

MINUTES OF THE METROPOLITAN SEWERAGE DISTRICT BOARD

JUNE 18, 1974

The regular monthly meeting of the Metropolitan Sewerage District Board was held in the Board of Education Room, 701 City Building, Asheville, North Carolina at 2:00 p. m. on Tuesday, June 18, 1974.

Chairman Robinson called the meeting to order and Vice Chairman, Dawson, called the roll with the following Board Members present: Mr. Clark, Mr. Dawson, Mr. Robinson, Mrs. Swicegood, Mr. Warlick, Mr. Goodson, Mr. Hyatt and Mr. Dent.

In addition to the Board members, the following staff members and consultants were present:

Mr. Anthony Redmond  
Mr. W. H. Mull  
Mr. Lew Hoffmann  
Mr. Donald Newton  
Mrs. Patsy Hoglen  
Miss Dianne Frisby

MINUTES OF PUBLIC HEARING: "Sewer Use Regulations":

At 2:01 p. m. Chairman Robinson declared a Public Hearing for the consideration of a final draft of a Sewer Use Ordinance advertised in the Asheville Citizen on June 7, 14, 1974.

A copy of the Affidavit of Publication is attached herewith and made a part of these minutes.

Mr. W. O. "Bill" Doud, Plant Manager, Ball Corporation, introduced their Pollution Control Engineer, Mr. J. A. Edwards. Mr. Edwards read the following letter from Ball Corporation: (Letter Attached)

Mr. George Cecil, President of the Biltmore Company, thanked the board for a sewer use ordinance and "one which certainly our people can live with" and stated that it was an excellent ordinance.

Mr. John Fleming, Sayles Biltmore Bleacheries, added comments that the board had done a good job on the ordinance. He suggested that a clause be added to Section 10.03 specifying an appeal to the board regarding results of analyses for determination of charges. Mr. Hoffmann replied that this appeal was already contained in Section 13.

Receiving no other replies from the public or the Board members, Chairman Robinson at 2:26 p. m. announced that the Public Hearing was closed.

THEREUPON, Chairman Robinson reconvened the regular monthly meeting.

The members having received copies of the previous minutes, Mr. Clark moved and Mr. Williams seconded the motion that they be approved as recorded. This motion was carried unanimously.

Mr. W. H. Mull, Engineer-Manager, gave a report on the following items:

- (a) Woodfin Sanitary Water and Sewer District has submitted a Resolution designating MSD as "Lead Agency" for 201 Facilities Planning. This was the final resolution required from local governmental units within the 201 planning area.
- (b) Final State Delineation of 201 Planning Boundries has been completed and sent to EPA for final approval.
- (c) A Public Hearing is scheduled for June 25, 1974 at 2:00 p. m. by Buncombe County Board of Commissioners to consider formation of "Brookwood Speical Use District". The Brookwood District lies outside the boundries of the MSD, and - if created - a petition should be submitted to the MSD Board to have the Brookwood District made a part of MSD. The Board instructed Mr. Redmond and Mr. Mull to attend the hearing and bring this to the attention of the County Commissioners.
- (d) A Hearing was held on June 12, 1974, by N. C. Department of Natural and Economic Resources to consider designation of 208 Planning Area. Mr. Mull attended the hearing and advised the Board of possible ramifications if a 208 Area is established. A copy of Section 208 of PL 92-500 was given to each Board member, and, after considerable discussion, the Board instructed Mr. Mull to write the Dept. of Natural and Economic Resources expressing the concern of the Board as to possible duplication of planning efforts, imposition of regulatory authority by the local 208 agency, and jeopardizing construction grant funds.
- (e) Progress report on 201 Planning Grant Application. Mr. Mull and Mr. Hoffmann went to Raleigh on June 13 and 14 and met with Mr. Coy Batten. Mr. Hoffmann has filled out the 201 Planning Grant Application, and it is now ready for submission to EPA.
- (f) Progress report on status of Reimbursement Grant under Section 206 of the Federal Water Pollution Control Act Amendments of 1972.

Mr. Redmond, Attorney, read the following Resolution designating the Engineer-Manager to sign the applications and supporting documents on the 201 Planning Grant Application.

Mr. Warlick moved the motion and Mr. Dawson seconded the motion. Roll call vote was unanimous.

RESOLUTION

WHEREAS, the Metropolitan Sewerage District of Buncombe County, North Carolina has heretofore been designated as Lead Agency for the purpose of preparing and filing an application for a Section 201 Facilities Report Grant under Public Law 92-500, October 18, 1972, entitled "Federal Water Pollution Control Act Amendments of 1972"; and

WHEREAS, engineers have been employed for preparing such application and the same is now ready for execution on behalf of the Metropolitan Sewerage District of Buncombe County, North Carolina; and

WHEREAS, there may be other and supplementary documents required in connection with the Section 201 program; and

WHEREAS, it is the desire of the Board of the Metropolitan Sewerage District of Buncombe County, North Carolina to designate a responsible person to sign the application above referred to and any other pertinent documents that may be needed to be signed:

THEREFORE, BE IT RESOLVED, that W. H. Mull, as Engineer-Manager of the Metropolitan Sewerage District of Buncombe County, N. C. be and he is hereby authorized and directed to sign on behalf of the District and this Board, an application for a federal grant under section 201 of Public Law 92-500, October 18, 1972, entitled "Federal Water Pollution Control Act Amendments of 1972" and he is further hereby authorized and directed to prepare and file any and all documents and to sign the same as may be required on behalf of this Board in connection with the proposed Section 201 grant for the preparation of a Facilities Report in the designated area.

Mr. Redmond read a letter written to Region B on February 20, 1974, from MSD to investigate the 208 Program, which stated that MSD would look with favor on the program. In view of the information presented by Mr. Mull after attending the 208 Public Hearing (See Item (d) under Engineer-Manager Report), Mr. Redmond concurred that a letter should be written to the State reflecting the Board's concern with respect to the designation of a 208 Planning Area. Mr. Dent moved the motion to send a letter to Raleigh on 208 and Mr. Williams seconded the motion. Vote was unanimous.

5. (f) Progress report on Section 206 of the Federal Water Pollution Control Act Amendments of 1972. The Engineer-Manager reported that the legal people advised that MSD was not eligible prior to the June, 1966 deadline, for portions of the reimbursement grant. The Board gave the right for Mr. Mull and Mr. Redmond to claim the full reimbursement grant of 2 million dollars for MSD. Mr. Williams moved this motion and Mrs. Swicegood seconded the motion. Vote was unanimous.

Mr. Hoffmann, Consulting Engineer, gave a report on the Biltmore Farms Drainage Installations. Mr. Hoffmann presented the Construction Contract Documents for the job and stated that the job be advertised until July 9, 1974 and bids be accepted until 2:00 p. m. He also requested that one or two of the Board members be present when the bids are opened on this date. Mr. Goodson moved the motion and Mr. Clark seconded the motion, also to give the Engineer-Manager the authority to accept the lowest bid. Vote was unanimous.

Mr. Clark made the motion to adopt the Sewer Use Ordinance with the amendment of Section 5.01 (b), Page 17, to change the limit from 25 to 50 milligrams per liter of petroleum oil, non-biodegradable cutting oils, or products of mineral origin. Mr. Goodson seconded the motion. Roll call vote was unanimous.

The Board decided that the effective date of the Sewer Use Ordinance should be on July 1, 1974, and the adopted date should be June 18, 1974. Mrs. Swicegood moved the motion and Mr. Dawson seconded this motion. Roll call vote was unanimous.

Mr. Warlick moved the motion that the meeting be adjourned and Mr. Dawson seconded this motion. Vote was unanimous. There being no further business, the meeting adjourned at 3:50 p. m.

June 18, 1974

  
Secretary

OPERATION AND MAINTENANCE FUND  
 STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS  
 FOR MONTH OF \_\_\_\_\_ AND \_\_\_\_\_ MONTH ENDED  
 COMPARED WITH PREVIOUS YEAR

	1974 - 75	CURRENT YEAR	PRIOR YEAR
	BUDGET	MONTH	MONTH
		MONTH OF _____ ENDED _____	MONTH OF _____ ENDED _____
SALARIES.....	54,000.00	_____	_____
BILLING & COLLECTIONS.....	53,500.00	_____	_____
TELEPHONE AND TELEGRAPH.....	1,000.00	_____	_____
TRAVEL AND CONVENTION EXPENSES.	1,000.00	_____	_____
OFFICE SUPPLIES.....	1,000.00	_____	_____
RENT.....	0.00	_____	_____
DIRECTOR'S FEES & EXPENSES.....	2,000.00	_____	_____
INSURANCE.....	12,000.00	_____	_____
DUES & SUBSCRIPTIONS.....	500.00	_____	_____
ACCOUNTING SERVICE 1%.....	1,800.00	_____	_____
CONSULTING ENGINEERS.....	34,000.00	_____	_____
LEGAL FEES.....	10,000.00	_____	_____
TRUSTEES FEES.....	5,000.00	_____	_____
AUDIT.....	2,000.00	_____	_____
POSTAGE & PETTY CASH.....	200.00	_____	_____
REPAIRS-OFFICE EQUIPMENT.....	300.00	_____	_____
SOCIAL SECURITY TAXES.....	9,500.00	_____	_____
CONTRIBUTIONS-RETIREMENT FUND..	13,000.00	_____	_____
VEHICLE EXPENSES.....	2,600.00	_____	_____
CAPITAL OUTLAY (EQUIPMENT).....	1,500.00	_____	_____
CONTINGENCY.....	25,000.00	_____	_____
TOTAL ADMINISTRATIVE & GENERAL.	229,400.00	_____	_____

DISBURSEMENTS - (CONT'D)	1974 - 75	CURRENT YEAR	MONTH	PRIOR YEAR	MONTH
<u>PLANT OPERATION EXPENDITURES:</u>	<u>BUDGET</u>	MONTH OF	ENDED	MONTH OF	ENDED
SALARIES & WAGES.....	125,000.00	_____	_____	_____	_____
CHEMICALS.....	5,000.00	_____	_____	_____	_____
TELEPHONE.....	1,000.00	_____	_____	_____	_____
POWER & LIGHTS.....	86,000.00	_____	_____	_____	_____
MAINTENANCE SUPPLIES.....	2,000.00	_____	_____	_____	_____
WATER.....	3,500.00	_____	_____	_____	_____
VEHICLE EXPENSE.....	3,000.00	_____	_____	_____	_____
GARBAGE SERVICE.....	500.00	_____	_____	_____	_____
UNIFORM SERVICE.....	1,250.00	_____	_____	_____	_____
SMALL TOOLS & SUPPLIES.....	1,000.00	_____	_____	_____	_____
MAINTENANCE (BLDGS. & GRNDS).....	3,900.00	_____	_____	_____	_____
MAINTENANCE (PIPELINE).....	5,000.00	_____	_____	_____	_____
MAINTENANCE (EQUIPMENT).....	20,000.00	_____	_____	_____	_____
CAPITAL OUTLAY - NEW.....	5,000.00	_____	_____	_____	_____
EQUIPMENT REPLACEMENT.....	5,000.00	_____	_____	_____	_____
CONTINGENCY.....	12,850.00	_____	_____	_____	_____
TOTAL OPERATIONS					
<u>EXPENDITURES</u> .....	280,000.00	_____	_____	_____	_____
TOTAL DISBURSEMENTS.....	509,400.00	_____	_____	_____	_____
<u>RECEIPTS:</u>					
TRANSFER FROM REVENUE FUND.....		_____	_____	_____	_____
OTHERS: (DESCRIBE) _____		_____	_____	_____	_____
TOTAL RECEIPTS.....		_____	_____	_____	_____
EXCESS OF RECEIPTS OVER DISBURSEMENTS.....		_____	_____	_____	_____
DISBURSEMENTS OVER RECEIPTS.....		_____	_____	_____	_____
<u>CASH BALANCE:</u>					
BEGINNING OF PERIOD.....		_____	_____	_____	_____
ENDING OF PERIOD.....		_____	_____	_____	_____

WHEREAS, the Metropolitan Sewerage District Board is considering the adoption of Sewer Use Regulations for the Metropolitan Sewerage District of Buncombe County; and

WHEREAS, the Board desires to hold a public hearing with respect to said Regulations;

NOW, THEREFORE, BE IT RESOLVED by the Board of the Metropolitan Sewerage District of Buncombe County, North Carolina that a public hearing will be held on Tuesday, June 18, 1974 at 2:00 P. M. in the City Council Chambers on the second floor of the City Building, Asheville, North Carolina with respect to the adoption of Sewer Use Regulations for said District.

That the Board has caused copies of said Sewer Use Regulations to be prepared for distribution to all persons, firms or corporations who may be interested and said copies are available for public inspection in the office of the Metropolitan Sewerage District for Buncombe County, North Carolina, N. C. Highway 191 North, Route 1, Asheville, North Carolina.

The District Board of the Metropolitan Sewerage  
District of Buncombe County, North Carolina

C. Leroy Robinson, Chairman

APPROVED AS TO FORM:

Anthony Redmond, Attorney

June 7 and June 14, 1974

# BALL CORPORATION

1856 HENDERSONVILLE ROAD  
ASHEVILLE, NORTH CAROLINA 28803  
704 274-2255

June 18, 1974

The District Board Of The Metropolitan  
Sewerage District of Buncombe County  
Asheville, North Carolina

Gentlemen:

The Asheville facility of Ball Corporation would like to thank this hearing board for the opportunity both now, and in the past, to present our opinion on the proposed "Sewer Use Regulations" currently under discussion. Opinions have been solicited and heard, and some of them have been incorporated into the regulations, while others have been rejected for a variety of reasons. This is certainly a prime example of citizen input to our government, with the end result an ordinance which is beneficial to the community in many ways.

One aspect of the proposed regulations that concerns us specifically, and we believe the Asheville industrial community in general, is Section 5.01 (b & c) covering the discharge of oil and grease into the sanitary sewer system. There has been considerable discussion of this point in previous hearings, and this is reflected in the drastic reduction from 100 mg/l to 25 mg/l, as an acceptable level in this final draft now under discussion.

As understood, Section 5.01 (b) makes a distinction between biodegradable and nonbiodegradable wastes, resulting in the lower control level of 25 mg/l. This distinction places the operator of a plant using lubricants in an awkward position when compared with other industries which discharge organic wastes, but not lubricating oils. However, both wastes place a load on the treatment plant and must be removed by the plant prior to discharge to the receiving body of water.

Still another aspect to be considered is the difficulty of ascertaining what portion of the waste discharged is biodegradable and what portion is nonbiodegradable. Any organic chemical will degrade with time and the problem becomes one of both definition and advanced analytical capability.

In Section 5.03 (a), it is stated that:

"Permissible concentrations of heavy metals and other incompatible pollutants in the discharge of any user of the sanitary sewerage system will be established from time to time.

Such limitations will recognize the total quantity of each such material received at the treatment works, the tolerance of the treatment processes thereto, the efficiency in removal of the material and the appropriate effluent or stream standards adopted by the State or Federal regulatory agencies."

This is a highly commendable procedure, certainly providing a fair and unprejudiced level of control on industrial discharges. Because of the suddenness of the change from a recommended control level of 100 mg/l to 25 mg/l and the fact that 100 mg/l is a generally accepted level of discharge in most cities, it is our belief that the proposed level of control is unreasonably strict and should be justified during a public hearing by presenting data and calculations to show that exceeding this level of control (25 mg/l) will interfere with the operation of the treatment facility.

The Federal EPA is presently formulating guidelines for pretreatment of the waste discharged in several industries. Because of the uncertainty shown in the development of these proposed standards as to what constitutes an acceptable level of oil, a broader approach of not specifying a maximum oil concentration until additional Federal standards have been published could better serve the community. This approach would be covered by Section 5.03 (a) mentioned above.


We would like to discuss Section 5.02 (d) governing the discharge of unpolluted wastewater. As stated, this regulation does not consider the emergency use of once through cooling due to an equipment failure in some portion of a circulating loop. We recognize that the potential for covering this situation lies in the permit application submitted to the Engineer-Manager. However, we would like the Board to consider adding the following phrase to paragraph (d):

"...except for emergency discharges of short duration as approved by the Engineer-Manager."

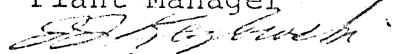
Section 4.05 (c) governing correction of a waste discharge refers to a "...time limit to be specified by the Engineer-Manager", and Section 14.01 states "...compliance ... by conference and persuasion." This combination of statements implies that a time schedule for compliance will be developed jointly by the person discharging waste and the Engineer-Manager, based on equipment availability, labor and other considerations. We assume this is the correct interpretation of the proposed regulations.

We would like to thank you for the opportunity to participate in this hearing. We are confident that the comments presented will be given full consideration in the final preparation of this regulation.

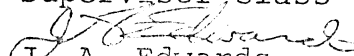
Sincerely yours,

  
W. O. Doud

Plant Manager

  
Joseph J. Kozlowski

Supervisor, Glass Technology

  
J. A. Edwards

Pollution Control Engineer

**AFFIDAVIT OF PUBLICATION**

BUNCOMBE COUNTY  
NORTH CAROLINA

} ss.

**NOTICE OF PUBLIC HEARING**  
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 That the Board has caused copies of said Sewer Use Regulations to be prepared for distribution to all persons, firms or corporations who may be interested and said copies are available for public inspection in the office of the Metropolitan Sewerage District for Buncombe County, North Carolina, N.C. Highway 191 North, Route 1, Asheville, North Carolina.  
 The District Board of the Metropolitan Sewerage District of Buncombe County, North Carolina  
 C. Leroy Robinson, Chairman  
 APPROVED AS TO FORM:  
 Anthony Redmond, Attorney  
 (1006)  
 June 7, 14, 1974

Before the undersigned, a Notary Public of said County and State, duly commissioned, qualified, and authorized by law to administer oaths, personally

appeared Nancy Carver

Who, being first duly sworn, deposes and says: that he (she) is

Principal Clerk

(Owner, partner, publisher, or other officer or employee authorized to make this affidavit).

of ASHEVILLE CITIZEN-TIMES COMPANY,  
(Name of Publishing Concern)

engaged in the publication of a newspaper known as

The Asheville Citizen

(Name of Newspaper)

published, issued, and entered as second class mail in the City of Asheville, in said County and State; that he (she) is authorized to make this affidavit and sworn statement; that the notice or other legal advertisement, a true copy of

which is attached hereto, was published in \_\_\_\_\_

The Asheville Citizen

(Name of Newspaper)

on the following dates June 7, 14, 1974

and that the said newspaper in which said notice, paper, document, or legal advertisement was published was, at the time of each and every publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

This 19th day of June, 19 74

Nancy Carver  
(Signature of person making affidavit)

Sworn to and subscribed before me

this 19th day of June, 19 74

Joseph A. Brantley  
(Notary Public)

My Commission expires

3/20/75

