

ORDINANCE NO. 570-1998

AN ORDINANCE OF THE CITY OF DRY RIDGE, KENTUCKY, PROVIDING FOR THE MONITORING OF ALL NONRESIDENTIAL USER DISCHARGES INTO THE CITY'S MUNICIPAL SEWER SYSTEM; REQUIRING ALL NONRESIDENTIAL USERS OF THE CITY'S MUNICIPAL SEWER SYSTEM TO MAINTAIN RECORDS CONCERNING EFFLUENT DISCHARGES INTO THE CITY'S MUNICIPAL SEWER SYSTEM; REQUIRING ALL NONRESIDENTIAL USERS OF THE CITY'S MUNICIPAL SEWER SYSTEM TO MAKE AN ANNUAL APPLICATION FOR AND BE ISSUED A WASTEWATER CONTRIBUTION PERMIT; AND ESTABLISHING MODES OF TESTING AND REVIEW OF EFFLUENT DISCHARGES TOGETHER WITH SANCTIONS AND PENALTIES FOR NONCOMPLIANCE.

WHEREAS, the City of Dry Ridge maintains and operates a municipal sewer system to carry away and treat wastewater effluent;

WHEREAS, the City of Dry Ridge is required by the entity treating the city's wastewater effluent to monitor and insure that discharges thereto and subject to treatment are within certain parameters and concentrations;

WHEREAS, the City of Dry Ridge has determined that the most appropriate way and method to insure that its wastewater effluent is within required sewerage treatment parameters and concentrations is to regulate the wastewater content and discharges of the city's nonresidential users of the city's municipal sewer system; and

WHEREAS, the City of Dry Ridge hereby establishes a method certain and appropriate to so regulate, control and monitor the most significant sources of wastewater effluent discharges into the city's municipal sewer system which may exceed the parameters and concentrations limits allowed or treatable for such discharges.

IT IS HEREBY ORDAINED BY THE CITY OF DRY RIDGE AS FOLLOWS:

SECTION ONE

Wastewater Contribution Permit Required:

No nonresidential user of the City of Dry Ridge's municipal sewer system shall use or discharge any manner of wastewater or effluent into the sewer system until such nonresidential user has issued to it a wastewater contribution permit.

SECTION TWO

Application & Wastewater Contribution Permit:

A. The City Clerk of the City of Dry Ridge shall provide the 'Application for Issuance of a Wastewater Contribution Permit' forms for use by the nonresidential user/applicant.

B. All nonresidential users current of the city's municipal sewer system shall, in the month of January of each calendar-year, make and complete an application for the issuance of a wastewater contribution permit.

C. All future nonresidential users of the city's municipal sewer system shall, in the calendar-month of such nonresidential user's beginning of sewer system usage, make and complete an application for the issuance of a wastewater contribution permit.

D. All wastewater contribution permits shall be issued for a term of one (1) calendar-year beginning on the 1st day of January, and through and ending on the 31st day of December of such calendar-year, or shorter term, if the permit is issued other than in the month of January of a calendar-year.

SECTION THREE

General Requirements:

A. User's records relating to water consumption and to wastewater discharges shall be maintained and retained by the user for a minimum of three (3) years and shall be made available to the City of Dry Ridge for review and inspection, on request, at any time during such three-year-period.

B. A permittee shall notify the City of Dry Ridge, in writing, of the introduction of any new wastewater constituents or any changes in the volume or character of wastewater constituents being introduced into the city's sewer system, at least thirty (30) days prior to commencement of any such discharge.

C. A permittee shall immediately notify the City of Dry Ridge of any slug discharges into the city's sewer system.

D. Certain effluent discharge constituents may require pretreatment by the user-permittee, which pretreatment schedule, the permittee must complete and continue in order to continue its wastewater contribution permit.

SECTION FOUR

Inspections, Monitoring & Right of Entry:

A. The City of Dry Ridge shall be provided access and entry to a permittee's premises and facilities for purposes of inspections and actions related to the operation and maintenance of the city's sewer system at all reasonable times and immediately in cases of emergency.

B. The City of Dry Ridge shall have access to and shall have the right to copy any of the permittee's records required to be maintained by the permittee as a term and condition of its wastewater contribution permit.

C. The City of Dry Ridge shall have the right of entry and access to a permittee's premises and facilities to inspect any monitoring equipment or monitoring methods required under its wastewater contribution permit and to split samples or sample any discharge of effluents or constituents thereof discharged into the city's sewer system.

SECTION FIVE

Excessive Strength Surcharge:

In the event that a user-permittee discharges wastes into the city's sewer system having an average BOD content in excess of 200 mg/l, or an averaged Suspended Solids content in excess of 200 mg/l, or an average of Ammonia-nitrogen content in excess of 30 mg/l, then in such event, the user-permittee shall pay a surcharge based upon the excess strength of said users-permittee's wastes as follows: (a) BOD\$0.075 per pound; (b) Suspended Solids\$0.339 per pound; and (c) Ammonia-nitrogen\$0.339 per pound; and the costs of treatment for each pound of BOD, Suspended Solids, and Ammonia-nitrogen removed, shall be reviewed at the time of and in conjunction with the user charge. Surcharge rates shall be reviewed where necessary to approximate current treatment costs.

SECTION SIX

Revocation of Permit:

Revocation of the wastewater contribution permit will issue for (a) Permittee's violation of any requirement, term or con-

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dition of its issued wastewater contribution permit; (b) Permittee's violation or noncompliance with any applicable or controlling Federal, State or Local regulation or rule; (c) Permittee's failure to factually report wastewater constituents or characteristics of user discharge or treatment; (d) Permittee's failure to report significant changes in its operations or wastewater constituents or characteristics; (e) Permittee's failure to afford reasonable access or entry to its premises or facilities for purposes of inspections or monitoring; or (f) Permittee's failure to report the discharge of slug into the city's sewer system.

SECTION SEVEN

Civil Penalties:

Any permittee who violates any regulation, term or condition of its wastewater contribution permit or this ordinance, shall be liable to the City of Dry Ridge for civil penalties of One Thousand Dollars (\$1,000.00) plus costs and actual damages incurred to or sustained by the city's municipal sewer system per violation per day for as long as the violation continues.

SECTION EIGHT

Criminal Sanctions & Penalties:

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Any permittee who willfully or negligently violates any requirement, term or condition of its wastewater contribution permit or this ordinance shall be subject to criminal prosecution, and upon conviction, shall be guilty of a misdemeanor, punishable by a fine not to exceed One Thousand Dollars (\$1,000.00), confinement for not more than one (1) year, or both fine and confinement per violation per day. In the event of a second or subsequent conviction, the permittee shall be subject to felony prosecution punishable by a fine not to exceed Three Thousand Dollars (\$3,000.00) per violation per day, confinement for not more than five (5) years, or both fine and confinement.

SECTION NINE

Administrative Actions & Fines:

Notwithstanding any other section of this ordinance, any permittee who is found to have violated any regulation, term or condition of its wastewater contribution permit, this ordinance, or orders issued by the City of Dry Ridge germane to the said wastewater contribution permit or this ordinance shall be fined in an amount not to exceed One Thousand Dollars (\$1,000.00) per violation. Each day on which noncompliance shall occur shall be deemed a separate and distinct violation.

SECTION TEN

Definitions:

As used in this ordinance or within the wastewater contribution permit, the following words or terms have the following definitions or meanings:

A. **Nonresidential User:** Any user of the City of Dry Ridge's municipal sewer system that is issued a water bill for nonresidential water consumption or usage, or whom is determined to be a nonresidential user of the city's sewer system.

B. **Permittee:** Any person, firm, corporation, organization, or entity required to have or to whom a wastewater contribution permit is issued.

C. **Composite:** An influent or effluent portion collected continuously over a period of 24 hours at a rate proportional to the flow.

D. **Grab:** A single influent or effluent portion which is not composite sample and collected at period(s) most representative of the total discharge.

E. **BOD:** Biochemical Oxygen Demand.

F. **Slug Discharge:** Any discharge of a non-routine nature including, but not limited to an accidental spill or non-customary batch discharge, or any discharge of water or wastewater in which the concentration of any given constituent or quantity of flow exceeds, for any period of duration longer than 15 minutes, more than five (5) times the average 24-hour concentration of flow rate during normal operation which adversely affects the city's sewer treatment facility.

G. **Slug Load:** Any pollutant (including Biochemical Oxygen Demand (BOD)) released in a discharge at a flow rate or concentration which will cause interference with the operation of the treatment works or which exceed limits set forth in the Industry's Wastewater Contribution Permit and includes accidental spills.

SECTION ELEVEN

This Ordinance shall become effective on January 1, 1998, or as thereafter ordained and published according to law.

First Reading: December 22, 1997

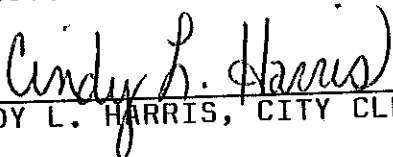
Second Reading: January 5, 1998

PASSED, ADOPTED, ORDAINED AND ORDERED PUBLISHED ON THIS
THE 5th DAY OF January 1998, _____ .



NORMAN FERGUSON, MAYOR

ATTEST:



CINDY L. HARRIS, CITY CLERK

CITY OF DRY RIDGE

WASTEWATER CONTRIBUTION PERMIT

Permit No. _____

DURATION:

The herein permit is issued for the current calendar-year only which begins on the 1st day of January and concludes on the 31st day of December and terminates on the 31st day of December of the said calendar-year of issuance. Therefore, each user must make an annual application for issuance of a wastewater contribution permit.

AUTHORITY & APPLICABILITY:

The herein permit is issued to the herein named USER in accordance with all the terms and conditions of City of Williamstown Ordinance No. 1991-320 existing or thereafter amended, including all references to industrial waste and discharges therein; issued in accordance with the terms, conditions and references of the City of Dry Ridge's Wastewater Contribution Permit current issued to it by the City of Williamstown, Kentucky; and issued, subject to and controlled by all applicable provisions of Federal or State Law or the regulations of same.

ISSUANCE & PERMISSION:

Subject to the hereinafter Requirements General or Specific, Terms & Conditions, Penalties & Sanctions, Records Requirements & Inspections, Discharge Parameters and Definitions, a WASTEWATER CONTRIBUTION PERMIT IS HEREBY ISSUED TO THE HEREINAFTER NAMED "USER" for the current calendar-year beginning on the 1st day of January, _____, and concluding on the 31st day of December, _____.

USER NAME & ADDRESS:

(X) _____
CITY OF DRY RIDGE

DATE: _____

GENERAL REQUIREMENTS:

USER's records relating to water consumption and to wastewater discharges including, but not limited to, analysis of wastewater constituents must be maintained and retained by the permittee for a minimum of three (3) years and shall be available to the City of Dry Ridge's review and inspection, on request, at any time during such three-year-period.

The USER must notify the City of Dry Ridge, in writing, of the introduction of any new wastewater constituents or any changes in volume or character of wastewater constituents being introduced into the city's municipal sewer system, at least thirty (30) days prior to commencement of any such discharge.

The USER shall immediately notify the City of Dry Ridge of any slug discharges into the city's municipal sewer system. Such notice shall be by telephone call to the city's offices, or by E911 call, if the city's offices are not open.

If additional pretreatment is required by the USER, the USER shall provide the City of Dry Ridge with such additional pretreatment schedule for review and approval. However, the completion date of such additional pretreatment schedule shall not be later than the completion date established for by the applicable Pretreatment Standards.

RIGHT OF ENTRY:

Wastewater personnel of the City of Dry Ridge shall be provided access and entry to the USER's premises and facilities at all reasonable time and immediately in the case of an emergency.

Wastewater personnel of the City of Dry Ridge shall have access to and may copy any records required to be kept under the terms and conditions of this permit.

Wastewater personnel of the City of Dry Ridge shall access to and the right of entry to the USER's premises and facilities to inspect any monitoring equipment or monitory method required under this permit and to split samples or sample any discharge of pollutants into the city's municipal sewer system.

REVOCATION OF PERMIT:

Revocation of this permit will issue for (1) Violation of any condition or regulation of applicable Federal or State Regulation; (2) Failure to factually report wastewater constituents and characteristics of user discharge; (3) Failure to report significant changes in user's operations or wastewater constituents and characteristics; (4) Failure to afford reasonable access or entry to the user's premises or facilities for purposes of inspection or monitoring; or (5) Violation of the terms and conditions of this permit.

MONITORING: Discharges Shall Be Monitored as Follows...

Contaminant Sample Type	Daily Maximum Concentration	Monthly Average Not To Exceed	Parameter Monitoring Frequency
Water Flow Continuous	N/A	N/A	Daily
Ammonia Composite	30	30	1/month
Cadmium Total	0.013	0.013	S/A
Biochemical, Oxygen Demand	200	200	1/month
Chromium, Total Composite	0.30	0.30	S/A
Copper, Total Composite	0.20	0.20	S/A
Cyanide, Total Grab	0.04	0.04	S/A
Lead, Total * Composite	0.065	0.065	S/A
Nickel, Total Composite	0.56	0.56	S/A
Silver, Total Composite	0.04	0.04	S/A
Oil & Grease Total	100	100	1/month
Total Suspended Solids Comp.	200	200	1/month
Zinc, Total Composite	1.35	1.35	S/A

Such monitoring and sampling shall be done at the Grant County School Road Pump Station and the USER will be provided with a written report of such monitoring and sampling.

EXCESSIVE STRENGTH SURCHARGE:

In the event a **USER** discharges wastes to the city's municipal sewer system having an average BOD content in excess of 200 mg/l, or an averaged Suspended Solids content in excess of 200 mg/l, an average of ammonia nitrogen in excess of 30 mg/l, the **USER** shall pay a surcharge based upon the excess strength of said **USER**'s wastes.

The following surcharge rates shall apply to each User of the sewage works that contributes excessive strength sewage:

BOD	\$0.075 per pound
Suspended Solids.....	\$0.339 per pound
Ammonia-nitrogen.....	\$0.339 per pound

The costs of treatment for each pound of BOD, Suspended Solids, and Ammonia-nitrogen removed, shall be reviewed at the time of and in conjunction with the review of the user charge. Surcharge rates shall be revised where necessary to approximate current treatment costs. These rates shall be in effect until the next rate review.

Mode & Definitions:

All measurements, tests, and analysis of the characteristics of waters and wastes to which references are made shall be determined in accordance with 40 CFR-136.

Samples shall also be collected and analyzed during any unusual variance in plant operation including, but not limited to, non-daily cleaning and flushing operation of equipment. Required sample frequency may be altered by the City of Dry Ridge at such time as consistent effluent data can be verified or a parameter's discharge limit is being violated consistently.

The monthly reporting period is through the last day of each month. And a complete discharge report shall be in the office of the Superintendent, Williamstown Wastewater System by the tenth of the following month.

Types of samples are defined:

COMPOSITE: An influent or effluent portion collected continuously over a period of 24 hours at a rate proportional to the flow.

GRAB: A single influent or effluent portion which is not a composite sample. Such sample(s) shall be collected at the period(s) most representative of the total discharge.

The following terms have the following definitions:

SLUG DISCHARGE: Any discharge of a non-routing episodic nature including, but not limited to, an accidental spill or non-customary batch discharge or any discharge of water or wastewater in which the concentration of any given constituent or quantity of flow exceeds, for any period of duration longer than 15 minutes, more than five (5) times the average 24-hour concentration or flow rate during normal operation which adversely affects the city's treatment facility.

SLUG LOAD: Any pollutant (including Biochemical Oxygen Demand)(BOD) released in a discharge at a flow rate or concentration which will cause interference with the operation of the treatment works or exceeds limits set forth in the Industry's Wastewater Contribution Permit and includes accidental spills.

CIVIL PENALTIES:

Any **USER** who violates this permit shall be liable to the City of Dry Ridge for a civil penalty of not more than \$1,000.00 plus actual damages incurred to the city's municipal sewer system per violation per day for as long as the violation continues.

CRIMINAL PROSECUTION:

Any **USER** who willfully or negligently violates any provision of this permit shall upon conviction, be guilty of a misdemeanor, punishable by a fine not to exceed \$1,000.00 per violation per day, or confinement for not more than one year, or both fine and confinement.

In the event of a second or subsequent conviction, the **USER** shall be subject to a felony prosecution punishable by a fine not to exceed \$3,000.00 per violation per day, confinement for not more than five (5) years, or both fine and confinement.

ADMINISTRATIVE FINES:

Notwithstanding any other section of this permit, any **USER** who is found to have violated a provision of this and orders issued hereunder shall be fined in an amount not to exceed \$1,000.00 per violation. Each day on which noncompliance shall occur shall be deemed a separate and distinct violation.

**CITY OF DRY RIDGE
APPLICATION FOR WASTEWATER CONTRIBUTION PERMIT**

APPLICANT'S NAME, ADDRESS & TELEPHONE NUMBER

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APPLICANT'S DAILY DISCHARGE VOLUME & DISCHARGE CONSTITUENTS:

Daily Volume of Discharge: _____ Gallons

Enumerate the Type and Characteristics of Effluents Discharged into Sewer System:

APPLICANT'S PRETREATMENT PROCEDURES:

Signature & Date:

(X) _____
