



Wastewater Hearing Authority Minutes
Meeting: December 16, 2021

Attendees: Dr. Edward Thackston, (WWHA), Dr. Robert Wingfield, Jr., MWS WWHA, Mr. Jay Tant, (WWHA), Mr. David Gilles, (WWHA), Tara Ladd, Metro Legal Attorney, Jim Snyder, MWS, Marty Mast, MWS, Ted Taylor, MWS, Andy Welch, MWS, Al Pogue, MWS, Dr. Manny Ojo, MWS, Teresa Lyons-Oten, MWS, Susan Murillo, Court Reporter

- I. Meeting Called to order at 1:37 p.m. – Presenter – Dr. Edward Thackston, Chairperson, MWS Wastewater Hearing Authority.**
- II. Review and Approval of MWS Wastewater Hearing Authority Minutes – June 24, 2021**

Dr. Thackston, (WWHA), asked members of the Authority if any corrections or changes are needed after reviewing the minutes. Dr. Thackston queried members of the Authority for a motion to approve the minutes as written. David Giles, (WWHA), so moved, and Dr. Wingfield, MWS WWHA, seconded the motion, and all other member unanimously accepted minutes for June 24, 2021. **Presenter – Dr. Edward Thackston, (WWHA).**

State Submittal of Local Limits for Public Comments – Environmental Compliance Team – Andy Welch, MWS, began the discussion and stated that agenda items III through VII will lead one into the next and proceed through them. Prior to the last meeting of the Authority, MWS had submitted the new local limits to the state and received preliminary approval pending the public comment period. Regarding David Gilles, (WWHA), question, it was basically a situation where Whites Creeks sludge is piped to Central, so that created an aberration in the number, as well as the fact that Whites Creek has significantly less industrial flow than the other two plants. This statement addresses Item VII of the agenda.

- III.** MWS received approval from the state on August 25, 2021, and the new limits went into effect with correspondence to each of the significant industrial users and municipal satellites on November 1, 2021, after obtaining appropriate signatures Scott Potter, MWS Director and David Tucker, MWS Deputy Director. This statement addresses Item III and IV of the agenda.



Dr. Thackston, (WWHA), confirmed with Andy Welch, MWS, that the final user limits/table that are in the (WWHA) Manual will also be sent by email, as requested (tables only) to the Authority members. Andy Welch, MWS, noted that this information is published in the largest circulated newspaper in our area; therefore, industrial users have knowledge of pending changes. Also, he stated that the industrial users are notified once changes are in place.

Dr. Wingfield, (WWHA), asked if this information was published only in the newspaper. Andy Welch, MWS, stated this information is also published on the MWS website inviting comments from the public. This addresses Item V of the agenda. **Presenter – Andy Welch, MWS**

IV. TDEC Letter of Approval of New Local Limits – Environmental Compliance Team

Refer to Agenda item number III.

V. New Local Limits Policy filed with Metro County Clerk’s Office

Refer to Agenda item number III.

VI. Semi-Annual Report Overview – April 1, 2021 – September 30, 2021 No. 72

Marty Mast, MWS, began discussion, noting the report reflects (3) notices of violations that were sent out during the entire six-month period. He stated that this is probably the lowest number we have ever had in terms of notifications to any of our users. It is noted that there was not any kind of bypass, plant upset, or any kind of violation from sampling of our facilities. Also, he stated this report is the simplest state report Metro Water Services has published.

Marty Mast, MWS, stated the list of violations, there were three different industrial users that had a pH violation: Stratas Foods, Pepsi Bottling, and Elite Trailer.

Stratas Foods violation was due to an equipment failure that they have corrected.

Pepsi Bottling’s issue is something that happens periodically when dealing with soda.

Elite Trailer, whom we had some questions about during our last meeting dealing with copper. No violations in copper in their sampling, or our sampling. They had one pH (violation) as most of the treatment at Elite Trailer are for caustics and acids, which is a relatively simple treatment process. Regarding this case, it is just a matter of



containment and buffering before they discharge. This is not to minimize the importance of the pH standard, which is important, but minor variations of pH do not show up often at the plant. If it is a chronic violation, it is a concern.

Dr. Robert Wingfield, (WWHA), presented the questions, “What do you anticipate for the next six-month period in terms of flow to the wastewater treatment facilities overall? Expect an uptick? Do you expect more industrial activity in the next six months?” Marty Mast, MWS, stated it depends somewhat on industry. With the combination of the pandemic and the tornado, we had a loss of several industries in the Whites Creek area, and the percentage of industrial discharge to Whites Creek is lower. One industrial laundry service was demolished completely (Aramark), but has rebuilt. So, you will have places like that that are coming back. Otherwise, I do not know if there are any SIU that were affected by the pandemic.

In terms of larger users, they have not really been affected much with the pandemic other than industrial laundries that were predominately restaurant-based. With restaurants closing, their flow dropped dramatically, and they are now coming back gradually.

Dr. Wingfield asked, “Do you overall see greater diligence on the part of these plants in terms of monitoring and managing their effluent?” Mr. Mast stated, in general, yes.

Jim Snyder, MWS, acknowledged the hard work of members of Metro Water Services Environmental Compliance Office, and the Wastewater Hearing Authority.

Presenter – Marty Mast, MWS

VII. Other Business

- a. FOG Program-** The restaurant business was way down, not just the past six months, but the past year and a half. Dr. Thackston, WWHA, wanted to know if MWS has noticed any major differences in the levels in the sewers, the blockages, the violations, or whatever. Andy Welch, MWS, stated he did not recall seeing any trends as far as a significant increase in overflows or blockages from FSE, (food service establishment) sources. He stated that we have been seeing a trend where restaurants are cutting costs by not cleaning as often or being out of operation for a time. When the restaurant reopens, they are surprised that they have a block of grease in their grease interceptor that is causing them problems, things of that nature that are maintenance issues localized to the food service establishment. I



have not seen any that has had an impact on us. The following is an update, but no formal report was created.

- **Marco** - In compliance.
- **Athens Family Restaurant** – Previously out of business. Back in business in a new location, and in compliance.
- **Union Station** - In compliance.
- **Sperry's Restaurant** – Made progress but seemed hesitant to do the final step of getting mop sink on the grease trap. This final item they did not want to do because it will require digging a hole in the floor and is an expense they do not want to deal with. MWS is being patient, and they received a Notice of Non-Compliance this past year, because we are beginning to see grease again accumulating in the sewer. Another Notice of Non-Compliance has been sent, and no response. Based on history, Andy Welch, MWS, proposed skipping the notice of violation and issuing an Administrative Order to see if it gets them where they need to be.
- **Calypso Café** – Restaurant has been presented with a video showing evidence their establishment is causing a problem in the sewer. They agree that we did not eliminate the possibility that their next-door neighbor was the source of the problem. Another video was performed that conclusively proves they are the problem. We will give them the courtesy of seeing the video before we act again. It is our plan to do that early in the next year (2022) if conditions allow.

Environmental Compliance Office is still issuing notices of non-compliance. In the calendar year, we have issued 122 non-compliance notices. Of those, 53 have been closed, and approximately 69 remain open. We have escalated one non-compliance to a notice of violation for a Subway (Anderson Lane). We are getting some feedback, but it has not been fully addressed. A notice of violation was closed out for Inchin's Bamboo Gardens, Midtown area. We have escalated an issue to an Administrative Order for the Ice Cream Bar, Nolensville Road and Old Hickory Boulevard area. This establishment needs a grease trap, and they are being resistant to comply.

Last year we were significantly lower in the non-compliance notices than the past. There were only 50 issued, and of those, 16 remain open, and just to sort of go back over a broader stretch of time, 2019, we have 9 NCNs still open. 2018 and 2017, 3 NCNs each still open. **Presenter: Andy Welch, MWS**

Teresa Lyons-Oten, MWS, presented proposed meeting dates for the 2022 year to the (WWHA) for consideration. She asked members to respond no later than the first week of January 2022. (WWHA) members will notify Ms. Lyons-Oten of their selection of dates.



VIII. Meeting was adjourned at 2:30 p.m. per unanimously by the MWS Wastewater Hearing Authority.