

First Reading: April 4, 2017
Second Reading: April 18, 2017

ORDINANCE NO. 13172

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SECTIONS 31-16, 31-50, 31-51, 31-52, 31-53, 31-54, 31-57, AND 31-289, RELATIVE TO WASTEWATER AND GARBAGE.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 31, Section 31-16 is hereby amended so as to delete same in its entirety and substitute in lieu thereof the following:

Sec. 31-16. Limitations on the use of garbage grinders.

(a) No waste from garbage grinders shall be discharged into the city's sewers except for private garbage grinders used in a single family dwelling. Provided, further, that such grinders shall shred the waste sufficiently that it can be carried freely under normal flow conditions prevailing in the city's sewer lines. It shall be unlawful for any person to use a garbage grinder connected to the sewer system for the purpose of grinding and discharging plastic, paper products, inert materials or anything other than the waste products from normal food preparation and consumption.

(b) The director may issue a permit for a garbage grinder where no other alternative exists for solid waste collection and then only where applicable fees therefore are paid.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 31, Section 31-50(b)(17) is hereby amended so as to delete same in its entirety and substitute in lieu thereof the following:

Sec. 31-50. General Provisions.

(b) Definitions.

(17) **Grab Sample.** An individual sample collected over a period of time not exceeding fifteen (15) minutes.

SECTION 3. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 31, Section 31-50(c)(15) is hereby amended so as to delete same in its entirety and substitute in lieu thereof the following:

Sec. 31-50. General Provisions.

(c) Abbreviations.

(15) POTW – Publicly Owned Treatment Works.

SECTION 4. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 31, Sections 31-51(i), 31-51(j), and 31-51(p) are hereby amended so as to delete same in its entirety and substitute in lieu thereof the following:

Sec. 31-51. Prohibitions and limitations on discharge into the Publicly Owned treatment works.

- (i) *Limitations on Wastewater Strength (Local Limits).* A table containing numeric pollutant concentrations (referred to as local limits) shall be developed by the director for approval and adoption by the Wastewater Regulations and Appeals Board to regulate the discharge of pollutants to the sewer system. This table may be revised from time to time as necessary to implement the plant protection criteria set forth in Section 31-51(j). No user shall discharge wastewater with pollutant concentrations in excess of the concentration set forth in said table unless:
- (1) An exception has been granted the user under the provisions of Section 31-52; or
 - (2) The wastewater discharge permit of the user provides as a special permit condition a higher interim concentration level in conjunction with a requirement that the user construct a pretreatment facility or institute changes in operation and maintenance procedures to reduce the concentration of pollutants to levels not exceeding the standards set forth in the table within a fixed period of time.
- (j) *Criteria to Protect the Treatment Plant Influent.* A table containing numeric pollutant concentrations (referred to as plant protection criteria) shall be developed by the director for approval and adoption by the Wastewater Regulations and Appeals Board to protect the treatment plant from pass-through of pollutants, to protect the quality of the sludge produced by the treatment plant, and to prevent inhibition of treatment plant processes. This table may be

revised from time to time as necessary to accomplish these objectives. The director shall monitor the treatment works influent for each pollutant in said table. Industrial users shall be subject to the reporting and monitoring requirements set forth in Section 31-53 and Section 31-54 as to these pollutants. In the event that the influent at the treatment works reaches or exceeds the levels established by said table, the director shall initiate technical studies to determine the cause of the influent violation, and shall recommend such remedial measures as are necessary, including but not limited to recommending the establishment of new or revised pretreatment levels for these pollutants. The director shall also recommend changes to any of these criteria in the event the POTW effluent standards are changed, there are changes in any applicable law or regulation affecting same, or when changes are needed for more effective operation of the POTW.

- (p) *Centralized Waste Treatment Facilities.* The director shall establish effluent limits for centralized waste treatment facilities to ensure that the level of pollution discharged from the CWT through the POTW to the environment will not exceed the level that would be allowed if the CWT discharged directly to surface waters under Section 301(b)(2) of the Act (33 U.S.C. § 1311). Additionally, centralized waste treatment facilities shall maintain records and submit reports as directed by the director regarding the SIC codes of their customers, and the frequency, characteristics, and volume of wastes from the various categories.

SECTION 5. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 31, Section 31-51(l) is hereby amended by adding “professional engineer licensed in the State where the work is to be permitted” after the phrase “sealed by a” in the first sentence.

SECTION 6. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 31, Section 31-53(k) is hereby amended by adding “Tennessee, Department of Environment and Conservation (TDEC) or the Environmental Protection Agency (EPA)” after the phrase “the Director” in the second sentence.

SECTION 7. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 31, Sections 31-53(l) and 31-53(m) are hereby amended by deleting same in its entirety and substituting in lieu thereof the following:

- (l) *Duration of Permit.* Wastewater discharge permits normally are issued for a period of three (3) years. Permits may be issued for a period of less than three (3) years for the administrative convenience of the director so as to stagger the renewal dates of the permits. Provided further that permits issued to industrial users granted an exception pursuant to Section 31-52 shall be issued for a period of one (1) year. Notwithstanding the foregoing, industrial users becoming subject to a national pretreatment standard shall apply for new permits on the effective date of such national pretreatment standards. The director shall notify in writing any industrial user whom he has cause to believe is subject to a national pretreatment standard of the promulgation of such federal regulations, but any failure of the director in this regard shall not relieve the industrial user of the duty of complying with such national pretreatment standards. An industrial user must apply in writing for a renewal permit within the period of time not more than ninety (90) days and not less than thirty (30) days prior to expiration of the current permit. Provided further that limitations or conditions of a permit are subject to modification in accordance with Section 31-53(o), industrial users shall be notified of any proposed changes in their permit by the director at least thirty (30) days prior to the effective date of the change. Any change or new condition in a permit shall include a provision for a reasonable time schedule for compliance. The industrial user may appeal the decision of the director in regard to any changed permit conditions as otherwise provided in this article. Wastewater discharge permits are voidable upon nonuse, cessation of operations, or transfer of business ownership. All wastewater discharge permits are void upon the issuance of a new wastewater discharge permit.
- (m) *Transfer of a Permit.* Wastewater discharge permits are issued to a specific industrial user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, or for different premises, or a new or changed operation, without the prior approval of the director. The new owner or operator must state to the director that it plans no change to the facility's operations and processes must provide the specific date on which the transfer is to occur, and agree that the new owner/user shall assume responsibility for all Wastewater Discharge Permit requirements. Upon approval of a permit transfer, the director will provide the new owner or operator with a copy of the wastewater discharge permit.

SECTION 8. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 31, Sections 31-54(f) is hereby amended by deleting same in its entirety and substituting in lieu thereof the following:

Sec. 31-54. Inspections, monitoring, entry, and confidentiality.

- (f) All significant industrial users shall install a monitoring station of a standard design or be designed in a manner that is satisfactory to the director. Monitoring stations and flow measurement facilities must be properly operated, kept clean, safely accessible and maintained in good working order at all times. The monitoring stations shall not contain noxious or malodorous gases/odors in concentrations that could create a public nuisance or a health and safety concern, or to prevent entry into the monitoring stations. The failure of a user to keep its monitoring station in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

SECTION 9. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 31, Section 31-57(c) is hereby amended by adding Subsection (10) as follows:

Sec. 31-57. Wastewater Regulations and Appeals Board.

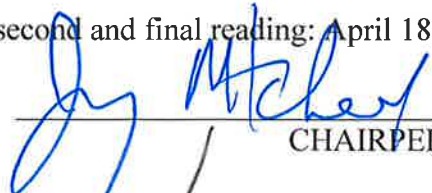
(c) *General Duties of the Board.*

- (10) To approve and adopt tables containing limitations on wastewater strength (local limits) and plant protection criteria as recommended by the director.

SECTION 10. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 31, Section 31-289 is hereby amended by adding the word “flow” after the phrase “a billable” in the first sentence.

SECTION 11. BE IT FURTHER ORDAINED That this Ordinance shall become effective within two (2) weeks from and after its passage.

Passed on second and final reading: April 18, 2017



CHAIRPERSON

APPROVED: DISAPPROVED:



MAYOR