

**CITY OF FRANKLIN, KENTUCKY
ORDINANCE NO. 610.1-4-2010**

**AMENDMENT TO SEWER USE ORDINANCE
AND USER CHARGE SYSTEM**

An ordinance of the City of Franklin, Kentucky amending a previous ordinance relating to the use of the municipally-owned sewer system of said city, and (1) adding certain new provisions relating to oil, grease and hydrocarbons limits discharged by industrial customers and/or users, (2) changing silver limits to coincide with federal standards, (3) changing three definitions, and (4) adding new provisions regarding right of entry.

WHEREAS, the City of Franklin, Kentucky previously passed Ordinance No. 610.1 relating to the municipally-owned and operated waste water treatment facility; and,

WHEREAS, it has become necessary to amend said ordinance to set limits on the amount of oil, grease and hydrocarbons being discharged into the system by industrial customers and/or users, to change the Silver limits, to change three definitions, and to add new provisions regarding right of entry by the Superintendent or his representatives;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FRANKLIN, KENTUCKY, ACTING BY AND THROUGH ITS COMMISSION, as follows:

1. Section V(2), Table 1, Incompatible Pollutants, is amended as follows:

TABLE 1

PROTECTION CRITERIA PARAMETERS
AND LOCAL EFFLUENT LIMITS FOR USERS

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<u>Constituent</u>	<u>Daily Maximum Concentration (mg/L)</u>
<i>Incompatible Pollutants:</i>	
Antimony	5.0
Arsenic	0.6
Boron	1.0
Cadmium	0.36
Chromium (Total)	3.0
Copper	0.53
Cyanide, Amenable	1.0
Lead	0.2
Mercury	0.0005
Nickel	2.7
<u>Oil & Grease, Hydrocarbons</u>	<u>25.0</u>
Pesticides	0.001
Phosphorus (Total)	10.0
Selenium	0.045
Silver	0.26 0.24
TPH	Report

TTO (Total Toxic Organics) 2.13
Zinc 2.46

2. Section I (10) under Definitions is amended as follows:

(10) "Control Authority (Legal Authority)" shall refer to the Superintendent as defined in this section or if the City's pretreatment program is not approved to the Approval Authority as defined in this section.

3. Section I (19) under Definitions is amended as follows:

(19) "~~Major Industrial User~~" "Significant Industrial User" shall mean any user which meets or exceeds any of the following criteria:

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Further, throughout the text of the ordinance, the phrase "Major Industrial User" shall be changed to "Significant Industrial User."

4. Section I (41) under Definitions is amended as follows:

(41) "~~Significant Violation~~" "Significant Non-compliance (SNC)" shall mean:

a. Violations of wastewater discharge limits.

(i) Chronic Violations. Sixty-six percent (66%) or more of the measurements exceed the same daily maximum limit or the same average limit in a six (6) month period (any magnitude of exceedance).

(ii) Technical Review Criteria (TRC) Violations. Thirty-three percent (33%) or more of the measurements exceed the same daily maximum limit or the same average limit by more than the TRC in a six (6) month period:

Group I – Conventional
Pollutants (BOD, TSS,
and Fats, Oil and Grease)

TRC = 1.4 or 40% Over the Limit
for Compatible Pollutants

TRC = 1.2 or 20% Over the Limit
for Incompatible Pollutants

.....

Further, throughout the text of the ordinance, the phrase "Significant Violation" shall be changed to "Significant Non-compliance."

5. Section VI (2) under User Compliance with Waste Discharge Standards is amended as follows:

(2) Right of Entry.

Whenever it shall be necessary for the purposes of these rules and regulations, the Superintendent, or his authorized representative, upon the presentation of credentials,

may enter upon any property or premises at reasonable times for the purpose of (1) copying any records required to be kept under provisions of this Ordinance and in accordance with 40 CFR 403.12(o), (2) inspecting any monitoring equipment or method, and (3) sampling any discharge of wastewater to the treatment works, and (4) in addition, representatives of the POTW shall be authorized to inspect any and all areas of the Industrial User's premises and determine independently of information supplied by Industrial User their compliance or noncompliance with applicable pretreatment standards and requirements in accordance with 40 CFR, Part 403.8(f)(B)(6)(v). The Superintendent, or his authorized representative, may enter upon the property at any hour under emergency circumstances. EPA and/or State Department for Environmental Protection representatives may also enter upon properties or premises in accordance with applicable State and Federal laws.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holdings shall not affect the validity of the remaining portions of the ordinance.

All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed.

APRIL 12, 2010 FIRST READING

APRIL 26, 2010 SECOND READING

At a meeting of the City Commission of the City of Franklin, Kentucky held on April 26, 2010, on motion made by Commissioner Wendell Stewart and seconded by Commissioner Mike Simpson, the foregoing ordinance was adopted after full discussion by the following vote:

YES Mike Simpson

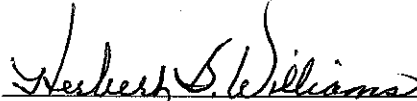
YES Jamie Powell

YES Wendell Stewart

YES Henry Stone

YES Herbert S. Williams, Mayor

APPROVED BY:


Herbert S. Williams, Mayor

ATTEST:


Kathy Stradtner, City Clerk