

Chapter 31 WATER, SEWERS AND SEWAGE DISPOSAL ¹

ARTICLE I. IN GENERAL

Sec. 31-1. 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:

Account fee means the fee collected to cover the cost of establishing or reestablishing a new service account and billing account.

Administrator means the board's duly appointed agent.

Air gap separation means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying pure water to a tank, plumbing fixture, or other device and the rim of the receptacle.

Altered use means any enlargement, expansion or change in the use of a property or structure from one use to another, or any activity that results in a change in the rate or quantity of water consumption or sewage generation, or a change in the chemical, physical, or biological characteristics of the sewage discharged to the county's sewerage system.

Auxiliary water system means any water system on or available to the premises other than the waterworks. These auxiliary waters may include water from another purveyor's waterworks; water from a source such as wells, lakes or streams; process fluids; or used water. They may be polluted or contaminated or objectionable, or constitute a water source or system over which the water purveyor does not have control.

Availability fee means those water or sewer service initiation fees that are collected primarily to recover or accumulate the capital investment costs of the county's existing and future waterworks or sewerage works facilities. Also referred to as EDU (equivalent dwelling unit) fee.

AWWA means the American Water Works Association.

Backflow means the flow of contaminants, pollutants, process fluids, used water, untreated waters, chemicals, gases and nonpotable waters into any part of the waterworks.

Backflow prevention by separation (separation) means preventing backflow by either an air gap or by physical disconnection of a waterworks by the removal or absence of pipes, fittings, or fixtures that connect a waterworks directly or indirectly to a nonpotable system or one of questionable quality.

Backflow prevention device (device) means any county approved device intended to prevent backflow into a waterworks.

BOD, biochemical oxygen demand, means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Celsius, expressed in parts per

¹Ord. of 11-12-24(3) adopted Nov. 12, 2024, amended ch. 31 in its entirety to read as herein set out. Former ch. 31, §§ 31-1—31-430.33, pertained to similar subject matter, and derived from Ord. No. O-2022-6, adopted Aug. 9, 2022; Ord. of 3-28-23; Ord. of 3-28-23.

million. The laboratory determination shall be made in accordance with the procedures set forth in standard methods.

Bulk water service means water service to provide water that is drawn in large quantities from the county's waterworks from a fire hydrant or other authorized location for transport by tank trucks or temporary piping for use at another location other than adjacent to the point of withdrawal.

Collection system means the components of the county's sewerage system which collect and convey an individual customers' wastewater discharge.

Compound water meter means a water metering device which consists of multiple measuring chambers or separate meters.

Connection facilities means the components and facilities required to extend service from an adjoining water or sewer main to the user's property. For water service, such facilities include but are not limited to the water service tap to the public main, water service line and the meter base for water service. For sewer service, such facilities include but are not limited to the sewer service tap to the sewer main, and the sewer lateral and property line cleanout. These facilities shall be installed by the user or the user's agent and inspected by Greene County Water and Sewer Department.

Construction water service means temporary water service used on a construction site for building construction, domestic supply for workers during construction, control of dust, equipment wash down, pipe flushing and testing, short-term watering of landscape plantings, and other construction related activities.

Consumer means the owner or person in control of any premises supplied by or in any manner connected to a waterworks.

Consumer's water system means any water system located on the consumer's premises, supplied by or in any manner connected to a waterworks.

Contamination means any introduction into pure water of microorganisms, wastes, wastewater, undesirable chemicals or gases.

Cross-connection means any connection or structural arrangement, direct or indirect, to the waterworks whereby backflow can occur.

Degree of hazard means an evaluation of the potential risk to health and the adverse effect upon the waterworks.

Dock means a pier or any structure that may be used for the loading, unloading or anchoring of a boat.

Domestic sewage means waterborne wastes normally discharging from the sanitary conveniences of dwellings including apartment houses and hotels, office buildings, factories and institutions, free from storm surface water and industrial wastes.

Domestic water or sewer service means general water and/or sewer service for or resulting from drinking, washing, bathing, cooking, watering of plants and outdoor use. Provided, however, that process water or sewage shall not be considered a part of domestic service.

Double gate-double check valve assembly means an approved assembly composed of two single, independently acting check valves including tightly closing shut-off valves located at each end of the assembly and petcocks and test gauges for testing the watertightness of each check valve.

Enforcement agent means the director of water and sewer or any person designated by the board of supervisors.

Engineer means a professional engineer licensed by the state.

Facilities of the county means any and all component and pertinent parts of the entire system of the water and sewer utilities under jurisdiction of the county, such as, but not limited to, water pipelines and their appurtenances, sewer lines, sewage pumping stations and treatment plants, including these items and others now constructed, installed, operated or maintained by the county or any which may be approved and accepted in the future as additions or extensions of the systems.

Garbage means solid wastes and residue from the preparation, cooking and dispensing of food, and from the handling, storage and sale of food products and produce.

Health hazard means any condition, device or practice in a waterworks or its operation that creates or may create a danger to the health and well-being of the water consumer.

Industrial cost recovery period means that period during which the federal grant amount is allocable to the treatment of wastes from industrial users of the system which is a period of 30 years for each such grant-assisted treatment works.

Industrial user means any nongovernmental user of the sewer system, as defined in 40 CFR 35.905-8 and identified in the Standard Industrial Classification Manual, 1972, United States Office of Management and Budget, as amended and supplemented, under the following divisions:

- (1) Division A: Agriculture, forestry, and fishing;
- (2) Division B: Mining;
- (3) Division D: Manufacturing;
- (4) Division E: Transportation, communications, electric, gas and sanitary services; and
- (5) Division I: Services.

Industrial wastes means all waterborne solids, liquids or gaseous wastes resulting from any industrial, manufacturing or food processing operation or process, or from the development of any natural resource, or any mixture of these with water or domestic sewage as distinct from normal domestic sewage.

Infiltration means the water entering a sewer system, including sewer service connections, from the ground, 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 means the 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. Inflow does not include and is distinguished from infiltration.

Institutional assisted living facilities means multi-family "housing for older persons" as defined in the Virginia Fair Housing Law.

Interchangeable connection means an arrangement or device that will allow alternate but not simultaneous use of two sources of water.

Irrigation service means water-only service for the purposes of irrigating or watering plants that are either planted in the ground or in containers for the purpose of landscaping, beautifying or providing any type of buffer for the premises served.

Litter means any organic or inorganic matter that is being discarded.

Major industrial user means an industrial user whose flow exceeds 50,000 gallons per day or whose known five-day biochemical oxygen demand or concentration of suspended solids exceeds 240 milligrams per liter of effluent discharged by such user into the sewer system.

Meter fee means the component of the service initiation fee that is intended to recover the costs of supplying and installing the water meter including radio-reading and touch-reading equipment in the meter setting.

Meter setting means the components of the waterworks used to measure the quantity of water consumed by a customer, including the water meter, meter setter, piping.

Meter size means the nominal size of the water meter based upon the applicable AWWA standard which defines the meter's measurable flow capacity.

Minor industrial user means an industrial user which is not a major industrial user.

Natural outlet means any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

Normal domestic sewage means sewage in which concentration of suspended materials and five-day B.O.D. at 20 degrees Celsius is established at 240 parts per million each, by weight, on the basis of the normal daily contribution of 0.2 pounds per capita, per 100 gallons.

Owner or developer means any person having an interest, whether legal or equitable, sole or partial, in any premises which is or may in the future be served by the facilities of the sanitary district, and which is or may in the future be responsible for design and construction of facilities to be under the jurisdiction of and to become a part of the public utilities system of the sanitary district.

Parts per million means a weight-to-weight ratio. The parts per million value multiplied by the factor 8.345 shall be equivalent to pounds per million gallons of water.

Person means the definition given in section 31-382 of this chapter.

pH means the logarithm (base 10) of the reciprocal of the hydrogen ion concentration of a solution. It shall be determined by one of the procedures outlined in standard methods.

Point of discharge means the point at which waste is discharged to the county sewers.

Pollution means the presence of any foreign substance, chemical, physical, radiological, or biological, in water that tends to degrade its quality so as to constitute an unnecessary risk for a consumer's water system.

Pollution hazard means a condition through which an esthetically objectionable or degrading material may enter the waterworks or a consumer's water system.

Process fluids means any fluid or solution which may be chemically, biologically, or otherwise contaminated or polluted which would constitute a health, pollution, or system hazard if introduced into the waterworks. This includes, but is not limited to:

- (1) Polluted or contaminated waters;
- (2) Process waters;
- (3) Used waters originating from the waterworks which may have deteriorated in sanitary quality;
- (4) Cooling waters;
- (5) Contaminated natural waters taken from wells, lakes, streams, or irrigation systems;
- (6) Chemicals in solution or suspension;
- (7) Oils, gases, acids, alkalis, and other liquid and gaseous fluids used in industrial or other processes, or for firefighting purposes.

Premises means any building, group of buildings, or land upon which buildings are to be constructed which is or may be served by the facilities of the sanitary districts.

Process water means water, which during manufacturing or processing, becomes a part of, comes into direct contact with or results from producing or using any raw material, intermediate product, finished product, by-product, or waste product. Water used for irrigation of plants either in the ground or in containers shall not be considered process water.

Process wastewater means the definition given in section 31-382 of this chapter.

Public sewer means a sewer in which all owners of abutting properties have equal rights, and is controlled by the county.

Pure water or potable water means water fit for human consumption and use which is sanitary and normally free of minerals, organic substances, and toxic agents in excess of reasonable amounts for domestic usage in the area served and normally adequate in supply for the minimum health requirement of the person served.

Ramp means any sloping passage made of any material whatsoever, used to load or unload any boat from or into any water of a domestic water supply.

Reduced pressure principle backflow prevention device means a device containing a minimum of two independent action check valves together with an automatically operated pressure differential relief valve located between the two check valves. During normal flow and at the cessation of normal flow, the pressure between these two checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than the supply pressure. The unit must include tightly closing shut-off valves located at each end of the device, and each device shall be fitted with properly located test cocks. These devices must be of the approved type.

Resident means any person physically residing in the county.

Residential dwellings means buildings or facilities intended for non-transient use as complete independent living facilities which include permanent provisions for living, cooking, eating, sleeping, and sanitation. Residential dwellings shall include but not necessarily be limited to single family detached dwellings, single family attached dwellings, mobile homes, apartments, and townhouses.

Residential water or sewer service means general water and/or sewer service for or resulting from drinking, washing, bathing, cooking, watering of plants and outdoor use where such service is provided to residential dwellings.

Sanitary sewage means water-borne waste which originates primarily from dwellings, business buildings, institutions, industrial establishments and other sources exclusive of storm or surface drainage.

Service connection means the terminal end of a service line from the waterworks. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.

Sewage means a combination of water-carried waste from residences, business buildings, institutions, and industrial establishments, together with such groundwater, surface water and stormwater as may be present.

Sewage treatment plant means any arrangement of devices and structures used for treating sewage.

Sewer means a pipe or conduit used to collect and carry away sewage or stormwater runoff from the generating source to sewage treatment plants or receiving streams.

Sewer lateral means a sewer service line to the county's sewerage works.

Sewerage works means all facilities for collecting, pumping, treating and disposing of sewage.

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 by the A.W.S.S., W.P.C.F. and the American Public Health Association.

Surveyor means a surveyor licensed by the state.

Suspended solids means solids that either float on the surface of or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in Standard Methods.

System hazard means a condition posing an actual or threat of damage to the physical properties of the waterworks or a consumer's water system.

Used water means any water supplied by a water purveyor from waterworks to a consumer's water system after it has passed through the service connection.

Water line or main means a county-controlled pipe used for the conveyance of potable water.

Water purveyor means the County of Greene.

Water service initiation fees means those fees payable to the water and sewer department to initiate county water service to a new or altered dwelling, building, structure, or other water using facility. Also referred to as account set-up fees.

Water treatment facilities means any arrangement of devices or structures used to produce potable water.

Waterworks means all structures and appliances used in connection with the collection, storage, purification and treatment of water for drinking or domestic use and the distribution thereof to the public or residential consumers of the county water production and distribution system as set forth in Code of Virginia, § 31.1-167.

(Ord. of 11-12-24(3))

Sec. 31-2. Compliance with chapter; violations.

- (a) It shall be unlawful for any person to refuse, fail or neglect to comply with any of the provisions of this chapter. Unless otherwise specifically provided, a violation of any provision of this chapter shall constitute a class 1 misdemeanor.
- (b) Any penalty provided for a violation of this chapter shall be separate and unrelated to any administrative action by the county for such violation.

(Ord. of 11-12-24(3))

Sec. 31-3. Management and control of waterworks and sewerage works; general powers of board; economic development.

- (a) The general management and control of the waterworks and sewerage works in the county and the properties appertaining thereto shall be vested in the board of supervisors of the county or such person designated by it who shall establish the necessary administrative procedures to ensure efficient service, records and enforcement.
- (b) The board of supervisors is authorized and empowered to establish service fees and connection charges for water and sewerage in the county and to contract with any sanitary district, village, town, city, county, community, individual, firm, corporation or partnership for the use of such water and sewerage. The board of supervisors is authorized and empowered to establish and amend design specifications for the extension of water and sewer lines and appurtenances thereto.
- (c) Notwithstanding any other provision of this chapter, the board of supervisors is authorized, pursuant to Code of Virginia, § 15.2-107, as amended, and as may be amended in the future, to establish service fees and connection/availability charges for water and sewerage to industrial users consuming more than 100,000

gallons per day of water or generating more than 100,000 gallons per day of sewerage, as the case may be, for the purpose of promoting economic development.

(Ord. of 11-12-24(3))

Sec. 31-4. General requirement for water and sewer connections.

- (a) The owners of all parcels containing, buildings or properties used for human occupancy, employment, recreation, or other purposes in the county and abutting any parcel, street, alley, or right-of-way in which there is located a sanitary sewer or water main at a distance not greater than 350 feet shall be required to install suitable toilet and other disposable liquid waste facilities therein, and to connect such facilities directly with the public sewer, and to connect sources of water use to the public water main. Single family homes located in the C-1, A-1, R-1 and R-2 zoning districts are not required to connect to the public sewer and water system unless the Greene County Zoning Ordinance mandates connection based upon the minimum lot size.
- (b) Existing structures must comply with this section at such time as wells, septic systems or pit privies are condemned by the state health department.

(Ord. of 11-12-24(3))

Sec. 31-5. Water and sewer facilities for subdivisions or other developments.

- (a) Where a public water main or sanitary sewer is available to a new subdivision or development, the developer of any new subdivision intended for residential or commercial use or any combination thereof, or the developer of any industrial site shall construct all sanitary sewers and domestic freshwater distribution lines within his subdivision or development at his own expense. Immediately upon completion and acceptance of the construction work, the sanitary sewer and water facilities with necessary easement shall become the property of the county.
- (b) Where a public water main or sanitary sewer is not available to a new subdivision or development, the developer shall construct necessary water mains, sewer lines, sanitary sewage disposal systems, pumping stations, treatment plants, or combinations thereof. Sufficient easements shall be provided.
- (c) Where construction of an off-site trunk or lateral sewer or water line is deemed to be either necessary, feasible or advisable to connect the applicable systems of the subdivision or development to the suitable facilities of the county, the financial responsibility, location and details of such construction shall be the responsibility of the developer.
- (d) The administrator shall, in conjunction with his engineers, review and approve, or revise if necessary to conform with standards acceptable to the administrator prepared plans for all projects for developing, extending or constructing water mains and sanitary sewer lines, and all pertinent connections, structures and accessories proposed thereto within the county prior to any construction of such projects. Materials, workmanship, and procedures used in work shall be in accordance with the standards and specifications established or approved by the administrator.
- (e) During progress of the work, the administrator or his duly authorized engineers, inspectors or others who are directly concerned with the work shall have access to the locations of construction for the purposes of establishing to their satisfaction that the projects are being constructed to county requirements and in accordance with approved plans and specifications.
- (f) After completion of the facilities and on written request of the developer or owner responsible for the construction, the administrator may make a final comprehensive inspection of the completed projects and

(Supp. No. 15)

Created: 2026-01-16 10:31:30 [EST]

shall be satisfied as to conformance to plans and specifications before accepting the facilities to become a part of the public utilities system of the county.

(Ord. of 11-12-24(3))

Sec. 31-6. Trespass on property under control of county.

It shall be unlawful for any person not authorized by the utilities department to:

- (1) Go upon any of the property under the control of the utilities department of the county;
- (2) Throw or place refuse upon any such property or upon the waters of any impoundment of the county;
- (3) Throw trash or other refuse into the water of any such impoundment;
- (4) Operate any internal combustion engine upon the waters of any such impoundment;
- (5) Otherwise trespass upon any such water impoundment;
- (6) Go upon or otherwise trespass upon the property of the county surrounding the infiltration plants belonging to the county or the water and lands adjoining any county or privately-owned water impoundment used for a domestic water supply.

(Ord. of 11-12-24(3))

Sec. 31-7. Defacing utilities department property; unlawful use of water.

It shall be unlawful for any person to:

- (1) Deface or injure any house well, valve, meter wheel, fireplug or other fixture connected with or pertaining to the waterworks;
- (2) Place any building material, rubbish or any other matter on the stopcock or valve of a street main or service pipe;
- (3) Obstruct access to any fixture connected with the waterworks;
- (4) Remove or injure any pipe, fire hydrant, or valve or open any of them so as to waste the water or to use the water for a purpose for which he has neither paid nor obtained a license to use it.

(Ord. of 11-12-24(3))

Sec. 31-8. Water and sewer line fee and inspection fee.

A water and sewer fee shall be paid to the county, as follows:

- (1) All new lines and facilities added to and extending the lines of the system will be inspected by the department engineer at the rate of \$1.00 per linear foot of pipe. Reinspections and projects that require more detailed and lengthy inspections will be billed at a rate of \$50.00 per hour at the discretion of the water and sewer director.

(Ord. of 11-12-24(3))

Secs. 31-9—31-25. Reserved.

ARTICLE II. WATER SERVICE

DIVISION 1. GENERALLY

Secs. 31-26—31-40. Reserved.

DIVISION 2. APPLICATION FOR SERVICE

Sec. 31-41. Acceptance, review, decision by administrator.

The administrator shall accept, review and render a decision on the application for water service to the premises described in the application from any person who is the owner of or legally represents the owner of the land or who is a tenant of the land within the county. The administrator is authorized to approve; revise; request additional data, design or information on; and disapprove any such application or plans pertinent thereto, which in the opinion of the administrator is to the best interest of the county.

(Ord. of 11-12-24(3))

Sec. 31-42. Water adjacent and available.

Each application for water service for an existing or proposed new individual or multiple dwelling or commercial establishment to which the county water facility is immediately adjacent and available, shall be made in duplicate and accompanied by measurements, maps, drawings and such other data that will clearly establish and indicate the physical location within the county of the premises for which the application is submitted and location on the premises of the service applied for.

(Ord. of 11-12-24(3))

Sec. 31-43. Water not adjacent and available, use is not new subdivision.

- (a) Application shall be made in writing to the administrator where service is desired for water facilities for any individual building or group of buildings, whether intended for residential or commercial purposes and which are not classified as being the development of a new subdivision or section thereof and which will require the design and construction by the owner of new trunk, lateral or principal lines and any necessary appurtenances thereto in order to reach and connect onto applicable existing facilities of the county. Such new construction in its entirety shall ultimately be accepted as an integral part of the facilities of the county.
- (b) Each application submitted pursuant to this section shall be accompanied by four sets of detailed plans showing accurate plan and profile design drawings of the lines and location, design and identification of all appurtenances and accessories pertinent thereto. It is preferable that such plans show on the same sheet the plan and profile design of the contiguous sections of streets or easements and proposed water lines as is indicated by the application.

-
- (c) The design and detailed plans required by this section and all subsequent revisions thereof shall be prepared and properly signed by a professional engineer registered in the state.

(Ord. of 11-12-24(3))

Sec. 31-44. New residential subdivision or commercial area.

- (a) Where construction of water facilities is proposed by a developer or owner of any new residential subdivision or commercial area or any combination thereof and such facilities shall ultimately be accepted into the public utilities system of the county, application for review of the design and plans for all such proposed construction shall be made in writing to the administrator.
- (b) Each application submitted pursuant to this section shall be accompanied by:
 - (1) Four prints of the recorded plat of the subdivision or applicable section thereof which shall bear the approval of the director of planning.
 - (2) Four sets of detailed plans showing accurate plan and profile design drawings, the proposed lines and the location, design and indication of all their appurtenances and accessories. It is preferable that such plans show on the same sheet the plan and profile design of the contiguous sections of new streets or easements and proposed water facilities.
- (c) If any facilities other than pipelines and their appurtenances are proposed by the applicant or required by the administrator for the complete and satisfactory operation of the proposed utilities, such as but not limited to water storage or pumping equipment or other like equipment, the application shall be accompanied by four sets of detailed plans and specifications for design, equipment, materials and construction of such facilities.
- (d) The plans and specifications required by this section and all subsequent revisions shall be prepared and properly signed by a professional engineer registered in the state.

(Ord. of 11-12-24(3))

Sec. 31-45. Industrial development.

- (a) Application for proposed water facilities to serve any type of industrial establishment within the county shall be made in writing to the administrator. Complete information regarding plant location, type of industry, raw and finished products, approximate volume of, utility requirements, types of industrial wastes to be discharged, proposed facilities for pretreatment of industrial wastes and other data pertinent to the industry, shall accompany the application.
- (b) The applicant for water service to serve industrial establishments shall conform to the requirements set out in this article or as may be governed by the location of the proposed industrial site.
- (c) Any design, plans and specifications required by this section and all subsequent revisions thereof shall be prepared and properly signed by a professional engineer registered in the state.

(Ord. of 11-12-24(3))

Sec. 31-46. Disposition.

- (a) Upon receiving an application required by this article, the administrator will approve with or without revision or disapprove the application and return one of the submitted forms to the applicant so marked to indicate the action taken by the administrator. The administrator shall indicate in writing the reasons for the action

(Supp. No. 15)

Created: 2026-01-16 10:31:30 [EST]

taken. Construction of any such approved service facilities shall conform strictly to the returned application form and notations indicated thereon by the administrator.

- (b) Upon receiving an application required by this article, the administrator will review all data, designs, plans and/or specifications and indicate thereon any revisions, additions, changes or deletions as considered necessary in order that the proposed construction shall conform to the standards and best interest of the county. Two marked sets of the submitted plans and/or specifications shall be returned to the applicant.
- (c) After receiving the returned set of plans and/or specifications, the applicant shall prepare revised plans and/or specifications to conform to such revisions indicated by the administrator and submit six sets of the revised plans and/or specifications to the administrator. Upon receipt of the revised plans and/or specifications, the administrator shall check them for conformity with the initially marked revisions. If satisfactory, one of the revised sets of plans and/or specifications shall be returned to the applicant with written approval for construction. Construction of any public utility facility within the county and all its appurtenances and accessories shall be in strict conformance with the final approved set of plans and/or specifications approved pursuant to this subsection.
- (d) If an applicant desires to deviate from the plans and/or specifications which have been approved by the administrator for construction or to make any changes or revisions therein, the applicant shall make such request to the administrator in writing and state the reasons for his request. Revised plans, specifications and other data, shall accompany the request in such manner, form and quantity as was required for the original application. The procedure for all parties concerned for processing any such request for deviation from or changes and revisions in initially approved plans and/or specifications for construction shall be the same as stipulated for the original application for the project.

(Ord. of 11-12-24(3))

Sec. 31-47. Use of water system upon certain conditions.

If the director of Greene County Water and Sewer determines that a proposed industrial, commercial or domestic use of the county water system is reasonably likely to cause damage or constitute a hazard to the water system, the director may impose reasonable conditions upon the applicant asking for water service regarding type and manner of use which are designed to minimize danger to the county water system.

(Ord. of 11-12-24(3))

Sec. 31-48. As-built plans.

- (a) After completion of construction of the public utility facilities from plans approved pursuant to this article, the developer or owner responsible for the construction shall prepare as-built plans, based on accurate, field-obtained information, to show actual conditions of the finished construction. The as-built plans shall show revisions in and permanently indicate changes on the original tracings or master sheets which were made to the plans and/or specifications approved by the administrator for construction. As-built plans shall be prepared and certified by a professional engineer registered in the state. The as-built plans shall show, but may not be limited to, the water line construction, including the following:
 - (1) Scale accuracy location in plan of the line and all installed fittings, such as elbows, tees, crosses and reducers, and all cradle encasement, or special construction;
 - (2) Exact measurement to show positive location of all valve boxes, blind or blank-flanged fittings and plugged terminals of lines.

- (b) The measurements taken for those positive locations shall be taken from at least two reasonably adjacent and available, fixed and permanent objects such as fire hydrants, centers of sanitary or storm sewer manhole casting covers, corners or lines extended of buildings, power poles, etc. In lieu of recording the positive locations on the plans, the administrator may accept such locations shown by neat, legible and separate no-scale sketches with all measurements thereon, when all such sketches or diagrams are recorded in a progressive sequence and clearly identified in a hard cover, permanently bound field-type notebook.

(Ord. of 11-12-24(3))

Secs. 31-49—31-65. Reserved.

DIVISION 3. AVAILABILITY AND CONNECTION CHARGES

Sec. 31-66. Generally.

This division sets out the water availability charges and service initiation fees required for the connection of new or altered services to the waterworks owned, operated and maintained by the county. Water availability charges are determined based on the water demand of the land use, measured in equivalent dwelling units (EDUs). EDUs must be purchased prior to the issuance of an occupancy permit and may be purchased in advance. Water connection charges shall consist of availability fees and meter fees. The amounts of these fees are based upon the fees in effect on the date of issuance of a valid building permit for the new or altered service. No service connection fees shall be accepted prior to the issuance of a valid building permit for the new or altered service. No building permit shall be issued until all service connection fees have been paid.

(Ord. of 11-12-24(3))

Sec. 31-67. Water availability charges; EDUs.

Water availability fees shall be paid to the county for each meter for each new or altered water service based on the water demand of the land use. Costs and other terms applicable to the purchase of water EDUs are as set forth in the Greene County Water System EDU Purchase Policy - Water, as adopted and amended from time to time by the Greene County Board of Supervisors.

(Ord. of 11-12-24(3))

Sec. 31-68. Reserved.

Sec. 31-69. Water meter fees.

For each new, altered or irrigation water service, a meter fee for each water meter to be installed shall be paid to the county as follows.

Nominal Meter Size (inches)	Meter Fee
$\frac{3}{8} \times \frac{3}{4}$	\$600.00
$\frac{3}{4}$	\$700.00

1	\$800.00
1½	\$1,200.00 <u>\$1,350.00</u>
<u>2</u>	\$1,500.00
Greater than 2-1½ <u>1½</u> inches and compound meters	125 percent of actual costs

(Ord. of 11-12-24(3))

Sec. 31-70. Meter sizing.

For the purposes of determining availability fees, water meter sizing shall be determined by the administrator.

- (a) The meter sizing shall be determined using AWWA's latest edition of M31-Sizing Water Service Lines and Meters.
- (b) Should the size or number of meters actually installed on new or altered services differ from the size and number of meters used for determining availability fees, the availability fees shall be adjusted to reflect the actual installation.
- (c) For any user which, for fire suppression purposes, has limited area sprinkler systems attached to the service line, the availability fee shall be based on the nominal meter size that would be required without the limited area sprinkler system.
- (d) For users with compound meters, an availability fee shall be charged for each nominal size or measuring chamber contained within the compound meter.

(Ord. of 11-12-24(3))

Secs. 31-71—31-95. Reserved.

DIVISION 4. METERS

Sec. 31-96. Installation within structure.

Where approved by the administrator, water meters for new customers may be installed on the premises within a structure in a location which will protect the meter from freezing or damage. Such meters shall be installed as close as possible to the point of entry of the water service into the structure. Customers shall be responsible for the cost of all repairs and damages to the water facilities or premises arising from any freezing, leaking or failure of any of the service line, piping, fittings, or other water service facilities located on the premises and not within an easement explicitly reserved for county-owned water facilities.

(Ord. of 11-12-24(3))

Sec. 31-97. Installation of meters with outside reading devices.

Water meters installed using an outside reading device shall be installed in a location agreeable to the county.

(Ord. of 11-12-24(3))

Sec. 31-98. Vaults.

Meters may be installed in an acceptable meter vault at or near the property line.

(Ord. of 11-12-24(3))

Sec. 31-99. Seals required.

After proper installation of water meters, all meters shall be sealed by the county, which seals shall not be broken except by authority of the county.

(Ord. of 11-12-24(3))

Secs. 31-100, 31-101. Reserved.

Sec. 31-102. Relocation prohibited.

No water meter shall be moved or relocated except by county employees.

(Ord. of 11-12-24(3))

Sec. 31-103. Obstructing, covering prohibited.

Water meters installed on the premises shall not be covered or so obstructed as to prevent ready access for maintenance or repairs.

(Ord. of 11-12-24(3))

Sec. 31-104. Emergency shutoff by customer.

In case of meter damage causing leakage, the customer may shut off the water at the valve at the end of the service line.

(Ord. of 11-12-24(3))

Sec. 31-105. County not liable for damages.

The county shall not be held responsible for water damage caused by burst water meters or connections.

(Ord. of 11-12-24(3))

Sec. 31-106. Liability of property owner.

If the water meter is set on the premises, the property owner remains responsible for all the service line on his property. Any leak or break occurring at any point on the service line shall be repaired immediately by a licensed plumber. A permit shall not be required before the repair is started but must be secured within three days afterward.

(Supp. No. 15)

Created: 2026-01-16 10:31:30 [EST]

(Ord. of 11-12-24(3))

Secs. 31-107—31-125. Reserved.

DIVISION 5. SERVICE CHARGES

Sec. 31-126. Account fee for establishing and re-establishing water service.

Consumers shall pay a nonrefundable account fee of \$35.00 when establishing or re-establishing a water, irrigation or water and sewer account ~~as set forth in the following table~~. This fee shall be charged on the first utility bill after service is initiated or re-established. ~~Water service shall not commence unless all outstanding water and sewer bills pertaining to that customer have been paid in full.~~ In addition, new customers shall be assessed a deposit as follows:

	Residential Owner/Commercial	Tenant
Water only	\$60.00	\$120.00
Water and sewer	\$110.00	\$220.00
Sewer only	\$60.00	\$120.00

There shall be no charge for reinstating service where service was discontinued because of normal service operations for repairs or alterations to plumbing systems on private property. Charges for reinstatement of service for removal due to tampering are specified in section 31-127.

(Ord. of 11-12-24(3))

Sec. 31-127. Disconnection of service for non-payment.

There shall be a charge of \$50.00 for disconnection of service because of the customer's failure to pay delinquent bills, pursuant to section 31-138.

If the meter has been tampered with, removed by anyone other than the county, had a lock cut, or otherwise had service restored by altering or bypassing the meter connection, an additional \$150.00 fee shall be applied for each observed instance of tampering. Multiple tampering incidents may result in complete removal of the service at the county's discretion. In such cases, the cost to reinstate service shall be 150 percent of the material cost to reinstall the service along with the balance of all charges and fees assessed. Continued tampering with meters or other utility equipment may result in civil penalties and/or criminal prosecution.

(Ord. of 11-12-24(3))

Sec. 31-128. Water rates.

Individual water usage and the applicable rates provided herein notwithstanding, all water accounts shall be subject to a minimum monthly water rate of ~~\$38.00~~ \$39.14. The water usage rates charged shall otherwise be as set forth in chart 31-128, below.

Chart 31-128

The following rates per 1,000 gallons shall be based on monthly consumption above 1,000 gallons:

(Supp. No. 15)

Created: 2026-01-16 10:31:30 [EST]

Tier	Use in Gallons	Water Rate per 1,000 gallons
1	1,000-5,000	\$8.00 \$8.24 <u>\$8.24</u>
2	5,001-10,000	\$9.00 \$9.27 <u>\$9.27</u>
3	10,001—	\$10.50 \$10.82 <u>\$10.82</u>

~~Water service established to provide residential or nonresidential irrigation service shall be subject to a 30 percent surcharge on the total monthly bill.~~

For any water service with a compound meter, the rates given herein shall be applied to each register on the meter.

~~(These rates take effect July 1, 2025. Rates of one half of the increase from rates in effect on November 12, 2024 take effect on January 1, 2025.)~~

(Ord. of 11-12-24(3))

Sec. 31-129. Debt service charge.

Each water service user may be assessed a monthly debt service charge for each EDU, as adopted by the board from time to time. Revenue generated by water debt service charges shall be used to defray costs of debt service on water projects only. If this charge is assessed, it shall be shown on the water service bill.

(Ord. of 11-12-24(3))

Sec. 31-130. Charges when meter fails and services provided; service calls.

In the event a water meter fails for any reason to register the actual amount of water consumed by a consumer and the consumer has received water services during the period when the water meter failed to register the actual amount consumed, the consumer shall be billed and shall owe an amount based upon the average reading of consumption for the three months preceding the month during which the water meter failed as applied to the period during which the consumer received water services and the water meter failed to register the actual amount. If the usage history for those three months is not available, the consumer shall be billed and shall owe an amount based on readings taken over a ten-day period after the water meter has returned to accurately measure the amount of water consumed by the consumer, as applied to the period during which the consumer received water services and the water meter failed to register the actual amount. These retroactive charges shall be limited to a maximum period of six months during which a water meter fails for any reason to register the actual amount of water consumed by a consumer and the consumer has received water services.

Customer calls for water and/or sewer service issue shall be subject to a service call fee of \$50.00 during normal business hours (8:00—4:30 Monday—Friday, excluding holidays) and \$75.00 during non-business hours, unless the issue is found to be due to county owned equipment or lines. In such cases, the customer shall not be charged.

(Ord. of 11-12-24(3))

Sec. 31-131. Returned payment fee.

Customer payments that are returned, whether paid via check, electronic payment, or other means, shall be subject to a fee of ~~\$50.00~~ ~~\$35.00~~ \$35.00

(Ord. of 11-12-24(3))

Sec. 31-132. Billing.

Water bills shall be rendered monthly.

(Ord. of 11-12-24(3))

Sec. 31-133. Pro rata bills.

Customers requesting discontinuance or establishing new accounts for water service shall be billed for the number of months or part thereof in the billing period when service was provided.

(Ord. of 11-12-24(3))

Sec. 31-134. Due date of bills.

All water service accounts shall be due and payable upon receipt of the statement rendered by the department of utilities payable to the treasurer of the county.

(Ord. of 11-12-24(3))

Sec. 31-135. Grace period for payment of bills; penalty and interest for late payment.

The grace period for payment of all service bills shall be 25 calendar days. At the expiration of this time, a one-time penalty of ten percent will be assessed on any service charges that have been due at least 25 days and for which no previous penalty has been assessed. No penalty shall be imposed for failure to pay any account if such failure was not in any way the fault of the customer.

(Ord. of 11-12-24(3))

Sec. 31-136. Owner liable for payment.

In all cases where there are delinquent water service charges due the county, the owner of record of the property shall be held responsible or liable for payment of these outstanding accounts.

(Ord. of 11-12-24(3))

Sec. 31-137. Delinquent charges declared lien on property.

Water service charges delinquent for 30 days or more after being made, imposed or incurred for water or use thereof in the county shall be a lien on the real estate served by such waterline.

(Ord. of 11-12-24(3))

Sec. 31-138. Enforcement, effect on sale of property, discharge of lien.

- (a) Any lien for delinquent water service charges when properly docketed in the clerk's office may be enforced in the same manner as other taxes due the county or by cutting off water service, provided the public health or safety will not be endangered thereby.
- (b) Such lien shall not bind or affect a subsequent bona fide purchaser of the real estate for valuable consideration without actual notice of such lien, until and except from the time that the amount of such fees, rents and charges are entered in a judgment lien book in the office where deeds may be recorded in the political subdivision wherein the real estate or part thereof is located. It shall be the duty of the clerk in whose office deeds may be recorded to cause entries to be made and indexed therein from time to time upon certification by the county for which he shall be entitled to a fee of \$0.50 per entry to be paid by the county and added to the amount of the lien.
- (c) Such lien on any real estate may be discharged by the payment to the county of the total amount of such lien plus the interest which may accrue to the date of such payment, and it shall be the duty of the county to deliver a certificate thereof to the person making the payment. Upon presentation of the certificate the clerk having the record of such lien shall mark the entry of such lien satisfied for which he shall be entitled to a fee of \$0.25.

(Ord. of 11-12-24(3))

State law reference(s)—State law reference(s)—Similar provisions, Code of Virginia, § 15.1-296.

Sec. 31-139. Disconnection of water service.

The county has the authority, at its discretion, to disconnect water service for delinquent charges which are outstanding for more than 30 days.

(Ord. of 11-12-24(3))

Sec. 31-140. Green initiative and conservation program.

The director of water and sewer is authorized to utilize a green initiative and conservation program subject to the approval of the board of supervisors that would allow for rebates and/or rate adjustments based on usage patterns and other specific criteria to incentivize initiatives that will significantly reduce the impact of water use on peak demands and/or significantly reduce overall consumption. This program will become effective on the date approved by the board of supervisors and will not be retroactive to any activity before the effective date.

(Ord. of 11-12-24(3))

Secs. 31-141—31-155. Reserved.

DIVISION 6. BULK WATER AND CONSTRUCTION SERVICE

Sec. 31-156. Generally.

Bulk water and construction water services to provide temporary water service for water haulers, contractors, non-profit organizations or for other users may be provided as set out in this division.

(Ord. of 11-12-24(3))

Sec. 31-157. Bulk water metered purchase.

Upon receipt of a metered purchase bulk water permit application, the county may provide metered bulk water service.

- (a) To be eligible for metered bulk water purchase, the applicant must:
 - (1) Have a valid Greene County Business License or be a county, state, or federal governmental agency;
 - (2) Have a need to make multiple purchases of bulk water;
 - (3) Use tankers, piping, hoses, fittings and other connections which have cross-connection and backflow prevention devices inspected and approved by the county.
- (b) The county may issue county-owned water meters to each qualifying metered purchase bulk water user. Each metered purchase bulk water user shall bring the meters for reading once a month to the county utilities department at 24 Rectory Lane during regular business hours.
- (c) Only those fire hydrants or existing meter settings authorized by the county may be used by metered purchase bulk water users to obtain bulk water.
- (d) The metered purchase bulk water user shall be responsible for any damages to the county-owned meters, hydrants or meter settings beyond normal wear and tear.

(Ord. of 11-12-24(3))

Sec. 31-158. Reserved.

Sec. 31-159. Fees and charges for bulk sales.

- (a) For metered purchase the fees and charges shall be as follows:
 - (1) An administrative fee of \$35.00 shall be payable upon service initiation, shall be charged for each county-owned meter used by the metered purchase bulk water user.
 - (2) A deposit shall be charged for each water meter issued to metered purchase bulk water users. The deposit shall be returned to the metered purchase bulk water user upon return of an undamaged water meter upon termination of the service. The deposits shall be ~~as follows~~ based on the actual new market value of the meter. based on the actual new market value of the meter

Nominal Meter Size (inches)	Deposit
3/8 x 3/4	\$500.00
3/4	\$550.00
1	\$600.00
1 1/2	\$700.00
2	\$800.00
3	\$900.00

- (3) Each metered purchase bulk water user shall be billed at the same rate as permanent service.

(Supp. No. 15)

Created: 2026-01-16 10:31:31 [EST]

(Ord. of 11-12-24(3))

Sec. 31-160. Construction water service.

Temporary water service may be provided for either building construction or for other construction project sites as follows:

- (a) *Building construction.* For water required in construction or renovation of a building or structure to which county water service beyond the construction phase is to be provided, the owner of the property upon which the building construction is taking place may make application for construction water service by filing an application and paying an application fee of \$35.00 per metered connection as set forth in the following table. The manner and location of the connection shall be determined by the county. The period of service shall be limited to the time period for which the building permit is valid. No occupancy permit shall be issued for a building with construction water service. The manner and location of the connection shall be determined by the county.
- (b) *Highway and utilities construction projects.* For water needed in construction of projects such as roads, bridges, parking lots, pipelines, etc., for which county water service beyond the construction phase is not to be provided, the contractor may make application for construction water service by filing an application and paying an application fee of \$35.00 as set forth in the following table. The manner and location of the connections shall be determined by the county. The period of service shall be limited to the time period that construction, testing, cleanup or restoration is actually occurring. Such construction water service shall not be used for any long-term use.

(Ord. of 11-12-24(3))

Sec. 31-161. Deposits for construction meters.

A deposit shall be charged for each water meter issued for construction service. The deposit shall be returned to the construction service user upon return of an undamaged water meter upon termination of the service. The deposits shall be ~~as follows:~~ based on the actual market value of the meter. based on the actual market value of the meter.

Nominal Meter Size (inches)	Deposit
3/8 x 3/4	\$500.00
3/4	\$550.00
1	\$600.00
1 1/2	\$700.00
2	\$800.00
3	\$900.00

(Ord. of 11-12-24(3))

Sec. 31-162. Rate for construction service.

The monthly billing rate for construction service accounts shall be at the same rate as permanent service.

(Ord. of 11-12-24(3))

Sec. 31-163. Violation of division.

During those times in which the administrator, pursuant to section 31-205, determined that the water conservation condition is condition 2, 3, or 4, a violation of any provision of this division shall constitute a class 1 misdemeanor. During all other times, a violation of provision of this division shall constitute a class 2 misdemeanor.

(Ord. of 11-12-24(3))

Secs. 31-164—31-180. Reserved.

DIVISION 7. CROSS-CONNECTION AND BACKFLOW PREVENTION

Sec. 31-181. Program adopted by reference.

The county cross-connection and backflow prevention control program is herewith adopted and made a part of this chapter, except any section which may be in conflict with state laws or this Code, in which case state laws or this Code shall prevail. A copy of the program shall be available to the public at the office of the administrator, the utilities department and the code compliance office.

(Ord. of 11-12-24(3))

Sec. 31-182. Protection of potable water and waterworks.

- (a) Potable water available on properties served by the waterworks shall be protected from contamination or pollution by enforcement of this division and those sections of the building code of the county relating to plumbing.
- (b) The purpose of this division is to abate or control actual or potential cross connections and protect the public health from contamination of the public water supply. This division provides program of cross connection control and backflow prevention in accordance with the Commonwealth of Virginia, state board of health, waterworks regulations 1995, or as amended.

(Ord. of 11-12-24(3))

Sec. 31-183. Authority of the division.

The authority for this division is the Virginia Department of Health, Waterworks Regulations, 12VAC5-590-580 which requires the county, as the water purveyor, to establish and enforce a cross connection control program.

(Ord. of 11-12-24(3))

Sec. 31-184. Administration of the division.

- (a) The director of water and sewer, under the direction of the administrator, shall administer and enforce the provisions of this division.

-
- (b) It shall be the duty of the director of water and sewer to evaluate properties served by the waterworks where cross connection with the waterworks is deemed possible. The method of determining potential cross connection with the waterworks and the administrative procedures shall be established by the director of water and sewer in a cross-connection control program approved by the Commonwealth of Virginia, Department of Health, Division of Water Supply Engineering.

(Ord. of 11-12-24(3))

Sec. 31-185. Enforcement of the division.

- (a) Right of entry: Any authorized agent of the county in the performance of the duties of fulfilling the requirements of this division shall have the right, upon advance written notice reasonable under the circumstances, to enter at any reasonable hour premises served by a connection or connections to the county's waterworks for the purpose of enforcing this division. Upon request, the owner or occupants of property served shall furnish to the authorized agent pertinent information regarding the consumer's water supply system or systems on such property for the purpose of assessing the consumer's water supply system for cross connection hazards and determining the degree of hazard, if any. The refusal to provide such information or access, when requested, shall be grounds for immediate disconnection from the public water supply.
- (b) Water service may be denied or discontinued if:
- (1) A required backflow prevention device is not installed;
 - (2) Backflow prevention devices are removed altered, or bypassed;
 - (3) An actual or potential cross-connection exists on the premises;
 - (4) Pressure at any point in the waterworks is lowered below 20 psi gauge as determined by hydraulic analysis; or
 - (5) The owner or occupant refuses to furnish information or access requested pursuant to section 31-185(a).
- (c) Water service to premises where service has been discontinued shall not be restored until deficiencies are corrected to the satisfaction of the director of water and sewer.
- (d) Notice of violation: The owner of any water supply system found to be in violation of any provision of this division shall be served a written notice of violation sent via certified mail to the owner's last known address, stating the nature of the violation, corrective action required and providing a reasonable time, not to exceed 30 days, from the date of issuance of the notice of violation to bring the water supply system into compliance with this division or have water service terminated.
- (e) Penalties:
- (1) Any owner of properties served by a connection to the waterworks found guilty of violating any provision of this division, or any lawful written order of the director of water and sewer in pursuance hereof, shall be deemed guilty of a class 1 misdemeanor. Each day upon which a violation of the provisions of this act shall occur shall be deemed a separate and additional violation for the purposes of this division.
 - (2) The owner(s) whose violation of this division causes a backflow into the potable water system may be held liable for any or all costs incurred by the department of utilities because of the backflow.
 - (3) The offending owner(s) may also be held civilly liable for any personal injury or property damage.

(Ord. of 11-12-24(3))

Sec. 31-186. Responsibilities of the County of Greene, the director of water and sewer.

- (a) This division shall be administered in accordance with the Commonwealth of Virginia, State Board of Health, Waterworks Regulations and shall, at a minimum, provide at the consumer's service connection, containment by either the installation of a backflow prevention device, or by separation, to prevent backflow of potential contaminants or pollutants into a waterworks from a consumer's water supply system.
- (b) In the event of the backflow into the waterworks, the director of water and sewer shall act promptly to confine and eliminate the potential pollution or contamination.
- (c) The director of water and sewer shall ensure that the waterworks is adequately protected from cross connections and backflow at all times. If a cross connection exists or backflow occurs into a consumer's water supply system or into the waterworks or if the consumer causes the pressure at any point in any of the waterworks distribution mains to be lowered below 20 psi gauge, the director of water and sewer may discontinue the water service to the consumer and water service shall not be restored until the deficiencies have been corrected or eliminated to the satisfaction of the director of water and sewer.

(Ord. of 11-12-24(3))

Sec. 31-187. Responsibilities of the consumer.

- (a) It shall be the responsibility of the public water consumer to maintain all backflow prevention devices, separations, and pressure sensing devices in good working order and to make no piping or other arrangements for the purpose of bypassing or defeating any backflow prevention or pressure sensing device or separation.
- (b) The consumer, at their own expense, shall install, operate, test, and maintain required backflow prevention devices or backflow prevention by separations and/or pressure sensing devices. Solutions to thermal expansion problems caused by the installation of backflow prevention devices will be at the consumer's expense.
- (c) The owner shall be responsible for obtaining all necessary permits for any additions or alterations to the owner's water supply system, which could increase the degree of hazard including, but not limited to irrigation systems and water softeners, so that the need for alterations to backflow prevention can be re-evaluated.
- (d) Any water outlet which is not supplied by the potable water system must be labeled as "Water Unsafe for Drinking" in a conspicuous manner.

(Ord. of 11-12-24(3))

Sec. 31-188. Mobile cross connections.

Cross connections between mobile hazards such as construction site water meters, lawn care and exterminator application tanks, or any other circumstance where the consumer's connection is not permanently affixed to the waterworks shall fall under the requirements of this division.

(Ord. of 11-12-24(3))

Secs. 31-189—31-200. Reserved.

DIVISION 8. WATER EMERGENCIES

Sec. 31-201. Authority to declare water emergencies.

During the continued existence of climatic, hydrological and other extraordinary conditions the protection of the health, safety and welfare of the residents of the County of Greene may require that certain uses of water, not essential to public health, safety and welfare, be reduced, restricted or curtailed. As the shortage of potable water becomes increasingly more critical, conservation measures to reduce consumption or curtail essential water use may be necessary.

The administrator, with the approval of the chairman of the board of supervisors, is authorized to declare water emergencies in the county affecting the use of water in any area of the county and to control and restrict the use of water during an emergency caused by a water shortage or other cause.

(Ord. of 11-12-24(3))

Sec. 31-202. Publication of declaration.

Upon the declaration of a water emergency pursuant to section 31-201, the administrator shall post a written notice of the emergency as soon as practicable at the front door of the circuit court courthouse or at the designated public bulletin board and shall place a notice in a newspaper of general circulation in the area in which such emergency has been declared.

(Ord. of 11-12-24(3))

Sec. 31-203. Use of water restricted.

Upon the declaration of a water emergency pursuant to section 31-201, the administrator is authorized and directed to implement conservation measures by ordering the restricted use or absolute curtailment of the use of water for certain nonessential purposes for the duration of the water shortage in the manner hereinafter set out. In exercising this discretionary authority, and making the determinations set forth in section 31-205 hereof, the administrator shall give due consideration to water levels, available/usable storage on hand, draw down rates and the projected supply capability in source reservoirs in Greene County, and other localities supplying water to the county; supply capacity, rate of usage and projected supplies of wells in the water system and open stream sources available to the water system; system purification and pumping capacity; daily water consumption and consumption projections of the system's customers; prevailing and forecast weather conditions; fire service requirements; pipeline conditions including breakages, stoppages and leaks; supplementary source data; estimates of minimum essential supplies to preserve public health and safety and such other data pertinent to the past, current and projected water demands.

All data collected and considered by the administrator shall be reduced to writing and maintained by the administrator.

(Ord. of 11-12-24(3))

Sec. 31-204. Limitation of restrictions.

The provisions of this division, or regulations promulgated hereunder by the administrator, which are hereby authorized, shall not apply to any governmental activity, institution, business or industry which shall be declared by the administrator, upon a proper showing, to be necessary for the public health, safety and welfare or the prevention of severe economic hardship or the substantial loss of employment. Any activity, institution, business or industry aggrieved by the finding of the administrator may appeal that decision to the board of supervisors.

(Ord. of 11-12-24(3))

Sec. 31-205. Water conservation measures.

Upon a determination by the administrator of the existence of the following conditions, the administrator shall take the following actions which shall apply to any person whose water supply is furnished from the county water system:

- (a) *Condition 1:* When moderate but limited supplies of water are available, the administrator shall, through appropriate means, call upon the general population to employ prudent restraint in water usage, and to conserve water voluntarily by whatever methods available.
- (b) *Condition 2:* When very limited supplies of water are available, the administrator shall order curtailment of less essential usages of water, including, but not limited to, one or more of the following:
 - (1) The watering of shrubbery, trees, lawns, grass, plants, or any other vegetation, except indoor plantings, greenhouse or nursery stocks and except limited watering for newly seeded lawns and watering by commercial nurseries of freshly planted plants upon planting and once a week for five weeks following planting.
 - (2) The washing of automobiles, trucks, trailers, boats, airplanes, or any other type of mobile equipment, except in facilities operating with a water recycling system approved by the administrator; provided, however, that any facility operating with a water recycling system shall prominently display in public view a notice approved by the administrator stating that such recycling system is in operation. In lieu of the provisions hereof the administrator may curtail the hours of operation of commercial enterprises offering such services or which wash their equipment.
 - (3) The washing of streets, driveways, parking lots, service stations aprons, office buildings, exteriors of homes or apartments, or other outdoor surfaces.
 - (4) The operation of any ornamental fountain or other structure making a similar use of water.
 - (5) The filling of swimming and/or wading pools, or the refilling of swimming and/or wading pools which were drained after the effective date of the order.
 - (6) The use of water from fire hydrants for any purpose other than fire suppression or other public emergency.
 - (7) The serving of drinking water in restaurants, cafeterias or any other food establishment unless requested by the individual.
- (c) *Condition 3:* When critically limited supplies of water are available, the administrator shall institute mandatory reductions on each customer as follows:

-
- (1) Industrial, institutional, commercial, governmental, wholesale and all other nonresidential customers shall be allotted a percentage reduction based on that customer's average monthly and/or quarterly previous calendar year's consumption.
 - (2) Individual residential customers shall be limited to a specific volume or percentage reduction of water per quarter.

If the allotted monthly/or quarterly water usage is exceeded, the customer shall be charged a surcharge of \$30.00 for every 1,000 gallons of water consumed above the allotted volume. Where prior consumption data is not available the administrator shall estimate allocations based upon the data available from similar activities of equal intensity.

- (d) *Condition 4:* When crucially limited supplies of water are available, the administrator shall restrict the use of water to purposes which are absolutely essential to life, health and safety.

The determination of conditions 2, 3 and 4 by the administrator shall be accompanied by a written report which shall set out the criteria utilized and data relied upon in making such determination including a narrative summary supporting the determination. Each report shall be available for public inspection in the administrator's office. The administrator shall forthwith transmit a copy of each report to the board of supervisors.

(Ord. of 11-12-24(3))

Sec. 31-206. Penalty.

Any person who shall violate any of the provisions of this division, or of any of the conservation regulations promulgated by the administrator pursuant thereto, shall, upon conviction thereof, in addition to additional charges set forth in subsection 31-205(c) be fined not less than \$100.00, nor more than \$2,500.00. Each act or each day's continuation of a violation shall be considered a separate offense. In addition to the foregoing, the administrator may suspend water service to any person continuing to violate the provisions of this ordinance or the regulations promulgated thereunder. If such water service is terminated, the person shall pay a reconnection fee of \$50.00 before service is restored.

(Ord. of 11-12-24(3))

Sec. 31-207. Notification of end of water emergency.

The administrator shall notify the board of supervisors when, in his opinion, the water emergency situation no longer exists. Upon concurrence of the board, the water emergency shall be declared to have ended.

(Ord. of 11-12-24(3))

Secs. 31-208—31-215. Reserved.

ARTICLE III. WHITE RUN RESERVOIR

Sec. 31-216. Definition.

As used in this article, the word "*reservoir*" shall mean the county's White Run Reservoir.

(Ord. of 11-12-24(3))

Sec. 31-217. Applicability of article.

The provisions of this article are applicable to only the reservoir and the reservoirs property.

(Ord. of 11-12-24(3))

Secs. 31-218—31-229. Reserved.

Sec. 31-230. Construction activities.

- (a) No construction of any kind and no disturbing of the soil or ground cover on any ground around the reservoir owned in fee simple or controlled by the county with a flood easement shall be undertaken until plans for the same have been approved by the floodplain manager.
- (b) No docks, piers or ramps shall be constructed at the reservoir except at areas that are designated as recreation areas by the board of supervisors.
- (c) The building of duck blinds or floating wooden or metal rafts or piers on or in the water of the reservoir is prohibited.

(Ord. of 11-12-24(3))

Secs. 31-231, 31-232. Reserved.

Sec. 31-233. Hours for use of reservoir restricted.

No person, except governmental officials on official duty, shall be permitted to go upon or remain on said reservoirs from one-half hour after sunset to one hour before sunrise.

(Ord. of 11-12-24(3))

Secs. 31-234—31-236. Reserved.

Sec. 31-237. Domestic animals running at large.

No pets, dogs or other domestic animals shall be permitted to run at large. All such animals must be leashed and under the supervision and control of the owner at all times.

(Ord. of 11-12-24(3))

Sec. 31-238. Reserved.

Sec. 31-239. Commercial activities.

There shall be no commercial activities within the flood easement area.

(Ord. of 11-12-24(3))

Sec. 31-240. Alcoholic beverages.

No use of alcoholic beverages is permitted in the reservoir area. No person under the influence of alcohol shall operate or be a passenger in a boat on the reservoirs at any time.

(Ord. of 11-12-24(3))

Sec. 31-241. Hunting.

Hunting is prohibited on the reservoir property.

(Ord. of 11-12-24(3))

Sec. 31-242. Firearms, bows and arrows, fireworks.

- (a) Discharging of firearms and the shooting of arrows is prohibited.
- (b) Fireworks, and bows and arrows are prohibited.

(Ord. of 11-12-24(3))

Sec. 31-243. Swimming, wading, skiing.

Water contact sports, i.e., skiing, swimming, wading, etc., are prohibited.

(Ord. of 11-12-24(3))

Sec. 31-244. Taking of water.

Taking of water by any person for irrigation or for a private water supply from the reservoir is prohibited.

(Ord. of 11-12-24(3))

Sec. 31-245. Littering.

- (a) There shall be no littering of the flood easement area.
- (b) There shall be no littering on the waters.

(Ord. of 11-12-24(3))

Sec. 31-246. Prohibited activity.

It shall be unlawful for any person to pollute, or to introduce, by any means, into any named reservoirs any hazardous material, hazardous substance or hazardous waste as those terms are defined by the laws or regulations of the United States and/or the Commonwealth of Virginia; or, to introduce, or in any way cause the introduction of any object or substance, or noxious or otherwise, which may reasonably be expected to endanger the life, health or safety of people. For the purposes of this article, "person" shall mean an individual, corporation, partnership, association, or any other legal entity.

(Ord. of 11-12-24(3))

Secs. 31-247—31-265. Reserved.

ARTICLE IV. SEWER SERVICE

DIVISION 1. GENERALLY

Sec. 31-266. Compliance with article required to connect to county system.

No person shall install, alter or repair any connection intended to connect the sewerage facilities of any premises in the county with a system operated by the county until such person complies with the terms of this article.

(Ord. of 11-12-24(3))

Sec. 31-267. Obstructing, damaging, defacing facilities declared unlawful.

It shall be unlawful for any person to obstruct or cause the obstruction of any county sewer or damage or deface any property of the county sewerage system.

(Ord. of 11-12-24(3))

Secs. 31-268—31-280. Reserved.

DIVISION 2. APPLICATION FOR SERVICE

Sec. 31-281. Acceptance, review, decision by administrator.

The administrator shall accept, review and render a decision on the application for sanitary sewer service to the premises described in the application from any person who is the owner of or legally represents the owner of the land or who is a tenant of the land within the county. The administrator is authorized to approve; revise; request additional data, design or information on; and disapprove any such application or plans pertinent thereto, which in the opinion of the administrator is the best interest of the county.

(Ord. of 11-12-24(3))

Sec. 31-282. Applications not to be approved; exceptions.

The administrator shall not approve any applications for sanitary sewer service for residential development including, but not limited to, subdivisions, townhouses, apartments, mobile home parks, planned unit developments, or any other residential development involving more than one potential residence, to the premises described in the application where the approval of said application would permit the pumping of sewage from the premises located within one watershed within the county to a different watershed within the county. Provided, however, that this provision shall not apply to existing residences which may be required for health and sanitation reasons to connect to the county sewage facilities, nor to any parcel of real estate which is located within the "growth area" as designated in the comprehensive plan.

(Ord. of 11-12-24(3))

Sec. 31-283. Sanitary sewer adjacent and available.

Each application for sewer service for an existing or proposed new individual or multiple dwelling or commercial establishment to which the county sanitary sewer facility is immediately adjacent and available, shall be made in duplicate and accompanied by measurements, maps, drawings and such other data that will clearly establish and indicate the physical location within the county of the premises for which the application is submitted and location on the premises of the service applied for.

(Ord. of 11-12-24(3))

Sec. 31-284. Sanitary sewer not adjacent and available, use is not new subdivision.

- (a) Application shall be made in writing to the administrator where service is desired for sewer facilities for any individual building or group of buildings, whether intended for residential or commercial purposes and which are not classified as being the development of a new subdivision or section thereof and which will require the design and construction by the owner of new trunk, lateral or principal lines and any necessary appurtenances thereto in order to reach and connect onto applicable existing facilities of the county. Such new construction in its entirety shall ultimately be accepted as an integral part of the facilities of the county.
- (b) Each application submitted pursuant to this section shall be accompanied by six sets of detailed plans showing accurate plan and profile design drawings of the lines and location, design and identification of all appurtenances and accessories pertinent thereto. It is preferable that such plans show on the same sheet the plan and profile design of the contiguous sections of streets or easements and proposed sewer lines as is indicated by the application.
- (c) The design and detailed plans required by this section and all subsequent revisions thereof shall be prepared and properly signed by a professional engineer registered in the state.

(Ord. of 11-12-24(3))

Sec. 31-285. New residential subdivision or commercial area.

- (a) Where construction of sanitary sewer facilities is proposed by a developer or owner of any new residential subdivision or commercial area or any combination thereof and such facilities shall ultimately be accepted into the public utilities system of the county, application for review of the design and plans for all such proposed construction shall be made in writing to the administrator.
- (b) Each application submitted pursuant to this section shall be accompanied by:
 - (1) Six prints of the recorded plat of the subdivision or applicable section thereof.
 - (2) Six sets of detailed plans showing accurate plan and profile design drawings, the proposed lines and the location, design and indication of all their appurtenances and accessories. It is preferable that all such plans show on the same sheet the plan and profile design of the contiguous sections of new streets or easements and proposed sewer facilities.
- (c) If any facilities other than pipelines and their appurtenances are proposed by the applicant or required by the administrator for the complete and satisfactory operation of the proposed utilities, such as but not limited to storage or pumping equipment, sewage treatment plants, sewage pumping stations or other like equipment, the application shall be accompanied by six sets of detailed plans and specifications for design, equipment, materials and construction of such facilities.

-
- (d) The plans and specifications required by this section and all subsequent revisions shall be prepared and properly signed by a professional engineer registered in the state.

(Ord. of 11-12-24(3))

Sec. 31-286. Industrial development.

- (a) Application for proposed sewer facilities to serve any type of industrial establishment within the county shall be made in writing to the administrator. Complete information regarding plant location, type of industry, raw and finished products, approximate volume of utility requirements, types of industrial wastes to be discharged, proposed facilities for pretreatment of industrial wastes and other data pertinent to the industry, shall accompany the application.
- (b) The applicant for sanitary sewer service to serve industrial establishments shall conform to the requirements set out in this article or as may be governed by the location of the proposed industrial site.
- (c) Any design, plans and specifications required by this section and all subsequent revisions thereof shall be prepared and properly signed by a professional engineer registered in the state.

(Ord. of 11-12-24(3))

Sec. 31-287. Disposition.

Applications for sewer service shall be disposed of in the same way as applications for water service.

(Ord. of 11-12-24(3))

Sec. 31-288. Approval required for additional uses.

No person shall utilize the services of the sewer facilities of the county for any use other than that indicated on the approved application for sewer service to the particular premises without first making application and securing approval thereof for such other use.

(Ord. of 11-12-24(3))

Sec. 31-289. As-built plans.

After completion of construction of the public utility facilities from plans approved pursuant to this article, the developer or owner responsible for the construction shall prepare as-built plans, based on accurate, field-obtained information to show actual conditions of the finished construction. The as-built plans shall show revisions in and permanently indicate changes on the original tracings or master sheets which were made to the plans and/or specifications approved by the administrator for construction. As-built plans shall be prepared and certified by a professional engineer registered in the state. The as-built plans shall show, but may not be limited to, the sewer line construction, including the scale accuracy location of manhole invert and top casting elevations, house lateral stubs and numerical notation of the exact elevations of such as determined by field survey after construction. Elevations shall be in datum of the county.

(Ord. of 11-12-24(3))

Secs. 31-290—31-305. Reserved.

DIVISION 3. CONNECTION AND AVAILABILITY FEES

Sec. 31-306. Generally.

This division sets out the sewer service initiation fees required for the connection of new or altered services to the sewerage works owned, operated and maintained by the county. Sewer availability charges are determined based on the water demand of the land use, measured in equivalent dwelling units (EDUs). EDUs must be purchased prior to the issuance of an occupancy permit and may be purchased in advance.

Sewer service initiation fees shall consist of availability fees (EDUs).

(Ord. of 11-12-24(3))

Sec. 31-307. Sewer availability fees; EDUs.

A sewer availability fee for each new or altered sewer service, based on the water EDUs determined for each water service shall be paid to the county in accordance with the Greene County Wastewater System EDU Purchase Policy - Sewer as adopted and amended from time to time by the county board of supervisors. Sewer EDUs may be purchased in advance.

(Ord. of 11-12-24(3))

Sec. 31-308. Reserved.

Sec. 31-309. Sewer availability fees (EDU)—Determination.

For purposes of this division availability fees (EDUs) shall be determined as follows:

- (a) Sewer EDUs will be equal to the water EDUs calculated for each new or altered connection.
- (b) For users whose water supply is solely from sources other than the county's water works, the EDUs required shall be determined by the administrator based upon the land use.

(Ord. of 11-12-24(3))

Secs. 31-310—31-335. Reserved.

DIVISION 4. SERVICE CHARGES

Sec. 31-336. Account transaction fee.

Consumers shall pay a nonrefundable \$35.00 account transaction fee when establishing or re-establishing a water, irrigation or water and sewer account.

(Ord. of 11-12-24(3))

State law reference(s)—State law reference(s)—Code of Virginia, §§ 15.2-2119, 15.2-2121 and 15.2-2131.

Sec. 31-337. Sewer rates.

For connections not served by county water, the minimum monthly sewer charge shall be ~~\$61.00~~ \$62.83. \$62.83. If the sewer discharge includes water from a source other than or in addition to a metered county source, the administrator may set a minimum monthly charge based on the calculated EDUs or by using such other information determined by him to accurately demonstrate the monthly sewage flow into the system.

For connections served by county water or other metered public water system, all sewer accounts shall be subject to a minimum monthly sewer rate of ~~\$25.00~~ \$25.75. The sewer usage rates charged shall otherwise be as set forth in chart 31-337, below:

Chart 31-337

The following rates per 1,000 gallons shall be based on monthly-metered water consumption above 1,000 gallons:

For Sewer Connections Served by County Water	Use in Gallons	Sewer Rate per 1,000 Gallons
1	1,000-5,000	\$12.00 <u>\$12.36</u> \$12.36
2	5,001-10,000	\$13.50 <u>\$13.91</u> \$13.91
3	10,001—	\$15.50 <u>\$15.97</u> \$15.97

~~(These rates take effect July 1, 2025. Rates of one-half of the increase from rates in effect on November 12, 2024 take effect on January 1, 2025.)~~

(Ord. of 11-12-24(3))

State law reference(s)—State law reference(s)—Code of Virginia, §§ 15.2-2119, 15.2-2121 and 15.2-2131.

Sec. 31-337.1. Debt service charge.

Each sewer service user may be assessed a monthly debt service charge for each EDU, as adopted by the board from time to time. Revenue generated by sewer debt service charges shall be used to defray costs of debt service on sewer projects only. If this charge is collected it shall be shown on the sewer service bill.

(Ord. of 11-12-24(3))

Sec. 31-338. Adjusted charges—Filling swimming pools.

Sewer charges shall be adjusted when water is used for the filling of swimming pools. The charge in no case shall be adjusted to be less than the minimum charge. This allowance is to be granted only one time in a 12-month period. The allowance shall be only for amounts of 5,000 gallons or greater.

(Ord. of 11-12-24(3))

Sec. 31-339. Sewer and water billing adjustments; leaks and breaks.

For any ~~measurable~~ verifiable and promptly reported to the County ~~verifiable and promptly reported to the County~~ water leak on the customer's side of the county's water meter or at the water meter, water and sewer charges may be adjusted as follows:

-
- ~~(a) For a leak that occurs from a defect in any buried pipe, fixture or fitting on the customer's side of the meter such that the water from the leak is not returned to the county's sewer the sewer bill may be adjusted pursuant to subsection (c), below. Provided however, no adjustments shall be made for irrigation service.~~
- ~~(b) For a leak that occurs from a defect in any non-buried pipe, fixture, or fitting such that the water from the leak is not returned to the county's sewer the sewer bill may be adjusted pursuant to subsection (c), below. Provided however, no adjustments shall be made for irrigation service.~~
- ~~(c) If the customer provides evidence satisfactory to the administrator of the location and prompt prompt repair of the leak, the water and water and sewer bills for the period(s) during which the leak occurred may be adjusted for up to two consecutive billing periods. The adjusted water and water and sewer bills shall be based upon the administrator's estimate of the customer's average water consumption, frequency of leaks, and promptness of leak repair, frequency of leaks, and promptness of leak repair.~~

(Ord. of 11-12-24(3))

Sec. 31-340. Sewer service billing.

Sewer bills shall be rendered monthly. ~~Each bill for sewer only, water only, irrigation, or water and sewer service will include an administrative fee of \$5.00. Bills for multiple connections shall include the administrative fee for each connection.~~

(Ord. of 11-12-24(3))

State law reference(s)—State law reference(s)—Code of Virginia, §§ 15.2-2119, 15.2-2121 and 15.2-2131.

Sec. 31-341. Pro rata bills.

Customers requesting discontinuance or establishing new accounts for sewer service shall be billed for the number of months or part thereof in the billing period when service was provided.

(Ord. of 11-12-24(3))

Sec. 31-342. Due date of bills.

All sewer service accounts shall be due and payable upon receipt of the statement rendered by the county and payable to the treasurer of the county.

(Ord. of 11-12-24(3))

Sec. 31-343. Grace period for payment of bills; penalty and interest for late payment.

The grace period for payment of all service bills shall be 25 calendar days. At the expiration of this time, a one-time penalty of ten percent will be assessed on any service charges that have been due at least 25 days and for which no previous penalty has been assessed. No penalty shall be imposed for failure to pay any account if such failure was not in any way the fault of the customer.

(Ord. of 11-12-24(3))

Sec. 31-344. Owner liable for payment.

In all cases where there are delinquent sewer service charges due the county, the owner of record of the property shall be held responsible or liable for payment of these outstanding accounts.

(Ord. of 11-12-24(3))

Sec. 31-345. Charges declared lien on property.

Charges made, imposed or incurred for sewers or use thereof in the county shall be a lien on the real estate served by such sewer.

(Ord. of 11-12-24(3))

State law reference(s)—State law reference(s)—Authority for above section, Code of Virginia, § 15.1-295.

Sec. 31-346. Enforcement, effect on sale of property, discharge of lien.

- (a) Any lien for sewer service charges when properly docketed in the clerk's office may be enforced in the same manner as other taxes due the county or by cutting off water or sewer service, provided the public health or safety will not be endangered thereby.
- (b) Such lien shall not bind or affect a subsequent bona fide purchaser of the real estate for valuable consideration without actual notice of such lien, until and except from the time that the amount of such fees, rents and charges are entered in a judgment lien book in the office where deeds may be recorded in the political subdivision wherein the real estate or a part thereof is located. It shall be the duty of the clerk in whose office deeds may be recorded to cause entries to be made and indexed therein from time to time upon certification by the county for which he shall be entitled to a fee of \$0.50 per entry to be paid by the county and added to the amount of the lien.
- (c) Such lien on any real estate may be discharged by the payment to the county of the total amount of such lien plus the interest which may accrue to the date of such payment, and it shall be the duty of the county to deliver a certificate thereof to the person making the payment. Upon presentation of the certificate the clerk having the record of such lien shall mark the entry of such lien satisfied for which he shall be entitled to a fee of \$0.25.

(Ord. of 11-12-24(3))

State law reference(s)—State law reference(s)—Similar provisions, Code of Virginia, § 15.1-296.

Sec. 31-347. Disconnection of sewer service.

The county has the authority, at its discretion, to disconnect sewer service for delinquent charges which are outstanding for more than 30 days.

(Ord. of 11-12-24(3))

Secs. 31-348—31-360. Reserved.

***DIVISION 5. DISCHARGE OF SEPTIC TANK SEWAGE INTO COUNTY TREATMENT
PLANT***

Sec. 31-361. Definitions.

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

Eligible user means a person that has a physical residence in the county that is served by a private septic tank or sewerage system, a firm or corporation that has a place of business in the county that is served by a private septic tank or sewerage system, or someone acting for such person, firm or corporation.

(Ord. of 11-12-24(3))

Sec. 31-362. Violations of division.

Any person violating a provision of this division shall be guilty of a class 2 misdemeanor.

(Ord. of 11-12-24(3))

Sec. 31-363. Unauthorized discharge.

It shall be unlawful for any person to discharge septic tank sewage into county manholes or to use any other means of access to the county's sewer system other than the Ruckersville Sewage Treatment Plant.

(Ord. of 11-12-24(3))

Sec. 31-364. Permit—Fee.

An official permit to discharge domestic sewage from one private septic tank or sewerage system in the county into the county's Ruckersville Sewage Treatment Plant may be obtained by any eligible user after application and approval by the director of water and sewer. A payment of a fee of ~~\$25.00~~ ~~\$25.75~~ \$25.75 for the first 1,000 gallons or fraction thereof plus ~~\$20.00~~ ~~\$20.60~~ \$20.60 for each additional 1,000 gallons of domestic septage to be delivered to the Ruckersville plant for each permit.

(Ord. of 11-12-24(3))

Sec. 31-365. Reserved.

Sec. 31-366. Same—Form.

The following is the prescribed form for an official permit obtained pursuant to this division:

**OFFICIAL PERMIT FOR
SEPTIC TANK SEWAGE DISPOSAL***

(1) Date: _____, 20__	(2)
	Serial number
(3)	(4)
Name of eligible user (resident)	Telephone number
	(5)
Address	County of residence
State Zip	
	(6)
	Signature of eligible user
	(No. 3 and No. 6 must be the same)
(7) gallons.	
Amount of sewage	
	(8)
	Sewage carrier license no.
	(9)
	Signature of sewage carrier

The sewage authorized by this permit is received into the county Ruckersville Sewage Treatment Plant.

Date:	
	Authorized county signature

*Eligible user may validate this permit by separate writing stapled hereto instead of signing on line 6.

WARNING

Only a person having a physical residence in the county or a firm or corporation having a place of business in the county that is served by a private septic tank or sewage system is an eligible user. Willful falsification of this permit shall be punishable under section 31-362 of the County Code as a class 2 misdemeanor by a fine of \$1,000.00 or six months in jail, or both.

(Ord. of 11-12-24(3))

Secs. 31-367—31-380. Reserved.

ARTICLE V. SEWER USE AND PRETREATMENT STANDARDS

DIVISION 1. GENERAL PROVISIONS

Sec. 31-381. Purpose and objectives.

This article sets forth uniform requirements for users of the publicly owned treatment works for the county and enables the county to comply with all applicable state and federal laws, including the Clean Water Act (33 United States Code (U.S.C.) Section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations (CFR) Part 403). The objectives of this article are:

-
- (1) To prevent the introduction of pollutants into the publicly owned treatment works that will interfere with its operation;
 - (2) To prevent the introduction of pollutants into the publicly owned treatment works that will pass through the publicly owned treatment works, inadequately treated, into receiving waters, or otherwise be incompatible with the publicly owned treatment works;
 - (3) To protect both publicly owned treatment works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
 - (4) To promote reuse and recycling of industrial wastewater and sludge from the publicly owned treatment works;
 - (5) To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the publicly owned treatment works; and
 - (6) To enable the county to comply with its national pollutant discharge elimination system permit conditions, sludge use and disposal requirements, and any other federal or state laws to which the publicly owned treatment works is subject.

This article shall apply to all industrial users (users) of the publicly owned treatment works. The article authorizes the issuance of individual wastewater discharge permits or general permit; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

(Ord. of 11-12-24(3))

Sec. 31-382. Definitions.

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this article, shall have the meanings hereinafter designated.

Act or the Act means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. Section 1251 et seq.

Approval authority means the Virginia Department of Environmental Quality (DEQ).

Authorized or duly authorized representative of the user.

- (1) If the user is a corporation:
 - a. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - b. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit or general permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (2) If the user is a partnership or sole proprietorship: A general partner or proprietor, respectively.

-
- (3) If the user is a federal, state, or local governmental facility: A director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
 - (4) The individuals described in subsections (1) through (3), above, may designate a duly authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the county.

Biochemical oxygen demand or BOD means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).

Best management practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in subsections 31-385(a) and (b) (40 CFR 403.5(a)(1) and (b)). BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

Categorical pretreatment standard or categorical standard means any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. Section 1317) that apply to a specific category of users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

Categorical industrial user means an industrial user subject to a categorical pretreatment standard or categorical standard.

Greene County means the County of Greene, Virginia or the board of supervisors of Greene County.

Chemical oxygen demand or COD means a measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.

Control authority means Greene County.

Daily maximum means the arithmetic average of all effluent samples for a pollutant collected during a calendar day.

Daily maximum limit means the maximum allowable discharge limit of a pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

Environmental Protection Agency or EPA means the U.S. Environmental Protection Agency or, where appropriate, the regional water management division director, the regional administrator, or other duly authorized official of said agency.

Existing source means any source of discharge that is not a "new source."

Grab sample means a sample that is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed 15 minutes.

Indirect discharge or discharge. The introduction of pollutants into the POTW from any nondomestic source.

Instantaneous limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

Interference means a discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or

disposal; and therefore, is a cause of a violation of the county's VPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued there-under, or any more stringent state or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

Local limit means specific discharge limits developed and enforced by the county upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).

Medical waste means isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

Monthly average means the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

Monthly average limit means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

New source means:

- (1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act that will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - a. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - b. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - c. The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
- (2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of subsection (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.
- (3) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
 - a. Begun, or caused to begin, as part of a continuous onsite construction program:
 - (i) Any placement, assembly, or installation of facilities or equipment; or
 - (ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

-
- b. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

Noncontact cooling water means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

Pass through means a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the county's VPDES permit, including an increase in the magnitude or duration of a violation.

Person means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all federal, state, and local governmental entities.

pH means a measure of the acidity or alkalinity of a solution, expressed in standard units.

Pollutant means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

Pretreatment means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

Pretreatment requirements means any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

Pretreatment standards or standards means pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.

Prohibited discharge standards or prohibited discharges means absolute prohibitions against the discharge of certain substances; these prohibitions appear in section 31-385 of this article.

Publicly owned treatment works or POTW means a treatment works, as defined by Section 212 of the Act (33 U.S.C. Section 1292), which is owned by the county. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant.

Septic tank waste means any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

Sewage means a combination of water-carried waste from residences, which may contain human excrement and gray water (household showers, dishwashing operations, etc.) business buildings, institutions, and industrial establishments, together with such groundwater, surface water and storm water as may be present.

Significant industrial user (SIU). Except as provided in subsections (3) and (4) of this definition, a significant industrial user is:

- (1) An industrial user subject to categorical pretreatment standards; or
- (2) An industrial user that:

-
- a. Discharges an average of 25,000 gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
 - b. Contributes a process waste stream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - c. Is designated as such by the county on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- (3) The county may determine that an industrial user subject to categorical pretreatment standards is a non-significant categorical industrial user rather than a significant industrial user on a finding that the industrial user never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and the following conditions are met:
- a. The industrial user, prior to the county's finding, has consistently complied with all applicable categorical pretreatment standards and requirements;
 - b. The industrial user annually submits the certification statement required in subsection 31-424(b) (see 40 CFR 403.12(q)), together with any additional information necessary to support the certification statement; and
 - c. The industrial user never discharges any untreated concentrated wastewater.
- (4) Upon a finding that a user meeting the criteria in subsection (2) of this part has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the county may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

Significant noncompliance ("SNC") means any act or omission by an industrial user that meets one or more of the following criteria:

- (1) Violations of wastewater discharge limits, as follows:
 - a. Chronic violations: When 66 percent or more of test sample measurements exceed the same daily maximum limit or the same average limit in a six-month period (any magnitude of excess);
 - b. Technical review criteria (TRC) violations: When 33 percent or more of wastewater test sample measurements taken during a six-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all pollutants except pH); or
 - c. Any other violation of a wastewater discharge limit (average or daily maximum) that causes, alone or in combination with other discharges, interference, pass-through or sludge contamination, or poses a danger to the health of POTW personnel or public.
- (2) Any discharge that poses an immediate danger to human health or to the environment, or which results in county action against the industrial user to halt or prevent such a discharge;
- (3) Failure to comply with schedule milestones contained in a permit or enforcement order issued by the county;
- (4) Failure to provide to the county any report required by provisions of this article within 30 days from the due date;
- (5) Failure to report noncompliance; or
- (6) Any other violation that threatens the health, safety and/or welfare of the public.

Slug load or slug discharge means any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in section 31-385 of this article. A slug discharge is any discharge of a non-routine, episodic nature, including, but not limited to, an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits or permit conditions.

Storm water means any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

Division director of wastewater treatment means the person designated by the county to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this article. The term also means a duly authorized representative of the division director of wastewater treatment.

Total suspended solids or suspended solids means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

Industrial user (user) means any nongovernmental user of the sewer system, as defined in 40 CFR 35.905-8 and identified in the Standard Industrial Classification Manual, 1972, United States Office of Management and Budget, as amended and supplemented, under the following divisions:

- (1) Division A: Agriculture, forestry, and fishing;
- (2) Division B: Mining;
- (3) Division D: Manufacturing;
- (4) Division E: Transportation, communications, electric, gas and sanitary services; and
- (5) Division I: Services.

Wastewater means liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

Wastewater treatment plant or treatment plant means that portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

(Ord. of 11-12-24(3))

Sec. 31-383. Abbreviations.

The following abbreviations, when used in this article, shall have the designated meanings:

BOD -	Biochemical oxygen demand
BMP -	Best management practice
BMR -	Baseline monitoring report
CFR -	Code of Federal Regulations
CIU -	Categorical industrial user
COD -	Chemical oxygen demand
EPA -	U.S. Environmental Protection Agency
gpd -	Gallons per day
IU -	Industrial user
mg/l -	Milligrams per liter
NPDES -	National Pollutant Discharge Elimination System
NSCIU -	Non-significant categorical industrial user

POTW -	Publicly owned treatment works
RCRA -	Resource Conservation and Recovery Act
SIU -	Significant industrial user
SNC -	Significant noncompliance
TSS -	Total suspended solids
U.S.C. -	United States Code

(Ord. of 11-12-24(3))

Sec. 31-384. Administration.

Except as otherwise provided herein, the director or the division director of wastewater treatment shall administer, implement, and enforce the provisions of this article. Any powers granted to or duties imposed upon the division director of wastewater treatment may be delegated by the division director of wastewater treatment to a duly authorized county employee.

(Ord. of 11-12-24(3))

DIVISION 2. GENERAL SEWER USE AND DISCHARGE REQUIREMENTS

Sec. 31-385. Prohibited discharge standards.

- (a) *General prohibitions.* No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements.
- (b) *Specific prohibitions.* No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
 - (1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;
 - (2) Wastewater having a pH less than 5.5 or more than 9.5, or otherwise causing corrosive structural damage to the POTW or equipment;
 - (3) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference but in no case solids greater than one-half inch or one and twenty-seven hundredths (1.27) centimeters in any dimension;
 - (4) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;
 - (5) Wastewater having a temperature greater than 130 degrees F or 55 degrees C, or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C);

(Supp. No. 15)

Created: 2026-01-16 10:31:33 [EST]

-
- (6) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through;
 - (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
 - (8) Trucked or hauled pollutants, except at discharge points designated by the division director of wastewater treatment in accordance with section 31-394 of this article;
 - (9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
 - (10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the county's VPDES permit;
 - (11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations;
 - (12) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the division director of wastewater treatment;
 - (13) Sludge, screenings, or other residues from the pretreatment of industrial wastes;
 - (14) Medical wastes, except as specifically authorized by the division director of wastewater treatment in an individual wastewater discharge permit or a general permit;
 - (15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;
 - (16) Detergents, surface-active agents, or other substances which that might cause excessive foaming in the POTW;
 - (17) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100 mg/l in any one single grab sample or ten mg/l as a monthly average;
 - (18) Wastewater causing two readings on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than five percent or any single reading over ten percent of the lower explosive limit of the meter.

Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.

(Ord. of 11-12-24(3))

Sec. 31-386. National categorical pretreatment standards.

Users must comply with the categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471.

- (a) Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the division director of wastewater treatment may impose equivalent concentration or mass limits in accordance with subsections 31-386(e) and (f).
- (b) When the limits in a categorical pretreatment standard are expressed only in terms of mass of pollutant per unit of production, the division director of wastewater treatment may convert the limits

-
- to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual industrial users.
- (c) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the division director of wastewater treatment shall impose an alternate limit in accordance with 40 CFR 403.6(e).
 - (d) A CIU may obtain a net/gross adjustment to a categorical pretreatment standard in accordance with the following paragraphs of this section:
 - (1) Categorical pretreatment standards may be adjusted to reflect the presence of pollutants in the industrial user's intake water in accordance with this section. Any industrial user wishing to obtain credit for intake pollutants must make application to the county. Upon request of the industrial user, the applicable standard will be calculated on a "net" basis (i.e., adjusted to reflect credit for pollutants in the intake water) if the requirements of subsection (2) of this section are met.
 - (2) Criteria.
 - a. Either (i) the applicable categorical pretreatment standards contained in 40 CFR subchapter N specifically provide that they shall be applied on a net basis; or (ii) the industrial user demonstrates that the control system it proposes or uses to meet applicable categorical pretreatment standards would, if properly installed and operated, meet the standards in the absence of pollutants in the intake waters.
 - b. Credit for generic pollutants such as biochemical oxygen demand (BOD), total suspended solids (TSS), and oil and grease should not be granted unless the industrial user demonstrates that the constituents of the generic measure in the user's effluent are substantially similar to the constituents of the generic measure in the intake water or unless appropriate additional limits are placed on process water pollutants either at the outfall or elsewhere.
 - c. Credit shall be granted only to the extent necessary to meet the applicable categorical pretreatment standard(s), up to a maximum value equal to the influent value. Additional monitoring may be necessary to determine eligibility for credits and compliance with standard(s) adjusted under this section.
 - d. Credit shall be granted only if the user demonstrates that the intake water is drawn from the same body of water as that into which the POTW discharges. The county may waive this requirement if it finds that no environmental degradation will result.
 - (e) When a categorical pretreatment standard is expressed only in terms of pollutant concentrations, an industrial user may request that the county convert the limits to equivalent mass limits. The determination to convert concentration limits to mass limits is within the discretion of the division director of wastewater treatment. The county may establish equivalent mass limits only if the industrial user meets all the conditions set forth in subsections (e)(1)a. through (e)(1)e. below.
 - (1) To be eligible for equivalent mass limits, the industrial user must:
 - a. Employ, or demonstrate that it will employ, water conservation methods and technologies that substantially reduce water use during the term of its individual wastewater discharge permit;
 - b. Currently use control and treatment technologies adequate to achieve compliance with the applicable categorical pretreatment standard, and not have used dilution as a substitute for treatment;

-
- c. Provide sufficient information to establish the facility's actual average daily flow rate for all waste streams, based on data from a continuous effluent flow monitoring device, as well as the facility's long-term average production rate. Both the actual average daily flow rate and the long-term average production rate must be representative of current operating conditions;
 - d. Not have daily flow rates, production levels, or pollutant levels that vary so significantly that equivalent mass limits are not appropriate to control the discharge; and
 - e. Have consistently complied with all applicable categorical pretreatment standards during the period prior to the industrial user's request for equivalent mass limits.
- (2) An industrial user subject to equivalent mass limits must:
- a. Maintain and effectively operate control and treatment technologies adequate to achieve compliance with the equivalent mass limits;
 - b. Continue to record the facility's flow rates through the use of a continuous effluent flow monitoring device;
 - c. Continue to record the facility's production rates and notify the division director of wastewater treatment whenever production rates are expected to vary by more than 20 percent from its baseline production rates determined in subsection (e)(1)c. of this section. Upon notification of a revised production rate, the division director of wastewater treatment will reassess the equivalent mass limit and revise the limit as necessary to reflect changed conditions at the facility; and
 - d. Continue to employ the same or comparable water conservation methods and technologies as those implemented pursuant to subsection (e)(1)a. of this section so long as it discharges under an equivalent mass limit.
- (3) When developing equivalent mass limits, the division director of wastewater treatment:
- a. Will calculate the equivalent mass limit by multiplying the actual average daily flow rate of the regulated process(es) of the industrial user by the concentration-based daily maximum and monthly average standard for the applicable categorical pretreatment standard and the appropriate unit conversion factor;
 - b. Upon notification of a revised production rate, will reassess the equivalent mass limit and recalculate the limit as necessary to reflect changed conditions at the facility; and
 - c. May retain the same equivalent mass limit in subsequent individual wastewater discharger permit terms if the industrial user's actual average daily flow rate was reduced solely as a result of the implementation of water conservation methods and technologies, and the actual average daily flow rates used in the original calculation of the equivalent mass limit were not based on the use of dilution as a substitute for treatment pursuant to section 31-390. The industrial user must also be in compliance with section 31-452 regarding the prohibition of bypass.
- (f) The division director of wastewater treatment may convert the mass limits of the categorical pretreatment standards of 40 CFR Parts 414, 419, and 455 to concentration limits for purposes of calculating limitations applicable to individual industrial users. The conversion is at the discretion of the division director of wastewater treatment.
- (g) Once included in its permit, the industrial user must comply with the equivalent limitations developed in this section 31-386 in lieu of the promulgated categorical standards from which the equivalent limitations were derived.

-
- (h) Many categorical pretreatment standards specify one limit for calculating maximum daily discharge limitations and a second limit for calculating maximum monthly average, or four-day average, limitations. Where such standards are being applied, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitation.
 - (i) Any industrial user operating under a permit incorporating equivalent mass or concentration limits calculated from a production-based standard shall notify the division director of wastewater treatment within two business days after the user has a reasonable basis to know that the production level will significantly change within the next calendar month. Any user not notifying the division director of wastewater treatment of such anticipated change will be required to meet the mass or concentration limits in its permit that were based on the original estimate of the long-term average production rate.

(Ord. of 11-12-24(3))

Sec. 31-387. State pretreatment standards.

Users must comply with Virginia Pretreatment Standards codified at 9 VAC 25-31-10 et seq.

(Ord. of 11-12-24(3))

Sec. 31-388. Local limits.

- (a) The division director of wastewater treatment is authorized to establish local limits pursuant to 40 CFR 403.5(c).
- (b) Pollutant limits are established as required by the division director of wastewater treatment to protect against pass through and interference. No person shall discharge wastewater containing in excess of established pollutant limits.

The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The division director of wastewater treatment may impose mass limitations in addition to the concentration-based limitations above.

- (c) The division director of wastewater may develop best management practices (BMPs), by ordinance or in individual wastewater discharge permits or general permits, to implement local limits and the requirements of section 31-385.

(Ord. of 11-12-24(3))

Sec. 31-389. Greene County's right of revision.

The county reserves the right to establish, by ordinance or in individual wastewater discharge permits or in general permits, more stringent standards or requirements on discharges to the POTW consistent with the purpose of this article.

(Ord. of 11-12-24(3))

Sec. 31-390. Dilution.

No user 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 a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The division director of wastewater treatment

may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

(Ord. of 11-12-24(3))

DIVISION 3. PRETREATMENT OF WASTEWATER

Sec. 31-391. Pretreatment facilities.

Users shall provide wastewater treatment as necessary to comply with this article and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in section 31-385 of this article within the time limitations specified by EPA, the state, or the division director of wastewater treatment, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the division director of wastewater treatment for review, and shall be acceptable to the division director of wastewater treatment before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the county under the provisions of this article.

(Ord. of 11-12-24(3))

Sec. 31-392. Additional pretreatment measures.

- (a) Whenever deemed necessary, the division director of wastewater treatment may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this article.
- (b) The division director of wastewater treatment may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An individual wastewater discharge permit or a general permit may be issued solely for flow equalization.
- (c) Grease, oil, and sand interceptors shall be of a type and capacity approved by the county, and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired as required by the county and/or upon order by the county by the user and at the user's expense. User shall provide reports on activities related to cleaning, inspection and repair of interception units as required in accordance to the fats, oils and grease ordinance.
- (d) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

(Ord. of 11-12-24(3))

Sec. 31-393. Accidental discharge/slug discharge control plans.

The division director of wastewater treatment shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control slug discharges. The division director of wastewater treatment may require any user to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control slug discharges. Alternatively, the division director of

wastewater treatment may develop such a plan for any user. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:

- (a) Description of discharge practices, including non-routine batch discharges;
- (b) Description of stored chemicals;
- (c) Procedures for immediately notifying the division director of wastewater treatment of any accidental or slug discharge, as required by section 31-416 of this article; and
- (d) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

(Ord. of 11-12-24(3))

Sec. 31-394. Hauled wastewater.

- (a) Septic tank waste may be introduced into the POTW only at locations designated by the division director of wastewater treatment, and at such times as are established by the division director of wastewater treatment. Such waste shall not violate division 2 of this article or any other requirements established by the county. The division director of wastewater treatment may require septic tank waste haulers to obtain individual wastewater discharge permits or general permits.
- (b) The division director of wastewater treatment may require haulers of industrial waste to obtain individual wastewater discharge permits or general permits. The division director of wastewater treatment may require generators of hauled industrial waste to obtain individual wastewater discharge permits or general permits. The division director of wastewater treatment also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this article.
- (c) Industrial waste haulers may discharge loads only at locations designated by the division director of wastewater treatment. No load may be discharged without prior consent of the division director of wastewater treatment. The division director of wastewater treatment may collect samples of each hauled load to ensure compliance with applicable standards. The division director of wastewater treatment may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
- (d) Industrial waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

(Ord. of 11-12-24(3))

DIVISION 4. INDIVIDUAL WASTEWATER DISCHARGE PERMITS AND GENERAL PERMITS

Sec. 31-395. Wastewater analysis.

When requested by the division director of wastewater treatment, a user must submit information on the nature and characteristics of its wastewater within ten days of the request. The division director of wastewater

treatment is authorized to prepare a form for this purpose and may periodically require users to update this information.

(Ord. of 11-12-24(3))

Sec. 31-396. Individual wastewater discharge permit and general permit requirement.

- (a) No significant industrial user shall discharge wastewater into the POTW without first obtaining an individual wastewater discharge permit or a general permit from the division director of wastewater treatment, except that a significant industrial user that has filed a timely application pursuant to section 31-397 of this article may continue to discharge for the time period specified therein.
- (b) The division director of wastewater treatment may require other users to obtain individual wastewater discharge permits or general permits as necessary to carry out the purposes of this article.
- (c) Any violation of the terms and conditions of an individual wastewater discharge permit or a general permit shall be deemed a violation of this article and subjects the wastewater discharge permittee to the sanctions set out in divisions 10 through 12 of this article. Obtaining an individual wastewater discharge permit or a general permit does not relieve a permittee of its obligation to comply with all federal and state pretreatment standards or requirements or with any other requirements of federal, state, and local law.

(Ord. of 11-12-24(3))

Sec. 31-397. Individual wastewater discharge and general permitting: existing connections.

Any user required to obtain an individual wastewater discharge permit or a general permit who was discharging wastewater into the POTW prior to the effective date of this article and who wishes to continue such discharges in the future, shall, within 90 days after said date, apply to the division director of wastewater treatment for an individual wastewater discharge permit or a general permit in accordance with section 31-399 of this article, and shall not cause or allow discharges to the POTW to continue after 180 days of the effective date of this article except in accordance with an individual wastewater discharge permit or a general permit issued by the division director of wastewater treatment.

(Ord. of 11-12-24(3))

Sec. 31-398. Individual wastewater discharge and general permitting: new connections.

Any user required to obtain an individual wastewater discharge permit or a general permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this individual wastewater discharge permit or general permit, in accordance with section 31-399 of this article must be filed at least 90 days prior to the date upon which any discharge will begin or recommence.

(Ord. of 11-12-24(3))

Sec. 31-399. Individual wastewater discharge and general permit application contents.

- (a) All users required to obtain an individual wastewater discharge permit or a general permit must submit a permit application. Users that are eligible may request a general permit under section 31-400. The division director of wastewater treatment may require users to submit all or some of the following information as part of a permit application:

-
- (1) Identifying information.
 - a. The name and address of the facility, including the name of the operator and owner.
 - b. Contact information, description of activities, facilities, and plant production processes on the premises;
 - (2) Environmental permits. A list of any environmental control permits held by or for the facility.
 - (3) Description of operations.
 - a. A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes;
 - b. Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
 - c. Number and type of employees, hours of operation, and proposed or actual hours of operation;
 - d. Type and amount of raw materials processed (average and maximum per day);
 - e. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;
 - (4) Time and duration of discharges;
 - (5) The location for monitoring all wastes covered by the permit;
 - (6) Flow measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in subsection 31-386(c) (40 CFR 403.6(e)).
 - (7) Measurement of pollutants.
 - a. The categorical pretreatment standards applicable to each regulated process and any new categorically regulated processes for existing sources.
 - b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the division director of wastewater, of regulated pollutants in the discharge from each regulated process.
 - c. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported.
 - d. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in section 31-420 of this article. Where the standard requires compliance with a BMP or pollution prevention alternative, the user shall submit documentation as required by the division director of wastewater treatment or the applicable standards to determine compliance with the standard.
 - e. Sampling must be performed in accordance with procedures set out in section 31-421 of this article.
 - f. The user shall include copies of completed chain-of-custody forms for all samples.
 - (8) Any requests for a monitoring waiver (or a renewal of an approved monitoring waiver) for a pollutant neither present nor expected to be present in the discharge based on subsection 31-414(b) (40 CFR 403.12(e)(2)).

-
- (9) Any request to be covered by a general permit based on section 31-400.
 - (10) Any other information as may be deemed necessary by the division director of wastewater treatment to evaluate the permit application.
- (b) Incomplete or inaccurate applications will not be processed and will be returned to the user for revision.
- (Ord. of 11-12-24(3))

Sec. 31-400. Wastewater discharge permitting: general permits.

- (a) At the discretion of the division director of wastewater treatment, the division director of wastewater treatment may use general permits to control SIU discharges to the POTW if the following conditions are met. All facilities to be covered by a general permit must:
 - (1) Involve the same or substantially similar types of operations;
 - (2) Discharge the same types of wastes;
 - (3) Require the same effluent limitations;
 - (4) Require the same or similar monitoring; and
 - (5) In the opinion of the division director of wastewater treatment, are more appropriately controlled under a general permit than under individual wastewater discharge permits.
- (b) To be covered by the general permit, the SIU must file a written request for coverage that identifies its contact information, production processes, the types of wastes generated, the location for monitoring all wastes covered by the general permit, any requests in accordance with subsection 31-414(b) for a monitoring waiver for a pollutant neither present nor expected to be present in the discharge, and any other information the POTW deems appropriate. A monitoring waiver for a pollutant neither present nor expected to be present in the discharge is not effective in the general permit until after the division director of wastewater treatment has provided written notice to the SIU that such a waiver request has been granted in accordance with subsection 31-414(b).
- (c) The division director of wastewater treatment will retain a copy of the general permit, documentation to support the POTW's determination that a specific SIU meets the criteria in subsection 31-400(a)(1) to (5) and applicable state regulations, and a copy of the user's written request for coverage for three years after the expiration of the general permit.
- (d) The division director of wastewater treatment may not control an SIU through a general permit where the facility is subject to production-based categorical pretreatment standards or categorical pretreatment standards expressed as mass of pollutant discharged per day or for IUs whose limits are based on the combined waste stream formula (subsection 31-386(c)) or net/gross calculations (subsection 31-386(d)).

(Ord. of 11-12-24(3))

Sec. 31-401. Application signatories and certifications.

- (a) All wastewater discharge permit applications, user reports and certification statements must be signed by an authorized representative of the user and contain the certification statement in subsection 31-424(a).
- (b) If the designation of an authorized representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this section must be

submitted to the division director of wastewater treatment prior to or together with any reports to be signed by an authorized representative.

- (c) A facility determined to be a non-significant categorical industrial user by the division director of wastewater treatment pursuant to section 31-382 must annually submit the signed certification statement in subsection 31-424(b).

(Ord. of 11-12-24(3))

Sec. 31-402. Individual wastewater discharge and general permit decisions.

The division director of wastewater treatment will evaluate the data furnished by the user and may require additional information. Within 60 days of receipt of a complete permit application, the division director of wastewater treatment will determine whether to issue an individual wastewater discharge permit or a general permit. The superintendent of wastewater may deny any application for an individual wastewater discharge permit or a general permit.

(Ord. of 11-12-24(3))

DIVISION 5. INDIVIDUAL WASTEWATER DISCHARGE AND GENERAL PERMIT ISSUANCE

Sec. 31-403. Individual wastewater discharge and general permit duration.

An individual wastewater discharge permit or a general permit shall be issued for a specified time period, not to exceed five years from the effective date of the permit. An individual wastewater discharge permit or a general permit may be issued for a period less than five years, at the discretion of the division director of wastewater treatment. Each individual wastewater discharge permit or a general permit will indicate a specific date upon which it will expire.

(Ord. of 11-12-24(3))

Sec. 31-404. Individual wastewater discharge permit and general permit contents.

An individual wastewater discharge permit or a general permit shall include such conditions as are deemed reasonably necessary by the division director of wastewater treatment to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

- (a) Individual wastewater discharge permits and general permits must contain:
- (1) A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;
 - (2) A statement that the wastewater discharge permit is nontransferable without prior notification to the county in accordance with section 31-407 of this article, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
 - (3) Effluent limits, including best management practices, based on applicable pretreatment standards;

-
- (4) Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on federal, state, and local law.
 - (5) The process for seeking a waiver from monitoring for a pollutant neither present nor expected to be present in the discharge in accordance with subsection 31-414(b).
 - (6) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable federal, state, or local law.
 - (7) Requirements to control slug discharge, if determined by the division director of wastewater treatment to be necessary.
 - (8) Any grant of the monitoring waiver by the division director of wastewater treatment (subsection 31-414(b)) must be included as a condition in the user's permit or other control mechanism.
- (b) Individual wastewater discharge permits or general permits may contain, but need not be limited to, the following conditions:
- (1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
 - (2) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
 - (3) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges;
 - (4) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
 - (5) The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW;
 - (6) Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;
 - (7) A statement that compliance with the individual wastewater discharge permit or the general permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, including those which become effective during the term of the individual wastewater discharge permit or the general permit; and
 - (8) Other conditions as deemed appropriate by the division director of wastewater treatment to ensure compliance with this article, and state and federal laws, rules, and regulations.

(Ord. of 11-12-24(3))

Sec. 31-405. Permit issuance process.

- (a) *Public notification.* The division director of wastewater treatment will publish in The Greene County Record and/or the county's website, a notice to issue a pretreatment permit, at least 30 days prior to issuance. The notice will indicate a location where the draft permit may be reviewed and an address where written comments may be submitted.

-
- (b) *Permit appeals.* The division director of wastewater treatment shall provide public notice of the issuance of an individual wastewater discharge permit or a general permit. Any person, including the user, may petition the division director of wastewater treatment to reconsider the terms of an individual wastewater discharge permit or a general permit within 30 days of notice of its issuance.
- (1) Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
 - (2) In its petition, the appealing party must indicate the individual wastewater discharge permit or a general permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the individual wastewater discharge permit or a general permit.
 - (3) The effectiveness of the individual wastewater discharge permit or a general permit shall not be stayed pending the appeal.
 - (4) If the division director of wastewater treatment fails to act within 30 days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider an individual wastewater discharge permit or a general permit, not to issue an individual wastewater discharge permit or a general permit, or not to modify an individual wastewater discharge permit or a general permit shall be considered final administrative actions for purposes of judicial review.
 - (5) Aggrieved parties seeking judicial review of the final administrative individual wastewater discharge permit or general permit decision must do so by filing a complaint with the Greene General District Court within 90 days.

(Ord. of 11-12-24(3))

Sec. 31-406. Permit modification.

- (a) The division director of wastewater treatment may modify an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:
- (1) To incorporate any new or revised federal, state, or local pretreatment standards or requirements;
 - (2) To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;
 - (3) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
 - (4) Information indicating that the permitted discharge poses a threat to the county's POTW, county personnel, or the receiving waters;
 - (5) Violation of any terms or conditions of the individual wastewater discharge permit;
 - (6) Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
 - (7) Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
 - (8) To correct typographical or other errors in the individual wastewater discharge permit; or
 - (9) To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with section 31-407.
- (b) The division director of wastewater treatment may modify a general permit for good cause, including, but not limited to, the following reasons:
- (1) To incorporate any new or revised federal, state, or local pretreatment standards or requirements;

-
- (2) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
 - (3) To correct typographical or other errors in the individual wastewater discharge permit; or
 - (4) To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with section 31-407.

(Ord. of 11-12-24(3))

Sec. 31-407. Individual wastewater discharge permit and general permit transfer.

Individual wastewater discharge permits or coverage under general permits may be transferred to a new owner or operator only if the permittee gives at least 30 days' advance notice to the division director of wastewater treatment. The notice to the division director of wastewater treatment must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit or general permit.

Failure to provide advance notice of a transfer renders the individual wastewater discharge permit or coverage under the general permit void as of the date of facility transfer.

(Ord. of 11-12-24(3))

Sec. 31-408. Individual wastewater discharge permit and general permit revocation.

The division director of wastewater treatment may revoke an individual wastewater discharge permit or coverage under a general permit for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the division director of wastewater treatment of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the division director of wastewater treatment of changed conditions pursuant to section 31-415 of this article;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the division director of wastewater treatment timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;

(Supp. No. 15)

Created: 2026-01-16 10:31:34 [EST]

-
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
 - (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
 - (m) Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or the general permit or this article.

Individual wastewater discharge permits or coverage under general permits shall be voidable upon cessation of operations or transfer of business ownership. All individual wastewater discharge permits or general permits issued to a user are void upon the issuance of a new individual wastewater discharge permit or a general permit to that user.

(Ord. of 11-12-24(3))

Sec. 31-409. Individual wastewater discharge permit and general permit reissuance.

A user with an expiring individual wastewater discharge permit or general permit shall apply for individual wastewater discharge permit or general permit reissuance by submitting a complete permit application, in accordance with section 31-399 of this article, a minimum of 90 days prior to the expiration of the user's existing individual wastewater discharge permit or general permit.

(Ord. of 11-12-24(3))

Sec. 31-410. Regulation of waste received from other jurisdictions.

- (a) If another municipality, or user located within another municipality, contributes wastewater to the POTW, the division director of wastewater treatment shall enter into an inter-municipal agreement with the contributing municipality.
- (b) Prior to entering into an agreement required by subsection (a) above, the division director of wastewater treatment shall request the following information from the contributing municipality:
 - (1) A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
 - (2) An inventory of all users located within the contributing municipality that are discharging to the POTW; and
 - (3) Such other information as the division director of wastewater treatment may deem necessary.
- (c) An inter-municipal agreement, as required by subsection (a) above, shall contain the following conditions:
 - (1) A requirement for the contributing municipality to adopt a sewer use ordinance which is at least as stringent as this article and local limits, including required baseline monitoring reports (BMRs) which are at least as stringent as those set out in section 31-388 of this article. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the county's ordinance or local limits;
 - (2) A requirement for the contributing municipality to submit a revised user inventory on at least an annual basis;
 - (3) A provision specifying which pretreatment implementation activities, including individual wastewater discharge permit or general permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the division director of wastewater treatment; and which of these activities will be conducted jointly by the contributing municipality and the division director of wastewater treatment;

-
- (4) A requirement for the contributing municipality to provide the division director of wastewater treatment with access to all information that the contributing municipality obtains as part of its pretreatment activities;
 - (5) Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;
 - (6) Requirements for monitoring the contributing municipality's discharge;
 - (7) A provision ensuring the superintendent access to the facilities of users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the division director of wastewater treatment; and
 - (8) A provision specifying remedies available for breach of the terms of the inter-municipal agreement.

(Ord. of 11-12-24(3))

DIVISION 6. REPORTING REQUIREMENTS

Sec. 31-411. Baseline monitoring reports.

- (a) Within either 180 days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical industrial users currently discharging to or scheduled to discharge to the POTW shall submit to the division director of wastewater treatment a report which contains the information listed in subsection (b) below. At least 90 days prior to commencement of their discharge, new sources, and sources that become categorical industrial users subsequent to the promulgation of an applicable categorical standard, shall submit to the division director of wastewater treatment a report which contains the information listed in subsection (b) below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.
- (b) Users described above shall submit the information set forth below.
 - (1) All information required in subsections 31-399(a)(1)a., (a)(2), (a)(3)a., and (a)(6).
 - (2) Measurement of pollutants.
 - a. The user shall provide the information required in subsections 31-399(a)(7)a. through f.
 - b. The user shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.
 - c. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the user should measure the flows and concentrations necessary to allow use of the combined waste stream formula in 40 CFR 403.6(e) to evaluate compliance with the pretreatment standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the control authority;
 - d. Sampling and analysis shall be performed in accordance with section 31-420;
 - e. The division director of wastewater treatment may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;

Created: 2026-01-16 10:31:34 [EST]

(Supp. No. 15)

-
- f. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.
 - g. The baseline report shall include copies of completed chain-of-custody forms for all sampling performed for the baseline report.
- (3) Compliance certification. A statement, reviewed by the user's authorized representative as defined in section 31-382 and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
 - (4) Compliance schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in section 31-412 of this article.
 - (5) Signature and report certification. All baseline monitoring reports must be certified in accordance with subsection 31-424(a) of this article and signed by an authorized representative as defined in section 31-382.

(Ord. of 11-12-24(3))

Sec. 31-412. Compliance schedule progress reports.

The following conditions shall apply to the compliance schedule required by subsection 31-411(b)(4) of this article:

- (a) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- (b) No increment referred to above shall exceed nine months;
- (c) The user shall submit a progress report to the division director of wastewater treatment no later than 14 days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and
- (d) In no event shall more than nine months elapse between such progress reports to the division director of wastewater treatment.

(Ord. of 11-12-24(3))

Sec. 31-413. Reports on compliance with categorical pretreatment standard deadline.

Within 90 days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the superintendent of wastewater a report containing the information described in subsections 31-399(a)(6) and (7) and subsection 31-411(b)(2) of this

article. For users subject to equivalent mass or concentration limits established in accordance with the procedures in section 31-386, this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with subsection 31-424(a) of this article. All sampling will be done in conformance with section 31-421.

(Ord. of 11-12-24(3))

Sec. 31-414. Periodic compliance reports.

- (a) Except as specified in subsection 31-414(c), all significant industrial users (including those designated as non-significant categorical) must submit to the division director of wastewater treatment in June and December of each year, reports indicating the nature, concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the pretreatment standard requires compliance with a best management practice (BMP) or pollution prevention alternative, the user must submit documentation required by the division director of wastewater treatment or the pretreatment standard necessary to determine the compliance status of the user.
- (b) The county may authorize an industrial user subject to a categorical pretreatment standard to forego sampling of a pollutant regulated by a categorical pretreatment standard if the industrial user has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the industrial user (see 40 CFR 403.12(e)(2)). This authorization is subject to the following conditions:
 - (1) The waiver may be authorized where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical standard and otherwise includes no process wastewater.
 - (2) The monitoring waiver is valid only for the duration of the effective period of the individual wastewater discharge permit, but in no case longer than five years. The user must submit a new request for the waiver before the waiver can be granted for each subsequent individual wastewater discharge permit. See subsection 31-399(a)(8).
 - (3) In making a demonstration that a pollutant is not present, the industrial user must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.
 - (4) The request for a monitoring waiver must be signed in accordance with section 31-382, and include the certification statement in subsection 31-424(a) (40 CFR 403.6(a)(2)(ii)).
 - (5) Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.
 - (6) Any grant of the monitoring waiver by the division director of wastewater treatment must be included as a condition in the user's permit. The reasons supporting the waiver and any information submitted by the user in its request for the waiver must be maintained by the division director of wastewater treatment for three years after expiration of the waiver.
 - (7) Upon approval of the monitoring waiver and revision of the user's permit by the division director of wastewater treatment, the industrial user must certify on each report with the statement in subsection

31-424(c) below, that there has been no increase in the pollutant in its waste stream due to activities of the industrial user.

- (8) In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in the user's operations, the user must immediately: comply with the monitoring requirements of subsection 31-414(a), or other more frequent monitoring requirements imposed by the division director of wastewater treatment, and notify the division director of wastewater treatment.
 - (9) This provision does not supersede certification processes and requirements established in categorical pretreatment standards, except as otherwise specified in the categorical pretreatment standard.
- (c) The county may reduce the requirement for periodic compliance reports to a requirement to report no less frequently than once a year, unless required more frequently in the pretreatment standard or by the Commonwealth of Virginia regulations, where the industrial user's total categorical wastewater flow does not exceed any of the following:
- (1) The county's POTW value for one one-hundredths (0.01) percent of the POTW's design dry-weather hydraulic capacity of the POTW, or 5,000 gallons per day, whichever is smaller, as measured by a continuous effluent flow monitoring device unless the industrial user discharges in batches.
 - (2) The county's POTW value for one one-hundredths (0.01) percent of the design dry-weather organic treatment capacity of the POTW; and
 - (3) The county's POTW value for one one-hundredths (0.01) percent of the maximum allowable headworks loading for any pollutant regulated by the applicable categorical pretreatment standard for which approved local limits were developed in accordance with section 31-388 of this article.

Reduced reporting is not available to industrial users that have in the last two years been in significant noncompliance, as defined in division 9 of this article. In addition, reduced reporting is not available to an industrial user with daily flow rates, production levels, or pollutant levels that vary so significantly that, in the opinion of the division director of wastewater treatment, decreasing the reporting requirement for this industrial user would result in data that are not representative of conditions occurring during the reporting period.

- (d) All periodic compliance reports must be signed and certified in accordance with subsection 31-424(a) of this article.
- (e) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.
- (f) If a user subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the division director of wastewater treatment, using the procedures prescribed in section 31-421 of this article, the results of this monitoring including copies of completed chain-of-custody forms for this additional sampling, shall be included in the report.

(Ord. of 11-12-24(3))

Sec. 31-415. Reports of changed conditions.

Each user must notify the division director of wastewater treatment of any significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least two days before the change.

-
- (a) The division director of wastewater treatment may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under section 31-400 of this article.
 - (b) The division director of wastewater treatment may issue an individual wastewater discharge permit or a general permit under section 31-409 of this article or modify an existing wastewater discharge permit or a general permit under section 31-406 of this article in response to changed conditions or anticipated changed conditions.

(Ord. of 11-12-24(3))

Sec. 31-416. Reports of potential problems.

- (a) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, a slug discharge or slug load, that might cause potential problems for the POTW, the user shall immediately telephone and notify the division director of wastewater treatment of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.
- (b) Within five days following such discharge, the user shall, unless waived by the division director of wastewater treatment, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this article.
- (c) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees who to contact in the event of a discharge described in subsection (a) above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.
- (d) Significant industrial users are required to notify the division director of wastewater treatment immediately of any changes at its facility affecting the potential for a slug discharge.

(Ord. of 11-12-24(3))

Sec. 31-417. Reports from unpermitted users.

All users not required to obtain an individual wastewater discharge permit or general permit shall provide appropriate reports to the division director of wastewater treatment as the division director of wastewater treatment may require.

(Ord. of 11-12-24(3))

Sec. 31-418. Notice of violation/repeat sampling and reporting.

If sampling performed by a user indicates a violation, the user must notify the division director of wastewater treatment within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results along with copies of completed chain-of-custody forms of the repeat analysis to the division director of wastewater treatment within 30 days after becoming aware of the violation. Resampling by the industrial user is not required if the county performs sampling at the user's facility at least once a month. If the county performs sampling at the user's facility between the time when the initial sampling occurred resulting in a

violation and the time when the user or the county receives the results of this sampling, resampling by the user is not required. Resampling by the user is not required if the county performs the sampling and analysis in lieu of the industrial user.

(Ord. of 11-12-24(3))

Sec. 31-419. Notification of the discharge of hazardous waste.

- (a) Any user who commences the discharge of hazardous waste shall notify the POTW, the EPA regional waste management division director, and state hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the user: An identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following 12 months. All notifications must take place no later than 180 days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under section 31-415 of this article. The notification requirement in this section does not apply to pollutants already reported by users subject to categorical pretreatment standards under the self-monitoring requirements of sections 31-411, 31-413, and 31-414 of this article.
- (b) Dischargers are exempt from the requirements of subsection (a) above, during a calendar month in which they discharge no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than 15 kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.
- (c) In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the division director of wastewater treatment, the EPA regional waste management waste division director, and state hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.
- (d) In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- (e) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this article, a permit issued hereunder, or any applicable federal or state law.

(Ord. of 11-12-24(3))

Sec. 31-420. Analytical requirements.

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR

Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the division director of wastewater treatment or other parties approved by EPA.

(Ord. of 11-12-24(3))

Sec. 31-421. Sample collection.

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

- (a) Except as indicated in subsections (b) and (c) below, the user must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the division director of wastewater treatment. Where time-proportional composite sampling or grab sampling is authorized by the county, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: For cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the county, as appropriate. In addition, grab samples may be required to show compliance with instantaneous limits.
- (b) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- (c) For sampling required in support of baseline monitoring and 90-day compliance reports required in sections 31-411 and 31-413 (40 CFR 403.12(b) and (d)), a minimum of four grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the division director of wastewater treatment may authorize a lower minimum. For the reports required by section 31-414 (40 CFR 403.12(e) and 403.12(h)), the industrial user is required to collect the number of grab samples necessary to assess and assure compliance by with applicable pretreatment standards and requirements.

(Ord. of 11-12-24(3))

Sec. 31-422. Date of receipt of reports.

Written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

(Ord. of 11-12-24(3))

Sec. 31-423. Recordkeeping.

Users subject to the reporting requirements of this article shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this article, any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements, and documentation associated with best management practices established under subsection 31-388(c). Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; completed chain-of-custody forms; and the results of such analyses. These records shall remain available for a period of at least three years. This period shall be automatically extended for the duration of any litigation concerning the user or the county, or where the user has been specifically notified of a longer retention period by the division director of wastewater treatment.

(Ord. of 11-12-24(3))

Sec. 31-424. Certification statements.

- (a) *Certification of permit applications, user reports and initial monitoring waiver.* The following certification statement is required to be signed and submitted by users submitting permit applications in accordance with section 31-401; users submitting baseline monitoring reports under subsection 31-411(b)(5); users submitting reports on compliance with the categorical pretreatment standard deadlines under section 31-413; users submitting periodic compliance reports required by section 31-414, and users submitting an initial request to forego sampling of a pollutant on the basis of subsection 31-414(b)(4). The following certification statement must be signed by an authorized representative as defined in section 31-382:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- (b) *Annual certification for non-significant categorical industrial users.* A facility determined to be a non-significant categorical industrial user by the division director of wastewater treatment pursuant to section 31-382 and [subsection] 31-401(c) must annually submit the following certification statement signed in accordance with the signatory requirements in section 31-382. This certification must accompany an alternative report required by the division director of wastewater treatment.

"Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical Pretreatment Standards under 40 CFR _____, I certify that, to the best of my knowledge and belief that during the period from _____, _____ to _____, _____ [months, days, year]:

- a. The facility described as _____ [facility name] met the definition of a non-significant categorical industrial user as described in section 31-382;
- b. The facility complied with all applicable pretreatment standards and requirements during this reporting period; and (c) the facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.

This compliance certification is based on the following information.

-
- (c) *Certification of pollutants not present.* Users that have an approved monitoring waiver based on subsection 31-414(b) must certify on each report with the following statement that there has been no increase in the pollutant in its waste stream due to activities of the user.

"Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under section 31-414(a)."

(Ord. of 11-12-24(3))

DIVISION 7. COMPLIANCE MONITORING

Sec. 31-425. Right of entry: inspection and sampling.

The division director of wastewater treatment shall have the right to enter the premises of any industrial user or significant industrial user to determine whether the user is complying with all requirements of this article and any individual wastewater discharge permit or general permit or order issued hereunder. Users shall allow the division director of wastewater treatment ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

- (a) Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the division director of wastewater treatment shall be permitted to enter without delay for the purposes of performing specific responsibilities.
- (b) The division director of wastewater treatment shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.
- (c) The division director of wastewater treatment may require the user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at least annually to ensure their accuracy.
- (d) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the division director of wastewater treatment and shall not be replaced. The costs of clearing such access shall be borne by the user.
- (e) Unreasonable delays in allowing the division director of wastewater treatment access to the user's premises shall be a violation of this article.

(Ord. of 11-12-24(3))

Sec. 31-426. Search warrants.

If the division director of wastewater treatment has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this article, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the county designed to verify compliance with this article or any permit or order issued hereunder, or to protect

(Supp. No. 15)

Created: 2026-01-16 10:31:34 [EST]

the overall public health, safety and welfare of the community, the superintendent of wastewater may seek issuance of a search warrant.

(Ord. of 11-12-24(3))

DIVISION 8. CONFIDENTIAL INFORMATION

Sec. 31-427. Confidential information policy.

Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, general permits, and monitoring programs, and from the division director of wastewater treatment's inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the division director of wastewater treatment, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable state law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the VPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

(Ord. of 11-12-24(3))

DIVISION 9. PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

Sec. 31-428. Publication of significant noncompliance violators.

The division director of wastewater treatment shall publish annually, in The Greene County Record, a list of the users which, at any time during the previous 12 months, were in significant noncompliance with applicable pretreatment standards and requirements. The term significant noncompliance shall be applicable to all significant industrial users (or any other industrial user that violates subsections (c), (d) or (h) of this section) and shall mean:

- (a) Chronic violations of wastewater discharge limits, defined here as those in which 66 percent or more of all the measurements taken for the same pollutant parameter taken during a six-month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits as defined in division 2;
- (b) Technical review criteria (TRC) violations, defined here as those in which 33 percent or more of wastewater measurements taken for each pollutant parameter during a six-month period equals or exceeds the product of the numeric pretreatment standard or requirement including instantaneous limits, as defined by division 2 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- (c) Any other violation of a pretreatment standard or requirement as defined by division 2 (daily maximum, long-term average, instantaneous limit, or narrative standard) that the division director of wastewater treatment determines has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;

-
- (d) Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the division director of wastewater treatment's exercise of its emergency authority to halt or prevent such a discharge;
 - (e) Failure to meet, within 90 days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or a general permit or enforcement order for starting construction, completing construction, or attaining final compliance;
 - (f) Failure to provide within 45 days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
 - (g) Failure to accurately report noncompliance; or
 - (h) Any other violation(s), which may include a violation of best management practices, which the division director of wastewater treatment determines will adversely affect the operation or implementation of the local pretreatment program.

(Ord. of 11-12-24(3))

DIVISION 10. ADMINISTRATIVE ENFORCEMENT REMEDIES

Sec. 31-429. Notification of violation.

When the division director of wastewater treatment finds that a user has violated, or continues to violate, any provision of this article, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other pretreatment standard or requirement, the division director of wastewater treatment may serve upon that user a written notice of violation. Within ten days of the receipt of such notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the division director of wastewater treatment. Submission of such a plan in no way relieves the user of liability for any violations occurring before or after receipt of the notice of violation. Nothing in this section shall limit the authority of the division director of wastewater treatment to take any action, including emergency actions or any other enforcement action, without first issuing a notice of violation.

(Ord. of 11-12-24(3))

Sec. 31-430. Consent orders.

The division director of wastewater treatment may enter into consent orders, assurances of compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such documents shall include specific action to be taken by the user to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to sections 31-430.2 and 31-430.3 of this article and shall be judicially enforceable.

(Ord. of 11-12-24(3))

Sec. 31-430.1. Show cause hearing.

The division director of wastewater treatment may order a user which has violated, or continues to violate, any provision of this article, an individual wastewater discharge permit, or a general permit or order issued

hereunder, or any other pretreatment standard or requirement, to appear before the division director of wastewater treatment and show cause why the proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten days prior to the hearing. Such notice may be served on any authorized representative of the user as defined in section 31-382 and required by subsection 31-401(a) a show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the user.

(Ord. of 11-12-24(3))

Sec. 31-430.2. Compliance orders.

When the division director of wastewater treatment finds that a user has violated, or continues to violate, any provision of this article, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other pretreatment standard or requirement, the division director of wastewater treatment may issue an order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.

(Ord. of 11-12-24(3))

Sec. 31-430.3. Cease and desist orders.

When the division director of wastewater treatment finds that a user has violated, or continues to violate, any provision of this article, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the superintendent of wastewater may issue an order to the user directing it to cease and desist all such violations and directing the user to:

- (a) Immediately comply with all requirements; and
- (b) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance of a cease-and-desist order shall not be a bar against, or a prerequisite for, taking any other action against the user.

(Ord. of 11-12-24(3))

Sec. 31-430.4. Administrative fines.

- (a) When the division director of wastewater treatment finds that a user has violated, or continues to violate, any provision of this article, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other pretreatment standard or requirement, the division director of wastewater treatment may fine such user in an amount not to exceed \$1,000.00. 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 violation.

- (b) Unpaid charges, fines, and penalties shall, after 30 calendar days, be assessed an additional penalty of ten percent of the unpaid balance, and interest shall accrue thereafter at a rate of ten percent per month. A lien against the user's property shall be sought for unpaid charges, fines, and penalties.
- (c) Users desiring to dispute such fines must file a written request for the division director of wastewater treatment to reconsider the fine along with full payment of the fine amount within 30 days of being notified of the fine. Where a request has merit, the division director of wastewater treatment may convene a hearing on the matter. In the event the user's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the user. The division director of wastewater treatment may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.
- (d) Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the user.

(Ord. of 11-12-24(3))

Sec. 31-430.5. Emergency suspensions.

The division director of wastewater treatment may immediately suspend a user's discharge, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge, which reasonably appears to present, or cause an imminent or substantial endangerment to the health or welfare of persons. The division director of wastewater treatment may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

- (a) Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the division director of wastewater treatment may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The industrial user, within 15 days of the suspension of service, may request a hearing on the matter. The hearing shall be conducted in accordance with the show cause hearing requirements. The division director of wastewater treatment may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the division director of wastewater treatment that the period of endangerment has passed, unless the termination proceedings in section 31-430.6 of this article are initiated against the user.
- (b) A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the division director of wastewater treatment prior to the date of any show cause or termination hearing under sections 31-430.1 or 31-430.6 of this article.

Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

(Ord. of 11-12-24(3))

Sec. 31-430.6. Termination of discharge.

In addition to the provisions in section 31-408 of this article, any user who violates the following conditions is subject to discharge termination:

- (a) Violation of individual wastewater discharge permit or general permit conditions;
- (b) Failure to accurately report the wastewater constituents and characteristics of its discharge;
- (c) Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- (d) Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling; or
- (e) Violation of the pretreatment standards in division 2 of this article.

Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under section 31-430.1 of this article why the proposed action should not be taken. Exercise of this option by the division director of wastewater treatment shall not be a bar to, or a prerequisite for, taking any other action against the user.

(Ord. of 11-12-24(3))

DIVISION 11. JUDICIAL ENFORCEMENT REMEDIES

Sec. 31-430.7. Injunctive relief.

When the division director of wastewater treatment finds that a user has violated, or continues to violate, any provision of this article, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other pretreatment standard or requirement, the division director of wastewater treatment may petition the Greene General District Court through the county's attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual wastewater discharge permit, the general permit, order, or other requirement imposed by this article on activities of the user. The division director of wastewater treatment may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

(Ord. of 11-12-24(3))

Sec. 31-430.8. Civil penalties.

- (a) A user who has violated, or continues to violate, any provision of this article, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the county for a maximum civil penalty of \$1,000.00 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
- (b) The division director of wastewater treatment may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the county.

-
- (c) In determining the amount of civil liability, the court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.
 - (d) Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

(Ord. of 11-12-24(3))

Sec. 31-430.9. Criminal prosecution.

- (a) A user who willfully or negligently violates any provision of this article, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 per violation, per day, or imprisonment for not more than one year, or both.
- (b) A user who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least \$1,000.00, or be subject to imprisonment for not more than one year, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under state law.
- (c) A user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this article, individual wastewater discharge permit, or general permit or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this article shall, upon conviction, be punished by a fine of not more than \$1,000.00 per violation, per day, or imprisonment for not more than one year, or both.
- (d) In the event of a second conviction, a user shall be punished by a fine of not more than \$5,000.00 per violation, per day, or imprisonment for not more than five years, or both.

(Ord. of 11-12-24(3))

Sec. 31-430.10. Remedies nonexclusive.

The remedies provided for in this article are not exclusive. The superintendent of wastewater may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the county's enforcement response plan. However, the division director of wastewater treatment may take other action against any user when the circumstances warrant. Further, the division director of wastewater treatment is empowered to take more than one enforcement action against any noncompliant user.

(Ord. of 11-12-24(3))

Sec. 31-430.11. User appeals.

An industrial user may petition to the division director of wastewater treatment to reconsider the terms of a permit, administrative order, cease and desist order, suspension or termination within 21 days of the date of the notice related to such action.

- (a) Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.

-
- (b) In its petition, the appealing party must indicate the permit or order provision(s) objected to, the reason(s) for this objection, and the alternative condition, if any, it seeks to place in the permit or order.
 - (c) The effectiveness of the permit or order shall not be stayed pending the appeal.
 - (d) If the division director of wastewater treatment fails to act within 15 days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a permit or order, not issue a permit or order, or not to modify a permit or order shall be considered final administrative action for purposes of judicial review.
 - (e) Aggrieved parties seeking judicial review of the final administrative permit or order decision must do so by filing a complaint with the circuit court for the county within 30 days of the division director of wastewater treatment's decision.

(Ord. of 11-12-24(3))

DIVISION 12. SUPPLEMENTAL ENFORCEMENT ACTION

Sec. 31-430.12. Penalties for late reports.

A penalty of \$100.00 shall be assessed to any user for each day that a report required by this article, a permit or order issued hereunder is late, beginning five days after the date the report is due, higher penalties may also be assessed where reports are more than 30 to 45 days late. Actions taken by the division director of wastewater treatment to collect late reporting penalties shall not limit the division director of wastewater treatment's authority to initiate other enforcement actions that may include penalties for late reporting violations.

(Ord. of 11-12-24(3))

Sec. 31-430.13. Performance bonds.

The division director of wastewater treatment may decline to issue or reissue an individual wastewater discharge permit or a general permit to any user who has failed to comply with any provision of this article, a previous individual wastewater discharge permit, or a previous general permit or order issued hereunder, or any other pretreatment standard or requirement, unless such user first files a satisfactory bond, payable to the county, in a sum not to exceed a value determined by the superintendent of wastewater to be necessary to achieve consistent compliance.

(Ord. of 11-12-24(3))

Sec. 31-430.14. Liability insurance.

The division director of wastewater treatment may decline to issue or reissue an individual wastewater discharge or a general permit to any user who has failed to comply with any provision of this article, a previous individual wastewater discharge permit, or a previous general permit or order issued hereunder, or any other pretreatment standard or requirement, unless the user first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

(Ord. of 11-12-24(3))

Sec. 31-430.15. Payment of outstanding fees and penalties.

The division director of wastewater treatment may decline to issue or reissue an individual wastewater discharge permit or a general permit to any user who has failed to pay any outstanding fees, fines or penalties incurred as a result of any provision of this article, a previous individual wastewater discharge permit, or a previous general permit or order issued hereunder.

(Ord. of 11-12-24(3))

Sec. 31-430.16. Water supply severance.

Whenever a user has violated or continues to violate any provision of this article, an individual wastewater discharge permit, a general permit, or order issued hereunder, or any other pretreatment standard or requirement, water service to the user may be severed. Service will recommence, at the user's expense, only after the user has satisfactorily demonstrated its ability to comply.

(Ord. of 11-12-24(3))

Sec. 31-430.17. Public nuisances.

A violation of any provision of this article, an individual wastewater discharge permit, a general permit, or order issued hereunder, or any other pretreatment standard or requirement is hereby declared a public nuisance and shall be corrected or abated as directed by the division director of wastewater treatment. Any person(s) creating a public nuisance shall be subject to the provisions of the county Code, chapter 13, articles I and II governing such nuisances, including reimbursing the county for any costs incurred in removing, abating, or remedying said nuisance.

(Ord. of 11-12-24(3))

Sec. 31-430.18. Informant rewards.

The division director of wastewater treatment may pay up to \$500.00 for information leading to the discovery of noncompliance by a user. In the event that the information provided results in a civil penalty or an administrative fine levied against the user, the superintendent of wastewater may disperse up to ten percent of the collected fine or penalty to the informant. However, a single reward payment may not exceed \$500.00.

(Ord. of 11-12-24(3))

Sec. 31-430.19. Contractor listing.

Users which have not achieved compliance with applicable pretreatment standards and requirements are not eligible to receive a contractual award for the sale of goods or services to the county. Existing contracts for the sale of goods or services to the county held by a user found to be in significant noncompliance with pretreatment standards or requirements may be terminated at the discretion of the division director of wastewater treatment.

(Ord. of 11-12-24(3))

DIVISION 13. AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

Sec. 31-430.20. Upset.

- (a) For the purposes of this section, upset means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- (b) An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards if the requirements of subsection (c) below, are met.
- (c) A user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and the user can identify the cause(s) of the upset;
 - (2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
 - (3) The user has submitted the following information to the division director of wastewater treatment within 24 hours of becoming aware of the upset, if this information is provided orally, a written submission must be provided within five days:
 - a. A description of the indirect discharge and cause of noncompliance;
 - b. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
 - c. Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- (d) In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.
- (e) Users shall have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards.
- (f) Users shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

(Ord. of 11-12-24(3))

Sec. 31-430.21. Prohibited discharge standards.

A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in subsection 31-385(a) of this article or the specific prohibitions in subsections 31-385(b)(3) through (18) of this article if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause pass through or interference and that either:

- (a) A local limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to, and during, the pass through or interference; or

-
- (b) No local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the county was regularly in compliance with its VPDES permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements.

(Ord. of 11-12-24(3))

Sec. 31-430.22. Bypass.

- (a) For the purposes of this section:
 - (1) Bypass means the intentional diversion of waste streams from any portion of a user's treatment facility.
 - (2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- (b) A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of subsections (c) and (d) of this section.
- (c) Bypass notifications.
 - (1) If a user knows in advance of the need for a bypass, it shall submit prior notice to the division director of wastewater treatment, at least ten days before the date of the bypass, if possible.
 - (2) A user shall submit oral notice to the division director of wastewater treatment of an unanticipated bypass that exceeds applicable pretreatment standards within 24 hours from the time it becomes aware of the bypass. A written submission shall also be provided within five days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The division director of wastewater treatment may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
- (d) Bypass.
 - (1) Bypass is prohibited, and the division director of wastewater treatment may take an enforcement action against a user for a bypass, unless:
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - c. The user submitted notices as required under subsection (c) of this section.
 - (2) The division director of wastewater treatment may approve an anticipated bypass, after considering its adverse effects, if the division director of wastewater treatment determines that it will meet the three conditions listed in subsection (d)(1) of this section.

(Ord. of 11-12-24(3))

DIVISION 14. WASTEWATER TREATMENT RATES (RESERVED)

Secs. 31-430.23—31-430.30. Reserved.

DIVISION 15. MISCELLANEOUS PROVISIONS

Sec. 31-430.31. Pretreatment charges and fees.

The county may adopt reasonable fees for reimbursement of costs of setting up and operating the county's pretreatment program, which may include:

- (a) Fees for wastewater discharge permit applications including the cost of processing such applications;
- (b) Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a user's discharge, and reviewing monitoring reports and certification statements submitted by users;
- (c) Fees for reviewing and responding to accidental discharge procedures and construction;
- (d) Fees for filing appeals;
- (e) Fees to recover administrative and legal costs (not included in subsection (b) associated with the enforcement activity taken by the division director of wastewater treatment to address IU noncompliance; and
- (f) Other fees as the county may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this article and are separate from all other fees, fines, and penalties chargeable by the county.

(Ord. of 11-12-24(3))

Sec. 31-430.32. Severability.

If any provision of this article is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

(Ord. of 11-12-24(3))

DIVISION 16. EFFECTIVE DATE

Sec. 31-430.33. Effective date.

This article shall be in full force and effect immediately following its passage, approval, and publication, as provided by law.

(Ord. of 11-12-24(3))

