

A SPECIAL ORDINANCE OF THE CITY OF NEVADA, MISSOURI, APPROVING SEWER SURCHARGES AND FINES IMPOSED ON NF PROTEIN, LLC, 3000 INDUSTRIAL PARKWAY, NEVADA, MO 64772.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI THAT:

Section 1. Surcharges. The surcharges based on the strength of the wastewater discharged monthly by NF Protein, LLC, (BOD and TSS discharges) into the city's system in July, 2016, imposed by the superintendent of the city's wastewater transmission and treatment facilities which are set forth in the spreadsheet attached hereto and incorporated herein by reference, are hereby approved by the city council.

Section 2. Fines. The Council is advised that NF Protein, LLC, during the Months of July, 2016, violated provisions of the municipal pretreatment ordinances related to BOD, TSS, and Ammonia discharges on numerous occasions. The following six violations have been noted which justify the levy of administrative fines under Section 28-107 of the Code:

1. Violations of the daily BOD limit (610) occurred on 7/6/16 (669) and 7/27/16 (659).
2. A violation of the daily TSS limit (600) occurred on 7/6/16 (720) and 7/27/16 (3620).
3. Violations of the daily Ammonia limit (200) occurred on 7/13/16 (272) and 7/20/16 (423).
4. A violation of the monthly TSS limit of 500 average occurred during July 2016 (1, 122).
5. A violation of the monthly BOD limit of 500 average occurred during July (538).
6. A violation of the monthly Ammonia limit of 150 average occurred during July (233).

These six violations listed individually and conjointly constitute a disregard of the pretreatment requirements of the municipality and justify six administrative fines of \$1,000 for each of the six violations are recommended to the council. Said six fines of \$1,000 each for a total of \$6,000 is hereby approved by the city council.

PASSED, APPROVED and ADOPTED by the City Council of the City of Nevada, Missouri, this 18th day of October, 2016.

(SEAL)

Attest:

Brian L. Leonard, Mayor

Johnna Williams, Deputy City Clerk

**City of Nevada, Missouri
Pretreatment Program**

- a. Fees for surcharges are established by the City of Nevada sewer use ordinance in accordance with City of Nevada Code Section 28.88 (b):
- i. If the biochemical oxygen demand (BOD) exceeds 250 mg/l, an additional monthly charge of \$0.42 per pound of BOD shall be applied. The minimum charge for exceeding this limit shall be \$100.00.
 - ii. If the total suspended solids (SS) exceed 300 mg/l, an additional monthly charge of \$0.35 per pound shall be applied. The minimum charge for exceeding this limit shall be \$100.00.

Baseline TSS	300 mg/L
Surcharge	\$0.35 per pound TSS (interpreted as pounds beyond 300 mg/L)
Baseline BOD	250 mg/L
Surcharge	\$0.42 per pound BOD (interpreted as pounds beyond 250 mg/L)

	July MMR - BOD	July MMR - TSS	
Average Conc	538 mg/L	1122 mg/L	
Average Flow*	23,426 gpd	23,426 gpd	
Total Flow for Month	726,200 gallons	726,200 gallons	
Volume per Truck Transferred	2,500 gallons	2,500 gallons	
Number Loads	27	27	
Total Volume Hauled to WWTP**	67,500 gallons	67,500 gallons	
Total Volume Discharged to Collection System	658,700 gallons	658,700 gallons	
Average Flow/Surcharge Basis	21,248	21,248 total gpd discharged	
Excess BOD or TSS	288 mg/L	822 mg/L	
Excess BOD or TSS	51 lbs/day	146 lbs/day	
Cost per Day	\$21	\$51	
Cost per Month	\$664.50	\$1,580.50	
Processing Fee	\$25	\$25	
Total Amount Due	\$690	\$1,605	Total \$2,295

* Based on meter readings

** Transfer fee of \$100/load charged for all hauled wastewater; not part of surcharge calculation.