

TITLE 18

WATER AND SEWERS¹

CHAPTER

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CHAPTER 1

WATER AND SEWERS²

SECTION

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¹Municipal code references

Building, utility and housing codes: title 12.

Refuse disposal: title 17.

²A water service agreement between the Town of White Pine and the South Morristown WITT Utility District is contained in Ordinance No. 128, of record in the office of the recorder.

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18-101. Custody, administration, operation, maintenance, and control of the waterworks and sewage system. Pursuant to authority granted by § 7-35-406 Tennessee Code Annotated, the board of mayor and aldermen hereby elects to perform the duties formerly required of the board of commissioners known as the White Pine Water and Sewer Commission. (1978 Code, § 13-101)

18-102. Application for water and sewer service. Persons, firms, or corporations desiring water and/or sewer connections shall make application to the town in writing, upon such forms as shall be prescribed and furnished by the town. The application shall state fully the use to which the water and sewer service is to be applied, and shall state that the consumer will abide by the rules and regulations and rates of the Town of White Pine then in force, or which shall thereafter be adopted. The application shall be signed by the owner of the premises, tenant, or consumer, and shall state the location of the premises to be served, the street name, and house number.

Within the corporate limits of the Town of White Pine, should the premises to be served be new construction, the applicant shall show that a building permit approved by the building inspector of the Town of White Pine has been issued for construction. (1978 Code, § 13-102)

18-103. Water and sewer account set up/turn on fee. Every owner, tenant, or occupant of each lot or parcel of land who desire water and/or sewer services shall be required to pay an account setup/turn on fee in advance, in the sum of thirty five dollars (\$35.00) for owners of the property and one hundred dollars (\$100.00) for tenants. The applicant must sign an application for the furnishing of such services upon payment of the fee. This fee is non-refundable. (1978 Code, § 13-103, as replaced by Ord. #3-03, June 2003, and amended by Ord. #9-08, Aug. 2008)

18-104. Water and sewer service connection tap fees. All service connection taps shall be placed at suitable locations selected by the town. For such connection, the consumer or property owner at the time of making application therefore, shall pay to the town as the expense thereof, the charge as set forth in the following schedule:

WATER

<u>Meter Size</u>	<u>Inside Town Limits</u>	<u>Outside</u>
5/8"	\$700	\$1,000
1"	\$1,000	\$1,500
2"	\$2,500	\$3,300
All water taps larger than 2"	\$2,500 plus cost, plus 10%	\$3,300 plus cost, plus 10%

SEWER

	<u>Inside Town Limits</u>	<u>Outside</u>
	\$850	\$1,200

All sewer taps one inch (1") and larger: when cost exceeds minimum tap fee add cost plus ten percent (10%). All water taps five eighths inch (5/8") and larger: when cost exceeds minimum tap fee add cost plus ten percent (10%). (1978 Code, § 13-104, as amended by Ord. #8-98, Jan. 1999, replaced by Ord. #3-03, June 2003, and amended by Ord. #9-08, Aug. 2008, Ord. #3-11, July 2011, Ord. #6-13, June 2013, and Ord. #5-14, June 2014)

18-105. Water and sewer main extensions. In addition to the following regulations, each proposed water and/or sanitary sewer extension shall be evaluated for acceptance or rejection, especially sewer main extensions involving a sewage lift station(s). The merits of which an extension is evaluated shall include, but not be limited to, the following:

- (1) Cost of operations and maintenance of equipment;
- (2) Projected revenues from utility sales generated as a direct result of the extension;
- (3) Concern with respect to the environment and/or ecology; and
- (4) Overall budget considerations.

In general, and insofar as possible, each extension should be economically viable and self-sustaining on its own with minimal impact on the utility rate payers as a whole.

(a) Extensions within existing developed areas of the city.

(i) Sewer mains. The town will extend sewer mains within the existing developed areas (existing platted lots of record) along accepted streets and easements within the corporate limits of the Town of White Pine where economically feasible or where there exists a threat to the public health caused by gross pollution resulting from inadequately operating or overflowing underground

sewage disposal fields, and where the town can feasibly provide sufficient funds for such extensions.

When determined necessary, sewer main extensions shall be made for a distance no greater than 100 feet, at the town's expense, provided, however, that the town will not extend any mains where ground elevations are such that said mains cannot be installed feasibly to drain into the existing sewerage system. All extensions beyond 100 feet shall be made at the expense of the applicant, except for sewer mains larger than eight (8) inches in diameter, in which case the town will pay the difference between the cost of an eight (8) inch main (including installation) and the cost of the main which is installed, and having a diameter greater than eight (8) inches. The size of the main to be installed shall be exclusively within the discretion of the town.

The town may connect a main to or extend a main from any main previously installed in accordance to the above terms without obligation to the applicant who may have borne the expense on such previously installed main.

In no event will the town make any extension at its expense should the operating budget of the water and sewer department not have sufficient funds for such extension.

(ii) Water mains. The town will extend water mains along accepted streets or easements in existing developed areas within the corporate limit of the town for applicants having property on such street, rights-of-way, or easements. These extensions shall be made at the expense of the town.

(b) Extensions within new subdivisions in the city.

(i) Sewer mains. All sewer main extensions within new subdivisions being developed within the corporate limit of the Town of White Pine shall be installed by and at the expense of the developer, except for mains larger than eight (8) inches in diameter, in which case the town will pay the difference between the cost of an eight (8) inch main (including installation) and the cost of the main which is installed, providing that budgeted funds are available.

If sewer service is not available to the nearest new proposed subdivision, the town will, at its expense, extend the first 100 feet toward the property line of an owner of a parcel of land on which there is a new subdivision which has been given preliminary approval by the White Pine Planning Commission. The remaining sewer to be extended, if any, will be at the expense of the developer.

The town may connect a main to, or extend a main from any main previously installed in accordance with the above terms

without obligation to the developer of the newly developed subdivision.

(ii) Water mains. When requested and if funds are available, the town will extend a water main along an accepted street or right-of-way to the nearest property line of an owner of a parcel of land within the corporate limits of the Town of White Pine on which there is a new subdivision which has been given preliminary approval by the White Pine Planning Commission. In addition, the town will install fire hydrants along the extended main, if needed. However, such extensions will not be made at the expense of the town after a one-year period beyond the date of final plat approval of the new subdivision.

All water mains required to be extended along accepted streets and/or rights-of-way adjacent to the property line of the land parcels on which there are new subdivisions, and within the new subdivisions being developed, shall be installed by and at the expense of the developer except for mains larger than eight (8) inches in diameter, in which case the town will pay the difference between the cost of an eight (8) inch main (including installation) and the cost of the main which is installed, providing that budgeted funds are available. The developer is also required to install all fire hydrants within new subdivisions in accordance with town regulations.

The town may connect a main to, or extend a main from, any main previously installed without obligation to the developer or consumer who installed such main.

(c) Extensions outside city limits. (i) Sewer mains. All proposed sewer main extensions outside the Town of White Pine must be granted approval to proceed from the town prior to preparations of plans. The town reserves the right to reject any extensions.

All sewer main extensions outside the Town of White Pine shall be installed by and at the expense of the developer from the end of the existing sewer main whether it is inside or outside of the town limit. For mains larger than eight (8) inches in diameter, the town will pay the difference between the cost of an eight (8) inch main including installation and the cost of the main installed, providing that budgeted funds are available.

The city may connect a main to, or extend a main from, any main previously installed in accordance with the above terms without obligation to the developer or consumer who previously installed such main.

(ii) Water mains. All proposed water main extensions outside the Town of White Pine must be granted approval to

proceed from the town prior to preparations of plans. The town reserves the right to reject any extension.

All water main extensions outside the Town of the White Pine shall be installed by and at the expense of the developer from the end of the existing water main whether it is inside or outside the town limit. For mains larger than eight (8) inches in diameter, the town will pay the difference between the cost of an eight (8) inch main, including installation, and the cost of the main which is installed, providing that budgeted funds are available.

The town may connect a main to, or extend a main from, any main previously installed without obligation to the developer or consumer who installed such main.

(d) Exceptions. The regulations governing the extension of water and sewer mains shall not limit the town from participating in the cost of water and sewer main extensions when the application warrants consideration due to high volume consumption favorable return on investment. (1978 Code, § 13-105)

18-106. Meters. Each consumer will be supplied through a separate meter, except where a building under one ownership has a number of apartments or offices under one roof, and the owner desires that the town shall deal directly with the tenants; in which event the town will install for each tenant a separate meter setting and meter. The charge for such installation setting shall be made at the service charge provided for in § 18-104. Thereafter, each regular tenant in such building, shall be a consumer and shall be subject to all of the applicable rules and regulations hereof.

All meters and meter settings shall be furnished, owned, and maintained by the town.

Meters and meter settings must be accessible at all times and not covered with rubbish or material of any kind. No one other than an authorized agent of the town shall be permitted to repair, adjust, remove, or replace any meter or part thereof.

The consumer shall be responsible for damage to meters and/or meter settings where such damage is caused by a change in grade of the lot or by carelessness or negligence of the consumer or his agent, or employee, or any member of his family. Such consumer will be billed for the actual cost of repair or replacement, and such bill shall be paid within ten (10) days from the date of mailing thereof. (1978 Code, § 13-106)

18-107. Meter tests. Should any consumer doubt the correctness of the meter registration, the consumer may have the meter tested by making written application to the town and by making a deposit in accordance with the following table:

For 5/8" to 1" meter \$10.00

For 1 1/2" to 2" meter	\$15.00
For 3" meter	\$25.00
For 4" meter	\$50.00

If, in such test, the meter is found to over register in excess of 4%, allowance shall be made by the town to the consumer according to such error and covering a period not to exceed the prior billing and the current consumption to date of removal of the meter. If the meter is found to over register in excess of 4%, all the expense incurred in the meter removal and test shall be borne by the town, and the deposit shall be refunded. If, however, the meter is found to register an amount less than 104 percent the deposit shall be accepted by the town in payment of the expense of such removal and test. (1978 Code, § 13-107)

18-108. Relocation of meters and water and sewer lines. All meters, which, as of the effective date of these rules and regulations, are located inside buildings or in meter settings which the town deems to be unsatisfactory may be moved to more suitable locations at the discretion and expense of the town.

The town may discontinue to furnish water to any consumer who refuses permission to remove a meter in accordance with this regulation.

If any meter, water line, or sewer line is re-located on application of and to suit the convenience of the consumer, or where re-location of meter or lines is required because of change in grade of lot, such relocation and setting shall be made by the town at the expense of the consumer. Any bill rendered to the consumer for the expense thereof shall be paid within ten (10) days from the date of mailing of such bill.

In the event that a customer moves from one residence to another, a twenty dollar (\$20.00) fee will be charged for moving the water meter from the old location to the new. The customer may pay the fee prior to the move or may request it be added to his/her next utility bill. (1978 Code, § 13-108)

18-109. [Deleted.] (1978 Code, § 13-109, as deleted by Ord. #3-03, June 2003)

18-110. Private fire lines; sprinkler service charge. (1) Installation, ownership, specifications and inspection. Private fire lines or sprinkler lines including any attachments, sprinklers and other equipment located on the premises shall be installed by and at the expense of the owner of the premises; and such lines shall be owned and maintained by the owner of the premises.

The installation of private fire lines or sprinkler lines, including any attachments, sprinklers, and other equipment located on the premises, shall meet the current specifications for such lines, attachments, sprinklers and equipment adopted by the town. The town's employees shall have access to the

premises at all reasonable hours for the purpose of inspecting such lines, sprinklers, and attachments and other equipment located on the premises.

(2) **Charges.** Each tenant of the premises served by a fire or sprinkler line, regardless of the ownership of the premises, shall pay:

(a) A base fire or sprinkler line charge of ten dollars (\$10.00) per month.

(b) A charge of seven cents (\$.07) per sprinkler head per month. (1978 Code, § 13-110, as replaced by Ord. #5-98, June 1998)

18-111. Consumers not to supply water to others. Consumers shall not supply water w water to be carried through a hose or pipe, to any premises other than that described in the application, without the consent of the town. (1978 Code, § 13-111)

18-112. Supply of steam boilers. In no event shall a steam boiler be supplied directly from a water main of the town; but in all cases in which water is supplied to steam boilers from the town mains, there shall be a tank or other receptacle located between the boiler and the water main, and such supply shall be taken directly from the water tank or receptacle. (1978 Code, § 13-112)

18-113. Special service. The town may issue permits for the use of water for building or construction purposes, or other temporary purposes, provided that the applicant shall pay for tapping and installing and conform to all other requirements of the town. (1978 Code, § 13-113)

18-114. Illegal use of fire hydrants. No person other than authorized agents of the town, or fire department, shall take water from a fire hydrant without the consent of the town. (1978 Code, § 13-114)

18-115. No guarantee of pressure and/or supply. The town does not guarantee to the consumer any fixed pressure or a continuous supply. In case of breaks in mains, service pipes, pumping machinery, reservoirs, or other equipment of the town, and for the purpose of extending, replacing, or cleaning mains, or any other necessary work in connection with mains, the water may be shut off when necessary without notice and the town shall not be liable for damages which may arise therefrom. (1978 Code, § 13-115)

18-116. Meter reading and billing. Meters will be read monthly. All bills shall be payable at the town hall, or at a place designated by the town. Payments for water or sewer service will not be accepted unless the payment is accompanied by the water/sewer bill.

The town inspector, meter reader, or other properly authorized employee shall have access at all reasonable hours to premises supplied with water and/or sewer for the purpose of reading, inspecting, repairing, or removing meters.

The consumer assumes full responsibility for all water and sewer charges as determined by the meter readings. Adjustment to water and sewer bills will be made only in the event of error by the Town of White Pine. Adjustments may be permitted on sewer charges in the event a water leak does not enter the sewer and is verified by an authorized representative of the town. Adjustments will be arrived at by computing the average of six (6) previous monthly billings, but due consideration shall be given for any excessive use of water during such period.

All charges for water services from the existing municipal water system and all charges for sewer services shall be combined in one statement to each customer, with said statement clearly showing the separate amounts due for water and sewer services, and each and every such customer shall pay both charges in full, and failure to so pay both charges shall result in the discontinuance of the water service and the sewer service to such customer or customers.

All bills due the town for water and sewer service shall be due and payable upon receipt. Bills for metered water and sewer service shall be increased 10% if not paid on or before the 18th day of each month. (1978 Code, § 13-116, as amended by Ord. #6-01, Nov. 2001, and Ord. #9-08, Aug. 2008)

18-117. Meter turn-on. Water shall not be turned into any water lines for any purpose by anyone except an authorized employee of the town. (1978 Code, § 13-117, as amended by Ord. #9-08, Aug. 2008)

18-118. Meter shut-off. The consumer or property owner shall notify the town at the time each property becomes vacant. Otherwise, the consumer or property owner shall be responsible for any damage to the property of the town, and for all water metered to such property up until receipt of such vacancy notice.

The town will presume service is being rendered from the time water is turned on at the request of the consumer until the consumer or property owner gives it written notice to discontinue the service and charges will be made accordingly.

In the event that a customer requests that the water be turned off in order to make repairs during regular working hours a ten dollar (\$10.00) fee will be charged; after hours the fee will be twenty dollars (\$20.00). If bills are not paid by the 25th of each month, the town shall cut off the water and sewer to the consumer and shall charge a fee of one hundred dollars (\$100.00) during regular working hours (8:00 A.M. - 4:00 P.M. EST) for cutting the water back on. This fee will also be charged if water is cut off for any other violation of these rules and regulations. If payment for a cut off is made after 4:00 P.M. the meter will not be turned back on until 8:00 A.M. the following day. (1978 Code, § 13-118, as amended by Ord. #4-01, July 2001, and Ord. #9-08, Aug. 2008)

18-119. Failure of consumer to comply with regulations. The town may refuse to furnish water to the premises of any applicant who fails to meet all the applicable conditions and terms of the foregoing regulations, or it may discontinue water service in the event the consumer violates or fails to comply with any of the foregoing regulations. (1978 Code, § 13-119)

18-120. Water rates. (1) The monthly rates and/or charges for water service shall be set out hereunder:

RESIDENTIAL WATER

<u>Inside the corporate limits</u>	
2,000 gallons or less per month	\$13.66
Price per thousand gallons or fraction thereof above 2,000 gallons	\$4.78
<u>Outside the corporate limits</u>	
2,000 gallons or less per month	\$23.52
Price per thousand gallons or fraction thereof above 2,000 gallons	\$7.62

COMMERCIAL WATER

(Home-occupancy businesses excluded)

<u>Inside the corporate limits</u>	
2,000 gallons or less per month	\$19.78
Price per thousand gallons or fraction thereof above 2,000 gallons	\$6.12
<u>Outside the corporate limits</u>	
2,000 gallons or less per month	\$31.21
Price per thousand gallons or fraction thereof above 2,000 gallons	\$9.37

INDUSTRIAL WATER

<u>Inside the corporate limits</u>	
2,000 gallons or less per month	\$21.98
Price per thousand gallons or fraction thereof above 2,000 gallons	\$6.46

INDUSTRIAL WATER

<u>Outside the corporate limits</u>	
2,000 gallons or less per month	\$34.32
Price per thousand gallons or fraction thereof above 2,000 gallons	\$10.22

ALPHA-TALBOTT SPECIAL DISTRICT

<u>Inside the corporate limits</u>	
2,000 gallons or less per month	\$25.85
Price per thousand gallons or fraction thereof above 2,000 gallons	\$9.95

(2) Multi-unit customers: Multi-unit customers being defined as those units in a building, complex, or area wherein more than one individual or family resides, or wherein more than one business or industry conducts business or operations, with more than one unit being served or supplied by a single water meter. This said definition encompasses, among other things, duplexes, apartment houses, mobile home complexes or parks, office buildings, motels, hotels, shopping centers, malls, customers with separate buildings which are served by a single meter, customers which have a single meter serving one or more businesses in or at a single building or a residence and one or more businesses in or at a single building or home, or the like, and any unit or area which separately houses more than one individual or family, business, or industry.

All multi-unit customers shall pay, in addition to the regular water and/or sewer charges, a two dollar and fifty cent (\$2.50) fee per unit if served with municipal water, and an additional two dollar and fifty cent (\$2.50) fee per unit if served with municipal sewer. If served by only one of the services the customer will only be charged the appropriate fee.

No multi-unit charge will be levied on mobile home units which are for display or sales purposes only if same are used by a properly licensed retail or wholesale mobile home dealer. (1978 Code, § 13-120, as amended by Ord. #7-97, June 1997, Ord. #4-01, July 2001, Ord. #4-02, June 2002, replaced by Ord. #3-03, June 2003, and amended by Ord. #4-04, June 2004, Ord. #13-05, June 2005, Ord. #9-08, Aug. 2008, Ord. #3-11, July 2011, Ord. #6-12, July 2012, Ord. #6-13, June 2013, Ord. #5-14, June 2014, Ord. #6-15, June 2015, Ord. #4-17, June 2017, and Ord. #5-18, June 2018)

18-121. Sewer rates. (1) The monthly rates and/or charges for services shall be as set out hereunder:

RESIDENTIAL SEWER

<u>Inside the corporate limits</u>	
2,000 gallons or less per month	\$17.02
2,001 gallons to 15,000 gallons (price per thousand or fraction thereof)	\$5.27
15,001 gallons and above (price per thousand or fraction thereof)	\$5.46
<u>Outside the corporate limits</u>	
2,000 gallons or less per month	\$28.20
2,001 gallons to 15,000 gallons (price per thousand or fraction thereof)	\$8.24
15,001 gallons and above (price per thousand or fraction thereof)	\$10.12

COMMERCIAL SEWER

(Home-occupancy businesses excluded)

<u>Inside the corporate limits</u>	
2,000 gallons or less per month	\$20.50
2,001 gallons to 15,000 gallons (price per thousand or fraction thereof)	\$6.17
15,001 gallons and above (price per thousand or fraction thereof)	\$6.41
<u>Outside the corporate limits</u>	
2,000 gallons or less per month	\$33.42
2,001 gallons to 15,000 gallons (price per thousand or fraction thereof)	\$9.69
15,001 gallons and above (price per thousand or fraction thereof)	\$11.79

INDUSTRIAL SEWER

<u>Inside the corporate limits</u>	
2,000 gallons or less per month	\$25.36
2,001 gallons to 15,000 gallons (price per thousand or fraction thereof)	\$6.86
15,001 gallons and above (price per thousand or fraction thereof)	\$7.11
<u>Outside the corporate limits</u>	
2,000 gallons or less per month	\$37.11
2,001 gallons to 15,000 gallons (price per thousand or fraction thereof)	\$10.76
15,001 gallons and above (price per thousand or fraction thereof)	\$13.17

(3) Property owners on the town sewer system or with the sewer available to the property, who use a private well for water, shall select and pay a sewer charge based on one (1) of the two (2) methods limited below:

(a) A water meter will be installed and connected to the well of the resident and the sewer charge will be based on the metered water consumption according to the aforementioned rates.

(b) Resident shall pay a flat monthly sewer charge it chooses for well not to be metered:

<u>Inside corporate limits:</u>	\$33.75	<u>Outside corporate limits:</u>	\$52.20
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(4) All residents using private wells shall nonetheless pay a sewer charge to the Town of White Pine based on one of the two (2) methods listed below:

(a) A water meter will be installed and connected to the well of the resident and the resident will pay a sewer charge based on the water consumption.

(b) The resident shall pay a flat rate of fourteen dollars (\$14.00) per month as a sewer charge if the resident chooses not to have the well water metered.

(5) Property owners who are not on the town sewer system or with the sewer available to the property, who use a private well for water, shall select and pay a sewer charge based on the following rates below:

<u>Inside corporate limits:</u>	\$14.43	<u>Outside corporate limits:</u>	\$29.06
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(1978 Code, § 13-121, as amended by Ord. #7-97, June 1997, Ord. #4-01, July 2001, Ord. #4-02, June 2002, replaced by Ord. #3-03, June 2003, and amended

by Ord. #4-04, June 2004, Ord. #13-05, June 2005, Ord. #9-08, Aug. 2008, Ord. #3-11, July 2011, Ord. #6-12, July 2012, Ord. #6-13, June 2013, Ord. #5-14, June 2014, Ord. #6-15, June 2015, Ord. #10-16, Dec. 2016, Ord. #14-17, June 2017, and Ord. #15-18, June 2018)

18-122. Emergency water rates. In the event that the Town of White Pine's current source of water is determined to be insufficient and it becomes necessary for White Pine to purchase water from the South-Morristown Witt Utility District, the mayor shall declare a water emergency and authorize the following water rate structure to become effective immediately:

White Pine Municipal Code Section:

- 18-120(l)(a)(1) Price per thousand gallons or fraction thereat above 2,000 gallons: "Double the Current Rate."
- 18-120(l)(b)(2) Price per thousand gallons or fraction thereof above 2,000 gallons: "Double the Current Rate."
- 18-121(l)(a)(2) 2,001 gallons to 15,000 gallons (price er thousand or fraction thereat): Double the Current Rate."
- 18-121(l)(a)(3) 15,001 gallons and up (price per thousand or fraction thereat) "Double the Current Rate."
- 18-121(l)(b)(2) 2,001 gallons to 15,000 gallons (price per thousand or fraction thereof) "Double the Current Rate."
- 18-121(l)(b)(3) 15,001 gallons and up (price per thousand or fraction thereat) "Double the Current Rate."

(1978 Code, § 13-122)

18-123. Mobile home connections. All mobile homes must be connected to the sewer system with a rubber boot, and all mobile homes connected to the water system must have a hand cut-off valve between the water meter and line entrance into the mobile home structure. The boot and valve must be inspected and approved by the White Pine Water/Wastewater Department. (as added by Ord. #1-05, Feb. 2005)

CHAPTER 2

WASTEWATER COLLECTION AND TREATMENT REGULATIONS

SECTION

- 18-201. General provisions; purpose and policy.
- 18-202. Definitions and abbreviations.
- 18-203. Use of public sewers required.
- 18-204. Private sewage disposal.
- 18-205. Building sewers and connections.
- 18-206. Use of the public sewers.
- 18-207. Use of the sewers by industrial users.
- 18-208. Protection from damage.
- 18-209. Powers and authority of inspection.
- 18-210. Penalties.

18-201. General provisions; purpose and policy. This chapter sets forth uniform requirements for direct and indirect contributors into the wastewater collection and treatment system for the Town of White Pine and enables the town to comply with all applicable state and federal laws required by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR, Part 403).

The objectives of this chapter are:

- (1) To prevent the introduction of pollutants into the municipal wastewater system that will interfere with the operation of the system or contaminate the resulting sludge;
- (2) To prevent the introduction of pollutants into the municipal wastewater system that will pass through the system inadequately treated into receiving waters or the atmosphere or otherwise be incompatible with the system;
- (3) To improve the opportunity to recycle and reclaim wastewaters and sludges from the system; and
- (4) To provide for equitable distribution of the cost of the municipal wastewater system.

This chapter provides for the regulation of direct and indirect dischargers to the municipal wastewater system through the issuance of permits to certain non-domestic users and through enforcement of general requirements for the other users, authorizes monitoring and enforcement activities, requires user reporting, assumes that existing customers' capacity will not be preempted or appropriated, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

This chapter shall apply to the Town of White Pine and to persons outside the town who are, by contract or agreement with the town, users of the White Pine POTW. This chapter is a supplement to Chapter 1 in this title, as

amended. Except as otherwise provided herein, the mayor of the town's POTW shall administer, implement, and enforce the provisions of this chapter. (1978 Code, § 13-201)

18-202. Definitions and abbreviations. (1) Definitions. Unless the context specifically indicates otherwise, the following terms and phrases, as used in this chapter, shall have the meanings hereinafter designated:

(a) "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.

(b) "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.

(c) "Authorized representative of an industrial user." An authorized representative of an industrial user may be:

(i) a principal executive officer of at least the level of vice-president, if the industrial user is a corporation;

(ii) a general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; or

(iii) a duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

(d) "BOD." The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20°C expressed in terms of weight and concentration (milligrams per liter).

(e) "Building drain." The part of the lower horizontal piping of a drainage system that receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1-5 meters) outside the inner face of the building wall.

(f) "Building sewer." The extension from the building drain to the public sewer or other place of disposal.

(g) "Categorical standards." National categorical pretreatment standards or pretreatment standard.

(h) "Combined sewer." A sewer receiving both surface runoff and sewage.

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

(j) "Control authority." The "approval authority," defined hereinabove, or the city manager if the town has an approved pretreatment program under the provisions of 40 CFR 403.11.

(k) "Conventional pollutants." Those pollutants normally found.

(l) "Cooling water." The water discharged from any use such as air conditioning, cooling, or refrigeration, or to which the only pollutant added is heat.

(m) "Direct discharge." The discharge of treated or untreated wastewater directly to the waters of the State of Tennessee.

(n) "Environmental Protection Agency, or EPA." The U.S. Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the administrator or other duly authorized official of said agency.

(o) "Garbage." Solid wastes from the domestic and commercial preparation, cooking, and dispensing of food and from the handling, storage, and sale of produce.

(p) "Grab sample." A sample that is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

(q) "Holding tank waste." Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

(r) "Incompatible pollutant." Any pollutant that is not a "compatible pollutant" as defined in this section.

(s) "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 POTW (including holding tank waste discharged into the system.)

(t) "Industrial pretreatment." Any necessary treatment processes performed on the industrial wastes by the industrial user prior to discharge into the public sewers in accordance with federal, state, and local regulations.

(u) "Industrial user." A source of indirect discharge that does not constitute a "discharge of pollutants" under regulations issued pursuant to section 402 of the Act (33 U.S.C. 1342).

(v) "Industrial wastes." The liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewer.

(w) "Inhibition." Any pollutant that might impair, effectively reduce, or terminate the biological process and/or biological operation of the sewage treatment plant.

(x) "Interference." The inhibition or disruption of the POTW treatment processes or operations that contributes to a violation of any requirement of the town's NPDES permit. The term includes prevention

of sewage sludge use or disposal by the POTW in accordance with 405 of the Act (33 U.S.C. 1345) or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

(y) "Monitoring." Any method of sampling and analyzing of industrial waste, discharged into the sanitary sewer by industrial users, employed by the town to enforce industrial pretreatment regulations.

(z) "National categorical 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) that applies to a specific category of industrial users.

(aa) "National pollution discharge elimination system or NPDES permit." A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

(bb) "National prohibitive discharge standard or prohibitive discharge standard." Any regulation developed under the authority of 307 (b) of the Act and 40 CFR, Section 403.5.

(cc) "Natural outlet." Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

(dd) "New source." Any source whose construction is commenced after the publication of proposed regulations prescribing a Section 307(c) (33 U.S.C. 1317) categorical pretreatment standard that will be applicable to such source, if such standard is thereafter published within 120 days of proposal in the Federal Register.

(ee) "Pass through." Any pollutant that enters the sewage works and is not totally removed before entering the receiving stream.

(ff) "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 and the singular shall include the plural where indicated by the context.

(gg) "pH." The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

(hh) "Pollutant." Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water.

(ii) "Pollution." The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

(jj) "POTW treatment plant." That portion of the POTW designed to provide treatment to wastewater.

(kk) "Pretreatment requirements." Any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard imposed on an industrial user.

(ll) "Priority pollutants." Shall mean any of the one hundred twenty-nine (129) pollutants that affect stream quality or stream life in the receiving stream and its subsequent waters.

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

(nn) "Publicly owned treatment works (POTW)." A treatment works as defined by Section 212 of the Act (33 U.S.C. 1292) that is owned in this instance by the town. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers, or other conveyances not connected to a facility providing treatment. For the purposes of this chapter, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the town who are, by contract or agreement with the town, users of the town's POTW.

(oo) "Public sewer." A sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

(pp) "Receiving stream." The natural stream or watercourse that accepts the discharge from the sewage treatment plant.

(qq) "Sanitary sewer." A sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

(rr) "Sewage." A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

(ss) "Shall" is mandatory; "may" is permissive.

(tt) "Standard industrial classification (SIC)." A classification pursuant to the standard industrial classification manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

(uu) "State." State of Tennessee.

(vv) "Storm water." Any flow occurring during or following any form of natural precipitation and resulting therefrom.

(ww) "Superintendent." The person designated by the town to supervise the operation of the POTW and who is charged with certain

duties and responsibilities by this section, or his duly authorized representatives.

(xx) "Suspended solids." The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids and that is removable by laboratory filtering.

(yy) "Town." The Town of White Pine, Tennessee, the mayor, the wastewater treatment plant superintendent, or their duly authorized representative.

(zz) "Town mayor." The duly authorized representative of the Town of White Pine.

(aaa) "Toxic pollutant." Any pollutant or combination of pollutants listed as toxic in regulations published by the Administrator of the Environmental Protection Agency under the provision of CWA 307(a) or other acts.

(bbb) "Twenty-four (24) hour flow proportional composite sample." Incremental samples with sample volumes proportional to flow are collected over a 24-hour period. This type of sample, when analyzed and compared to total flow, provides the most accurate measure of wastewater quality and pollutant loading.

(ccc) "User." Any person who contributes, causes, or permits the contribution of wastewater into town's POTW.

(ddd) "Wastewater." The liquid- and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any ground water, surface water, and storm water that may be present, whether treated or untreated that is contributed into or permitted to enter the POTW.

(eee) "Wastewater contribution permit." As set forth in § 18-207 (10) of this chapter.

(fff) "Waters of the state." All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and other bodies of accumulation of water, surface or underground, natural or artificial, public or private, that are contained within, flow through, or border upon the state or any portion thereof.

(2) Abbreviations. The following abbreviations shall have the designated meanings:

BOD	-	Biochemical oxygen demand
CFR	-	Code of Federal Regulations
COD	-	Chemical oxygen demand
EPA	-	Environmental Protection Agency
l	-	Liter
mg	-	Milligrams
mg/l	-	Milligrams per liter
NPDES	-	National Pollutants Discharge Elimination System

POTW	-	Publicly owned treatment works
SIC	-	Standard Industrial Classification
SWDA	-	Solid Waste Disposal Act, 42 U.S.C. 6901, et seq.
TSS	-	Total suspended solids
USC	-	United States Code

(1978 Code, § 13-202)

18-203. Use of public sewers required. (1) It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the boundaries of the town, or in any area under the jurisdiction of the town, any human or animal excrement, garbage, or other objectionable waste if public sewer is available.

(2) It shall be unlawful to discharge to any natural outlet within the boundaries of the town or in any area under the jurisdiction of the town any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

(3) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage if public sewer is available.

(4) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the town and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the town, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this policy, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet (30.5 meters) of the property line.

(5) However, in the event the property owner fails to connect to the available sanitary sewer within the ninety (90) days prescribed by subsection (4) above, he shall pay the current sewer rates as calculated by his monthly metered water consumption, or the current flat sewer rate for unmetered water as referred to in § 18-121(3)(b). However, neither this section nor the property owner's payment of the sewer availability charge shall be construed as a limitation on the right of the town under this chapter to require the property the general penalty provision of this municipal code of ordinances to fail or refuse to pay the sewer availability charge. The town may also discontinue or refuse water service as set out in § 18-119 in the event the consumer fails to comply with these regulations. (1978 Code, § 13-203)

18-204. Private sewage disposal. The disposal of sewage by means other than the use of the available sanitary sewage system shall be in accordance with local, county, and state law. The disposal of sewage by private

disposal systems shall be permissible only in those instances where service from the available sanitary sewage system is not available. (1978 Code, § 13-204)

18-205. Building sewers and connections. (1) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the superintendent.

(2) There shall be two (2) classes of building permits:

(a) for residential and commercial service, and

(b) for service to establishments producing industrial wastes. In

either case the owner or his agent shall make application on a special form furnished by the town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the superintendent. A permit and inspection fee of three dollars (\$3.00) for a residential, commercial, or industrial building sewer permit shall be paid to the town at the time the application is filed.

(3) All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(4) A separate and independent building sewer shall be provided for every building, except that when one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(5) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the superintendent, to meet all requirements of this policy.

(6) The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall all conform to the requirements of the building and plumbing code and other applicable rules and regulations of the town. In the absence of code provisions or in amplification thereof, the materials set forth in the appropriate ASTM specifications and the procedures set forth in the WPCF Manual of Practice No. 9 shall apply.

(7) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(8) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground

water to a building sewer or building drain that in turn is connected directly or indirectly to a public sanitary sewer.

(9) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code and other applicable rules and regulations of the town, or to the materials requirements set forth in the appropriate ASTM specifications and the procedures set forth in the WPCF Manual of Practice No. 9. set forth in appropriate specifications of the ASCE and the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the city manager before installation.

(10) The applicant for the building sewer permit shall notify the city manager or his authorized representative when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the superintendent or his representative.

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

(12) Any work done in the street right-of-way will be covered by town street cut permit. (1978 Code, § 13-205)

18-206. Use of the public sewers. (1) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

(2) Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Tennessee Stream Pollution Control Board. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Tennessee Stream Pollution Board, to a storm sewer or natural outlet.

(3) No person shall discharge or cause to be discharged any of the following described pollutants to any public sewer:

(a) Any liquids, solids, or gases that by reason of their nature or quantity, may be sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any way to the POTW or to the operation of the POTW. At no time shall two successive readings on any explosion hazard meter, at any point of the discharge into the system (or at any point in the system) be more than five percent (5%) nor any single reading over ten percent (10%) of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides, and any other substances that the town,

the state, or EPA has notified the user is a fire hazard or a hazard to the system.

(b) Pollutants that cause corrosive structural damage to the system; in no case discharges with a pH lower than 6.0 or higher than 9.0, nor can the pH be increased more than 1.0 per hour.

(c) Solid or viscous substances that may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to, grease, garbage with particles greater than one-half inch (1/2") in any dimension, paunch manure, bones, hair, hides, or flesh, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastics, gas, tar, asphalt residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.

(d) Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge of such a volume or strength as to cause interference to the system.

(e) Heat in amounts which will inhibit biological activity in the system resulting in interference, but in no case heat in such quantities that the temperature at treatment plant influent exceeds 40° C (104° F).

(f) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 HP metric) or larger shall be subject to the review and approval of the city manager.

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

(4) Any person determined an industrial user shall not only be regulated by regulations set forth in this section but shall also be required to adhere to all provisions established in § 18-207. (1978 Code, § 13-206)

18-207. Use of the sewers by industrial users. (1) This section establishes limitations and prohibitions on the quantity and quality of wastewater that may be lawfully discharged to the POTW. The specific limitations set forth in subsequent sections are subject to change as necessary to enable the town to provide efficient wastewater treatment, to protect the public health and the environment, and to enable the town to meet requirements contained in its National Pollution Discharge Elimination System (NPDES) permit.

(2) The wastewater of every industrial user shall be evaluated upon the following criteria:

(a) Wastewater containing any element or compound that is not adequately removed by the treatment works which is known to be an environmental hazard;

(b) Wastewater causing a discoloration or any other condition in the quality of the town's POTW treatment plant effluent such that receiving water quality requirements established by laws cannot be met;

(c) Wastewater containing any element or compound known to act as a lacrimator, known to cause nausea, or known to cause odors constituting a public nuisance;

(d) Wastewater causing interference with the effluent or any other product of the treatment process, residues, sludge, or scums causing them to be unsuitable for reclamation process; and

(e) Wastewater having constituents and concentrations in excess of those listed in subsection (3) hereafter.

When the superintendent determines that a user or users are contributing to the POTW any of the above enumerated substances in such amounts as to interfere with the operation of the POTW, the city manager shall (i) advise the user(s) of the impact of the contribution on the POTW and (ii) develop effluent limitations(s) for such user(s) to correct the interference with the POTW.

Upon the promulgation of the federal categorical pretreatment standards for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed under this chapter for sources in that subcategory, shall immediately supersede the limitations imposed under this chapter. The city manager shall notify all affected users of the applicable requirements under 40 CFR, Section 403.12.

(3) The superintendent shall monitor the treatment works influent for each parameter in the following table. Each industrial user shall be responsible for monitoring and reporting these requirements. In the event that the influent at the treatment works reaches or exceeds the levels established by said table, the city manager shall initiate technical studies to determine the cause of the influent violation and shall recommend to the town administrator such remedial measures as are necessary, including but not limited to, recommending the establishment of new or revised pretreatment levels for these parameters. The superintendent shall also recommend changes to any of these criteria in the event the POTW 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 POTW. The intent of these limitations is to prevent (1) interference with the operation of the treatment works, (2) pass through of pollutants in violation of the POTW's NPDES permit limitations, and (3) municipal sludge contamination.

Modification of federal categorical pretreatment standards: Where the town's wastewater treatment system achieves consistent removal of pollutants limited by federal pretreatment standards, the town may apply to the approval

authority for modification of specific limits in the federal pretreatment standards. "Consistent removal" (as defined hereinafter) shall mean reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent that is achieved by the system when 95 percent (95%) of the samples taken measured according to the procedures set forth in Section 403.7(c)(2) of Title 40 of the Code of Federal Regulations, Part 402, "General Pretreatment Regulations for Existing and New Sources of Pollution," promulgated pursuant to the act. The town may then modify pollutant discharge limits in the federal pretreatment standards if the requirements contained in 40 CFR, Part 403, Section 403.7 are fulfilled and prior approval from the approval authority is obtained.

TABLE 1

PROTECTION CRITERIA

INCOMPATIBLE POLLUTANT INFLUENT LIMITATIONS FOR THE
WHITE PINE, TENNESSEE, WASTEWATER TREATMENT PLANT

<u>Pollutant</u>	<u>Maximum Daily Average Concentration</u>
Cadmium	0.0067 mg/l
Chromium	0.3125 mg/l
Copper	0.1250 mg/l
Cyanide	0.0092 mg/l
Lead	0.278 mg/l
Mercury	0.0042 mg/l
Nickel	0.1455 mg/l
Silver	0.01176 mg/l

TABLE 1 (Continued)

<u>Pollutant</u>	<u>Maximum Daily Average Concentration</u>
Zinc	0.2474 mg/l
Benzene	0.0130 mg/l
Bis (2-ethyl hexyl) phthalate	
Butyl benzyl phthalate	
Di-n-butyl phthalate Total = 0.0375 mg/l	
Diethyl phthalate	
Chloroform	0.1579 mg/l
Ethyl benzene	0.0400 mg/l
Methylene Chloride	0.1042 mg/l
Naphthalene	0.0003 mg/l
Phenol	0.0091 mg/l
Tetrachlorine	0.0333 mg/l
Toluene 0.2143 mg/l	
Trichloroethylene	0.1000 mg/l
1,1,1 Trichloroethane	0.2500 mg/l
1,2 Transdichloroethylene	0.0075 mg/l

TABLE 2

PROTECTION CRITERIA

COMPATIBLE POLLUTANT INFLUENT LIMITATIONS FOR THE
WHITE PINE, TENNESSEE, WASTEWATER TREATMENT PLANT

<u>Pollutant</u>	<u>Maximum Daily Average Concentration (mg/l)</u>	<u>Maximum Instantaneous Concentration (mg/l)</u>
5-Day BOD	275	300
TSS	260	290

(4) Industrial users shall be required to perform any industrial pretreatment whenever necessary to reduce or modify the user's wastewater constituency to achieve compliance with the limitations set forth in subsection (3) above to meet applicable national pretreatment standards, or to meet any other wastewater condition or limitation contained in the users wastewater discharge permit.

(5) State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this chapter.

(6) The town reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in § 18-201 of this chapter.

(7) No user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the federal categorical pretreatment standards, or in any other pollutant-specific limitation developed by the town or state.

(8) Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this chapter. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the town for review and shall be approved by the town before construction of the facility. All existing users shall be submitted to the town for review and shall be approved by the town before construction of the facility. All existing users shall complete such a plan by January 1, 1983. No user who commences contribution to the POTW after the effective date of this chapter shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the town. Review and approval of

such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this chapter. In the case of an accidental discharge, it is the responsibility of the user immediately to telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions. The POTW shall keep a log on such events.

Written notice: Within five (5) days following an accidental discharge, the user shall submit to the city manager a detailed written report describing the cause of the discharge and the 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 that may be incurred as a result of damage to the POTW, 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 that may be imposed by this section or other applicable law.

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 ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

(9) The town may adopt charges and fees that may include:

(a) Fees for reimbursement of costs of setting up and operating in the town's pretreatment program;

(b) Fees for monitoring, inspections, and surveillance procedures;

(c) Fees for reviewing accidental discharge procedures and construction;

(d) Fees for permit application;

(e) Fees for filing appeals;

(f) Fees for consistent removal (by the town) of pollutants otherwise subject to federal pretreatment standards; and

(g) Other fees as the town may deem necessary to carry out the requirements contained herein.

These fees relate solely to the matters covered by this chapter and are separate from all other fees chargeable by the town.

(10) All industrial users proposing to connect to or to contribute to the POTW shall obtain a wastewater discharge permit before connecting to or contributing to the POTW. All existing industrial users connected to or contributing to the POTW shall obtain a wastewater contribution permit within 180 days after the effective date of this chapter.

(11) Users required to obtain a wastewater contribution permit shall complete and file with the town an application in the form prescribed by the town and accompanied by a fee of fifteen dollars (\$15.00). Existing users shall apply for a wastewater contribution permit within 30 days after the effective

date of this chapter, and proposed new users shall apply at least 90 days prior to connecting to or contributing to the POTW. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

- (a) Name, address, and location (if different from the address);
- (b) SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
- (c) Wastewater constituents and characteristics, including but not limited to those mentioned in § 18-206(3), and § 18-207(2) and (3), as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, as amended;
- (d) Time and duration of contribution;
- (e) Average daily and 3 minute peak wastewater flow rates, including daily, monthly, and seasonal variations, if any;
- (f) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, sewer connections, and appurtenances by the size, location, and elevation;
- (g) Description of activities, facilities, and plant processes on the premises, including all materials that are or could be discharged;
- (h) Where known, the nature and concentration of any pollutants in the discharge that are limited by any town, state, or federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable pretreatment standards;
- (i) If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard;

The following conditions shall apply to this schedule:

- (i) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
- (ii) No increment referred to in subsection (i) above shall exceed 9 months.

(iii) Not later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the city manager including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay and the steps being taken by the user to return the construction to the schedule established. In no event shall more than 9 months elapse between such progress reports to the city manager.

(j) Each product produced by type, amount, process or processes, and rate of production;

(k) Type and amount of raw materials processed (average and maximum per day);

(l) Number and type of employees and hours of operation of plant and proposed or actual hours or operation of pretreatment system; and

(m) Any other information as may be deemed by the town to be necessary to evaluate the permit application.

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

(12) Within 9 months of the promulgation of a national categorical pretreatment standard, the wastewater contribution permit of users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user subject to a national categorical pretreatment standard has not previously submitted an application for a wastewater contribution permit as required by § 18-207(11), the user shall apply for a wastewater contribution permit within 180 days after the promulgation of the applicable national categorical pretreatment standard. In addition, the user with an existing wastewater contribution permit shall submit to the city manager within 180 days after the promulgation of an applicable federal categorical pretreatment standard the information required by subsections (h) and (i) of § 18-207(11).

(13) Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other applicable regulations, user charges, and fees established by the town. Permits may contain the following:

(a) The unit charge or schedule of user charges and fees for the wastewater to be discharged to a community sewer;

(b) Limits on the average and maximum wastewater constituents and characteristics;

(c) Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;

- (d) Requirements for installation and maintenance of inspection and sampling facilities;
- (e) Specifications for monitoring programs, which may include sampling locations, frequency of sampling, reporting schedule, and number, types, and standards for tests;
- (f) Compliance schedules;
- (g) Requirements for submission of technical reports or discharge reports;
- (h) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the town, and affording the town access thereto;
- (i) Requirements for notification of the town of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system;
- (j) Requirements for notification of slug discharges in accordance with § 18-207(2); and
- (k) Other conditions as deemed appropriate by the town to ensure compliance with this chapter.

(14) Permits shall be issued for a specified time period not to exceed five (5) years. A permit may be issued for a period of less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modifications by the town during the term of the permit as limitations or requirements identified in § 18-207(5) are modified or if some other just cause exists. The user shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

(15) Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the town. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

(16) Within 90 days following the date for final compliance with applicable pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any user subject to pretreatment standards and requirements shall submit to the city manager a report indicating the nature and concentration of all pollutants in the discharge from the regulated process that are limited by pretreatment standards and requirements and the average and maximum daily flow for these process units in the user's facility that are limited by such pretreatment standards or requirements. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what

additional O&M and/or pretreatment is necessary to bring the user into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by an authorized representative of the industrial user and certified by a qualified professional.

(a) Any user subject to a pretreatment standard shall, after the compliance date of such pretreatment standard or, in the case of a new source, after commencement of the discharge into the POTW, submit to the city manager during the months of June and December, unless required more frequently in the pretreatment standard or by the city manager, a report indicating the nature and concentration of pollutants in the effluent that are limited by such pretreatment standards. In addition, this report shall include a record of all daily flows that, during the reporting period, exceeded the average daily flows reported in § 18-207(11)(e). At the discretion of the city manager and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the city manager may agree to alter the months during which the above reports are to be submitted.

(b) The superintendent may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by subparagraph (a) above shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the city manager, of pollutants contained therein that are limited by the applicable pretreatment standards. The frequency of monitoring shall be prescribed in the applicable pretreatment standard. All analysis shall be performed in accordance with procedures established by the administrator pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, and amendments thereto, or with any other test procedures approved by the administrator. Sampling shall be performed in accordance with the techniques approved by the administrator. (Comment: Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication "Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants," April 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the administrator.)

(17) When required by the superintendent, the owner of any property, serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of

the wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the city manager. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

(18) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this policy shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined based on suitable samples at the control manhole provided. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH's are determined from periodic grab samples.)

(19) No statement contained in this section shall be construed as preventing any special agreement or arrangement between the town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the town for treatment, subject to payment therefor by the industrial concern. In no case shall any exception or variance or special agreement be granted that will violate the protection criteria. Before any exception, exemption, variance, or special agreement is granted, the industry must demonstrate good management practices. Good management practices include, but are not limited to, preventive operating and maintenance procedures, schedule of activities, process changes, prohibiting of activities, and other management practices to reduce the quality or quantity of effluent discharge and to control plant site runoff, spillage, leaks, and drainage from raw material storage. (1978 Code, § 13-207)

18-208. Protection from damage. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment that is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct. (1978 Code, § 13-208)

18-209. Powers and authority of inspection. (1) The superintendent and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with

the provisions of this policy. The superintendent or his representatives shall have no authority to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, paper, or other industrial processes beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

(2) While performing the necessary work on private properties referred to in subsection (1) above, the city manager or duly authorized employees of the town shall observe all safety rules applicable to the premises established by the company. The company shall be held harmless for injury or death to the town employees, and the town shall indemnify the company against loss or damage to its property by town employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in § 18-207(17).

(3) The superintendent and other duly authorized employees of the town holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (1978 Code, § 13-209)

18-210. Penalties. (1) Any person found to be violating any provision of this chapter except § 18-208 shall be served by the town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(2) Any person who shall continue any violation beyond the time limit provided for in subsection (1) above shall be guilty of a misdemeanor and, on conviction therefor, shall be fined in an amount not exceeding fifty dollars (\$50.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

(3) Any person violating any of the provisions of this policy shall become liable to the town for any expense, loss, or damage occasioned the town by reason of such violation.

(4) The town shall be empowered with the right to disconnect any person in violation of any provision of this policy if corrective action is not taken upon the initiation of the fifty dollars (\$50.00) per day fine from sanitary sewer services in accordance with the national pretreatment regulations.

(5) The town shall annually publish in the local newspaper a list of the users that were not in compliance with any pretreatment requirements or standards at least once during the 12 previous months. The notification shall

also summarize any enforcement actions taken against the user(s) during the same 12 months.

All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or approval authority upon request. (1978 Code, § 13-210)

CHAPTER 3

SEWAGE AND HUMAN EXCRETA DISPOSAL¹

SECTION

- 18-301. Definitions.
- 18-302. Places required to have sanitary disposal methods.
- 18-303. When a connection to the public sewer is required.
- 18-304. When a septic tank shall be used.
- 18-305. Registration and records of septic tank cleaners, etc.
- 18-306. Use of pit privy or other method of disposal.
- 18-307. Approval and permit required for septic tanks, privies, etc.
- 18-308. Owner to provide disposal facilities.
- 18-309. Occupant to maintain disposal facilities.
- 18-310. Only specified methods of disposal to be used.
- 18-311. Discharge into watercourses restricted.
- 18-312. Pollution of ground water prohibited.
- 18-313. Enforcement of chapter.
- 18-314. Carnivals, circuses, etc.
- 18-315. Violations.

18-301. Definitions. The following definitions shall apply in the interpretation of this chapter:

- (1) "Accessible sewer." A public sanitary sewer located in a street or alley abutting on the property in question or otherwise within two hundred (200) feet of any boundary of said property measured along the shortest available right-of-way;
- (2) "Health officer." The person duly appointed to such position having jurisdiction, or any person or persons authorized to act as his agent;
- (3) "Human excreta." The bowel and kidney discharges of human beings;
- (4) "Sewage." All water-carried human and household wastes from residences, buildings, or industrial establishments;
- (5) "Approved septic tank system." A watertight covered receptacle of monolithic concrete, either precast or cast in place, constructed according to plans approved by the health officer. Such tanks shall have a capacity of not less than 750 gallons and in the case of homes with more than two (2) bedrooms the capacity of the tank shall be in accordance with the recommendations of the Tennessee Department of Health as provided for in its 1967 bulletin entitled "Recommended Guide for Location, Design, and Construction of Septic Tanks

¹Municipal code reference
Plumbing code: title 12, chapter 2.

and Disposal Fields." A minimum liquid depth of four (4) feet should be provided with a minimum depth of air space above the liquid of one (1) foot. The septic tank dimensions should be such that the length from inlet to outlet is at least twice but not more than three (3) times the width. The liquid depth should not exceed five (5) feet. The discharge from the septic tank shall be disposed of in such a manner that it may not create a nuisance on the surface of the ground or pollute the underground water supply, and such disposal shall be in accordance with recommendations of the health officer as determined by acceptable soil percolation data;

(6) "Sanitary pit privy." A privy having a fly-tight floor and seat over an excavation in earth, located and constructed in such a manner that flies and animals will be excluded, surface water may not enter the pit, and danger of pollution of the surface of the ground or the underground water supply will be prevented;

(7) "Other approved method of sewage disposal." Any privy, chemical toilet, or other toilet device (other than a sanitary sewer, septic tank, or sanitary pit privy as described above) the type, location, and construction of which have been approved by the health officer;

(8) "Watercourse." Any natural or artificial drain which conveys water either continuously or intermittently. (1978 Code, § 8-301)

18-302. Places required to have sanitary disposal methods. Every residence, building, or place where human beings reside, assemble, or are employed within the corporate limits shall be required to have a sanitary method for disposal of sewage and human excreta. (1978 Code, § 8-302)

18-303. When a connection to the public sewer is required. Wherever an accessible sewer exists and water under pressure is available, approved plumbing facilities shall be provided and the wastes from such facilities shall be discharged through a connection to said sewer made in compliance with the requirements of the official responsible for the public sewerage system. On any lot or premise accessible to the sewer no other method of sewage disposal shall be employed. (1978 Code, § 8-303)

18-304. When a septic tank shall be used. Wherever water carried sewage facilities are installed and their use is permitted by the health officer, and an accessible sewer does not exist, the wastes from such facilities shall be discharged into an approved septic tank system.

No septic tank or other water-carried sewage disposal system except a connection to a public sewer shall be installed without the approval of the health officer or his duly appointed representative. The design, layout, and construction of such systems shall be in accordance with specifications approved by the health officer and the installation shall be under the general supervision of the department of health. (1978 Code, § 8-304)

18-305. Registration and records of septic tank cleaners, etc. Every person, firm, or corporation who operates equipment for the purpose of removing digested sludge from septic tanks, cesspools, privies, and other sewage disposal installations on private or public property must register with the health officer and furnish such records of work done within the corporate limits as may be deemed necessary by the health officer. (1978 Code, § 8-305)

18-306. Use of pit privy or other method of disposal. Wherever a sanitary method of human excreta disposal is required under § 18-302 and water-carried sewage facilities are not used, a sanitary pit privy or other approved method of disposal shall be provided. (1978 Code, § 8-306)

18-307. Approval and permit required for septic tanks, privies, etc. Any person, firm, or corporation proposing to construct a septic tank system, privy, or other sewage disposal facility, requiring the approval of the health officer under this chapter, shall before the initiation of construction obtain the approval of the health officer for the design and location of the system and secure a permit from the health officer for such system. (1978 Code, § 8-307)

18-308. Owner to provide disposal facilities. It shall be the duty of the owner of any property upon which facilities for sanitary sewage or human excreta disposal are required by § 18-302, or the agent of the owner to provide such facilities. (1978 Code, § 8-308)

18-309. Occupant to maintain disposal facilities. It shall be the duty of the occupant, tenant, lessee, or other person in charge to maintain the facilities for sewage disposal in a clean and sanitary condition at all times and no refuse or other material which may unduly fill up, clog, or otherwise interfere with the operation of such facilities shall be deposited therein. (1978 Code, § 8-309)

18-310. Only specified methods of disposal to be used. No sewage or human excreta shall be thrown out, deposited, buried, or otherwise disposed of, except by a sanitary method of disposal as specified in this chapter. (1978 Code, § 8-310)

18-311. Discharge into watercourses restricted. No sewage or excreta shall be discharged or deposited into any lake or watercourse except under conditions specified by the health officer and specifically authorized by the Tennessee Stream Pollution Control Board. (1978 Code, § 8-311)

18-312. Pollution of ground water prohibited. No sewage, effluent from a septic tank, sewage treatment plant, or discharges from any plumbing

facility shall empty into any well, either abandoned or constructed for this purpose, cistern, sinkhole, crevice, ditch, or other opening either natural or artificial in any formation which may permit the pollution of ground water. (1978 Code, § 8-312)

18-313. Enforcement of chapter. It shall be the duty of the health officer to make an inspection of the methods of disposal of sewage and human excreta as often as is considered necessary to insure full compliance with the terms of this chapter. Written notification of any violation shall be given by the health officer to the person or persons responsible for the correction of the condition, and correction shall be made within forty-five (45) days after notification. If the health officer shall advise any person that the method by which human excreta and sewage is being disposed of constitutes an immediate and serious menace to health such person shall at once take steps to remove the menace, and failure to remove such menace immediately shall be punishable under the general penalty clause for this code; but such person shall be allowed the number of days herein provided within which to make permanent correction. (1978 Code, § 8-313)

18-314. Carnivals, circuses, etc. Whenever carnivals, circuses, or other transient groups of persons come within the corporate limits such groups of transients shall provide a sanitary method for disposal of sewage and human excreta. Failure of a carnival, circus, or other transient group to provide such sanitary method of disposal and to make all reasonable changes and corrections proposed by the health officer shall constitute a violation of this section. In these cases the violator shall not be entitled to the notice of forty-five (45) days provided for in the preceding section. (1978 Code, § 8-314)

18-315. Violations. Any person, persons, firm, association, or corporation or agent thereof, who shall fail, neglect, or refuse to comply with the provisions of this chapter shall be deemed guilty of a misdemeanor and shall be punishable under the general penalty clause for this code. (1978 Code, § 8-315)

CHAPTER 4

CROSS CONNECTIONS, AUXILIARY INTAKES, ETC.¹

SECTION

- 18-401. Definitions.
- 18-402. Standards.
- 18-403. Construction, operation, and supervision.
- 18-404. Statement required.
- 18-405. Inspections required.
- 18-406. Right of entry for inspections.
- 18-407. Correction of existing violations.
- 18-408. Use of protective devices.
- 18-409. Unpotable water to be labeled.
- 18-410. Violations.

18-401. Definitions. The following definitions and terms shall apply in the interpretation and enforcement of this chapter:

(1) "Public water supply." The waterworks system furnishing water to the Town of White Pine for general use and which supply is recognized as the public water supply by the Tennessee Department of Health.

(2) "Cross connection." Any physical arrangement whereby the public water supply is connected, directly or indirectly, with any other water supply system, whether sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains, or may contain, contaminated water, sewage, or other waste or liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water supply as a result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices through which, or because of which, backflow could occur are considered to be cross connections.

(3) "Auxiliary intake." Any piping connection or other device whereby water may be secured from a source other than that normally used.

(4) "Bypass." Any system of piping or other arrangement whereby the water may be diverted around any part or portion of a water purification plant.

(5) "Interconnection." Any system of piping or other arrangement whereby the public water supply is connected directly with a sewer, drain, conduit, pool, storage reservoir, or other device which does or may contain

¹Municipal code references

Plumbing code: title 12.

Water and sewer system administration: title 18.

Wastewater treatment: title 18.

sewage or other waste or liquid which would be capable of imparting contamination to the public water supply.

(6) "Person." Any individual, corporation, company, association, partnership, state, municipality, utility district, water cooperative or federal agency. (1978 Code, § 8-401)

18-402. Standards. The White Pine Public Water System is to comply with Tennessee Code Annotated, §§ 68-221-701 through 68-221-720 as well as the Rules and Regulations for Public Water Supplies, legally adopted in accordance with this code, which pertain to cross connections, auxiliary intakes, bypasses, and interconnections, and establish an effective ongoing program to control these undesirable water uses. (1978 Code, § 8-401)

18-403. Construction, operation, and supervision. It shall be unlawful for any person to cause a cross connection to be made, or allow one to exist for any purpose whatsoever, unless the construction and operation of same have been approved by the Tennessee Department of Health and the operation of such cross connection, auxiliary intake, bypass or interconnection is at all times under the direct supervision of the Superintendent of the White Pine Public Water System. (1978 Code, § 8-403)

18-404. Statement required. Any person whose premises are supplied with water from the public water supply and who also has on the same premises a separate source of water supply, or stores water in an uncovered or unsanitary storage reservoir from which the water stored therein is circulated through a piping system, shall file with the superintendent a statement of the non-existence of unapproved or unauthorized cross connections, auxiliary intakes, bypasses, or interconnections. Such statement shall also contain an agreement that no cross connection, auxiliary intake, bypass, or interconnection will be permitted upon the premises. (1978 Code, § 8-404)

18-405. Inspections required. It shall be the duty of the superintendent of the public water system to cause inspections to be made of all properties served by the public water supply where cross connections with the public water supply are deemed possible. The frequency of inspections and reinspection, based on potential health hazards involved, shall be established by the Superintendent of the White Pine Public Water System and as approved by the Tennessee Department of Health. (1978 Code, § 8-405)

18-406. Right of entry for inspections. The superintendent or his authorized representative shall have the right to enter, at any reasonable time, any property served by a connection to the public water supply for the purpose of inspecting the piping system or systems therein for cross connections, auxiliary intakes, bypasses, or interconnections. On request, the owner, lessee,

or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connections. (1978 Code, § 8-406)

18-407. Correction of existing violations. Any person who now has cross connections, auxiliary intakes, bypasses, or interconnections in violation of the provisions of this chapter shall be allowed a reasonable time within which to comply with the provisions of this chapter. After a thorough investigation of existing conditions and an appraisal of the time required to complete the work, the amount of time shall be designated by the Superintendent of the White Pine Public Water System.

The failure to correct conditions threatening the safety of the public water system as prohibited by this chapter and the Tennessee Code Annotated, § 68-221-711, within a reasonable time and within the time limits set by the White Pine Public Water System, shall be grounds for denial of water service. If proper protection has not been provided after a reasonable time, the utility shall give the customer legal notification that water service is to be discontinued and shall physically separate the public water supply from the customer's on-site piping system in such a manner that the two systems cannot again be connected by an unauthorized person.

Where cross connections, interconnections, auxiliary intakes, or bypasses are found that constitute an extreme hazard of immediate concern of contaminating the public water system, the management of the water supply shall require that immediate corrective action be taken to eliminate the threat to the public water system. Immediate steps shall be taken to disconnect the public water supply from the on-site piping system unless the imminent hazard(s) is (are) corrected immediately. (1978 Code, § 8-407)

18-408. Use of protective devices. Where the nature of use of the water supplied a premises by the water department is such that it is deemed:

- (1) Impractical to provide an effective air-gap separation.
- (2) That the owner and/or occupant of the premises cannot, or is not willing, to demonstrate to the official in charge of the water system, or his designated representative, that the water use and protective features of the plumbing are such as to propose no threat to the safety or potability of the water supply.
- (3) That the nature and mode of operation within a premises are such that frequent alterations are made to the plumbing.
- (4) There is a likelihood that protective measures may be subverted, altered, or disconnected.

The Superintendent of the White Pine Public Water System, or his designated representative, shall require the use of an approved protective device on the service line serving the premises to assure that any contamination that

may originate in the customer's premises is contained therein. The protective device shall be a reduced pressure zone type backflow preventer approved by the Tennessee Department of Health as to manufacture, model, and size. The method of installation of backflow protective devices shall be approved by the superintendent prior to installation and shall comply with the criteria set forth by the Tennessee Department of Health. The installation shall be at the expense of the owner or occupant of the premises.

Personnel of the White Pine Public Water System shall have the right to inspect and test the device or devices on an annual basis or whenever deemed necessary by the superintendent, or his designated representative. Water service shall not be disrupted to test the device without the knowledge of the occupant of the premises.

Where the use of water is critical to the continuance of normal operations or protection of life, property, or equipment, duplicate units shall be provided to avoid the necessity of discontinuing water service to test or repair the protective device or devices. Where it is found that only one unit has been installed and the continuance of service is critical, the superintendent shall notify, in writing, the occupant of the premises of plans to discontinue water service and arrange for a mutually acceptable time to test and/or repair the device. The water system shall require the occupant of the premises to make all repairs indicated promptly, to keep the unit(s) working properly, and the expense of such repairs shall be borne by the owner or occupant of the premises. Repairs shall be made by qualified personnel acceptable to the Superintendent of the White Pine Public Water System.

The failure to maintain backflow prevention devices in proper working order shall be grounds for discontinuing water service to a premises. Likewise, the removal, bypassing, or altering of the protective devices or the installation thereof so as to render the devices ineffective shall constitute grounds for discontinuance of water service. Water service to such premises shall not be restored until the customer has corrected or eliminated such conditions or defects to the satisfaction of the White Pine Public Water System. (1978 Code, § 8-408)

18-409. Unpotable water to be labeled. The potable water supply made available to premises served by the public water system shall be protected from possible contamination as specified herein. Any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable system must be labeled in a conspicuous manner as:

WATER UNSAFE
FOR DRINKING

Minimum acceptable sign shall have black letters at least one-inch high located on a red background. (1978 Code, § 8-409)

18-410. Violations. The requirements contained herein shall apply to all premises served by the White Pine Public Water System whether located inside or outside the corporate limits and are hereby made a part of the conditions required to be met for the town to provide water services to any premises. Such action, being essential for the protection of the water distribution system against the entrance of contamination which may render the water unsafe healthwise, or otherwise undesirable, shall be enforced rigidly without regard to location of the premises, whether inside or outside the corporate limits.

Any person who neglects or refuses to comply with any of the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction therefor, shall be fined not less than ten dollars (\$10) nor more than one hundred dollars (\$100), and each day of continued violation after conviction shall constitute a separate offense. (1978 Code, § 8-410)

CHAPTER 5

REGULATION OF ANIMAL AND VEGETABLE FAT, OILS, AND GREASE

SECTION

- 18-501. Removal of fat, oil, and grease.
- 18-502. Administration.
- 18-503. Definitions.
- 18-504. Discharges of FOG.
- 18-505. Interference with the sanitary sewer system operations.
- 18-506. Control of FOG.
- 18-507. Grease Control Equipment (GCE).
- 18-508. Installation of GCE.
- 18-509. Maintenance of GCE.
- 18-510. Additives.
- 18-511. Implementation.
- 18-512. Fees.
- 18-513. Permitting.
- 18-514. Enforcement.
- 18-515. Severability.

18-501. Removal of fat, oil, and grease. The Town Council of White Pine encourages all users of the sanitary sewer system to take voluntary steps to reduce the amount of fats, oils, and grease that is poured, drained or washed down drains into the sanitary sewer system. (as added by Ord. #3-15, June 2015)

18-502. Administration. Through this chapter the public works supervisor is hereby directed to implement the provisions of this chapter. This implementation includes but is not limited to actions such as, plans approval, inspections, and enforcement through town court. Higher levels of enforcement shall be performed by the mayor. (as added by Ord. #3-15, June 2015)

18-503. Definitions. In the interpretation and application of this chapter the following words and phrases shall have the indicated meanings:

(1) Best Management Practices (BMPs) means actions or schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the requirements of this chapter.

(2) Fats, Oils, and Grease (FOG). Organic polar compounds derived from animal and/or plant sources. If lab testing is required to quantify the amount of FOG, the Hexane Extractable Material test is to be used or an equivalent 40 CFR 136 approved method.

(3) Food Service Establishment (FSE). Any establishment, business or facility engaged in preparing, serving or making food available for consumption. Single family residences are not a FSE, however, multi-residential facilities may be considered a FSE at the discretion of the public works supervisor. FSEs are classified as follows:

Class 1: Deli engaged in the sale of cold-cut and microwaved sandwiches/subs with no frying or grilling on site, ice cream shops and beverage bars as defined by North American Industrial Classification System (NAICS) 722515 or mobile food vendors as defined by NAICS 722330. Bed and breakfast establishments as defined by NAICS 72119.

Class 2: Limited-service restaurants (a.k.a. fast food facilities) as defined by NAICS 722513 except fast food with a food line that is heavily fried and a history of FOG discharges that interfere with the sanitary sewer system, and catering as defined by NAICS 722320.

Class 3: Full service restaurants as defined by NAICS 722110.

Class 4: Buffet and cafeteria facilities as defined by NAICS 72212.

Class 5: Institutions (schools, hospitals, prisons, etc.) as defined by NAICS 722310 but not to exclude self-run operations.

(4) Grease, brown. Fats, oils, and grease that are discharged to the grease control equipment.

(5) Grease, yellow. Fats, oils, and grease that have not been in contact with or contaminated from other sources such as water, wastewater, solid waste and can be readily recycled.

(6) Grease Control Equipment (GCE). A device for separating and retaining wastewater FOG prior to the wastewater exiting the FSE property and entering into the sanitary sewer system. GCE includes grease traps and grease interceptors or other devices approved by the public works supervisor.

(7) Grease interceptor. An interceptor whose rated flow exceeds fifty gallons per minute (50 g.p.m.) and is located outside the building.

(8) Grease trap. An interceptor whose rated flow is fifty gallons per minute (50 g.p.m.) or less and is typically located inside the building.

(9) Grease recycle container. A container used for the storage of yellow grease for recycling.

(10) Interceptor. A device designed and installed to separate and retain for removal, by automatic or manual means, deleterious, hazardous or undesirable matter from normal wastes, while permitting normal sewage or waste to discharge into the drainage system by gravity flow.

(11) Interference. A discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the sanitary sewer collection operation, the treatment processes or operations, or the sludge processes, use or disposal, or exceeds the design capacity of the treatment works or collection system.

(12) Tee (influent and effluent). A T-shaped pipe attached to the horizontal influent and effluent pipes of a grease interceptor and extending

downward into the trap to depths specified by design which on the influent side forces influent flow into the center of the trap and prevents floating FOG from escaping the effluent pipe.

(13) Black water. Wastewater containing human waste from sanitary fixtures such as toilets and urinals.

(14) Gray water. Refers to all other wastewater other than black water.

(15) Public works supervisor. The town official or employee charged with the responsibility of implementing this chapter. (as added by Ord. #3-15, June 2015)

18-504. Discharge of FOG. "No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation and performance of the POTW (sanitary sewer system of town)". Prohibited discharges include, "Any waters or wastes containing fats, wax, grease, or oil, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at a temperature between thirty-two (32) or one hundred fifty degrees (150°) F or (0 to 65° C). (as added by Ord. #3-15, June 2015)

18-505. Interference with the sanitary sewer system operations. Any user who discharges animal and vegetable fat, oil, and grease in the volume or form which interferes with the operation of the sanitary sewer system may be subject to enforcement actions as specified in § 18-514 of this chapter and may be billed for cleanup charges incurred by the town when that user's discharge causes operation and maintenance problems in the sanitary sewer system such as blockages, backups, overflows, interruption of service, excessive FOG accumulation in lift stations and pipes, and other FOG related problems that are tracked to that user's discharge. (as added by Ord. #3-15, June 2015)

18-506. Control of FOG. (1) All existing and new FSEs shall effectively control the discharge of FOG into the sanitary sewer system. A Class 1 FSE may do this through the use of restaurant industry best management practices such as those published by the National Restaurant Association. See: <http://www.foodservicerresource.com>. If best management practices fail to prevent sanitary sewer system interferences, Class 1 FSEs shall install Grease Control Equipment (GCE) as specified in § 18-508, or by the public works supervisor.

(2) All new Class 2-5 FSEs shall install grease control equipment in sizes specified in § 18-507 or by the public works supervisor and properly maintain that equipment in such a way to prevent interference with the sanitary sewer system.

(c) Existing FSEs that do not meet these minimum sizes may continue to use existing GCE and/or best management practices if the discharge from the FSE is not interfering with the sanitary sewer system and the public works

supervisor gives written permission stating that the current GCE and practices are preventing interference with the sanitary sewer system. Upon written notice from the public works supervisor that the existing GCE or BMPs are inadequate to protect the sanitary sewer system from interference, the FSE shall have sixty (60) days to install additional GCE to prevent FOG interference with the sanitary sewer system.

(4) All FSEs with GCE shall maintain records of cleaning and maintenance of that equipment. Records include at a minimum the date of cleaning or maintenance, company or person conducting the cleaning or maintenance, and the amount of grease and water removed from the equipment. A grease waste hauler completed manifest will meet this requirement.

(5) Yellow grease such as fryer oil, shall not be discharged into the GCE or into stormwater conveyances. The use of yellow grease recycling containers is encouraged.

(6) Owners of commercial property will be held responsible for wastewater discharges from FSE leaseholders on their property.

(7) All FSEs shall provide access to town utility personnel (after proper identification) for the purpose of inspection of GCE, kitchen equipment and practices, and any cleaning and drain remediation products which relate to the wastewater and FOG discharge. (as added by Ord. #3-15, June 2015)

18-507. Grease Control Equipment (GCE). (1) Minimum acceptable size of GCE is as follows. Larger sizes may be required by the public works supervisor.

- (a) Class 1: 20 gpm/40 lbs grease trap.
- (b) Class 2: 500 gallon grease interceptor.
- (c) Class 3 1,000 gallon grease interceptor.
- (d) Class 4: 1,500 gallon grease interceptor.
- (e) Class 5 2,000 gallon grease interceptor.

(2) Any FSE either new or existing that is found by the public works supervisor to be interfering with the sanitary sewer system may be asked to install GCE that is larger than the minimum size and take other steps to stop that interference.

(3) Existing FSEs that do not meet these minimum sizes may continue to use existing GCE and/or best management practices if the discharge from the FSE is not interfering with the sanitary sewer system and the public works supervisor gives written permission stating that the current GCE and practices are preventing interference with the sanitary sewer system. Upon written notice from the public works supervisor that the existing GCE or BMPs are inadequate to protect the sanitary sewer system from interference, the FSE shall have sixty (60) days to install additional GCE to prevent FOG interference with the sanitary sewer system.

(4) Additionally FSEs that discharge the water from dishwashing machines through a grease interceptor shall install a GCE which is larger than

the minimum to allow for cooling of the discharge and thereby prevent discharge of FOG into the sanitary sewer system.

(5) Grease traps. These small, under-the-counter units shall be installed according to drawings provided by the public works supervisor and shall include vented flow restrictor prior to the trap. Dishwashing machines shall not be installed onto these units. Failure to follow this requirement will render the trap ineffective and the FSE shall be instructed to install a large external grease interceptor. (as added by Ord. #3-5, June 2015)

18-508. Installation of GCE. (1) Owners/users are responsible for installation of the GCE.

(2) Grease traps shall be installed according to the requirements in § 18-507.

(3) Grease interceptors shall be substantially similar to sample drawings available from the public works supervisor.

(4) Tanks must be water tight and protected from rainwater inflow and infiltration.

(5) Two (2) access manholes with a minimum of twenty-four inch (24") diameter shall be provided, one (1) directly over the influent pipe and Tee and one (1) directly over the effluent pipe and Tee.

(6) Influent and effluent pipes shall be four inches (4") or larger PVC Schedule 40 or stronger.

(7) Influent and effluent pipes shall be equipped with Tee fittings properly positioned as follows. Influent flow shall be directed downward and the tee shall terminate twenty-four inches (24") below the water surface. Effluent tee shall block all surface grease and terminate twelve inches (12") above the bottom of the unit.

(8) The tank shall be constructed to have two (2) compartments. Two thirds (2/3) of the volume shall be in the influent side and one third (1/3) on the effluent side. A solid baffle wall shall extend from the bottom to within six inches (6") of the top and shall be equipped with a six inch (6") elbow installed in the baffle wall with drawing flow from the influent side of the unit at a depth of twelve inches (12") from the bottom.

(9) Manhole covers shall be of materials and strength to withstand expected surface loads, and secured to prevent accidental entry.

(10) Interceptors shall be located for effective cleaning and not blocked by structures or landscaping.

(11) Interceptor sizes greater than two thousand five hundred (2,500) gallons shall be served by two tanks installed in series. (as added by Ord. #3-15, June 2015)

18-509. Maintenance of GCE. (1) Owners/users are responsible for maintenance of the GCE.

(2) Grease traps should be cleaned once every two (2) weeks, or sometimes more often, if the combined depth of FOG and solids exceed fifty percent (50%) of the trap.

(3) Grease interceptors shall be pumped when the layer of FOG and settled solids combined reaches twenty-five percent (25%) of the tank depth.

(4) When grease interceptors are pumped, the entire contents, FOG layer, settled solids and water shall be fully removed. No water may be returned to the tank.

(5) Interceptors shall be inspected for deterioration and damage by the waste grease hauler each time the unit is cleaned.

(6) Deteriorated or damaged tanks shall be repaired or replaced within sixty (60) days of notice of such conditions. (as added by 3-15, June 2015)

18-510. Additives. (1) Additives include but are not limited to products that contain solvents, emulsifiers, surfactants, caustics, acids, enzymes and bacteria. They may be inorganic or organic in origin.

(2) The use of additives is prohibited with the following exceptions:

(a) Additives may be used to clean FSE drain lines but only in such quantities that will not cause FOG to be discharged from the GCE to the sanitary sewer or cause temporary breakdown of the FOG that will later re-congeal in the downstream sewer pipes.

(b) If a product used can be proven to contain one hundred percent (100%) live bacteria, with no other additives, a request for permission to use the product shall be made to the public works supervisor. The request must be submitted in writing with a full disclosure material safety data sheet and a certified statement from the manufacturer. (as added by Ord. #3-15, June 2015)

18-511. Implementation. This chapter empowers the public works supervisor to adopt reasonable operating policies to facilitate the implementation of this chapter. These policies may include but are not limited to: FSE inspections, GCE sizing and maintenance, FSE wastewater discharge testing and monitoring, approval or disapproval of GCE servicing vendors (grease waste haulers), permitting of FSEs, and other operating policies needed to protect the sanitary sewer system from interference from FOG. (as added by Ord. #3-15, June 2015)

18-512. Fees. This chapter empowers the town to establish fees (through a separate fee ordinance) to offset costs associated with the implementation of this chapter. Possible fees include: inspection fees, permitting fees, surcharge fees for high strength discharges, cleanup fees associated with FOG cleanup within the sanitary sewer system, and other fees necessary for implementation of this chapter. (as added by Ord. #3-15, June 2015)

18-513. Permitting. The town may use wastewater discharge permits in § 18-207 as a way of implementing this chapter, and may further require the permitting or certification of GCE service and pumping vendors. (as added by Ord. #3-15, June 2015)

18-514. Enforcement. Repeated or continuous violation of this chapter is declared to be a public nuisance and may result in legal action against the property owner and/or user, and the water or sewer service may be disconnected. The public works supervisor may take administrative actions for the enforcement of this chapter. Upon notice by the public works supervisor that a violation has or is occurring, the user shall immediately take steps to stop or correct the violation. The town may take any or all of the following remedies but must complete (1) and (2) before progressing to higher levels of enforcement:

- (1) Issue a notice of violation,
- (2) Issue a non compliance notification,
- (3) Discontinuance or disconnection of water and/or sewer service,
- (4) Issue a wastewater discharge permit,
- (5) Cite the user to town or general sessions court, where each day of violation shall constitute a separate offense.

- (6) In an emergency situation where the public works supervisor has determined that immediate action is needed to protect the public health, safety or welfare, a public water supply or the facilities of the sewerage system, the public works supervisor may discontinue water service or disconnect sewer service.

- (7) File a lawsuit in chancery court or any other court of competent jurisdiction seeking damages against the user and further seeking an injunction prohibiting further violations by user.

- (8) Seek further remedies as needed to protect public health, public safety, public welfare, public water supply or facilities of the sewerage system. (as added by Ord. #3-15, June 2015)

18-515. Severability. If any section, phrase, sentence or portion of this chapter is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision; and such holding shall not affect the validity of remaining portions thereof. (as added by Ord. #3-15, June 2015)

CHAPTER 6**DROUGHT MANAGEMENT PLAN****SECTION**

- 18-601. Authority and status to plan.
- 18-602. System characteristics and risks.
- 18-603. Purpose of the drought management plan.
- 18-604. Drought management plan within the context of an EOP.
- 18-605. The planning committee.
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- 18-607. General water uses in order of priority.
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- 18-613. Voluntary water reductions.
- 18-614. Mandatory water restrictions.
- 18-615. Emergency water management.
- 18-616. Monitor supply and demand.
- 18-617. Management team.
- 18-618. Review, evaluation and up-dating the management plan.

18-601. Authority and status to plan. Town of White Pine, Tennessee is a municipal corporation chartered and organized under the laws of the State of Tennessee. The Town of White Pine owns and operates a water treatment plant and distribution system serving the citizens of White Pine and the surrounding area. The mayor of White Pine has the authority to implement a drought management plan the chief water treatment plant operator has been given the responsibility to complete the plan. (as added by Ord. #07-16, June 2016)

18-602. System Characteristics and Risks. The White Pine Water System has approximately one thousand four hundred twenty five (1,425) water connections. Using the household factor of two and one-half (2.5) persons per household for the White Pine Water District this is equivalent to approximately three thousand five hundred sixty (3,560) persons. The usage is categorized as follows:

Water Use Category	Use in Gallons (Avg)	Percent of Total Usage	Peak Water Use	Percent Of Total Usage	Increase in Gallons	Percent Increase (Peak over Avg)
Residential	4,316,850	63	4,905,300	56	588,450	31
Commercial	2,541,318	36	3,842,200	43	1,300,882	68
Industrial	47,636	1	83,600	1	35,964	1
Total	6,905,804	100	8,831,100	100	1,925,296	100

The White Pine Water Treatment Plant is a conventional groundwater plant with a design capacity of approximately one half (0.50) million gallons per day. Average usage for the system is approximately two hundred eighty four thousand (284,000) gallons per day. The maximum daily pumpage in recent years, which occurred in July, 2014, was four hundred ninety three thousand (493,000) gallons. The treatment plant uses the three (3) wells as its raw water source. The distribution system contains four (4) water storage tanks with a combined capacity of one million two hundred thousand (1,200,000) gallons. (as added by Ord. #07-16, June 2016)

18-603. Purpose of the drought management plan. Typically drought has not affected the water source in past years. The purpose of this plan is to reduce water demand in the event of a drought where existing water supplies are inadequate to meet current demand for potable water. The significance of taking into account water use on average and during peak water demand (though it may not reflect an extreme or exceptional drought) is that system officials can identify water uses that have the potential to be reduced more easily. The point here is to identify potential discretionary or non-essential water uses. It is evident from the data above that water use by residential users typically increases thirty one percent (31%) over average water use. The sixty eight percent (68%) increase in commercial use indicates that this area may be easily reduced.

Because water use data reflects a typical peak summer water use but not necessary a moderate, severe or extreme drought, additional water use could be expected by residential customers on the system to water cattle and other livestock, though they usually rely on ponds and small streams which are likely to be depleted in a severe drought.

During the droughts of 2007 and 2008, the water treatment plant was able to meet customer demand with no restrictions implemented. Static water levels in our wells remained at normal levels. Presently there are connections with neighboring water systems. An emergency connection with Witt Utilities. Their source comes from the Nolicucky River and they can supply the Town of

White Pine with one hundred percent (100%) of needed water. (as added by Ord. #07-16, June 2016)

18-604. Drought management plan within the context of an EOP.

Development of the town's drought management plan and EOP were assigned to the chief water plant operator. He organized a team of individuals, including employees and local officials to help organize and frame the plan. Your town's EOP addresses line breaks, storms, earthquakes, hazardous material spills and civil disturbances. The EOP is not available for public scrutiny. The drought management plan focuses attention on managing supplies and demand during a declared drought. (as added by Ord. #07-16, June 2016)

18-605. The planning committee. The Town of White Pine drought management plan is a separate component of the Emergency Operation Plan (EOP). It was developed by water department staff of the town, but included a focus group in its development and review. Unlike the EOP to which the drought plan is an "annex," the drought plan includes a standby rate structure, restricts some water uses and in some cases bans other water uses at times. The drought management plan was adopted by the mayor and town council. The final adoption process was the normal process used by city council to adopt ordinances allowing for public comment. The drought committee met on May 16, 2016. (as added by Ord. #07-16, June 2016)

18-606. Goals – objectives and priorities. The initial goal of the drought management plan was to provide water to all priority uses as established by the water system under worsening drought conditions (three (3) levels). The water users and levels of water availability take into account the maintenance of public health and safety, sustaining economic activity, preserving critical environmental resources and life activities. (as added by Ord. #07-16, June 2016)

18-607. General water uses in order of priority. (1) Medical facilities;

(2) Human consumption (drinking water, domestic cooking, bathing, toilet use);

(3) Fire protection (structural facilities, and hazardous situations);

(4) Pets (animal hospitals, kennels) and livestock;

(5) Environment (erosion, aquatic habitat);

(6) Commercial uses (restaurant, laundry, office, retail);

(7) Industry and manufacturing (sanitation, process, cooling);

(8) Recreation (pools, athletic fields);

(9) Landscape (shrubbery) watering (home and commercial); and

(10) Lawn watering, vehicle washing (home and commercial). (as added by Ord. #07-16, June 2016)

18-608. Interconnections, mutual aid agreements and backup sources. As a result of customers with livestock on the system with potentially inadequate streams, the plan calls for the use of fire department tankers to haul water from area streams (having available water) to assist farmers with livestock. A portion of the additional funds needed to support this activity would come from revenues generated by standby rates with the remaining funds from fees for services from farmers. (as added by Ord. #07-16, June 2016)

18-609. Ordinances, policies and legal requirements. The city's drought management plan, rules, ordinances, and policies are available for review. Copies can be examined at the White Pine Public Library. (as added by Ord. #07-16, June 2016)

18-610. Well static water levels. During periods of drought or impending drought, operators at the Town of White Pine Water Treatment Plant will monitor the static water levels of system wells. US Drought Monitor (<https://www.drought.gov/gdm/current-conditions>) will be monitored to determine severity of drought. In the event that the static water levels begin to approach preset trigger points, the Tennessee Division of Water Resources will be contacted to discuss possible actions. (as added by Ord. #07-16, June 2016)

18-611. Phased management. The drought response plan is broken into four phases:

- (1) Drought alert;
- (2) Voluntary water reductions;
- (3) Mandatory water restrictions; and
- (4) Emergency water management.

The drought management phases and sets of trigger points along with their associated goals are described below. Failure to achieve a management phases goal within a reasonable time shall call for the next phase to be implemented.

18-612. Drought alert. In the drought alert phase, no reduction in water use demand is planned. The Town of White Pine Water System will focus on monitoring conditions, prepare for the possible implementation of "voluntary reductions," and call its drought task force group together to review the plan and next-step actions. (as added by Ord. #07-16, June 2016)

18-613. Voluntary water reductions. Under "voluntary reductions" The Town of White Pine has established a water use reduction goal of ten percent (10%) . This figure corresponds to approximately thirty thousand (30,000) gallons per day water use judging by peak usage. Among the trigger points for implementing this phase would be a drop in static water levels of twenty percent (20%) or an increase in the usage to six hundred thousand (600,000) gpd for five (5) consecutive days. The public appeal would consist of

news releases to the media (weekly newspaper, local radio and regional television stations). Customers will be encouraged to use efficient water practices, e.g., watering lawns between sunset and sunrise, along with the more careful watering of shrubs and other landscape plantings. (as added by Ord. #07-16, June 2016)

18-614. Mandatory water restrictions. The goal of activating a "mandatory water restrictions" phase would be to reduce water demand by customers by fifteen percent (15%) (from estimated peak demand). This would amount to a reduction of approximately one hundred twenty thousand (120,000) gpd. Vehicle washing will be restricted. Restrictions to car/vehicle washing will apply to commercial car washes that do not re-cycle water and to the domestic washing of cars, etc. Lawn and landscape watering will be restricted. To assist in reducing usage, the water system will reduce the amount of flushing where possible. Among the trigger points for implementing this phase would be a drop in static water levels of forty percent (40%) or an increase in the usage to six hundred fifty thousand (650,000) gpd for five (5) consecutive days. Restrictions will be provided to the public through the media and posted in public buildings such as libraries, city hall, court house, banks and grocery stores. A fifteen dollar (\$15.00) surcharge will be assessed to all customers using over three thousand (3,000) gallons per month. System personnel will be utilized to monitor compliance with restrictions. Customers will also be requested to report violators of the restrictions.

The following will be used to enforce restrictions:

- (1) First offense - A written warning will be issued.
- (2) Second offense - A fifty dollar (\$50.00) fine.
- (3) Third offense - Customer's water service will be discontinued for a minimum of five (5) days.

A reconnection fee will be required to have service restored. (as added by Ord. #07-16, June 2016)

18-615. Emergency water management. The "emergency water management" phase of the drought plan would be triggered by severe water pressure or other hydraulic issues, the static water level drops fifty percent (50%) or more or the daily usage reaches seven hundred thousand (700,000) gpd for five (5) consecutive days. The purpose of this phase would be to reduce water use to twenty-five percent (25%) of the peak demand. This would be a reduction of approximately two hundred thousand (200,000) gpd. The media will be used to strongly encourage all customers to curtail any nonessential usage. A twenty-five dollar (\$25.00) surcharge will be assessed to all customers using over three thousand (3,000) gallons per month. System personnel will be utilized to monitor compliance with restrictions. Customers will also be requested to report violators of the restrictions.

The following will be used to enforce restrictions:

- (1) First offense - A written warning will be issued.
- (2) Second offense - A fifty dollar (\$50.00) fine.
- (3) Third offense - Customer's water service will be discontinued for a minimum of fifteen (15) days.

A reconnection fee will be required to have service restored. (as added by Ord. #07-16, June 2016)

18-616. Monitor supply and demand. The Town of White Pine established three (3) drought management phases in addition to a "drought alert" phase. All four (4) phases are described below. In addition, numerous trigger points were identified signaling the beginning of a phase. (as added by Ord. #07-16, June 2016)

18-617. Management team. The Town of White Pine designated the chief water treatment plant operator to be the drought plan implementation manager. He is ultimately in charge of managing the water system. In addition, the mayor of the town, the chief of the fire department and distribution supervisor make up the drought management group responsible for overseeing the implementation of the plan. They advise and assist the chief operator in gathering information, assessing the situation and recommend/advise/approve the chief operator's actions. The task group is activated and will meet as necessary once a "drought alert" has been initiated. A "drought alert" corresponds to the US Drought Monitor's categorization of the water system's service area as being characterized as under "severe" drought conditions. The task group monitors water system conditions, including water demand, water supply, forecasted conditions, hydraulic conditions, water quality issues, impacted communities, public notification, plan modifications, staffing, trigger points and other issues related to the implementation of the plan. The task group and chief operator must also maintain records of their actions, system conditions at the time of management actions taken, and their effects. Finally, the drought management group and plan implementation manager must also determine and announce the step-down and/or deactivation of the plan. (as added by Ord. #07-16, June 2016)

18-618. Review, evaluation and up-dating the manage. The drought management plan was adopted on June 28, 2018 by the town council. The drought manager will review the plan within six (6) months after any phase of the plan has been implemented and/or every five (5) years. Refinements to the drought management plan will be made as necessary. The drought manager is responsible for making the review and presenting that review before the council. (as added by Ord. #07-16, June 2016)