

**TOWN OF WYTHEVILLE**  
**INDUSTRIAL WASTEWATER DISCHARGE PERMIT**  
**PERMIT NO. \_\_\_\_\_**

Effective Date: \_\_\_\_\_  
 Expiration Date: \_\_\_\_\_

1. In compliance with the provisions of the Ordinance of the Town of Wytheville (Town) which provides for the pretreatment of wastewater and with any applicable provisions of Federal or State law or regulation, the Industry Name, located at Industry Address, Wytheville, Virginia, is authorized to discharge industrial wastewater into the wastewater collection and treatment system (POTW) owned and operated by the Town of Wytheville in accordance with the effluent limitations, monitoring requirements and other conditions set forth in Parts I and II of this permit.
  
2. Facility operations and treatment of all industrial wastewater shall be in conformity with the plans, specifications and other supporting data submitted to the Town Manager except as amended in this permit. The Permittee shall notify the Town of any changes in industrial processes, or wastewater discharges.
  
3. The approval of plans and specifications does not relieve the Permittee of the responsibility of operating the facility in a reliable and workman like/consistent manner to meet the facility performance requirements in the permit and the provisions of the Ordinance. If facility deficiencies, in design and/or operations, are identified in the future which could affect the facility performance or reliability, it is the responsibility of the Permittee to correct such deficiencies.

**(INDUSTRY NAME)**

**TOWN OF WYTHEVILLE**

By: \_\_\_\_\_  
 (Name)  
 (Title)

By: \_\_\_\_\_  
 T. Brian Freeman  
 Town Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\* This signature indicates that this permit has been received by \_\_\_\_\_ (Industry Name) \_\_\_\_\_.

**PART 1 - EFFLUENT LIMITATIONS**

A. During the period of Permit Start Date through Permit End Date the permittee is authorized to discharge process wastewater to the Town of Wytheville sewer system from the outfall(s) listed below.

Description of Outfalls:

<u>Outfall</u>	<u>Descriptions</u>
001	The authorized discharge permit location shall be <u>Insert Sampling Location</u> . The sample location is the <u>Describe the Sampling Location</u> as shown on the location map on Attachment 1.

B. The discharge from Outfall 001 shall not exceed the following effluent limitations. The discharge shall comply with other applicable regulations and standards contained in Sections 16-180 through 16-182 of Town Ordinance. Effluent from Outfall 001 consists of process wastewater and minimal sanitary flows.

<b>Pollutant or Pollutant Property</b>	<b>Maximum for Any 1 day</b>	<b>Monthly Average Shall Not Exceed</b>	<b>Measurement Frequency</b>	<b>Sample Type</b>
Flow (GPD)		N/A	Continued	Metered
pH (standard units)	5.0 - 9.5	N/A	1/Quarter	Grab
BOD <sub>5</sub> (mg/L)	250*	N/A	1/Quarter	
COD (mg/L)	820*	N/A	1/Quarter	
TSS (mg/L)	250*	N/A	1/Quarter	
Oil and Grease (mg/L)	100*	N/A	1/Quarter	
Ammonia	20*	N/A	1/Quarter	
<i>Add additional parameters as needed</i>				

Notes:

1. Values with an asterisk (\*) represent concentrations above which surcharges apply. See Part 1.D and Part 7 for details.
2. Sample Point 001 is the discharge from Describe the discharge point.
3. Analyses conducted in addition to the minimum frequencies listed above shall be reported on the DMR. Upon the discovery of any exceedance of a permit limit, the Town of Wytheville Town Manager or his authorized representative shall be contacted within 24 hours of the discovery.
4. Add other notes as appropriate.

C. All sampling and preservation of collected samples and laboratory analyses of samples shall be performed in accordance with 40 CFR Part 136 and amendments thereto unless specified otherwise in the monitoring conditions of this permit.

D. Surcharge

There will be a surcharge for biochemical oxygen demand (BOD<sub>5</sub>), total suspended solids (TSS), chemical oxygen demand (COD), ammonia, and oil and grease levels in wastewater discharged into the sanitary sewers by a non-residential user that are greater than the maximum allowable listed in this section. Discharges with BOD<sub>5</sub>, COD, total suspended solids, ammonia, or oil and grease in excess of the maximum allowable levels depicted in Part 1.B will be subject to surcharge while discharges with other parameters in concentrations greater than the effluent limitation will be regarded as violations of the permit and enforcement action will be taken in accordance with the Town of Wytheville Enforcement Response Plan (ERP). Surcharge for biochemical oxygen demand shall be based on BOD or COD x 0.305, whichever is greater. Any wastewater which has characteristics, based on required sampling exceeding the following maximum domestic wastewater parameter concentration shall be subject to surcharge:

Parameter	Maximum Allowable Concentration Without Surcharge
BOD <sub>5</sub>	250 mg/L
Suspended Solids	250 mg/L
Ammonia Nitrogen	20 mg/L
Chemical Oxygen Demand (COD)	820 mg/L
Oil & Grease (Total)	100 mg/L

**PART 2 - REOPENING CLAUSE**

- A. This permit may be reopened and modified to incorporate any new or revised requirements contained in a National Categorical Pretreatment Standard promulgated by USEPA and VDEQ for the industrial category.
- B. This permit may be reopened and modified to incorporate any new or revised requirements resulting from the Town of Wytheville Wastewater Treatment Plant re-evaluation of its local limits.
- C. This permit may be reopened and modified to incorporate any new or revised requirements developed by the Town of Wytheville POTW as are necessary to ensure POTW compliance with applicable sludge management requirements promulgated by USEPA (40 CFR 503) and VDEQ (9VAC25-31).
- D. The permit will be reopened whenever production or process modifications and/or changes in discharge occur at Mayville Engineering Company which would result in changes to the production-based Federal Pretreatment Standards for this industry category. *(IF APPLICABLE)*

**PART 3 - REPORTING REQUIREMENTS**

- A. A report on all parameters in Part 1 must be submitted to the Town of Wytheville by the 15th day of the month following the sampling date.
- B. If the results of the Permittee's self-monitoring indicate a violation of the effluent limitations of this Permit, the Permittee must notify the Town within 24 hours and must resample and analyze the discharge for the pollutant(s) in violation. The results of the repeat monitoring shall be submitted to the Town no later than 30 days after the Permittee becomes aware of the initial violation.
- C. Permittee shall maintain records of all information resulting from any monitoring activities required in this permit pursuant to 40 CFR 403.12 Section (o)(1) Items i, ii, iii, iv and v and VDEQ (9VAC25-31-840 O.1). Such records shall include for all samples:
1. Date, time, location and method of sampling
  2. Name of person taking sample
  3. Date analyzed
  4. Who performed analyses
  5. Analytical method used
  6. Results
  7. Preservation techniques
- E. The Permittee shall retain for a minimum of three (3) years any records of monitoring activities and results (whether or not such monitoring activities are required by the Town of Wytheville) and shall make such records available for inspection.
- F. The Permittee shall give notice to the Town of Wytheville at least thirty (30) days prior to any facility expansion, production increase, or process modifications, which results in new or substantially increased discharges or a change in the nature of the discharge.
- G. If the Permittee monitors any pollutant more frequently than required by Part 2 of this Permit using sampling and analytical procedures prescribed in 40 CFR 136, then the results of such additional monitoring shall be submitted to the Town.
- H. If, for any reason, a permittee does not comply with or will be unable to comply with any prohibition or limitations in this Permit, the Permittee shall immediately notify the Town Manager so that corrective action may be taken to protect the treatment system. In addition, a written report addressed to the Town Manager detailing the date, time and cause of the accidental discharge and corrective action taken to prevent future discharges, shall be filed by the responsible industrial facility within five (5) days of the occurrence of the non-complying discharge.
- I. All reports are to be signed by an authorized representative of the user as defined in the Town Ordinance Section 16-174 as required by the Town Ordinance Section 16-206.
- J. All reports required by this Permit shall be submitted to the Town of Wytheville at the following address:

All reports shall be copied to:

Mr. Scottie Davis

Pretreatment Administrator  
Town of Wytheville  
P. O. Box 533  
Wytheville, VA 24382-0533

#### **PART 4 - STANDARD CONDITIONS**

A. **Compliance with Ordinance**

Permit holders are required to maintain compliance with all requirements of the Town of Wytheville Ordinance, a copy of which is added as an attachment.

B. **Permit Modification**

This Permit may be modified by the Town for good cause including, but not limited to, the following:

1. To incorporate any new or revised Federal, State or local pretreatment standards or requirements.
2. To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance.
3. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.
4. Information indicating that the permitted discharge poses a threat to the Town's collection and treatment systems, Town of Wytheville personnel or the receiving waters.
5. Violation of any terms or conditions of the permit.
6. Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting.
7. Revisions of or a grant of variance from such categorical standards pursuant to 40 CFR 403.13 and VDEQ (9VAC25-31-850).
8. To correct typographical or other errors in the Permit.
9. To reflect transfer of the facility ownership and/or operation to a new owner/operator.
10. Upon request of the Permittee provided that such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.

C. **Permit Conditions Not Stayed**

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated non-compliance, does not stay any permit conditions.

D. **Property Rights**

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property to any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

E. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or correct any adverse impact to the wastewater treatment plant or the environment resulting from non-compliance with

this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge.

F. Permit Transfer

Permits may be reassigned or transferred to a new owner and/or operator with prior approval of the Town Manager.

1. The Permittee must give at least sixty (60) days advance notice to the Town Manager.
2. The notice must include a written certification by the new owner which:
  - (a) States that the new owner or operator has no immediate intent to change the facility's operations and processes.
  - (b) Identifies the specific date on which the transfer is to occur.
  - (c) Acknowledges full responsibility for complying with the existing permit.

The Town Manager shall then have 30 days in which to approve, modify or disallow the transfer. Failure to provide advance notice of a transfer renders the wastewater discharge permit void as of the date of facility transfer.

G. Permit Revocation

Pretreatment permits may be revoked for good cause, including but not limited to, the following:

1. Failure to notify the Town Manager of significant changes to the wastewater prior to the changed discharge;
2. Failure to provide prior notification to the Town Manager of changed condition pursuant to Section 16-224 of the Ordinance;
3. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
4. Falsifying self-monitoring reports;
5. Tampering with monitoring equipment;
6. Refusing to allow timely access to the facility premises and records;
7. Failure to meet effluent limitations;
8. Failure to pay fines;
9. Failure to pay sewer charges;
10. Failure to meet compliance schedules;
11. Failure to complete a wastewater survey or the wastewater discharge permit application;
12. Failure to provide advance notice of the transfer of a permitted facility; or
13. Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit of the ordinance.
14. Failure to pay Pretreatment Surcharges when assessed.

Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership unless such transfer is approved pursuant to Section 16-214 of the Ordinance. All wastewater discharge permits issued to a particular user are void upon the issuance of a new wastewater discharge permit to that user.

H. Permit Violation

Violation of the terms and conditions of this Permit are punishable by civil and/or criminal penalties in amounts up to twenty-five hundred dollars (\$2,500.00) per violation per day as provided in Section 1-7 of the Town Ordinance.

I. Waste Disposal

Any solid, sludge, spent chemical or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in accordance with Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act (RCRA).

J. Severability

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

K. Permit Appeals

The permittee may petition to appeal the terms of this permit within thirty (30) days of the notice. This petition must be in writing; failure to submit a petition for review shall be deemed to be a waiver of the appeal. In its petition, the permittee must indicate the permit provisions objected to, the reasons for this objection and the alternative condition, if any; it seeks to be placed in the permit.

The effectiveness of this permit shall not be stayed pending reconsideration by the Town Manager. If, after considering the petition and any arguments put forth by the permittee, the Town of Wytheville determines that reconsideration is proper, it shall remand the permit back to the Town Manager for reissuance. Those permit provisions being reconsidered by the Town of Wytheville shall be stayed pending reissuance.

A decision not to reconsider a final permit shall be considered final administrative action for purposes of judicial review. The permittee seeking judicial review of the Town of Wytheville final action must do so by filing a complaint with the Circuit Court for Wythe County within thirty (30) days.

L. Duty to Halt or Reduce Activity

Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control its production or discharges (or both) until operation of the treatment facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.



M. Duty to Reapply

If the Permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the Permittee must submit a complete permit application, in accordance with Section 16-216 of the Town of Wytheville Ordinance, at least 180 days before the expiration date of this permit. The information that must be included in the application is included in Section 16-216 of the Town of Wytheville Ordinance.

Incomplete or inaccurate applications will not be processed and will be returned to the user for revision. The Town Manager may require additional information and may deny any application for a wastewater discharge permit.

**PART 5 - RATE OF BILLING**

The charge for the treatment of industrial waste will be calculated on the basis of the following formula:

$$C_i = V_o V_i + C_o C_i + S_o S_i$$

- C<sub>i</sub> = Charge to Industrial Users per month
- V<sub>o</sub> = Average unit cost of transport and treatment chargeable to volume, in dollars per gallon
- V<sub>i</sub> = Volume of wastewater from Industrial User in gallons per month
- C<sub>o</sub> = Average unit cost of treatment, chargeable to Chemical Oxygen Demand (COD) in dollars per pound
- C<sub>i</sub> = Weight of COD from Industrial User, in pounds per month
- S<sub>o</sub> = Average unit cost of treatment (including sludge treatment) chargeable to Total Suspended Solids, in dollars per pound
- S<sub>i</sub> = Weight of Total Suspended Solids from Industrial Users, in pounds per month

Industrial wastewater will be monitored on a regular basis and at the conclusion of each month, based on the investigation aforesaid and audit of Town of Wytheville records, new cost figures will be calculated for use in the above formula. Based on these audited figures, additional billings covering the past month will be made for payment by each Industrial User, or credit given by the Town of Wytheville, as the case may be. Such audited figures will then be used for the preliminary billing for the next month, at the end of which an adjustment will be made as aforesaid.

**PART 6 - SPECIAL CONDITIONS**

- A. Monitoring for specific pollutants to determine absence can be required by the Town.
- B. If the Town fails bio-monitoring of their wastewater treatment plant effluent or a toxicity problem occurs at the wastewater treatment plant, the Town can require bio-monitoring of the industry to determine the cause.
- C. A spill prevention plan can be required.
- D. Industry shall comply with categorical pretreatment standards or with local limits whichever is more stringent.

- E. The Town can require the industry to develop an odor control plan.
- F. The Town can require the industry to equalize their discharge to prevent slug loads.
- G. Permit holders are required to maintain compliance with all requirements of the Town of Wytheville Ordinance, a copy of which is added as an attachment.

#### **PART 7 - PAYMENT SCHEDULE FOR ASSESSED SURCHARGE**

Surcharges will be assessed on a monthly basis. This surcharge will be payable within thirty (30) days of written notification to the industrial user. Late payments will be assessed a ten (10) percent penalty after thirty (30) days and disconnection of service after sixty (60) days. A reconnecting fee will be added to the assessed charges after the sixty (60) day disconnection. If service is disconnected and before service is continued. The full amount of the surcharge fee with penalty must be paid along with a reconnecting fee of thirty (\$30.00) during regular hours, or forty dollars (\$40.00) after hours.

#### **PART 8 - CONFIDENTIALITY CLAUSE**

Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from the Town Manager's inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the Town 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 VPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public subject to the Virginia Freedom of Information Act.