

ORDINANCE NO. 24-15

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, GIVING PUBLIC NOTICE AND APPROVING THE CITY OF SOMERSET'S WASTEWATER PRETREATMENT PROGRAM MODIFICATIONS IN REGARDS TO LOCAL LIMITS AND AMENDING ORDINANCES 91-27, 09-04, 11-18, AND 19-02,

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 modification to the acceptable pollutant levels for the City's Pretreatment Program, 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 the City of Somerset. Further, the Division of Water states in their approval letter of May 9th, 2024, attached hereto as Exhibit "A" and incorporated in full herein by reference, that the modifications will provide adequate protection of water quality, wastewater treatment plant operation, 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

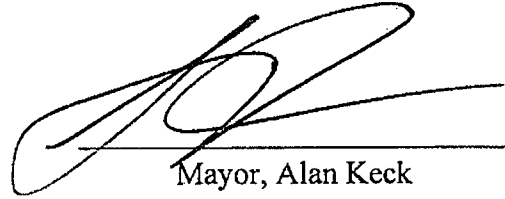
(IV) Any Ordinance in conflict with this Ordinance or any policies in conflict with the ones enacted herein are hereby repealed in so far as the same are in conflict herewith.

(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: June 10, 2024

SECOND READING July 8, 2024

Approved:



Mayor, Alan Keck

ATTEST:

City Clerk, Nick Bradley

EXHIBIT "A"**SOMERST SEWER US ORDINANCE NO. 19-02**

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

Pollutant	Daily Max (MG/L)	
Arsenic	0.050	0.22
Cadmium	0.033	0.012
Chromium, Total	1.00	
Chromium, Hexavalent	0.17	0.51
Copper	0.87	0.09
Cyanide, Amenable Free	0.05	0.11
Iron	119.00	3.49
Lead	0.09	0.11
Mercury	0.0005	
Molybdenum	0.21	0.18
Nickle	0.38	0.79
Selenium	0.40	0.09
Silver	0.50	0.14
Zinc	1.25	2.00



Andy Beshear
GOVERNOR

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

300 Sower Boulevard
Frankfort, Kentucky 40601
Phone: (502) 564-2150
Fax: 502-564-4245

Rebecca Goodman
SECRETARY

Anthony R. Hatton
COMMISSIONER

May 9, 2024

Ms. Dana Whitis
City of Somerset Utilities
P.O. Box 989
Somerset, KY 42502

Re: 2024 Local Limits Re-evaluation
Final Approval
City of Somerset Utilities
AI: 3835
KPDES Permit No. KY0026611

Dear Ms. Whitis:

The Division of Water received a local limits re-evaluation for Somerset’s Pretreatment Program dated December 22, 2022. A technical review of the re-evaluation was completed, and since some limits are less stringent than previous limits, their adoption is considered a major modification under the general pretreatment regulations of 40 CFR 403.18. Public notice of the program modification was published on May 7, 2024, in *The Commonwealth Journal*. No comments were received during the 30-day public comment period.

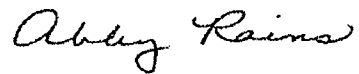
The following limits are approved and must be adopted following Somerset’s normal adoption procedure:

<u>Pollutant</u>	<u>Daily Maximum</u> (milligrams per liter)
Arsenic	0.21
Cadmium	0.012
Chromium, Total	3.13
Chromium, Hexavalent	0.29
Copper	0.15
Cyanide, Free	0.004
Iron	4.26
Lead	0.03
Mercury	0.0006
Nickel	0.48
Selenium	0.05

Silver	0.09
Zinc	2.26

If you have any questions regarding this matter, please contact me at (502) 782-1555 or by email at Abby.Rains@ky.gov.

Sincerely,



Abby Rains
State Pretreatment Coordinator
Kentucky Division of Water