit or more per hour, or a combined total increase of plant influent temperature to one hundred four (104) degrees Fahrenheit.

Secs. 18-52—18-54. - Reserved.

ARTICLE 9 - RADIOACTIVE WASTES

Section 18-55 – Discharge of Radioactive Wastes Prohibited.

No person shall discharge radioactive wastes or isotopes into the public sewer without the permission of the Town of Iron Gate.

Section 18-56 – Right to Establish Regulations

The Town of Iron Gate reserves the right to establish, in compliance with applicable State and Federal regulations for discharge of radioactive waste into public sewers.

Secs. 18-57—18-60. - Reserved.

ARTICLE X - IMPAIRMENT OF FACILITIES

Section 18-61 – No Impairment of Facilities Allowed.

No person shall discharge into public sewers any substance capable of causing:

- (a) Obstruction of the flow in sewers;
- (b) Interference with the operation of treatment processes or facilities; or;
- (c) Excessive organic and/or hydraulic loading of treatment facilities.

Section 18-62 – Prohibited Discharges.

Discharges prohibited by Section 18-61 include, but are not limited to, materials which exert or cause concentrations of:

- (a) Inert suspended solids greater than 250 mg/1 including, but no limited to Fuller's Earth lime slurries and lime residues.
- (b) Dissolved solids greater than 500 mg/1 including but not limited to sodium chloride and sodium sulfate.
- (c) Excessive discoloration including but not limited to dye wastes and vegetable tanning solutions.

NOTE: Industries having wastewater of this nature shall provide pre-treatment as required by the Town of Iron Gate.

Section 18-63 – Discharge of Grease, Oil, or Fatty Substances.

No person shall discharge into public sewers any substance that may:

- (a) Deposit grease or oil in the sewer lines in such a manner as to clog the sewers;
- (b) Overload skimming and grease handling equipment;
- (c) Pass to the receiving waters without being effectively treated by normal wastewater treatment processes due to the non-amenability of the substance to bacterial action; or
- (d) Deleteriously affect the treatment process due to excessive quantities.

Section 18-64 – Discharges of Incompatible Wastes Prohibited.

No person shall discharge incompatible waste into public sewers which:

- (a) Is not amenable to treatment or reduction by the wastewater treatment processes and facilities employed; or
- (b) Is amenable to treatment only to such a degree that the treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Section 18-65 – Regulation of Slugs

The Town of Iron Gate shall regulate the flow and concentration of slugs when they may:

- (a) Impair the treatment process;
- (b) Cause damage to collection facilities;
- (c) Incur treatment costs exceeding those for normal wastewater; or,
- (d) Render the waste unfit for stream disposal or industrial use.

Section 18-66 – Notification of Industrial Slugs

Industrial operations which on occasion release sludges of waterborne wastes into the sewers, or which, on occasion, release any significant quantities of materials which adversely influence the effectiveness of treatment in the wastewater treatment plant shall notify the Town in advance of their release, and shall control (at the discretion of the Town) the rate of release of these wastes. Permission for such planned releases shall not be unreasonably withheld.

Persons failing to comply with these requirements shall be subject to a fine of not more than five

thousand dollars (\$5,000) per incident, and shall, also, be liable for the payment of any damages caused either directly or indirectly by the unapproved discharges.

Section 18-67 – Discharge of Solid or Viscous Substances Prohibited.

No person shall discharge into public sewers solid or viscous substances which violate Section 18-61 of this Chapter if present in sufficient quantity or size, including, but not limited to: ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, unground garbage, whole blood, paunch manure, hair and flashings, entrails, paper products, either whole or ground by garbage grinders, slops, chemical residues, paint residues, or bulk solids.

Section 18-68 – Excessive Discharges and/or Dilutions Prohibited.

No users shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pre-treatment Standards, or in any other pollutant-specific limitation developed by the Town or State.

Section 18-69 – Accidental Discharges.

Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Ordinance. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or user's own cost and expense. In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the Town of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions taken.

Section 18-70 – Written Notice of Accidental Discharges.

Within five (5) days following an accidental discharge the user shall submit to the Town a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences.

Secs. 18-71—18-80. - Reserved.

ARTICLE XI – COMPLIANCE WITH EXISTING AUTHORITY

Section 18-81 – Use of Public Sewer System Required.

Unless exception is granted by the Town of Iron Gate the public sewer system shall be used by all persons discharging: wastewater, industrial waste, polluted liquids, or unpolluted waters or liquids.

Section 18-82 – Alternative Means of Disposal Prohibited.

Unless authorized by the Virginia State Health Department and/or State Water Control Board, no person shall deposit or discharge any waste included in Section 18-81 of this Chapter in or adjacent to any: natural outlet, watercourse, storm sewer, or other area within the jurisdiction of the Town.

Section 18-83 – Determination of Treatment

The Town of Iron Gate shall determine, prior to discharge, that wastes to be discharged will receive such treatment as is required by the laws, regulations, ordinance, rules and orders of Federal, State and Local authorities, or such discharges shall not be permitted.

Secs. 18-84. - Reserved.

ARTICLE XII – APPROVING AUTHORITY REQUIREMENTS

Section 18-85 – Town’s Authority to Regulate Discharges.

If discharges or proposed discharges into public sewers may deleteriously affect wastewater facilities, processes, equipment, or receiving waters; create a hazard to life or health; or create a public nuisance: the Town of Iron Gate shall require pre-treatment to an acceptable condition before discharge to the public sewers; control over the quantities and rate of discharge; and payment to cover the cost of handling and treating the waste, in addition to all other costs incurred.

Section 18-86 – Town’s Right to Determine Regulated Discharges.

The Town of Iron Gate reserves the right to determine whether a discharge or proposed discharge is included under Section 18-85 of this Chapter.

Section 18-87 – Town’s Authority to Reject Wastes.

The Town of Iron Gate shall reject wastes when it determines that a discharge or proposed discharge is included under Section 18-85 of this Chapter and the discharge does not meet the requirements of Section 18-85 of this Chapter.

Secs. 18-88—18-90. - Reserved.

ARTICLE XIII – APPROVING AUTHORITY REVIEW AND APPROVAL

Section 18-91 – Town’s Authority to Approve Pre-treatment and Control Methods.

If pre-treatment or control is required, the Town of Iron Gate may, at its sole discretion, require, review and approve design and installation of equipment and processes.

The design and installation of equipment and processes shall conform to all applicable statutes, codes, ordinances and other laws.

Section 18-92 – Expense of Control Facilities

Any person responsible for discharges requiring pre-treatment, flow equalization, or other facilities shall provide and maintain the facilities in effective operation condition at his own expense, in accordance with Virginia Water Control Board regulation No. 6, Subpart G, Pre-treatment Program.

Secs. 18-93—18-94. - Reserved.

ARTICLE XIV – REQUIREMENTS FOR TRAPS

Section 18-95 – Discharges Requiring a Trap

Discharges requiring a trap shall include grease or waste containing grease in excessive amount, oil, sand, flammable wastes, and other harmful ingredients.

Section 18-96 – Trap Design and Construction.

Any person responsible for discharges requiring a trap shall at his own expense and as required by the Town of Iron Gate:

- (a) Provide equipment and facilities of a type and capacity approved by the Town of Iron Gate;
- (b) Locate the trap in a manner that provides ready and easy accessibility for cleaning and inspection; and
- (c) Maintain the trap in effective operation condition.

Secs. 18-97—18-100. - Reserved.

ARTICLE XV – MEASUREMENT OF WASTES

Section 18-101 – Certified Statements of Wastes Required.

The owner of each facility discharging other than normal domestic wastewater shall submit monthly or at such other frequency as may be required by the Town, on forms supplied by the Town, a certified statement of the quantities of its wastes discharged into the sewers and sewage works of the Town or into any sewer connected therewith.

Copies of pertinent water bills may be required to be submitted with the above statement. Such documents shall be filed with the Town not later than the tenth day of the following month.

A separate statement shall be filled for each industrial plant.

Section 18-102 – Requirements of Statements.

The total quantities of wastes to be measured and certified by the person so discharging shall be established by the Town of Iron Gate and shall, as a minimum, include:

- (a) Liquid in gallons;
- (b) Five-day BOD in pounds;
- (c) Total suspended solids in pounds, on a dry solid basis;
- (d) Total Phosphorus in pounds;
- (e) Total Kjeldahl Nitrogen in pounds;
- (f) COD in pounds.

Section 18-103 – Standard Methods of Measurement Required.

Unless otherwise provided, each measurement, test, sampling, or analysis required to be made hereunder shall be made in accordance with the latest edition of “Standard Methods for Examination of Water and Wastewater”, published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

Section 18-104 – Sampling Chambers Required.

In order to provide for accurate sampling and measurement of industrial waste, the discharger shall maintain, on each industrial waste outlet sewer, a large manhole or sampling chamber to be located outside of near the plant boundary line where feasible. If inside the industrial plant fence, there shall be a gate near the sampling chamber with a key furnished to the Town.

There shall be ample room provided in each sampling chamber to enable convenient inspection and sampling by the Town. The industrial user shall provide and install the required sampling equipment and chamber at no cost to the Town of Iron Gate.

Section 18-105 - Liquid Quantity Measurement.

Each sampling chamber shall contain a Parshall Flume, accurate weir, or similar device, with a recording and totalizing register for measurement of the liquid quantity. The metered water supply to the industrial plant may be used as the liquid quantity where it is substantiated that the metered water supply and wastewater flows as approximately the same, or where a measurable adjustment can be made in the metered supply to determine the liquid quantity.

However, if the plant uses a water supply other than or in addition to the metered water supply, the owner shall provide for and supply liquid quantity measurements of all its wastes, normal domestic and industrial waste discharged into the sewers and sewage works of the Town or any sewer connected therewith.

Section 18-106 - Sampling

- (a) Samples shall be taken every hour, properly refrigerated and composite in proportion of the flow for a representative 24-hour sample. Such sampling shall be repeated on as necessary to insure representative quantities for the entire reporting period. Industrial plants with wide fluctuation in quantities of wastes, will require an automatic sample paced automatically by the flow-measuring device.
- (b) Minimum requirements for representative quantities shall include reevaluation during each twelve month period. The determination of representative quantities shall include not less than one (1) 24-hour composite sampling taken each week during periods of normal operation, together with acceptable flow measurements.
- (c) The frequency of sampling, sampling methods, and analyses of samples shall be established at the discretion of the Town.

- (d) Sampling and measuring facilities shall provide safe access for authorized personnel of the Town to properly maintain and operate the facilities.
- (e) Plans for sampling chambers, with their locations shown on a site plan shall be submitted to the Town for its approval prior to installation.

Secs. 18-106—18-110. - Reserved.

ARTICLE XVI – PERMITS AND CONDITIONS FOR INSURING SAME

Section 18-111 – Designation of Alleghany County as Town’s Agent

Alleghany County, as an agent designated by the Town of Iron Gate shall, with its sole discretion, grant a discharge permit to industrial users who meet the criteria of this Article XVI provided that the industry:

- (a) Not requiring pre-treatment:

Submits an application within sixty (60) days after the effective date of this ordinance on forms supplied by the Town of Iron Gate. The Town will process the application within thirty (30) days.

The Town of Iron Gate designates Alleghany County as the agent of the Town of Iron Gate for the purpose of implementation and enforcement of the Town of Iron Gate’s sewer use ordinance against/for industrial users located in the Town of Iron Gate. Alleghany County may take any action under the Town of Iron Gate’s sewer use ordinance that could have been taken by the Town of Iron Gate, including the enforcement of the ordinance in courts of law.

- (b) Requiring pre-treatment:

Submits a permit application within sixty (60) days after the effective date of this ordinance on forms supplied by the Town. The industry will receive approval or disapproval of plans and specifications by the Town for pre-treatment facilities within thirty (30) days.

The industrial user must terminate discharge until an approval permit application is received.

The pre-treatment facilities must be constructed within one hundred eighty (180) days from the approval of the permit application.

Section 18-112 – Permits Duration.

Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit reassurance a minimum of 180 days prior to the expiration of the user’s existing permit.

The terms and conditions of the permit may be subject to modification by the Town during the

term of the permit as limitations or requirements are modified or other just cause exists. The user shall be informed of any proposed changes in his permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

Section 18-113 – Permit Transfer.

Wastewater Discharge Permits are issued to a specific user for a specific operation. A Wastewater Discharge Permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the Town. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

Section 18-114 – Compliance Date Report

Within ninety (90) days following the date for final Compliance with applicable Pre-treatment Standards or, in the case of a New Source, following commencement of the introduction of wastewater into the public sewer, any user subject to Pre-treatment Standards and Requirements shall submit to the Town a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pre-treatment Standards and Requirements and the average and maximum daily flow for these process units in the user facility which are limited by such Pre-treatment Standards or Requirements.

The report shall state whether the applicable Pre-treatment Standards or Requirements are being met on a consistent basis and, if not, what additional operations and maintenance and/or Pre-treatment is necessary to bring the user into compliance with the applicable Pre-treatment Standards or Requirements.

This statement shall be signed by an authorized representative of the industrial user, and certified to by a qualified professional.

Section 18-115 - Periodic Compliance Reports.

Any user subject to a Pre-treatment Standard, after the compliance date of such Pre-treatment Standard, or, in the case of a New Source, after commencement of the discharge into the public sewer, shall submit to the Town during the months of June and December, unless required more frequently in the Pre-treatment Standard or by the Town, a report indicating the nature and concentration, of pollutants in the effluent which are limited by such Pre-treatment Standards.

In addition, this report shall include a record of all daily flows which during the reporting period exceeded the average daily flow. At the discretion of the Town and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Town may agree to alter the months during which the above reports are to be submitted.

Section 18-116 – Imposition of Mass Limitations.

The Town may impose mass limitation on users which are using dilution to meet applicable Pre-

treatment Standards or requirements or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by Section 18-115 of this Chapter shall indicate the mass of pollutants regulated by Pre-treatment Standards in the effluent of the user.

These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the Town, of pollutants contained therein which are limited by the applicable Pre-treatment Standards. The frequency of monitoring shall be prescribed in the applicable Pre-treatment Standards.

All analysis shall be performed in accordance with procedures established by the Town pursuant to section 304(g) of the Act and contained in 40 CFR, Part 136 and amendments thereto or with any other test procedures approved by the Town.

Sampling shall be performed in accordance with the techniques approved by the Town. Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA Publication "Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants" (April 1977), and amendments thereto, or with any other sampling and analytical procedures approved by the Town.

Secs. 18-117—18-130. - Reserved.

ARTICLE XVII - PAYMENT AND AGREEMENT REQUIRED

Section 18-131 - Industrial Waste Surcharge.

Persons making discharges of industrial waste shall pay a charge to defray the operating costs for collection and treatment in addition to capital costs.

Section 18-132 - Permit Requirements.

When a permit application for industrial waste is approved, the Town or its authorized representative shall issue a permit stating terms of acceptance by the Town, and the basis of payment.

Secs. 18-133—18-134. - Reserved.

ARTICLE XVIII - USER CHARGES AND ADDED COST

Section 18-135 - Basic Fees

If the volume or character of the waste to be treated by the Town meets requirements of other provisions of this ordinance and does not cause overloading of the sewage collection, treatment, or disposal facilities of the Town, the permit authority shall require that the discharger pay a charge to be determined from the Schedule of Charges and fees which include capital costs.

Section 18-136 - Excessive Waste Fees

If a proposed discharge of waste is responsible for exceeding the existing capacity of the wastewater treatment facilities and the wastewater treatment plant must be upgraded, expanded, or enlarged in order to treat the wastewater, the Town shall require that the discharger pay in full all added costs which shall include capital costs the Town may incur due to the acceptance of the wastewater.

Section 18-137 – Schedule of Charges and Fees.

The Schedule of Charges and Fees pursuant to Section 18-135 of this Chapter shall include, but not be limited to:

- (a) Capital costs including debt retirement and interest on debt of Town's cost on all capital outlays for collecting and treating the waste, including new capital outlay and the proportionate part of the value of the existing system used in handling and treating waste; and
- (b) Operation and maintenance costs (capitalized) including but not limited to salaries and wages, power cost, costs of chemicals and supplies, proper allowance for maintenance, depreciation, overhead, and office expense.

Secs. 18-137—18-140. - Reserved.

ARTICLE XIX – SCHEDULE OF CHARGES AND FEES

Section 18-141 – Requirement to Pay

Persons discharging wastewater shall pay a charge to cover the capital cost and the cost of collection and treatment of all wastewater discharged; other subscribed localities are expected to collect and remit as appropriate to the Town these charges.

Section 18-142 – Normal Domestic Wastewater Charges

All users discharging normal domestic wastewater shall pay a user charge computed upon cost per volume of wastewater discharged as established in Addendum A, "Schedule of Charges and Fees."

Section 18-143 – Other than Normal Wastewater Charges

All users discharging other than normal domestic wastewater shall have their user charge computed upon a cost per unit volume basis for the base amount plus the unit cost of treatment for all quantities over the base amount for volume, biochemical oxygen demand (BOD), suspended solids (SS), Phosphorus (P), and total Kjeldahl nitrogen (N).

In computing the contaminant loading, the parameter concentration for normal domestic wastewater will be considered as standard strength in determining the base amount in the effluent discharge flow. The responsibility for determining the contaminant loading for each category of establishment will be that of the Town. However, the sampling and analysis costs required to verify the contaminant loading for each establishment shall be factored into the monthly user surcharges.

Section 18-144 – Determination of Unit Costs

The unit costs to be used to compute the charges for normal domestic wastewater and industrial wastewater shall be established by the Town.

The unit cost for all users and the allowances for normal domestic wastewater for users may be revised as necessary to correspond to current costs and expenses. Revisions may be made, no more often than once a year, upon approval of the Town of Iron Gate.

Secs. 18-145—18-150. - Reserved.

ARTICLE XX - ADJUSTMENT OF CHARGES

Section 18-151 - More Than Annual Adjustments Allowed.

The Town of Iron Gate may adjust charges at least annually to reflect changes in the characteristics of wastewater based on the results of sampling and testing.

Section 18-152 - Annual Review Required.

The Town shall review at least annually the basis for determining charges and shall adjust the unit treatment cost to reflect increases and decreases in wastewater treatment cost based on the previous year's experience.

Section 18-153 - Billing

The Town may bill the discharger by the month or by the quarter and shall show waste charges as a separate item on the regular bill for water and sewer charges.

The discharger shall pay in accordance with practices described in Addendum A, "Schedule of Charges and Fees."

Section 18-154 - Public Hearings Required.

Two (2) public hearings will be advertised and held prior to any rate increases.

Section 18-155 - Individual Bill Adjustments

Any adjustment on a sewer charge may be presented to Town Council at a regular Town Council meeting for their approval by a written request.

Secs. 18-156—18-160. - Reserved.

ARTICLE XXI - AUTHORITY TO ENTER PROPERTY

Section 18-161 - Town Agents Allowed to Enter Property

Duly authorized employees of the Town, bearing proper credentials and identification, are

entitled to enter any public or private property at any reasonable time to inspect, sample or measure wastewater or wastewater treatment or conveyance facilities and records.

Section 18-162 – Town Agents Required to Follow Rules and Regulations.

Anyone acting under this authority shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection.

Section 18-163 – Town's Indemnity for Loss or Damage

Except when caused by negligence or failure of the customer to maintain safe conditions, the Town shall indemnify the customer against loss or damage asserted against the customer and growing out of the sampling operation.

Section 18-164 – Protection of Intellectual Property.

No person acting under authority of this provision may inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper, or other industries, beyond that point having a direct bearing on the kind and source of discharge to the public sewers.

Section 18-165 – Smoke Tests Allowed.

The Town shall at their discretion smoke test the town's sewer lines to determine any suspected leaks in the sewer lines. Should there be a leak detected on private property from the smoke testing, the Town has the right to enter on the property to locate the leak and advise the user of the leak on the property. The repairs to the leak will be at the cost of the property owner. Notice from the Town will be given prior to any smoke testing.

Secs. 18-166—18-170. - Reserved.

ARTICLE XXII - ENFORCEMENT

Section 18-171 – Harmful Contributions.

The Town may suspend the wastewater treatment service and/or a Wastewater Discharge Permit when such suspension is necessary, in the opinion of the Town, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, causes interference to the public sewer system or causes the Town to violate any conditions of its Clifton Forge/Iron Gate Treatment Contract. XX

Any person notified of a suspension of the wastewater treatment service and/or the Wastewater Discharge Permit shall immediately stop or eliminate the Discharge. In the event of a failure of the person to comply voluntarily with the suspension order, the Town shall take such steps as deemed necessary including immediate severance of the sewer connection, to prevent or minimize damage to the public sewer system or endangerment to any individuals.

The Town shall reinstate the Wastewater Discharge Permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge. A detailed written statement submitted by the user describing the causes of the harmful discharge and the measures taken to prevent any future occurrence shall be submitted to the Town within fifteen (15) days of the date of occurrence.

Section 18-172 – Revocation of Permit.

Any user who violates the following conditions of this Ordinance, or applicable State and Federal regulations, is subject to having his Permit revoked in accordance with the procedures this Ordinance:

- (a) Failure of the user to factually report the wastewater constituents and characteristics of his discharge;
- (b) Failure of the user to report significant changes in operations, or wastewater constituents and characteristics;
- (c) Refusal of reasonable access to the user’s premises for the purpose of inspection or monitoring;
or
- (d) Violation of conditions of the permit.

Section 18-173 - Notification of Violation.

Whenever the Town finds that any user has violated or is violating this Ordinance, wastewater contribution permit, or any prohibition, limitation of requirements contained herein, the Town may serve upon such person a written notice stating the nature of the violation. Within thirty (30) days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the Town by the user. The Town reserves the right to specify the time required to obtain satisfactory compliance depending on the amount of environmental degradation occurring as a result of the violation.

Section 18-174 – Show Cause Hearing.

The Town may order any user who causes or allows an unauthorized discharge to enter the public sewer system to show cause before the Town Council why the proposed enforcement action should not be taken. A notice shall be served on the user specifying the time and place of a hearing to be held by the Town Council regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the user to show cause before the Town Council why the proposed enforcement action should not be taken.

The notice of the hearing shall be served at least 10 (ten) days before the hearing. Service may be made on any agent or officer of a corporation. After the Town Council has reviewed the evidence, it may issue an order to the user responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed on existing treatment facilities are properly operated.

Further orders and directives as are necessary and appropriate may be issued.

Section 18-175 – Legal Action.

If any person discharges sewage, industrial wastes or other wastes into the Town's wastewater disposal system contrary to the provisions of this Ordinance, Federal or State Pre-treatment Requirements, or any other Ordinance of the Town, the Town Attorney may commence an action for appropriate legal and/or equitable relief in the Circuit Court of the County.

Secs. 18-175—18-180. - Reserved.

ARTICLE XXIII – PENALTY; COSTS

Section 18-181 – Civil Penalties

Any user who is found to have violated an Order of the Town Council or who willfully or negligently failed to comply with any provision of this Ordinance, and shall be fined not less than one hundred dollars (\$100) for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the Town may recover reasonable attorneys' fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated this Ordinance or the orders, rules, regulations, and permits issued hereunder.

Section 18-182 – Falsifying Information.

Any person who knowingly makes any false statements, representations, or certifications of any application, record, report, plan or other document filed or required to be maintained pursuant to this ordinance, or Wastewater Discharge Permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance, shall upon conviction, be punished by a fine of not more than \$1,000 or by imprisonment for a period of time to be determined by the court, not more than twelve (12) months, or both.

Secs. 18-183—18-184. - Reserved.

ARTICLE XXIV – MISCELLANEOUS PROVISIONS

Section 18-185 – Severability.

If any provision, paragraph, work, section or article of this Ordinance is invalidated by any Court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and chapters shall not be affected and shall continue in full force and effect.

Section 18-186 – Conflicts.

All other Ordinances and parts of other Ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

ADDENDUM A
Schedule of Charges and Fees

NOW THEREFORE BE IT ORDAINED that sewer charges for normal domestic wastewater be based on the billed water consumption per calendar month.

Every user of the system shall pay the Town of Iron Gate the following established fee per calendar month, which the said base fee shall entitle each user to a maximum of 4,000 gallons by the meter reading for water used each calendar month:

July 1, 2015 - \$49.00 per month

If the water used by a customer exceeds 4,000 gallons in a calendar month the fee shall be \$12.25 for each thousand gallons over the 4,000 gallons.

For apartment buildings, businesses, or homes where two or more families reside and there is only one water meter installed and the water meter reading exceeds 8,000 gallons, the customer shall be charged as prorated for two meters.

A penalty of 10% shall be added on all accounts if not paid on the 21st day of the billing month.

Accounts not paid by the 25th of the billing month will have a service charge of \$25.00 and services will be disconnected.