

ORDINANCE NO. 09-04

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, GIVING PUBLIC NOTICE AND APPROVING THE CITY OF SOMERSET'S PRETREATMENT PROGRAM MODIFICATIONS IN REGARDS TO LOCAL LIMITS,

WHEREAS, THE KENTUCKY DIVISION OF WATER CONSIDERS THE CITY'S MODIFICATIONS TO THE PRETREATMENT PROGRAM TO BE COMPLETE AND READY FOR PUBLIC NOTICE AND APPROVAL BY THE CITY COUNCIL, AND;

WHEREAS, TITLE 40 OF THE CODE OF FEDERAL REGULATIONS (40 CFR 403) REQUIRES THAT PUBLIC NOTICE BE GIVEN BY THE CITY AS TO SAID MODIFICATIONS PURSUANT TO KRS 83A AND KRS 424, BY AND THROUGH ORDINANCE;

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

(I) That the attached modifications to the City's pretreatment program as set forth in Exhibit "A", attached hereto and incorporated in full herein by reference, is hereby approved and adopted by the City of Somerset by and through the Common Council.

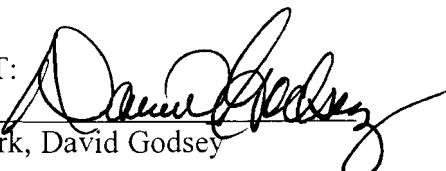
(II) That said modifications were approved by the Kentucky Division of Water upon a review by said agency of the modified limits submitted by Bell Engineering and the City of Somerset. Further, the Division of Water states in their approval letter of October 28, 2008, attached hereto as Exhibit "B" and incorporated in full herein by reference, that the modifications will provide adequate protection of water quality, wastewater treatment plant operations, and sludge quality for the City of Somerset as defined in 401 KAR 45:100.

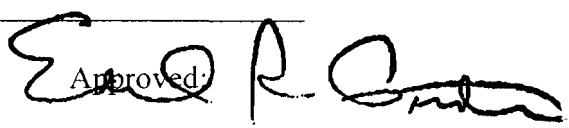
(III) If any part of this ordinance is deemed by a court of competent jurisdiction to be unenforceable or unconstitutional, the remaining provisions of this ordinance shall continue in full force and effect.

(IV) Any Ordinance in conflict with this Ordinance or any policies in conflict with the ones enacted herein are hereby repealed in so far as the same are in conflict herewith.

(V) This ordinance shall be in full force and effect upon passage, approval, and publication according to law and upon the expiration of the public notice period provided that the Division of Water, nor the City of Somerset, receive comments from the public.

FIRST READING March 9, 2009
SECOND READING March 23, 2009

ATTEST: 
City Clerk, David Godsey


Approved: _____
Mayor, Eddie Girdler

REC'D

RECOMMENDED SEWER USE ORDINANCE AMENDMENT

SOMERSET, KY

SOMERSET SEWER USE ORDINANCE NO. 09-04

Effluent Discharge Limitations
 Otis Chaney Wastewater Treatment Plant
 City of Somerset, Kentucky

<u>Parameter</u>	<u>Maximum Daily Concentration (mg/l)</u>
Arsenic	0.05
Barium	5.00
Beryllium	0.50
Boron	40.0
Cadmium	0.033
Chloride	4000
Chromium, Hexavalent	0.17
Chromium, Total	1.00
Copper	0.87
Cyanide, Amenable	0.05
Cyanide, Total	0.09
Total Dissolved Solids	1500
Fluoride	40
Iron	40 <u>119</u>
Lead	0.09
Magnesium	56.7
Manganese	4.5 <u>21</u>
Mercury	0.0005
<u>Molybdenum</u>	<u>0.21</u>
Nickel	0.38
Phenol	0.5
Phosphates	15.0
<u>Phosphorus, Total</u>	<u>31</u>
Selenium	0.4
Silver	0.05 <u>0.5</u>
Sulfate	500
Sulfide	5.0
Surfactants	5.12
Zinc	1.25

FILE COPY



Exhibit "B"

RECEIVED
11/4/08

STEVEN L. BESHEAR
GOVERNOR

ENERGY AND ENVIRONMENTAL CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
200 FAIR OAKS LANE
FRANKFORT, KENTUCKY 40601
www.kentucky.gov

ROBERT D. VANCE
SECRETARY

October 28, 2008

Charles Dick
Somerset Waste and Wastewater Dept
100 College Street
Somerset, KY 42501

Re: Local Limits Reevaluation
City of Somerset
KYPDES # KY0098043
AI # 3835
Pulaski County, Kentucky

Dear Mr. Dick:

The Division of Water (DOW) has reviewed the reevaluation of your pretreatment program's local limits for the city of Somerset received by this office May 16, 2008. The limits proposed by this evaluation and the DOW review will provide adequate protection of water quality, wastewater treatment plant operations, and sludge quality for city of Somerset's West Side WTP sludge as defined in 401 KAR 45:100. The following approved limitations are approved:

<u>Pollutant</u>	<u>Daily Maximum</u> (milligrams per liter)
Arsenic	0.05
Cadmium	0.033
Chromium, Total	1.00
Chromium, Hexavalent	0.17
Copper	0.87
Cyanide, Amenable	0.05
Iron	119.00
Lead	0.09
Manganese	21.00
Mercury	0.0005
Molybdenum	0.21
Nickel	0.38
Selenium	0.40
Silver	0.50
Zinc	1.25
Total Phosphorus	31.0

The city of Somerset is adding limits for Molybdenum and total Phosphorus, and raising the limits for Iron, Manganese, and Silver. Other limits remained the same.

The city has requested to remove limits for Boron, Total Cyanide, Sulfide, Phosphate, Magnesium, Barium, Beryllium, Chloride, Phenol, Sulfate, and surfactants. Since these pollutants are not discharged by any SIUs, are not considered pollutants of concern by EPA, and were not detected in the influent/effluent toxic scans above domestic levels, they can be removed from the regulated pollutant list. Flouride has been added to the drinking water by the Somerset Water Plant and is not discharged in concentrations above that already in the drinking water, it may also be removed from the regulated list.

The Division of Water considers the Somerset Pretreatment program modification complete and ready for public notice and approval procedures. The Kentucky Division of Water is required to public notice major modifications to the Somerset pretreatment program under Title 40 of the Code Federal Regulations (40 CFR 403). Your office is still responsible for public notice procedures for ordinance modifications under the Kentucky Revised Statutes (KRS 83A and KRS 424). Please submit proof of adoption into city ordinance by February 1, 2009.

The city of Somerset's pretreatment program modification will be approved following termination of the public notice period, provided that this division and your office do not receive comments from the public. The Kentucky Division of Water public notice will be arranged to be published in the largest daily newspaper. The public notice period ends on the date indicated in the notice.

If you have any questions regarding this matter, please contact me at (502) 564-3410, ext 4880.

Sincerely,



Jennifer Spradlin
Municipal Section
KPDES Branch
Division of Water

c: Bell Engineering
Division of Water File