

**HAMILTON COUNTY
WATER & WASTEWATER
TREATMENT AUTHORITY**

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**SEWER USE RULES AND REGULATIONS
FOR
WASTEWATER COLLECTION SYSTEMS**

Additions Included After June 1, 2005

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**HAMILTON COUNTY
WATER & WASTEWATER TREATMENT AUTHORITY
SEWER USE RULES AND REGULATIONS**

SECTION I: GENERAL PROVISIONS

A. Purpose and Policy:

1. The purpose of this Section is to set uniform requirements for users of the Hamilton County Water & Wastewater Treatment Authority ("WWTA") wastewater collection system to enable the WWTA to comply with the Provisions of the Clean Water Act and other applicable federal, state, and local laws and regulations, and to provide for the public health and welfare by regulating the quality of wastewater discharged into the wastewater collection system and treatment works and by regulating the quality of construction of extensions to the system.
2. These Regulations provide a means for determining wastewater volumes, constituents and characteristics, the setting of charges and fees, and the issuance of permits, among other things. These Regulations establish effluent limitations and other discharge criteria and provides that certain users shall pretreat waste to prevent the introduction of pollutants into the publicly owned collection system (hereinafter referred to as POCS) and the Regional Wastewater Treatment Facility (hereinafter referred to as RWTF) which will interfere with the operation of the POCS and RWTF or contaminate the sewage sludge; and to prevent the introduction of pollutants into the POCS which will pass through the RWTF into the receiving waters or the atmosphere, or otherwise be incompatible with the RWTF; and to improve opportunities to recycle and reclaim wastewaters and the sludge resulting from wastewater treatment.
3. These Regulations provide measures for the enforcement of its provisions and abatement of violations thereof.

B. Permitted Use of the Publicly Owned Collection System

Any premise on a lot contiguous to property with a WWTA public sewer may be granted permission to connect with such sewer and convey into the same drainage from all plumbing fixtures on the premises. Connection to a public sewer may be required by the Chattanooga-Hamilton County Health Department for health or environmental reasons. All permitted or required connections and use of the POCS shall be in accordance with the provisions of these Regulations.

C. Definitions :

For purposes of these Regulations the following phrases and words shall have the meaning assigned below, except in those instances where the content clearly indicates a different meaning:

1. **Act or "the Act".** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq.
2. **Approval authority.** 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.
3. **At large member.** One of five members appointed by the County Mayor according to the WWTa Law.
4. **Authorized representative of industrial user.** An authorized representative of an industrial user may be: (1) A principal executive officer of at least the level of vice President, if the industrial user is a corporation; (2) A general or proprietor if the industrial user is a partnership or proprietorship, respectively; (3) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facility from which the indirect discharge originates.
5. **Board.** Hamilton County WWTa Board of Commissioners.
6. **Categorical standards.** National Pretreatment Standards.
7. **County.** Hamilton County, Tennessee, a political subdivision of the State of Tennessee.
8. **Compatible pollutant.** Biochemical oxygen demand, suspended solids, PH and fecal coliform bacteria; plus any additional pollutants identified in the publicly-owned treatment work's NPDES permit, for which the publicly-owned treatment works is designed to treat such pollutants and in fact does remove such pollutants to a substantial degree.
9. **Control authority.** The term "control authority" shall refer to any designee of the WWTa Board.
10. **Contractor.** Any class of user of the POCS.

11. **Developer.** One who advances or furthers the extension of the existing Hamilton County sewer system for his/her own purposes.
12. **Direct discharge.** The discharge of treated or untreated wastewater directly to the waters of the State of Tennessee.
13. **Environmental Protection Agency, or “EPA”.** The Environmental Protection Agency, an agency of the United States, or where appropriate the term may also be used as a designation for the Administrator or other duly authorized official of said agency.
14. **Garden meter.** A meter installed by a Utility District to measure flows that do not enter a POCS.
15. **Grab sample.** A sample taken on a one-time basis from a waste stream with no regard to the flow or consideration of time
16. **Holding tank waste.** Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
17. **Incompatible pollutant.** All pollutants other than compatible pollutants as defined in number 7 of this section.
18. **Indirect discharge.** The discharge or the introduction of non-domestic pollutants from any source regulated under section 307(b) or (c) of the Act (33 U.S.C. 1317), into the POCS (including holding tank waste discharged into the system) for treatment before a direct discharge to the waters of the state.
19. **Industrial user.** A source of indirect discharge, which does not constitute a “discharge of pollutants” under regulations, issued pursuant to section 402, of the Act.
20. **Interference.** Inhibition or disruption of the sewer system treatment processes or operations or which contributes to a violation of any requirement of the WWTA’S or the RWTF’s NPDES Permits. The term includes prevention of sewage sludge use or disposal by the POCS in accordance with section 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 Substance Control Act, or more stringent state or local 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 POCS.
21. **Mass emission rate.** The weight of material discharged to the public sewer system during a given time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of the particular constituent or combination of constituents.

22. **Maximum concentration.** The maximum amount of a specified pollutant concentrated in a volume of water or wastewater.
23. **National Pretreatment Standard or Pretreatment Standard.** 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.
24. **New source.** Any source, the construction of which is commenced after the publication of proposed regulations prescribing a section 307(c)(33 U.S.C. 1317) categorical pretreatment standard which will be applicable to such source, if such standard is thereafter promulgated within 120 days of proposal in the Federal Register. Where the standard is promulgated later than 120 days after proposal, a new source means any source, the construction of which is commenced after the permission to connected with such sewer and convey into the same drainage from all plumbing fixtures on the date of promulgation of the standard.
25. **National Pollution Discharge Elimination System or NPDES permit.** A permit issued to a POCS pursuant to section 402 of the Act (33 U.S.C. 1342).
26. **Off-site.** Describes a location as being off of the developer's property.
27. **On-site.** Describes a location as being on or a part of the developer's property.
28. **Person.** Any individual partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental 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.
29. **Pollution.** A man-made or man-induced alteration of the integrity of water be it chemical, physical, biological, or radiological.
30. **Premises.** A parcel of real estate or portion thereof including any improvements thereon which is determined by the WWTA to be a single user for purposes of receiving, using, and paying for services.
31. **Pretreatment.** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the POCS. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited by 40 C.F.R. section S4036 (d).

32. **Pretreatment requirements.** Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an industrial user.
33. **Public sewer.** Any sewer and its appurtenances which are part of the POCS.
34. **Public sewer extension.** Any sewer and its appurtenances which are being constructed with the intention of being connected to and dedicated as a part of the publicly owned collection system.
35. **Publicly owned collection system or POCS.** A collection system as defined by section 212 of the Act (33 U.S.C. 1292) and by number 43 of this section that is owned in this instance by the WWTA. This definition includes any sewers that convey wastewater to the RWTF, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment.
36. **Reclaimed water.** Water, which as a result of treatment of waste, is suitable for direct beneficial uses or controlled use that would not occur otherwise.
37. **Regional Wastewater Treatment Facility (RWTF).** The operator and staff of the facility, which is presently the Moccasin Bend Wastewater Treatment Plant, are used to treat the wastewater from the POCS.
38. **Registered Engineer.** A person registered with the State of Tennessee as an engineer, and meeting all requirements for such designation as specified by the Board of Architectural and Engineering Examiners.
39. **Service lateral.** A sewer service line located between the public sewer and the property line of a premise.
40. **Service tee (or service junction).** A pipe fitting installed in the public sewer for the purpose of connection of a sewer service line.
41. **Sewer service line.** A sewer conveying wastewater from the premise of a user to a public sewer.
42. **Standard Industrial Classification.** A classification pursuant to the standard Industrial Classification Manual issued by the Executive office of the President, Office of Management and Budget, 1972.
43. **Superintendent.** The person designated by the WWTA Board in accordance with the WWTA Law.

44. **Toxic pollutant.** Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the Provisions of 33 U.S.C. 1317.
45. **Collection system.** Any devices and systems used in the storage, treatment, and conveyance of domestic sewage or industrial wastes of a liquid nature, including interceptor sewers, outfall sewers, sewage collection systems, pumping stations, and other equipment and appurtenances; and extensions, improvements, remodeling, additions and alterations thereof.
46. **Twenty-four hour, flow proportional composite sample.** A sample consisting of several effluent portions collected during a twenty-four (24) hour period in which the portions of sample are proportionate to the flow and combined to form a representative sample.
47. **Unpolluted water.** Water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable to the State of Tennessee or the Environmental Protection Agency having jurisdiction thereof for disposal to storm or natural drainage, or directly to surface waters.
48. **User.** Any person, firm, corporation or governmental entity that discharges, causes or permits the discharge of wastewater into a public sewer.
49. **Waste.** Includes sewage and any an all other waste substances, liquid, solid, gaseous or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing or processing operation of whatever nature, including such waste placed within containers of whatever nature prior to, and for purposes of, disposal.
50. **Wastewater.** Waste and water, whether treated or untreated, discharged into or permitted to enter a public sewer.
51. **Water & Wastewater Treatment Authority ("the WWTA").** The entity established by Hamilton County pursuant to the WWTA Law.
52. **WWTA Board of Commissioners.** The governing body of the WWTA, the powers and duties of which are defined in the WWTA Law.
53. **WWTA Law.** Tennessee Code Annotated, Section 68-221-601, et sequitur.
54. **Wastewater constituents and characteristics.** The individual chemical, physical, bacteriological and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the contents, quality, quantity and strength of wastewater.

55. **Waters of the State of Tennessee.** Any water, surface or underground, within the boundaries of the State.
56. **Wheelage and Treatment Rate.** Applicable fees paid by the WWTa to the RWTF, City of Chattanooga, or other governing entity for the conveyance or treatment of wastewater.

D. Abbreviations

The following abbreviations shall have the following meanings:

1. BOD - Biochemical oxygen demand.
2. CFR - Code of Federal Regulations.
3. COD - Chemical oxygen demand.
4. EPA - Environmental Protection Agency.
5. GMP - Good Management Practices.
6. l - Liter.
7. MBAS - Methylene-blue-active substances.
8. mg - Milligrams.
9. mg/l - Milligrams per liter.
10. NPDES - National Pollutant Discharge Elimination System.
11. POCS - Publicly owned collection system.
12. RWTF - Regional Wastewater Treatment Facility
13. SIC - Standard Industrial Classification.
14. SWDA - Solid Waste Disposal Act 42 U.S.C. 6901. et seq.
15. USC - United States Code.
16. WWTa - Water & Wastewater Treatment Authority.

SECTION II: PROHIBITIONS AND LIMITATIONS ON DISCHARGE INTO THE PUBLICLY OWNED COLLECTION SYSTEM

A. Purpose and Policy

1. This section establishes limitations and prohibitions on the quantity and quality of wastewater which may be lawfully discharged into the publicly owned treatment works. Pretreatment of some wastewater discharge will be required by the WWTA or the RWTF to achieve the goals established by this Section and the Clean Water Act. Pretreatment permits will be issued by the RWTF.
2. The specific prohibitions and limitations of this Section are subject to change as necessary to enable the WWTA and the RWTF to provide efficient wastewater treatment, to protect the public health and the environment, and to enable the WWTA to meet requirements contained in its NPDES Permit.
3. The WWTA Board and the RWTF shall review said limitations from time to time to insure that they are sufficient to protect the operation of the collection system treatment facility, that they are sufficient to comply with NPDES permit, that they are sufficient to provide for a cost effective means of operation, and that they are sufficient to protect the public health and the environment.
4. The WWTA Board shall recommend changes or modifications to the RWTF, as necessary.

B. Prohibited Pollutants

No person shall introduce into the POCS any of the following pollutants which acting either alone or in conjunction with other substances present in the POCS or the RWTF interfere with the operation of the POCS or the RWTF as follows:

1. Pollutants which create a fire or explosion hazard.
2. Pollutants which cause corrosive structural damage, but in no case discharges with a pH lower than 5.0 or higher than 10.5;
3. Solid or viscous substances which cause obstruction to the flow of the sewers, or other interference with the operation of the POCS or damage to the POCS, including waxy or other materials which tend to coat and clog a sewer line or other appurtenances;

4. Any waters or wastes containing toxic or poisonous substances in sufficient quantity to injure or interfere with the POCS or RWTF, constitute a health hazard, or create a public nuisance.
5. Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge of such volume or strength as to cause interference in the POCS or RWTF;
6. Heat in amounts that will inhibit biological activity in the RWTF, but in no case heat in such quantities that the temperature at the RWTF influent exceeds 40 degrees Centigrade (104 degrees Fahrenheit). Unless a higher temperature is allowed in the user's wastewater discharge permit, no user shall discharge into any sewer line or other appurtenance of the WWTA, wastewater with a temperature exceeding 65.5 degrees Centigrade (150 degrees Fahrenheit).

C. Wastewater Constituent Evaluation

1. The wastewater of every Industrial User shall be evaluated upon the following criteria:
 - a. Wastewater containing any element or compound which is not adequately removed by the RWTF which is known to be an environmental hazard.
 - b. Wastewater causing a discoloration or any other condition in the quality of the RWTF's effluent such that receiving water quality requirements established by law cannot be met.
 - c. Wastewater causing conditions at or near the RWTF, which violate any statute, rule, or regulation of any public agency of this State or the United States.
 - d. Wastewater containing any element or compound acting as a lacrimator known to cause nausea or odors that constitute a public nuisance.
 - e. Wastewater causing interference with the effluent or any other product of the RWTF treatment process' residues, sludges, or scum causing them to be unsuitable for reclamation and reuse or causing interference with the reclamation process.
 - f. Wastewater having constituents and concentrations in excess of those listed in Section II.M, or cause a violation of the limits in Section II.N.
2. The RWTF or the WWTA Board shall establish reasonable limitations or prohibitions in the wastewater discharge permit of any user that discharges wastewater violating any of the above criteria as shall be reasonably necessary to achieve the purpose and policy of this Section.

D. National Pretreatment Standards

1. Certain Industrial Users are now or hereafter shall become subject to National Pretreatment Standards promulgated by the Environmental Protection Agency specifying quantities of concentrations of pollutants or pollutant properties which may be discharged into the POCS. All Industrial Users subject to a National Pretreatment Standard shall comply with all requirements of such standard, and shall also comply with any additional or more stringent limitations contained in this Section.
2. Compliance with National Pretreatment Standards for existing sources subject to such standards, or for existing sources which hereafter become subject to such standards, shall be within three (3) years following promulgation of the standards, unless a shorter compliance time is specified in the Standard. Compliance with National Pretreatment Standards for new sources shall be required upon promulgation of the standard.
3. Except where expressly authorized by an applicable National Pretreatment Standard, no Industrial User shall increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitution for adequate treatment to achieve compliance with such standard.

E. Prohibitions on Storm Drainage and Ground Water

Storm water, ground water, rainwater, street drainage, roof top drainage, basement drainage, sub-surface drainage, or yard drainage shall not be discharged through direct or indirect connections to a public sewer.

F. Swimming Pool Drainage

Drainage from swimming pools or swimming pool filters shall not be discharged through direct or indirect connections to a public sewer.

G. Unpolluted Water

Unpolluted water, including but not limited to cooling water or process water, shall not be discharged through direct or indirect connections to a public sewer. If no other reasonable alternative for removal of such drainage exists, such discharge may be permitted by the user's wastewater discharge permit and the user for the volume thereof shall pay an appropriate fee.

H. Limitation on Radioactive Waste

No person shall discharge or permit to be discharged any radioactive waste into a public sewer except:

1. When the person is authorized to use radioactive materials by the Tennessee Department of Public Health or the Nuclear Regulatory Commission; and,
2. When the waste is discharged in strict conformity with applicable laws and regulations of the aforementioned agencies, or any other agency having jurisdiction; and,
3. When a copy of permits received from said regulatory agencies have been filed with the Superintendent; and,
4. The WWTa Board has to grant a special permit.

I. Limitations on the Use of Garbage Grinders

Waste from garbage grinders shall not be discharged into a public sewer except where generated in preparation of food consumed on the premises, and then only where applicable fees therefore are paid. Such grinders must shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the public sewers. Garbage grinders shall not be used for the grinding of plastic, paper products, inert materials, or garden refuses. This provision shall not apply to domestic residences.

J. Limitations on Point of Discharge

No person shall discharge any substance directly into a manhole or other opening in a public sewer other than through an approved sewer service line, unless issued a temporary permit by the Superintendent. The Superintendent shall incorporate in such temporary permit such conditions as deemed reasonably necessary to insure compliance with the provisions of this Section and the user shall be required to pay applicable charges and fees therefore.

K. Septic Tank Pumping, Hauling, and Discharge

1. No person owning vacuum or "cesspool" pump trucks or other liquid waste transport trucks shall discharge directly or indirectly such sewage into the POCS, unless such person shall first have applied for and received a Truck Discharge Operation Permit from the Superintendent.
2. All applicants for a Truck Discharge Operation Permit shall complete such forms as required by the Superintendent, pay appropriate fees, and agree in writing to abide by the provisions of this Section and any special conditions or regulations established by the WWTa.
3. The owners of such vehicles shall affix and display the permit number on the side of each vehicle used for such purposes. Such permits shall be valid for a period of one (1) year

from date of issuance, provided that the Superintendent shall subject to revocation by the Superintendent for violation of the provision of this Section or reasonable regulation establish such permit. Such permits shall be limited to the discharge of domestic sewage waste containing no industrial waste.

4. The Superintendent shall designate the locations and times where such trucks may be discharged, and may refuse to accept any truckload of waste in his absolute discretion where it appears that the waste could interfere with the effective operation of the treatment works or any sewer line or appurtenance thereto.

L. Other Holding Tank Waste

1. No person shall discharge any other holding tank waste into the POCS unless issued a permit by the Superintendent. Unless otherwise allowed under the terms and conditions of the permit, a separate permit must be secured for each separate discharge.
2. The permit shall state the specific location of discharge, the time of day the discharge is to occur, the volume of the discharge, and shall limit the wastewater constituents and characteristics of the discharge. Such user shall pay any applicable charges or fees therefore, and shall comply with the conditions of the permit issued by the Superintendent.
3. No permit will be required to discharge domestic waste from a recreational vehicle holding tank provided such discharge is made at a designated location.

M. Limitations on Wastewater Strength

No person or user shall discharge wastewater in excess of the concentration set forth in Table I unless an exception has been granted the user under the provisions of Section III or 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.

TABLE I

<u>Parameter</u>	Maximum Concentration (24 hr Flow, Proportional Composite Sample) mg/l	Maximum Instantaneous Concentration (Grab Sample) mg/l
Biochemical Oxygen Demand	*	--
Chemical Oxygen Demand	*	--
Suspended Solids	*	--
Arsenic (As)	1.0	2.0
Cadmium (Cd)	1.0	2.0
Chromium-Total (Cr)	5.0	10.0
Chromium-Hexavalent (Cr+6)	0.05	0.10
Copper (Cu)	5.0	10.0
Cyanide (CN)	2.0	4.0
Lead (Pb)	1.5	3.0
Mercury (Hg)	0.1	0.2
Nickel (Ni)	5.0	10.0
Selenium (Se)	1.0	2.0
Silver (Ag)	1.0	2.0
Zinc (Zn)	5.0	10.0
Oil & Grease (Petroleum and/or Mineral)	100.00	200.00

*Limited by design capacity.

N. Criteria to Protect the RWTF

1. The RWTF influent will be monitored for each parameter in Table II. The Industrial Users shall be subject to the reporting and monitoring requirements set forth in Section V and Section VIII as to these parameters.
2. In the event that the influent reaches or exceeds the levels established by Table II, the RWTF and the Superintendent shall initiate technical studies to determine the cause of the influent violation, and shall recommend to the Board such remedial measures as are necessary, including but not limited to recommending the establishment of new or revised pretreatment levels for these parameters.
3. The Superintendent shall also recommend changes to any of these criteria in the event the RWTF effluent standards are changed or in the event that there are changes in any applicable law or regulation affecting same or in the event changes are needed for more effective operation of the POCS.

TABLE II

<u>Parameter</u>	Maximum Concentration (24 hr Flow, Proportional Composite Sample) mg/l	Maximum Instantaneous Concentration (Grab Sample) mg/l
Aluminum dissolved (Al)	15.00	30.00
Antimony (Sb)	0.50	1.0
Arsenic (As)	0.05	0.1
Barium (Ba)	2.50	5.0
Boron (B)	1.00	2.0
Cadmium (Cd)	0.01	0.02
Chromium-total (Cr)	1.50	3.0
Cobalt 5.00	5.00	10.00
Copper (Cu)	0.40	0.8
Cyanide (CN)	0.05	0.1
Fluoride (F)	10.00	20.00
Iron (Fe)	5.00	10.0
Lead (Pb)	0.10	0.2
Manganese (Mn)	0.50	1.0
Mercury (Hg)	0.015	0.03
Nickel (Ni)	0.50	1.0
Phenols	1.00	2.0
Selenium (Se)	0.005	0.01
Silver (Ag)	0.05	0.1
Titanium-dissolved (Ti)	1.00	2.0
Zinc (Zn)	2.00	4.0
Total Kjeldahl Nitrogen (TKN)	45.00	90.0
Oil & Grease	25.00	50.0
MBAS 5.00	5.00	10.0
Total Dissolved Solids	1,875.00	3,750.00
BOD	*	
COD	*	
Suspended Solids	*	

 *Not to exceed the design capacity of treatment works.

O. Pretreatment Requirements

Users of the POCS shall design, construct, operate, and maintain wastewater pretreatment facilities whenever necessary to reduce or modify the user's wastewater constituency to achieve compliance with the limitations in wastewater strength set forth in Paragraph (M) of this Section, to meet applicable National Pretreatment Standards, or to meet any other wastewater condition or limitation contained in the user's wastewater discharge permit.

P. Plans and Specifications

1. Plans, specifications, and operating procedures for such wastewater pretreatment facilities shall be prepared by a Registered Engineer, and shall be submitted to the Superintendent for review in accordance with accepted engineering practices. The Superintendent shall review said plans within 45 days and shall recommend to the user any appropriate changes.
2. Prior to beginning construction of said pretreatment facility, the user shall submit a set of construction plans and specifications to be maintained by the Superintendent. Prior to beginning construction the user shall also secure such building, plumbing, or other permits that may be required.
3. The user shall construct said pretreatment facility within the time provided in the user's wastewater discharge permit. Following completion of construction the user shall provide the Superintendent with "as built" drawings to be maintained by the Superintendent.

Q. Prevention of Accidental Discharges

1. All Industrial Users shall provide such facilities and institute such procedures as are reasonably necessary to prevent or minimize the potential for accidental discharge into the POCS of waste regulated by this Section from liquid or raw material storage areas, from truck and rail car loading and unloading areas, from in plant transfer or processing and materials handling areas, and from diked areas or holding ponds of any waste regulated by this Section.
2. The wastewater discharge permit of any user who has a history of significant leaks, spills, or other accidental discharge of waste regulated by this Section shall be subject on a case-by-case basis to a special permit condition or requirement for the construction of facilities or

establishment of procedures which will prevent or minimize the potential for such accidental discharge.

3. Plans, specifications, and operating procedures for such special permit conditions shall be developed by the user and submitted to the Superintendent for review under the provisions of Paragraph (P) of this section.

SECTION III: EXCEPTION TO WASTEWATER STRENGTH STANDARD

A. Applicability

This Section provides a method for non-residential users subject to the limitation on wastewater strength parameters listed in Section II to apply for and receive a temporary exception to the discharge level for one or more parameters.

B. Time of Application

Applicants for a temporary exception shall apply for same at the time they are required to apply for a wastewater discharge permit or a renewal thereof, provided, however, that the Superintendent shall allow applications at any time unless the applicant shall have submitted the same or substantially similar application within the preceding year and the same shall have been denied by the Board.

C. Written Applications

All applications for an exception shall be in writing, and shall contain sufficient information for evaluation of each of the factors to be considered by the Board pursuant to Paragraph (E) hereof.

D. Review by Superintendent

The Superintendent shall review all applications for an exception. If the application does not contain sufficient information for complete evaluation, the Superintendent shall notify the applicant of the deficiencies and request additional information. The applicant shall have thirty (30) days following notification by the Superintendent to correct such deficiencies. The Board upon application and for just cause shown may extend this thirty (30) day period. Upon receipt of a complete application the Superintendent shall evaluate it within thirty (30) days and shall submit recommendations to the Board at its next regularly scheduled meeting.

E. Review by WWTA

The Board shall review and evaluate all applications for an exception and shall take into account the following factors:

1. The Board shall consider whether or not the applicant is subject to a National Pretreatment Standard containing discharge limitations more stringent than those in Section II and grant an exception only if such exception may be granted within limitations of applicable federal regulations.
2. The Board shall consider whether or not the exception would apply to discharge of a substance classified as a toxic substance under regulations promulgated by the

Environmental Protection Agency under the provisions of Section 307(a) of the Act (33 U.S.C. 1317), or similar state regulations and then grant an exception only if such exception may be granted with the limitations of applicable federal or state regulations.

3. The Board shall consult with the RWTF to determine whether or not granting the exception would:
 - a. Create conditions that would reduce the effectiveness of the RWTF, taking into consideration the concentration of said pollutant in the RWTF's influent and the design capability.
 - b. Cause the RWTF to violate the limitations in its NPDES Permit, taking into consideration the concentration of the pollutant in the RWTF's influent and the demonstrated ability of the RWTF to consistently remove such pollutant.
 - c. Cause elements or compounds to be present in the sludge of the RWTF which would prevent sludge use or disposal or which would cause the RWTF to violate any regulation promulgated by EPA under the provisions of Section 405 of the Act (33 U.S.C. 1345).
4. The Board may consider the cost of pretreatment or other types of control techniques that would be necessary for the user to achieve effluent reduction, but prohibitive cost alone shall not be the basis for granting an exception.
5. The Board may consider the age of equipment and industrial facilities involved to the extent that such factors affect the quality of wastewater discharge.
6. The Board may consider the process employed by the user and process changes available which would affect the quality or quantity of wastewater discharge.
7. The Board may consider the engineering aspects of various types of pretreatment or other control techniques available to the user to improve the quality or quantity of wastewater discharge.
8. The Board may consider an application for an exception based upon the fact that water conservation measures instituted by the user or proposed by the user result in a higher concentration of particular pollutants in the wastewater discharge of the user without increasing the amount of mass of pollutants discharged. To be eligible for an exception under this subparagraph, the applicant must show that, except for water conservation measures, the applicant's discharge has been or would be in compliance with the limitations on wastewater strength set forth in Section ILM. Provided, however, no such exception shall be granted if the increased concentration of pollutants in the applicant's wastewater would have a significant adverse impact upon the operation of the POCS or RWTF.

F. Good Management Practices Required

The Board shall not grant an exception unless the applicant shall demonstrate to the Board "good management practices" (GMP) to prevent or reduce the contribution of pollutants to the POCS. GMP's include but are not limited to preventative operating maintenance procedures, schedule of activities, process changes, prohibiting activities, and other management practices to reduce the quality of quantity of effluent discharged and to control plant site runoff, spillage, leaks, and drainage from raw material storage.

G. Exception May be Granted Following Review

The Board shall review the application for an exception at the first regularly scheduled meeting following recommendation of the Superintendent. It may grant the application for exception with such conditions or limitations as may have been recommended by the Superintendent without a hearing provided that no person, including the applicant, shall object thereto, and provided further that the Board finds that the granting of the exception with such conditions as have been recommended by the Superintendent will be in compliance with the provisions of this Section.

H. Hearing

1. In the event that the applicant objects to recommendations of the Superintendent concerning conditions to be imposed upon the applicant and the Board desires a hearing to further investigate the matter, or any interested party granted permission by the Board to intervene objects to the granting of the exception, then in such event the Board shall schedule a hearing within ninety (90) days following presentation of the matter by the Superintendent to resolve such matters.
2. At such hearing, the applicant, the Superintendent, and any intervening party shall have the right to present relevant proof by oral or documentary evidence. The procedure set forth in Section XIII hereof shall be applicable to such a hearing. The applicant shall bear the burden of proof in such hearing.

SECTION IV: PERMITS FOR THE CONNECTION TO THE PUBLICLY OWNED COLLECTION SYSTEM

A. Application and Permit Requirements

Any person who desires to connect with, extend, alter, uncover, excavate, move or in any way change any part of the publicly owned collection system or cause any such work to be done is first required to obtain a permit to do so. Application for a permit and the payment of required fees shall be made at the office of the Superintendent. Detailed drawings may be required (see Paragraph C of this Section).

B. Types of Permits

The following are the types of permits that apply to the POCS:

- 1. Sewer Service Line Connection Permit.** A sewer permit allowing connection of any premise to the public sewer.
- 2. Public Sewer Extension permit.** For the construction of new public sewers.
- 3. Industrial Wastewater Discharge permit.** Applicable to Industrial Users of the POCS. (Refer to Section V for permit requirements and administration).
- 4. Truck Discharge Operation Permit.** Refer to Section II.K-L.

C. Drawings and Specifications :

When required by the Superintendent, three (3) copies of specifications and of drawings drawn to scale with sufficient clarity and detail to indicate the nature and character of the work shall accompany the application for permit as outlined in Section VII. Drawings indicating the structural plumbing plan and sources of wastewater within the structure may also be required. Drawings and specifications for extensions to the public sewer shall be designed by a Registered Engineer and shall bear his official seal.

D. Permit Conditions

1. A permit issued shall be considered to be a license to proceed with the approved work and shall not be interpreted as authority to alter, violate, cancel, or set aside any of the provisions of this Section. A permit issued shall not prevent the Superintendent from requiring a correction of errors in plans, or in construction, or in violations of this Section. Every permit issued shall become invalid unless the work authorized by such permit is begun within one (1) year after its issuance.

2. Failure to obtain the necessary permit prior to beginning any work on a Hamilton County POCS shall subject the violator to the provisions of Section VIII and/or five times the normal tapping privilege fees in Section VI.A.

SECTION V: INDUSTRIAL WASTEWATER DISCHARGE PERMIT, DISCHARGE REPORTS AND ADMINISTRATION

A. Applicability

The provisions of this section are applicable to all Industrial Users of the POCS. The RWTF (City of Chattanooga) has an "Approved Pretreatment Program" as that term is defined in 40 CFR Section 403.3(d), and any permits issued hereunder to industrial users who are subject to or who become subject to a "National Categorical Pretreatment Standard" as that term is defined in 40 CFR 403.3(j) shall be conditioned upon the industrial user also complying with all applicable substantive and procedural requirements promulgated by the Environmental Protection Agency or the State of Tennessee in regard to such "Categorical Standards" unless an exception for the city's program or for specific industrial categories has been authorized.

B. Application and Permit Requirements for Industrial Users

All industrial users of the POCS prior to discharging non-domestic waste into the POCS shall apply for and obtain a wastewater discharge permit in the manner hereinafter set forth. Prior to discharge of non-domestic wastewater into the POCS, an industrial user shall request the superintendent to determine if the proposed discharge is significant and requires pretreatment. All requests shall include a site plan, floor plan, mechanical and plumbing plans with sufficient detail to show all sewers and appurtenances in the user's premises by size, location, and elevation; and the user shall submit to the Superintendent revised plans whenever alterations or additions to the user's premises affect said plans. If the discharge is determined not to be significant, then the Superintendent may still establish appropriate discharge conditions for the user. Any non-categorical industrial user designated as significant may petition the Board to be deleted from the list of significant industrial users on the grounds that it has no potential for adversely effecting the POCS' operation or violating any pretreatment standard or requirement. All significant industrial users shall obtain an industrial wastewater discharge permit and shall complete such forms as required by the RWTF, pay appropriate fees, and agree to abide by the provisions of Article III, Industrial Waste, in the Sewer Use and Industrial Wastewater Discharge Regulations of the City of Chattanooga and any specific conditions or regulations established by the Superintendent.

SECTION VI: FEES

A. Tapping Privilege Fees

1. A permit for a sewer service line connection or for a public sewer extension shall not be issued until the fees prescribed in this section have been paid. The minimum tapping privilege fee for each connection shall be computed in two (2) ways: a) based on water meter size, and b) based on type of establishment. The larger of the two fees shall be the one that applies.

- (a) Based on the size of the water meter:

<u>WATER METER SIZE</u>	<u>SEWER TAPPING FEE</u>
Less than 1"	\$ 600
1"	750
Between 1" & 2"	800
2"	1,500
3"	2,500
4"	3,000
6"	5,000
Larger than 6"	See paragraph below

The schedule above is not applicable to the tapping privilege fee for water meters larger than 8", process water or wastewater for an industrial plant, any establishment with commercial garbage or commercial food waste grinders, or other special services. Such fee will be determined at the time application for service is made.

- (b) Based on the type of establishment:

ESTABLISHMENT

SEWER TAPPING PRIVILEGE FEE

Residential	\$600
Motel and Hotel	\$150 per unit, plus \$30 per employee, Minimum \$600, plus \$30 per employee
Restaurant/Bar	\$30 per seat, plus \$30 per employee Minimum \$1,200, plus \$30 per employee
Self-Service Laundry	\$1,000 for first 3 washing or cleaning units, \$200 each unit thereafter
Service Station	\$150 per vehicle that can pump at a given time, plus \$30 per employee, Minimum \$600, plus \$30 per employee
Theater and Church	\$3 per seat, plus \$30 per employee, Minimum \$600, plus \$30 per employee
Business under 10,000 sq. ft.	\$600, plus \$30 per employee
Business over 10,000 sq. ft.	\$60 per 1,000 sq. ft., plus \$30 per employee
School and Day Care	\$10 per student, ultimate enrollment, plus \$30 per employee; Minimum \$600, plus \$30 per employee
Car Wash	\$1,000 minimum up to 6 bays \$200 each bay over 6
Doctors, Dentist, Veterinary Office, Pet Grooming, or Funeral Home	\$1,200, plus \$30 per employee
Trailer Park, Apartments, Duplex, and Multi-Unit Facilities	\$600 per unit
Nursing Home, Hospital, and Assisted Living	\$200 per licensed bed
Multiple Use Facilities	Calculate using the present tap-on fee schedule and combining the fee for all of the uses, with the minimum to be the combined minimum of all uses.
Self Storage Units	\$600, plus \$30 per employee

NOTE: A minimum of four (4) employees shall be used to calculate all sewer-tapping fees if number of employees is unknown.

2. The minimum tapping privilege fee does not include the cost of furnishing and installing service line.
3. The residential tapping fee may be reduced to a minimum of \$50 to offset the cost of installing a service line in the roadway.
4. A tapping privilege fee shall not be charged for the connection of buildings owned by political subdivisions that are members of the WWTA.
5. When an easement is required for the construction of a project, the WWTA will waive one residential tap-on fee for the property if the easement is donated.
6. When a developer/builder builds a residence in a subdivision where the same developer/builder has paid for the installation of the sanitary sewer, the Tapping Privilege Fee will be \$100. The Tapping Privilege Fee is non transferable.
7. Only the plumber may call for a service line inspection. If the WWTA is called for a service line inspection and an inspector is sent to the site and the service line has not been installed, installed completely, or installed incorrectly according to the plumbing codes or the WWTA requirements causing a second inspection, the plumber must come to the WWTA office and pay \$100 for a second inspection and \$100 for every subsequent inspection at that site.
8. For gravity service lines, only the plumber, who is going to install the service line, may obtain the tap-on permit. For a grinder pump location, the property owner must complete legal documents and their plumber (approved by WWTA) must obtain the tap-on permit.

B. Monthly Rates and Minimum Bills

1. The Owner/Occupant of land within the jurisdiction of the WWTA that abuts a street, public way, or easement containing a publicly-owned low-pressure sewer (grinder, STEP, etc.) installed by the WWTA or a gravity sewer, and upon which there is a residential, industrial or commercial building, and which can be connected by gravity to the gravity sewer or by pumping into the low pressure system, shall pay a sewer fee based on water usage as if the structure were tied to the sewer, whether or not there is an actual connection made.

2. Each customer shall pay monthly according to the following rates:

<u>Gallons/month</u>	<u>Cost/1,000 gallons</u>
0 – 100,000	\$4.04
Over 100,000 to 750,000	\$2.97
Over 750,000 to 2,000,000	\$2.39
Over 2,000,000	\$1.71

3. The minimum monthly bill, based on water meter size, shall be as follows:

<u>WATER METER SIZE</u>	<u>MINIMUM GALLONS</u>	<u>SEWER MINIMUM BILL</u>
Less than 1"	2,000	\$ 8.08
1"	13,000	\$52.52
1 1/2"	30,000	\$121.20
2"	50,000	\$202.00
3"	120,000	\$484.80
4"	220,000	\$888.80
6"	530,000	\$2,141.20
8"	940,000	\$3,797.60

4. The schedule above is not applicable to the minimum monthly bill for water meters larger than 6", process water or wastewater for an industrial plant, any establishment with commercial garbage or commercial food waste grinders, or other special services. Such bill will be determined at the time the application for service is made.
5. The Board has the option to set different rates for designated areas.

6. For the City of Red Bank the following rate structure shall apply:

Minimum Monthly Charge, based on water meter size, shall be as follows:

<u>WATER METER</u> <u>SIZE</u>	<u>MINIMUM</u> <u>GALLONS</u>	<u>SEWER</u> <u>MINIMUM BILL</u>
Less than 1"	1,500	\$10.28
1"	13,000	\$89.05
1 1/2"	30,000	\$205.50
2"	50,000	\$342.50
3"	120,000	\$822.00
4"	220,000	\$1,507.00
6"	530,000	\$3,630.50
8"	940,000	\$6,439.00

Each customer shall pay monthly according to the following rates:

- a. For the first 1500 gallons or less, a minimum charge of \$10.28.
- b. For all over 1500 gallons, a charge of \$5.32 per 1000 gallons. (4000 gallons = \$10.28 + (4.0-1.5) x \$5.32= \$23.58)
- c. City of Red Bank owned Buildings and Properties shall be charged in accordance to (a) and (b) above; regardless of meter size.

C. Multi-unit Complexes.

1. To provide equality between single-family and multi-unit dwellings which have one or less number of water meters than the total number of dwelling units in the complex, the monthly sewer service charge to multi-unit complexes served by a master meter or any combination of meters totaling less than the number of units served shall be calculated by the following formula:

$$\text{Monthly Service Charge} = U_{\text{tot}} \times R$$

U_{tot} = Usage measurement of master meter or combination of meters.

R = The sewer service rate, as detailed in Section VI.B.2, using U_{adj}

$$U_{adj} = U_{tot} \div N$$

N - Ninety percent of the number of units for multi-unit dwellings, of the total number of units for a trailer park or apartment complex.

2. In addition to the above rates the WWTA may determine a monthly surcharge to amortize any indebtedness associated with the sewage system.
3. State law requires that a state fee be added to every sewer bill, which amount must be sufficient to repay the State to cover the funds advanced by the State to provide the local share of federally-assisted (Environmental Protection Agency) and mandated water pollution abatement projects.

D. Billing Adjustments

1. Adjustments in the monthly sewer use bill as a result of a water leak at the premises will be made in accordance with any agreements and/or policies of the water company providing sewer-billing services for WWTA. If such agreements and/or policies are not applicable, the following will apply.
 - a. Upon notification to the Superintendent of a water leak occurrence and/or an unusually high water meter reading indicating a leak, a determination will be made as to whether or not the leaking water entered the sanitary sewer system.
 - b. If the leaking water did not enter the sanitary sewer system, the monthly sewer use fee will be adjusted to equal the average of the three previous monthly sewer use fees.
 - c. If the leaking water did enter the sanitary sewer system, the monthly sewer use fee will be equal to the average three previous monthly sewer use fees plus the current Wheelage and Treatment Rate paid by the WWTA for the excess water.
 - d. The adjustment to the sewer use fee will not be made for more than two consecutive water billing periods.
2. Upon determination that a sewer customer is permitting extraneous flow (storm water runoff, storm drainage, groundwater, etc.) to enter the WWTA's wastewater treatment facilities, the WWTA will make a measurement of such flow during wet weather and

thereafter the charge for sewer services will be based upon the flow measured at that time or upon any subsequent measurement indicating a greater demand. A monthly sewer charge determined upon this basis will be in addition to the monthly sewer charge set forth above, and can be reduced upon and to the extent of satisfactory demonstration to the WWTA that the sources of the extraneous flow into the customer's sewer service lines have been eliminated.

E. Grinder Pumps

1. The Tapping Privilege Fee for a grinder pump shall be the same as the fees listed in Section VI, A.
2. All grinder pumps used in conjunction with the interceptor sewer system which will discharge into the system owned and operated by the Hamilton County Water & Wastewater Treatment Authority must conform to the specifications of the Authority and purchased from either the Authority or from an approved manufacturer.

Beginning March 15, 2000 the selling price for the grinder pumps will be based on a ten percent markup based on the selling price (cost divided by 0.9) rounded up to the nearest \$10 if purchased from the Authority. Those wishing to purchase a grinder pump, or who seek to purchase the same from an approved manufacturer, or are interested in obtaining a copy of the specifications should contact the Hamilton County Engineering Department at Development Resource Center, Suite 3050, 1250 Market Street, Chattanooga, TN 37402 or by phone at 423-209-7842.

3. Each grinder pump customer shall pay monthly according to the rates listed in Section VI, B, 2 multiplied by a factor of 1.10.
4. The Owner/Occupant of land within the jurisdiction of the WWTA that abuts a street, public way, or easement containing a publicly-owned low-pressure sewer (grinder, STEP, etc.) installed by the WWTA or a gravity sewer, and upon which there is a residential, industrial or commercial building, and which can be connected by gravity to the gravity sewer or by pumping into the low pressure system, shall pay a sewer fee based on water usage as if the structure were tied to the sewer, whether or not there is an actual connection made.
5. In the event that the property owner wants to purchase the grinder pump without the plumber being present to sign the permit, the following must be done:
 - a. The property owner must pay for the grinder pump with a check from and signed by the plumber on the plumber's letterhead check.

- b. The property owner must have a letter from the plumber on the plumber's letterhead noting the address where the grinder pump will be installed and that the property owner has the authority to purchase the pump for the plumber.
- c. It is the responsibility of the property owner to give the plumber the information package given by the WWTA concerning the installation of the grinder pump.
- d. The property owner must sign a letter stating that they will be responsible for the work of the plumber and the one-year warranty on the system in the event the plumber refused to replace, repair or warranty the work, as required by the WWTA.

F. Connection Determination

When it is necessary for the WWTA to perform field investigation to determine if a structure is connected to the sewer line, the requesting body shall be charged \$100 to cover the cost of the investigation.

G. Inspections

The charge for a WWTA inspector shall be \$40 per hour for straight time and \$60 per hour for overtime and holidays.

SECTION VII: CONSTRUCTION OF CONNECTIONS TO THE PUBLICLY OWNED COLLECTION SYSTEM

A. Construction of Sewer Service Line Connections

The construction of all sewer service line connections to the POCS shall conform to the following requirements.

1. Service line connections shall not be permitted for public sewers or public sewer extensions that are incomplete and not accepted by the WWTA unless approved by the Superintendent and all documents determined to be necessary by the Superintendent for the purpose of indemnifying the WWTA for all costs, losses, damages, etc. caused by the connection to the incomplete sewer are executed.
2. All sewer service line connection, sewer taps, repairs, excavations or other work required and approved by the service line connection permit shall be carried out only by a master plumber having a license to do such work, or by an employee working directly under the personal supervision of one holding such license.
3. A separate and independent sewer service line connection shall be provided for every premise or property owner or individual building site.
4. The use of existing sewer service lines for the connection of new buildings shall only be used if approved by the Superintendent or authorized representative.
5. All costs and expenses incidental to the installation and connection of the sewer service line shall be borne by the applicant.
6. All excavations for service line installation shall be adequately guarded and marked to protect the public from hazard.
7. The size, slope, location, alignment and materials of construction of a sewer service line, 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 currently adopted building and plumbing code or other applicable rules and regulations of the Hamilton County Building Inspection Office and shall also be approved by the Superintendent or authorized representative.

8. Interceptors (traps) for oil, grease, sand, and other substances harmful or hazardous to the sewer system shall be provided to prevent discharge of prohibited pollutants from entering the sewer.
 - a. Grease traps in commercial buildings, kitchen drain lines from institutions, hotels, restaurants, schools, lunch rooms, and other establishments from which flow a relatively high-volume of grease shall be discharged to a grease trap.
 - b. Grease traps shall be constructed to insure that both the inlet and outlet are properly submerged to trap grease, and that the distance between the inlet and outlet is sufficient to allow separation of grease so that grease solids will not escape through the outlet.
 - c. The grease traps shall be sized according to the number and kinds of sinks or fixtures discharging into the trap. A minimum size of 1750 gallons is required unless approved by the Superintendent.
 - d. Grease traps must be cleaned regularly to prevent the escape of waste solids into the sewer system. The trap should be cleaned when seventy-five (75) per cent of the grease retention capacity is filled with accumulated grease. A cover shall be provided and located so as to be conveniently accessible for servicing and cleaning the traps. The cover shall fit tightly to prevent odor and exclude insects and vermin. Grease removed from a trap should be disposed of by acceptable means.
 - e. Separators shall be installed according to Sections 1003.5 - 1003.13 of the 1997 Standard Plumbing Code.
 - f. Flow that does not require treatment or separation shall not discharge into the grease trap or separator.
 - g. If prohibited grease, sand, gravel, and other pollutants enter the public sewer, the Superintendent will perform such maintenance and repair to the sewer, and charge the cost thereof to the property owner.
9. All service line connections made to the public sewer at a location where a service junction or tee has not been provided shall only be made under the inspection of the Superintendent or authorized representative.
10. All sewer service connections shall be made airtight and watertight.
11. A double clean out shall be provided at the discharge point on the outside sewer service line of the house and a double clean out shall be provided on the sewer service line at the property line between the public sewer and the structure being connected. Other clean outs shall be provided in accordance with the governing plumbing code.

12. Where pavement cuts and installation in Public Right-of-Ways are required, the following shall be applied:
 - a. State Highways and Right-of-Ways: Where excavations are required in State Right-of-Ways, permission shall be obtained from the Tennessee Department of Transportation (TDOT). All work shall be in accordance with the requirements of TDOT and the WWTA.
 - b. County Roads and Right-of-Ways: Where excavations are required in County Right-of-Ways, permission shall be obtained from the Hamilton County Engineer's Office. All work shall be in accordance with the requirements of the County Engineer and the WWTA.
13. Sewer service connections made which do not meet the requirements of this Section shall be uncovered and/or repaired at the expense of the applicant.
14. All repair and maintenance of sewer service lines shall be the responsibility of the property owner or user of the sewer and shall include, upon connection, any portions of the sewer service line installed by the WWTA or the developer between the property line and the public sewer.
15. All 4" PVC building sewer service line pipe shall meet or exceed SCH-40.
16. When a service line is installed under the roadway, it shall be backfilled with stone according to WWTA Standard Details and Specifications for the Construction of Sanitary Sewers.
17. No connection shall be made to a Hamilton County WWTA sewer without a 24-hour notice to the WWTA. All service line installations and connections must be inspected and approved by the Wastewater Superintendent or authorized representative before the line is backfilled.
18. A building's sanitary sewer service shall not be connected to the WWTA sewer system (gravity, grinder, or small diameter) until the structure is ready for final inspection by the Hamilton County or City Building Department, without prior approval from the Wastewater Superintendent. If the service line is installed before the structure is ready for final inspection, a gap must be left in the line. The gap must be removed at final inspection of the structure before the service line can be given final approval.
19. No bend greater than 45-degrees shall be installed at each change of direction of the sewer service lateral.

20. Fernco type fittings shall not be used to repair or connect the service line unless approved by the Wastewater Superintendent.
21. It is recommended that the sewer service line be located 10 feet from the water line. In no case should the sewer service line be located within 5 feet of the water line, once the lines are 5 feet from the structure. If the sewer line crosses the water line, it is recommended that the sewer service line be located 18 inches below the water line. In no case should the sewer service line be located less than 12 inches of separation below the water line.
22. Once the sewer service line is 5 feet from the building, the line must be a minimum of 24 inches below the present surface of the yard, with the tie-in at the service stub-out a minimum of 30 inches.
23. When it is impractical to obtain proper horizontal or vertical separation or depth, the Wastewater Superintendent shall be contacted, prior to construction of the sewer service line. In the event of reduced separation, additional testing of the sewer service line may be required to insure water-tightness.
24. The building should be ready for the final building inspection before an inspection is requested for the service line.
25. In the event that an existing service line is to be reused, it is the responsibility of the property owner or plumber to have the service line inspected with a pipeline camera. A copy of the video is to be submitted to the Wastewater Superintendent.
26. A service line for a structure may cross another property on the following conditions:
 - A. The structure to be connected has to have been in place for more than one year.
 - B. The service line can only cross one other lot, unless approved by the WWTA Board.
 - C. The owner must have a recorded ten-foot (10') easement across the property.
 - D. The service line must connect directly to the main sewer line and not to another service line.

B. Construction of Public Sewer Extensions

The construction of public sewer extensions to the POCS shall conform to the following requirements:

1. A registered engineer, licensed to practice in the State of Tennessee, shall design all public sewer extensions. All extensions shall be designed and constructed in accordance with the WWTA's standard details and Specifications for sanitary sewers, and State of Tennessee

Design Criteria for Sewage Works, and in accordance with all applicable Federal, State and local laws and regulations. The location of all sewer extensions will be required to be located according to current planning by the WWTA.

2. No construction shall begin until a public sewer extension permit is obtained from the office of the Superintendent, final written approval of plans and specifications are obtained from the Superintendent, all roadways are to final sub-grade and the Applicant has scheduled a Pre-Construction meeting with the Superintendent.
3. Two copies of preliminary plans, profiles, details, and specifications shall be submitted to the Superintendent for review. Plans may be submitted along with preliminary subdivision plats, if applicable. Plans and specifications must also be submitted to the Tennessee Department of Environment and Conservation, Division of Water Pollution Control for approval, unless the approval authority has been delegated to the WWTA by the Tennessee Department of Environment and Conservation. Maintenance bonds and/or maintenance agreements may be required.
4. Public sewer extensions that are not to be located totally within dedicated County or State public road right-of-ways shall deed to the WWTA a minimum twenty (20) feet wide permanent maintenance easement with access from a public road right-of-way. Wider easements may be required for sewers over 15 feet deep. Easements are to be acquired on forms approved by the Superintendent. Easements shall be made a part of subdivision plats, if applicable. The Superintendent for future extensions of the sewer system may require additional on-site easements. Sewer easements must be free of all obstructions, including other utilities.
5. All public sewer extrusions shall be located within the edges of the pavement of the roadway with the manholes located in the center of the roadway or the center of a driving lane. The Superintendent shall approve any variance.
6. Two copies of final plans, profiles, flow calculations, details, and specifications, and a copy of the final or corrective Plat, if applicable, shall be submitted to the Superintendent for review. These plans shall incorporate all changes required by Hamilton County, WWTA, the Tennessee Department of Environment and Conservation, and any other Federal, State and local entities having jurisdiction. One copy of the approving letter and stamped, approved plans from the Tennessee Department of Environment and Conservation shall be filed with the office of the Superintendent before a public sewer extension permit will be issued, unless the approval authority has been delegated to the WWTA by the Tennessee Department of Environment and Conservation.
7. The applicant for service shall be responsible for obtaining the necessary permits for the permanent location and construction of the sewer extension in public or private right-of-ways and easements.

8. In accordance with Section 207.3.3 and Section 208 of the Hamilton County Subdivision Regulations, public sewer extensions shall have been installed and accepted by WWTA prior to the signing and recording of the final plat of the subdivisions. If the improvements have not been installed or completed, a performance completion bond sufficient to secure the installation shall be required prior to the signing and recording of the plat.
9. The Superintendent will arrange for the inspection of public sewer extension construction. The applicant for a public sewer extension permit shall notify the Superintendent 48 hours before beginning any construction of the extension and the applicant shall pay the WWTA the exact cost of inspection. The applicant shall provide a contractor's written certification of the fair market cost of the extension.
10. Public sewer extension permits issued shall become invalid if construction of the extension has not begun within one (1) year after the date of issuance. Plans and specifications must be re-submitted for approval.
11. All construction of public sewer extensions shall be performed by contractors licensed in the State of Tennessee for Municipal and Utility Construction of Underground Piping (Classification MU-A)
12. No connection to the existing public sewer shall be made until the sewer extension lines have been tested and cleaned, and approved in writing by the Superintendent.
 - a. No debris of any nature that would obstruct the flow in sewers or interfere with the proper operation of the sewage works shall be permitted to enter the existing public sewer.
 - b. No surface water, storm water, or ground water during the construction of the sewer extension or water or other fluids used to flush and clean the sewer extension shall be permitted to enter the existing public sewer.
 - c. No interruption of the operation of any existing sewage works shall be permitted without the approval of the Superintendent.
13. No sewer service line connections to the public sewer extension shall be permitted until the extension is complete and accepted by the Superintendent in writing, unless approved by the Superintendent in accordance with A.1 of this Section. In accordance with the provisions of this Section, a permit for such connections at the time of approval is required.
14. No changes or variations to the approved sewer extensions plans and specifications shall be made during construction without the approval of the Superintendent.

15. One complete set of reproducible drawings and digital CAD files, indicating the actual as-built plans, profiles, and details of the public sewer extension, including the location of all service tees and laterals, shall be submitted to the Superintendent upon completion of the construction.
16. The applicant for a public sewer extension shall provide the Superintendent in writing, on forms approved by the Superintendent, an agreement to immediately repair or cause to be repaired, at no cost to the WWTA, all breaks, leaks, or defects of any type whatsoever arising from any cause whatsoever occurring within one (1) year from the date the extension is accepted in writing by the WWTA Board of Commissioners.
17. The construction of public sewer extensions shall include the provision of either service tees and laterals or stub-outs for each tract and/or structure abutting both on-site and off-site portions of the extension as shown by plat and/or property records. The WWTA may, at its option, elect to pay the developer of the sewer extension the exact cost of the provision of service laterals to off-site tracts and/or structures, not to exceed \$600.00 per lateral.

The developer shall provide the Superintendent with a contractor's written certification of the exact cost of these service laterals. In cases where the average cost of the service laterals exceeds \$600.00 each, the developer may petition the WWTA Board for additional funds. Such petitions shall be accompanied by a construction cost breakdown.

18. The WWTA may, at its option, elect to pay for any design modifications, i.e., increases in size, depth, location, pump capacity, etc., required to meet the future needs of the WWTA. The WWTA may, at its option, elect to contract the construction of off-site public sewer extensions for the developer. In such cases, the developer will pay the WWTA for the cost of construction, excluding the cost of service laterals on the extension, before construction begins.
19. Final acceptance of public sewer extensions shall be made by the WWTA Board of Commissioners upon the satisfactory completion of the requirements of this Section.
20. Public sewer extensions that do not comply with the requirements of this Section shall not be accepted as the WWTA public sewers and no service line connection permits will be issued for premises served by the extension. A waiver of any of these requirements must be obtained in writing from the WWTA Board.

C. Construction of Public Sewer Extensions by the WWTA

The construction of public sewer extensions to the POCS by the WWTA shall be governed by the following policies:

1. The WWTA may construct sewers to alleviate potential health hazards as outlined in the following:
 - a. Property owners of an area request sewers to be installed in their area because of septic tank problems that could create health hazards. These areas shall be verified to have potential health hazards by a study/report from the Regional Health Department.
 - b. Property owners in the areas identified above by the Health Department will be asked to participate in the remediation of the potential health hazard by contributing toward the estimated project cost. At least 70 percent of the property owners in the area must agree to contribute toward the estimated project cost. The property owners shall designate a representative among themselves who will be the contact between the property owners and the WWTA. The WWTA will not be responsible for contacting individual property owners.
 - c. After the project is bid and prior to construction of the sewer extension by the WWTA, the property owners shall contribute 60% of the project cost or the sum total of the property owners' tapping privilege fees, whichever is greater. The project cost shall be the cost of construction, inspection, and easement acquisition (see paragraph e below).
 - d. If the actual cost is different from the estimated cost, the residents will not be charged more if the cost is higher and the amount will be reduced if the actual cost is lower.
 - e. At the discretion of the Superintendent, the WWTA may enter into a contract with a registered engineer, licensed to practice in the State of Tennessee, to design the public sewer extension. The cost of said design contract shall be included in the estimated project cost. The WWTA will be responsible for the design and construction administration of the sewer extension project. The remainder of the project cost will be funded by the WWTA.
 - f. The participants' tapping privilege fee, which is required before a property owner can connect to the sewer, is included in the property owner's payment. Upon completion of the project, a Tapping Fee Certificate shall be issued to the property owner by the WWTA. The Certificate should be presented when applying for a tapping permit (see Section 4 of these Regulations).
 - g. When applying for a tapping privilege permit, any property owner located along the proposed project, that did not participate in the payment of the 60 percent cost, will be required to pay a tapping privilege fee equal to the participating property owners' cost plus the cost of a normal tapping privilege fee.

- h. Any property owner in the designated area, who has been identified by the Health Department as having problems with their sewerage disposal system, will be required to connect to the sewer within sixty (60) days of its completion.
 - i. See Section VI: Fees, for tapping permit fees, monthly rates, minimum bills, and payment policies.
 - j. The property owners shall be individually responsible for connecting to the sewer extension at their own cost. Construction of sewer service line connections shall comply with paragraph A of this section in its entirety. No sewer service line connections to the public sewer extension shall be permitted until the extension is complete and accepted by the Superintendent in writing, unless approved by the Superintendent in accordance with Paragraph A of this Section.
 - k. Projects shall be prioritized and approved by the WWTA Board and the Superintendent, and shall be constructed as allowed by the yearly budget.
2. The WWTA may construct sewers to extend the interceptor infrastructure in accordance with master planning for the WWTA.
- a. The region will be continuously studied and main sewer interceptors be constructed to encourage development growth: residential, commercial and industrial.
 - b. Projects shall be prioritized and approved by the WWTA Board and shall be constructed as allowed by the yearly budget.
3. The WWTA may assist developers and existing businesses in extending sewers to their property. This policy may be applied anywhere in the WWTA coverage region as long as all of the following criteria are met:
- a. The WWTA receives the revenue from all users who tie to the proposed sewer line.
 - b. The projected cost of the sewer line located outside of the developers/owners property is more than the potential amount of tap-on fees. If the projected cost is less than the potential amount of tap-on fees, the developer/owner would be required to pay the cost to extend the sewers, and the WWTA would issue tap-on certificates for the construction costs according to the existing WWTA regulations.
 - c. The WWTA Board approves the project and funds are available to the WWTA.

A developer/owner may select one of the following options for the construction of the sewer line:

1. Option I - Certificates for off-site construction

The WWTA may assist developers with the construction of sanitary sewers by issuing tapping privilege fee certificates equal to all or part of the design and construction cost of any off-site sewer line to be dedicated to the WWTA.

- a. The number of certificates will be determined by dividing the design and construction cost of the off-site sewer line by the applicable tap fee less \$50.00. The number of certificates shall not exceed the number of establishments and/or building lots to be served by the sewers inside of the developer's property (on-site) and constructed at the same time the off-site sewers are constructed. The construction and design cost of pump stations and force mains will only be included when the design matches the requirements of the Master Sewer Plan.
- b. The certificates are assigned to individual establishments and/or building lots and may be redeemed when applying for a tapping permit. Certificates can only be applied towards the tapping permit fee and cannot reduce the tapping permit fee below fifty dollars (\$50.00). The certificates are non-transferable and can only be used for the establishment and/or building lots listed on the certificates. Certificates must be redeemed within five (5) years from the date on the certificate.
- c. Tapping privilege fee certificates will be issued when the sewer system is accepted by the WWTA.

2. Option 2 - WWTA Contribution

The WWTA will contribute the following amount to the construction costs:

- a. The projected net sewer revenue from the project for the first 5 years. The net revenue is the WWTA sewer charge less the amount charged by the accepting authority (City of Chattanooga or Collegedale); plus
- b. The amount of the known tap-on fees. This may include tap-on fees for future or proposed construction.

The developer/owner would be responsible for the remaining costs. These remaining costs could be obtained from the developer/owner, other property owners along the proposed sewer line, loans, grants, municipalities, or county governments.

3. Option 3 - WWTA Financing:

The WWTA will assist in the construction of the sewer line construction by financing the construction. The developer/owner must agree to the following items before the WWTA will finance the project.

- a. A lien will be placed on the developers/owners property to assure repayment of the loan.
- b. Before the project will be financed, the developer/owner must pay at least an amount equal to 60% of the tap-on fees of the ultimate development.
- c. Collection of funds from other adjacent property owners or potential developers, to help reduce the amount of the loan, is the responsibility of the developers/owner and not the WWTA.

Once the developer/owner agrees to the above items, the WWTA will finance the project costs in excess of Item 2 above. The developer/owner must agree to repay the WWTA in equally monthly payments with the loan amortized over 5 years at a rate equal to 2% over the rate at which the WWTA borrowed the funds or, if the funds are not borrowed, 2% over the prevailing interest rate if the WWTA had borrowed the funds. The monthly payment would be divided by the minimum sewer rate to determine the number of minimum bills the monthly payment represents. The initial payment would be reduced by the number of residents that would have to pay a minimum payment due to being located adjacent to the sewer line. As other property owners tie to the sewer line, that number of minimum bills would reduce the monthly payment by the developer/owner. Adjustments to the payments would be made on January 1 and July 1, of each year.

D. Private Sewer System

1. There shall be no new construction of a private sanitary sewer system that connects to or could connect to a public sewer system or to another private sewer system.
2. Any private non-traditional sanitary sewer system that is not covered by Part I above and serves more than one user must post with the WWTA a performance bond equal to the total cost of the design and construction of the sewer system and a maintenance bond equal to the cost of five (5) years maintenance as determined by the WWTA. The bonds must be cash, cashier's check, or a surety bond and the amount of the bonds must be approved by the WWTA before building permits are issued to structures connecting to the system.

E. Construction of a Grinder Pump System

The construction of a grinder pump system shall be governed by the following policies:

1. Grinder pump systems shall only be used at locations approved by the WWTA.
2. The construction of a grinder pump system shall meet the requirements of Section B. Construction of Public Sewer Extensions, with the following exceptions:
 - a. The grinder pump forcemain may be located in the right-of-way of a roadway if approved by the Superintendent.
 - b. The connection of the grinder pump to the building service and the installation of the grinder pump and the line to the collector force main or gravity line shall be made by a master plumber licensed to do such work and trained by the WWTA to install such systems. The control panel, disconnect, and connection to the electrical power at the structure must be made by a licensed electrician.
3. The grinder pump system must be designed to use grinder pumps approved by the WWTA and the system may be purchased from the WWTA or from an approved manufacturer.
4. The applicant must fill out an “Application for Sewer Service (Pressure Sewers)” and a “Pressure Sewer Easement “ before installation of the grinder pump and be responsible for all items listed therein.
5. The Tapping Privilege Fee, monthly rate, and minimum bill shall be the same as listed in Section VI: Fees. The cost of the grinder pump shall be paid when the Tapping Privilege Fee is paid.
6. The applicant will receive a Grinder Pump Purchase Form from the WWTA. After the Grinder Pump Purchase Form has been issued, the applicant is responsible for maintaining the form and submitting it to obtain the grinder pump equipment. In the event that a Duplicate Grinder Pump Purchase Form must be issued by the WWTA, the applicant must pay a minimum fee of \$100.00.

F. Installation of Small Diameter Sewer System

1. Small diameter sewer systems shall only be used at locations approved by the WWTA.
2. The tanks used shall meet the requirements of the WWTA and approved before installation.

3. The tanks shall be located for easy access by the WWTA for inspection, maintenance, and pumping. Tanks shall be placed close to a road whenever possible. If the tank is located so that the driveway is the only way to gain access, the WWTA will not be responsible for any damage to the driveway.
4. The area where the tank is placed must remain easily accessible to the WWTA. Cleanouts for the tank and sewer line must remain visible for maintenance.
5. The WWTA must be called before installation begins so that it can perform a visual inspection of the tank and approve the area the tank is going to be installed.
6. After installation a 24-hour leak down test will be done on the tank by the contractor.
7. All small diameter pipes that cross under a roadway or driveway must be installed in a ductile iron casing pipe.

SECTION VIII: INSPECTIONS, MONITORING, AND ENTRY

A. Applicability

The provisions of this section shall apply as required to carry out the objectives of this Section, including but not limited to the regulation and enforcement of any permit conditions or construction procedures in accordance with this Section; developing or assisting in the development of any effluent limitation, or other limitation, prohibition, or effluent standard, pretreatment standard, or standard of performance under this Section; determining whether any person is in violation of any permit condition, effluent limitation, or other limitation, prohibition or effluent standard, pretreatment standard, or standard of performance; and any requirement established under this section.

B. Inspection of Sewer Service Line

1. The applicant for a sewer service line connection permit shall notify the office of the Superintendent at least 24 hours prior to the connection being complete and ready for inspection.
2. No connection to the public sewer or the sewer service line shall be covered before it is inspected and approved. An applicant failing to secure such an inspection shall be required, at his/her own expense, to uncover the line for inspection. Notification of at least 24 hours shall also be required for connections that must be re-inspected for approval.
3. The Superintendent or authorized representative shall have the right of entry upon the premises from which a connection is being made to the public sewer in order to determine compliance with sewer use and connection regulations.
4. No connection to the public sewer shall be made at any point except where a service junction or tee has been installed and left for that purpose without prior approval of the Superintendent. When a service junction or tee is not available, the applicant shall notify the Superintendent at least 24 hours in advance of when the connection needs to be made. In all cases, connections of this type shall be done under the inspection of the Superintendent or authorized representative, at the risk and expense of the party making the connection.

C. Inspection of Public Sewer Extensions

1. The applicant for a public sewer extension permit shall request inspection from the office of the Superintendent 48 hours before beginning any construction of the extension. The applicant shall pay the WWTa through the office of the Superintendent the exact cost of inspection of the extension as billed to the WWTa. The applicant shall provide a contractor's written certification of the fair market cost of the extension.

2. Sewer extensions that are not inspected and approved shall not be accepted as WWTA public sewers and no service line connection permits will be issued for premises served by the extension.

D. Inspections and Monitoring of Industrial Wastewater Discharge Permits

1. Inspections and monitoring shall be by RWTF (City of Chattanooga) personnel according to the provisions of Article III, Industrial Waste, in the Sewer Use and Industrial Wastewater Discharge Regulations of the City of Chattanooga.
2. The Superintendent or authorized representative, upon presentation of credentials:
 - a. Shall have a right of entry to, upon, or through any premises in which an effluent source is located for which records are required to be maintained according to paragraph 1 above, and,
 - b. May at reasonable times have access to and copy any records, inspect any monitoring equipment or method required under Paragraph 1 above, and sample any effluents which the owner or operator of such source is required to sample.

E. Standard Procedures for Sewer Back-ups

1. Claim Standards and Procedures

- A. When a sewer back up occurs on a WWTA line and the cause cannot be attributed to some definitive third party, the WWTA will cover the clean-up costs associated with the back-up that occurred inside the building, as determined by the WWTA's Insurance Adjuster.
- B. Claims resulting from rising water, whether mixed with sewage or not, will not be covered by the WWTA. This lack of coverage shall not restrict or limit the WWTA from responding to and sanitizing or treating such affected areas, as they deem necessary and appropriate.
- C. Property damage claims shall be adjusted on an actual cash value basis (replacement cost less depreciation) by the WWTA's Insurance Adjuster. Only direct damage resulting from the back up will be considered with the WWTA having the option to repair or replace damaged items at their discretion and consistent with standard insurance policy and practice.
- D. The WWTA will pay for up to four (4) days of reasonable food and lodging expenses when a residence is not inhabitable as determined and authorized by the WWTA's Insurance Adjuster, consistent with current standard insurance policy and practice. No

further additional living expenses or loss of use expenses will be covered. This coverage (per diem) shall not extend to commercial exposures.

- E. The WWTA's responsibility for each back up shall not exceed the actual costs of direct structural damage including carpet replacement (flooring) that is necessary to make the dwelling/building inhabitable, as determined by the WWTA's Insurance Adjuster.
- F. Any payments by the WWTA shall be made only to the extent that the loss exceeds any purchased coverage that a claimant may have.

2. Field Procedures

- A. If a resident has a back up at their home or business, they need to call a plumber to clear their line. If they need further assistance, they should call the WWTA.
- B. If called, WWTA personnel will determine if the blockage is in the service line or the main line.
- C. If the WWTA personnel determine that the blockage is in the service line of the building, they will immediately notify the owner that it is the owner's responsibility to have their line cleared and their home cleaned. The WWTA personnel will leave a completed back-up response form with the owner denoting the time and date of the call, WWTA response personnel, the findings of the investigation, and the notification to the owner indicating that it is the owner's responsibility to perform any corrective action.
- D. If the WWTA personnel determine that the back up was caused by a blockage in the WWTA line, they will do the following:
 - a. Immediately clear the blockage from the WWTA line.
 - b. Determine if there is any damage in the structure.
 - c. If no damage, WWTA personnel will run water in the service line to show the owner that the blockage has been cleared.
 - d. If there is damage in the structure, immediately call the WWTA Insurance Adjuster and let the adjuster handle the damage claim.

SECTION IX: DANGEROUS DISCHARGE NOTIFICATION REQUIREMENTS

A. Telephone Notification

Any person causing or suffering any discharge whether accidental or not, which presents or may present an imminent or substantial endangerment to the health and welfare of persons, to the environment, or which is likely to cause interference with the POCS, shall notify the Superintendent immediately by telephone.

B. Written Report

Within five (5) days following such occurrence, the user shall provide the Superintendent with a detailed written report describing the cause of the dangerous discharge and measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POCS, RWTF, fish kills, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by the RWTF, or other applicable Federal, State and local laws.

C. Notice to Employees

A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause or suffer such a dangerous discharge to occur area are advised of the emergency notification procedure.

SECTION X: ENFORCEMENT AND ABATEMENT

A. Public Nuisance

Discharge of wastewater in any manner in violation of this Section, or of any condition of a wastewater discharge permit is hereby declared a public nuisance and shall be corrected or abated as provided herein.

B. Superintendent to Notify User of Violation

Whenever the Superintendent determines or has reasonable cause to believe that a discharge of wastewater has occurred in violation of the provisions of this Section, the user's wastewater discharge permit, or any other applicable law or regulation, the Superintendent shall notify the user of such violation. Failure of the Superintendent to provide notice to the user shall not in any way relieve the user from any consequences of a wrongful or illegal discharge.

C. Conciliation Meetings

1. The Superintendent may, but shall not be required, to invite representatives of the user to a conciliation meeting to discuss the violation and methods of correcting the cause of violation. Such additional meetings as the Superintendent and the user deem advisable may be held to resolve the problem.
2. If the user and the Superintendent can agree to appropriate remedial and preventative measures, they shall commit such agreement to writing with provisions for a reasonable compliance schedule and the same shall be incorporated as a supplemental condition of the user's wastewater discharge permit.
3. If an agreement is not reached through the conciliation process within sixty (60) days, the Superintendent shall institute such other actions, as he deems advisable to insure the user's compliance with the provision of this Section or other law or regulation.

D. Show Cause Hearing

1. The Superintendent may issue a show cause notice to the user directing the user to appear before the WWTA or RWTF at a specified date and time to show cause why the user's wastewater discharge permit should not be modified, suspended, or revoked for causing or suffering violation of this Section, or other applicable law or regulation, or conditions in the wastewater discharge permit of the user.
2. If the Superintendent seeks to modify the user's wastewater discharge permit to establish wastewater strength limitations or other control techniques to prevent future violations, the

Superintendent shall notify the user of the nature of the violation for which revocation or suspension is sought with sufficient specificity as to the character of the violation and the dates at which such violation occurred to enable the user to prepare a defense.

3. Such notice shall be mailed to the user by certified mail, return receipt requested, or shall be personally delivered to the user at least twenty (20) days prior to the scheduled hearing date.

E. Injunctive Relief

1. The Superintendent shall, in the name of the WWTA, file in Circuit or Chancery Court of Hamilton County, Tennessee, or such other courts, as may have jurisdiction, a suit seeking the issuance of an injunction, damages, or other appropriate relief to enforce the provisions of this Section or other applicable law or regulation.
2. Suit may be brought to recover any and all damages suffered by the WWTA and/or RWTF as a result of any action or inaction of any user or other person who causes or suffers damage to occur to the POCS or RWTF or for any other expense, loss or damage of any kind or nature suffered.

F. Assessment of Damages to Users

1. When a discharge of waste causes an obstruction, damage, or any other impairment to the facilities, or any expense of whatever character or nature to the WWTA or RWTF, the Superintendent shall assess the expenses incurred by the WWTA or RWTF to clear the obstruction, repair damage to the facility, and any other expenses or damages incurred which may include, without limit, damage to the public right-of-way.
2. The Superintendent shall file a claim with the user or any other person causing or meaning said damages to incur seeking reimbursement for any and all expenses or damages suffered by the WWTA or RWTF. If the claim is ignored or denied, the Superintendent shall notify the WWTA counsel to take such measures as shall be appropriate to recover for any expense or other damages suffered.

G. Superintendent May Petition for Federal or State Enforcement

In addition to other remedies for enforcement provided herein, the Superintendent may petition the State of Tennessee or the United States Environmental Protection Agency, as appropriate to exercise such methods or remedies as shall be available to such government entities to seek criminal or civil penalties, injunction relief, or such other remedies as may be provided by applicable federal or state laws to insure compliance by industrial users of applicable pretreatment standards, to prevent the introduction of toxic pollutants or other regulated pollutants into the POCS or RWTF, or to prevent such other water pollution as may be regulated by local, state or federal law.

H. Emergency Termination of Service

1. In the event of an actual or threatened discharge to the POCS of any pollutant which, in the opinion of the Superintendent, presents or may present an imminent and substantial endangerment to the health or welfare of persons, or cause interference with the POCS, the Superintendent, shall immediately notify the WWTA Chairperson and counsel of the nature of the emergency.
2. The Superintendent shall also attempt to notify the Industrial User or other person causing the emergency and request their assistance in abating same. Following consultation the Superintendent shall temporarily terminate the service of such user or users as are necessary to abate the condition when such action appears reasonably necessary. Such service shall be restored by the Superintendent as soon as the emergency situation has been abated or corrected.

I. Reporting by Superintendent

The Superintendent shall report to the Board any intent to institute any action under the provisions of subsections E, and G hereof and seek the advice of the Board in regard thereto, unless he shall determine that immediate action is available.

SECTION XI: WWTA BOARD

The WWTA Board shall consist of such persons as specified in the WWTA Law. The WWTA Board shall have such powers and duties as specified in the WWTA Law.

A. General Duties of the Board

In addition to any other duty or responsibility otherwise conferred upon the Board the WWTA Law, the Board shall have the duty and power as follows:

1. To grant exceptions pursuant to the provisions hereof, and to determine such issues of law and fact as are necessary to perform this duty;
2. To hold hearings upon appeals from orders or actions of the Superintendent as may be provided under any provision of this Section;
3. To hold hearings relating to the suspension, revocation, or modification of a wastewater discharge permit as it is provided in this Section and issue appropriate orders relating thereto;
4. To hold such other hearings relating to any aspect or matter in the administration of these Regulations and to make such determinations and issue such orders as may be necessary to effectuate the purposes of these Regulations.
5. To request assistance from any officer, agent, or employee of the Chattanooga-Hamilton County Regional Planning Agency, or other public agencies, to obtain such information or other assistance as the Board might need;
6. The Board, acting through its Chairperson, shall have the power to issue subpoenas requiring attendance testimony and of witnesses and the production of documentary evidence relevant to any matter properly heard by the Board to the extent authorized by law;
7. The Chairperson or vice-Chairperson, shall be authorized to administer oaths to those persons giving testimony before the Board;
8. The Board shall hold regular meetings and such special meetings the Board may find necessary;
9. Three (3) of the at large members of the Board shall constitute a quorum, but a lesser number may adjourn the meeting from day to day. A majority vote of those members of the Board present at any meeting is required to make determination or to act on issues that are under the authority of the Board.

10. The Board may adopt Rules of Order and By Laws to govern its affairs.

SECTION XII: SUPERINTENDENT

A. Superintendent and Staff

The Superintendent and staff shall be responsible for the administration of these Regulations and such duties as may be required, from time to time, by the Board.

B. Authority of Superintendent

The Superintendent shall have the authority to enforce these Regulations. The Superintendent shall be responsible and have the authority to operate the various treatment works. The Superintendent shall be responsible for the preparation of operating budgets and recommendations to the Board, concerning activities within the Superintendent's responsibility and authority.

C. Records

The Superintendent shall keep in office all applications required under these Regulations, a complete record thereof, including a record of all wastewater discharge permits. The Superintendent shall also maintain other records of the WWTa, as directed by the Board.

D. Superintendent's Responsibilities

1. The Superintendent shall attend all meetings of the WWTa Board. Whenever necessary to be absent, the Superintendent shall send a designated representative.
2. The Superintendent shall notify Industrial Users identified in 40 C.F.R. 403.8 (f)(2) and (i) of any applicable pretreatment standards or other applicable requirements promulgated by the Environmental Protection Agency under the provisions of section 204(b) of the Act (33 U.S.C. 1284), section 405 of the Act (33 U.S.C. 1345), or under the provisions of sections 3001 (42 U.S.C. 6921), 3004 (42 U.S.C. 6924) or 4004 (42 U.S.C. 6944) of the Solid Waste Disposal Act.
3. Failure of the Superintendent to so notify Industrial Users shall not relieve said users from the responsibility of complying with said requirements.
4. The Superintendent shall comply with all applicable public participation requirements of section 101(e) of the Act (33 U.S.C. 1251(e) and 40 C.F.R. Part 105 in the enforcement of National Pretreatment Standards.
5. The Superintendent shall at least annually provide public notification, in a daily newspaper published in Hamilton County, of Industrial Users during the previous twelve (12) months,

which at least once were not in compliance with the applicable Pretreatment Standards or other pretreatment requirements.

6. The notification shall summarize enforcement actions taken by the control authorities during the same twelve (12) months. An Industrial User shall be deemed to be in compliance with applicable Pretreatment Standards or other pretreatment requirements if the user has completed applicable increments of progress under the provisions of any compliance schedule in the user's wastewater discharge permit or if the user has been granted an exception under the provisions of Section 3.

**SECTION XIII: WASTEWATER REGULATIONS BOARD HEARING PROCEDURE:
JUDICIAL REVIEW**

A. ADJUDICATORY HEARING

1. The WWTB Board shall schedule an adjudicatory hearing to resolve disputed questions of fact and law whenever provided by any provision of this Section.
2. At any such hearing, all testimony presented shall be under oath or upon solemn affirmation in lieu of oath. The Board shall make a record of such hearing, but the same need not be a verbatim record.
3. Any party coming before the Board shall have the right to have said hearing recorded stenographically, but in such event the record need not be transcribed unless any party seeks judicial review of the order or action of the Board by common law writ of certiorari, and in such event the parties seeking such judicial review shall pay for the transcription and provide the Board with the original of the transcript so that it may be certified to the Court.
4. The Chairperson may issue subpoenas requiring attendance and testimony of witnesses or the production of evidence, or both. A request for issuance of a subpoena shall be made by lodging with the Chairperson at least ten (10) days prior to the scheduled hearing date a written request for a subpoena setting forth the name and address of the party to be subpoenaed, and identifying any evidence to be produced.
5. Upon endorsement of a subpoena by the Chairperson, the same shall be delivered to the Sheriff for service by any police officer of the County. If the witness does not reside in the County, the Chairperson shall issue a written request that the witness attend the hearing.
6. Upon agreement of all parties, the testimony of any person may be taken by deposition or written interrogatories. Unless otherwise agreed, the deposition shall be taken in manner consistent with the Tennessee Rules of Civil Procedure, with the Chairperson to rule on such matters as would require a ruling by the court under said rules.
7. The party at such hearing bearing the affirmative burden of proof shall first call witnesses, to be followed by witnesses called by other parties to be followed by any witnesses that the Board may desire to call.
8. Rebuttal witnesses shall be called in the same order. The Chairperson shall rule on any evidentiary questions arising during such hearing, and shall make such other rulings as shall be necessary or advisable to facilitate an orderly hearing subject to approval of the Board.

9. The Board, the Superintendent, or representative, and all parties shall have the right to examine any witness. The Board shall not be bound by or limited to rules of evidence applicable to legal proceedings.

B. APPEALS

1. Any person aggrieved by an order or determination of the Superintendent or by any provision of this Section may appeal said order, determination or provision and have such reviewed by the Board under the provisions of this Section.
2. A written notice of appeal shall be filed with the Superintendent and with the Chairperson, and said notice shall set forth with particularity the provision being appealed and the reasons therefore or the action or inaction of the Superintendent complained of and the relief being sought by the person filing said appeal.
3. Such an appeal shall be filed within 30 days of written notification by the Superintendent of a violation of the provisions of this Section in order to be considered by the Board. Appeals shall be considered by the Board at the next regularly scheduled Board meeting following receipt or within 40 days after receipt, provided, however, that nothing in this section shall require the Board to consider any one particular appeal more than once.
4. A special meeting of the Board may be called by the Chairperson upon the filing of such appeal, and the Board may in its discretion suspend the operation of an order or determination of the Superintendent appealed from until such time as the Board has acted upon the appeal. Provided, however, that actions and determinations of the Superintendent under the provisions of Section 10.E through H inclusive shall not be subject to review under this section.

C. DELEGATION OF AUTHORITY

The Vice-Chairperson shall possess all the authority delegated to the Chairperson by this section when acting in the Chairperson's absence.

D. JUDICIAL REVIEW

Any person aggrieved by a final order or determination of the Board hereunder shall have judicial review by common law writ of certiorari.

SECTION XIV: PENALTIES FOR VIOLATIONS OF SECTION PERMIT CONDITIONS OR ORDER

1. Any person who violates any provision of these Regulations shall be guilty of a misdemeanor and, upon conviction, is punishable by a fine. This includes but is not limited to the following violations:
 - a. Violates an effluent standard or limitation;
 - b. Violates the terms or conditions of a wastewater discharge permit;
 - c. Fails to complete a filing or report requirement;
 - d. Fails to perform or properly report any required monitoring;
 - e. Violates a final order or determination of the WWTA Board or the Superintendent; or
 - f. Fails to pay any established sewer service charge or industrial cost recovery charge.
2. Each separate violation shall constitute a separate offense and upon conviction, each day of violation shall constitute a separate offense, for which prosecution is authorized, in the manner provided by law.
3. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason declared to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such decisions shall not affect the validity of the remaining portions of this Resolution.