



Wastewater Hearing Authority Minutes
Meeting: December 6, 2018

Attendees: Dr. Edward Thackston, Chairperson, Dr. Robert Wingfield (WWHA), Mr. Jay Tant (WWHA), Tara Ladd, Metro Legal Attorney, Jim Snyder (MWS), Marty Mast (MWS), Ted Taylor (MWS), Victoria McClellan (MWS), Andy Welch (MWS), John Honeysucker (MWS), James A. Pogue (MWS), Manny Ojo (MWS), Victoria Killen (Tradebe), Rashad Taylor (Tradebe), Eric Congdon (Tradebe), Travis Garman (Tradebe), Teresa Lyons-Oten (MWS), Susan D. Murillo (Court Reporter)

- I. **Meeting called to order at 1:36 p.m.** - Dr. Edward Thackston, Chairperson, MWS Wastewater Hearing Authority
- II. **Review and Approval of MWS Wastewater Authority Minutes – June 14, 2018 –** Motion was made and minutes were unanimously approved. **Presenter: Dr. Edward Thackston, MWS WWHA Chairperson**
- III. **Appeal of Order and Assessment 2018-01 by Tradebe Treatment & Recycling of Nashville, LLC.**

Issue: Order and Assessment issued for violations that occurred in January and February 2018.

- Tradebe Treatment and Recycling of Nashville, LLC discharges wastewater into the sanitary sewer system of the Metropolitan Government of Nashville and Davidson County.
- The discharge of Tradebe Treatment and Recycling of Nashville, LLC is received at the Dry Creek Wastewater Treatment Plant, Nashville, TN, *and National Pollutant Discharge Elimination System (NPDES) Permit # TN0020648.*
- Tradebe was issued *Industrial User Permit #DC-0368* on December 6, 2017, which contains prohibitions, restrictions and other limitations on the quality of the wastewater discharged to the sanitary sewer system.
- On January 22, 2018, an automatic sampler was set up at the point of connection for Tradebe Treatment. The sampler was programmed to collect one hundred (100) milliliters of sample every ten (10) minutes. Upon analysis, the composite



samples revealed exceedance of the permit limits set forth in the Tradebe Treatment, *I.U. Permit DC-0368*.

- A Notice of Violation (NOV) was issued by certified mail to Tradebe on February 15, 2018.
- Based on the results listed in the Notices of Violations dated February 15 and March 12, 2018, the Department issued a cease discharge order, by email, on February 15, 2018.
- In a letter dated February 16, 2018, Tradebe submitted a report to the Department containing a plan to deal with the exceedances listed in the February listed in the February 15, 2018, NOV and to comply with the cease discharge order, February 15, 2018.
- In a letter dated February 21, 2018, the Department received written notification outlining the completed steps taken by Tradebe to remediate and clean the treatment system. The cleaning operations were completed on February 25, 2018.
- On February 22, 2018, an inspection was conducted by James Pogue of MWS to review the condition of the treatment system at Tradebe. Based on the results of the inspection, the Department issued Tradebe a (2) two-day temporary permit discharge period (2/28-3/1/18). The Department sampler was restarted to collect samples to determine compliance.
- The Department received a letter from Tradebe dated March 6, 2018, outlining additional operational and quality control changes to the treatment process.
- A Notice of Violation (NOV) was issued by certified mail to Tradebe on March 12, 2018.
- On March 13, 2018, James Pogue of MWS and Ron Waterbury of Tradebe conducted a phone conversation relating to the discharge from the Tradebe facility. Points addressed were: 1) Ammonia; 2) Foaming at the Dry Creek WWTP; 3) Excess Oil & Grease discharged from the Tradebe facility and 4) Zinc levels.
- On December 6, 2018, Eric Congdon, Victoria Killen, Rashad Taylor and Travis Garmon, representatives from Tradebe Treatment and Recycling of Nashville, LLC., appeared before the MWS Wastewater Hearing Authority to address the Notice of Violation (NOV).
- Tradebe was in violation of the monthly average for 15 days in January and 13 days in February, and the penalty had been calculated on 22 days in January and 20 days in February, which are the recognized business working days for those months.



- Tradebe requested to have the penalties modified to reflect the actual number of days that they discharged. The violation is for the monthly average for 15 days in January and 13 days in February.
- Motion was made by Jay Tant, MWS WWHA member, second by Dr. Robert Wingfield, that Tradebe Treatment and Recycling of Nashville, LLC shall pay a civil penalty of \$15,000.00 (fifteen thousand dollars) for its violations of the Act. The Motion was adopted unanimously by MWS Wastewater Hearing Authority.
Presenter: Andy Pogue, MWS

IV. MWS Semi-Annual Report 66 – April 1, 2018-September 30, 2018 – Marty Mast, MWS, informed the Authority the fact that we had no violations in the PPC samplings at any of our three plants. The total number of industries is shown on Form #7. There were a total of seven (7) industries that we issued Notices of Violations. Tradebe was issued a Notice of Violation and Administration Order. Overall, this is the best report and had fewer violations than we have seen in the past. **Presenter: Marty Mast, MWS**

V. FOG Enforcement Update –

- Sperry's – Additional correspondence. The issue is the mop sink, and disposing of mop water in the pre-rise sink so that it goes through the grease trap. Mr. Welch stated he has no problem with dumping but thinks the health department will tell them they are in violation. Will await a response.
- Dragon Phoenix – Have informed MWS inspectors the cost is too much money and they are not going to do what is being required. Administrative Order is pending for establishment.
- South Street – Informed the previous person notified is no longer with establishment, and new person was unaware of the situation. Has taken steps to move forward. They were planning to start work to remedy the problem in August or September. New contact person will have an answer in January, and if no answer, MWS will be notifying establishment regarding ongoing issue(s).
- Marco Polo – Person notified no longer with establishment or in the country as I was informed. After discussion, they agreed to put a grease interceptor in. Meeting scheduled to talk with them next week.
- Pie Wagon – Under new ownership, and new owners unaware of the previous notice of violation until MWS provided them with this information in September 2018. The violation is still open and, in September 2018, new ownership has not responded and they will receive a new notice of violation.



- Midtown Café – Establishment has a new grease trap installed. Old grease trap remaining in service and probably needs to be replaced. Requiring replacement or certification of existing grease traps.
- Athens Family Restaurant – Have addressed the problem without much communication with MWS. Allowing them to use new grease trap on trial basis. If it does not work, exterior 1500 gallon grease interceptor will be required.
- Sonobana – Expected to install a grease interceptor within one month.
- Ed’s Fish & Pizza House – New grease trap installed and will be inspected next week.
- Cock of the Walk – Issuing an Administrative Order.
- Scoreboard Bar and Grill – Presently question is whether or not the grease interceptor is in good working order. Issuing Notice of Violation.
- Calypso Café – Awaiting review of video by MWS. Problem/Issue is that the establishment has absolutely no grease trap at all.
- KFC-Long John Silvers – Establishment is not communicating, and MWS will issue Administration Order.
- Wendell Smith – Notice of Violation for inadequate grease control.
- Union Station Hotel – Staff change-over caused loss of contact. Attempting to reestablish.
- Doubletree – Grease interceptor partially installed, and expect to review in the next week.
- Best Wok Chinese – Grease interceptor installed and fully operational.

As requested by the MWS WWA, Mr. Welch stated they are in the process of linking property ownership to each of the establishments and enforcement actions to make them aware of enforcement actions such as NOV or NCN.

Presenter: Andy Welch, MWS

- VI. 2019 Tentative MWS WWA meeting dates** – MWS WWA will review their calendars and respond if dates are acceptable.
- VII. Other Business** - None
- VIII. Adjourn at 2:48 p.m.**