

ORDINANCE NO. 2 OF 2012

AN ORDINANCE SETTING FORTH UNIFORM REQUIREMENTS FOR CONTRIBUTORS INTO THE WASTEWATER COLLECTION AND TREATMENT SYSTEM OF WEST WYOMING BOROUGH, ESTABLISHING THE AUTHORITY OF THE WYOMING VALLEY SANITARY AUTHORITY TO ADMINISTER AND ENFORCE THE REQUIREMENTS, SETTING FEES FOR THE ADMINISTRATION AND OPERATION OF AN INDUSTRIAL PRETREATMENT PROGRAM, AND ESTABLISHING PENALTIES FOR THE VIOLATION HEREOF

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SECTION 1 – GENERAL PROVISIONS

1.1 Purpose and Policy

West Wyoming Borough (hereinafter the "Municipality") owns and operates a wastewater collection system which is subject to a Service Agreement with the Wyoming Valley Sanitary Authority for the collection and treatment of wastes and sewage collected by such system and contributed by residents of Municipality.

This Ordinance sets forth uniform requirements for direct and indirect contributors into the wastewater collection system and enables the Municipality and the Authority to comply with all applicable state and federal laws as required by the Federal Clean Water Act of 1977, the General Pretreatment Regulations (Title 40 Code of Federal Regulations, Part 403), the Pennsylvania Clean Streams Law, and the provisions of the Service Agreement.

The objectives of this Ordinance are:

- a) to prevent the introduction of pollutants into the wastewater collection and treatment system which will interfere with the operation of the system, contaminate the resulting sludge, be difficult to treat by conventional means or otherwise be incompatible with the system;
- b) to prevent the introduction of pollutants into the wastewater system which will pass through the system, inadequately treated, into receiving streams or the atmosphere, causing pollution;
- c) to improve the opportunity to recycle and reclaim wastewater and sludges from the system; and
- d) to provide for equitable distribution of costs occasioned by the acceptance of industrial or other wastes of unusual characteristics.

This Ordinance provides for the regulation of contributors to the municipal wastewater system through the establishment of standards for discharge of wastes; by authorizing the issuance of permits to certain Non-Domestic Users; by providing general requirements for all users; by authorizing monitoring and enforcement activities; by requiring certain reporting by users; and by providing for the setting of fees for the equitable distribution of costs resulting from the program established herein.

This Ordinance shall apply to all persons who discharge wastes, wastewater or sewage into the sanitary sewer system of the Municipality. Except as otherwise provided herein, the Executive Director of the WWSA shall administer, implement, and enforce the provisions of this ordinance.

1.2 Definitions

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Ordinance have the meanings hereinafter designated:

a) Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act of 1977, as amended, 33 U.S.C. § 1251 et seq.

b) Approval Authority. The administrator of the EPA, Region III, or the Department of Environmental Protection (PADEP) if duly authorized by the EPA to administer the Pretreatment Program.

c) Authorized Representative. The person authorized to sign required reports, as defined at 40 CFR § 403.12(l).

d) Best Management Practices (BMPs). Schedules of activities, prohibition of practices, maintenance procedures, and other management practices to implement the provisions of this Ordinance, including the prohibitions listed in section 2.1 and other Pretreatment Standards and Requirements. BMPs also 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. For purposes of determining Significant Noncompliance under Section 5.8 of this Ordinance, BMPs are considered a narrative Pretreatment Standard or Requirement.

e) Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, as specified, in five days at 20 degrees Celsius expressed in terms of weight and concentration (milligrams per liter (mg/l)).

f) Categorical Industrial User. An Industrial User that is subject to a National Categorical Pretreatment Standard.

g) Chemical Oxygen Demand (COD). The measure of the oxygen-consuming capacity of inorganic and organic matter present in water, sewage, Industrial Wastewater, or other liquid as determined by standard laboratory procedure, as specified, expressed as milligrams per liter (mg/l).

h) Control Authority. The WVSA.

i) Cooling Water. The water discharged from any system of condensation, such as air conditioning, cooling, or refrigeration and which does not contain any pollutants or contaminants at levels which would require regulation under this Ordinance. Cooling water which contains pollutants or contaminants which requires regulation shall be considered Industrial Wastewater.

j) Direct Discharge. The discharge of treated or untreated wastewater directly to the waters of the Commonwealth of Pennsylvania.

k) Domestic User. A User who discharges only Domestic Sewage.

l) Domestic Sewage. The normal waterborne sewage and other wastes normally discharged by a household, including toilet wastes, laundry, washwater and other gray water, and similar wastes.

m) Environmental Protection Agency or EPA. The U.S. Environmental Protection Agency, or where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

n) Executive Director. The person designated as such by the WVSA to supervise the operation of WVSA facilities, or his or her duly authorized representative.

o) Grab Sample. A sample which is taken from a waste stream on a one-time basis with no regard to flow and over a period of time not exceeding fifteen (15) minutes.

p) Holding Tank. A storage tank installed by the User to hold such Industrial Wastewater which is prohibited from being discharged to the sanitary sewer system and from which the contents must be hauled to a disposal site. Such tank shall be approved by the Municipality and shall not be connected to the sanitary sewer system.

q) Indirect Discharge or Discharge. The discharge or the introduction of pollutants into the Sanitary Sewer System from any Non-Domestic User.

r) Industrial User. Any User that discharges Industrial Wastewater.

s) Industrial Wastewater. Liquid waste and water borne liquid, gaseous, and solid substances (except Domestic Sewage which is separately discharged) that is discharged from any industrial, manufacturing, trade or commercial establishment including non-profit organizations, governmental agencies or business activities. If Domestic Sewage is mixed with Industrial Wastewater, the mixture is Industrial Wastewater.

t) Industrial Wastewater Discharge Permit. A permit authorizing the Discharge of Industrial Wastewater into the Sanitary Sewer System.

u) Interference. The inhibition or disruption of the WVSA treatment process or operations such as to cause or threaten to cause or contribute to a violation of any requirement of the WVSA's NPDES Permit, including an increase in the magnitude or duration of any violation. The term includes prevention of sewage sludge use or disposal by the WVSA in accordance with Section 405 of the Act, or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (including the RCRA), the Clean Air Act, the Toxic Substances Control Act, or any more stringent state criteria for the use or disposal of sewage sludge.

v) Local Limits. Indirect Discharge limits, which may include Best Management Practices, established by the WVSA as required by 40 CFR Section 403.5(c) (which such limits shall be deemed Pretreatment Standards), and any other limits developed by WVSA to implement the provisions of this Ordinance or the WVSA Rules and Regulations.

w) National Categorical Pretreatment Standard. EPA-promulgated Indirect Discharge standards for certain Industrial Process Categories under Section 307(b) and (c) of the Act, which are codified at 40 CFR Chapter I, Subchapter N, Parts 405 through 471.

x) New Source. Any source, the construction of which is commenced after publication of proposed Pretreatment Standards under Section 307(c) of the Act which will be applicable to such source, if such standard is thereafter promulgated, as defined at 40 CFR Section 403.3(m)(1).

y) Non-Domestic User. A User engaged, wholly or in part, in the manufacturing, fabricating, processing, cleaning, laundering, bottling, or assembling of a product, commodity or article, or in any commerce or trade and which discharges, or has the capacity to discharge, Wastewater other than Domestic Sewage.

z) Non-significant Categorical Industrial User. An Industrial User subject to National Categorical Pretreatment Standards that is determined by the Control Authority to be a Non-Significant Industrial User on a finding that it never discharges more than one hundred (100) gallons per day of Industrial Waste subject to National Categorical Pretreatment Standards and that the following conditions are met:

(i) The Industrial User, prior to the Control Authority's determination, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;

(ii) The Industrial User annually submits the following certification statement together with any additional information necessary to support the certification statement:

"Based on my inquiry of the person or persons directly responsible for managing compliance with the Categorical Pretreatment Standards under 40 CFR (*insert applicable section*), I certify that, to the best of my knowledge and belief that during the period from _____ to _____ [*month, day, year*]: (a) The facility described as _____ [*facility name*] met the definition of a non-significant categorical industrial user as described in § 403.3(v)(2); (b) the facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and (c) the facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period. This compliance certification is based upon the following information. _____";

(iii) The Industrial User never discharges any untreated concentrated wastewater.

aa) Oil and Grease. The result of the Hexane Extractible Materials Test, EPA Method 1664, or an equivalent method approved by EPA.

bb) Pass Through. A discharge which exits the WVSA treatment plant into the receiving stream in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, causes or contributes, or threatens to cause or contribute to a violation of any requirement of the WVSA's NPDES permit, including an increase in the magnitude or duration of a violation.

cc) Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents, or assigns.

dd) pH. The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions.

ee) Pollution. The alteration of the thermal, chemical, physical, biological, or radiological integrity of, or the contamination of, any water to the extent that the water is rendered harmful, detrimental, or injurious to humans, animal life, vegetation, or property, or to public health, safety, or welfare, or that impairs the usefulness of the public enjoyment of that water. The violation of any water quality standard or criterion established by the PADEP through regulation, rule, permit or order shall be pollution.

ff) Pretreatment or Treatment. The reduction by physical, chemical, or biological means, of the amount or rate of Pollutants, the elimination of Pollutants, or the alteration of the nature of Pollutant properties in wastewater to a less harmful state prior to discharge, except by means prohibited by 40 CFR Section 403.6(d).

gg) Pretreatment Requirement. Any substantive or procedural requirement related to pretreatment, other than a Pretreatment Standard, which is imposed on an industrial user.

hh) Pretreatment Standards. National Categorical Pretreatment Standards and National Prohibited Standards as stated at 40 CFR Part 403.5, and Local Limits developed to implement the National Prohibited Standards.

ii) Prohibited Waste. Any waste which is totally restricted from discharge into the sanitary sewer system by this Ordinance.

jj) Sanitary Sewer System or Sewer System. All of the property involved in the operation of a sanitary sewer collection and treatment facility, including but not limited to land, wastewater lines, appurtenances, pumping stations, metering chambers, and the wastewater treatment plant, whether owned by the Municipality, the WWSA, or any other Person.

kk) "Shall" versus "May". Shall is mandatory, may is permissive.

ll) Significant Industrial User. Any user, not classified as a Non-Significant Industrial User by the WWSA:

(i) that is subject to National Categorical Pretreatment Standards; or

(ii) that discharges an average flow of 25,000 gallons or more per day of process wastewater (excluding sanitary, noncontact cooling and boiler blowdown wastewater); or

(iii) that contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the WWSA's treatment plant; or

(iv) that is designated as such by the WWSA on the basis that the User has a reasonable potential for adversely affecting the WWSA's operation or for violating any Pretreatment Standard or Requirement.

mm) Significant Non-Compliance. As defined in Section 5.8 of this Ordinance

nn) Slug Discharge. Any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge which has reasonable potential to cause Interference or Pass Through or in any other way violate the provisions of this Ordinance, any Industrial Wastewater Discharge Permit, or any provision of the WWSA Rules and Regulations.

oo) Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

pp) State. The Commonwealth of Pennsylvania.

qq) Storm Water. Any flow occurring during or following any form of natural precipitation and resulting therefrom.

rr) Surcharge. An additional service charge levied against any person for discharging Wastewater into the Sanitary Sewer System that requires additional handling, treatment, disposal, or other costs.

ss) Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, and which is removable by filtration.

tt) Toxic Pollutant or Priority Pollutant. Pollutants designated by EPA under provision of Section 307(a) of the Act, as listed on Tables II and III of Appendix D of 40 CFR Part 122.

uu) User. Any Person who contributes, causes or permits the contribution of Wastewater into the WVSA.

vv) Waste or Wastewater. Domestic Sewage, Industrial Wastewater, and any other wastes or water-borne matter discharged, deposited or released by any Person.

ww) Wastewater Treatment Plant or Treatment Plant. The facilities owned and operated by the WVSA for the treatment and disposal of Wastewater.

xx) The Wyoming Valley Sanitary Authority or WVSA. A municipal corporation organized and existing under the laws of the Commonwealth of Pennsylvania, under the Municipal Authorities Act of 1945, as amended, with which the Municipality has a Service Agreement providing for the collection and treatment of wastewater flowing from the sanitary sewer system of the Municipality. The principal place of business of the WVSA is located at 1000 Wilkes-Barre Street, Wilkes-Barre, PA 18711.

yy) WVSA Facilities. All facilities owned, maintained, or operated by the WVSA, including the Treatment Plant, interceptor sewers, pumping stations, and other such facilities.

SECTION 2 – DISCHARGE REGULATIONS

2.1 General Prohibitions

No Person shall discharge, release, place, or allow to be placed, any Wastewater of any nature into any stream, storm sewer, waterway or any other place within the Municipality other than the Sanitary Sewers.

No User shall contribute, cause, or allow to be discharged, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the Sewer System or the WWSA Facilities. These general prohibitions apply to all Users of the Sewer System whether or not the User is subject to any Pretreatment Standards or Requirements or any other Federal, State, or Local Pretreatment Standards or requirements. A User shall not contribute the following substances to the Sanitary Sewer System or the WWSA's Facilities:

a) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with any other substance to cause fire or explosion or be injurious in any other way to the WWSA or to the operation of the WWSA's treatment plant. Discharges prohibited under this section shall include, but not be limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Celsius using the test methods specified in 40 CFR 261.21. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or any point in the system) be more than five (5%) percent, nor any single reading over ten (10%) percent of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which cause or contribute to a fire hazard or a hazard to the Sewer System in the quantities or concentrations discharged.

b) Any wastewater having a pH value less than 6.0 or greater than 11.5 in any grab sample, or a wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel.

c) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: garbage with particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, gas, tar, asphalt residues, mud, or glass grinding or polishing wastes.

d) Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a User knows or has reason to know will cause Interference to the Sewer System. In no case shall a discharge have a flow rate or contain a concentration of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour flow or concentration of pollutants during normal operation. Notwithstanding the criteria above, any Slug Discharge shall be prohibited.

e) Any wastewater having a temperature which will inhibit biological activity in the WVSA treatment plant resulting in Interference, but in no case any Wastewater with a temperature at the introduction into the WVSA Facilities which exceeds 40 degrees Celsius (104 degrees Fahrenheit).

f) Any wastewater containing Toxic Pollutants in sufficient quantity, either singly or by interaction with any wastewater treatment process, which will cause Pass Through or Interference, or exceed the limitation set forth in a National Categorical Pretreatment standard or Local Limit.

g) Any discharge which may result in the presence of toxic gases, vapors, or fumes within the treatment system in a quantity that may cause acute worker health and safety problems or is sufficient to create a public nuisance or hazard.

h) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or Pass Through.

i) Any trucked or hauled pollutants, except at discharge points designated by the WVSA.

j) Any substance which may cause the WVSA Treatment Plant's effluent or any other product of the WVSA such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation or disposal process. In no case shall a substance discharged to the WVSA's Facilities cause the WVSA to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act, any criteria guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or state criteria applicable to the sludge management or disposal method being used.

k) Any substance which will cause or contribute to a violation of the WVSA's NPDES Permit or cause Interference or Pass Through, as established by the Local Limits adopted by the WVSA.

l) Any wastewater with color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions such as would cause or contribute to Pass Through or Interference.

m) Any wastewater containing any radioactive wastes or isotopes by such half-life or concentration as may exceed limits established by the Executive Director in compliance with applicable State or Federal regulations.

n) Any substance which causes a hazard to human life or creates a public nuisance.

When a Local Limit has been developed to implement any of the above Prohibited Waste standards, compliance with the Local Limit shall be deemed compliance with the Prohibited Waste standard unless the User has reason to know that the discharge, notwithstanding the Local Limit, has a reasonable potential to cause Interference or Pass Through.

2.2 National Categorical Limits Override

Upon the promulgation of National Categorical Pretreatment standards for a particular industrial Category or subcategory, the National Standards, if more stringent than limitations imposed under this ordinance for sources in that subcategory, shall immediately supersede the limitations imposed under this Ordinance. The Executive Director shall notify all affected Users of the applicable reporting requirements under 40 CFR, section 403.12. However, failure to notify a Categorical User of the applicable regulations shall not act to excuse any such User from its duty to comply with applicable law.

2.3 Prohibition on Pass Through and Interference

No User shall contribute or cause to be contributed any discharge which by nature shall cause an upset in the performance of the WWSA's treatment system or Pass Through or Interference such that the WWSA will violate or will be in danger of violating any provision of its NPDES permit or applicable state or federal regulations.

2.4 Local Limits and Local Equivalent Categorical Limits

The WWSA will develop Local Limits as set forth in 40 CFR, Part 403.5, and such other Local Limits as it deems advisable for the safe, efficient and reliable operation of the Sewer System and the WWSA Facilities. Local Limits shall be applicable to such Users as WWSA shall designate, including but not limited to all Industrial Users.

WWSA may develop equivalent mass limits or equivalent concentration limits to implement Categorical Pretreatment Standards when requested by a Categorical Industrial User, pursuant to the provisions at 40 CFR Section 403.6(c)(5) and (6).

2.5 State Requirements

State requirements and limitations on Wastewater Indirect discharge shall apply in any case where they are more stringent than Federal and/or Local requirements and limitations, or those in this Ordinance.

2.6 Municipality's Right of Revision

The Municipality reserves the right to establish more stringent limitations or requirements on discharges to the Sewer System if deemed necessary to comply with the objectives presented in Section 1 of this Ordinance.

2.7 Excessive Dilution

No User shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the National Categorical Pretreatment Standards, or in any pollutant-specific limitations developed by the WVSA or the Commonwealth. Provided, however, that dilution may be an acceptable means of complying with certain of the prohibitions set forth in section 2.1, e.g. the pH and temperature prohibitions, if such dilution is authorized by an Industrial Wastewater Discharge Permit.

2.8 Prohibition on Discharge of Stormwater and Cooling Water

No User shall discharge any Stormwater, including but not limited to basement or foundation drainage, or any uncontaminated Cooling Water into the Sanitary Sewer System, provided that such discharges are allowable into those portions of the Sewer System (if any) that are designated Combined Sewers by the Municipality. When, upon application to do so, the Direct Discharge of uncontaminated Cooling Water has been prohibited by the PADEP, the Municipality and WVSA may permit such a discharge into the Sanitary Sewer System upon application by the User to do so.

SECTION 3 - FEES

3.1 Purpose

The purpose of this Section is to provide for the recovery of costs from Users of the WVSA's Facilities for the implementation of the discharge control program established herein. In consideration of the service provided by WVSA and as provided in the Service Agreement, WVSA is hereby authorized to collect from Users within the Municipality all such charges or fees as shall be set forth in the WVSA's Schedule of Charges and Fees.

3.2 Charges and Fees

The Municipality and/or the WVSA may adopt charges and fees which may include:

- a) fees for reimbursement of clerical, labor, and overhead costs of administering and operating the WVSA's Pretreatment Program;
- b) fees for monitoring, inspections and sampling of Industrial Users, including any extraordinary costs incurred for response costs or to ensure compliance by a noncompliant User;
- c) fees for reviewing Slug Discharge control and spill prevention procedures, pretreatment plans, and plans for grease and sediment interceptors;
- d) fees for response to accidental or Slug Discharges;
- e) fees for permit applications;
- f) fees for consistent removal of pollutants otherwise subject to Federal Pretreatment Standards as provided by 40 CFR Section 403.7;
- g) fees and surcharges for removal of pollutants such as BOD, TSS, Oil and Grease, phosphorus, or nitrogen discharged in amounts greater than those found in Domestic Sewage;
- h) other fees as the Municipality and/or the WVSA may deem necessary to carry out the requirements contained herein.

These fees relate solely to the matters covered by this Ordinance and are separate from all other fees chargeable by the Municipality and WVSA.

3.3 Surcharges

The WVSA may require payment of a surcharge by any User who discharges Wastewater of higher than normal concentration or loading of any substance, which results in additional treatment costs to the WVSA. Such surcharges shall be in addition to the regular sewer rent set forth in the Rules and Regulations of the WVSA.

Surcharges shall be established by the WVSA in its duly adopted Rules and Regulations.

SECTION 4 – PRETREATMENT REQUIREMENTS FOR INDUSTRIAL USERS

4.1 Pretreatment Requirement

a) Any User generating Wastewater of a character prohibited from discharge into the Sanitary Sewer System under section 2 of this Ordinance shall provide for pretreatment of the Wastewater as necessary to attain the standards established by this Ordinance and the Rules and Regulations of the WVSA. The Municipality may, at its sole discretion and in conformance with the provisions of Act 537, permit the installation of Holding Tanks for wastes which are not amenable to pretreatment upon application by a User. The installation, operation, and maintenance of Holding Tanks shall be as prescribed by the Municipality as a condition of its approval.

b) Grease traps or sediment traps shall be provided for the proper handling of waste containing grease, sand or sediment, in amounts above the limits provided herein. All traps shall meet the standards prescribed in section 4.9.

c) Storage, handling, disposal, and transportation of materials removed from pretreatment facilities, grease traps or sediment traps shall be accomplished according to all applicable Federal, State, and Local regulations that pertain to the type and/or class of waste generated.

d) Any facilities required to pretreat Wastewater to a level acceptable to the WVSA shall be provided, operated and maintained at the User's expense.

4.2 WVSA Approval for Pretreatment

Detailed plans showing the pretreatment facilities and documentation of operating procedures shall be submitted to the WVSA for review, and shall be acceptable to the WVSA before construction of the facility. The review of such plans and operating procedures will in no way relieve the User from the responsibility of constructing, operating, or modifying the facility as necessary to produce an effluent acceptable to the WVSA under the provisions of this Ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the WVSA prior to the User's initiation of the changes.

In addition to approval of WVSA, a building permit may be required by the Municipality and the provisions of this Ordinance shall not supersede any requirements of the Building Code applicable to the User's facilities.

4.3 Permit Requirement

a) It shall be unlawful to discharge to the Sanitary Sewer System of the Municipality, any Wastewater of any kind except as authorized by this Ordinance or the Rules and Regulations of the WVSA, as amended.

b) All Non-Domestic Users proposing to connect to or to contribute to the Sewer System shall notify the WVSA of such intent prior to connection or prior to the commencement of discharge if the connection point already exists.

c) Industrial Users shall apply for and obtain an Industrial Wastewater Discharge Permit from the WVSA before connecting to or Discharging Industrial Wastewater to the Sewer System. Other Non-Domestic Users may be required to apply for and obtain a Permit to discharge Wastewater other than Domestic Sewage by the WVSA as provided in its Rules and Regulations.

d) WVSA may, at its discretion and in conformance with the provisions of 40 CFR Section 403.8(f)(1)(iii)(A), develop and issue General Permits for certain classes of Non-Domestic User.