

**CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE 2006-19**

AN ORDINANCE AMENDING ORDINANCE 2002-05, "A JOINT ORDINANCE OF THE CITY OF AUBURN, KENTUCKY AND THE CITY OF RUSSELLVILLE, KENTUCKY TO BE ADMINISTERED AND ENFORCED BY CONSOLIDATED INFRASTRUCTURE MANAGEMENT AUTHORITY, INC., CONCERNING USE OF THE MUNICIPAL SANITARY SEWAGE COLLECTION AND TREATMENT SYSTEM, SETTING FORTH POLICY, DEFINITIONS, FEES, SURCHARGES, RULES AND REGULATIONS REGARDING THE USE OF SAID SYSTEM, CONTROLLING PRIVATE WASTEWATER DISPOSAL, GOVERNING THE BUILDING OF SEWERS AND CONNECTIONS, POLLUTANT DISCHARGE LIMITS, PRETREATMENT PROGRAM ADMINISTRATION, ESTABLISHING THE RIGHT OF CIMA TO CHARGE FEES FOR ADMINISTERING CIMA'S REASONABLY NECESSARY FUNCTIONS RELATED TO SEWER USE, AND DELINEATING POWERS AND AUTHORITY OF INSPECTORS AND SETTING FORTH THE METHODS AND PROCEDURES OF ENFORCEMENT OF THE ORDINANCE; PROVIDING FOR PENALTIES FOR VIOLATION, A SEVERABILITY CLAUSE, REPEALER CLAUSE AND AN EFFECTIVE DATE" BY DELETING REFERENCE TO CIMA AND THE CITY OF AUBURN, FROM THE HEADING OF THE ORDINANCE; BY AMENDING THE RATES FOR SURCHARGES; BY AMENDING THE MAXIMUM ALLOWABLE CONCENTRATION WITHOUT SURCHARGE FOR CBOD₅; AND BY AMENDING THE PLANT PROTECTION CRITERIA BY ADDING PARAMETERS AND MAXIMUM DAILY LIMITS; AND BY CHANGING MAXIMUM DAILY LIMITS FOR CURRENT PARAMETERS; PROVIDING A REPEALER CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

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BE IT ORDAINED BY THE CITY OF RUSSELLVILLE, KENTUCKY, THAT:

WHEREAS, the City of Russellville has previously enacted Ordinance No. 2002-05 providing for Sewer Use Regulations; and

WHEREAS, the Ordinance was originally a joint Ordinance with the City of Auburn when CIMA was in existence; and

WHEREAS, the heading of the Ordinance should be changed to delete reference to the City of Auburn and CIMA; and

WHEREAS, a study has been completed by Hall and Associates of the Publicly-Owned Treatment Works; and

WHEREAS, it is now necessary and proper to change surcharge rates, to add parameters and maximum daily limits, and to change existing daily limits for certain parameters, all in the further interest of the health, safety and welfare of the citizens of the City of Russellville, Kentucky;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL IN AND FOR THE CITY OF RUSSELLVILLE, KENTUCKY, AS FOLLOWS:

I. The heading of Ordinance 2002-05 is hereby amended as follows:

~~"AN JOINT ORDINANCE OF THE CITY OF AUBURN, KENTUCKY AND THE CITY OF RUSSELLVILLE, KENTUCKY TO BE ADMINISTERED AND ENFORCED BY CONSOLIDATED INFRASTRUCTURE MANAGEMENT AUTHORITY, INC., CONCERNING USE OF THE MUNICIPAL SANITARY SEWAGE COLLECTION AND TREATMENT SYSTEM, SETTING FORTH POLICY, DEFINITIONS, FEES, SURCHARGES, RULES AND REGULATIONS REGARDING THE USE OF SAID SYSTEM, CONTROLLING PRIVATE WASTEWATER DISPOSAL, GOVERNING THE BUILDING OF SEWERS AND CONNECTIONS, POLLUTANT DISCHARGE LIMITS, PRETREATMENT PROGRAM ADMINISTRATION, ESTABLISHING THE RIGHT OF CIMA~~ THE CITY OF RUSSELLVILLE ~~TO CHARGE FEES FOR ADMINISTERING CIMA'S~~ THE CITY OF RUSSELLVILLE'S ~~REASONABLY NECESSARY FUNCTIONS RELATED TO SEWER USE, AND DELINEATING POWERS AND AUTHORITY OF INSPECTORS AND SETTING FORTH THE METHODS AND PROCEDURES OF ENFORCEMENT OF THE ORDINANCE; PROVIDING FOR PENALTIES FOR VIOLATION, A SEVERABILITY CLAUSE, REPEALER CLAUSE AND AN EFFECTIVE DATE"~~

II. Section IV(C) is hereby amended as follows:

C. Surcharges – It is determined from information available to the City of Russellville personnel that the discharge of other loading parameters or wastewater substances are creating excessive increased operation and maintenance costs within the wastewater system, whether collection or treatment, and the monetary effect of such parameter or parameters should be borne by the discharger of such parameters in proportion to the amount of discharge. The surcharge is a mechanism to recover these increased system costs incurred when treating high strength wastes discharged by some industrial and commercial users to the wastewater system. The surcharge also serves as an inducement to industrial and commercial users to provide internal pretreatment of waste streams when discharges exceed defined levels. The following formula is adopted to determine the proportionate monetary effect of such discharge:

Cost/lb. BOD₅ = (Fractional WWTP BOD₅ load) x (Total annual O & M cost of wastewater system) ÷ (Annual total LBS BOD₅ plus TSS to WWTP)

Fractional WWTP BOD₅ load = (Total average lbs. BOD₅ to WWTP)
÷ (Total average lbs/day BOD₅ plus TSS to WWTP)

Costs/lbs. TSS = (Fractional WWTP TSS load) x (Total annual O & M cost of wastewater system) ÷ (Annual total lbs BOD₅ plus TSS to WWTP)

Fractional WWTP TSS load = (1 – Fractional WWTP BOD₅ load)

Cost/lb. COD = (Cost/lb. BOD₅) x (.48)

WHERE:

1. Surcharge Rate for BOD₅, ~~\$1.04~~ 1.22/pound
2. Surcharge Rate for COD, \$1.04/pound with .48 correlation
3. Surcharge Rate for TSS, ~~\$.17~~ .56/pound
4. Surcharge Rate for Ammonia NH_{3-N} - ~~\$4.37~~ 5.11/lb.
5. Oil and Grease - ~~\$.70~~ .82/lb.
6. Industrial User's BOD₅ Concentration, in mg/l
7. Industrial User's COD Concentration, in mg/l
8. Industrial User's TSS Concentration, in mg/l
9. Industrial User's Daily Flow to Sewage Works, in 1000 gal/day

A surcharge based upon this formula is hereby imposed and shall be charged to each industry affected. These bills will be sent out and paid on a monthly basis.

III. Section VI(B)(13) is hereby amended as follows:

13. Any water or wastes which have characteristics based on a 24 hour composite sample, grab or a shorter period composite sample, if more representative, that exceed the following normal maximum domestic wastewater parameter concentrations:

<u>Parameter</u>	<u>Maximum Allowable Concentration Without Surcharges</u>
CBOD CBOD <u>CBOD₅</u>	250 200 mg/l
COD COD	350 mg/l
TSS	250 mg/l
NH ₃ -N	40 mg/l
Oil & Grease (total)	100 mg/l

Any person discharging wastewater exceeding the maximum allowable concentration as noted above, will be subject to a surcharge fee for each pound loading over and above the set limit. Any other amenable constituents requiring the addition of specific chemicals for proper treatment will also be subject to surcharge as noted on the Wastewater Discharge Permit. Exceedance of the effluent limits specified above shall not be deemed to constitute a violation of a permit condition or this ordinance if the appropriated surcharge fee is paid and the discharge does not cause interference or pass through of the POTW.

IV. Section VI(B)(14) is hereby amended as follows:

14. The following limitations are established for characteristics of any wastewaters to be discharged into the City of Russellville’s sewer system. All significant industrial users must comply with these limitations where they are more stringent than applicable State and/or Federal Regulations.

RUSSELLVILLE PLANT PROTECTION CRITERIA

<u>Parameter</u>	<u>Maximum Daily Limits (mg/l)</u>
Arsenic, total	0.900 <u>0.39</u>
<u>BOD, Carbonaceous</u>	<u>1040</u>
Cadmium, total	0.040
<u>Chloride</u>	<u>Report</u>
Chromium, <u>Hexavalent</u>	<u>0.85</u>
Chromium, total	0.855

COD	350 <u>Report</u>
Copper, total	0.675
Cyanide, total <u>Amenable</u>	0.12 <u>0.20</u>
Lead, total	0.150
Mercury, total	0.0005
<u>Molybdenum, total</u>	<u>0.48</u>
NH3-N	40
Nickel, total	0.240
Oil & Grease, total	100
PCB's, total	0.0002
Phenols, total	0.900
<u>Phosphorous, total</u>	<u>24</u>
<u>Selenium, total</u>	<u>0.62</u>
Silver, total	0.410
<u>Total Suspended Solids</u>	<u>1300</u>
Toxic Organics, total	2.130
Zinc, total	0.825

V. All ordinances or parts of ordinances in conflict herewith now in effect are hereby repealed.

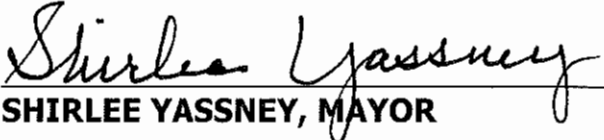
VI. If any clause, provision or section of this ordinance shall be ruled void or unenforceable by any court of competent jurisdiction, the remainder hereof is intended to be enacted and shall be in force and effect notwithstanding.

VII. This ordinance shall be effective upon its passage and publication as required by law.

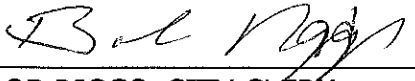
FIRST READING conducted the 21st day of November, 2006.

SECOND READING the 5th day of December, 2006.

PASSAGE the 19th day of December, 2006.


SHIRLEE YASSNEY, MAYOR

ATTEST:



BOB RIGGS, CITY CLERK

Ayes: Jones, Russell; McPherson, Lanny; Phillips, Chuck; Stratton, Mark; Whipple, Jack; Zick, Eugene.

Nays: none

Absent: none

Abstaining: none