

ORDINANCE REPLACING
THE SEWER USE ORDINANCE ADOPTED APRIL 16, 1979
AND THEREBY ESTABLISHING NEW CRITERIA FOR
THE USE OF THE WASTEWATER SYSTEM AND AN
INDUSTRIAL COST RECOVERY SYSTEM OF THE
TOWN OF SPRING HILL, FOR
MAURY COUNTY, TENNESSEE

WHEREAS, the Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500 (hereinafter referred to as the Act), has established a program for protecting our nation's waterways:

WHEREAS, the 1977 Tennessee General Assembly passed the Tennessee Water Quality Control Act (Tennessee Code Annotated, Sections 70-324 through 70-342) mandating that necessary action be taken by all wastewater dischargers to protect the waters of the state;

WHEREAS, the Town of Spring Hill of Maury County, Tennessee, has and shall continue to make a substantial financial investment in its wastewater system to achieve the goals established by this legislation; and

WHEREAS, the Act requires the Town to ensure that the users it serves make use of its wastewater system without damage to their physical facilities; without impairment of their normal function of collecting, treating, and discharging domestic wastewater; and without discharging of wastewater containing pollutants that would violate the Town's National Pollutant Discharge Elimination System (NPDES) permit and the applicable rules of all governmental authorities with jurisdiction over such discharges;

BE IT ENACTED BY THE BOARD OF ALDERMEN OF THE TOWN OF SPRING HILL, COUNTY OF MAURY, STATE OF TENNESSEE:

SECTION 1: DEFINITIONS

Unless the context specifically indicates otherwise, the meanings of the terms used in this ordinance shall be as follows:

Abnormal Wastes shall mean any waste having a suspended solids, BOD, or freon extractable materials content or any other parameter in excess of that normally found in municipal sewage and having any wastes containing materials in concentrations that are incompatible with the wastewater system. Any waste that contains more than 325 mg/l of suspended solids or has a BOD in excess of 300 mg/l or a freon extractable materials content in excess of 100 mg/l shall be considered an abnormal industrial waste. Further, wastes containing toxic or poisonous substances in concentrations greater than those permitted by EPA rules and regulations shall be considered abnormal industrial wastes.

Act shall mean the Water Pollution Control Act Amendments of 1972 as amended, Public Law 92-500.

Biochemical oxygen demand (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° C expressed in terms of weight and concentration (milligrams per liter, or mg/l).

Building drain shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

Building sewer shall mean the extension from the building drain to the public sewer or other place of disposal.

Categorical Standards, National Pretreatment Standards.

Town shall mean the Town of Spring Hill, Tennessee, the Town Manager, the Director of Public Works, or any other duly authorized and appointed employee, agent, or representative.

Combined sewer shall mean a sewer receiving both surface runoff and sewage.

Compatible pollutant shall mean BOD, suspended solids, pH, fecal coliform bacteria, and such additional pollutants as are now or may in the future be specified and controlled in the Town of Spring Hill's NPDES permits for its wastewater treatment plants where said plants have been designed and used to reduce or remove such pollutants.

Cooling water shall mean the water discharged from any use such as air conditioning, cooling, or refrigeration, during which the only pollutant added to the water is heat.

Domestic wastes shall mean liquid wastes (i) from the non-commercial preparation, cooking, and handling of food or (ii) containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.

EPA shall mean the Environmental Protection Agency, an agency of the Federal Government, or its successor agency or body.

Equivalent flow shall mean the hydraulic flow adjusted to reflect the excessive waste loading of an industrial discharge; the highest concentration of any one waste parameter shall determine the equivalent flow.

Extraneous flow shall mean any storm water, water runoff resulting from natural precipitation, drainage, or any other water the wastewater system is not designed to handle or accept.

Garbage shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

Grab sample shall mean a sample which is taken from a waste stream on a one-time basis with no regard to the flow and the waste stream and without consideration of time.

Hearing Authority shall mean the quasi-judicial body that has the authority to adjudicate this ordinance.

Incompatible pollutant shall mean any pollutant that is not a compatible pollutant as defined in this section.

Industrial user shall mean any means of source of indirect discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402 of the Act.

Industrial wastewater shall mean the liquid wastes resulting from the processes employed in industrial, manufacturing, trade, or business establishments, as distinct from domestic wastes.

Interference means inhibition or disruption of sewer treatment processes or operations of which contribute to the violation of any requirement of the Town's NPDES permit. This term includes prevention of sewage sludge or disposal by the POTW in accordance with Section 405 of the Act, or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act or more stringent State criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

Major user shall mean any industrial user of the Town's wastewater system whose non-domestic flow or loading is greater than an equivalent flow of 25,000 gallons per day (GPD) but less than ten (10) percent of the average daily flow for which the system was designed.

Minor user shall mean any user whose flow or loading is equivalent to 25,000 GPD or less.

National Pollutant Discharge Elimination System (NPDES) shall mean the program for issuing, conditioning, and denying permits for the discharge of pollutants from point sources into navigable waters, the contiguous zone, and the oceans pursuant to Section 402 of the Act.

New Source, any source, the construction of which is commenced after the publication of the proposed regulations prescribed in Section 307 (c) categorical pretreatment standards which will be applicable to such a source if such standard is thereafter promulgated within 120 days of the proposal in the Federal Register. When the standard is promulgated later than 120 days after proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.

Parameter shall mean a specified characteristic of the wastewater relevant to its treatability (BOD, suspended solids, grease, etc.).

Person shall mean any individual, firm, company, partnership, corporation, association, group, or society and includes the State of Tennessee and agencies, districts, commissions, and political subdivisions created by or pursuant to state law.

pH shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Pretreatment shall mean the application of physical, chemical, and/or biological processes to reduce the amount of pollutant properties in a wastewater prior to discharging such wastewater into the publicly owned wastewater treatment system.

Pretreatment standards shall mean all applicable federal rules and regulations implementing Section 307 of the Act, as well as any non-conflicting state or local standards. In cases of conflicting standards or regulations, the more stringent thereof shall be applied.

Properly shredded garbage shall mean the wastes from the preparation, cooking, and dispensing of food that has been shredded to such a degree that all particles shall be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

Public sewer shall mean a sewer in which all owners of a butting properties have equal rights and is controlled by public authority.

Publically Owned Treatment Works or POTW shall mean a treatment works as defined by Section 212 of the Act, which is owned in this instance by the Town. This definition includes any sewer that conveys wastewater to such a treatment works, that does not include pipes, sewers, or other conveyances not connected to the facility providing treatment.

Sanitary sewer shall mean a sewer which carries wastewater and to which storm, surface, and groundwaters are not intentionally admitted.

Shall is mandatory; may is permissive.

SIC shall designate Standard Industrial Classification, a system developed by the Office of Management and Budget, Executive Branch, U.S. Government, to promote the comparability of statistics describing industrial users. The SIC defines establishments in accordance with the type of activity in which they are engaged.

Significant user shall mean any industrial user of the City's wastewater system whose flow is greater than ten (10) percent of the average daily flow or loading for which the system was designed.

Slug shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

Standard Methods shall mean Standard Methods for the Examination of Water and Wastewater published jointly by the Water Pollution Control Federation, the American Water Works Association, and the American Public Health Association.

Storm drain (sometimes termed storm sewer) shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Storm water shall mean any extraneous flow occurring resulting from natural precipitation.

Suspended solids shall mean solids that are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

Toxic Pollutant shall mean any pollutant or combination of pollutants listed as toxic in the regulation promulgated by an Administrator or the Environmental Protection Agency in Provisions 33 USC 1317.

24 hour, Flow Proportional Composite Sample shall mean a sample consisting of several effluent proportions collected during a 24-hour period in which the portions of the sample are proportional to the flow and combine to form a representative sample.

Unpolluted water shall mean water not containing any pollutants limited or prohibited by the effluent standards in effect, or water whose discharge will not cause any violation of known receiving water quality standards.

User shall mean any person who discharges wastewater into the Town's wastewater system or who causes or permits wastewater to be discharged.

User classification shall mean a classification of user based on the 1972 (or subsequent) edition of the Standard Industrial Classification (SIC) Manual prepared by the Office of Management and Budget.

Wastes includes sewage and any other waste substance, liquid, solid or gases or radioactive, associated with human habitation, or human or animal origin, or from any producing, manufacturing, or processing operation of whatever nature, including such wastes placed within containers or whatever nature prior to, and for the purpose of disposal.

Wastewater Constituents and Characteristics shall mean the individual chemical, physical, bacteriological, and radiological parameters, including volume and flow rate and other parameters as served to define, classify or measure the contents, quantity, quality, and strength of wastewater.

Wastewater or sewage shall mean a combination of water-carried wastes from residences, business buildings, institutions, and industrial establishments.

Wastewater system shall mean all separate sanitary sewers, all combined sewers, all wastewater pumping stations, all wastewater treatments plants, and all other facilities provided and owned by either the Town of Spring

Hill for the purpose of the transmission, storage, treatment, recycling, and reclamation of industrial and domestic wastes or that are necessary to recycle or reuse water at the most economical cost over the estimated life of the system, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply, such as standby treatment units and clearwell facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or used for ultimate disposal of residues resulting from such treatment.

Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Terms not otherwise defined herein, if questioned, shall be as adopted in the latest edition of Standard Methods.

SECTION 2: PROHIBITIONS AND LIMITATIONS OF WASTEWATER DISCHARGES

A. Prohibition of Wastewater Discharges

No person shall discharge or deposit or cause or allow to be discharged or deposited into the wastewater treatment system any wastewater which contains the following:

1. Oils and Grease

Total fat, wax, grease, or oil concentration of more than 100 mg/l, whether emulsified or not, or containing substances that may solidify or become viscous temperatures between 32° and 150° F (0° and 65° C) at the point of discharge into the system.

2. Explosive Mixtures

Liquids, solids, or grease that by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the sewerage facilities or to the operation of the system. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the sewer system, be more than five percent, nor any single reading over ten percent, of the Lower Explosive Limit (L.E.L.) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, zylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides.

3. Noxious Material

Noxious or malodorous solids, liquids, or gases, that, either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life or that are, or may be, sufficient to prevent entry into a sewer for its maintenance and repair.

4. Improperly Shredded Garbage

Garbage that has not been ground or comminuted to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the public sewers, with no particle greater than one-half inch (1/2") in any dimension.

5. Radioactive Wastes

Radioactive wastes or isotopes of such half-life or concentration that they do not comply with regulations or orders issued by the appropriate authority having control over their use and that will or may cause damage or hazards to the sewerage facilities or personnel operating the system.

6. Solid or Viscous Wastes

Solid or viscous wastes that will or may cause obstruction to the flow in a sewer or otherwise interfere with the proper operation of the wastewater treatment system. Prohibited materials include, but are not limited to, grease, uncomminuted garbage, 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, tar, asphalt, residues, residues from the refining or processing of fuel or lubricating oil, and similar substances.

7. Excessive Discharge Rate

Wastewaters at a flow rate or containing such concentrations or quantities of pollutants that exceed for any time period longer than fifteen minutes more than five times the average twenty-four concentration, quantities, or flow during normal operation and that would cause a treatment process upset and subsequent loss of treatment efficiency.

8. Toxic Substances

Any toxic substances in amounts exceeding standards promulgated by the Administrator of the United States Environmental Protection Agency pursuant to Section 307(a) of the Act; chemical elements or compounds, phenols, or other taste- or odor-producing substances; and any other substances that are not susceptible to treatment, that may interfere with the biological processes or efficiency of the treatment system, or that will pass through the system.

The following are the maximum threshold concentrations on inorganic and organic pollutants allowable in wastewater treatment facilities. A discharger found to be discharging any of the substances listed below in amounts determined to be inhibitory to the biological treatment processes shall be considered in violation of this ordinance. Dilution of any wastewater discharge for the purpose of satisfying these requirements shall be considered a violation of this ordinance.

<u>POLLUTANT</u>	<u>CONCENTRATION (MGLE)</u>
Ammonia	480.0
Arsenic	0.1
Borate (Boron)	0.1
Cadmin	10.0
Calcium	2,500.0
Chromium (Hexavalent)	0.25
Chromium (Trivalent)	50.0
Copper	0.01
Cyanide	0.1
Iron	1,000.0
Lead	0.1
Manganese	10.0
Magnesium	50.0
Mercury	0.1
Nickel	0.25
Silver	5.0
Sodium	3,500.0
Sulfate	500.0
Sulfide	50.0
Zinc	0.10
Phenol	4.0
Creosol	4.0
Trinitrotolnene (TNT)	20.0
EDTA	25.0
Nacconol	200.0
Ceepryn	100.0
Benzidine	500.0
Allyl Alcohol	15.0
2-4 Dinitropltenol	150.0
Allyl Chloride	180.0
Dichlorophen	50.0
Thiourea	0.075
Thioacetamid	0.14
Analine	0.65
Pyridine	100.0
Thiosemicarbazide	0.18
Methyl isothiocyanate	0.8
Allyl isothiocyanate	1.9
Dithio-oxamide	1.1
Potassium thiocyanate	300.0
Sodium methyl dithiocarbamate	0.9
Sodium dimethyl dithiocarbamate	13.6
Dimethyl ammonium dimethyl dithiocarbamate	19.3
Sodium cyclopentamethylene dithiocarbamate	23.0
Piperidinium cyclopentamethylene dithiocarbamate	57.0
Methyl thiuronium sulphate	6.5
Benzyl thiuronium chloride	49.0
Tetramethyl thiuram momosulphide	50.0
Tetramethyl thiuram disulphide	30.0
Diallyl ether	100.0
Dimethyl-paranitrosoaniline	7.7

<u>POLLUTANT</u>	<u>CONCENTRATION (MG/L)</u>
Guanidine carbonate	19.0
Skatole	16.5
Strychnine hydrochloride	175.0
2 chloro-6 trichloromethyl- pyridine	100.0
Ethyl urethane	250.0
Hydrazine	58.0
Methylene blue	100.0
Carbon disulphide	35.0
Acetone	840.0
8-hydroxyquinoline	73.0
Streptomycin	400.0

Note: Concentrations shown represent influent to the treatment facilities in dissolved form.

9. Unpolluted Waters

Any unpolluted water, including, but not limited to, water from cooling systems or of storm water origin that will increase the hydraulic load on the treatment system.

10. Discolored Material

Waste with objectionable color not removable by the treatment process.

11. Corrosive Wastes

Any waste that will cause corrosion or deterioration of the treatment system. All wastes discharged to the public sewer system must have a pH value in the range of 6 to 9 standard units. Prohibited materials include, but are not limited to, solids, sulfides, concentrated chlorides and fluoride compounds, and substances that will react with water to form acidic products.

12. Thermal Pollution

Any wastewater having a temperature equal to or greater than 150° F or equal to or less than 32° F.

B. Limitations on Wastewater Discharges

No person shall discharge or convey or permit or allow to be discharged or conveyed to a public sewer any wastewater containing pollutants of such character or quantity as will:

1. Not be susceptible to treatment or interfere with the process or efficiency of the treatment system, sludge handling and/or pass-through of pollutants.
2. Constitute a hazard to human or animal life or to the stream or water course receiving the treatment plan effluent;

3. Violate Federal pretreatment regulations 35.907 (d)(1) thru (d)(4) or
4. Cause the treatment plant to violate the NPDES permit or applicable receiving water standards.
5. Exceed the following maximum organic strengths (200 mg/l for BOD 250/l of suspended solids and 25 mg/l for ammonia) or, be subject to the surcharge as specified in the Town's User Charge Ordinance.

C. Septic Tank Discharges

All persons owning vacuum or cesspool pump trucks or other liquid waste transport trucks and desiring to discharge septic tank, seepage pit, interceptor or cesspool contents, industrial liquid wastes or other liquid wastes to the Town's wastewater facilities or to facilities that discharge directly or indirectly to such facilities shall first have a valid Truck Discharge Operation Permit issued by the City Manager. Ownership of such equipment shall be considered to be prima facia evidence of the intent to discharge. All applicants for a Truck Discharge Operation Permit shall contact the City Manager, complete the application form, pay the appropriate fee and receive a copy of this ordinance and associated regulations, and shall agree in writing to abide by these regulations. The permit number shall be displayed on the side of the vehicle.

The discharge of septic-tank, seepage-pit, interceptor or cesspool contents or other wastes containing no industrial wastes may be made by trucks holding an Operation Permit at any designated facilities of the City's Wastewater System. Truck-transported industrial wastes shall be discharged only at the locations and times designated by the City Manager. The City Manager shall establish a system of charges for treatment and disposal costs and may refuse permission to discharge certain wastes.

The Truck Discharge Operation Permit shall be valid for one year from date of issuance.

Any person negligently or willfully violating the Town's requirements for liquid waste discharges from trucks shall be in violation of this Ordinance and may have his Permit revoked by the City Manager.

D. Special Agreements

Nothing in this section shall be construed as preventing any special agreement or arrangement between the Town and any user of the wastewater treatment system whereby wastewater of unusual strength or character is accepted into the system and specially treated subject to any payments or user charges as may be applicable. However, such agreements or arrangements shall not constitute such conditions that the exemptions or variations would interfere with the normal collection and/or operation of the wastewater system, interfere with the sludge handling or use, interfere with the unit operations of the POTW, or pass through the POTW in quantities or concentrations that will cause the POTW to violate its NPDES permit.

SECTION 3: USE OF PUBLIC SEWERS REQUIRED

- A. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property with the Town or in any area under the jurisdiction of said Town, any human or animal excrement, garbage, or other objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within the Town, or in any other area under the jurisdiction of said Town, any sewage or other polluted wastes, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.
- C. Except as hereinafter provided, it shall be unlawful to construct, or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- D. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town, and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the Town, is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet (30.5 meters) of the property line.
- E. Disposal into sewer system of any pollutant by any person shall be unlawful, except in compliance with the Clean Water Act (Public Law 95-217) and any more stringent state and local standards.

SECTION 4: PRIVATE SEWAGE DISPOSAL

The disposal of sewage by means other than the use of the available sanitary sewerage system shall be in accordance with local, county, and state law. The disposal of sewage by private disposal systems shall be permissible only in those instances where service from the available sanitary sewerage system is not available.

SECTION 5: BUILDING SEWERS AND CONNECTIONS

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Town.
- B. There shall be two (2) classes of building sewer permits: (a) for residential and commercial services and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement

of the Manager. A permit and inspection fee of five dollars (\$5.00) for a residential or commercial building sewer permit and ten dollars (\$10.00) for an industrial building sewer permit shall be paid to the Town at the time the application is filed.

- C. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- D. A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
- E. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Town to meet all requirements of this ordinance.
- F. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.
- G. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- H. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- I. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gas-tight and watertight. Any deviation from the prescribed procedures and materials must be approved by the City Manager.
- J. The applicant for the building sewer permit shall notify the City Manager when the building sewer is ready for inspection and connection to the public sewer. This connection shall be made under the supervision of the City Manager or his representative.

- K. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

SECTION 6: CONTROL OF PROHIBITED WASTES

A. Regulatory Actions

If wastewaters containing any substance described in Section 2 of this Ordinance are discharged or proposed to be discharged into the sewer system of the Town or to any sewer system tributary thereto, the City Manager, may take any action necessary to:

1. Prohibit the discharge of such wastewater;
2. Require a discharger to demonstrate that in-plant modifications will reduce or eliminate the discharge of such substances in conformity with this Ordinance;
3. Require the pretreatment, including storage facilities or flow equalization, necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate these rules and regulations;
4. Require the person making, causing, or allowing the discharge to pay any additional cost or expense incurred by the Town for handling and treating excess loads imposed on the treatment system; and/or
5. Take such other remedial action as may be deemed to be desirable or necessary to achieve the purpose of this Ordinance.

B. Submission of Plans

Where pretreatment or equalization of wastewater flows prior to discharge into any part of the wastewater treatment system is required, plans, specifications, and other pertinent data or information relating to such pretreatment or flow-control facilities shall first be submitted to the Town for review and approval. Such approval shall not exempt the discharge or facilities from compliance with any applicable code, ordinance, rule, regulation, or order of any governmental authority. Any subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without due notice to and prior approval by the

C. Pretreatment Facilities Operations

If pretreatment or control of waste flows is required, such facilities shall be maintained in good working order and operated as efficiently as possible by the owner or operator at his own cost and expense, subject to the requirements of these rules and regulations and all other applicable codes, ordinances, and laws.

D. Admission to Property

Whenever it becomes necessary, any agent of the treatment works, the Tennessee Department of Public Health, or the Environmental Protection Agency will be permitted to enter all properties of a contributing industry for the purpose of inspecting, observing, measuring sampling, and testing their waste.

E. Protection from Accidental Discharge

Each industrial user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this Ordinance. Facilities to prevent the accidental discharge of prohibited materials shall be provided and maintained at the owner or operator's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Town for review and shall be approved by the Town before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify his facility as necessary to meet the requirements of this Ordinance.

F. Reporting of Accidental Discharge

If for any reason a facility does not comply with or will be unable to comply with any prohibition or limitation in this Ordinance, the facility responsible for such discharge shall immediately notify the Town so that corrective action may be taken to protect the treatment system. In addition, a written report addressed to the City Manager detailing the date, time, and cause of the accidental discharge; the quantity and characteristics of the discharge; and corrective action taken to prevent future discharges shall be filed by the responsible industrial facility within five days of the occurrence of the non-complying discharge.

SECTION 7: INDUSTRIAL WASTEWATER MONITORING AND REPORTING

A. Discharge Reports

1. Every permitted industrial user shall file a periodic discharge report at such intervals as are designated by the Town. The Town may require any other industrial users discharging or proposing to discharge into the treatment system to file such periodic reports.
2. The discharge report shall, at the discretion of the Town include but not be limited to, a description of the nature of the process, volume, rates of flow, mass emission rate, production quantities, hours of operation, concentrations of controlled pollutants, or other information that relates to the generation of waste. Such reports may also include a description of the chemical constituents and quantity of liquid materials stored on site, even though they are not normally discharged.

B. Records and Monitoring

1. All industrial users who discharge or propose to discharge wastewater to the wastewater treatment system shall maintain such records of production and related factors, effluent flows, and pollutant amounts or concentrations as are necessary to demonstrate compliance with the requirements of this Ordinance and any applicable State or Federal pretreatment standards or requirements.
2. Such records shall be made available upon request by the Town. All such records relating to compliance with pretreatment standards shall be made available to officials of the United States Environmental Protection Agency and officials of the State of Tennessee upon demand. A summary of such data indicating the industrial user's compliance with this Ordinance shall be prepared quarterly and submitted to the Town.
3. The Owner or operator of any premises or facility discharging industrial wastes into the system shall install, at his own cost and expense, suitable monitoring equipment to facilitate the accurate observation, sampling, and measurement of wastes. Such equipment shall be maintained in proper working order and kept safe and accessible at all times.
4. The monitoring equipment shall be located and maintained on the industrial user's premises outside of the building. When such a location would be impractical or cause undue hardship on the user, the Town may allow such facility to be constructed in the public street or sidewalk area, with the approval of the public agency having jurisdiction over such street or sidewalk, and located so that it will not be obstructed by public utilities, landscaping, or parked vehicles.
5. When more than one user can discharge into a common sewer, the Town may require installation of separate monitoring equipment for each user. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the Town may require that separate monitoring facilities be installed for each separate discharge.
6. Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with Town's requirements and all applicable construction standards and specifications.

C. Inspection, Sampling, and Analysis

1. Compliance Determination

Compliance determinations with respect to Section 2 prohibitions and limitations may be made on the basis of either instantaneous grab samples or composite samples of wastewater. Composite samples may be taken over a twenty-four hour period or over a longer or shorter time span as the Town deems necessary to meet the needs of specific circumstances. If the industry is in violation of the above standards

the Town shall have the right to set up on the industry's property devices for sampling and/or metering. If the Town's analysis confirms the violation of the discharge permit, the industry shall be financially responsible and shall pay for all damages including sampling and analytical costs.

2. Analysis of Industrial Wastewaters

Laboratory analysis of industrial wastewater samples shall be performed in accordance with the current edition of "Standard Methods," "Methods for Chemical Analysis of Water and Waste" published by the United States Environmental Protection Agency, or the "Annual Book of Standards, Part 23, Water, Atmospheric Analysis" published by the American Society for Testing and Materials. Analysis of those pollutants not covered by these publications shall be performed in accordance with the procedures established by the Tennessee Department of Public Health, and be available to the State of Tennessee upon demand of the Commission of Public Health.

3. Sampling Frequency

Sampling of industrial wastewater for the purpose of compliance with determination with respect to Section 2 prohibitions and limitations will be done at such intervals as the Town may designate. However, it is the intention of the Town to conduct compliance sampling or to cause such sampling to be conducted for all industries at least once in every year.

SECTION 8: INDUSTRIAL DISCHARGE PERMIT SYSTEM

A. Wastewater Discharge Permits Required

All permitted industrial users proposing to connect to or discharge into any part of the wastewater treatment system must first obtain a discharge permit therefor. All existing permitted industrial users connected to or discharging to any part of the Town system must obtain a wastewater discharge permit within ninety (90) days from and after the effective date of this Ordinance.

B. Permit Application

Users seeking a wastewater discharge permit shall complete and file with the Town an application on the form prescribed by the Town and accompanied by the applicable fee. In support of this application, the user shall submit the following information:

1. Name, address, and SIC number of application.
2. Volume of wastewater to be discharged.
3. Wastewater constituents and characteristics including, but not limited to, those set forth in Section 2 of this Ordinance as determined by a reliable analytical laboratory.

4. Time and duration of discharge.
5. Average peak wastewater flow rates, including daily, monthly, and seasonal variations, if any.
6. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers and appurtenances by size, location, and elevation.
7. Description of activities, facilities, and plant processes on the premises including all materials and types of materials which are, or could be, discharges.
8. Each product produced by type, amount, and rate of production.
9. Number and type of employees, and hours of work.
10. Any other information as may be deemed by the Town to be necessary to evaluate the permit application.

The Town will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the Town may issue a wastewater discharge permit subject to terms and conditions provided herein. Present and future industrial dischargers shall become subject to the National Pretreatment Standards as promulgated by the U.S. Environmental Protection Agency.

C. Permit Conditions

Wastewater discharge permits shall be expressly subject to all provisions of this Ordinance and all other regulations, user charges and fees established by the Town. The conditions of wastewater discharge permits shall be uniformly enforced in accordance with this Ordinance, and applicable State and Federal regulations. Permit conditions will include the following:

1. The unit charge or schedule of users charges and fees for the wastewater to be discharged to the system.
2. The average and maximum wastewater constituents and characteristics.
3. Limits on rate and time of discharge or requirements for flow regulations and equalization.
4. Requirements for installation on inspections and sampling facilities, and specifications for monitoring programs.
5. Requirements for maintaining and submitting technical reports and plant records relating to wastewater discharges.
6. Daily average and daily maximum discharge rates, or other appropriate conditions when pollutants subject to limitations and prohibitions are proposed or present in the user's wastewater discharge.

7. Compliance schedules.

8. Other conditions to ensure compliance with this Ordinance.

D. Duration of Permits

Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period of less than one (1) year, or may be stated to expire on a specific date. If the user is not notified by the Town thirty (30) days prior to the expiration of the permit, the permit shall automatically be extended for six (6) months. The terms and conditions of the permit may be subject to modification and change by the Board of Aldermen during the life of the permit, as limitations or requirements as identified in Section 2 are modified and changed. The user shall be informed of any proposed changes in his permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

E. Transfer of Permit

Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation.

F. Revocation of Permit

Any user who violates the following conditions of his permit or of this Ordinance, or of applicable State and Federal regulations is subject to having his permit revoked. Violations subjecting a user to possible revocation of his permit include, but are not limited to, the following:

1. Failure of the user to accurately report the wastewater constituents and characteristics of his discharge;
2. Failure of the user to report significant changes in operations, or wastewater constituents and characteristics;
3. Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or,
4. Violation of conditions of the permit.

SECTION 9: ENFORCEMENT PROCEDURES

A. Notification of Violation

Whenever the Town finds that any person has violated or is violating this Ordinance or any prohibition, limitation, or requirement contained herein, it may serve upon such person a written notice stating the nature of the violation and providing a reasonable time, not to exceed thirty days, for the satisfactory correction therefor.

B. Show Cause Hearing

1. If the violation is not corrected by timely compliance, the Town may order any person who causes or allows an unauthorized discharge to show cause before the Board of Aldermen why service should not be terminated. A notice shall be served on the offending party specifying the time and place of a hearing to be held by the Board of Aldermen regarding the violation and directing the offending party to show cause before the Board of Aldermen why an order should not be made directing the termination service. The notice of hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten days before the hearing. Service may be made on any agent or officer of a corporation.
2. The Board of Aldermen may itself conduct the hearing and take the evidence or may designate any of its members or any officer or employee of the Town to:
 - a. Issue in the name of the Town of Spring Hill notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in any such hearings;
 - b. Take the evidence; and
 - c. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations for action thereon.
3. At any public hearing, testimony taken before the hearing authority or any person designated by it must be under oath and recorded stenographically. The transcript so recorded will be made available to any member of the public or any party of the hearing upon payment of the usual charges therefor.
4. After the Board of Aldermen has reviewed the evidence, it may issue an order to the party responsible for the discharge directing that, following a specified time period, the sewer service be disconnected unless adequate treatment facilities, devices, or other related appurtenances shall have been installed or existing treatment facilities, devices, or other related appurtenances are properly operated and may also issue such further orders and directives as are necessary and appropriate.

C. Legal Action

Any discharge in violation of the substantive provisions of this Ordinance or an order of the Board of Aldermen shall be presumed to constitute a public nuisance. If any person discharges sewage, industrial wastes, or other wastes into the Town treatment system contrary to the substantive provisions of this Ordinance or any order of the Board of Aldermen, the City Attorney shall commence an action for appropriate legal/or equitable relief in the Circuit or Chancery Court of Maury County, Tennessee, or in the United State District Court for the Middle District of Tennessee.

SECTION 10: PENALTY: CODES

Any person who is found to have violated an order of the Board of Aldermen or to have willfully or negligently failed to comply with any provision of this Ordinance and the orders, rules, and regulations issued hereunder shall be fined not less than fifty dollars (\$50) nor more than one thousand dollars (\$1,000) for each offense. Each day on which a violation shall occur or continues shall be deemed a separate and distinct offense. The Town shall also have the legal authority to terminate the service of those industrial users who habitually violate this Ordinance. In addition to the penalties provided herein, the Town may recover reasonable attorney's fees, court costs, court reporters' fees, and other expenses of litigation by appropriate suit at law against the person found to have violated this Ordinance or the orders, rules, and regulations issued hereunder.

SECTION 11: INDUSTRIAL COST RECOVERY SYSTEM (ICRS)

A. Accounting Period; Term of ICRS

The accounting period for the ICRS shall be from July 1 to June 30. The term of the ICRS shall be 30 years, beginning in Fiscal Year 1980-1981.

B. Billing Date

Bills shall be rendered once annually by June 1.

C. New Industry

A "new" industry is one that connects to treatment works after such treatment works have been put into service. ICR payments by a new industry shall begin on the date use is initiated and shall continue for the unexpired portion of the ICR period or until the industry ceases use of the facility, whichever occurs first [see (d)].

Total ICR recovered from a new industry shall be the Federal cost of the capacity used multiplied by the ratio of its period of use to the ICR period.

D. Discontinuance of Use by Industrial User

If an industrial user discontinues use of the treatment works (including the termination of any agreement for reserve capacity), its payments for industrial cost recovery will cease. There is no requirement for other industries currently using the treatment works to assume the portion of the ICR payment that is uncovered due to the departure of an industrial user. Total ICR payments recovered from an industry that discontinues use during the ICR period shall be the Federal cost of the capacity used multiplied by the ratio of its period of use to the ICR period. A significant industry planning to discontinue its use of the treatment facility during the ICR period must make its intention known in the letter of intent required under 40 CFR 35.925-12.

E. Reserved Capacity

The Town may permit industrial users to reserve capacity in the treatment works (including used and unused capacity). Such capacity reserved through formal, written agreement is subject to industrial cost recovery as set forth below.

In such cases, the industrial user shall be required to pay the full ICR allocable to the capacity reserved. In the event that the industrial user exceeds its reserved capacity, it shall be required to pay ICR calculated on the full reserved capacity plus additional ICR for use above the limits of the reserved capacity of any element thereof.

In the event the treatment works are expanded in the future with Public Law 92-500 grant assistance, an industrial user who has executed a reserved capacity agreement and has made ICR payments based upon full reserved capacity will not incur additional ICR charges associated with the cost of expansion until the industrial user's actual use of the treatment works exceeds its reserved capacity.

Industrial users with reserved capacity contracts will, of course, be required to pay any additional ICR charges associated with the cost of upgrading treatment works.

F. Exclusions from Application of ICRS

Industrial users that discharge only non-process, segregated domestic wastes or wastes from sanitary conveniences and that are not significant users may be excluded from participating in the ICRS.

G. Appeal Procedure

The Town must enact an appeal procedure by which individual users may appeal the reasonableness of the allocations and ICR assessments imposed upon them. The appeal procedure shall be as follows:

(1) A two-part appeal hierarchy shall, in ascending order, consist of:

(i) Mayor

(ii) Town Council

(2) A letter of notice of appeal must be received by the City by the date the payment is due. The first appeal should be held within fifteen days. An additional fifteen days should be allowed for each additional level of appeal.

Final jurisdiction (with the exception of judicial review) shall lie with the Board of Aldermen. Payment of the ICRS assessment shall be due within fifteen days of final settlement. This would appear as follows:

By 06-01	Bill rendered
By 06-15	Notice of appeal filed
By 06-30	Appeal to City Manager held
By 07-15	City Manager provides ruling Board of Commissioners hears second appeal and issues final ruling immediately
By 07-30	Appealed payment due and payable

SECTION 12: SAVINGS CLAUSE

If any provision, paragraph, word, section, or article of this Ordinance 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.

SECTION 13: CONFLICT

All ordinances and parts of ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

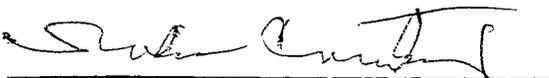
SECTION 14: EFFECTIVE DATE

This ordinance shall be in full force and effect on the 31 day of January, 1980.

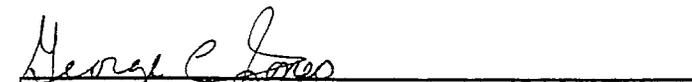
RECOMMENDED:


Barge, Waggoner, Sumner and Cannon
Engineering Consultants
Town of Spring Hill

APPROVED AS TO FORM AND LEGALITY:


Robin Courtney, City Attorney

ADOPTED BY THE BOARD OF ALDERMEN, TOWN OF SPRING HILL


George A. Jones, Mayor


June Quirk, City Recorder

ORDINANCE ESTABLISHING CRITERIA FOR THE
USER CHARGE SYSTEM FOR THE
TOWN OF SPRING HILL MAURY COUNTY, TENNESSEE

WHEREAS, The Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500 (hereinafter referred to as the Act), has established a program of protecting our nation's waterways;

WHEREAS, the Act requires that the Town of Spring Hill formally adopt a user charge system subject to the approval of the U.S. Environmental Protection Agency;

BE IT ENACTED BY THE BOARD OF ALDERMEN OF THE TOWN OF SPRING HILL, COUNTY OF MAURY, STATE OF TENNESSEE:

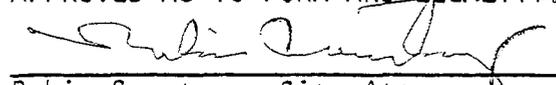
1. that the user charge will be based on individual customers in the system
2. that the user charge system will be reviewed annually and revised periodically by the Board of Aldermen as required in order to generate sufficient revenue to pay for the cost of operation, maintenance, and replacement of equipment of the wastewater treatment system;
3. that the water usage will be the basis for waste treatment charges; and
4. that the charge for waste treatment will be; first 4,000 gallons @ \$10.00 minimum bill, over 4,000 gallons @ \$0.90 per 1,000 gallons.
5. that a surcharge will be charged to industrial customers which exceed the maximum organic strength allowed by the Town's sewer use ordinance.
6. that the basis for this surcharge will be \$0.03 per pound of BOD, \$0.04 per pound of suspended solids, and \$0.07 per pounds of ammonia.

This ordinance shall take effect, the welfare of the Town requiring it, the 31 day of January, 1980.

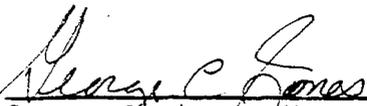
RECOMMENDED:

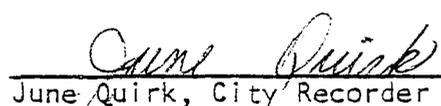

Barge, Waggoner, Sumner and Cannon
Engineering Consultants
Town of Spring Hill

APPROVED AS TO FORM AND LEGALITY:


Robin Courtney, City Attorney

ADOPTED BY THE BOARD OF ALDERMEN, TOWN OF SPRING HILL


George D. Jones, Mayor


June Quirk, City Recorder

Copy

ORDINANCE REPLACING
THE SEWER USE ORDINANCE ADOPTED APRIL 16, 1979
AND THEREBY ESTABLISHING NEW CRITERIA FOR
THE USE OF THE WASTEWATER SYSTEM AND AN
INDUSTRIAL COST RECOVERY SYSTEM OF THE
TOWN OF SPRING HILL, FOR
MAURY COUNTY, TENNESSEE

WHEREAS, the Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500 (hereinafter referred to as the Act), has established a program for protecting our nation's waterways:

WHEREAS, the 1977 Tennessee General Assembly passed the Tennessee Water Quality Control Act (Tennessee Code Annotated, Sections 70-324 through 70-342) mandating that necessary action be taken by all wastewater dischargers to protect the waters of the state;

WHEREAS, the Town of Spring Hill of Maury County, Tennessee, has and shall continue to make a substantial financial investment in its wastewater system to achieve the goals established by this legislation; and

WHEREAS, the Act requires the Town to ensure that the users it serves make use of its wastewater system without damage to their physical facilities; without impairment of their normal function of collecting, treating, and discharging domestic wastewater; and without discharging of wastewater containing pollutants that would violate the Town's National Pollutant Discharge Elimination System (NPDES) permit and the applicable rules of all governmental authorities with jurisdiction over such discharges;

BE IT ENACTED BY THE BOARD OF ALDERMEN OF THE TOWN OF SPRING HILL, COUNTY OF MAURY, STATE OF TENNESSEE:

SECTION 1: DEFINITIONS

Unless the context specifically indicates otherwise, the meanings of the terms used in this ordinance shall be as follows:

Abnormal Wastes shall mean any waste having a suspended solids, BOD, or freon extractable materials content or any other parameter in excess of that normally found in municipal sewage and having any wastes containing materials in concentrations that are incompatible with the wastewater system. Any waste that contains more than 325 mg/l of suspended solids or has a BOD in excess of 300 mg/l or a freon extractable materials content in excess of 100 mg/l shall be considered an abnormal industrial waste. Further, wastes containing toxic or poisonous substances in concentrations greater than those permitted by EPA rules and regulations shall be considered abnormal industrial wastes.

Act shall mean the Water Pollution Control Act Amendments of 1972 as amended, Public Law 92-500.

Biochemical oxygen demand (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° C expressed in terms of weight and concentration (milligrams per liter, or mg/l).

Building drain shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

Building sewer shall mean the extension from the building drain to the public sewer or other place of disposal.

Categorical Standards, National Pretreatment Standards.

Town shall mean the Town of Spring Hill, Tennessee, the Town Manager, the Director of Public Works, or any other duly authorized and appointed employee, agent, or representative.

Combined sewer shall mean a sewer receiving both surface runoff and sewage.

Compatible pollutant shall mean BOD, suspended solids, pH, fecal coliform bacteria, and such additional pollutants as are now or may in the future be specified and controlled in the Town of Spring Hill's NPDES permits for its wastewater treatment plants where said plants have been designed and used to reduce or remove such pollutants.

Cooling water shall mean the water discharged from any use such as air conditioning, cooling, or refrigeration, during which the only pollutant added to the water is heat.

Domestic wastes shall mean liquid wastes (i) from the non-commercial preparation, cooking, and handling of food or (ii) containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.

EPA shall mean the Environmental Protection Agency, an agency of the Federal Government, or its successor agency or body.

Equivalent flow shall mean the hydraulic flow adjusted to reflect the excessive waste loading of an industrial discharge; the highest concentration of any one waste parameter shall determine the equivalent flow.

Extraneous flow shall mean any storm water, water runoff resulting from natural precipitation, drainage, or any other water the wastewater system is not designed to handle or accept.

Garbage shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

Grab sample shall mean a sample which is taken from a waste stream on a one-time basis with no regard to the flow and the waste stream and without consideration of time.

Hearing Authority shall mean the quasi-judicial body that has the authority to adjudicate this ordinance.

Incompatible pollutant shall mean any pollutant that is not a compatible pollutant as defined in this section.

Industrial user shall mean any means of source of indirect discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402 of the Act.

Industrial wastewater shall mean the liquid wastes resulting from the processes employed in industrial, manufacturing, trade, or business establishments, as distinct from domestic wastes.

Interference means inhibition or disruption of sewer treatment processes or operations of which contribute to the violation of any requirement of the Town's NPDES permit. This term includes prevention of sewage sludge or disposal by the POTW in accordance with Section 405 of the Act, or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act or more stringent State criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

Major user shall mean any industrial user of the Town's wastewater system whose non-domestic flow or loading is greater than an equivalent flow of 25,000 gallons per day (GPD) but less than ten (10) percent of the average daily flow for which the system was designed.

Minor user shall mean any user whose flow or loading is equivalent to 25,000 GPD or less.

National Pollutant Discharge Elimination System (NPDES) shall mean the program for issuing, conditioning, and denying permits for the discharge of pollutants from point sources into navigable waters, the contiguous zone, and the oceans pursuant to Section 402 of the Act.

New Source, any source, the construction of which is commenced after the publication of the proposed regulations prescribed in Section 307 (c) categorical pretreatment standards which will be applicable to such a source if such standard is thereafter promulgated within 120 days of the proposal in the Federal Register. When the standard is promulgated later than 120 days after proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.

Parameter shall mean a specified characteristic of the wastewater relevant to its treatability (BOD, suspended solids, grease, etc.).

Person shall mean any individual, firm, company, partnership, corporation, association, group, or society and includes the State of Tennessee and agencies, districts, commissions, and political subdivisions created by or pursuant to state law.

pH shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Pretreatment shall mean the application of physical, chemical, and/or biological processes to reduce the amount of pollutant properties in a wastewater prior to discharging such wastewater into the publicly owned wastewater treatment system.

Pretreatment standards shall mean all applicable federal rules and regulations implementing Section 307 of the Act, as well as any non-conflicting state or local standards. In cases of conflicting standards or regulations, the more stringent thereof shall be applied.

Properly shredded garbage shall mean the wastes from the preparation, cooking, and dispensing of food that has been shredded to such a degree that all particles shall be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

Public sewer shall mean a sewer in which all owners of a butting properties have equal rights and is controlled by public authority.

Publically Owned Treatment Works or POTW shall mean a treatment works as defined by Section 212 of the Act, which is owned in this instance by the Town. This definition includes any sewer that conveys wastewater to such a treatment works, that does not include pipes, sewers, or other conveyances not connected to the facility providing treatment.

Sanitary sewer shall mean a sewer which carries wastewater and to which storm, surface, and groundwaters are not intentionally admitted.

Shall is mandatory; may is permissive.

SIC shall designate Standard Industrial Classification, a system developed by the Office of Management and Budget, Executive Branch, U.S. Government, to promote the comparability of statistics describing industrial users. The SIC defines establishments in accordance with the type of activity in which they are engaged.

Significant user shall mean any industrial user of the City's wastewater system whose flow is greater than ten (10) percent of the average daily flow or loading for which the system was designed.

Slug shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

Standard Methods shall mean Standard Methods for the Examination of Water and Wastewater published jointly by the Water Pollution Control Federation, the American Water Works Association, and the American Public Health Association.

Storm drain (sometimes termed storm sewer) shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Storm water shall mean any extraneous flow occurring resulting from natural precipitation.

Suspended solids shall mean solids that are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

Toxic Pollutant shall mean any pollutant or combination of pollutants listed as toxic in the regulation promulgated by an Administrator or the Environmental Protection Agency in Provisions 33 USC 1317.

24 hour, Flow Proportional Composite Sample shall mean a sample consisting of several effluent proportions collected during a 24-hour period in which the portions of the sample are proportional to the flow and combine to form a representative sample.

Unpolluted water shall mean water not containing any pollutants limited or prohibited by the effluent standards in effect, or water whose discharge will not cause any violation of known receiving water quality standards.

User shall mean any person who discharges wastewater into the Town's wastewater system or who causes or permits wastewater to be discharged.

User classification shall mean a classification of user based on the 1972 (or subsequent) edition of the Standard Industrial Classification (SIC) Manual prepared by the Office of Management and Budget.

Wastes includes sewage and any other waste substance, liquid, solid or gases or radioactive, associated with human habitation, or human or animal origin, or from any producing, manufacturing, or processing operation of whatever nature, including such wastes placed within containers or whatever nature prior to, and for the purpose of disposal.

Wastewater Constituents and Characteristics shall mean the individual chemical, physical, bacteriological, and radiological parameters, including volume and flow rate and other parameters as served to define, classify or measure the contents, quantity, quality, and strength of wastewater.

Wastewater or sewage shall mean a combination of water-carried wastes from residences, business buildings, institutions, and industrial establishments.

Wastewater system shall mean all separate sanitary sewers, all combined sewers, all wastewater pumping stations, all wastewater treatments plants, and all other facilities provided and owned by either the Town of Spring

Hill for the purpose of the transmission, storage, treatment, recycling, and reclamation of industrial and domestic wastes or that are necessary to recycle or reuse water at the most economical cost over the estimated life of the system, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply, such as standby treatment units and clearwell facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or used for ultimate disposal of residues resulting from such treatment.

Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Terms not otherwise defined herein, if questioned, shall be as adopted in the latest edition of Standard Methods.

SECTION 2: PROHIBITIONS AND LIMITATIONS OF WASTEWATER DISCHARGES

A. Prohibition of Wastewater Discharges

No person shall discharge or deposit or cause or allow to be discharged or deposited into the wastewater treatment system any wastewater which contains the following:

1. Oils and Grease

Total fat, wax, grease, or oil concentration of more than 100 mg/l, whether emulsified or not, or containing substances that may solidify or become viscous temperatures between 32° and 150° F (0° and 65° C) at the point of discharge into the system.

2. Explosive Mixtures

Liquids, solids, or grease that by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the sewerage facilities or to the operation of the system. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the sewer system, be more than five percent, nor any single reading over ten percent, of the Lower Explosive Limit (L.E.L.) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, zylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides.

3. Noxious Material

Noxious or malodorous solids, liquids, or gases, that, either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life or that are, or may be, sufficient to prevent entry into a sewer for its maintenance and repair.

4. Improperly Shredded Garbage

Garbage that has not been ground or comminuted to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the public sewers, with no particle greater than one-half inch (1/2") in any dimension.

5. Radioactive Wastes

Radioactive wastes or isotopes of such half-life or concentration that they do not comply with regulations or orders issued by the appropriate authority having control over their use and that will or may cause damage or hazards to the sewerage facilities or personnel operating the system.

6. Solid or Viscous Wastes

Solid or viscous wastes that will or may cause obstruction to the flow in a sewer or otherwise interfere with the proper operation of the wastewater treatment system. Prohibited materials include, but are not limited to, grease, uncomminuted garbage, 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, tar, asphalt, residues, residues from the refining or processing of fuel or lubricating oil, and similar substances.

7. Excessive Discharge Rate

Wastewaters at a flow rate or containing such concentrations or quantities of pollutants that exceed for any time period longer than fifteen minutes more than five times the average twenty-four concentration, quantities, or flow during normal operation and that would cause a treatment process upset and subsequent loss of treatment efficiency.

8. Toxic Substances

Any toxic substances in amounts exceeding standards promulgated by the Administrator of the United States Environmental Protection Agency pursuant to Section 307(a) of the Act; chemical elements or compounds, phenols, or other taste- or odor-producing substances; and any other substances that are not susceptible to treatment, that may interfere with the biological processes or efficiency of the treatment system, or that will pass through the system.

The following are the maximum threshold concentrations on inorganic and organic pollutants allowable in wastewater treatment facilities. A discharger found to be discharging any of the substances listed below in amounts determined to be inhibitory to the biological treatment processes shall be considered in violation of this ordinance. Dilution of any wastewater discharge for the purpose of satisfying these requirements shall be considered a violation of this ordinance.

<u>POLLUTANT</u>	<u>CONCENTRATION (MGLE)</u>
Ammonia	480.0
Arsenic	0.1
Borate (Boron)	0.1
Cadmin	10.0
Calcium	2,500.0
Chromium (Hexavalent)	0.25
Chromium (Trivalent)	50.0
Copper	0.01
Cyanide	0.1
Iron	1,000.0
Lead	0.1
Manganese	10.0
Magnesium	50.0
Mercury	0.1
Nickel	0.25
Silver	5.0
Sodium	3,500.0
Sulfate	500.0
Sulfide	50.0
Zinc	0.10
Phenol	4.0
Creosol	4.0
Trinitrotolene (TNT)	20.0
EDTA	25.0
Nacconol	200.0
Ceepryn	100.0
Benzidine	500.0
Allyl Alcohol	15.0
2-4 Dinitropltenol	150.0
Allyl Chloride	180.0
Dichlorophen	50.0
Thiourea	0.075
Thioacetamid	0.14
Analine	0.65
Pyridine	100.0
Thiosemicarbazide	0.18
Methyl isothiocyanate	0.8
Allyl isothiocyanate	1.9
Dithio-oxamide	1.1
Potassium thiocyanate	300.0
Sodium methyl dithiocarbamate	0.9
Sodium dimethyl dithiocarbamate	13.6
Dimethyl ammonium dimethyl dithiocarbamate	19.3
Sodium cyclopentamethylene dithiocarbamate	23.0
Piperidinium cyclopentamethylene dithiocarbamate	57.0
Methyl thiuronium sulphate	6.5
Benzyl thiuronium chloride	.49.0
Tetramethyl thiuram momosulphide	50.0
Tetramethyl thiuram disulphide	30.0
Diallyl ether	100.0
Dimethyl-paranitrosoaniline	7.7

<u>POLLUTANT</u>	<u>CONCENTRATION (MG/L)</u>
Guanidine carbonate	19.0
Skatole	16.5
Strychnine hydrochloride	175.0
2 chloro-6 trichloromethyl- pyridine	100.0
Ethyl urethane	250.0
Hydrazine	58.0
Methylene blue	100.0
Carbon disulphide	35.0
Acetone	840.0
8-hydroxyquinoline	73.0
Streptomycin	400.0

Note: Concentrations shown represent influent to the treatment facilities in dissolved form.

9. Unpolluted Waters

Any unpolluted water, including, but not limited to, water from cooling systems or of storm water origin that will increase the hydraulic load on the treatment system.

10. Discolored Material

Waste with objectionable color not removable by the treatment process.

11. Corrosive Wastes

Any waste that will cause corrosion or deterioration of the treatment system. All wastes discharged to the public sewer system must have a pH value in the range of 6 to 9 standard units. Prohibited materials include, but are not limited to, solids, sulfides, concentrated chlorides and fluoride compounds, and substances that will react with water to form acidic products.

12. Thermal Pollution

Any wastewater having a temperature equal to or greater than 150° F or equal to or less than 32° F.

B. Limitations on Wastewater Discharges

No person shall discharge or convey or permit or allow to be discharged or conveyed to a public sewer any wastewater containing pollutants of such character or quantity as will:

1. Not be susceptible to treatment or interfere with the process or efficiency of the treatment system, sludge handling and/or pass-through of pollutants.
2. Constitute a hazard to human or animal life or to the stream or water course receiving the treatment plant effluent;

3. Violate Federal pretreatment regulations 35.907 (d)(1) thru (d)(4) or
4. Cause the treatment plant to violate the NPDES permit or applicable receiving water standards.
5. Exceed the following maximum organic strengths (200 mg/l for BOD 250/l of suspended solids and 25 mg/l for ammonia) or, be subject to the surcharge as specified in the Town's User Charge Ordinance.

C. Septic Tank Discharges

All persons owning vacuum or cesspool pump trucks or other liquid waste transport trucks and desiring to discharge septic tank, seepage pit, interceptor or cesspool contents, industrial liquid wastes or other liquid wastes to the Town's wastewater facilities or to facilities that discharge directly or indirectly to such facilities shall first have a valid Truck Discharge Operation Permit issued by the City Manager. Ownership of such equipment shall be considered to be prima facia evidence of the intent to discharge. All applicants for a Truck Discharge Operation Permit shall contact the City Manager, complete the application form, pay the appropriate fee and receive a copy of this ordinance and associated regulations, and shall agree in writing to abide by these regulations. The permit number shall be displayed on the side of the vehicle.

The discharge of septic-tank, seepage-pit, interceptor or cesspool contents or other wastes containing no industrial wastes may be made by trucks holding an Operation Permit at any designated facilities of the City's Wastewater System. Truck-transported industrial wastes shall be discharged only at the locations and times designated by the City Manager. The City Manager shall establish a system of charges for treatment and disposal costs and may refuse permission to discharge certain wastes.

The Truck Discharge Operation Permit shall be valid for one year from date of issuance.

Any person negligently or willfully violating the Town's requirements for liquid waste discharges from trucks shall be in violation of this Ordinance and may have his Permit revoked by the City Manager.

D. Special Agreements

Nothing in this section shall be construed as preventing any special agreement or arrangement between the Town and any user of the wastewater treatment system whereby wastewater of unusual strength or character is accepted into the system and specially treated subject to any payments or user charges as may be applicable. However, such agreements or arrangements shall not constitute such conditions that the exemptions or variations would interfere with the normal collection and/or operation of the wastewater system, interfere with the sludge handling or use, interfere with the unit operations of the POTW, or pass through the POTW in quantities or concentrations that will cause the POTW to violate its NPDES permit.

SECTION 3: USE OF PUBLIC SEWERS REQUIRED

- A. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property with the Town or in any area under the jurisdiction of said Town, any human or animal excrement, garbage, or other objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within the Town, or in any other area under the jurisdiction of said Town, any sewage or other polluted wastes, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.
- C. Except as hereinafter provided, it shall be unlawful to construct, or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- D. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town, and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the Town, is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet (30.5 meters) of the property line.
- E. Disposal into sewer system of any pollutant by any person shall be unlawful, except in compliance with the Clean Water Act (Public Law 95-217) and any more stringent state and local standards.

SECTION 4: PRIVATE SEWAGE DISPOSAL

The disposal of sewage by means other than the use of the available sanitary sewerage system shall be in accordance with local, county, and state law. The disposal of sewage by private disposal systems shall be permissible only in those instances where service from the available sanitary sewerage system is not available.

SECTION 5: BUILDING SEWERS AND CONNECTIONS

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Town.
- B. There shall be two (2) classes of building sewer permits: (a) for residential and commercial services and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement

of the Manager. A permit and inspection fee of five dollars (\$5.00) for a residential or commercial building sewer permit and ten dollars (\$10.00) for an industrial building sewer permit shall be paid to the Town at the time the application is filed.

- C. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- D. A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
- E. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Town to meet all requirements of this ordinance.
- F. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.
- G. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- H. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- I. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gas-tight and watertight. Any deviation from the prescribed procedures and materials must be approved by the City Manager.
- J. The applicant for the building sewer permit shall notify the City Manager when the building sewer is ready for inspection and connection to the public sewer. This connection shall be made under the supervision of the City Manager or his representative.

- K. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

SECTION 6: CONTROL OF PROHIBITED WASTES

A. Regulatory Actions

If wastewaters containing any substance described in Section 2 of this Ordinance are discharged or proposed to be discharged into the sewer system of the Town or to any sewer system tributary thereto, the City Manager, may take any action necessary to:

1. Prohibit the discharge of such wastewater;
2. Require a discharger to demonstrate that in-plant modifications will reduce or eliminate the discharge of such substances in conformity with this Ordinance;
3. Require the pretreatment, including storage facilities or flow equalization, necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate these rules and regulations;
4. Require the person making, causing, or allowing the discharge to pay any additional cost or expense incurred by the Town for handling and treating excess loads imposed on the treatment system; and/or
5. Take such other remedial action as may be deemed to be desirable or necessary to achieve the purpose of this Ordinance.

B. Submission of Plans

Where pretreatment or equalization of wastewater flows prior to discharge into any part of the wastewater treatment system is required, plans, specifications, and other pertinent data or information relating to such pretreatment or flow-control facilities shall first be submitted to the Town for review and approval. Such approval shall not exempt the discharge or facilities from compliance with any applicable code, ordinance, rule, regulation, or order of any governmental authority. Any subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without due notice to and prior approval by the

C. Pretreatment Facilities Operations

If pretreatment or control of waste flows is required, such facilities shall be maintained in good working order and operated as efficiently as possible by the owner or operator at his own cost and expense, subject to the requirements of these rules and regulations and all other applicable codes, ordinances, and laws.

D. Admission to Property

Whenever it becomes necessary, any agent of the treatment works, the Tennessee Department of Public Health, or the Environmental Protection Agency will be permitted to enter all properties of a contributing industry for the purpose of inspecting, observing, measuring sampling, and testing their waste.

E. Protection from Accidental Discharge

Each industrial user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this Ordinance. Facilities to prevent the accidental discharge of prohibited materials shall be provided and maintained at the owner or operator's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Town for review and shall be approved by the Town before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify his facility as necessary to meet the requirements of this Ordinance.

F. Reporting of Accidental Discharge

If for any reason a facility does not comply with or will be unable to comply with any prohibition or limitation in this Ordinance, the facility responsible for such discharge shall immediately notify the Town so that corrective action may be taken to protect the treatment system. In addition, a written report addressed to the City Manager detailing the date, time, and cause of the accidental discharge; the quantity and characteristics of the discharge; and corrective action taken to prevent future discharges shall be filed by the responsible industrial facility within five days of the occurrence of the non-complying discharge.

SECTION 7: INDUSTRIAL WASTEWATER MONITORING AND REPORTING

A. Discharge Reports

1. Every permitted industrial user shall file a periodic discharge report at such intervals as are designated by the Town. The Town may require any other industrial users discharging or proposing to discharge into the treatment system to file such periodic reports.
2. The discharge report shall, at the discretion of the Town include but not be limited to, a description of the nature of the process, volume, rates of flow, mass emission rate, production quantities, hours of operation, concentrations of controlled pollutants, or other information that relates to the generation of waste. Such reports may also include a description of the chemical constituents and quantity of liquid materials stored on site, even though they are not normally discharged.

B. Records and Monitoring

1. All industrial users who discharge or propose to discharge wastewater to the wastewater treatment system shall maintain such records of production and related factors, effluent flows, and pollutant amounts or concentrations as are necessary to demonstrate compliance with the requirements of this Ordinance and any applicable State or Federal pretreatment standards or requirements.
2. Such records shall be made available upon request by the Town. All such records relating to compliance with pretreatment standards shall be made available to officials of the United States Environmental Protection Agency and officials of the State of Tennessee upon demand. A summary of such data indicating the industrial user's compliance with this Ordinance shall be prepared quarterly and submitted to the Town.
3. The Owner or operator of any premises or facility discharging industrial wastes into the system shall install, at his own cost and expense, suitable monitoring equipment to facilitate the accurate observation, sampling, and measurement of wastes. Such equipment shall be maintained in proper working order and kept safe and accessible at all times.
4. The monitoring equipment shall be located and maintained on the industrial user's premises outside of the building. When such a location would be impractical or cause undue hardship on the user, the Town may allow such facility to be constructed in the public street or sidewalk area, with the approval of the public agency having jurisdiction over such street or sidewalk, and located so that it will not be obstructed by public utilities, landscaping, or parked vehicles.
5. When more than one user can discharge into a common sewer, the Town may require installation of separate monitoring equipment for each user. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the Town may require that separate monitoring facilities be installed for each separate discharge.
6. Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with Town's requirements and all applicable construction standards and specifications.

C. Inspection, Sampling, and Analysis

1. Compliance Determination

Compliance determinations with respect to Section 2 prohibitions and limitations may be made on the basis of either instantaneous grab samples or composite samples of wastewater. Composite samples may be taken over a twenty-four hour period or over a longer or shorter time span as the Town deems necessary to meet the needs of specific circumstances. If the industry is in violation of the above standards

the Town shall have the right to set up on the industry's property devices for sampling and/or metering. If the Town's analysis confirms the violation of the discharge permit, the industry shall be financially responsible and shall pay for all damages including sampling and analytical costs.

2. Analysis of Industrial Wastewaters

Laboratory analysis of industrial wastewater samples shall be performed in accordance with the current edition of "Standard Methods," "Methods for Chemical Analysis of Water and Waste" published by the United States Environmental Protection Agency, or the "Annual Book of Standards, Part 23, Water, Atmospheric Analysis" published by the American Society for Testing and Materials. Analysis of those pollutants not covered by these publications shall be performed in accordance with the procedures established by the Tennessee Department of Public Health, and be available to the State of Tennessee upon demand of the Commission of Public Health.

3. Sampling Frequency

Sampling of industrial wastewater for the purpose of compliance with determination with respect to Section 2 prohibitions and limitations will be done at such intervals as the Town may designate. However, it is the intention of the Town to conduct compliance sampling or to cause such sampling to be conducted for all industries at least once in every year.

SECTION 8: INDUSTRIAL DISCHARGE PERMIT SYSTEM

A. Wastewater Discharge Permits Required

All permitted industrial users proposing to connect to or discharge into any part of the wastewater treatment system must first obtain a discharge permit therefor. All existing permitted industrial users connected to or discharging to any part of the Town system must obtain a wastewater discharge permit within ninety (90) days from and after the effective date of this Ordinance.

B. Permit Application

Users seeking a wastewater discharge permit shall complete and file with the Town an application on the form prescribed by the Town and accompanied by the applicable fee. In support of this application, the user shall submit the following information:

1. Name, address, and SIC number of application.
2. Volume of wastewater to be discharged.
3. Wastewater constituents and characteristics including, but not limited to, those set forth in Section 2 of this Ordinance as determined by a reliable analytical laboratory.

4. Time and duration of discharge.
5. Average peak wastewater flow rates, including daily, monthly, and seasonal variations, if any.
6. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers and appurtenances by size, location, and elevation.
7. Description of activities, facilities, and plant processes on the premises including all materials and types of materials which are, or could be, discharges.
8. Each product produced by type, amount, and rate of production.
9. Number and type of employees, and hours of work.
10. Any other information as may be deemed by the Town to be necessary to evaluate the permit application.

The Town will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the Town may issue a wastewater discharge permit subject to terms and conditions provided herein. Present and future industrial dischargers shall become subject to the National Pretreatment Standards as promulgated by the U.S. Environmental Protection Agency.

C. Permit Conditions

Wastewater discharge permits shall be expressly subject to all provisions of this Ordinance and all other regulations, user charges and fees established by the Town. The conditions of wastewater discharge permits shall be uniformly enforced in accordance with this Ordinance, and applicable State and Federal regulations. Permit conditions will include the following:

1. The unit charge or schedule of users charges and fees for the wastewater to be discharged to the system.
2. The average and maximum wastewater constituents and characteristics.
3. Limits on rate and time of discharge or requirements for flow regulations and equalization.
4. Requirements for installation on inspections and sampling facilities, and specifications for monitoring programs.
5. Requirements for maintaining and submitting technical reports and plant records relating to wastewater discharges.
6. Daily average and daily maximum discharge rates, or other appropriate conditions when pollutants subject to limitations and prohibitions are proposed or present in the user's wastewater discharge.

7. Compliance schedules.

8. Other conditions to ensure compliance with this Ordinance.

D. Duration of Permits

Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period of less than one (1) year, or may be stated to expire on a specific date. If the user is not notified by the Town thirty (30) days prior to the expiration of the permit, the permit shall automatically be extended for six (6) months. The terms and conditions of the permit may be subject to modification and change by the Board of Aldermen during the life of the permit, as limitations or requirements as identified in Section 2 are modified and changed. The user shall be informed of any proposed changes in his permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

E. Transfer of Permit

Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation.

F. Revocation of Permit

Any user who violates the following conditions of his permit or of this Ordinance, or of applicable State and Federal regulations is subject to having his permit revoked. Violations subjecting a user to possible revocation of his permit include, but are not limited to, the following:

1. Failure of the user to accurately report the wastewater constituents and characteristics of his discharge;
2. Failure of the user to report significant changes in operations, or wastewater constituents and characteristics;
3. Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or,
4. Violation of conditions of the permit.

SECTION 9: ENFORCEMENT PROCEDURES

A. Notification of Violation

Whenever the Town finds that any person has violated or is violating this Ordinance or any prohibition, limitation, or requirement contained herein, it may serve upon such person a written notice stating the nature of the violation and providing a reasonable time, not to exceed thirty days, for the satisfactory correction therefor.

B. Show Cause Hearing

1. If the violation is not corrected by timely compliance, the Town may order any person who causes or allows an unauthorized discharge to show cause before the Board of Aldermen why service should not be terminated. A notice shall be served on the offending party specifying the time and place of a hearing to be held by the Board of Aldermen regarding the violation and directing the offending party to show cause before the Board of Aldermen why an order should not be made directing the termination service. The notice of hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten days before the hearing. Service may be made on any agent or officer of a corporation.
2. The Board of Aldermen may itself conduct the hearing and take the evidence or may designate any of its members or any officer or employee of the Town to:
 - a. Issue in the name of the Town of Spring Hill notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in any such hearings;
 - b. Take the evidence; and
 - c. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations for action thereon.
3. At any public hearing, testimony taken before the hearing authority or any person designated by it must be under oath and recorded stenographically. The transcript so recorded will be made available to any member of the public or any party of the hearing upon payment of the usual charges therefor.
4. After the Board of Aldermen has reviewed the evidence, it may issue an order to the party responsible for the discharge directing that, following a specified time period, the sewer service be disconnected unless adequate treatment facilities, devices, or other related appurtenances shall have been installed or existing treatment facilities, devices, or other related appurtenances are properly operated and may also issue such further orders and directives as are necessary and appropriate.

C. Legal Action

Any discharge in violation of the substantive provisions of this Ordinance or an order of the Board of Aldermen shall be presumed to constitute a public nuisance. If any person discharges sewage, industrial wastes, or other wastes into the Town treatment system contrary to the substantive provisions of this Ordinance or any order of the Board of Aldermen, the City Attorney shall commence an action for appropriate legal/or equitable relief in the Circuit or Chancery Court of Maury County, Tennessee, or in the United State District Court for the Middle District of Tennessee.

SECTION 10: PENALTY: CODES

Any person who is found to have violated an order of the Board of Aldermen or to have willfully or negligently failed to comply with any provision of this Ordinance and the orders, rules, and regulations issued hereunder shall be fined not less than fifty dollars (\$50) nor more than one thousand dollars (\$1,000) for each offense. Each day on which a violation shall occur or continues shall be deemed a separate and distinct offense. The Town shall also have the legal authority to terminate the service of those industrial users who habitually violate this Ordinance. In addition to the penalties provided herein, the Town may recover reasonable attorney's fees, court costs, court reporters' fees, and other expenses of litigation by appropriate suit at law against the person found to have violated this Ordinance or the orders, rules, and regulations issued hereunder.

SECTION 11: INDUSTRIAL COST RECOVERY SYSTEM (ICRS)

A. Accounting Period; Term of ICRS

The accounting period for the ICRS shall be from July 1 to June 30. The term of the ICRS shall be 30 years, beginning in Fiscal Year 1980-1981.

B. Billing Date

Bills shall be rendered once annually by June 1.

C. New Industry

A "new" industry is one that connects to treatment works after such treatment works have been put into service. ICR payments by a new industry shall begin on the date use is initiated and shall continue for the unexpired portion of the ICR period or until the industry ceases use of the facility, whichever occurs first [see (d)].

Total ICR recovered from a new industry shall be the Federal cost of the capacity used multiplied by the ratio of its period of use to the ICR period.

D. Discontinuance of Use by Industrial User

If an industrial user discontinues use of the treatment works (including the termination of any agreement for reserve capacity), its payments for industrial cost recovery will cease. There is no requirement for other industries currently using the treatment works to assume the portion of the ICR payment that is uncovered due to the departure of an industrial user. Total ICR payments recovered from an industry that discontinues use during the ICR period shall be the Federal cost of the capacity used multiplied by the ratio of its period of use to the ICR period. A significant industry planning to discontinue its use of the treatment facility during the ICR period must make its intention known in the letter of intent required under 40 CFR 35.925-12.

E. Reserved Capacity

The Town may permit industrial users to reserve capacity in the treatment works (including used and unused capacity). Such capacity reserved through formal, written agreement is subject to industrial cost recovery as set forth below.

In such cases, the industrial user shall be required to pay the full ICR allocable to the capacity reserved. In the event that the industrial user exceeds its reserved capacity, it shall be required to pay ICR calculated on the full reserved capacity plus additional ICR for use above the limits of the reserved capacity of any element thereof.

In the event the treatment works are expanded in the future with Public Law 92-500 grant assistance, an industrial user who has executed a reserved capacity agreement and has made ICR payments based upon full reserved capacity will not incur additional ICR charges associated with the cost of expansion until the industrial user's actual use of the treatment works exceeds its reserved capacity.

Industrial users with reserved capacity contracts will, of course, be required to pay any additional ICR charges associated with the cost of upgrading treatment works.

F. Exclusions from Application of ICRS

Industrial users that discharge only non-process, segregated domestic wastes or wastes from sanitary conveniences and that are not significant users may be excluded from participating in the ICRS.

G. Appeal Procedure

The Town must enact an appeal procedure by which individual users may appeal the reasonableness of the allocations and ICR assessments imposed upon them. The appeal procedure shall be as follows:

(1) A two-part appeal hierarchy shall, in ascending order, consist of:

(i) Mayor

(ii) Town Council

(2) A letter of notice of appeal must be received by the City by the date the payment is due. The first appeal should be held within fifteen days. An additional fifteen days should be allowed for each additional level of appeal.

Final jurisdiction (with the exception of judicial review) shall lie with the Board of Aldermen. Payment of the ICRS assessment shall be due within fifteen days of final settlement. This would appear as follows:

By 06-01	Bill rendered
By 06-15	Notice of appeal filed
By 06-30	Appeal to City Manager held
By 07-15	City Manager provides ruling Board of Commissioners hears second appeal and issues final ruling immediately
By 07-30	Appealed payment due and payable

SECTION 12: SAVINGS CLAUSE

If any provision, paragraph, word, section, or article of this Ordinance 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.

SECTION 13: CONFLICT

All ordinances and parts of ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 14: EFFECTIVE DATE

This ordinance shall be in full force and effect on the _____ day of _____, 19____.

RECOMMENDED:

Barge, Waggoner, Sumner and Cannon
Engineering Consultants
Town of Spring Hill

APPROVED AS TO FORM AND LEGALITY:

Robin Courtney, City Attorney

ADOPTED BY THE BOARD OF ALDERMEN, TOWN OF SPRING HILL

George C. Jones, Mayor

June Quirk, City Recorder

ORDINANCE ESTABLISHING CRITERIA FOR THE
USER CHARGE SYSTEM FOR THE
TOWN OF SPRING HILL MAURY COUNTY, TENNESSEE

WHEREAS, The Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500 (hereinafter referred to as the Act), has established a program of protecting our nation's waterways;

WHEREAS, the Act requires that the Town of Spring Hill formally adopt a user charge system subject to the approval of the U.S. Environmental Protection Agency;

BE IT ENACTED BY THE BOARD OF ALDERMEN OF THE TOWN OF SPRING HILL, COUNTY OF MAURY, STATE OF TENNESSEE:

1. that the user charge will be based on individual customers in the system
2. that the user charge system will be reviewed annually and revised periodically by the Board of Aldermen as required in order to generate sufficient revenue to pay for the cost of operation, maintenance, and replacement of equipment of the wastewater treatment system;
3. that the water usage will be the basis for waste treatment charges; and
4. that the charge for waste treatment will be; first 4,000 gallons @ \$10.00 minimum bill, over 4,000 gallons @ \$0.90 per 1,000 gallons.
5. that a surcharge will be charged to industrial customers which exceed the maximum organic strength allowed by the Town's sewer use ordinance.
6. that the basis for this surcharge will be \$0.03 per pound of BOD, \$0.04 per pound of suspended solids, and \$0.07 per pounds of ammonia.

This ordinance shall take effect, the welfare of the Town requiring it, the _____ day of _____, 1980.

RECOMMENDED:

APPROVED AS TO FORM AND LEGALITY:

Barge, Waggoner, Sumner and Cannon
Engineering Consultants
Town of Spring Hill

Robin Courtney, City Attorney

ADOPTED BY THE BOARD OF ALDERMEN, TOWN OF SPRING HILL

George C. Jones, Mayor

June Quirk, City Recorder