

Albemarle County
Service Authority

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RULES AND REGULATIONS

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ALBEMARLE COUNTY SERVICE AUTHORITY

RULES AND REGULATIONS

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**ALBEMARLE COUNTY SERVICE AUTHORITY
RULES AND REGULATIONS**

SECTION 1 - GENERAL CONDITIONS

1-01. INTRODUCTION.

1. The Albemarle County Service Authority sets out these Rules and Regulations, which have been adopted by the Board of Directors of the Albemarle County Service Authority in accordance with the *Virginia Water and Waste Authorities Act* of 1950, as amended, and which are applicable to the public water and sanitary sewerage facilities now existing or which may, in the future, be under the jurisdiction of the Albemarle County Service Authority. This publication establishes the rates, rules and regulations which govern the use of the public water and sanitary sewerage facilities within the Jurisdictional Areas of the Albemarle County Service Authority.

2. Inquiry for information or clarification of any item herein pertinent to these policies shall be directed to the Executive Director, Albemarle County Service Authority, 168 Spotnap Road, Charlottesville, Virginia, (434) 977-4511.

1-02. VALIDITY.

1. If any section, subsection, sentence, clause or phrase of these Rules and Regulations is, for any reason held to be invalid, such decision shall not affect the validity of any other part of these Rules and Regulations which can be given effect without such invalid part or parts.

2. No statement or regulations contained in these Rules and Regulations shall be construed to interfere with any additional requirements which may be imposed by the State Board of Health or Water Control Board.

3. In the event of any deviation between the rules and regulations in this publication, and applicable rules and regulations of the State Board of Health or the Water Control Board, it shall be understood that the rules and regulations of said State agencies shall prevail insofar as the sanitary sewerage works and public water supply facilities within the jurisdictional Areas are concerned.

1-03. EFFECTIVE DATE.

These Rules and Regulations shall take effect and be in full force from and after July 1, 1983, with amendments effective on the date of amendment, from time to time, thereafter.

1-04. DEFINITIONS.

Unless the context specifically indicates otherwise, the meaning of terms used herein shall be as follows:

ACSA or Authority or Service Authority - The Albemarle County Service Authority, including its governing and operating bodies and designated agents. Any office referred to solely by title (e.g., Executive Director, Director of Finance) shall be the person retained in this position by the Authority.

Act - The *Virginia Water and Waste Authorities Act* of 1950, as amended.

Action Level, FOG - The minimum concentration of fats, oils and grease which indicates a food service establishment must adjust its protocol to remain in compliance with Section 19.

Air Gap - A physical separation between the free-flowing discharge end of a potable water supply pipeline and the overflow rim of an open or non-pressurized receiving vessel, such as a tank, plumbing fixture, or other device. An **approved air gap** is a vertical distance between the supply pipe and the overflow rim of the receiving vessel that is at least double the diameter of the supply pipe, and in no case less than one (1) inch.

Applicant - Any person or entity requesting water and/or sewer service from the Authority.

Assisted Living Facility - A non-medical residential setting, licensed by the Virginia Department of Social Services, that provide or coordinate personal and health care services, 24-hour supervision, and assistance for the care of four or more adults who are aged, infirm or disabled. Assisted living facilities are not nursing homes. A nursing home is a facility in which the primary function is the provision, on a continuing basis, of nursing services and health-related services for the treatment and inpatient care of two or more non-related individuals.

Auxiliary Meter - A water meter dedicated to the service of an irrigation system and is associated with a primary meter on the same property.

Backflow – The undesirable reversal of the flow of water, or mixtures of water and other liquids, gases, or solids, into the distribution pipes of the potable water supply. Backflow may be caused by backsiphonage or backpressure.

Backflow Prevention Device – Any device, assembly, or method used to prevent backflow from occurring in the potable water supply.

Backpressure – A condition in which the pressure within the customer's private water supply system is greater than the supply pressure at the service connection, resulting in a reversal in the normal direction of flow. Backpressure may be caused by a pump, elevation of the piping, or steam and/or air pressure.

Backsiphonage – A form of backflow due to an upstream pressure reduction (partial vacuum) in the potable water distribution system.

Best Management Practices, Kitchen - A schedule of activities and prohibition of practices designed to prevent or reduce the introduction of fats, oils and grease into the ACSA wastewater collection system.

Board - The Board of Directors of the Authority.

B.O.D. - Biochemical Oxygen Demand; the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C., expressed in parts per million. The laboratory determination shall be made in accordance with the procedures set forth in Standard Methods.

Building Sewage Drain - That part of the lowest horizontal piping of a sewage system which receives the discharge from the sanitary sewer inside the walls of the building and conveys it to the building sewer beginning five (5) feet (1.52 meters) outside the inner face of the building wall.

Building Sewer - The extension from the building sewage drain to the public sewer or other place for disposal.

Commercial Food Service Establishment - A commercial facility, discharging to the ACSA wastewater collection system, engaged entirely or primarily in the activities of preparing, serving, or otherwise making food and/or drink available for consumption by the public. This includes, but is not limited to, such establishments as restaurants, cafeterias, delicatessens, luncheonettes, sandwich shops, food courts, ice cream parlors, coffee shops, bakeries, catering businesses, grocery stores, and butcher shops. This also includes such commercial facilities as motels, inns, bed and breakfast establishments, and related lodging facilities, where food preparation and serving are an integral part of the operations, and includes bars, taverns, pubs, nightclubs, and related establishments serving alcohol, where food preparation and serving are an integral part of the operations.

Connection Charge(s) – All nonrecurring charges ACSA collects when a new connection is made to the system, when an existing meter size changes, or when the number of ERCs served by a meter changes. This includes Installation Charges, System Development Charges, RWSA Capacity Charges and NFRPS Special Rate District Charges as applicable.

Construction Approval - A letter issued by the Authority to a developer which authorizes them to construct facilities for which the design plans and specifications have been approved by the Authority.

Containment – A policy that confines potential contamination and pollution within the facility in which they arise.

Contamination – An impairment of the quality of water which creates an actual hazard to the public health through the spread of disease or by chemical poisoning. Compare this term with pollution.

Contractor - Any person(s), firm, group or affiliates charged with the responsibility of constructing the facilities described in the Authority's *General Water and Sewer Construction Specifications*.

County - The County of Albemarle, Virginia, its governing and operating bodies, and designated agents.

Cross-Connection – Any unprotected actual or potential connection between the potable water supply and any source of contamination or pollution, such as connection between the potable water supply and a supplementary water supply, or connection between the potable water supply and other piping, fixtures, or vessels in such a manner that water quality may be affected. Cross-connection includes any potable water supply outlet that is submerged, or may be submerged, in groundwater, wastewater, or any other source of contamination.

Customer - Any person or entity recorded in the accounts of the Authority as receiving water and/or sewer services and responsible for payment for such services.

Degree of Hazard – The danger posed by a particular substance or set of circumstances. Generally, a low degree of hazard is related to pollution of the potable water. This does not affect health, but may be aesthetically objectionable. A high degree of hazard is associated with contamination of the potable water, which may cause serious illness or death.

Developer - Any person, firm, corporation, or association having an interest, whether legal or equitable, sole or partial, in any premise requiring the design and construction of facilities which would be under the jurisdiction of the Authority and would become part of the public utilities system of the Authority.

Domestic Water Supply – The supply of water that serves the standard uses of water in a residence or facility, such as for drinking, cooking, heating, bathing, laundering, cleaning, and the flushing of toilets.

Double Check Valve (DC) Assembly – A testable backflow prevention device consisting of two independently-acting check valves, shut-off valves, and test cocks. It is designed to protect against a non-health hazard (i.e., pollutant) under conditions of both backpressure and backsiphonage.

Existing Buildings - Those existing buildings for which a Certificate of Occupancy has been issued by the Albemarle County Inspections Department.

Equivalent Residential Connections (ERCs) - The conversion of metered services to the equivalent of single-family residential connections. See Appendix B.

Facilities - Any and all component and pertinent parts of the entire systems of the water and sanitary sewer utilities under the jurisdiction of the Authority, such as water pipe lines and their appurtenances, water storage tanks, filtration or treatment facilities and pumping stations, sewer lines and their appurtenances, sewage pumping stations and treatment plants, including these items and others now constructed, installed, operated or maintained by the Service Authority, or any which may be approved and accepted in the future as additions to or extensions of the systems.

Fats, Oils and Grease (FOG) - Organic, non-petroleum compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in the United States Code of Federal Regulations 40 CFR 136, as may be amended from time to time. All are sometimes referred to herein as “grease” or “oil and grease.”

Food Service Establishment (FSE) - Any facility in which the activities of preparing, serving, or otherwise making food and drink available for consumption by the public are at least a part of the operations of the facility. This includes commercial food service establishments, other commercial office buildings with food service, industries with food service, and institutions with food services.

General Water and Sewer Construction Specifications - The Specifications of the Authority, Adopted January 20, 1983, as amended.

Grab Sample - A water sample collected in an instantaneous manner without regard to possible variations in the flow rate or the chemical concentrations of the sample.

Gray Water - Non-industrial wastewater that has been generated from all uses of potable water with the exception of toilets. For the purposes herein, specific reference is made to the kitchen operations of a food service establishment, and includes such activities as draining, rinsing, soaking, and cleaning.

Grease Control Device - A device utilized to bring about the separation of waterborne fats, oils and grease from wastewater by reducing the flow rate of the wastewater, and thus eliminate or reduce the oil and grease discharged to the ACSA wastewater collection system. Note that a distinction is made herein between grease interceptor and grease trap; other references may use these terms interchangeably.

Grease Interceptor - A large-capacity grease control device that is an underground tank or vault, typically constructed of precast concrete, consisting of at least two chambers, and holding several hundred to a few thousand gallons of liquid. It is generally located outside a facility with access lids at ground level and operates by providing greater retention time which allows for more efficient separation of fats, oils and grease from the wastewater.

Grease Trap - A small-capacity grease control device that is constructed of resistant metal or plastic, typically holds fewer than 50 gallons of liquid, and is located inside a facility. It may be positioned below floor level or directly beneath a facility sink and operates to reduce flow rate by a series of baffles.

Health Hazard - Any condition, devices, or practices in the water supply system and/or its operation which create or, in the judgment of the Authority, may create danger to the health and well-being of any customer.

Hexane Extractable Material (HEM) - The typical name used by analytical laboratories for detectable and measurable fats, oils and grease using the analytical test procedures established in the United States Code of Federal Regulations 40 CFR 136. The name refers to the extraction solvent (hexane – C₆H₁₄) used in the analytical procedure.

Hose Bib Vacuum Breaker – A non-testable backflow prevention device that consists of an atmospheric vacuum breaker. It is designed within, or can be attached to, a hose bib.

Hotel – An establishment that provides lodging and usually meals, entertainment, and various personal services for the public.

Hospital - A building or buildings where the sick or injured are provided overnight medical or surgical care.

Industry with Food Service - An industrial facility, discharging to the ACSA wastewater collection system, within which a cafeteria is engaged in the activities of preparing, serving, or otherwise making food and/or drink available for consumption by its employees.

Institution with Food Service - An institutional facility, discharging to the ACSA wastewater collection system, engaged, at least in part, in the activities of preparing, serving, or otherwise making food and/or drink available for consumption by its students, patients, residents, inmates, congregants, and/or employees. This includes, but is not limited to, such institutional establishments as schools, hospitals and related medical facilities, residential treatment centers, nursing homes, assisted living facilities, adult day care centers, child day care establishments, correctional facilities, and churches. For the assisted living facilities, adult day care centers, and child day care establishments, this includes services provided in a residential (home) setting.

Irrigation System - A device or combination of devices having a pipe or other conduit installed in the landscape for the purpose of applying ACSA provided water to residential or commercial lawns, landscapes, or greenspace.

Isolation – A policy that confines potential contamination and pollution to the specific point of water use within the facility.

Jurisdictional Area - The territory included within the boundaries of the Authority in which the Authority has been authorized, by the Board of Supervisors, to provide and regulate both existing and future water and sanitary sewerage facilities. See Albemarle County Code Sec. 2-701, Va. Code § 15.2-5111.

Master-Metered Single-Family Units – A group of single-family residential units served by a primary meter.

Mobile Home Park – A designated area for people to live in mobile homes.

Multi-family – A building with more than one residential dwelling unit built for, and occupied by, private households. This includes apartments and condominiums served by a single connection to the public main. Multi-family does not include nursing homes, hotels, assisted living facilities or business concerns engaged in providing housing accommodations as well as other significant services (i.e., preparation of meals, health care, housekeeping, etc.) which are all classified as commercial or institutional establishments.

Non-potable Water - Water that is not safe for human consumption or that is of questionable potability.

Nursing Care Facility - A facility or any identifiable component of any facility licensed by the Virginia Department of Health in which the primary function is the provision, on a continuing basis, of nursing services and health-related services for the treatment and inpatient care of two or more nonrelated individuals, including facilities known by varying nomenclature or designation such as convalescent homes, skilled nursing facilities or skilled care facilities, intermediate care facilities, extended care facilities, and nursing homes.

Person - Any individual, firm, corporation, association, society, or group.

Plumbing Fixture - Installed receptacles, devices or appliances supplied with water or that receive or discharge liquids or liquid-borne wastes.

Plumbing System - The water supply distribution pipes, plumbing fixtures, including their respective connections, devices, and appurtenances within the property lines of the premises; and water-treating or water-using equipment.

Pollution – An impairment of the quality of water to a degree which does not create a hazard to the public health, but which affects the aesthetic qualities of the water for domestic use. Compare this term with contamination.

Potable Water – Water deemed safe for human consumption. The bacteriological and chemical quality of this water conforms to the requirements of the U.S. Environmental Protection Agency's National Primary Drinking Water Regulations, and the *Waterworks Regulations* of the Virginia Department of Health.

Premise – 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 Service Authority.

Primary Meter – An ACSA water meter installed to measure water supplied to a customer.

Private Water Supply System – The water service pipe, the water-distribution pipes, and the necessary connecting pipes, fittings, control valves, and all appurtenances on the premises downstream of the service connection. The private water supply system is the sole responsibility of the property owner, or designated agent of the owner.

Public Sewer – A sanitary sewer which is owned and operated by the Service Authority.

Rain Sensor - An electric device that measures rainfall and will override the cycle of an irrigation system, thus turning it off when a predetermined amount of rain has fallen. To meet the requirements of this section, a rain sensor shall be adjusted to shut off irrigation systems in response to one-fourth (1/4) inch or greater.

Reduced Pressure Zone (RPZ) Assembly – A testable backflow prevention assembly consisting of two independently-operating, spring-loaded check valves, a reduced pressure zone between the check valves, a relief valve in this zone, and test cocks. An RPZ is the highest quality backflow prevention assembly, being designed to protect against a non-health hazard (pollution) or a health hazard (contamination) under conditions of both backpressure and backsiphonage.

RWSA - The Rivanna Water and Sewer Authority, its representatives and designated agents.

Sanitary Sewage - That water-carried waste which derives principally from dwellings, business buildings, institutions, industrial establishments and the like, exclusive of any storm and surface waters.

Sanitary Sewer - A sewer to which storm, surface and ground waters are not intentionally admitted.

Service Connection – The point at which the ACSA potable water distribution system joins a customer’s private water supply system. This is the location at which the ACSA loses jurisdictional and sanitary control of the water.

Sewage - A combination of water-carried waste from residential, commercial, institutional, and industrial establishments, together with such ground, surface and storm waters as may be present.

Sewer Volume Charge - The charge made on all users of the public sewerage system whose wastes do not exceed in strength the concentration values established as representative of normal domestic sewage.

Sewerage - The system of sewers and appurtenances for the collection, transportation, pumping, and treatment of sewage.

Shall or **will** - is mandatory; **may** is permissive.

Supplementary Water Supply – Any water source or system, other than the potable water supply, that may be available within a building or on the premises. This includes water from such sources as cisterns, wells, springs, ponds, or streams, and may include process or other used water.

Wastewater Collection System - Sanitary sewers, manholes, and pump stations used to convey wastewater to a wastewater treatment plant for processing.

Water Line or **Main** - A pipe or conduit for transporting water.

Water Service - The pipe which extends underground from the Water Line to the building or point of use. The ACSA portion of the service is from the Water Line to the ACSA water meter. The private portion is from the water meter to the building or point of use.

Water System - All structures, appliances and equipment owned and operated by the Authority and used to collect, store, and transport water for drinking or domestic use and the distribution of water to the public.

SECTION 2 - CONSTRUCTION SPECIFICATIONS

2-01. GENERAL.

1. The Authority shall establish, and revise as necessary, General Water and Sewer Construction Specifications (Construction Specifications) to govern the design and construction of water and sewer facilities, and materials used therein, which are to be accepted into the Authority's water and sewer systems. The General Water and Sewer Construction Specifications can be found at www.serviceauthority.org.

SECTION 3 - POLICY REGARDING SERVICE TO NEW DEVELOPMENTS

3-01. CONSTRUCTION AND OWNERSHIP OF NEW FACILITIES.

1. The developer of any new subdivision or site intended for residential or commercial use or any combination thereof, or the developer of any industrial or institutional site, shall construct all sanitary sewer and water facilities required for the development at the developer's expense. Immediately upon completion and acceptance of the construction work, the sanitary sewer and water facilities shall be dedicated to the Albemarle County Service Authority on a form prescribed by the Authority. The Service Authority shall have the right at any and all times to make, connect or permit new connections, extensions, or improvements or to otherwise use the dedicated facilities in the best interests of the Service Authority.
2. The facilities to be dedicated include pipelines and appurtenances, water service lines from mains to meter connections, pumping stations, land and rights, and other necessary components of the sanitary sewer and water systems. Service lines from buildings to the public sewer or water meter shall be maintained by the owner of the building(s) and installed at the applicant's expense.
3. The ACSA's responsibility for maintenance, repair, and replacement of its water system, including all mains, services and appurtenant equipment thereon, ends at the ACSA meter serving the customer or the isolation valve serving the fire line. The customer is responsible for all repair and maintenance of the water service, water main, and appurtenant equipment thereon, running from the ACSA's meter or isolation valve to the premise served.
4. The ACSA's responsibility for maintenance, repair, and replacement of its sanitary sewer system, including all mains, manholes and appurtenant equipment thereon, ends at the ACSA public sewer main or manhole serving the customer. The customer is responsible for all repair and maintenance of the building sewer, and appurtenant equipment thereon, running from the ACSA's main or manhole to the premise served.
5. The developer shall be responsible for all repair and maintenance of the ACSA facilities between Initial Acceptance and Final Acceptance and then for one (1) year from the date of Final Acceptance.

3-02. PLAN REVIEW.

The Service Authority shall review and approve, engineered plans for all projects for developing, extending, or any construction of, public water mains and sanitary sewer lines, and all pertinent connections, structures and accessories proposed thereto, prior to any construction of such project.

The ACSA shall determine the size, location, depth and construction specifications of all facilities which will become a part of its system or serve its system.

3-03. AUTHORITY STANDARDS TO BE USED IN CONSTRUCTION.

Materials, workmanship, and procedures used in the work shall be in accordance with the *Construction Specifications* established and approved by the Authority.

3-04. SITE INSPECTIONS.

During progress of the work, the members of the Authority or their authorized Engineers, inspectors or others who are directly concerned with the work shall have access to the locations of construction for the purpose of establishing to their satisfaction that the projects are being constructed to the Authority's requirements and in accordance with approved plans and specifications.

The Authority shall have access to use the airspace above the locations of construction for the flight of Unmanned Aerial Vehicles for the purpose of imagery collection.

3-05. INITIAL ACCEPTANCE OF NEW FACILITIES.

1. When all the ACSA facilities for a project have been constructed and are ready for operation, the developer or owner shall apply for Initial Acceptance from the Authority. No water meters shall be installed for a project until the project receives Initial Acceptance. The Executive Director, or their designee, shall grant Initial Acceptance on satisfaction of the following conditions:

- A. All water and sewer facilities shown on the approved Plans for the project have been constructed, tested, disinfected, inspected by the Authority and are ready to be placed in service.
- B. Sitework and construction for the project has progressed to the point that ACSA is reasonably assured that its facilities will not be damaged by the remaining construction.

- C. The facilities have been dedicated to the Authority on a form prescribed by the Authority.
 - D. The as-built plans have been approved by the Authority.
 - E. All easements for the facilities have been accepted by the Authority and recorded.
 - F. That all matters relative to specific contracts between the developer or owner and the Authority are in order.
2. Acceptance of the newly constructed facilities, when approved by the Authority, shall be made in writing to the developer or owner responsible for the construction.
3. The issuance of the written form of Initial Acceptance of any such facilities shall constitute an irrevocable agreement between the developer or owner responsible for construction and the Authority; and any officers, agents, servants and employees of the Authority shall be indemnified and held harmless by the developer or owner from liability and responsibility of any nature and kind for costs, including attorney fees, or payments on, labor, equipment, or material used in construction of the accepted facilities or on account of any patented or unpatented invention, process, article or appliance manufactured for or used in construction of, or for the intended operation of, the accepted facilities.

3-06. FINAL ACCEPTANCE OF NEW FACILITIES.

After completion of all sitework, paving, required landscaping and building construction, the developer or owner shall apply for Final Acceptance of the facilities by the Authority. The Authority shall make a final comprehensive inspection of the completed project and shall be satisfied as to proper construction and operation of the facilities before issuing Final Acceptance for the facilities. The developer shall be responsible for any repair or maintenance of said facilities for one (1) year from the date of final acceptance.

SECTION 4 - POLICY REGARDING OFF-SITE EXTENSIONS

4-01. GENERAL.

Off-site extensions of water and/or sanitary sewer lines to serve new developments shall be the responsibility of the developer. An off-site extension is defined as an extension of a water and/or sanitary sewer line by a developer from the developer's property boundary to existing Authority facilities.

SECTION 5 - POLICY REGARDING OVERSIZE MAINS

5-01. OVERSIZE MAINS.

- 1.** The Service Authority may require a developer to install a water and/or sewer main larger than that required to adequately serve the developer's property. In such case the developer and the Authority shall enter into a written contract agreeing to the terms of the reimbursement prior to the project starting construction.
- 2.** The reimbursement amount shall be the cost difference of the labor, equipment and materials to install the size line required by the Authority and the size line adequate to serve the needs of the developer.
- 3.** The reimbursement amount shall be determined by the Director of Engineering and shall be based on the Authority's annual contracts, recent bids received by the Authority, other public bids for similar work performed in the area, or other objective criteria.
- 4.** The total reimbursement amount and the provisions for reimbursement shall be incorporated into the contract. Reimbursement shall not be made until such mains receive Initial Acceptance.

SECTION 6 - POLICY REGARDING SERVICE TO DEVELOPED AREAS

6-01. GENERAL.

The Authority may, at its option, install water and/or sewer facilities within a developed area when, in the Authority's opinion, the installation of such facilities is economically feasible and justifiable, and the finances of the Authority are such as to warrant the necessary expenditure.

SECTION 7 - APPLICATION FOR SERVICES

7-01. GENERAL.

1. Water and sanitary sewer service is available on a first come, first served basis. Approval of construction plans, or issuance of an availability letter is not a guarantee of capacity for a project. The Authority reserves all rights to exercise its sole discretion before allowing the extension or increase of the water and/or sanitary sewer system.
2. The Authority shall accept, review, and render decision on applications for water and sanitary sewer service to the premises described in the application from any applicant who owns or legally represents the owner(s) of land, or who is a tenant of land, within the Jurisdictional Area.
3. The Authority reserves the right to approve, revise, request additional data or design information on, or to disapprove any such application or plans pertinent thereto.
4. Application for service may be made in person, by phone, or email. In either case, all information requested by the Authority must be provided before an application is approved. All applicable fees and charges must be paid before service is provided.
5. To prevent water damage, the applicant for water service to any existing premise to which public water has previously been supplied should arrange to have someone with access to the premises present when the water is turned back on. Twenty-four (24) hours' notice will normally be required to schedule such turn-on.

7-02. SERVICE TO EXISTING CONNECTIONS.

When an application for water and/or sanitary sewer service is for a premise previously or currently billed for such service, the account for that premise will be transferred to the applicant's name on the day service is requested. The meter and appurtenances will be examined for condition and proper installation on that day, and a reading taken in order to begin recording the customer's consumption. If the applicant is not the premise/property owner, a tenant deposit will be required prior to establishing service.

7-03. NEW RESIDENTIAL AND COMMERCIAL CONNECTIONS - EXISTING FACILITIES.

Applications for initial water and/or sewer service for existing or proposed new individual or multiple dwellings or commercial establishments to which the Authority's service facility is immediately adjacent and available, shall be made on a form prescribed and furnished by the Authority for the purpose of such application and each form shall be accompanied by measurements, maps, drawings and such other data as will clearly establish and indicate the physical location within the Jurisdictional Area of the premise(s) for which the application is submitted and the location on the premise(s) of the service or services applied for.

Payment of applicable fees and charges will be accepted upon presentation of a current approved building permit, a copy of which may be retained by the Authority. Should this permit expire, the fees will be returned to the applicant. Payment prior to actual completion of construction does not constitute a guarantee of service, which is provided on a first-come, first-served basis to applicants ready for such service. Neither does such payment authorize the applicant to use the service(s) applied for until the installation has received the necessary inspection approvals from the appropriate State and/or local agencies.

7-04. NEW RESIDENTIAL AND COMMERCIAL CONNECTIONS - NEW FACILITIES.

Where water and/or sewer service is desired to serve residential and/or commercial premises and provision of such service shall require the construction of new water and/or sewer facilities, application shall be made to the Authority as required in the General Water and Sewer Construction Specifications.

7-05. NEW IRRIGATION CONNECTIONS

All irrigation systems installed after January 1, 2006 shall be served by a dedicated water service and meter.

An Auxiliary Meter is a dedicated irrigation meter that is associated with a primary meter on the same property. It must be located immediately adjacent to the primary meter and must either be a 3/4" meter or at least one size smaller than the primary meter to be deemed an auxiliary meter. An irrigation meter that is not an Auxiliary Meter is considered a Primary Meter.

In order to obtain a dedicated irrigation meter, the following process shall be followed:

1. The applicant shall apply for an irrigation meter and provide flow and demand requirements of the proposed system for proper sizing of the meter.
2. Upon the Authority's approval of the irrigation system the applicant shall apply for a backflow permit with the County of Albemarle.

3. The County of Albemarle must inspect the system to ensure that the backflow assembly is in place.
4. The Authority shall set the meter.
5. The Authority shall coordinate with the applicant and witness the testing of the backflow assembly.

7-06. INDUSTRIAL CONNECTIONS.

Application for proposed water and sewer facilities to serve any type of industrial establishment within the Jurisdictional Areas shall be made in writing to the Authority. Complete information regarding location, type of industry, raw and finished products, approximate volume of utility requirements, type of industrial wastes to be discharged, proposed facilities for pre-treatment of industrial wastes, and other data pertinent to the industry, shall accompany the application. The applicant for water and sanitary sewer services to serve industrial establishments shall conform to the requirements for application outlined in 7-02, 7-03 and 7-04 above, as may be governed by the location of the proposed industrial site.

7-07. TEMPORARY WATER SERVICE.

Temporary water service will be provided for builders and developers at construction sites under the following conditions:

- A.** The applicant for temporary service must sign an agreement stipulating the temporary nature of the service on a form provided by the Authority, and pay a charge to cover the costs of servicing this special account. If the applicant wishes to extend the temporary service beyond 90 days, the applicant must pay an additional charge for each 30-day extension. The additional charge must be paid before the end of the existing service period. See Appendix B.
- B.** The Authority will assess a deposit sufficient to cover the replacement cost of the meter installed to monitor consumption (see Appendix B for the deposit schedule). This deposit, less any expenses for maintenance and/or repair of the meter, may either be refunded after the temporary service is terminated or applied to the connection charges due for regular service to the premise.
- C.** Water consumption will be billed at the then-current rates.
- D.** No water will be allowed to pass into the building sewer lateral until that lateral has been passed by the County Inspections Department.

7-08. TEMPORARY USE OF FIRE HYDRANTS.

Temporary use of fire hydrants for non-firefighting purposes may be authorized by the Executive Director. Use of fire hydrants shall not be approved to circumvent the installation of a permanent metered water connection. The following procedures apply to non-fire-related uses of fire hydrants:

- A.** Written authorization must be obtained from the Authority prior to use of any fire hydrant. The Authority may designate specific fire hydrants for use and establish conditions under which use will be permitted. Failure to comply with all conditions or to pay all charges will result in revocation of the authorization.
- B.** All non-fire-related uses of fire hydrants shall be through a fire hydrant meter. Upon written application, authorization may be granted for use of a fire hydrant meter for 90 consecutive days and may be renewed for additional 90-day periods. At the time of application, a deposit shall be charged. See Appendix B.
- C.** When authorization for use of a fire hydrant is granted to water haulers, or contractors filling tank trucks for distribution of water throughout a construction site, the water tank shall be inspected by Authority personnel for proper backflow protection. A certificate shall be issued for the tank upon satisfactory inspection and shall remain with the tank at all times.
- D.** All water acquired through a fire hydrant meter shall be charged at twice the current Non-Residential and Multi-Family Residential Rate. Meter readings of fire hydrant meters shall be reported to the Authority by the 4th of every month. The authorized user of a fire hydrant meter will be invoiced each month with charges for actual consumption registered by the fire hydrant meter, plus a monthly usage fee. Failure to submit a meter reading will result in a non-refundable fee. See Appendix B. Failure to submit a meter reading may also be cause for confiscation of the fire hydrant meter and a forfeiture of the deposit. A fire hydrant meter failing to register consumption for three consecutive months may need to be returned to the Authority.
- E.** Upon the return of a fire hydrant meter at the end of the authorization period, the refundable portion of the deposit shall be held no longer than 45 days, pending inspection of the meter and testing of the backflow prevention assembly for damage. The cost of repairing or replacing the meter or backflow prevention assembly, damages to the fire hydrant or surrounding area, and any unpaid volume charges shall be withheld from the deposit. If the deposit is insufficient to cover

such repair work or unpaid charges, the additional costs will be assessed to the user. The need to order replacement parts may delay return of the deposit.

F. Fire hydrant meters with a backflow prevention assembly held for a 12-month period shall be returned to the Authority on the one-year anniversary of the issuance date for testing of the backflow prevention assembly. The applicant will be given a replacement fire hydrant meter and will be billed directly for the repair or replacement of any components of the fire hydrant meter assembly found to be damaged.

G. Failure to return a fire hydrant meter shall be cause for the forfeiture of the deposit.

SECTION 8 – CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION

8-01. INTRODUCTION.

Protection of the quality of drinking water that the Albemarle County Service Authority (ACSA) provides to each of its customers is of paramount importance. Contamination or pollution of the water can potentially result from the physical connection that exists between the ACSA potable water distribution system and the private water supply system of each of its customers. Further, various cross-connections within customers' private systems are possible due to the numerous uses of potable water. As a result of this potential contamination, and due to the common physical forces of backpressure and backsiphonage, intense focus on the prevention of cross-connections and backflow is critical to maintain water quality.

8-02. PURPOSE.

This Section is adopted for the following purposes:

1. To comply with the requirements of Part II, Article 4 (Section 12 VAC 5-590-580 through Section 12 VAC 5-590-630) of the Commonwealth of Virginia, Department of Health (VDH), *Waterworks Regulations*.
2. To protect the ACSA potable water distribution system from the possibility of contamination or pollution by (a) preventing, eliminating, or controlling cross-connections, actual or potential, that exist within the private water supply system(s) of each customer, and (b) isolating within each customer's private water supply system(s) all such contaminants or pollutants that could potentially enter the public system by backflow.
3. To provide for a systematic program of cross-connection control and backflow prevention to safeguard the quality of the ACSA potable water distribution system.

8-03. APPLICABILITY.

With the understanding that the physical connection between the ACSA potable water distribution system and the private water supply system of each customer serves as a potential source of contamination or pollution, the provisions of this Section are applicable to every ACSA water customer.

Mandatory installation and testing of an approved backflow prevention assembly (hereinafter referred to as "assembly") on the domestic water supply are required of all customers in the billing classifications of Industrial, Institutional, Commercial/Other, and Commercial/Office. Mandatory installation and testing of an assembly on the domestic water supply may be required of a customer in the Residential classification if the ACSA has knowledge of certain activities, practices, or internal plumbing arrangements that could present a hazard to the ACSA potable water distribution system.

Mandatory installation and testing of an assembly on an irrigation system or a fire suppression system are required of all customers in all billing categories that maintain such a system(s).

8-04. ACSA ADMINISTRATION.

In accordance with 12 VAC 5-590-600.A. of the *Waterworks Regulations*, at least one ACSA employee shall be designated as responsible for the inspection of the waterworks for cross-connection control and backflow prevention. Ultimate responsibility shall be held, and certain decisions in the program shall be made, by the Executive Director. Additionally, the ACSA shall review the cross-connection control program and this written plan every five (5) years and update as necessary.

8-05. PROGRAM RESPONSIBILITIES.

An effective cross-connection control and backflow prevention program requires the cooperation of not only the ACSA and its water supply customers, but also the Rivanna Water and Sewer Authority (RWSA), the Albemarle County building officials, the certified backflow prevention assembly testers (hereinafter referred to as "tester(s)"), and the Virginia Department of Health (VDH). Each of these individuals or groups has certain responsibilities in the program; some of these are listed below and will be discussed throughout the Section.

8-06. RESPONSIBILITIES OF THE RWSA.

The RWSA is responsible for the construction, maintenance, and operation of the North Rivanna, South

Rivanna, Observatory, Crozet, Red Hill, and Scottsville water treatment plants, and related appurtenances, and for the delivery of potable water from these plants to the ACSA distribution systems.

8-07. RESPONSIBILITIES OF THE ACSA.

1. The ACSA shall solely manage the cross-connection control and backflow prevention program in accordance with the Commonwealth of Virginia, Department of Health, *Waterworks Regulations*.
2. The ACSA shall have full responsibility for maintaining the quality of the water delivered to our Urban Area, Crozet, Red Hill, and Scottsville waterworks distribution systems, ending at the service connection of each customer.
3. The ACSA shall provide continuing evaluation and identification of all cross-connection and backflow hazards having the potential to impair the quality of water delivered to its customers. This shall include assessments of each residential and non-residential customer's private water supply system, and a determination of the degree of hazard, if any, to the waterworks.
4. To facilitate the assessment of each residential and non-residential customer's private water supply system, the ACSA Cross-Connection Control and Backflow Prevention Program shall maintain an accurate and up-to-date inventory of the ACSA water customers.
5. Assessments of residential and non-residential customers' private water supply systems may be accomplished through questionnaires, surveys, voluntary inspections by owners, telephone or electronic communications, discussions with testers knowledgeable of a residence or facility, or by on-site ACSA inspections and interviews.
6. The ACSA shall require the installation, maintenance, and testing of an assembly on the domestic water supply system of each customer in the following classifications of water service: Industrial, Institutional, Multi-family Residential, Commercial/Other, and Commercial/Office.
7. The ACSA shall require the installation, maintenance, and testing of an assembly on the domestic water system of each customer in the Residential classification if any portion of the residence that contains plumbing is four (4) or more stories above the domestic meter.
8. The ACSA may require the installation, maintenance, and testing of an assembly on the domestic water supply system of a customer in the Residential classification if there is known to exist certain activities, practices, or internal plumbing arrangements that could present a hazard to the ACSA potable water distribution system.
9. The ACSA shall require the installation, maintenance, and testing of an assembly on any irrigation system of a customer, regardless of classification, who maintains such a system where water is supplied by the ACSA.
10. The ACSA shall require the installation, maintenance, and testing of an assembly on a fire suppression system of any customer, regardless of classification, who maintains such a system.
11. The ACSA shall have the right to request inspection of the private water supply system on the premises of a customer in the classifications listed in 8-07.6, as frequently as may be necessary to ensure the safety of the ACSA potable water system.
12. The ACSA shall have the right to request inspection of the private water supply system on the premises of a Residential customer with a required backflow prevention assembly on a domestic or fire suppression system, as frequently as may be necessary to ensure the safety of the ACSA potable water distribution system.
13. The ACSA shall have the right to request inspection of the private water supply system on the premises of a Residential customer with a required backflow prevention assembly on an irrigation system, as frequently as may be necessary to ensure the safety of the ACSA potable water distribution system. Entry to a residence, garage, or other building on the premises shall be necessary only if a portion of the irrigation system or the assembly is located in these structures.
14. The ACSA shall have the right to request inspection of the private water supply system on the premises of a Residential customer if sufficient evidence exists that the safety of the ACSA potable water distribution system may be compromised.
15. In accordance with 12 VAC 5-590-550.B. of the *Waterworks Regulations*, the ACSA shall maintain all records of facility inspections, questionnaires, location of assemblies, and the testing and maintenance of each assembly for a period of at least ten (10) years.
16. The ACSA shall maintain, and make available, a list of testers Certified by the Commonwealth of Virginia.
17. The ACSA shall provide general and specific information to all water customers, especially those who have installed an assembly, or who have been asked to do so. Such consultation shall include the requirements for certain assemblies, options the customer may have, and may require a visit to the residence or facility to provide the most thorough and accurate information.
18. The ACSA shall send reminder notices to customers possessing a backflow prevention assembly

that the annual test of the assembly is due.

19. The ACSA shall develop and maintain an educational program for its residential and non-residential water supply customers so that they have a basic understanding of cross-connections, and the potential dangers of backflow to the potable water distribution system.
20. The ACSA shall strongly recommend the installation of hose bib vacuum breakers on the outside faucets of residences and commercial facilities where the device is not an integral part of the hose bib.
21. The ACSA may discontinue water service to its customers if the pressure in the distribution system drops below 20 psi for any reason.
22. Should a backflow event occur in which contamination or pollution is known to have been introduced into the potable water distribution system, the ACSA shall take prompt corrective action to confine or eliminate the contamination or pollution and shall immediately notify the VDH.

8-08. RESPONSIBILITIES OF A WATER CUSTOMER.

1. No water supply customer shall knowingly establish a cross-connection between the ACSA potable water supply and a supplementary water supply that could potentially be a source of contamination or pollution.
2. The owner or designated agent (hereinafter referred to as "owner") of a facility provided potable water by the ACSA in the classifications of Industrial, Institutional, Multi-family Residential, Commercial/Other, and Commercial/Office shall be responsible for the installation of an assembly on the domestic water supply. Installation shall occur within three (3) months of notification by the ACSA. However, if the ACSA determines that a high degree of hazard exists at the facility, installation shall occur within thirty (30) days of notification.
3. The owner of a facility or residence provided potable water by the ACSA, and who maintains an irrigation system, regardless of classification, shall be responsible for the proper installation of an assembly. Installation shall occur with initial construction of the irrigation system, or within thirty (30) days of notification by the ACSA.
4. The owner of a facility or residence provided potable water by the ACSA and who maintains a fire suppression system, regardless of classification, shall be responsible for the installation of an assembly. Installation shall occur with initial construction of the fire suppression system, or within thirty (30) days of notification by the ACSA.
5. The owner of a facility or residence with an assembly shall maintain the assembly in good working order and shall make no arrangements or modifications for the purpose of bypassing or defeating such an assembly.
6. The owner of a facility or residence with an assembly shall provide for an inspection of, and an operational test to be performed on, such assembly. Inspection and testing shall occur at least annually, and the expense shall be borne by the owner. Inspection and testing shall be performed by a tester who maintains current certification with the Commonwealth of Virginia.
7. The owner of a facility or residence with an assembly on an irrigation system shall be required to provide for an inspection of, and an operational test to be performed on, such assembly at system start-up in the spring, regardless of planned usage of the water.
8. The annual inspection and testing of an assembly associated with an irrigation system shall also include inspection and testing of the system's rain sensor, as required in Section 17-02.C of these *Rules and Regulations*.
9. The owner of a facility or residence with an assembly shall ultimately be responsible that all test results, inspection reports, maintenance records, and disconnection service documents be provided to the ACSA within ten (10) calendar days of the completion of such work.
10. The owner of a facility or residence with an assembly shall ultimately be responsible for scheduling the on-going annual inspection and testing of any such assembly.
11. The owner of a facility with an assembly shall notify the ACSA when the nature of the use of the property changes, so as to assess the acceptability of the existing assembly.
12. Should a backflow event occur, the customer shall immediately notify the ACSA and take steps to confine the contamination or pollution.

8-09. RESPONSIBILITIES OF A CERTIFIED BACKFLOW PREVENTION ASSEMBLY TESTER.

1. A tester shall maintain certification with the Commonwealth of Virginia as described in Section 8-16.
2. A tester shall provide all records of inspection and testing to the ACSA within ten (10) calendar days of the completion of such work.
3. In the event of the failure of an assembly, a tester shall repair or replace the assembly in accordance with the degree of hazard associated with the facility, as described in Section 8-15.14.
4. A tester who services and tests irrigation systems, both residential and non-residential, shall perform the annual test on the assembly at system start-up in the spring. Additionally, this service shall also include inspection and testing of the system's rain sensor, as required in Section 17-02.C of these *Rules and Regulations*.
5. A tester shall tag all indoor assemblies upon testing. At a minimum, the tag shall provide the name of the tester, the company and its contact information, and the date the test was performed.
6. A tester, regardless of the system serviced, is strongly encouraged to establish a schedule with customers, and to notify them in advance when the annual test is due. With this arrangement, the customer, the tester, and the ACSA shall all benefit.

8-10. CROSS-CONNECTIONS PROHIBITED.

The ACSA potable water distribution system shall be designed, installed, and maintained in such a manner as to prevent contamination or pollution, originating from non-potable liquids, solids, or gases, from being introduced into the potable water distribution system through cross-connections or any other piping connections to the system.

Cross-connections within the private water supply system of an ACSA customer, in which the ACSA potable water provided to the customer may potentially be contaminated or polluted by a connection to a supplementary water supply, or by process water, used water, or any other source of non-potable water or water of questionable quality, are strictly forbidden. Complete physical separation of the ACSA potable water from any other supply of water must be accomplished with an approved air gap, or by other appropriate means, as determined by the ACSA.

8-11. BACKFLOW PREVENTION WITHIN THE ACSA WATER SYSTEM.

The ACSA potable water distribution system shall be protected against backflow from its own facilities by installing and maintaining approved Reduced Pressure Zone backflow prevention assemblies (RPZs) at all locations where backsiphonage or backpressure within the system may occur. This includes, but is not limited to, all wells, pump stations, and maintenance facilities.

8-12. BACKFLOW PREVENTION AT CUSTOMER SERVICE CONNECTIONS (CONTAINMENT).

The ACSA potable water distribution system shall be protected against backflow at the service connections of all customers listed in Section 8-07.6-10. This includes all of the specific facilities listed in the *Waterworks Regulations*, plus all other industrial, institutional, and commercial facilities. It also includes residences where there is reasonable concern for a potential cross-connection or backflow hazard.

8-13. INSTALLATION OF BACKFLOW PREVENTION ASSEMBLIES.

1. Assemblies shall be installed, maintained, and tested by the owner of the facility or residence, at the owner's expense.
2. Assemblies shall be approved by the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research, or by the American Society of Sanitary Engineers.
3. Assemblies shall be installed in accordance with the manufacturer's instructions and the Uniform Statewide Plumbing Code.
4. Assemblies shall be installed so that they are accessible for inspection, testing, and repair.
5. Assemblies for containment shall be installed on the customer's premises as part of the customer's private water supply system. The location of the assembly shall be determined by the system(s) being protected. In all cases, the assembly shall be positioned upstream from any unprotected branch of the plumbing. Installation of an assembly at a location downstream from the service

connection does not eliminate the customer's responsibility to protect the ACSA potable water distribution system from contamination or pollution between the service connection and the assembly.

6. Assemblies shall be protected from freezing.
7. To the best of the owner's ability, assemblies shall be protected from vandalism.
8. RPZs shall not be installed in underground vaults or pits and shall be installed so as to be protected from flooding. Further, RPZs that are installed within a building shall be provided with the means to convey the discharge of water to a suitable drain.
9. There shall be a provision for thermal expansion when an assembly is installed on a system that uses hot water.
10. For an air gap installation, the physical separation must be accomplished with an approved airgap, and all piping between the customer's supply line and the receiving vessel shall be entirely visible.
11. No customer shall modify, bypass, or remove an assembly without the notification and approval of the ACSA.

8-14. REQUIRED/ACCEPTABLE BACKFLOW PREVENTION ASSEMBLIES.

The type of assembly that is required or acceptable is based upon the existing or potential degree of hazard.

Customer Water Supply System	RPZ Required	DC Acceptable
Domestic, Residential ^{1,2}		X
Domestic, Multi-family and Non-Residential	X	
Fire Suppression	X ³	X
Irrigation	X ^{4,5}	

RPZ – Reduced Pressure Zone Assembly

DC – Double Check Valve Assembly

¹an assembly is needed only where certain activities, practices, or internal plumbing arrangements are known to exist.

² includes buildings four (4) or more stories in height, per 12 VAC 5-590-610.E of the VDH *Waterworks Regulations*.

³ if the system contains any of the following: storage; booster pump; foam or other fire retardant; anti-freeze, or another chemical additive.

⁴ considered high hazard due to the potential for biological and/or chemical contamination.

⁵ a yard hydrant constructed with an approved air gap to prevent drain water from reaching the service line shall not require additional backflow protection; see Section 08-18.

8-15. MAINTENANCE AND TESTING OF BACKFLOW PREVENTION ASSEMBLIES.

1. The testing of an assembly shall be conducted only by an individual who is certified by the Commonwealth of Virginia (see Section 8-16).
2. An assembly shall be tested upon installation. For service to a new facility, this shall be prior to the delivery of water to the customer.
3. Assemblies shall be tested annually thereafter.
4. For the testing of RPZs, the pressure drop across check valve #1 shall be a minimum of 5.0 psi, and the pressure relief valve shall open at a minimum of 2.0 psi.
5. For the testing of DCs, both check valve #1 and check valve #2 shall close at a minimum drop of 1.0 psi.
6. All indoor assemblies shall be tagged upon testing. At a minimum, the tag shall provide the name of the tester, the company and its contact information, and the date the test was performed.
7. The testing of assemblies shall be documented on the test report form provided by the ACSA; the submittal of other forms may be rejected.
8. Incomplete test reports, or reports that have not been signed, shall be rejected.
9. In all instances, the person who signs a test report shall be responsible for the accuracy of the report.
10. Test reports shall be submitted to the ACSA within ten (10) calendar days of testing.
11. While test reports may be submitted by the tester, the owner of the assembly(ies) is ultimately responsible for test report delivery to the ACSA.

12. A tester shall not modify the design, material, or operational characteristics of an assembly during maintenance or testing, and shall use only original manufacturer replacement parts.
13. During the testing, maintenance, or replacement of an assembly on a domestic or irrigation system, a tester shall not bypass the assembly. Where a continuous water supply is critical to a customer, two (2) assemblies, each sized to handle the temporary water flow during the period of testing or repair, shall be installed in parallel.
14. In the event of the failure of an assembly, a tester shall repair or replace the assembly in accordance with the degree of hazard. Repairs on a system considered to be a high hazard shall be completed within seven (7) calendar days, and the ACSA shall be immediately notified upon failure. Repairs on a low hazard system shall occur within thirty (30) calendar days.
15. The assemblies on the domestic supply of high hazard facilities that have been out of operation for three (3) months or more shall be tested before water service is resumed. For all other facilities, testing shall occur with six (6) or more months of not being in operation.
16. If water service to a facility has been terminated for non-compliance of testing requirements, the assembly shall be repaired or replaced, if necessary, and then tested, prior to the resumption of water service.
17. Falsification of records by the owner of an assembly or by a tester is a violation of this Section. Further, falsification by a tester shall result in the refusal of the ACSA to accept reports from the tester for at least one (1) year.
18. The ACSA reserves the right, at its own expense, to verify the test results of a tester at any time.
19. Assemblies on irrigation systems shall be tested upon system start-up in the spring.

8-16. CERTIFICATION OF BACKFLOW PREVENTION ASSEMBLY TESTERS.

1. The ACSA shall receive reports only from testers who hold a valid Backflow Prevention Device Worker certification issued by the Commonwealth of Virginia, Department of Professional and Occupational Regulation (DPOR).
2. The tester shall submit to the ACSA a current copy of the DPOR certification.
3. The individual who performs the backflow test shall hold the certification. It is not sufficient that a certified tester signs the report for a non-certified individual who performs the test.
4. Test equipment shall be properly maintained and calibrated annually by an individual or company acceptable to the ACSA, and the calibration reports shall be submitted annually to the ACSA.
5. The ACSA shall refuse to accept reports for at least one (1) year from testers known to conduct improper testing, falsify records, or be involved in other improper or unethical behavior.

8-17. BACKFLOW PREVENTION FOR ISOLATION.

In its efforts to protect the quality of the potable water distribution system, the ACSA is primarily responsible for a policy and program that confines any potential contamination and pollution within the facility in which they may arise (containment). This approach effectively prevents contamination and pollution from entering the ACSA potable water distribution system.

The internal isolation of potential contamination and pollution within a facility is a secondary concern of the ACSA. However, since backflow prevention within a facility is an important safeguard to the health of its occupants, the ACSA strongly encourages the installation of internal backflow assemblies, and shall track such assemblies. Records of the annual testing of internal assemblies shall be maintained in the ACSA database.

For a facility at which containment is provided with an RPZ, it shall be the ultimate responsibility of the facility owner to assess the internal plumbing and decide on backflow assemblies to provide isolation of the various water uses within the facility. The ACSA may recommend the installation of internal assemblies based upon surveys and shall consult with the owner or a representative of the facility.

It is important to note that the use of the term "facility" in this instance includes all the individual stores of a "strip mall" that are served by a master water meter. The isolation of the activities of each business is strongly encouraged. Further, the ACSA recommends that an RPZ be installed within each unit since the nature of the business activities may change over time.

8-18. YARD HYDRANTS.

Yard hydrants that are installed on a customer's private water supply system, whether residential or non-residential, are recognized as a potential source of contamination and, as such, shall require backflow protection. Consistent with underground irrigation systems, this shall be accomplished with an RPZ.

However, yard hydrants that are constructed with an approved backflow prevention device to prevent drain water from reaching the service line shall not require additional backflow protection. A yard hydrant that is part of an existing irrigation system protected by an RPZ shall not require additional backflow protection.

8-19. COMMERCIAL WATER HAULERS.

Commercial water haulers who draw from an approved ACSA water hydrant shall use vehicles with the following features:

1. The fill pipe is permanently affixed to the storage container, the vehicle, or the trailer.
2. There is a flow control valve on the fill pipe that is accessible from ground level.
3. There exists an approved air gap between the end of the fill line and the opening of the tank. The air gap between the end of the fill line and the opening of the tank shall not be less than twice the diameter of the fill line. For instance, if the diameter of the fill line is four (4) inches, the air gap must be a minimum of eight (8) inches.

Additionally, all water hauling vehicles shall be inspected annually by the ACSA before being issued a hydrant meter. One copy of the inspection report shall be maintained by the ACSA. The original document shall be kept in the inspected vehicle and shall be available upon request by ACSA.

8-20. ENFORCEMENT.

The following enforcement plan is designed to provide fair, consistent, and equitable action for violations of the policies of this Section.

1. Notice of Non-Compliance.

The ACSA shall issue a written Notice of Non-Compliance to a customer who is determined to be in violation of any provision of this Section. The notice shall state the specific violation(s), provide information on the required steps to be taken to comply with the provision, and include a timetable for compliance. A Notice of Non-Compliance for a particular incident shall be provided on one (1) occasion. This includes notification of the need for an assembly test. If corrective action has not been provided to the satisfaction of the ACSA within the stated time frame, a Notice of Violation shall then be issued.

Primary reasons for the issuance of a Notice of Non-Compliance include, but are not limited to the:

- a. Failure to correct, to the full satisfaction of the ACSA, a cross-connection identified on a customer water supply system.
- b. Failure to install an assembly in a proper manner by an assigned date.
- c. Removal or bypass of an assembly without the approval of the ACSA.
- d. Failure to provide a passing test report for an assembly by the required date.

If the ACSA determines that a violation occurring on a customer's private water supply system has created or contributed to the existence of an imminent hazard, such as the discovery of an unprotected cross-connection with a supplementary water supply, a Notice of Non-Compliance shall be bypassed, and a Notice of Violation (NOV) shall immediately be issued.

2. Notice of Violation.

The ACSA shall issue a written NOV for the failure to provide the corrective action required by a Notice of Non-Compliance. The NOV shall repeat the specific violation(s), provide information on the required steps to be taken, and list the date(s) by which all corrective action must be completed. The NOV shall also state the charge to be imposed if the violation is not satisfied.

8-21. VIOLATION CHARGES.

The failure to provide corrective action required by an NOV shall result in the issuance of violation charges as outlined in Appendix B.

8-22. WATER TERMINATION.

The ACSA shall terminate water service to a residence or facility for the failure of a customer to pay a charge incurred relative to a Notice of Violation, or for failure to correct the violation. New water service shall continue to be denied to a customer in this situation. Water termination shall relate to the system involved in the violation in the following manner:

System the Backflow Assembly Protects	Water Service that will be Terminated
Domestic	Domestic Supply
Fire Suppression	Domestic Supply
Irrigation – Auxiliary Meter	Irrigation Supply
Irrigation – Exclusion Meter ¹	Domestic Supply

¹ although the ACSA has established a program to convert or abandon all private irrigation exclusion meters, they are referenced here for those customers who have refused to allow the ACSA to convert their irrigation exclusion meter or abandon it altogether.

Normal ACSA reconnection charges shall apply for a customer to resume water service. The Executive Director reserves the right to terminate water service to a customer at any time in the process described in Sections 8-20 and 8-21 if the potential risk to the ACSA potable water supply warrants such action.

8-23. APPEAL PROCESS.

A customer shall have the right to appeal a violation charge listed in Section 8-21 according to the following procedure:

1. A written intent to appeal shall be delivered to the office of the Executive Director no later than five (5) business days following receipt of the charge levied.
2. The failure to file an intent to appeal within such time limit shall be deemed a waiver of the right to appeal.
3. Upon receipt of the appeal, the Executive Director shall render a decision within fifteen (15) calendar days.
4. The possible termination of water service shall be postponed until a decision is rendered.
5. The decision shall be sent by certified mail to the appellant.

SECTION 9 - USE OF SANITARY SEWERS

9-01. RWSA REGULATIONS INCORPORATED BY REFERENCE.

The *Sewerage User Regulations* of Rivanna Water and Sewer Authority are incorporated herein as Appendix A. These regulations set forth uniform requirements for direct and indirect discharges into the wastewater collection and treatment systems of the Albemarle County Service Authority and Rivanna Water and Sewer Authority.

SECTION 10 – METERS

10-01. GENERAL.

All water consumption except fire protection shall be metered. Meters will be supplied, installed, and maintained by the Authority. All installations will conform to the relevant sections of the *General Water and Sewer Construction Specifications*. Installed meters remain the property of the Authority and shall not be turned on or off, removed, replaced, adjusted, or tampered with in any way by the customer. The Authority may seek legal remedies for any action that interferes with the proper operation and/or registration of its meters.

As a general policy the Authority requires that each commercial establishment and residential unit have an individual meter. The Authority reserves the right in particular cases where the efficient operation and maintenance of the water system is furthered, and the safety of the water system is not threatened, to allow an individual meter to serve a single building with multiple units. Buildings configured as mixed use with multiple commercial and residential units, which might otherwise be allowed to be served with a single meter, shall require a separate meter for both the commercial and residential units.

10-02. SIZING OF METERS.

The Authority will select the size of the water meter to be installed for all premises, based on flow data furnished by the applicant. The normal size for single-family residences shall be three quarter (3/4) inches.

If a customer applies for a building permit and is adding or modifying plumbing fixtures then the Authority will evaluate the size of the water meter to determine if it is adequate, based on the current sizing procedures. If a larger meter is needed, the customer will be required to increase the size of the meter and is responsible for paying the applicable Connection Charges.

10-03. METER TESTING CHARGE.

Any customer shall have the right to demand that the meter through which water is being furnished be examined and tested by the Authority for the purpose of ascertaining whether it is correctly registering the amount of water being delivered through it. When a customer desires to have a meter examined and tested, such customer shall make application in writing to the Authority and shall deposit with such application the appropriate amount for the various meter sizes. See Appendix B.

If, on such examination and test, the meter shall be found to register three percent more water than actually passed through it, the meter shall be corrected and the fee charged in the application for a test shall be refunded to the applicant, and the water bill correspondingly corrected.

10-04. ACCESS TO METERS REQUIRED.

- A. All water meters as part of the Authority's water system shall be readily accessible and visible in order to facilitate meter reading, repair and maintenance including water meters located on private property. It shall be the duty of the owner of the property and also the duty of the occupant to maintain the meter so that it is accessible and visible.
- B. Whenever a water meter is not readily accessible and visible for the purposes of reading the meter or repairing or maintaining the same, the Authority shall notify the property owner and the occupant that the meter is not accessible and/or visible. Such notice shall be in writing, addressed to the owner at the address shown on the account and to the occupant at the address where the meter is located. The notice shall indicate the reasons the meter is not accessible and/or visible and shall direct that all obstructions be removed within fifteen (15) calendar days from the date of notice. If the obstructions are not removed within the fifteen (15) calendar day period, the Authority may take such action as is needed to remove the obstruction. If the Authority acts to remove the obstruction, an itemized statement of all expenses incurred, including labor costs of the Authority employees in removal of the obstruction, shall be prepared and mailed to the owner and occupant as provided herein and shall be thereafter included as part of the monthly bill. Such statement shall include a notification that failure to pay the statement amount within thirty (30) days from the date of notice will result in water service being disconnected. Disconnection of water service shall be done in accordance with Section 13-03. Delinquent Cut Off/On Fee.

- C. Appeals. The Authority's Executive Director shall consider any application of any person aggrieved by a decision that a water meter is inaccessible and/or not visible for the purposes of reading, repairing or maintaining the same. Such appeal must be filed in the office of the Executive Director within fifteen (15) days of the date of the notice from the Authority that the water meter is inaccessible or not visible.

The Executive Director shall then consider the appeal and the decision shall be final. If the decision of the Executive Director is that the meter is not readily accessible and/or visible, any obstruction shall be removed within such time as the Executive Director shall designate, which shall not be less than fifteen (15) days. Notice of the decision to comply with such decision shall be sent to the owner and occupant as provided herein. If the obstruction is not removed within the time specified, the Authority may act to remove the same and shall then follow the procedures as provided with respect to notification and discontinuance of water services.

10-05. WASTEWATER METERING STATIONS.

All wastewater metering stations shall be installed and maintained at the expense of the customer and subject to the approval and periodic inspection of the Authority.

10-06. WASTEWATER METERING – SEWER ONLY ACCOUNTS

Any customer that is connected only to the Authority's wastewater system will be metered at its private water source. These meters and metering components shall be installed at an Authority approved location and maintained at the expense of the customer and subject to the approval and periodic inspection of the Authority. The meter must meet all required specifications as determined by the Authority. Should Authority specifications change, the meter and/or related components must be updated at the expense of the customer.

SECTION 11 - DEPOSITS

11-01. GENERAL.

1. The Authority may require the applicant or customer to deposit with it initially and from time to time, as a guarantee of payment for service used, such amount of cash as in the Authority's judgment will secure it from loss. Failure to pay such deposits when due may result in termination of service.

2. The Authority will require the tenant/customer to deposit with it initially and from time to time, as a guarantee of payment for service used, such amount of cash as in the Authority's judgment will secure it from loss. Failure to pay such deposits when due may result in delay or termination of service.

3. The Authority reserves the right to return any deposit to any customer, either by check or by applying the deposit (plus interest earned, if any) to the customer's account, after satisfactory credit is established. The Authority shall, however, be under no obligation to return any deposit to any customer so long as service is being supplied or thereafter until the Authority has had a reasonable time to read and/or remove meters and to ascertain that the obligations of the customer have been fully performed.

11-02. INTEREST ON DEPOSITS.

Interest will be paid on water/sewer account deposits, for each full month a deposit is held by the Authority except that no interest will be paid on any deposit held for less than three months. The rate of interest to be paid will be set by the Board of Directors.

11-03. DEPOSIT FOR TERMINATED SERVICE.

When service has been terminated for non-payment more than once within any twelve-month period, a deposit equal to the two highest consecutive months' bills within the past twelve months, rounded to the next highest five-dollar unit, may be required, if not already on deposit with the Authority, before reconnection of service.

11-04. AMOUNT OF NORMAL DEPOSITS.

Should the Authority determine the need for deposit prior to establishing service, the normal deposit for residential and non-residential customers will be an amount equal to the two highest consecutive months' water and sewer usage at that service address within the past twelve months, rounded to the next highest five-dollar unit.

11-05. DEPOSITS FOR TEMPORARY METERS.

Deposits for temporary meters are based upon meter size. See Appendix B.

11-06. DEPOSITS FOR FIRE HYDRANT METERS.

Deposits for fire hydrant meters are based upon meter size. See Appendix B, Section 7-08.

SECTION 12 - RATES AND FEES See Appendix B for current Rates and Fees.

12-01. GENERAL.

All fees are payable prior to connection to any facility owned or used by the Authority. Rates and fees are fixed to provide funds sufficient at all times for the following purposes:

- A.** To pay the cost of maintaining, repairing, and operating the systems on account of which revenue bonds are issued, including reserves for such purposes, and for replacement, depreciation and necessary extensions.
- B.** To pay the principal of and the interest on the revenue bonds as they shall become due and to accumulate reserves therefore.
- C.** To provide a margin of safety for making the payments above.

12-02. WATER AND SEWER RATES.

Rates for water and sewer service shall be established by the Board pursuant to the procedures specified in the Act. Normally, rates will not be changed more often than annually. The rates established will apply to all customers of the system (See Appendix B). Exceptions to these rates are as follows:

- A.** No charge will be assessed for water used for public fire protection.
- B.** Upon presentation of evidence that a customer's primary water service line leak has been promptly repaired, the water charge will be adjusted to the Residential Level 1 water rate for all water above the customer's normal consumption and no sewer charge will be made for the estimated amount of water not passing into the sanitary sewer system. Presentation of evidence must be submitted within 12 months of repair for adjustment consideration. Customers requesting to Opt-Out from the AMI system are not eligible for leak relief consideration.
- C.** Upon presentation of evidence that a leak to a customer's irrigation system and/or interior plumbing system has been immediately repaired (generally, within one to two billing cycles), the water and sewer charges will be adjusted to 50% of the current, billed rates for all usage above the customer's normal consumption for that period of time. Consideration of adjustment is limited to one per **account** every three years. Presentation of evidence must be submitted within 12 months of repair for adjustment consideration. Customers requesting to Opt-Out from the AMI system are not eligible for leak relief consideration.
- D.** Any meter dedicated to the service of the irrigation system, whether "auxiliary" or "primary", shall be billed as a "water only account" and shall not be subject to the sewer rates provided there is no physical connection to the public sewer system.

12-03. MONTHLY SERVICE CHARGE.

The purpose of this charge is to defray in part the cost of maintaining and replacing the water meter as well as administrative and billing each month. All dedicated irrigation meters shall be subject to the monthly service charge, even for months during which the irrigation system is not operational or during a water emergency. See Appendix B.

12-04. CONNECTION CHARGES

All new water and/or sewer connections shall pay all applicable Connection Charges before the connection(s) is made. The Authority shall not waive any portion of the applicable, Installation Charges, System Development Charges, RWSA Capacity Charges, or North Fork Special Rate Discharge Charges. Payment of Connection Charges for new connections will be accepted only after the issuance of a building permit.

When the size of an existing water meter increases, the customer shall pay the Water Installation Charge for the new meter and pay the difference in the applicable System Development Charges, RWSA Capacity Charges, and North Fork Regional Pump Station (NFRPS) Special Rate District Charges between the new meter size and the current meter size.

If a customer applies for a building permit and the number of ERCs served by the existing meter is increasing, the customer shall pay the applicable System Development Charges, RWSA Capacity Charges, and North Fork Regional Pump Station (NFRPS) Special Rate District Charges for the additional ERCs.

A. INSTALLATION CHARGES.

All new water connections to Authority facilities shall pay a water installation charge, the purpose of which is, in part, to defray the cost of meter installation or the cost of meter and service installation, including necessary materials and labor. When ACSA taps the sewerline and/or installs a portion of the sewer lateral as part of a new sewer connection then the wastewater installation charge shall also be paid. See Appendix B.

B. SYSTEM DEVELOPMENT CHARGES.

All new water and sewer connections shall pay system development charges, the purpose of which is to defray, in part, the cost to Albemarle County Service Authority of providing major transmission and distribution mains, collection lines, pumping stations and storage facilities which are necessary to provide service to new customers. This charge shall be assessed on the basis of equivalent residential connections (ERC). See Appendix B.

C. RWSA CAPACITY CHARGES.

All new water and sewer connections to the Authority systems shall be assessed RWSA capacity charges to defray, in part, the cost of providing capacity for a new customer in the Rivanna Water and Sewer Authority system. This charge shall be assessed on the basis of equivalent residential connections (ERC). See Appendix B.

D. NFRPS SPECIAL RATE DISTRICT CHARGES.

All new sewer connections to the ACSA's wastewater system in the designated North Fork Regional Pump Station (NFRPS) Special Rate District shall be assessed a charge to defray, in part, the cost to the ACSA of providing gravity sewers, pump stations and force mains which are necessary to provide service to new customers within the NFRPS Special Rate District. Refer to Appendix C for a list of Tax Map Parcels within the North Fork Regional Pump Station Special Rate District and the North Fork Regional Pump Station Special Rate District Map. This charge shall be assessed on the basis of equivalent residential connections (ERC). See Appendix B.

12-05. CONNECTION CHARGES FOR IRRIGATION METERS.

A. Auxiliary Meters.

The Connection Charges for an Auxiliary Meter is the Installation Charge listed in Appendix B.

B. Primary Meters.

The Connection Charges for an Irrigation Meter that is a Primary Meter is the Installation Charge listed in Appendix B and the System Development Charge and RWSA Capacity Charge for the applicable meter size.

12-06. TAPPING FEE.

Where the Authority provides water main taps to accommodate line extensions, fire sprinkler systems and similar uses, a tapping fee will be assessed to the customer. See Appendix B.

All water mains shall be uncovered and cleaned by the customer, who shall install tapping sleeves and valves. The excavation shall be prepared in accordance with all applicable safety regulations. Return trip charges resulting from the customer failing to properly prepare the trench and pipe for the tapping/inserting operation will be billed to the customer. These additional costs shall include labor, equipment, and overhead costs.

12-07. COST RECOVERY FOR TREATMENT OF INDUSTRIAL WASTES.

A surcharge for the higher cost of treating wastes with BOD and/or suspended solids concentrations greater than 240 parts per million shall be charged per the *Sewerage User Regulations* incorporated as Appendix A.

SECTION 13 - MISCELLANEOUS SERVICE CHARGES

13-01. GENERAL.

In addition to the rates and fees identified in Section 12, the following service charges will be assessed. Non-payment of any charge may result in suspension or termination of service.

13-02. ACCOUNT CHARGE.

A charge to defray bookkeeping and clerical costs will be added to the first water and/or sewer bill for new and transferred accounts. See Appendix B.

13-03. DELINQUENT CUT OFF/ON FEE.

Should any customer not pay a bill for fees and charges for water and/or sewer service provided by the Authority by the date specified in Section 14-03.2, that customer shall be deemed in default, and the Authority shall cause the water to be shut off from any or all premises then being supplied with water for that customer. The water shall not be turned on again at any such premises for that customer until all arrearages and charges of such customer are paid. See Appendix B.

13-04. RECONNECTION FEE.

1. All owners, or their authorized agents, after confirming that their premises have been vacated, shall promptly notify the Authority in writing to cut off the supply of water there from; and upon such notification in writing from the owner, agent or tenant, the Authority shall cut off the water from such premises, and at the same time record the reading of the meter. The service may be kept intact by written application of the owner to the Authority agreeing, during vacancy, to pay the service charges.

2. In case of disconnection of service, reconnection fees shall be made and collected when application is made to restore service. See Appendix B.

13-05. SPECIAL SERVICE FEE.

The customer may be charged a fee if they require any of the following: a) a meter to be turned off due to an emergency (leak on customer side), b) a return trip, after the initial attempt, to turn a meter on, c) a return trip, after the initial attempt, to install a meter, d) a trip to inspect a meter box or setter for proper specifications or, e) any service request where the issue is on the customer side of the meter. See Appendix B.

13-06. METER SIZE CHANGE FEE.

If the plumbing fixtures that are served by a meter decrease to where a smaller meter would be acceptable, as determined by Authority, a customer can request that the Authority install the smaller meter and they will be charged the actual cost of that work by the Authority.

13-07. EXCEPTIONAL PAYMENT PROCESSING FEE.

1. A charge, payable by cash only, will be assessed for any check or electronic transfer in payment of an Authority bill which is returned for insufficient funds, an invalid account number, stopped/frozen/hold/"refer to maker" payment or drawn on a closed account. If such payment was presented in order to avoid termination of service for non-payment, or to have services restored after such termination, services will be terminated and this charge, as well as any others due, must be paid in cash before service will be restored. See Appendix B.

2. A charge will be assessed for the processing of payments in forms not commonly accepted by the Authority. Commonly accepted forms of payment include cash, check, money order, or other Authority-sponsored forms of electronic payment. See Appendix B.

13-08. DELINQUENT PAYMENT PENALTY AND INTEREST.

1. Any regular water and/or sewer service bill not paid in full by the due date for that account will be charged a delinquent penalty on the outstanding balance. See Appendix B.

2. Any regular water and/or sewer service bill not paid in full by the due date for that account will also be assessed a late payment charge on the outstanding balance. See Appendix B.

13-09. METER RE-READ FEE.

Any customer requesting a meter to be reread, will be assessed a charge unless the previous reading of the meter is determined by the Authority to have been incorrect. See Appendix B.

13-10. PLAN REVIEW AND INSPECTION FEE.

To defray, in part, the cost of reviewing plans and inspecting the construction of new water and/or sanitary sewer facilities to be dedicated to the Albemarle County Service Authority. Fees must be paid prior to start of construction for a project. See Appendix B.

13-11. METER TAMPERING FEE.

Any person who either tampers with the meter assigned to the property or who installs any type of device at the connection other than the assigned meter will be subject to an unauthorized use charge. This shall also include unauthorized hydrant connection where the use of an assigned hydrant meter has been bypassed, or failure to comply with any condition of the Hydrant Meter Agreement that results in the confiscation of an assigned hydrant meter. See Appendix B.

SECTION 14 - BILLING

14-01. GENERAL.

Rates and charges not specifically included in Section 13 above will be incorporated, after adoption by the Board in accordance with the requirements of the *Act*, in a *Water and Sewer Rate Schedule*, copies of which are available upon request from the Authority. That schedule shall be the basis for all charges not specifically stated in these *Rules and Regulations* or the *General Water and Sewer Construction Specifications*.

14-02. BILLING FREQUENCY AND DUE DATES.

Water and sewer bills will normally be rendered monthly and are due at that time. Any bill not paid and/or received at the Authority's offices by the due date noted on the bill will be considered past due.

14-03. NOTICES FOR DELINQUENT BILLS.

1. Any bill not paid by the "due date" listed on the bill will be considered delinquent and a notice requesting payment will be mailed to the customer. This notice will indicate a date after which the delinquent account will be subject to disconnection.

2. The Authority may choose to give further notice; if it does so, any account for which the delinquent amount has not been received at the Authority's offices by the date and time indicated on such further notice will be assessed a reconnection charge as specified in Section 13-04 of Appendix B, whether or not the account has been physically disconnected.

14-04. PARTIAL-PERIOD BILLS.

An initial or final bill for less than a full billing period will have the service charge prorated as follows: for one to ten days, one-third (1/3) of the monthly service charge; for eleven to twenty days, two-thirds (2/3) of the monthly service charge. No proration shall be made for longer periods.

14-05. TRANSFER OF CHARGES.

Any charges outstanding on a terminated service may be transferred to any other Authority account in the customer's name and, if unpaid within the time specified in Section 14-03 above, may subject the latter account to disconnection.

14-06. MISCELLANEOUS BILLS.

Any bills other than regular water and/or sewer bills issued by the Authority are due upon presentation and shall be considered delinquent, and subject to the penalty and interest charges specified in Section 13-09 of Appendix B, if not paid within forty-five (45) days of the billing date.

14-07. FINAL BILLS.

Any customer requesting that an account be removed from their name must provide the Authority with a service termination date and a forwarding address. A final bill will be prepared from this information. Any deposit, plus earned interest, held by the Authority will be applied to such final bill, and the remaining balance due billed or the unapplied portion of the deposit refunded.

SECTION 15 - MANDATORY CONNECTION POLICY

15-01. GENERAL.

The owner of any mobile home or building to be installed or constructed for residential, commercial or industrial use upon a lot or parcel of land lying within a jurisdictional area of the Authority and which abuts upon a street or other public way containing a potable water main or sanitary sewer main operated by the Authority or Rivanna Water and Sewer Authority shall connect such building to such potable water main and/or sanitary sewer main in accordance with these Rules and Regulations.

15-02. EXCEPTIONS.

This requirement may be waived by the Executive Director of the Authority if one or more of the following conditions exist:

- A.** The building or the mobile home replaces a building or mobile home destroyed by fire or natural disaster.
- B.** The capacity of the public water and/or sewer system is inadequate to serve the building or mobile home.
- C.** The cost of connecting the mobile home or building to the public water and/or sewer system exclusive of connection charges exceeds the cost of installing on-site well and/or septic systems.

SECTION 16 – EMERGENCY WATER RESTRICTIONS

16-01. GENERAL.

The ACSA shall in drought or water emergency conditions initiate certain actions to restrict the use of water in any or all of its service areas.

16-02. DROUGHT/WATER EMERGENCY CONDITIONS.

A. Drought/Water Emergency Watch Stage

Whenever the Rivanna Water and Sewer Authority (RWSA) determines that the water supply in any of the service areas is threatened by drought conditions or a water emergency, the RWSA shall declare a Drought Watch. During a Drought Watch, the ACSA shall request that each customer initiate voluntary water restrictions and encourage that the watering of outside shrubbery, trees, lawns, grass, plants, home vegetable gardens, or any other vegetation be conducted only between the hours of 9:00 p.m. and 10:00 a.m., and only as necessary to preserve plant life.

B. Drought/Water Emergency Warning Stage

Whenever the Board of Directors determines that the water supply in any of the service areas is threatened by drought conditions or a water emergency, and where restrictions on water use are necessary to preserve an available supply of water, the Board of Directors shall request a declaration of emergency by the Board of Supervisors. Upon the declaration of emergency by the Board of Supervisors, the Board of Directors shall declare a Drought/Water Emergency Warning and the following restrictions will apply:

1. The washing of automobiles, trucks, trailers or any other type of mobile equipment shall only be performed in a licensed certified vehicle wash facility, or by a licensed commercial mobile-washing company with written approval from the ACSA.
2. The washing of sidewalks, streets, driveways, parking lots, service station aprons, or other outdoor surfaces shall be prohibited, except where mandated by federal, state or local law. The washing of exterior buildings shall be prohibited, except when performed by a licensed commercial power-washing company with written approval from the ACSA.
3. a. The watering of outside established trees, plants, shrubs, and home gardens shall only be conducted manually between the hours of 9:00 p.m. and 10:00 a.m., using a non-leaking hose with an automatic shut-off nozzle, and only as necessary to preserve plant life. The use of outside, automatic irrigation systems, including in-ground systems, hoses, and oscillating sprinklers, shall be prohibited for all established lawns, trees, plants, shrubs, and home gardens. This limitation shall not apply to athletic fields and courts which may be watered only between the hours of 9:00 p.m. and 10:00 a.m., and only as necessary to preserve plant life.
- b. Newly seeded lawns and plantings shall be installed by a licensed contractor and shall have a 45-day establishment period from the date of installation. Sodded lawns shall be installed by a licensed contractor, shall have a 20-day establishment period and shall use no more than ½ inch of water over the sodded area daily. Irrigation of newly installed plantings, and seeded and sodded lawns shall be conducted only between the hours of 9:00 p.m. and 10:00 a.m. Prior to installing the new plantings and lawns by a licensed contractor, the customer shall provide the following to the ACSA:
 1. A written estimate of the amount of water to be used during the establishment period.
 2. A dated receipt from the licensed contractor noting the anticipated date of installation.
 3. The irrigation method to be used.

Upon receipt of the above stated items, the ACSA shall issue a written notification of approval. Failure to provide required information or initiating installation prior to receipt of written approval shall be deemed a violation.

- c. Testing and servicing of outside, automatic irrigation systems may be completed during a Drought Warning, only if the contract to install the system is dated prior to the declaration of the Drought Watch, and a copy is provided to the ACSA.

- d. The use of water serving an irrigation system shall be prohibited.
4. The operation of any ornamental fountain or other structure with a similar use of water shall be prohibited.
5. The filling and topping of swimming or wading pools requiring more than five (5) gallons of water, shall require written approval from the ACSA. Approval shall only be considered for those swimming or wading pools contracted to be installed prior to the declaration of the Drought Watch. A copy of the contract shall be provided to the ACSA.
6. The serving of drinking water in restaurants shall be prohibited, except upon the customer's request.
7. The use of water from fire hydrants for any purposes other than fire suppression shall be prohibited, unless otherwise specifically approved by the Executive Director.
8. The operation of any water-cooled comfort air-conditioning, which does not have water-conserving equipment in operation.
9. All commercial lodging establishments shall adopt a policy which limits the daily changing of washable linens and towels, and communicate that policy to their employees and guests.

C. Drought/Water Emergency Stage

Whenever the Board of Directors determines that the water supply in any of the service areas is threatened by drought conditions or a water emergency, the Board of Supervisors has declared an emergency, and where more restrictions than previously enacted on water use are necessary to preserve an available supply of water, the Board of Directors shall declare a Drought/Water Emergency and the following additional restrictions will apply:

1. All water leaks on customers' piping shall be repaired within three (3) business days after notification by the ACSA.
2. All outdoor watering is prohibited.
3. All businesses, institutions and governmental entities shall develop and implement a written plan that will reduce the business' or entity's current use of water by twenty percent (20%). Usage shall be based on the customer's average monthly use for the twelve (12) month period prior to declaration of the Drought/Water Emergency Stage. The Executive Director shall establish a monthly usage benchmark for all businesses without a twelve (12) month billing history. This plan shall be submitted to ACSA within fourteen (14) calendar days of notification of the Drought/Water Emergency Stage.
4. All businesses, institutions and governmental entities shall prominently display, at their entrance and in each restroom and shower, signs indicating the current water emergency.
5. Emergency water rates designed to drive down water use shall be enacted. [See Appendix B for rates in effect.]
6. All exemptions previously granted under Drought/Water Emergency Warning Stage restrictions are cancelled. Customers previously granted exemptions may reapply for exemption.
7. In order to preserve water supply availability for all customers, Drought/Water Emergency Warning Stage and Drought/Water Emergency Stage restrictions shall also apply to customers served by the Scottsville and Crozet water systems.

16-03. OTHER ACTIONS.

Should water restrictions taken pursuant to Section 16.02 prove inadequate to preserve sufficient supplies of water for the citizens of the County, the ACSA may also restrict or discontinue the supply of water to any industrial or commercial activity which uses water beyond sanitary and drinking needs of its employees and invitees, and declare a moratorium on new water connections to buildings issued a building permit after the date of declaration of emergency, and restrict water use to basic human needs only.

16-04. SUDDEN CATASTROPHIC EVENTS.

The Executive Director or Board of Directors shall declare an emergency and seek similar declaration from Board of Supervisors restricting water use as deemed appropriate for the severity of the event.

16-05. COMPLIANCE.

The Executive Director shall be authorized to issue orders to effect compliance with the emergency water restrictions. The ACSA may, upon written application, permit an exemption for less than full compliance with any order of the Executive Director issued pursuant to the emergency water restrictions when, in its judgment, full compliance or compliance to any extent would create an unjust hardship.

16-06. PENALTIES.

The ACSA may impose a penalty charge on any person violating any provision of this section. For the first offense, violators shall be assessed a penalty charge. For the second and subsequent offenses, violators shall be assessed a second penalty charge. The penalty charge shall be imposed on the violator's next water bill. In addition to the penalty charge, the ACSA may terminate water service to any violator for the duration of the emergency. See Appendix B, Section 16.06.

16-07. APPEALS.

Any person subject to a penalty charge or a water termination order from the Executive Director issued pursuant to these rules, may appeal the charge or termination order to the ACSA. The appeal shall be in writing and filed with the Executive Director of the ACSA.

1. *Appeals Board Composition.* Any person aggrieved by an order of the Executive Director shall have the right of appeal to the Appeals Board appointed by the Board of Directors. The Appeals Board shall consist of any two members of the Board of Directors and one citizen appointed by the Board of Directors.
2. *Notice of Appeal.* Notice of the appeal shall be in writing and filed in the office of the Executive Director within five (5) days after the date of the order of the Executive Director.
3. *Hearing.* The appeal shall be heard by the Appeals Board within 30 days of receipt of the written appeal and a decision rendered within 10 days of the hearing.
4. *Decision.* Every decision of the Appeals Board under this ordinance shall be final, subject to such remedy as any aggrieved party might have at law or in equity.
5. The Executive Director shall be authorized to issue temporary waivers or exemptions within the provisions of the emergency water restrictions for such periods of time as may be necessary for the Appeals Board to formally consider such or for the Appeals Board to take appropriate action.
6. Persons who have been assessed a penalty charge shall have the right to challenge the assessed charge by providing a written notice to the Executive Director within ten (10) days of the date of the assessment of the penalty charge. The Executive Director or designee shall determine whether the penalty charge was properly assessed and notify the complaining person in writing of the determination. Any person aggrieved by the decision of the Executive Director may appeal that decision to the Appeals Board by filing an appeal in writing within five (5) days of notice of the Executive Director's decision. The Executive Director or designee, or upon appeal, the Appeals Board, may waive the penalty charge if it is determined that the violation occurred due to no fault of the person.

16-08. NOTICE AND DURATION OF RESTRICTIONS.

The above restrictions shall become effective upon their being printed in any newspaper of general circulation in the County of Albemarle, or broadcast upon any radio or television station serving the County of Albemarle. Drought Watch Stage, Drought Warning Stage and Drought Emergency Stage restrictions shall remain in full force and effect until the Board of Directors determines that a water emergency in Albemarle County no longer exists.

16-09. EXEMPTIONS.

The ACSA, through its Executive Director, may upon a person's written application, permit a full or partial exemption from the water restrictions in Section 16 Emergency Water Restrictions, when complete compliance with the restrictions would create an unjust hardship.

SECTION 17 – IRRIGATION SYSTEMS

17-01. GENERAL.

The ACSA recognizes that the installation of a well-designed and maintained underground irrigation system can minimize the quantity of water applied to landscapes by delivering water to where it is needed, and on a schedule when water is least likely to be lost to evaporation, coinciding with non-peak usage hours.

To ensure safety and efficiency, irrigation systems shall have an operational backflow prevention assembly and rain sensor (per Section 8 - Cross-Connection Control and Backflow Prevention and Section 17-02. Rain Sensors).

All new irrigation systems shall be provided water by means of a dedicated connection, service, and meter. The ACSA shall make all connections to its water mains and shall specify the location, kind, and quality of all materials of the connection and service (per Section 7 - Application for Services and Section 10 – Meters).

A. Irrigation Exclusion Meters

Some irrigation systems are served by exclusion meters connected to the private water service line downstream of the ACSA meter. These meters measure the volume of water used by the irrigation system to exclude that amount from the calculation of the wastewater volume charge assessed the customer. Customers who refuse to allow the conversion or abandonment of their irrigation exclusion meters shall be notified in writing that after 30 days from the date of notification the ACSA shall no longer reduce the wastewater volume charge on their monthly bill.

B. Water Emergencies

Meters serving irrigation systems are subject to discontinuance of service during a water emergency declared by the ACSA, as described in Section 16 – Emergency Water Restrictions.

C. Willful Waste of Water

The ACSA reserves the right to discontinue water service to any customer after notice of five (5) business days upon the willful or wasteful use of water. This includes, but is not limited to, direct watering of impervious surfaces such as sidewalks and streets, or over-watering to the extent that soils can no longer absorb water.

17-02. RAIN SENSORS.

A. Required Installation

Rain sensors shall be installed on irrigation systems that receive water from the ACSA.

B. Required Maintenance

Rain sensors shall be set so that they automatically shut-off the irrigation system in response to one-quarter (1/4) inch or more of rainfall. Rain sensors shall be installed according to manufacturer's instructions, in a location that shall provide full exposure to rainfall such that accuracy of operation is assured, and shall be maintained in good working condition. No person shall, with the intent of circumventing the purpose of this section, adjust either the rain sensor or irrigation system such that the rain sensor is not able to override and turn-off the irrigation system in response to one-quarter (1/4) inch or more of rainfall.

C. Responsibility of Owner for Inspection

The Executive Director or designated agent may require the owner or water customer of any premises where rain sensors are installed to inspect these devices to ensure that they are installed and maintained to turn-off the irrigation system in response to one-quarter (1/4) inch or more of rainfall. Results of such tests shall be sent to the Executive Director or designated agent. The devices shall be tested, repaired, overhauled, or replaced, as required, at the expense of the owner or water customer.

17-03. VIOLATIONS.

The Executive Director or designated agent shall notify the owner or water customer of any premises on which there is found a violation of these Rules and Regulations. Such notice shall be in writing and shall set a reasonable time for the owner or water customer to correct the violation. The irrigation system shall not be operated until such time as the violation is corrected. The Executive Director may terminate or deny water service to any premises where the irrigation system continues to be operated without the correction of noted defects.

SECTION 18 – CARWASH CERTIFICATION PROGRAM

18-01. GENERAL.

The Carwash Certification Program (CCP) focuses on the self-service and automatic carwash facilities that are customers of the Albemarle County Service Authority. The intent of the program is to establish general operating standards for the various types of carwash operations, which will encourage water conservation and the efficient and responsible use of water in all aspects of the industry.

18-02. APPLICABILITY.

The provisions of this Section shall apply to all commercial self-service, in-bay automatic, and conveyor carwash facilities serving the public. This section does not pertain to carwash operations associated with vehicle dealerships or vehicle rental companies.

18-03. PROGRAM APPLICATION.

All eligible carwash facilities are encouraged to participate in the certification program. The application form shall identify each facility seeking certification, and shall state the type of recycled (reclaimed) water equipment installed, if any, and how the recycled water is used in the wash process. The applicant shall certify compliance with the criteria applicable to the particular type of carwash operation conducted at that facility (see Section 18-05).

18-04. INSPECTION.

An applicant to the CCP shall be subject to an on-site inspection by the ACSA to determine if the facility meets all appropriate criteria listed in Section 18-05. Inspections shall be conducted as determined by the ACSA, and scheduled during non-business hours at the carwash to reduce the business impact of the inspection. For the automated carwashes (in-bay automatic and conveyor), water use by toilets, sinks, washing machines, custom detailing, and any other water use not directly related to cleaning vehicles should be eliminated. Additional inspections may be conducted at any time and without advance notice.

For the automated carwashes, the facility shall supply the vehicles to be used in the measurement of water use during the wash process. These shall be standard, two-axle passenger vehicles, and shall not be ACSA vehicles or the vehicle of any ACSA employee. The wash process shall be identical to the process used during normal operations. Potable water measurements shall result from the direct reading of the facility water meter. Any additional recycled (reclaimed) water used in the process shall not exceed normal operations.

For self-service carwash operations, the measurement of water usage shall involve two (2) high pressure wash bay wands, or 50% of the total wands used in the facility, whichever number is the greater. The amount of potable water delivered per minute from each wand shall not exceed the volume specified in Section 18-05.

For automated carwashes, the amount of potable water used per vehicle wash shall not exceed the volumes specified in Section 18-05. In-bay automatic wash usage shall be determined by averaging the volume of water used by at least two (2) vehicles, as recorded by the facility's water meter. This is to account for the filling of reservoirs to make reverse osmosis quality water and for diluting the reclaimed water supply. Conveyor wash usage shall be determined with one (1) vehicle. If either of these wash types exceeds the allowed maximum water use, the business owner/manager may request that water volume be tested on an additional vehicle, in which case the average of all volumes shall be used to determine water use.

If during the inspection of any carwash facility, it is discovered that the carwash is not in compliance with all applicable criteria, the ACSA shall issue a written notice to the owner/manager of the facility, specifying the item(s) not in compliance, and provide fifteen (15) calendar days for repair or correction of the deficiencies. Additional time may be granted if appropriate for the circumstances.

If the reported deficiencies are not corrected or repaired in the allotted time period, the ACSA shall deny an original certification status, or revoke the certification status of the facility, and require immediate removal of any signage advertising participation in the CCP. Re-application may occur in thirty (30) calendar days from the denial or revocation of certification.

18-05. OPERATING STANDARDS.

A. General Standards.

All eligible carwashes shall meet the following criteria:

1. Any water leak shall be repaired within one week of discovery.
2. Each toilet at the facility shall be of a low-volume flush design (1.6 gallons, or less).

B. Additional Self-Service Carwash Standards.

1. Each high-pressure wand shall deliver no greater than 3.0 gallons of potable water per minute.

C. Additional In-Bay Automatic Carwash Standards.

1. Potable water use per vehicle for a base wash, as measured at the facility water meter, shall not exceed forty (40) gallons.
2. Potable water use per vehicle for a deluxe/premium wash, as measured at the facility water meter, shall not exceed seventy-five (75) gallons.
3. Where feasible, a five (5) second dwell time shall be created before a vehicle exits the bay to enable water to drain into the bay collection chamber.

D. Additional Conveyor Carwash Standards.

1. Potable water use per vehicle, as measured at the facility water meter, shall not exceed thirty-five (35) gallons for a base wash and fifty (50) gallons for a premium wash.

18-06. SIGNAGE AND ADVERTISING.

A certified carwash may:

1. Display signs, approved by the ACSA and within the guidelines of the Albemarle County Code, advertising the facility as a participant in the CCP.
2. Be identified as a participant in the CCP on the ACSA website, in its social media releases, and on other lists or newsletters published by the ACSA.
3. Use a logo or phrase, approved by the ACSA, in its advertising, mailings, and other promotional material, indicating the facility as a participant in the CCP.

18-07. DROUGHT WATCH STAGE.

During a declared Drought Watch stage, a certified carwash shall:

1. Use only recycled (reclaimed) water to irrigate landscaping.
2. Clean all driveways and impervious areas by sweeping instead of washing.

18-08. DROUGHT WARNING STAGE.

During a Drought Warning stage, only certified carwash facilities shall be allowed to remain in operation. ACSA water service to all non-certified carwashes shall end during a Drought Warning stage, as noted in Section 16-02.B.1 of these Rules and Regulations.

A self-service carwash facility shall post signage during a Drought Warning stage. The signs shall be prepared by the ACSA, posted in each bay of the carwash, and state the drought situation, with the recommendation that the use of the high-pressure wand be limited to seven (7) minutes for the total wash/rinse.

Application for participation in the CCP that is received less than (30) calendar days prior to the declaration of a Drought Warning stage may not result in certification of the facility in time to avoid water service termination.

18-09. DROUGHT EMERGENCY STAGE.

During a Drought Emergency stage, a certified carwash shall comply with all requirements of non-residential water users as described in Section 16-02.C. of these Rules and Regulations.

SECTION 19 – FATS, OILS AND GREASE

19-01. INTRODUCTION.

Fats, oils and grease (FOG) are a significant concern for the ACSA in the operation of the wastewater collection system. When not disposed of properly, they congeal and accumulate along the walls of the sanitary sewers. This constricts the pipes, impedes the flow of wastewater, and raises the potential for blockage. Grease also affects the proper operation of pump stations, leading to sewage accumulation in wet wells. Either of these situations can eventually result in a sanitary sewer overflow in which wastewater is discharged from a manhole, or wastewater enters residences and businesses. This is both an environmental issue and a public health concern, in which sewage can contaminate the ground, local bodies of water, and any property with which the wastewater comes into contact.

The financial burden related to excessive FOG is potentially two-fold. Maintenance crews of the ACSA devote considerable time to cleaning sewerage components, and treatment processes may be hindered at the wastewater treatment plants.

FOG discharges relate directly to the preparation, cooking, and disposal of food items. These can originate from residences and from commercial, institutional, and industrial facilities. However, it is restaurants and related commercial food service establishments that are the most significant source of FOG due to the amount of oil and grease used in cooking, and with other food preparation.

19-02. PURPOSE.

This Section is adopted for the following purposes:

1. To set forth requirements for non-residential users of the ACSA wastewater collection system to capture and dispose of FOG, enabling the ACSA to comply with applicable federal and state laws, and with the Sewerage User Regulations of the Rivanna Water and Sewer Authority (RWSA), incorporated herein as Appendix A. Specifically, Part II, Section 4, Paragraph b prohibits the discharge of any wastewater containing more than 100 parts per million (ppm) of FOG.
2. To reduce the operational and maintenance costs of the ACSA by limiting the introduction of FOG into the wastewater collection system.
3. To reduce the impact on the RWSA wastewater treatment operations by limiting the amount of FOG delivered by the ACSA wastewater collection system.
4. To protect public health and prevent environmental disturbances by eliminating or reducing sanitary sewer overflows due to grease accumulations.

19-03. APPLICABILITY.

The provisions of this Section are applicable to all commercial food service establishments, commercial office buildings with food service, industries with food service, and institutions with food service that discharge to the ACSA wastewater collection system. Collectively, these shall hereinafter be referred to as Food Service Establishments (FSEs).

19-04. GENERAL REQUIREMENTS.

1. All FSEs shall install, operate, and maintain at their expense, a grease control device.
2. All FSEs shall obtain a FOG Waste Discharge Permit.
3. A concentration of 100 ppm of FOG, measured as Hexane Extractable Material, in the discharge of an FSE is established as an Action Level.
4. The maintenance costs related to excessive grease in the ACSA wastewater collection system, and traceable to the food service operations of an FSE, shall be the responsibility of the FSE.
5. The maintenance and clean-up costs of a sanitary sewer overflow that is related to excessive grease in the ACSA wastewater collection system, and traceable to the food service operations of an FSE, shall be the responsibility of the FSE.
6. Any fines imposed upon the ACSA by the Commonwealth of Virginia or the United States of America regarding a sanitary sewer overflow that is related to excessive grease in the ACSA wastewater collection system, and traceable to the food service operations of an FSE, shall be the responsibility of the FSE.

19-05. EXEMPTION FROM GREASE CONTROL DEVICE REQUIREMENTS.

The ACSA may grant an exemption from the requirements to install and maintain a grease control device to an FSE that is determined to have no, or minimal, adverse grease impact upon the ACSA wastewater collection system due to the nature of the FSE operations. To be considered for an exemption, the FSE may be asked to provide a written request to the ACSA, stating in detail the grounds for the exemption. Following review of the request, the ACSA may elect to inspect the FSE during its normal business hours. The final decision on granting an exemption shall rest with the Executive Director or designated agent, and a written response shall be provided to the FSE. At any time, the ACSA may revoke the exemption and require installation of a grease control device.

There shall be limited circumstances in which an exemption is granted, and shall be related to the following:

1. A commercial establishment that serves only food typically considered snack food, both packaged and unpackaged, with or without warming.
2. A school, industry, or commercial office building within which a lunchroom may exist, yet the only food that is made available to the students, employees, or guests is from snack and drink machines.
3. A bed and breakfast establishment which prepares and serves only the breakfast meal to its guests and employees, with fewer than four (4) guest rooms, and fewer than eight (8) guests.
4. A residential care facility for the aged, infirmed, or disabled within which fewer than four (4) adults are provided care.
5. A day care facility for the aged, infirmed, or disabled within which fewer than six (6) adults are provided care.
6. A day care facility for babies and children within which fewer than six (6) children are provided care.
7. A day care facility for babies and children within which the food preparation does not include frying, or food preparation and cleaning do not exceed that of an average private residence.
8. A church within which a kitchen facility may exist, yet on-site food preparation and cleaning do not exceed that of an average private residence.
9. An FSE that is determined, by previous monitoring or a review of planned operations, to not generate FOG in excess of an average private residence.

19-06. NEW ESTABLISHMENTS.

The ACSA shall require all new FSEs to install the appropriate grease control device(s) prior to initiating operations. In general, this shall be a grease interceptor for all restaurants, supermarkets, hospitals, schools, hotels, and industries. Further, the ACSA shall require an FSE with a grease control device to obtain a FOG Waste Discharge Permit.

19-07. EXISTING ESTABLISHMENT; NEW ESTABLISHMENT IN EXISTING BUILDING.

All existing FSEs shall have grease control devices that meet the same general requirements for installation and design as for new establishments. This shall also pertain to a new establishment that begins operations in an existing building, and an existing FSE that expands its food service operations.

If the ACSA determines the grease handling facilities or methods of an existing FSE are inadequate to prevent excessive FOG from entering the ACSA wastewater collection system, the FSE shall be notified in writing of the deficiencies, listing the required improvements and a compliance deadline. Required improvements may include additional training of the kitchen staff, modifications of the grease control device maintenance schedule, the installation of a larger, or additional, grease trap, or the installation of a grease interceptor. The ACSA may require the FSE to provide a schedule of corrective action to attain full compliance.

The ACSA shall allow an FSE without a grease control device a compliance deadline not to exceed two (2) months for the installation of a grease trap(s), or not to exceed six (6) months for the installation of a grease interceptor, following written notification from the ACSA. If an FSE that is required to install a grease interceptor does not have an existing grease trap, then the latter shall be installed within two (2) months of notification by the ACSA, unless the grease interceptor is installed within that same period.

The Executive Director or designated agent may decide in certain instances that the installation of a grease interceptor on an existing FSE property is physically impossible due to space limitations, is not feasible due to inadequate slope for proper gravity flow, or for other reasons. In these instances, the Executive Director may allow installation of a grease trap, or traps, meeting the design specifications listed herein. The FSE manager shall be responsible for aggressive kitchen Best Management Practices and grease trap maintenance programs to produce wastewater that meets the FOG discharge requirements. Such FSEs may be subject to routine sampling to confirm compliance with the requirements herein.

19-08. GRANDFATHERING OF EXISTING ESTABLISHMENTS.

The ACSA shall allow existing FSEs, in which a grease trap or grease interceptor has been installed prior to the effective date of this Section, to continue operation of the existing device, if the device is effective:

1. In keeping grease from accumulating in the ACSA wastewater collection system and in the sewer lines of the FSE.
2. In producing wastewater in which FOG remains below the Action Level.

The ACSA may require an existing FSE which operates a grease trap to add a sample valve to the discharge pipe from the device, and prior to a union with any building sewage drain. The ACSA may require an existing FSE which operates a grease interceptor to add a sample box to the discharge pipe from the device, and prior to a union with any building sewage drain. This requirement of a sample valve or sample box shall typically be limited to FSEs in which there is a history of poor grease control device maintenance.

The ACSA may require an existing FSE which expands its food service operations to install a larger grease trap, additional grease traps, or a grease interceptor, to replace or operate in conjunction with an existing grease trap.

19-09. DESIGN, SIZING, AND INSTALLATION REQUIREMENTS.

All grease traps and interceptors shall be designed, sized, and installed according to the standards of the Virginia Uniform Statewide Building Code and the International Plumbing Code.

Various formulas exist to calculate the proper size of a grease interceptor. The ACSA shall not require the use of any one formula, but rather the use of sound engineering judgment in this instance.

General specifications are as follows.

- A.** A grease trap shall:
 1. Be constructed of corrosion-resistant metal or plastic.
 2. Be accessible for cleaning, maintenance, and inspection.
 3. Contain properly installed and functioning baffles necessary to achieve the appropriate retention time to allow for proper separation of FOG and solids from the gray water.
 4. Handle the flow from no more than three (3) kitchen sinks and be located as close to the sink(s) as possible.
 5. Receive the discharge from any dishwasher that operates at 130 degrees Fahrenheit or less (chemical sanitizing dishwasher). Depending upon the number of sinks, this may require the installation of a second grease trap.
 6. Not receive discharge that exceeds 130 degrees Fahrenheit.
 7. Not receive discharge from a food grinding unit unless a properly sized solids interceptor has been installed.
 8. Receive only gray water.
 9. Be installed with a flow control or restricting device to restrict the flow to the rated capacity of the trap.
 10. Be installed with a sample valve on the discharge line from the device and prior to a union with any building sewage drain.

B. A grease interceptor shall:

1. Be constructed of precast concrete meeting the standards of ASTM C1613-17, or of corrosion-resistant polyethylene or polypropylene fiberglass meeting the standards of ASME A112.14.3 or PDI-G101.
2. Be sized from a minimum of 1,000 gallons to a maximum of 3,000 gallons if constructed of precast concrete or have a flow rate/grease capacity of 75-200 GPM if constructed of polyethylene or polypropylene.
3. Contain multiple chambers and properly positioned tee piping to achieve a minimum thirty (30) minute retention time before gray water is discharged to the ACSA wastewater collection system.
4. Be installed in a location with access for inspection, cleaning, pumping, and maintenance.
5. Not be installed in areas subject to heavy traffic, where possible, and shall be accessible for inspections at all times, having no permanent or temporary structure or container placed directly over the unit.
6. Have a minimum 20-inch diameter manhole access cover, extended to finish grade, over each chamber.
7. Have solid, water-tight access covers that prevent infiltration of stormwater or other surface water. Any gaskets shall be positioned beneath the cover.
8. Be designed with a clean-out that can serve as a sample box at the outlet.
9. Receive the discharge from all FSE drains and fixtures through which grease may be released, including all sinks, food grinding units, dishwashers, and floor drains.
10. Receive only gray water.
11. Be installed at a minimum distance of ten (10) feet from dishwashers and sinks to allow for optimal cooling of the wastewater.
12. Not receive discharge that exceeds 150 degrees Fahrenheit.
13. Include a properly sized solids interceptor, or have its volume increased by 25%, when receiving discharge from a food grinding unit.
14. Be installed with an approved flow control or restricting device.

19-10. FOG WASTE DISCHARGE PERMIT.

The ACSA shall require all FSEs that currently possess, or are required to install, a grease control device to obtain a FOG Waste Discharge Permit. No FSE shall discharge to the ACSA wastewater collection system without obtaining a permit unless an exemption has been received.

The permit application shall, at a minimum, include the following information:

1. The name, address, and telephone number of the applicant, and the name, address, and telephone number of the ACSA account owner, if different from the applicant.
2. A description of the food service operations, cuisine, the hours of operation, and number of meals served per day.
3. A detailed list and number of all kitchen food preparation appliances, and kitchen fixtures, including size.
4. All grease control devices, or other pretreatment equipment, currently installed.

The ACSA may request other information of the FSE, related to the food service operations and potential food service discharges, to properly evaluate the permit application.

The completed FOG Waste Discharge Permit application shall be submitted to the ACSA for review. The ACSA may elect to inspect the FSE during its normal business hours. If the application is accepted, a permit shall be issued within thirty (30) days after receipt of the permit application. The applicant shall be allowed a thirty (30) day comment period. A permit shall contain general, and possibly specific, conditions for the FSE.

Permits shall be issued for a period of three (3) years. An expired permit shall continue to be in effect and enforceable if failure to reissue the permit is not due to any delinquency on the part of the FSE. No permit shall be transferable without the permission of the ACSA.

Denial of an original or renewal permit shall be based upon an incomplete application, an unacceptable size and/or design of the grease control device(s), failure to pay charges that have been levied, a history of FOG discharge violations, or other related factors.

19-11. FOG WASTE DISCHARGE PERMIT CONDITIONS.

The issuance of a FOG Waste Discharge Permit shall contain the following conditions or limits:

1. A requirement for the proper installation, operation, and maintenance of the approved grease control device(s).
2. A requirement for documentation of a cleaning and maintenance schedule for the grease control device(s).
3. A recommendation for implementation and documentation of a kitchen Best Management Practices program.
4. The establishment of a concentration of 100 ppm of FOG, measured as Hexane Extractable Material, as an Action Level.
5. A possible requirement for laboratory testing of FOG, Biochemical Oxygen Demand (BOD), and Total Suspended Solids (TSS). Testing may be conducted at least once during the permit period to document that Section 19.-11.4 is being met.
6. A requirement to report to the ACSA any anticipated expansion of food service operations prior to initiating such a project. Establishments that modify or expand their operations in a manner that results in increased loadings of grease, fats or oils to their existing grease control device(s) may be required to upgrade their grease control device(s) to meet current requirements and standards.
7. The issuance of a permit shall not relieve the FSE from complying with applicable laws, regulations, and ordinances promulgated by other governmental authorities.
8. The FSE agrees to hold harmless the ACSA and its employees from any liabilities arising from the operations of the FSE.

The terms and conditions of the permit are subject to modification by the ACSA at any time as just cause exists. The ACSA shall inform an FSE of any proposed change in the issued permit at least thirty (30) days prior to the effective date of the change and shall give the FSE a reasonable timetable for compliance.

19-12. GENERAL MAINTENANCE OF GREASE TRAPS AND INTERCEPTORS.

Proper maintenance of grease traps and interceptors is crucial to establish optimal efficiency of the devices and thus eliminate or minimize the discharge of grease from the FSE. A grease control device shall be cleaned as often as necessary to ensure that:

1. There is no evidence of grease in the ACSA wastewater collection system that can be traced directly to the operations of the FSE.
2. There is no evidence of grease in the sewer lines of the FSE.
3. The discharge of FOG to the ACSA wastewater collection system remains below the Action Level.
4. Floating material and sediment do not accumulate to impair the operation of the device.
5. No oil or grease is observed to discharge from the device.

The ACSA shall provide a detailed packet of information that describes proper cleaning and maintenance of the devices. However, due to varying designs and sizes, the FSE shall follow specific manufacturer guidelines for cleaning and maintenance in all instances.

General guidelines for cleaning and maintenance include:

1. Grease traps and interceptors shall be kept free at all times of such solid materials as gravel, sand, bones, shells, cigarettes, utensils, towels, and rags that will reduce the effective volume of the device and increase the frequency of cleaning.
2. The total depth of the surface FOG, combined with the settled solids, should not exceed approximately 25% of the total depth of the liquid/solid column.
3. Based upon the above, a grease trap will typically require cleaning every 1-4 weeks, and a grease interceptor will generally require cleaning every 2-3 months. However, the actual loading on a device shall determine the specific cleaning schedule in all instances, and this schedule may require periodic adjustment based upon food volume and specific menu items.

19-13. KITCHEN BEST MANAGEMENT PRACTICES.

The application of kitchen Best Management Practices (BMP) by an FSE serves as a critical initial step in reducing the amount of FOG that enters a grease control device, and therefore in prolonging the periods between cleaning and maintenance. The ACSA strongly encourages each FSE to establish a kitchen BMP program and provide continuous training and monitoring of employees. The ACSA shall provide a packet of information that describes aspects of a kitchen BMP program.

19-14. WASTE GREASE DISPOSAL.

All FSEs are encouraged to use designated buckets for the disposal of waste grease removed from grease traps during cleaning. Such material shall not be combined with cooking oil that is to be recycled. Buckets should have a well-sealing lid and shall be disposed of at a facility permitted to receive such waste.

19-15. GREASE INTERCEPTOR CLEANING AND MAINTENANCE.

Specific requirements for the servicing of grease interceptors shall include the following:

1. Cleaning and related maintenance shall be contracted to a company that is permitted by the Commonwealth of Virginia to transport waste.
2. Such service shall be performed at least every three (3) months, unless written permission for a schedule of less frequent service has been provided by the ACSA.
3. Cleaning and maintenance shall include the evacuation of all contents of the interceptor, including floating materials, gray water, and settled solids.
4. All waste removed from an interceptor shall be disposed of at a facility permitted to receive such wastes.
5. It is recommended that gray water be returned to the interceptor following waste evacuation and cleaning.
6. Other than the gray water immediately returned to the interceptor to complete maintenance, none of the waste material removed from an interceptor shall be discharged to the ACSA wastewater collection system.

19-16. PROHIBITIONS.

The following practices and devices are prohibited:

1. Any modification of a grease interceptor, such as alteration or removal of a flow constricting device, that causes flow to rise above the design capacity of the unit or reduce the retention time.
2. Interceptor cleaning that involves only skimming the surface layer, partial cleaning, or the use of any method that does not remove the entire contents of the vessel.
3. The introduction of such agents as concentrated detergents, other surfactants, emulsifiers, degreasers, solvents, or any other type of product that will liquefy grease waste.
4. The addition of any chemical enzyme product unless written permission has been granted by the ACSA.
5. The addition of bacteria unless written permission has been granted by the ACSA.
6. The use of automatic, or mechanically operated, grease removal systems unless written permission has been granted by the ACSA.

19-17. RECORDKEEPING.

FSEs with a grease control device shall maintain records of all cleaning and maintenance. These records shall include, at a minimum:

1. The date and time of service.
2. The name and signature of the FSE representative who performed the service (grease trap).
3. The contract company and employee that performed the service (if applicable).
4. The gallons of waste removed.
5. A copy of the service record or manifest from the contract company (if applicable).

Records shall be placed in a logbook, folder, or binder, or stored electronically, be maintained on site for at least the previous three (3) years, and shall be made available immediately to the ACSA on demand, during an inspection, or at intervals specified by the ACSA. Any falsification of maintenance records is a violation of this policy.

19-18. INSPECTION VISITS.

Authorized representatives of the ACSA shall request the right to enter the premises to determine whether an FSE complies with all requirements of this Section. Entry shall be during normal operating hours and for the purpose of inspection and evaluation of the FSE's grease control program.

Inspection may involve any of the following items:

1. The integrity of the grease control device
2. The amount of grease present in the device
3. Wastewater appearance and clarity
4. Cleaning and maintenance records
5. All food processing areas and fixtures
6. Sampling of discharge water from the device

The FSE shall keep grease control device(s) accessible at all times. The ACSA shall have the option of requesting that a grease trap be opened by a representative of the FSE.

The ACSA shall make the result of the inspection available to the FSE representative verbally or in written form at the time of inspection. An additional written report may be delivered within ten (10) business days of the inspection if the FSE is found to be out of compliance with any of the requirements outlined in this Section and shall include the necessary corrective action and a timetable for accomplishing such improvements.

19-19. USE OF CAMERAS.

As a part of the inspection of an FSE, the ACSA reserves the right to photograph the kitchen facilities and any grease control device, including its contents, for the purpose of documentation.

The ACSA also reserves the right to photograph and film the interior of the building sewage drain and/or building sewer, such as by means of closed-circuit television. Photo and video documentation of grease accumulation along the walls of the pipe shall be evidence that the FSE must install a grease control device, that an existing grease control device is not being maintained properly or cleaned regularly, or that an additional grease control device (including the possibility of a grease interceptor) may be required. The FSE may also be required to clean its building sewage drain and building sewer in coordination with ACSA maintenance crews. The expense of such cleaning shall be borne by the FSE.

19-20. SAMPLING AND TESTING.

The ACSA may periodically collect samples for laboratory testing as one means to determine if an FSE complies with the requirements of this Section, and with other requirements of the *Rules and Regulations*.

Sampling and testing may consist of FOG, BOD, and TSS. Any additional sample collection and testing for these parameters shall be at the discretion of the ACSA and shall relate to a history of the FSE's discharge, or to existing conditions.

Sampling shall involve grab samples which are collected, stored, transported, and analyzed in accordance with the procedures specified in 40 CFR Part 136. All testing shall be conducted by a private commercial laboratory which is in good standing with the Virginia Department of Environmental Quality, and which has attained certification within the Virginia or National Environmental Laboratory Accreditation Program (VELAP/NELAP).

Sample collection from a grease trap shall be from the sample valve at the outlet of the device, if present, or from the nearest manhole that receives only the discharge of the FSE. Sample collection from a grease interceptor shall be from the sample box at the outlet of the device, if present, or from the nearest manhole that receives only the discharge of the FSE.

A copy of the analysis report of any laboratory testing on samples collected from an FSE shall be mailed to the FSE within ten (10) business days of receipt by the ACSA. The report shall include, at a minimum, an

explanatory cover letter, the chain of custody form, the laboratory at which testing occurred, the results of the testing, the test methods used, and the dates of analyses.

19-21. ENFORCEMENT.

The following enforcement plan is designed to provide fair, consistent, and equitable action against FSEs for violations of the policies of this Section, and those of the *Rules and Regulations*, in general.

1. Notice of Non-Compliance

If an FSE is found to be in violation of any of the terms of this policy, the ACSA shall issue a written Notice of Non-Compliance. The notice shall state the specific violation(s), provide information on the required steps to be taken to comply with the policy, and include a timetable for compliance. Additional testing may be required. A Notice of Non-Compliance for a particular incident shall be provided on one (1) occasion. The need for any future action justifies proceeding to a Notice of Violation.

2. Notice of Violation

If an FSE fails to provide the corrective action required by a Notice of Non-Compliance, a Notice of Violation (NOV) shall be issued. An NOV shall repeat the specific violation(s), provide information on the required steps to be taken, and list the date(s) by which all corrective action must be completed.

Within ten (10) business days of receipt of this notice, the FSE shall submit to the ACSA a plan outlining the detail to meet the required corrective action. Submission of the plan in no way relieves the FSE of liability for any violations occurring before or after receipt of the NOV.

Primary reasons for the issuance of an NOV include, but are not limited to:

- a. Failure to install a proper grease control device by an assigned date.
- b. Failure to repair a malfunctioning grease control device by an assigned date.
- c. Failure to properly maintain and clean a grease control device at a frequency and in a manner that ensures efficient operation.
- d. Repeated violations of the FOG Action Level.
- e. Failure to keep grease control device maintenance records on site, or failure to provide the records to the ACSA upon request.
- f. Falsification of grease control device maintenance records.
- g. Failure to submit a FOG Waste Discharge Permit application.
- h. Failure to pay a FOG Waste Discharge Permit fee.

Satisfactory response by an FSE to an NOV may be followed by a program of additional FOG, BOD, and TSS testing.

The ACSA shall consider suspension of water and sewer services if an FSE fails to respond satisfactorily to an NOV. Service suspension shall be enacted if the Executive Director determines the FSE presents an imminent danger to the health or welfare of the public or environment, or presents problems to the ACSA wastewater collection system.

19-22. COSTS AND CHARGES.

The cost to obtain a FOG Waste Discharge Permit is listed in Appendix B. This charge shall include the expense for the ACSA to collect samples for testing of FOG, BOD, and TSS on one (1) occasion during the three (3) year permit period, if deemed necessary. The need for any additional testing shall be determined by the ACSA, and the expense shall be borne by the FSE.

19-23. APPEAL PROCESS.

An FSE, commercial waste hauler, or individual shall have the right to appeal any of the costs or charges listed in Section 19-22 according to the following procedure:

1. A notice to appeal shall be requested in writing and delivered to the office of the Executive Director no later than five (5) business days following the receipt of notice of the cost or charges to be levied.
2. The failure to file such notice to appeal within such time limit shall be deemed a waiver of the right to appeal.
3. Upon receipt of the appeal request, the Executive Director shall render a decision within thirty (30) calendar days.
4. The decision shall be sent by certified mail to the appellant.

APPENDIX A

SEWERAGE USER REGULATIONS

RIVANNA WATER & SEWER AUTHORITY

Effective September 15, 1975
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SEWERAGE USER REGULATIONS

RIVANNA WATER & SEWER AUTHORITY

PART I. PREAMBLE

Section 1. Purpose

These Regulations set forth uniform requirements for direct and indirect discharges into the wastewater collection and treatment systems of the Rivanna Water & Sewer Authority (hereinafter called the Authority); enable the Authority to comply with all applicable State and Federal laws; and provide for the protection of the sewerage systems and their respective receiving streams.

Section 2. Scope

These Regulations provide for controlling the quantity, character and rate of discharge of sewage into the Authority's sewerage system and the issuance of Industrial Waste Discharge Permits and shall apply to all dischargers, direct or indirect, into any part of the sewerage system of the Authority.

Section 3. Authority

These Regulations are authorized and required by Section 5.6 of the agreement dated June 12, 1973 by and between the City of Charlottesville, Albemarle County Service Authority, Board of County Supervisors of Albemarle County, and Rivanna Water & Sewer Authority, paragraph 15.1 - 1250, Code of Virginia and the Federal Water Pollution Control Act, as amended.

Section 4. Definitions

Unless the context specifically indicates otherwise, the following words, phrases, and abbreviations used in these Regulations shall be defined as follows:

- a. Act or "the Act." The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. section 1251 et seq.
- b. Approving Authority. The Executive Director of the Rivanna Water & Sewer Authority jointly with the Director of Public Works, City of Charlottesville, or the Executive Director of the Albemarle County Service Authority as appropriate, or their duly authorized representative.
- c. 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 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 paragraphs (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 Authority.

d. Authority. Rivanna Water & Sewer Authority

e. Best Management Practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Part II Section 1 and 3 [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. [Note: BMPs also include alternative means (i.e., management plans) of complying with, or in place of certain established categorical Pretreatment Standards and effluent limits.]

f. Board. The Board of Directors of the Rivanna Water & Sewer Authority

g. BOD (Biochemical Oxygen Demand). The laboratory determination of the quantity of oxygen by weight, expressed in parts per million, utilized in the biochemical oxidation of organic matter under standard laboratory conditions in five (5) days at 20°C. The laboratory determination shall be in accordance with 40 CFR Part 136.

h. Categorical Pretreatment Standard. 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.

i. COD (Chemical Oxygen Demand). The laboratory determination of the oxygen equivalent expressed in parts per million of that portion of the organic matter that is susceptible to oxidation by the standard dichromate reflux method. The laboratory determination shall be in accordance with 40 CFR Part 136.

j. Daily Maximum Limit. 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 concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

k. Domestic Sewage. 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.

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

m. Industrial User or User. A source of indirect discharge.

n. Industrial Wastes. All waterborne solids, liquids, or gaseous wastes resulting from any industrial, manufacturing, trade, business or food processing operation or processes, or from the development of any natural resource, exclusive of domestic sewage.

o. 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.

p. Interference. 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 Authority's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, 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.

q. National Pretreatment Standard, Pretreatment Standard or Standards. Pretreatment Standards shall mean prohibited discharge standards, categorical Pretreatment Standards, and Local Limits.

r. New Source.

(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 paragraphs (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.

s. Parts per Million. A weight to weight ratio.

t. Pass Through. 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 Authority's NPDES permit, including an increase in the magnitude or duration of a violation.

u. Person. Any individual, association, partnership, corporation, municipality, State, Federal agency, or any agent or employee thereof.

v. Permit. An Industrial Waste Discharge Permit issued pursuant to these Regulations.

w. pH. The logarithm (base 10) of the reciprocal of the hydrogen ion concentration.

x. Point of Discharge. The point at which waste is discharged to the publicly owned sewerage system.

y. Pollutant. Any man-made or man-induced material that alters the physical, chemical, biological or radiological integrity of water.

z. Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.

aa. Public Sewer. Either sanitary or storm sewer in which all owners of abutting properties shall have equal rights and is controlled by public authority.

bb. Publicly Owned Treatment Works or POTW. A treatment works, as defined by section 212 of the Act (33 U.S.C. section 1292), which is owned by the Authority. 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.

cc. Radioactive Material or Isotope. Any material containing chemical elements that spontaneously change their atomic structure by emitting any particles or rays.

dd. Sanitary Sewer. A sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

ee. Septic Tank Wastes. Sewage from domestic septic tank treatment systems.

ff. Sewage. A combination of water-carried wastes from residential, commercial, institutional and industrial establishments, together with such ground, surface and storm waters as may be present.

gg. Sewage Treatment Plant. Any arrangement of devices and structures used for treating sewage.

hh. Sewer. A pipe or conduit used to collect and carry away sewage or storm water run-off from the generating source to sewage treatment plants or receiving streams.

ii. Sewerage. The system of sewers and appurtenances for the collection, transportation, pumping and treatment of sewage.

jj. Shall and May. "Shall" wherever used in these Regulations will be interpreted in its mandatory sense; "may" is permissive.

kk. Significant Industrial User (SIU). Any industrial user who:

(1) Is subject to categorical Pretreatment Standards; or

(2) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); or

(3) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW plant; or

(4) Is designated as such by the Authority on the basis that it has a reasonable potential for adversely affecting the POTW's operation, for violating any Pretreatment Standard or Requirement, for pass through of pollutants contaminate sludge, or to endanger collection/treatment workers.

ll. Slug Load or Slug Discharge. Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Part II Section 1 and 3 of this ordinance. 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.

mm. Wastewater Manager. The person designated by the Authority to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this ordinance. The term also means a Duly Authorized Representative of the Wastewater Manager.

nn. Surcharge. The additional charge for treating sewage containing concentrations of BOD and/or

suspended solids in excess of 240 parts per million.

oo. Suspended Solids. 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 40 CFR Part 136.

pp. Toxic Substances. Any substance whether gaseous, liquid or solid, of such character or in such quantity that when discharged to the sanitary sewer will interfere with any sewage treatment process, cause a hazard to any portion of the sewerage system, constitute a hazard to any living organism, a hazard in the stream or watercourse receiving the effluent from the sewage treatment plant, or interfere with sludge disposal.

qq. Trade Secrets. Any formula, plan, pattern, process, tool, mechanism, material, compound, procedure, production data, or compilation of information which is not patented, which is known only to certain individuals within a commercial concern who are using it to fabricate or produce a compound, an article of trade, or a service having commercial value and which gives its users an opportunity to obtain a business advantage over competitors who do not know or use it.

PART II. DISCHARGE REQUIREMENTS

Section 1. Prohibited Waste Discharges

No person shall discharge or cause to be discharged into any portion of the sewerage system, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the collection system or sewage treatment plant; constitute a hazard to human life or health, interfere with or impede the disposal of treatment by-products such as scums and sludges; pass through the treatment system so as to violate any local, State or Federal stream standard; or create a public nuisance.

Section 2. 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 Wastewater Manager may impose equivalent concentration or mass limits only if the Industrial User meets all of the conditions set forth in Part II Section 2.a and Part II Section 2.d 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 wastestreams, 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 operation 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 Wastewater Manager whenever production rates are expected to vary by more than 20 percent from its baseline production rates determined in paragraph Part II Section 2.a.(1)(c) of this Section. Upon notification of a revised production rate, the Wastewater Manager 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 paragraphs Part II Section 2.a.(1)(a) of this Section so long as it discharges under an equivalent mass limit.

(3) When developing equivalent mass limits, the Wastewater Manager:

(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 Part II Section 3.m.

b. When the limits in a categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit of production, the Wastewater Manager 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 Wastewater Manager may impose an alternate limit in accordance with 9 VAC 25-31-780.E.

d. The Wastewater Manager may convert the mass limits of the categorical Pretreatment Standards of 40 CFR Parts 414, 419, and 455 to concentration limits for the purposes of calculating limitations applicable to individual Industrial Users. The conversion is at the discretion of the Wastewater Manager.

Section 3. Local Limits

The Wastewater Manager is authorized to establish Local Limits pursuant to 40 CFR 403.5(c).

Section 4. Specific Prohibitions

Discharges of the following are expressly prohibited:

a. Any waste having a temperature greater than 150 degrees F at the point of discharge or of such temperature and quantity to cause the sewage treatment plant influent temperature to exceed 104 degrees F.

b. Any water or waste containing more than 100 parts per million of fat, oil, or grease, as determined by procedure 1664 N-Hexane Extractable Material (HEM), EPA Methods and Guidance for Analysis of Water April 1995. An analytic value of greater than 100 parts per million shall require further testing utilizing the Silica Gel Treated (SGT-HEM) procedure and compliance will be determined based on the two test results.

c. Any petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.

d. Any gasoline, benzene, naphtha or other hydrocarbon solvents or oils, or other flammable or explosive liquids, solids or gases with a closed cup flashpoint of less than 140 degrees F.

e. Any waters or wastes having a stabilized pH lower than 6.0 or higher than 9.0 or having properties capable of causing damage to structures and equipment of the sanitary sewerage system.

f. Any noxious or malodorous gas or substance capable of creating a public nuisance, or any substance or compound, which, when introduced into a reducing environment such as might exist in the sewer system, might cause the evolution of a malodorous gas and thereby create a public nuisance.

- g. Any discharge of pollutants which result in the presence of toxic gases, vapors, or fumes in a quantity that may cause acute worker health and safety problems.
- h. Any trucked or hauled wastes except as provided for in Part II, Section 6 of these Regulations.
- i. Any waters or wastes having objectionable color which is not removable by the existing sewage treatment plant processes.
- j. Any waters or wastes containing BOD, COD, or suspended solids of such character and quantity that unusual attention or expense is required in the handling of such materials in the sewerage system.
- k. Any stormwater, surface water, ground water, roof run-off, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters.
- l. Any wastes containing any radioactive materials or isotopes of such half-life or concentration as may exceed any limits established by applicable State or Federal regulations.
- m. Any water added for the purpose of diluting wastes which would otherwise exceed applicable maximum concentration limits set for any pollutant at the point of discharge, but which would accumulate to undesirable quantities in the collection and/or treatment systems.
- n. Any wastes containing concentrations of phenols, arsenic, barium, cadmium, chromium, copper, cyanide, iron, lead, mercury, nickel, silver, zinc or other substances in excess of concentrations which may be adopted by the Board.
- o. Any slug discharges.
- p. Any wastes requiring the introduction of a quantity of chlorine or any other compound beyond the range normally required for sewage treatment purposes.
- q. Any solid or viscous substances capable of causing obstruction to flow in sewers or interference with proper operation of the sewage treatment facilities.
- r. Any lime sludges resulting from the pretreatment and/or removal of metals.

Section 5. Construction and Interpretation

The omission of any particular waste from the standards outlined herein does not imply that discharge of such waste to the sanitary sewer system will be permitted. Any liquid waste of peculiar character and volume, or of toxic or unusual nature shall be subject to review by the Approving Authority and standards deemed applicable established by the Approving Authority.

The requirements set forth herein are generally applicable but are not absolutely fixed. Such

requirements may be made more restrictive and more stringent by the Board if a survey of the sanitary sewer system and/or analyses of sewage treatment plant operating data, or standards set by the Virginia State Water Control Board for receiving streams indicate that such action is necessary for the protection of the sewerage system. Such requirements may be made more liberal only by Resolution of the Board, duly adopted, and based upon satisfactory evidence and proof that the discharge of a particular waste having concentration of particular substance, compound, or element in excess of those outlined herein has no adverse effect on the sewerage system, sludge disposal, or the quality of the receiving stream. No such Resolution may allow contravention of any State or Federal regulation or standard.

Section 6. Notification of Violation

Dischargers shall notify the Authority immediately by telephone or in person upon discharging wastes in violation of these Regulations accidentally or otherwise. Such notification shall be followed within five (5) days of the day of occurrence by a detailed written statement to the Authority describing the causes of the discharge and the measures being taken to prevent future occurrences. Dischargers are required to take all reasonable counter-measures to stop the discharge and to neutralize its effect, if possible.

Section 7. Acceptance of Off-Site and Septic Tank Wastes

Wastes from sites not served by the public sewerage system may be considered for disposal on a case by case basis. Any person requesting such disposal shall first obtain a Letter of Acceptance from the Authority by submitting the appropriate information contained in Part III Section 2 (a)-(l) of these Regulations. A separate request must be made for each discharge unless it can be demonstrated that the wastes are routinely produced and of such quality that individual consideration can be waived. The Letter of Acceptance issued to haulers of septic tank wastes shall be in the form of a Permit subject to all the provisions of Part III, Industrial Waste Discharge Permits. The conditions of the Letter of Acceptance may include, but need not be limited to the following:

- a. Maximum permissible composite concentration of wastewater constituents;
- b. Limits on rate and time of discharge or requirements for flow regulation;
- c. Requirements for inspection and sampling;
- d. Requirements for recording, maintaining and reporting information concerning the origin of each tank truck load and identification of contributor(s);
- e. Prohibition of discharge of certain wastewater constituents;
- f. Other conditions as deemed appropriate by the Authority to insure compliance with these Regulations.

Section 8. Accidental Discharge/Sludge Discharge Control Plans

The Wastewater Manager shall evaluate whether each SIU needs an accidental discharge/sludge discharge control plan or other action to control Slug Discharges at least once during the term of the SIU permit or within 1 year of being identified as a SIU. The Wastewater Manager 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 Wastewater Manager may develop such a plan for any User. An accidental discharge/sludge discharge control plan shall address, at a minimum, the following:

- a. Description of discharge practices, including nonroutine batch discharges;
- b. Description of stored chemicals;
- c. Procedures for immediately notifying the Wastewater Manager of any accidental or Slug Discharge, as required by Part II Section 5 of this ordinance; 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.

PART III. INDUSTRIAL WASTE DISCHARGE PERMITS

Section 1. Permits Required

Any person desiring to discharge industrial wastes into the public sanitary sewer system shall notify the Approving Authority of the nature and characteristics of their proposed wastewater discharge prior to commencing said discharge. The Approving Authority may, upon receiving notice of a proposed discharge, require application for a Permit. It shall be unlawful for any significant industrial user to discharge any industrial wastes, either directly or indirectly, into the public sewerage system without first obtaining a Permit.

Section 2. Permit Applications

Any person notified by the Approving Authority of the requirement to apply for a Permit shall complete and file with the Approving Authority the following information as appropriate:

- a. Name, address, and telephone number of applicant and contact person, and the name and current mailing address of the owner of the premises from which industrial wastes are intended to be discharged;

- b. Standard Industrial Classification (SIC) code of both the industry as a whole and any processes for which Federal categorical pretreatment standards have been promulgated;
- c. Wastewater constituents and characteristics including any pollutants in the discharge which are limited by any Federal, State, or local standards. Sampling and analysis will be undertaken in accordance with 40 CFR Part 136;
- d. Time and duration of the discharge;
- e. Daily maximum, daily average, and monthly average wastewater flow rates, including daily, monthly, and seasonal variations, if any;
- f. Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used at the facility which are or could accidentally or intentionally be discharged to the sewerage system;
- g. The site plans, floor plans and mechanical and plumbing plans and details to show all sewers, floor drains, and appurtenances by size, location and elevation and all points of discharge;
- h. Each product produced by type, amount, process or processes and rate of production;
- i. Type and amount of raw materials processed (average and maximum per day);
- j. Number and type of employees, hours of operation, and proposed or actual hours of operation of the pretreatment system;
- k. Whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet all applicable Federal, State, and local standards. If additional pretreatment and/or O&M will be required to meet the standards, then the industrial user shall indicate the shortest time schedule necessary to accomplish installation or adoption of such additional treatment and/or O&M. The completion date in this schedule shall not be longer than the compliance date established for the applicable pretreatment standard. The following conditions apply to this schedule:
 - (1) 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 hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, beginning operation, and conducting routine operation). No increment referred to above shall exceed nine (9) months, nor shall the total compliance period exceed eighteen (18) months;
 - (2) No later than fourteen (14) days following each date in the schedule and the final date for

compliance, the user shall submit a progress report to the Approving Authority 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. In no event shall more than nine (9) months elapse between such progress reports to the Approving Authority; and

(3) Any other information as may be deemed necessary to evaluate the Permit application.

l. All applications must be signed and certified in accordance with Part III, Section 1.

m. A list of any environmental control permits held by or for the facility.

"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."

Section 3. Processing and Issuance of Permits

The Approving Authority will evaluate the Permit application and determine the need for issuing a Permit. If a Permit is required, a draft Permit may be issued within sixty (60) days after all data required by these Regulations have been furnished to and accepted by the Approving Authority. The applicant shall then be allowed a thirty (30) day comment period. Upon the expiration of the comment period, or upon the expiration of ninety (90) days from the date the data have been furnished and accepted, the Approving Authority shall issue or deny a Permit. A Permit may contain appropriate restrictions. Issuance of a Permit shall not relieve the discharger from complying with all applicable laws, regulations, and ordinances promulgated by other government authority, nor shall the issuance of a Permit be construed as a representation by the Approving Authority that the discharge permitted therein complies with such laws, regulations and ordinances. No Permit is transferable.

Section 4. Denial of a Permit

Should the waste from an applicant's operations be deemed to be inadmissible into the sanitary sewer system because of objectionable character as defined by these Regulations, or because of flow characteristics incompatible with the best use of the receiving sewer, the Approving Authority will not approve the discharge of such waste into the sanitary sewer system until such person has employed, at his own expense, methods and processes of pretreatment as will render the waste admissible to the sanitary sewer system in accordance with these Regulations. The Approving Authority will not specify, suggest, or recommend equipment, structures, or arrangements comprising the pretreatment processes. The methods and procedures of the

pretreatment to be employed shall be reviewed and approved with the same procedure as stipulated for Permit applications. Approval of discharge of industrial wastes by any person will be given only on the basis of performance of pretreatment processes, if pretreatment should be required.

Section 5. Permit Conditions

Permits shall include such conditions as are reasonably deemed necessary by the Approving Authority to prevent pass through or interference, protect the quality of the stream receiving the sewage treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the sewerage system. Permits must contain, but need not be limited to, the following:

- a. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
- b. Limits on the average and/or maximum concentration, mass, or other measure of identified wastewater constituents or properties;
- c. Requirements for the installation of pretreatment technology or construction of appropriate containment devices designed to reduce, eliminate, or prevent the introduction of pollutants into the sewerage system;
- d. Development and implementation of spill control plans or other special conditions including additional management practices necessary to adequately prevent accidental, unanticipated, or routine discharges;
- e. Requirements for installation and maintenance of inspection and sampling facilities;
- f. Specifications for self-monitoring programs which may include sampling locations, frequency of sampling, number, types, and standards for tests, and reporting schedules;
- g. Compliance schedules;
- h. Requirements for submission of technical reports or discharge reports;
- i. Requirements for record keeping relating to wastewater discharges and access thereto;
- j. Requirements for notification of any new wastewater constituents or of any substantial change in the volume or character of the wastewater being introduced into the sewerage system;
- k. Requirements for the notification of any change in the manufacturing and/or pretreatment process used by the discharger;
- l. Requirements for notification of excessive, accidental, or slug discharges;

- m. Requirements to control Slug Discharge, if determined by the Wastewater Manager to be necessary; and
- n. Other conditions as deemed appropriate to ensure compliance with these Regulations and State and Federal laws, rules and regulations.
- o. 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.
- p. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards.
- q. A Statement that indicates the wastewater discharge permit issuance date, expiration date and effective date.
- r. A statement that the permit is nontransferable without prior notification to the Authority.

Section 6. Duration of Permits

Permits shall be issued for a period of time not to exceed three (3) years. An expired Permit will continue to be effective and enforceable until the Permit is reissued if the failure to reissue the Permit, prior to expiration of the previous Permit, is not due to any act or failure to act on the part of the industrial user.

Section 7. Modification of Permits

The terms and conditions of any Permit may be subject to modification and change by the Approving Authority during the life of the Permit to accommodate changed conditions and as local, State and Federal laws, rules and regulations are modified or amended, or as new National Categorical Pretreatment Standards are promulgated. Permit holders shall be informed of any proposed changes in their respective Permits at least sixty (60) days prior to the effective date of change and shall be allowed a comment period relating to any of the proposed changes in their Permits within the first thirty (30) days after issuance of such proposed changes by the Approving Authority. The Approving Authority shall allow a discharger a reasonable period of time to comply with any changes in the Permit required by the Approving Authority unless otherwise required by emergency or governmental regulations. Nothing in these Regulations is intended to preclude the Approving Authority from taking immediate action to temporarily modify a Permit when there is imminent risk of injury to the sewerage system or to the health and welfare of the public or to the environment.

Section 8. Separate Permits Required

A separate Permit shall be required for each wastewater connection discharging, directly or indirectly, into the sewerage system. For each discharger having multiple connections at a single plant or facility, a single Permit will be required which may set forth specific effluent limitations and conditions for discharge from each separate connection.

Section 9. Non-Transferability

Permits are issued to a specific user for a specific operation and are not assignable to another user or location.

a. In the event of any change in ownership of facilities from which the discharge is permitted, the permittee shall notify the succeeding owner of this Permit by letter with a copy forwarded to the Authority. The succeeding owner must apply for a new Permit within thirty (30) days of assuming ownership and comply with the terms of this Permit until a new Permit is issued.

b. Any anticipated facility expansion, production increases, or process modifications which will result in new, different or increased discharges of pollutants must be reported to the Authority.

(1) If any changes will not violate the discharge limitations specified in this Permit, the Permit may be modified to specify and limit any pollutants not previously limited.

(2) If such changes violate the discharge limitations specified in this Permit, this Permit will become void and a new Permit application must be submitted.

PART IV. ADMINISTRATION

Section 1. Administration

Except as otherwise provided herein, the Executive Director of the Authority shall administer, implement and enforce the provisions of these Regulations. Any power granted, or duties imposed upon the Executive Director may be delegated by the Executive Director to persons in the employ of the Authority.

Section 2. Monitoring

a. The volume or quantity of industrial waste discharged by any person into the sanitary sewer system shall be measured by one or more of the following methods:

(1) If the volume of water used by any person in his industrial or process operations is substantially the same as the volume purchased from the municipal waterworks system, then the volume of water purchased should be considered to be the volume of waste discharged.

(2) If a substantial portion of the water purchased from the City of Charlottesville and/or Albemarle County Service Authority is used for purposes that do not require the discharge of such used water to the sanitary sewer system, such person shall, at his own expense, either:

(a) install a meter(s) of design approved by the Approving Authority on the water supply line(s) to his industrial and/or process operations or,

(b) install a meter(s) of design approved by the Approving Authority on the waste line(s) from his industrial and/or process operations.

The volume of water or waste flow, respectively, as measured through said meters shall be considered to be the volume of waste discharged to the sanitary sewer system.

(3) If any person proposing to discharge industrial wastes into the sanitary sewer system does not secure his entire water supply requirements from the City of Charlottesville and/or Albemarle County Service Authority such person shall, at his own expense, install a meter(s) of design approved by the Approving Authority on the waste line(s) from his industrial and/or process operations. The volume of waste flow, as measured through said meter(s) shall be considered to be the volume of waste discharged to the sanitary sewer system.

b. Samples to determine the character and concentration of industrial wastes discharged into the sanitary sewer system for purposes of determining compliance with these Regulations and calculating surcharges, shall be collected by Authority personnel as may be deemed necessary by the Approving Authority. The methods used to determine the character and concentration of the industrial wastes shall be in accordance with 40 CFR Part 136.

Industries wishing to include samples other than those regularly scheduled may request the Authority to do so. Costs incidental to sampling and analyzing of wastes for purposes of determining compliance with these Regulations, or that are applicable to surcharges shall be paid for by those persons discharging wastes into the sanitary sewers.

c. A Permit holder may be required to construct, at his own expense, a control manhole on the waste line(s) from his industrial and/or process operations for the purpose of facilitating observations, measurements, and sampling of the industrial wastes discharged from such person's establishment. The control manhole shall be constructed in a suitable and satisfactory location downstream from any pretreatment facilities, holding tanks, or other approved works, and ahead of the point of discharge of such waste into the sanitary sewer system. The design of the control manhole shall be in accordance with the requirements of the Approving Authority. The control manhole shall be maintained by such person so as to be safe, accessible and in proper operating condition at all times.

d. Properly identified Authority personnel shall be allowed access at all reasonable times for purposes of inspection and sampling and shall have the right to inspect and copy records.

Section 3. Baseline Monitoring Reports

a. Within either one hundred eighty (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 Wastewater Manager a report which contains the information listed in paragraph (2), below. At least ninety (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 Wastewater Manager a report which contains the information listed in paragraph (2), 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 Part III Section 2.a-m. [Note: See 40 CFR 403.12(b)(1)-(7)]

(2) Measurement of pollutants.

(a) The User shall provide the following information:

(i) The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.

(ii) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the Wastewater Manager, of regulated pollutants in the discharge from each regulated process.

(iii) Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.

(iv) The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Part IV Section 15 of this ordinance. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the Wastewater Manager or the applicable Standards to determine compliance with the Standard.

(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 Part IV Section 15;

(e) The Wastewater Manager 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;

(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.

(3) Compliance Certification. A statement, reviewed by the User's Authorized Representative as defined in Part I Section 4 (c) 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 Part IV Section 4 of this ordinance.

(5) Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Part IV Section 12 of this ordinance and signed by an Authorized Representative as defined in Part I Section 4 (c).

Section 4. Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by Part IV Section 3 (b)(4) of this ordinance:

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 (9) months;

c. The User shall submit a progress report to the Wastewater Manager no later than fourteen (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 (9) months elapse between such progress reports to the Wastewater Manager.

Section 5. Reports on Compliance with Categorical Pretreatment Standard Deadline

Within ninety (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 Wastewater Manager a report containing the information described in Part III Section 2(e) and Part IV Section 3(b)(2) of this ordinance. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in Part II Section 2 [Note: See 40 CFR 403.6(c)], 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 Part IV Section 12 of this ordinance. All sampling will be done in conformance with Part IV Section 16.

Section 6. Periodic Compliance Reports

a. All Significant Industrial Users must, at a frequency determined by the Wastewater Manager submit no less than twice per year (June and December) 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 Wastewater Manager or the Pretreatment Standard necessary to determine the compliance status of the User.

b. All periodic compliance reports must be signed and certified in accordance with Part IV Section 12 of this ordinance.

c. 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.

d. 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 Wastewater Manager, using the procedures prescribed in Part IV Section 16 of this ordinance, the results of this monitoring shall be included in the report. [Note: See 40 CFR 403.12(g)(6)].

Section 7. 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 Wastewater Manager 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 (5) days following such discharge, the User shall, unless waived by the Wastewater Manager, 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 ordinance.

c. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph (1), 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 Wastewater Manager immediately of any changes at its facility affecting the potential for a Slug Discharge.

Section 8. Reports of Changed Conditions

Each User must notify the Wastewater Manager of any significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least fourteen (14) days before the change.

a. The Wastewater Manager 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 Part III Section 2 of this ordinance.

b. The Wastewater Manager may issue an individual wastewater discharge permit under Part III Section 3 of this ordinance or modify an existing wastewater discharge permit under Part III Section 7 of this ordinance in response to changed conditions or anticipated changed conditions.

c. All Users are required to notify the Wastewater Manager immediately of any changes at its facility affecting the potential for a Slug Discharge.

Section 9. Notice of Violation/Repeat Sampling and Reporting

If sampling performed by a User indicates a violation, the User must notify the Wastewater Manager within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Wastewater Manager within thirty (30) days after becoming aware of the violation. Resampling by the Industrial User is not required if the Authority performs sampling at the User's facility at least once a month, or if the Authority performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the Authority receives the results of this sampling, or if the Authority has performed the sampling and analysis in lieu of the Industrial User.

Section 10. Requirement to Conduct Representative Sampling

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.

Section 11. 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 one hundred (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 twelve (12) months. All notifications must take place no later than one hundred and eighty (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 Part IV Section 8 of this ordinance. 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 Part IV Sections Section 3, Section 5 and Section 6 of this

ordinance.

b. Dischargers are exempt from the requirements of paragraph a. above, during a calendar month in which they discharge no more than fifteen (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 fifteen (15) kilograms of nonacute 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 Wastewater Manager, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (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 ordinance, a permit issued thereunder, or any applicable Federal or State law.

Section 12. Certification Statements

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 Part III Section 2(l); Users submitting baseline monitoring reports under Part IV Section 3(b)(5) [Note: See 40 CFR 403.12 (l)]; Users submitting reports on compliance with the categorical Pretreatment Standard deadlines under Part IV Section 5 [Note: See 40 CFR 403.12(d)]; Users submitting periodic compliance reports required by Part IV Section 6 [Note: See 40 CFR 403.12(e) and (Note: See 40 CFR 403.12(e)(2)(iii))]. The following certification statement must be signed by an Authorized Representative as defined in Part I Section 4(c):

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.

Section 13. Recordkeeping

Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, 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. 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; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the Authority, or where the User has been specifically notified of a longer retention period by the Wastewater Manager.

Section 14. Submission of All Monitoring Data

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 Wastewater Manager, using the procedures prescribed in Part IV Section 16 of this ordinance, the results of this monitoring shall be included in the report.

Section 15. 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 Wastewater Manager or other parties approved by EPA.

Section 16. 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. All Significant Industrial Users must, at a frequency determined by the Wastewater Manager sample no less than twice per year (June and December).

a. Except as indicated in Section 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 Wastewater Manager. Where time-proportional composite sampling or grab sampling is authorized by the Authority, 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 Authority, 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 Part IV Section 3 and Section 5 [40 CFR 403.12(b) and (d)], a minimum of four (4) 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 Wastewater Manager] may authorize a lower minimum. For the reports required by paragraphs Part IV Section 6 (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 with applicable Pretreatment Standards and Requirements.

Section 17. Costs

a. A surcharge for treating wastes with BOD and/or suspended solids concentrations greater than 240 parts per million may be rendered. This surcharge shall be imposed as herein provided in addition to any existing sewer service charges and to any sewer charge imposed after the adoption of these Regulations. The surcharge shall include:

- (1) A charge covering the cost incurred by the Authority in treating the wastes in the sewage treatment plants; and
- (2) A charge covering the cost incurred by the Authority in sampling and analyzing the discharge.

b. The surcharge, as set forth in Paragraph a. of this Section, shall be shown separately on the regular bill rendered to the proper persons each month by the City of Charlottesville or the Albemarle County Service Authority. The dischargers shall pay in accordance with practices existing for payment of sewer charges.

c. The City of Charlottesville and the Albemarle County Service Authority shall remit to the Authority each month that part of the surcharge attributable to the increased operating and maintenance costs incurred by the Authority in treating the waste.

d. The Authority shall review, at least annually, the basis for determining charges and shall adjust

the unit treatment costs to reflect increases or decreases in wastewater treatment costs based upon the Authority's adopted annual budget.

e. Charges for the disposal of off-site and septic tank wastes as provided for in Part II Section 4 will be paid by the Permittee directly to the Authority in accordance with the current schedule and conditions contained in the Letter of Acceptance. Acceptance of domestic septic tank wastes is further subject to the advance purchase and render upon delivery for discharge, of a coupon to the operator on duty.

PART V. VIOLATIONS AND ENFORCEMENT

Section 1. Suspension of Permits

a. The Approving Authority may suspend a Permit for a period not to exceed sixty (60) days when suspension is necessary in order to stop a discharge which, in the judgement of the Authority presents an imminent hazard to the public health, safety or welfare, to the local environment, or to any portion of the sewerage system.

b. Any discharger notified of a suspension of his Permit shall immediately cease discharge of all industrial wastewater into the sewerage system. In the event of a failure of a discharger to comply voluntarily with the suspension order, the Authority shall take such steps as are reasonably necessary to ensure compliance. The Permit may be reinstated upon such terms and conditions as may be required if a reinspection by Authority personnel reveals that the effluent is again in compliance with terms and conditions of the Permit.

Section 2. Emergency Suspensions

The Wastewater Manager 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 Wastewater Manager 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 Wastewater Manager 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 Wastewater Manager may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the Wastewater Manager that the period of endangerment has passed, unless the termination proceedings in Section 3 of this ordinance 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 Wastewater Manager prior to the date of any show cause or termination hearing under Section 3 of this ordinance.

Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency Suspension under this Section.

Section 3. Revocation of Permits

Permits may be revoked for just cause including but not limited to:

- a. Violation of any terms or conditions of the Permit or of any of these Regulations or any other government Regulations or discharge prohibitions.
- b. Obtaining a Permit by misrepresentation.
- c. Failure to disclose fully relevant facts or to report significant changes in wastewater volume, constituents or characteristics.
- d. False statements or data in any required monitoring report.
- e. Refusal of reasonable access to the discharger's premises for the purpose of inspection or monitoring.
- f. Failure to pay any and all costs as outlined in Section 4 herein or Part IV Sections 2(b) and Section 17(a) preceding.

Section 4. Consequences of Revocation

Before any further discharge of industrial wastewater may be made by a discharger whose Permit has been revoked, the discharger must apply for, and be granted, a reinstatement of the terminated Permit, or a new Permit, as the Approving Authority may require, and pay all delinquent fees, charges and costs occasioned by the violation.

When the Wastewater Manager finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Wastewater Manager may petition the Approving Authority for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual wastewater discharge permit, or other requirement imposed by this ordinance on activities of the User. The Wastewater Manager 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.

Section 5. Criminal/Civil Liability

Any person who willfully or negligently violates any provision of these Regulations may be subject to criminal penalties or a fine of up to \$1000 per day of violation, or by imprisonment for up to twelve months, or by both fine and imprisonment.

Further, any person who violates any provision of these Regulations or any condition or limitation of a Permit, or plan approval related thereto, shall be financially responsible and liable to the Authority, in addition to normal service charges and surcharges, for all costs incurred by the Authority associated with the violation of these Regulations, including, but not limited to the following:

- a. Cost of mileage and labor incurred in detecting and correcting the violation.
- b. Laboratory analysis costs associated with detecting and correcting the violation.
- c. Additional treatment costs caused by the violation or associated with detecting and correcting the violation.
- d. Costs of any additional equipment acquired or expended by the Authority for detecting or correcting the violation.
- e. Repair and/or replacement of any part of the sewage system damaged by the violation.
- f. Any liability, damages, fines or penalties incurred by the Authority as a result of the violation.
- g. Other costs as are associated with the detecting and correcting of the violation.

Section 6. Remedies Nonexclusive

The remedies provided for in this ordinance are not exclusive. The Wastewater Manager 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 Authority's enforcement response plan. However, the Wastewater Manager may take other action against any User when the circumstances warrant. Further, the Wastewater Manager is empowered to take more than one enforcement action against any noncompliant User.

Section 7. Confidential Information

Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, and monitoring programs, and from the Wastewater Manager 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 Wastewater Manager, 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 NPDES 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.

Section 8. Publication of Users in Significant Noncompliance

The Wastewater Manager shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the Authority, a list of the Users which, at any time during the previous twelve (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 paragraphs (c), (d) or (h) of this Section) and shall mean:

- a. Chronic violations of wastewater discharge limits defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six- (6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits;
- b. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, 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 Part I, Section 4 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the Wastewater Manager 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 Wastewater Manager's exercise of its emergency authority to halt or prevent such a discharge;
- e. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

f. Failure to provide within forty-five (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 Wastewater Manager determines will adversely affect the operation or implementation of the local pretreatment program.

PART VI. SEVERABILITY

If any section, clause, provision, or portion of these Regulations shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of these Regulations.

APPENDIX B

**ALBEMARLE COUNTY SERVICE AUTHORITY
WATER AND SEWER RATE SCHEDULE**

Effective July 1, 2026

Section 7-07. Temporary Water Service

A. Temporary Water Service

Initial Fee	\$55.00
Each 30-Day Extension	\$55.00

B. Meter Size Deposit

¾" & 1"	\$330.00
1 1/2"	\$440.00
2"	\$550.00

Section 7-08. Temporary Use of Fire Hydrants

- A. 1" hydrant meter - \$600 (\$100 non-refundable)
 1 ½ hydrant meter - \$1,300 (\$150 non-refundable)
 3" hydrant meter - \$2,200 (\$250 non-refundable)

- B. A usage fee of \$30.00 per month will be charged for hydrant use through the hydrant meter. Failure to submit a meter reading will result in a \$75.00 non-refundable fee.

Section 8 Cross-Connection and Backflow Prevention; Section 8-21. Violation Charges

Item #	Charge	Violation
1	\$1,000	Failure to correct an identified cross-connection – high hazard
2	\$500	Failure to correct an identified cross-connection – low hazard
3	\$1,000	Failure to install an approved backflow prevention assembly – high hazard
4	\$500	Failure to install an approved backflow prevention assembly – low hazard
5	\$1,000	Removal or bypass of a required backflow prevention assembly – high hazard
6	\$500	Removal or bypass of a required backflow prevention assembly – low hazard
7	\$250	Failure to provide a passing test report for a backflow prevention assembly – high hazard
8	\$100	Failure to provide a passing test report for a backflow prevention assembly – low hazard

Section 10-03. Meter Testing Charge

3/4" - 1"	\$220.00
1 1/2" - 2"	\$275.00
3" - larger	\$ Actual Cost+25%

Section 11-05 Deposits For Temporary Meters

<u>Meter Size</u>	<u>Deposit</u>
3/4" & 1"	\$330.00
1 1/2"	\$440.00
2"	\$550.00

Section 12-02. Water and Sewer Rates

VOLUME CHARGES

In addition to the fixed monthly service charge (Section 12-03), a volume charge based upon monthly metered water use will be assessed as follows:

Water

Metered Consumption

Residential and All Irrigation Water Rates:

Level 1 (0-3,000 gallons per month)	\$7.66 per thousand gallons
Level 2 (3,001-6,000 gallons per month)	\$15.35 per thousand gallons
Level 3 (6,001-9,000 gallons per month)	\$23.01 per thousand gallons
Level 4 (over 9,000 gallons per month)	\$30.71 per thousand gallons

Non-Residential and Multi-Family Residential Water Rate (except irrigation water):
\$15.35 per thousand gallons

For customers having both a primary and auxiliary meter, the four rate levels will be applied to the sum of the consumption on both meters, not to each individual meter.

Wastewater

Metered Consumption	\$13.16 per thousand gallons
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Section 12-03. Monthly Service Charge

The fixed monthly service charge will be assessed based on meter size as follows:

<u>Meter Size</u>	<u>Service Charge</u>
3/4"	\$14.32
1"	\$35.79
1 1/2"	\$71.58
2"	\$114.52
3"	\$229.03
4"	\$357.86
6"	\$715.70

Section 12-04. Connection Charges

ERC Determination

Connection Charges for metered services larger than 3/4" shall be equated to equivalent residential connections (ERC) according to the following ratios:

3/4" meter	=	1 ERC	3" meter	=	16 ERCs
1" meter	=	2.5 ERCs	4" meter	=	25 ERCs
1 1/2" meter	=	5 ERCs	6" meter	=	50 ERCs
2" meter	=	8 ERCs			

Connection Charges for multi-family, hotels, hospitals, assisted living facilities, nursing care facilities, master-metered single-family units, and master-metered mobile home parks shall be determined based upon the higher fee of either the meter size or the calculated number of ERCs based on the following factors:

Multi-family	1 unit	=	0.50	ERC
Hotels	1 room	=	0.50	ERC
Mobile Home Park	1 mobile home	=	1.00	ERC
Hospitals	1 bed	=	1.00	ERC
Assisted Living Facility	1 bed	=	0.40	ERC
Nursing Care Facility	1 bed	=	0.75	ERC
Master-Metered Single-Family	1 unit	=	1.00	ERC

For large or unusual new connections, where either high demand may be anticipated or new connections serve both residential and non-residential customers, the Authority reserves the right to calculate Connection Charges based on engineering data specific to that customer rather than using the ERC factors above.

12-04. A. Installation Charges

(a) Water

Primary Meters

3/4" - meter and connection	\$2,000
1" - meter and connection	\$2,300
Over 1" - meter and connection	Actual Cost
3/4" - meter only	\$ 400
1" - meter only	\$ 500
1 1/2" - meter only	\$2,700
2" - meter only	\$2,900
Over 2" - meter only	Actual Cost

(b) Wastewater

All Taps	Actual Cost
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12-04. B. System Development Charges

Water	\$2,300 per ERC
Wastewater	\$3,600 per ERC*

*Except certain Glenmore parcels as defined by Glenmore WWTP Agreement dated June 15, 1995

12-04. C. RWSA Capacity Charges

Water	\$5,900 per ERC
Wastewater	\$4,700 per ERC*

*Except certain Glenmore parcels as defined by Glenmore WWTP Agreement dated June 15, 1995

12-04. D. NFRPS Special Rate District Charges

North Zone	\$2,275 per ERC
South Zone	\$1,389 per ERC

Section 12-05. Installation Charges for Irrigation Meters

A. Auxiliary Meters

3/4" meter and connection ¹	\$1,800
3/4" meter and connection ²	Actual Cost
¹ When the new service can be established without crossing more than 2 lanes of traffic.	
² When more than 2 lanes of traffic must be crossed to establish the new service.	
Over 3/4" meter and connection	Actual Cost
3/4" meter only	\$ 400
1" meter only	\$ 500
1 1/2" meter only	\$2,700

B. Primary Meters

Actual cost of installation

Section 12-06. Line Tapping Fee

Where the ACSA provides water main taps to accommodate line extensions, fire sprinkler systems and similar uses, a tapping fee will be assessed to the customer in accordance with the following schedule:

TAPPING

<u>MACHINE</u>	<u>TAP SIZE</u>	<u>LINE SIZE</u>	<u>PRICE</u>
E-4	3/4" – 1"	1 1/4" – 3"	\$200.00
B-100	3/4" – 1"	4" – 24"	\$200.00
A-2	1 1/2" – 2"	6" – 24"	\$300.00
CL-12	4" – 12"	4" – 24"	\$110/inch

Section 13. Miscellaneous Charges

13.02. Account Charge	\$15.00 per each new account
13-03. Delinquent Cut Off/On Fee	\$40.00/trip during normal work hours
13-04. Reconnection Fee	\$90.00 after work hours & weekends
3/4" - 1 1/2" meter	\$40.00
2" - 4" meter	\$55.00
Larger than 4" meter	Actual Cost

13-05. Special Service Fee	\$40.00/trip during normal work hours \$90.00/trip after work hours & weekends
13-06. Meter Size Change Fee All Meters	Actual Cost
13-07. Exceptional Payment Processing Fee	\$35.00 (Payable by Cash only)
13-08. Delinquent Payment Penalty	10% On Outstanding balance
Late Payment Charge	1 1/2% per month
13-09. Meter Re-read Fee	\$40.00
13-10. Plan Review & Construction Inspection Fees:	
Water and/or Sewer lines (Minimum \$500/project charge)	\$2.00/linear foot
Re-inspection Fee of New Water/Sewer Lines	Actual Cost
Inspection of New Pumping Stations	Actual Cost
13-11. Meter Tampering Fee	\$300.00

Section 16. Emergency Water Restrictions

VOLUME CHARGES DURING EMERGENCY WATER RESTRICTIONS

Water

Beginning with the first billing cycle following adoption of Emergency Water Restrictions, in addition to the fixed monthly service charge, a volume charge based upon monthly metered water use will be assessed as follows:

Single-Family Residential	Per 1,000 gallons
Level 1 (0-3,000 gallons per month)	Normal Rate x 1.25
Level 2 (3,001-6,000 gallons per month)	Normal Rate x 1.50
Level 3 (6,001-9,000 gallons per month)	Normal Rate x 2.00
Level 4 (over 9,000 gallons per month)	Normal Rate x 2.00
Non-Single Family Residential	Per 1,000 gallons
All usage	Normal Rate x 1.50

16-06. PENALTIES.

First offense	\$ 500.00
Second offense	\$1,000.00

In addition to the penalty charge, the ACSA may terminate water service for the duration of the emergency.

Section 19. Fats, Oils, and Grease (FOG)

19-22. COSTS AND CHARGES.

Item #	Cost/Charge	Description/Infraction
1	\$300/3 years	FOG Waste Discharge Permit
2	\$1,000/month *	NOV- failure of an FSE to install or repair grease control device
3	\$1,000/month *	NOV- repeated failure of an FSE to properly maintain grease control device, and repeated excessive FOG discharge from an FSE
4	\$500	NOV - failure of an FSE to keep grease control maintenance records on site and available to the ACSA
5	\$500	NOV- falsification by an FSE of grease control device maintenance records
6	\$500/month *	NOV- failure of an FSE to submit a FOG Waste Discharge Permit application or pay a permit fee
7	Assessed amount	An FSE whose operations allow grease accumulation - all costs to clean and repair the ACSA facilities
8	Assessed amount	An FSE whose operations allow grease accumulation that results in a sanitary sewer overflow - all costs to clean and repair the ACSA facilities
9	Assessed amount	An FSE whose operations allow grease accumulation that results in a sanitary sewer overflow- all fines levied by the state or federal government
10	Up to \$10,000/occurrence	Commercial waste hauler or individual – illegal discharge of grease wastes to the ACSA system

*Until the violation is corrected to the satisfaction of the ACSA.

APPENDIX C

North Fork Regional Pump Station Special Rate District

List of Parcels in North Zone

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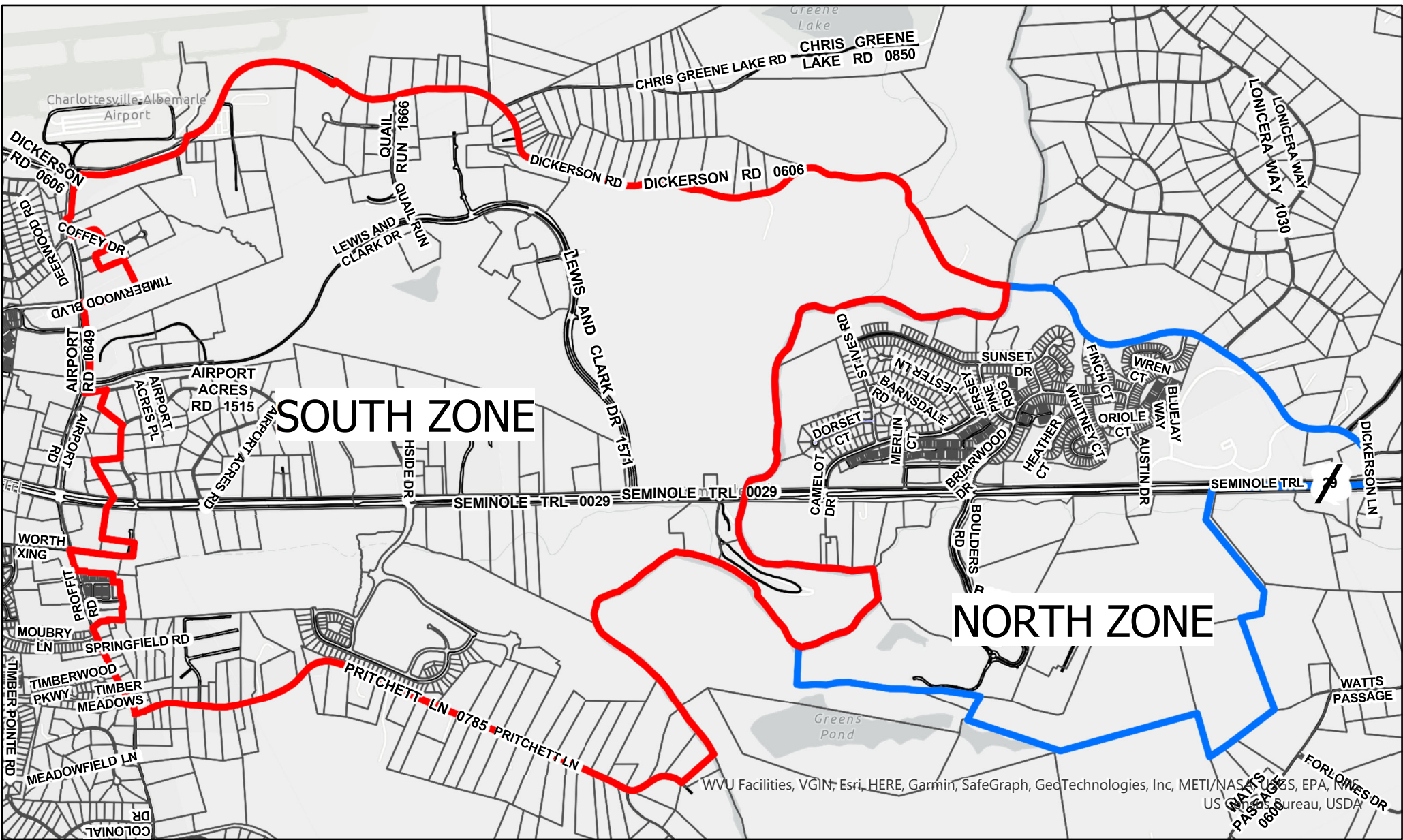
North Zone Parcels

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032G0080009200	032G01B0101500	032G03A0000400	032G03C0003100	033000000001A0
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032G0080009400	032G01B0101700	032G03A0000600	032G03C0003300	033000000001D1
032G0080009500	032G01B0101800	032G03A0000700	032G03C0003400	033000000001D2
032G0080009600	032G01B0101900	032G03A0000800	032G03C0003500	033000000001G0
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032G01A0205400	032G01B0102300	032G03A0001200	032G03C0003900	

North Fork Regional Pump Station Special Rate District

List of Parcels in South Zone

03200000009E0	032000000017B3	032000000022B2	032A0010A00500	032A0010B01700
032000000019E0	032000000017B4	032000000022C1	032A0010A00600	032A0010B01800
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032000000029E0	032000000018B0	032000000022C6	032A0010A00800	032A00200001B0
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03200000001006	032000000019A1	032000000022G0	032A0010A010A0	032A0020000200
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03300000001700	032000000019F1	032000000023F0	032A0010A01900	032A0030B01600
032000000017E3	032000000019G0	032000000023G0	032A0010B00100	032A0030B01700
032000000017E4	032000000019H0	032000000023H0	032A0010B001A0	032A0030B01800
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032000000004H0	032000000020A1	032000000029B1	032A0010B00800	032A0030B02300
032000000005A0	032000000020A2	032000000029H0	032A0010B008A0	032A0030B02400
032000000005A1	032000000020A3	032000000029H1	032A0010B00900	032A0030C00100
032000000006A0	032000000020B0	032000000029I0	032A0010B009A0	032A0030C00200
032000000006A1	032000000020C0	032000000029J0	032A0010B01000	032A0030C00300
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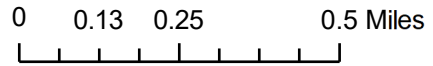
SOUTH ZONE

NORTH ZONE



**North Fork Regional Pump Station
Special Rate District Map**

- Legend**
- North Rate Zone Border
 - South Rate Zone Border



WVU Facilities, VGIN, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NOAA, US Census Bureau, USDA