

APPENDIX F

BOARD OF PUBLIC UTILITIES SEWER USE RULES AND REGULATIONS

ARTICLE I. Definitions

1.01 "Act" or "The Act" shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, eq. seq.

1.02 "Approval Authority" shall mean the Director in an NPDES state with an approved State Pretreatment Program and the Administrator of the EPA in a non-NPDES state or NPDES state without an Approved State Pretreatment Program.

1.03 "Authorized Representative of Industrial User" shall be (a) a principal executive officer of at least vice-president, if the Industrial User is a corporation; (b) a general partner or proprietor if the Industrial User is a partnership or proprietorship, respectively; (c) a duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

1.04 "Biochemical Oxygen Demand (BOD)" shall mean the quality of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter.

1.05 "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.

1.06 "Building Inspector" shall be that person representing the City's Building Department which is responsible for all plumbing inspection of establishments served by the City Utilities within the City limits.

1.07 "Building Sewer" shall mean a sewer intended to receive both wastewater and storm or surface water.

1.08 "Categorical Standards" shall mean the National Categorical Pretreatment Standards or Pretreatment Standard.

1.09 "Chemical Oxygen Demand (COD)" shall mean the quantity of oxygen required to oxidize the organic matter in a waste sample under specific conditions of oxidizing agent, temperature and time expressed in terms of concentration (milligrams per liter [mg/l]).

1.10 "Control Authority" shall refer to the "Approval Authority" defined hereinabove; or the Director if the City has an approved Pretreatment Program under the provision of 40 CFR, 403.11.

1.11 "Combined sewer" shall mean a sewer intended to receive both wastewater and storm or surface water.

1.12 "City" shall mean the City of Paris acting through its City Manager and designated agents, assistants or representatives.

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

1.14 "Compatible Pollutant" means BOD, suspended solids, pH and fecal coliform bacteria, and such additional pollutants as are now or may be in the future specified and controlled in this City's NPDES permit for its wastewater treatment works where said works have been designed and used to reduce or remove such pollutants.

1.15 "Customer" shall mean any individual, partnership, corporation, association or group who receives sewer service from the City under either an express or implied contract requiring payment to the City for such service.

1.16 "Direct Discharge" shall mean the discharge of treated or untreated wastewater directly to the waters of the State of Tennessee.

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

1.18 "Easement" shall mean an acquired legal right for the specific use of land owned by others.

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

1.20 "Floatable Oil" is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

1.21 "Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

1.22 "Grab Sample" shall mean an individual sample collected over a period of time not exceeding 15 minutes. Where composite sampling is not an appropriate sampling technique, a grab sample(s) shall be taken to obtain influent and effluent operational data. Collection of influent grab samples should precede collection of effluent samples by approximately one detention period. The detention period is to be based on a 24-hour average daily flow value. The average daily flow used will be based upon the average of the daily flows during the same month of the previous year. Grab samples will be required, for example, where the parameters being evaluated are those, such as cyanide and phenol, which may not be held for any extended period because of biological, chemical or physical interactions which take place after sample collection and affect the results.

1.23 "Holding Tank Waste" shall mean any water from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum pump tank trucks.

1.24 "Incompatible Pollutant" means any pollutant which is not a "Compatible pollutant" as defined in this section.

1.25 "Industrial User" shall be a source of indirect discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 403, of the Act (33 U.S.C. 1342).

1.26 "Indirect Discharge" shall mean the discharge or the introduction of non-domestic pollutants from any source regulated under Section (b) or (c) of the Act (33 U.S.C. 1317) into the POTW (including holding tank waste discharged into the system).

1.27 "Industrial Wastes" shall mean the wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.

1.28 "Interference" shall mean the inhibition or disruption of the municipal wastewater treatment processes or operations which contribute to a violation of any requirement of the City's NPDES Permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with 405 of the Act (33 U.S.C. 1345) 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 municipal wastewater treatment system.

1.29 "National Categorical Pretreatment Standard or Pretreatment Standard" shall mean any regulation containing pollutant-discharge limits promulgated by the EPA, in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1347) which applies to industrial users. The City shall review and update, on an annual basis, any changes needed to ensure compliance with Federal, State and Local pretreatment regulations as listed in this document and the Clean Water Act.

1.30 "National Prohibitive Discharge Standard or Prohibitive Discharge Standard" shall mean any regulation developed under the authority of 307(b) of the Act and 40 CFR, Section 403.5.

1.31 "Natural Outlet" shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body or surface of groundwater.

1.32 "National Pollutant Discharge Elimination System (NPDES)" means the program for issuing, conditioning and denying permits for the discharge of pollutants from point sources into the navigable waters, the contiguous zone and the oceans pursuant to Section 402 of the Federal Water Pollution Control Act Amendments of 1972 (PL 92-500).

1.33 "May" is permissive (see "Shall", 1.47).

1.34 "New Source" shall mean any source, the construction of which has commenced after the publication of proposed regulations describing Section 307 (c) (33 U.S.C. 1317) categorical pretreatment standard which will be applicable to such source, if standard is thereafter promulgated within one hundred

twenty (120) days of the proposal in the Federal Register. Where the standard is promulgated later than one hundred twenty (120) days after the proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.

1.35 "Person" shall mean any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, government entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

1.36 "pH" shall mean the reciprocal of the logarithm of the hydrogen-ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10^{-7} .

1.37 "Pollutant" shall mean any dredge, spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical waste, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, silt or dirt and industrial, municipal, and agricultural wastes discharged into water.

1.38 "Pretreatment" means application of physical, chemical and biological processes to reduce the amount of pollutants in or alter the nature of the pollutant properties in a wastewater prior to discharging such wastewater into the publicly owned wastewater treatment system.

1.39 "Pretreatment Standards" means all applicable Federal rules and regulations implementing Section 307 of PL 92-500, as well as any non-conflicting state or local standards. In cases of conflicting standards or regulations, the more stringent thereof shall be applied. The City shall review and update, on an annual basis, any changes needed to ensure compliance with Federal, State and Local pretreatment regulations as listed in this document and the Clean Water Act.

1.40 "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded into such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than $\frac{1}{2}$ " (1.27 centimeters) in any dimension.

1.41 "Publicly Owned Treatment Works (POTW)" shall mean a treatment works as defined by Section 212 of the Act (33 U.S.C. 1292) which is owned in this instance by the City. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment.

1.42 "POTW Treatment Plant" shall mean that portion of the POTW designed to provide treatment to wastewater.

1.43 "Public Sewer" shall mean a common sewer controlled by a governmental agency or public utility.

1.44 "Sanitary Sewer" shall mean a sewer that carried liquid and water-carried wastes from residents, commercial buildings, industrial plants and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.

1.45 "Sewage" is the spent water of community. The preferred term is "wastewater", (see "Wastewater" 1.60).

1.46 "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.

1.47 "Shall" is mandatory; "May" is permissive.

1.48 "Significant Industrial User" shall mean all categorical industrial users or any non-categorical industrial user that:

(1) Discharges 25,000 gallons per day or more of process wastewater ("process wastewater" excludes sanitary, non-contract cooling and boiler blow down wastewaters).

(2) Contributes a process waste stream which makes up five percent (5%) or more of the average dry weather hydraulic or organic (BOD, TSS, etc.) capacity of the treatment plant.

(3) Has a reasonable potential, in the opinion of the control or approval authority, to adversely affect the POTW treatment plant (inhibition, pass through of pollutants, sludge contamination, or endangerment of POTW workers).

1.49 "Slug" shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes or more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

1.50 "State" shall mean the State of Tennessee.

1.51 "Standard Industrial Classification (SIC)" shall mean a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

1.52 "Storm Drain" (sometimes termed "storm sewer") shall mean a drain or sewer for conveying water, groundwater, subsurface water or unpolluted water from any source.

1.53 "Storm Water" shall mean any flow occurring during or immediately following any form of natural precipitation and resulting there from.

1.54 "General Manager" shall mean the General Manager of the Board of Public Utilities of the City of Paris, Tennessee, or his authorized duty, agent or representative. He has the full authority to enforce all regulations of the City of Paris Board of Public Utilities upon all wastewater customers as a condition of receiving service.

1.55 "Suspended Solids" shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as non-filterable residue.

1.56 "Toxic Pollutant" shall mean any pollutant or combination of pollutants listed as toxic in the regulations promulgated by the Administrator of the Environmental Protection Agency under the provisions of CWA 307 (a) or other Acts.

1.57 "Unpolluted Water" is water of quantity equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

1.58 "User" shall mean any person who discharges, causes or permits the discharge of wastewater into the City's wastewater treatment system.

1.59 "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.

1.60 "Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions together with any groundwater, surface water and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the wastewater treatment plant.

1.61 "Wastewater Facilities" shall mean the structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.

1.62 "Wastewater Treatment Works" shall mean an arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant".

1.63 "Waste Treatment System" shall mean any devices, facilities, structures, equipment or works owned or used by the City for the purpose of the transmission, storage, treatment, recycling and reclamation of industrial and domestic wastes, or 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 clean well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.

1.64 "Waters of the State" shall mean all streams, lakes, ponds, marshes, watercourses, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

1.65 "Watercourse" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

1.66 "Other Terms" shall be any terms not otherwise defined herein and shall be as adopted in the latest edition of Standard Methods for the Examination of Water & Wastewater published by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

1.67 "24-Hour Flow Proportional Composite Sample" shall mean a sample consisting of several wastewater portions during a twenty-four (24) hour period in which the portions are apportioned to the flow and combine to form a representative sample.

ARTICLE II. Use of Public Sewers Required

2.01 It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the City of Paris or in any area under the jurisdiction of said City, any human or animal excrement, garbage or objectionable waste.

2.02 It shall be unlawful to discharge to any natural outlet within the City of Paris, or in any area under the jurisdiction of said City, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

2.03 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 wastewater.

2.04 The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes, situated within the City 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 City, is hereby required at the owner(s)' 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 and is accessible to the property.

ARTICLE III. Private Wastewater Disposal

3.01 Where a public sanitary or combined sewer is not available under the provisions of Article II, Section 2.04, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this article.

3.02 The type, capacities, location and layout of a private wastewater disposal system shall comply with all recommendations of the Department of Environment and Conservation of the State of Tennessee. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

3.03 At such time as a public sewer becomes available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.

3.04 The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the City of Paris.

3.05 No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Henry County Health Department.

ARTICLE IV. Building Sewers and Connections

4.01 No unauthorized person(s) 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 General Manager.

4.02 There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner(s) or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the General Manager. A permit and inspection fee of ten (10) dollars for a sewer permit shall be paid to the City at the time the application is filed. Such fee shall be in addition to the connection or tapping fee.

4.03 All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

4.04 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, but the City does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

4.05 Old building sewers may be used in connection with new buildings only when they are found, on examination and tests by the General Manager, to meet all requirements of this ordinance.

4.06 The building sewer shall be cast iron soil pipe, ASTM A-74, latest revision; vitrified clay sewer pipe ASTM C-700, latest revision or PVC (polyvinyl chloride) pipe, ASTM D-3033 or D-3034, SDR 35 or heavier. Approved joints shall be tight and water proof. Any part of the building sewer that is located within five (5) feet of a water service pipe shall be constructed with cast iron soil pipe or PVC pipe. Cast iron pipe or PVC pipe may be required by the General Manager where the building sewer is exposed to damage or stoppage by tree roots, or where the sewer is located in fill material or unstable soil.

4.07 The size and slope of the building sewer shall be subject to the approval of the General Manager. In general, the building sewer shall be the same size as the service branch but in no event less than four (4) inches in diameter. The slope of the building sewer shall in no event be less than one-eighth (1/8) inch per foot.

4.08 Wherever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to, and within three (3) feet of, any bearing wall which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings.

4.09 In all buildings in which any building drain is too low to permit gravity flow to the public sewer, or where any fixture served is below the level of the street, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

4.10 All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the General Manager. Pipe laying and backfill shall be performed in accordance with all applicable portions of the latest revision of ASTM Specifications, C-12 or D2321 except that no backfill shall be placed until the work has been inspected.

4.11 All joints and connections shall be made gas tight and watertight. Cast iron pipe joints, vitrified clay pipe joints and PVC pipe joints shall be an approved type of bell and spigot compression joint utilizing a rubber ring gasket, or in lieu thereof may be a neoprene coupling secured with stainless steel bands over plain end pipe. All joints between pipe of different size and/or material shall be made with approved adapters or transitions which provide a watertight flexible connection.

Any other joint materials except those noted in this section shall not be used unless approved in advance by the General Manager.

4.12 The building sewer shall be connected into the public sewer at the curb or property line if a service branch is available at a suitable location. Where no properly located service branch is available, a neat hole may be cut into the main line of the public sewer and a suitable wye or tee saddle installed to receive the building sewer. The invert of the building sewer at such joint of connection with a wye saddle shall be in the upper quadrant of the main line of the public sewer. A neat workmanlike connection shall be made and the saddle made secure and watertight by encasement in concrete.

4.13 No person(s) shall make connection of roof downspouts, 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 unless such connection is approved by the General Manager for purposes of disposal of polluted surface drainage.

4.14 The connection of the building sewer into the public sewer shall conform to the applicable rules and regulations of the Board of Public Utilities. All such connections shall be made gas tight and watertight and verified by proper testing.

4.15 The applicant for the building sewer permit shall notify the General Manager when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the General Manager or his representative.

4.16 All excavations for building sewer installation shall be adequately guarded with barricades and light 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 City.

ARTICLE V.

Use of Public Sewers

5.01 No person(s) shall discharge or cause to be discharged any unpolluted waters such as storm water, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer, except storm water runoff from limited areas, which storm waters may be polluted at times, may be discharged to the sanitary sewer by permission of the General Manager.

5.02 Storm water other than that exempted under Section 5.01, and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the City and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approved of the City, to a storm sewer, combined sewer or natural outlet.

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

(1) Oils and Grease. (a) Oil and grease concentrations or amounts from industrial facilities violating Federal pre-treatment standards; (b) Wastewater from industrial facilities containing floatable fats, wax, grease or oils; (c) total fat, wax, grease or oil concentration of more than 100 mg/l, whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between 32° and 150° F (0° and 65° C) at the point of discharge into the system.

(2) Explosive Mixtures. Liquids, solids or gases which 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 (5%) nor any single reading over ten percent (10%) of the Lower Explosion 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, which, either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or 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 (1/2) inch 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 which 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 which 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, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from 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 or pollutants that exceeds for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, quantities or flow during normal operation and that could 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 PL 92-500 and chemical elements or compounds, phenols or other taste- or odor-producing substances, or any other substances which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the treatment system, or that will pass through the system.

(9) Unpolluted Waters. Any unpolluted water including, but not limited to, water from cooling systems or of storm water origin, which will increase the hydraulic load on the treatment system.

(10) Discolored Material. Wastes with objectionable color not removable by the treatment process.

(11) Corrosive Wastes. Any waste which 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 5.5 to 10.5 standard units. Prohibited materials include, but are not limited to, acids, sulfides, concentrated chloride and fluoride compounds and substances which will react with water to form acidic products.

(12) High Temperature. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant that results in interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds 40° C (104° F) unless the POTW treatment plant is designed to accommodate such a temperature.

5.04 Other components not normally found in domestic wastewater may be accepted in accordance with limitations set out in Article VI.

5.05 Grease, oil and sand interceptors shall be provided when, in the opinion of the General Manager, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Section 5.03 (1), or any flammable wastes, sand or any other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity specifically approved by the General Manager but should in no case have a capacity less than 500 gallons. They shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperatures. They shall be of substantial construction, watertight and equipped with easily removable covers, which, when bolted in place shall be gas tight and watertight.

In the maintaining of these interceptors, the Owner shall be responsible for the proper removal and disposal of appropriate means of the captured material and shall maintain records of the dates and means of disposal, which are subject to review by the General Manager. Any removal and hauling of the collected materials not performed by the Owner's personnel must be performed by currently licensed waste disposal firms.

ARTICLE VI.

Control of Industrial Waste Discharge

6.01 (a) Within three (3) months after the passage of this ordinance, all users of the sewerage system who discharge industrial wastes to the public sewers shall fill in and file with the General Manager an industrial waste questionnaire which shall provide pertinent data, inclusive of quantity of flow and an analysis of the water discharged to the sewage works. Similarly, any persons desiring to make a new connection to the sewer works for the purpose of discharging industrial wastes to the public sewers shall fill in and file with the General Manager an industrial waste questionnaire which shall furnish pertinent or predicted data inclusive of quantity of flow and an analysis of the industrial waste to be discharged into the sewerage system.

(b) Permit Application - Users seeking a wastewater discharge permit shall complete and file with the General Manager an application on the form prescribed by the General Manager 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 applicant.
- (2) Volume of wastewater to be discharged.
- (3) Wastewater constituents and characteristics including, but not limited to, those set forth in Section 6.10 of this ordinance as determined by a reliable analytical laboratory.
- (4) Time and duration of discharge.
- (5) Average and 30-minute 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, discharged.
- (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 General Manager to be necessary to evaluate the permit application.

The General Manager will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the General Manager may issue a wastewater discharge permit subject to terms and conditions provided herein.

(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 City. 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 user 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 of inspection 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.
- (9) Requirements for maintaining and retaining plant records relating to wastewater discharge for a minimum of three (3) years as specified by the City and affording City access thereto. In addition, this period of retention shall be extended during the course of any unresolved litigation regarding the Industrial User or the POTW, or when requested by the City.
- (10) Requirements for notification to the City sixty (60) days prior to the introduction of any new wastewater constituents, any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system, or any substantial process modifications of the facility.
- (11) Requirements for notification of slug discharges.
- (12) Statement of duration (in no case more than five years).
- (13) Statement of non-transferability of the permit without prior POTW approval with a copy provided to the new owner or operator.
- (14) Applicable effluent limits based on categorical pre-treatment standards and local limits.
- (15) Applicable monitoring, sampling and reporting requirements and submission of technical reports.
- (16) Statement of applicable civil and criminal penalties for violation of pre-treatment standards and requirements. The maximum penalty for each offense shall be \$10,000 as outlined in Article X of 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 General Manager 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 Public Utilities during the life of the permit, as limitations or requirements as identified in Section 6.10 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 a Permit - Wastewater discharge permits are issued to a specific user for a specific operation at a specific location. A permit may only be transferred with explicit, prior approval of the City with a copy provided to the new owner or operator.

(f) Revocation of Permit - Any user who violates the following conditions of his permit or of his 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 a 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.

6.02 If any industrial process wastes are discharged or proposed to be discharged to the public sewers, which wastes contain substances or possess characteristics not normally associated with ordinary domestic sewage and which is the judgment of the General Manager may have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the General Manager may:

- (a) Reject the wastes
- (b) Require pre-treatment to an acceptable condition for discharge to the public sewers
- (c) Require control over the quantities and rates of discharge

6.03 Any industry discharging industrial process wastes of any description shall install a suitable monitoring manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the General Manager. The manhole shall be installed by the Owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

6.04 Any industry discharging industrial process wastes of any description shall be charged a monthly surveillance fee to compensate the City for the added cost of collecting and analyzing waste samples on a periodic basis to ensure compliance with the terms of this ordinance and the cost of administering the Pre-treatment Program. The monthly surveillance fee shall be established annually by the City based on their actual cost for administration and operation of the City Industrial Pre-treatment Program.

6.05 Automatic flow proportional composite samplers and monitoring units will be installed at the monitoring manhole by the General Manager under the following conditions:

- (1) Where the nature of the manufacturing operation or process wastes provides a reasonable possibility for an accidental or intentional discharge in violation of this ordinance.
- (2) Where the installation of such monitoring unit is a condition for acceptance of the wastes in the public sewers.
- (3) Where accidental or intentional violations of discharge conditions are detected on more than one occasion during a twelve (12) month period.

Where automatic sampling and monitoring units are utilized, the industry shall provide the necessary electricity and shall pay an additional charge of one hundred dollars (\$100.00) per month as rental on the unit.

6.06 Wastes having an average 5-day BOD in excess of 250 mg/l, suspended solids in excess of 300 mg/l or ammonia nitrogen in excess of 15 mg/l may be accepted in the public sewers subject to a surcharge to cover the additional cost of treating such wastes. The surcharges will be based on the average of composite samples collected over a three (3) month period. If less than three (3) composite samples are collected and analyzed in the three (3) month period immediately preceding billing period

samples for the preceding month or months will be utilized to provide the required number of samples. The surcharge shall be based on the average concentration and the metered water consumption and shall be subject to review and adjustment on an annual basis to reflect changes in operating costs.

6.07 (a) Where pre-treatment 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 pre-treatment or flow-control facilities shall first be submitted to the General Manager for review and approval. Such approval shall not exempt the discharge or such facilities from compliance with any applicable code, ordinance, rule, regulation or order of any governmental authority. Any subsequent alterations or additions to such pre-treatment or flow-control facilities shall not be made without due notice to and prior approval of the General Manager.

(b) If pre-treatment 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.

6.08 All measurements, tests and analysis of the characteristics of water and waste to which reference is made in this ordinance shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage," latest edition, "Methods for Chemical Analysis of Water and Waste" published by the U.S. Environmental Protection Agency or the "Annual Book of Standards, Part 23, Water, Atmospheric Analysis" published by the American Society for Testing and Materials. Analyses for those pollutants not covered by the above references shall be performed in accordance with procedures established by the State Department of Environment & Conservation. Samples shall be collected at the control manhole provided for in Section 6.03. A minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques where feasible. The General Manager may waive flow-proportional composite sampling for any Industrial User that demonstrates that flow-proportional sampling is infeasible. In such cases, samples may be obtained through time-proportional composite sampling techniques or through a minimum of four (4) grab samples where the User demonstrates that this will provide a representative sample of the effluent being discharged.

6.09 Any user of the public sewer who discharges industrial waste or matter must satisfy and meet such United States Federal Government guidelines for pre-treatment as may be prescribed from time to time by the Environmental Protection Agency or its successor agency and such guidelines for pre-treatment as may be prescribed from time to time by the Water Quality Control Division of the Tennessee Department of Environment & Conservation or its successor agency and further must furnish at its own expense the necessary monitoring equipment for such pre-treatment as may reasonably be necessary in the opinion of the General Manager of the Board of Public Utilities.

6.09 Limitations on the discharge of industrial wastes are hereby established for both compatible and incompatible wastes as follows:

(a) Compatible Wastes

- (1) Total waste load must not be such as to cause an overload on plant treatment works.
- (2) Concentration shall not exceed the following limits unless a variance is granted.

Parameter	Maximum Daily Avg. Conc. mg/l	Maximum Instantaneous Conc. mg/l
Biochem. Oxygen Demand	1500	2000
Chemical Oxygen Demand	2500	3500
Settleable Solids	15	20
Total Susp. Solids	1500	2000
Total Dissolved Solids	5000	7500
Nitrogen (Total Kjeldahl)	60	90

(b) Incompatible Wastes

(1) Total waste load discharged must not be such as to inhibit or disrupt treatment processes at the wastewater treatment plant. The limiting concentrations in the influent to the plant shall be as follows:

Parameter	Maximum Concentration (ug/l)
Copper	268
Chromium	333
Nickel	241
Cadmium	15
Lead	9
Mercury	0.04
Silver	8
Zinc	476
Cyanide	29
Toluene	214
Benzene	15
1,1,1 Trichloroethane	200
Ethyl benzene	29
Carbon tetrachloride	136
Chloroform	258
Tetrachloroethylene	65
Trichloroethylene	91
1,2 trans Dichloroethylene	5
Methylene Chloride	132
Total Phenols	500
Naphthalene	5
Total Phthalates	19

(2) Industrial charges of incompatible pollutant shall be treated to a maximum concentration level set by the practical limits of technology unless otherwise approved by the Board of Public Utilities.

6.10 Discharge Reports

(1) Every industrial user shall file a periodic discharge report at such intervals as are designated by the General Manager. The General Manager 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 include but, in the discretion of the General Manager, shall not be limited to, nature of process, volume, rates of flow, mass emission rate, production quantities, hours of operation, concentrations of controlled pollutants or other information which relates to the generation of waste. Such reports may also include the materials stored on-site even though they are not normally discharged. In addition to discharge reports, the General Manager may require information in the form of Industrial Discharge Permit Applications and self-monitoring reports.

(3) All industrial users who discharge or propose to discharge wastewaters to the wastewater treatment system shall maintain such records on 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 pre-treatment standards or requirements.

(4) Such records shall be made available upon request by the General Manager. All such records relating to compliance with pre-treatment standards shall be made

available to officials of the U.S. Environmental Protection Agency and State of Tennessee Department of Environment & Conservation upon demand. A summary of such data indicating the industrial user's compliance with this Ordinance shall be prepared quarterly and submitted to the General Manager.

6.12 Whenever it shall be necessary for the purpose of these rules and regulations, the General Manager, upon the presentation of credentials, may enter upon any property or premises at reasonable times for the purpose of (1) copying any records required to be kept under the provisions of this ordinance, (2) inspecting any monitoring equipment or method, and (3) sampling any discharge of wastewater to the treatment works. The General Manager may enter upon the property at any hour under emergency circumstances.

6.13 (a) 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 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 General Manager for review, and shall be approved by him 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.

(b) Reporting of Accidental Discharge - If, for any reason, a facility does not comply with or will be unable to comply with any prohibition or limitations in this ordinance, the facility responsible for such discharge shall immediately notify the General Manager so that corrective action may be taken to protect the treatment system. In addition, a written report addressed to the General 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 (5) days of the occurrence on the non-complying discharge.

ARTICLE VII. Protection for Damage

No person(s) shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person(s) violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE VIII. Powers and Authority of Inspectors

8.01 The General Manager and other duly authorized employees of the Board of Public Utilities or the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharging to the community system in accordance with the provisions of this ordinance.

8.02 The General Manager or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

8.03 The General Manager and other duly authorized employees of the Board of Public Utilities or the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE IX. Enforcement

9.01 Whenever the General Manager finds that any person has violated or is violating any provisions of this ordinance except Article VII, or any prohibition, limitation or requirement contained

herein, he may serve upon such person a written notice stating the nature of the violation and providing a reasonable time, not to exceed thirty (30) days, for the satisfactory correction thereof.

9.02 Any discharge in violation of the substantive provisions of this ordinance shall be considered a public nuisance. If any person discharges sewage, industrial wastes or other wastes into the City treatment system contrary to the substantial provisions of this ordinance, the City Attorney shall commence an action for appropriate legal and/or equitable relief in the Circuit Court of this County.

ARTICLE X. Penalty; Costs

10.01 Any person who is found to have willfully or negligently failed to comply with any provision of this ordinance, and the orders, rules and regulations issued hereunder, shall be subject to responses ranging from a verbal notice to fines of no more than Ten Thousand Dollars (\$10,000.00) for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the City may recover reasonable attorney's fees, court costs, court reporter 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. The City also has the authority to disconnect sewer service to those industrial users that habitually violate any portion of this ordinance.

ARTICLE XI. Validity

11.01 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.

11.02 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.

ARTICLE XII. Effective Date

12.01 This ordinance shall be in full force and effect from and after its passage, approval and publication, as provided by law. (Ord. #1003, 11/07/02).