

ORDINANCE No. 354

AN ORDINANCE AMENDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. GA0020486 BY LIMITING THE 30-DAY AVERAGE FLOW FROM FLINT RIVER FOODS TO WPCP#2 TO BE NO MORE THAN 0.750 MGD; PROVIDING FOR A SURCHARGE FOR OVERAGES; REPEALING ALL PRIOR ORDINANCES IN CONFLICT HERE WITH; AND FOR OTHER PURPOSES.

WHEREAS, the City of Montezuma (City) was issued a National Pollutant Discharge Elimination System Permit No. GA0020486 (Permit) by the Director of the Georgia Environmental Protection Division for Montezuma Water Pollution Control Plant (WPCP) No. 2; and

WHEREAS, the Permit authorizes the WPCP to discharge treated wastewater in accordance with effluent limitations, monitoring requirements and other conditions set forth in the Permit; and

WHEREAS, the Permit limits the 30-day average flow from WPCP #2 to be no more than 1.95 million gallons per day(MGD); and

WHEREAS, Flint River Foods, LLC (FRF) was issued a Pre-Treatment Permit No. GAU050235 (Pre-Permit) by the Director of the Georgia Environmental Protection Division for discharges to the WPCP; and

WHEREAS, the Pre-Permit authorizes FRF to discharge treated wastewater to WPCP in accordance with effluent limitations, monitoring requirements and other conditions set forth in the Permit; and

WHEREAS, the Pre-Permit limits the 30-day average flow from FRF to be no more than 1.75 million gallons per day; and

WHEREAS, flow data from FRF for the period October 2003 - April 2006 reveals the 30-day average flow averaged 0.450 MGD and never exceeded 0.650 MGD after April 2004; and

WHEREAS, the City requires excess available capacity at the WPCP for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Montezuma as follows:

Section 1. In compliance with the National Pollutant Discharge Elimination

System Permit No. GA0020486, the City of Montezuma hereby limits the 30-day average flow from FRF to the WPCP to be no more than 0.750 MGD.

Section 2. Should Flint River Food's 30-day average flow exceed the aforementioned limit, FRF shall be charged a surcharge equal to twice the industrial sewage usage fee paid by other industrial users of the WPCP for each 1,000 gallons or part thereof over the limit of 0.750 MGD.

SO ORDAINED, this 13th day of June, 2006.

CITY OF MONTEZUMA

By: _____
Mayor, Willie J. Larry

Attest: _____
Clerk, Joyce Hardy