



City of Gastonia Two Rivers Utilities Wastewater Volume Allocation Policy

The following policy establishes the process for reserving wastewater allocation and capacity in the Two Rivers Utilities wastewater collection and treatment system. Sewer allocation may be reserved from the City of Gastonia Two Rivers Utilities by either:

1. Obtaining a sewer permit through the development plan review process, or
2. Approval of commercial development site plans that do not include permitted sewer construction, or
3. Submitting a *Willingness to Serve Letter Application* (see attached) and receiving a *Willingness to Serve Letter*.

Development site plans that are permitted or approved by the City of Gastonia and Two Rivers Utilities are valid for one year and include wastewater allocation at any downstream wastewater pump station and/or wastewater treatment plant. The wastewater flow allocation required for the development shall be included in the development plan submittal. The allocation will expire with the site plan if construction has not begun within one year of approval. Once construction is complete and actual sewer flow is realized, the allocated wastewater flow is no longer reserved. Additions to existing developments shall be evaluated separately.

Developers may submit a *Willingness to Serve Letter Application* in order to receive a *Willingness to Serve Letter*. The *Willingness to Serve Letter Application* shall be fully completed in order for the application to be reviewed. Complete *Willingness to Serve Letter Applications* shall be processed in the order they are received. Incomplete applications will be returned for correction. General communication from City of Gastonia Two Rivers Utilities describing the proximity and nature of existing sewer utilities will not reserve allocation of capacity in the wastewater collection and treatment system and shall not be considered an official *Willingness to Serve Letter*. If a development is planned to be subdivided, a Preliminary Plat must be submitted prior to submittal of a *Willingness to Serve Letter Application*. Developments that will not be subdivided may only submit a *Willingness to Serve Letter Application* once a Rezoning, Conditional Rezoning, or other similar permit application that contains a preliminary site layout plan has been submitted to the City of Gastonia for review and approval. The preliminary site layout plan must be prepared by an architect or engineer licensed in North Carolina.

Developers are required to submit a *Willingness to Serve Letter Application* when the sewer flow allocation for any pump station or wastewater treatment plant downstream of a proposed development exceeds 80% of the infrastructure's rated capacity. Allocation is calculated by comparing design capacity of the infrastructure to actual wastewater flows plus any permitted and obligated flows that are not yet tributary to the infrastructure. Representatives for developments that are located upstream from infrastructure that is over 80% allocated will be notified of the requirement to submit a *Willingness to Serve Letter Application* once the City of

Gastonia Two Rivers Utilities is made aware of the development and its specific location. A *Willingness to Serve Letter Application* may not be submitted prior to a Preliminary Plat submittal, Rezoning Permit, or Conditional Rezoning Permit in keeping with the same standards for voluntarily submitted applications as detailed above.

Upon receipt of a *Willingness to Serve Letter Application*, Two Rivers Utilities will conduct a review of the application to determine the availability and proximity of existing wastewater infrastructure. A determination of available capacity and allocation will be made. Two Rivers Utilities staff reserves the right to conduct all necessary due diligence prior to issuing a response. This review may include but is not limited to, field inspections, flow monitoring, and surveys of existing wastewater infrastructure. *Willingness to Serve Letters* that result in allocation being granted to the project in question are subject to the following contingencies:

1. The allocation shall expire and be forfeited if construction has not begun within one (1) year of the date of the *Willingness to Serve Letter*.
 - a. A *Willingness to Serve Letter* may be extended for one (1) additional year upon written request so long as the request is received no sooner than thirty (30) days before the expiration date of the original letter and no later than one (1) year after the original letter's issuance date. If one year passes from the date the letter was issued and the applicant does not either request an extension or begin construction, a new *Willingness to Serve Letter Application* must be submitted and the project will be subject to the prevailing capacity and allocation levels at the time of the new application.
2. New development proposed in unincorporated areas outside the Gastonia City Limits must apply for annexation.
3. Increases greater than 10% of the originally reserved flow will require a reapplication and issuance of a new *Willingness to Serve Letter*. In this case, the original allocation is forfeited and the request will be subject to the prevailing capacity and allocation levels at the time of the new application.

In the event the available sewer allocation is insufficient to reserve the entire demand requested in the *Willingness to Serve Letter Application*, the applicant will be given the opportunity to either reduce the requested allocation to conform to the available allocation, or make improvements to the sewer infrastructure at the applicant's expense. In this case, the applicant must respond within sixty (60) days. If the applicant does not respond within this time period, the project will be subject to the prevailing capacity and allocation levels at the time of the new application. Necessary improvements to infrastructure must be under construction within one (1) year of the date of the *Willingness to Serve Letter*. If the applicant chooses not to reduce the requested allocation or make improvements to the infrastructure, the application will be denied and the next application in the queue will be processed. Once available sewer allocation is exhausted, no further *Willingness to Serve Letters*, Sewer Permits, or Site Plans will be approved until new allocation is made available. Once allocation is available, requests for allocation will be processed in the order they were originally received.