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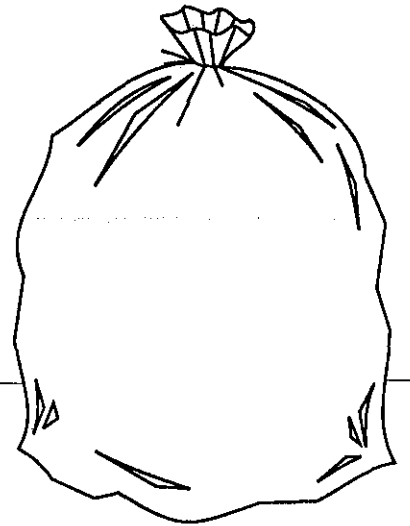
Tennessee Environmental Legislation of 1991: Solid Waste Management and Environmental Fees

On the heels of last year's tightening of landfill regulations, the Tennessee General Assembly this year passed two major pieces of environmental legislation. The acts pave the way for improved solid waste management and more stable funding for the regulation of solid waste, water, and wastewater operations.

Neither act nor its accompanying regulations is exactly easy reading. This *Technical Bulletin* is designed to walk you through each act individually; it's a good idea to get copies of the acts and regulations and follow along. The solid waste legislation is Public Chapter 417, Senate Bill Number 631, while the environmental fees legislation is Public Chapter 451, House Bill Number 1252. The Tennessee Department of Environment and Conservation is referred to as TDEC throughout this publication

Please turn page

The Solid Waste Management Act of 1991



On May 31, the Tennessee General Assembly passed the Solid Waste Management Act of 1991, comprehensive legislation significantly affecting local solid waste management. While the act focuses on counties, it still impacts municipalities in one way or another, particularly if your city is one of the 37 with its own landfill or you provide garbage collection services for your citizens. Even cities not in the solid waste business will feel the impact of this legislation: you'll be in on the planning process and you can rest assured your disposal costs will rise.

The legislation refers throughout to municipal solid waste, and that doesn't just mean solid waste generated by municipalities. Municipal solid waste means garbage, refuse, industrial lunchroom or office waste, household waste, household hazardous waste, yard waste and other trash from community, residential, municipal, commercial, or institutional activities. Municipal solid waste is deposited in a Class I landfill, with stringent design and operation standards.

Major components of the act are:

- planning,
- protection of disposal capacity,
- collection,
- recycling and source reduction,
- problem waste,

- public education,
- technical assistance,
- uniform accounting,
- data maintenance,
- solid waste authorities, and
- funding.

Let's take a look at each of these components. The act's section numbers are provided in brackets in case you're following along with a copy of the legislation.

Planning

The Needs Assessment

The act establishes a comprehensive planning program. Each development district must submit a district needs assessment for all its counties to the State Planning Office by Sept. 30, 1992 [section 10(a)].

Money for this task will come from the Solid Waste Management Fund, established by this act. The State Planning Office will award grants from the fund to the development districts to help them pull together the assessments and will award annual plan maintenance grants so the development districts can revise the data, maintain the needs assessments, and help the district's counties [section 19].

Municipal Solid Waste Regions

After the district needs assessment is complete, counties must act to form municipal solid waste regions. The regions must be established by resolutions of their counties by Dec. 12, 1992. The state prefers the regions be multi-county; in fact, a single-county region must explain in its resolution why it's acting alone [section 12(a)]. Each county clerk must send a copy of the resolution establishing the region to the State Planning Office by Dec. 31, 1992 [section 12(a)(1)]. Cities in more than one planning region can choose which region they want to participate in [section 12(d)].

Each municipal solid waste region then must submit its plan to the State Planning Office by Dec. 31, 1993 [section 13(a)(1)]. The plan must be revised every five years after 1993 [section 13(a)(2)].

On March 1, 1994 and annually thereafter, each region must submit an annual report to the State Planning Office for the preceding calendar year [section 49(a)(b)]. Planning assistance grants also are available from the fund for each county or solid waste region to help it develop and maintain its regional plan [section 19].

Protection of Disposal Capacity

Each municipal solid waste regional plan must:

- ensure 10 years of disposal capacity in its region, and
- outline how it will accomplish a 25 percent reduction (by weight on a per capita basis) in the amount of solid waste entering its landfills and incinerators by Dec. 31, 1995.

Controlling Baled Waste

The act implements new bale fill inspection and manifest regulations to prevent disposal of hazardous waste hidden in bales from facilities other than those regulated by TDEC [sections 6, 7, 8, and 9].

Flow Control

Once a regional plan is approved by the State Planning Office [section 13], the region may:

- regulate the flow of collected municipal solid waste in its region if it can prove such flow control is necessary [section 13(b)(1)(A)]. How-

ever, the region's counties, cities, and solid waste authorities must use existing public or private facilities that are environmentally sound, cost effective, and have adequate capacity before mandating disposal of the region's waste somewhere else.

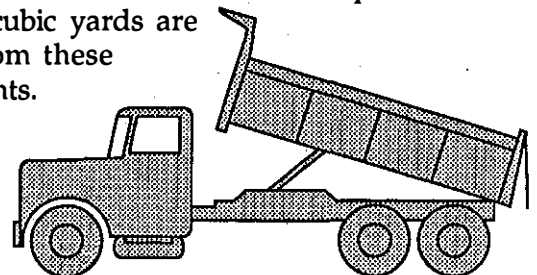
- restrict access of waste generated outside the region to any municipal solid waste landfills and incinerators located within the region [section 13(b)(1)(B)]. There is an exception: the region can't interfere with existing contracts. If a facility accepted waste from outside the region prior to July 1, 1991, the region can't stop the facility from accepting it unless the facility's acceptance of that waste significantly impairs the region's plan.

Each region must approve permit applications to own and/or operate a solid waste disposal facility or incinerator within its boundaries before the TDEC commissioner can issue a permit [section 13(D)]. A region may reject an application for a new or expanded disposal facility or incinerator if it can determine that the application is inconsistent with its regional plan [section 13(b)(2)(B)].

Collection

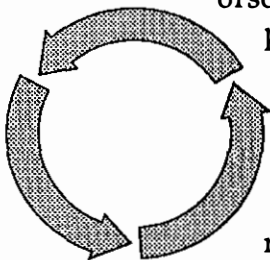
By Jan. 1, 1995, each county must ensure that at least one municipal solid waste collection and disposal system is available for its residents. The minimum level of service acceptable is a network of convenience centers throughout the county [section 21(a)]. For example, if there are private haulers providing house-to-house collection services, that activity exceeds the convenience centers required by regulation. From the Solid Waste Management Fund, the State Planning Office will offer matching grants to counties to establish or upgrade convenience centers [section 21(d)].

Transporters of municipal solid waste collected and/or to be disposed of in Tennessee must register annually with TDEC [section 22]. Transporters of less than five cubic yards are exempt from these requirements.



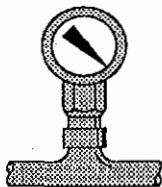
Recycling And Source Reduction

The state has established a goal to reduce by 25 percent the amount (by weight on a per capita basis) of solid waste disposed of at municipal solid waste disposal facilities and incinerators. The target date is Dec. 31, 1995, and the goal also applies to each municipal solid waste region. Failure to meet the 25 percent waste reduction goal may subject the offending counties and municipalities, and/or the solid waste authority, to sanctions [section 25(e)].



If a region can't meet the goal, it may apply to the State Planning Office for a variance. If the office director decides the region failed due to circumstances beyond its control, then the director will grant a variance from the goal. Here's an important note: if a region's failure to meet the reduction goal isn't the fault of all the counties or municipalities in the region, the TDEC commissioner may apply sanctions only to the counties, municipalities, or solid waste authorities that caused the failure.

Since July 1 and through June 30, 1993, all operators of disposal facilities or incinerators must keep an accurate written record of the weight or volume of all the solid waste received. Records of volume may be kept only until June 30, 1993, the deadline for when scales must be installed [section 26(d)]. Then, written records of the amount in tons is required. A facility that will permanently close by March 18, 1994 doesn't need to worry about buying scales [section 26(a)].



From the Solid Waste Management Fund, the State Planning Office will provide grants to help buy scales for facilities with more than two years capacity remaining on July 1, 1992 [section 26(c)].

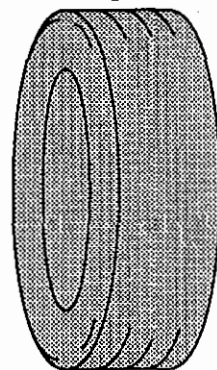
As of Jan. 1, 1996, each county must provide directly, by contract, or through a solid waste authority, at least one site to collect recyclables unless an adequate site already is available to its residents [section 27(a)].

The State Planning Office is authorized to establish a grant program for the purchase of equipment needed

to establish or upgrade recycling at public or non-profit recycling collection sites [section 29(a)]. Also, the Department of Economic and Community Development is directed to establish an office of cooperative marketing for recyclables by July 1, 1992 [section 30(a)].

Problem Waste

By Jan. 1, 1995, each county must ensure that at least one site is available to receive and store waste tires, used automotive oils and fluids, and lead-acid batteries [section 33(b)]. After that date, no municipal solid waste disposal facility or incinerator can accept whole tires, lead-acid batteries, or used oil. There's one exception: certain incinerators may accept whole waste tires [section 33(a)]. Landfill operators must segregate whole, unshredded waste tires and temporarily store them until the state's mobile tire shredder comes by to grind them up [section 36(b)].



With money from the Solid Waste Management Fund, TDEC will:

- obtain six mobile tire shredders and operate them throughout the state [section 36(c)].
- provide mobile collection units to collect household hazardous wastes. The county or solid waste authority will provide a collection site with at least one person there to help citizens and to advertise the service [section 35].
- award competitive grants to build permanent sites for the collection of household hazardous waste. Municipalities eligible for these grants are the ones with a population of 100,000 or more, located in counties with a population of 287,700 or more (according to the 1980 federal census or any later federal census). The municipalities that meet those requirements today are Chattanooga, Knoxville, Memphis, and Nashville. One grant will be awarded competitively during fiscal year 1992-93, and during each of the next three fiscal years [section 34].

Public Education

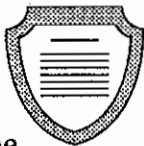
Each solid waste regional plan must include an education program to help adults and children understand solid waste issues, management options and

costs, and the value of waste reduction and recycling [section 38]. The State Planning Office will establish an information clearinghouse to evaluate and distribute a catalog on source reduction and recycling materials. The office is authorized to organize and conduct workshops and conferences on solid waste management, source reduction, and recycling [section 39].

The office, in consultation with the Department of Education, will prepare statewide information and programs [section 40] for:

- municipal, county, and state officials and employees,
- kindergarten through graduate students and teachers,
- businesses that use or could use recycled materials or that produce products from recycled materials and persons who provide support services to those businesses, and
- the general public.

The State Planning Office also is authorized to establish an awards program for outstanding school-based solid waste, source reduction, or recycling education programs [section 42]. After a solid waste region or county's plan is approved, the State Planning Office will award grants to implement the education component of the plan from funds available in the Solid Waste Management Fund [section 45].



Technical Assistance

From the Solid Waste Management Fund, the State Planning Office may award annual grants to The University of Tennessee's Municipal Technical Advisory Service (MTAS) and County Technical Assistance Service (CTAS), the development districts, and the state Department of Economic and Community Development's Division of Local Planning to help regions, counties, and municipalities [section 17(a)]. If requested, MTAS and CTAS will help a county or region site, design, construct, upgrade, develop, and maintain a system of convenience centers [section 21(c)]. Upon request, UT's Institute for Public Service will provide technical assistance to design and manage a recycling program for counties, municipalities, authorities, or regions. [section 28].



By March 19, 1994, the Solid Waste Disposal Control Board will set up a program to certify operators, attendants, and others participating in or responsible for the operation of any landfill or incinerator regulated by TDEC [section 23].

Uniform Accounting

The act requires uniform, proprietary fund accounting by July 1, 1992 — in short, operating just like a business would operate. That's different from full-cost accounting, which was the requirement in the original draft of the bill [section 52(a)]. The accounting system will be set up by the state's comptroller of the treasury, and training workshops should be ready by March 1992.



Data Maintenance

The State Planning Office will set up and maintain a statewide planning and management data base. It will compile and analyze county reports on waste generation, collection, recycling, transportation, disposal, and costs [section 50].

Solid Waste Authorities

A region's counties together may create (and later dissolve if they wish) a solid waste authority to implement its plans. Cities in the region may join. To have all the powers afforded an authority by this act, however, a region must wait until after its plan is approved to set the authority up.

Resolutions creating an authority must provide for a board of directors — either appointed by the county executives and mayors and approved by their legislative bodies, or chosen as the authority's board.

The authority will have broad power to act as a corporate public body — provide services, contract for services, set tipping fees, etc. It also will have the power of eminent domain, and may borrow money and issue bonds backed by its property and/or revenue. Participating cities and counties will only be liable for the debts of the authority if they choose to secure the debt by resolution or ordinance.

An authority may control the solid waste collection and disposal sites in its region by agreement of the

affected city or county governing body, except for manufacturing firms disposing of their waste on their own property. Counties and cities may contribute property or revenues to an authority. Counties or cities contracting with an authority may levy a special property tax to finance these obligations [sections 58-81].

Funding

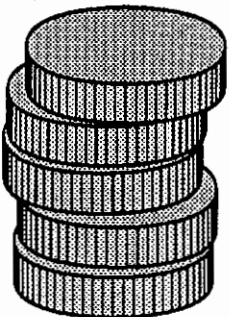
Local

As of July 1, each county, municipality, or solid waste authority that owns a municipal solid waste disposal facility or incinerator may impose a tipping fee on each ton of municipal solid waste (or its volume equivalent) received. Tipping fee revenues at publicly owned facilities must be spent only for solid waste management purposes [section 54(a) and (b)].

In addition to tipping fees at their own facilities, after a regional solid waste plan is approved, each county, municipality, and solid waste authority may impose a surcharge on each ton of municipal solid waste received at each landfill or incinerator in their jurisdiction, **whether publicly or privately owned**. This local surcharge is in addition to any tipping fees and in addition to the 85 cents per ton state surcharge [section 54(f)].

Also, each county, municipality, and solid waste authority may charge a disposal fee on solid waste generators in their jurisdictions. However, such a fee can't be imposed on generators who dispose of the waste in a facility located on their own land.

A county, municipality, or solid waste authority may enter into an agreement with an electric utility to collect the solid waste disposal fee as part of the utility's billing process. This agreement is subject to any other requirements of law. Funds generated from these local fees may be used to establish and maintain collection and disposal services, including convenience centers [section 54(f)(g)].



Once the regional solid waste plan is approved by the State Planning Office, a county that hosts a disposal facility or incinerator used by other counties in its region may impose a sur-

charge on the waste received. This surcharge will be imposed on each ton or volume equivalent of municipal solid waste received. **If the facility is in a city that incurs costs, the city has a right to its share of those surcharge revenues.** The revenues must be spent to manage solid waste or to offset costs incurred and other impacts resulting from having the facility in its jurisdiction [section 54(e)].

State

As of July 1, a state surcharge of 85 cents per ton on waste received at all Class I disposal facilities or incinerators is being charged and goes to the Solid Waste Management Fund [section 54(d)].

Originally, this money was to be turned in to the state monthly, but that will change soon. **Monthly remittance is still required, and the first payment was due Aug. 15. However, come Oct. 1, payments are just expected quarterly.** Here's the payment schedule:



- Oct. 1 through Dec. 31, payment due Jan. 31;
- Jan. 1 through March 31, payment due April 30;
- April 1 through June 30, payment due July 31, and
- July 1 through Sept. 30, payment due Oct. 31.

Effective Oct. 1, 1991, the state will charge a \$1 waste tire disposal fee that will be applied to the sale of new tires sold in Tennessee [section 88]. This money also goes into the Solid Waste Management Fund.

Solid Waste Dates Of Significance To Cities And Counties

1991	1992	1993	1994	1995
All solid waste disposal facilities and incinerators must collect a surcharge of 85 cents per ton of waste received (July 1, 1991).	State Planning Office issues guidelines for development of municipal solid waste region plans (Jan. 1, 1992).	Each owner or operator of a municipal solid waste disposal facility must keep written records of the amount of solid waste measured in tons received at the facility (July 1, 1993).	Each county must submit an annual solid waste management planning report to the State Planning Office (March 1, 1994).	Nonmunicipal solid waste disposal facility can accept unshredded wastetires, lead acid batteries, or used oil. Each county will provide at least one site for the collection and storage of these items (Jan. 1, 1995).
Each owner or operator of a municipal solid waste disposal facility must keep accurate written records of the amount of solid waste (weight or volume) received at the facility (July 1, 1991 - June 30, 1993).	The Department of Economic and Community Development staff establish an office of Cooperative Marketing and Recyclables (July 1, 1992).	Submission of municipal solid waste region plans to State Planning Office (Dec. 31, 1993).	Municipal solid waste landfill and incinerator operator certification program established by the state (March 19, 1994).	Each county must assure that a countywide municipal solid waste collection and disposal system is in place (Jan. 1, 1995).
State Planning Office issues guidelines for district needs assessments (Sept. 30, 1991).	Each county, solid waste authority, and municipality must use a uniform solid waste financial accounting system developed by the state (July 1, 1992).			Each county or region must meet the 25 percent waste reduction goal (Dec. 31, 1995).
	District needs assessment by development districts submitted to the state (Sept. 30, 1992).			
	County clerk of each county must provide a copy of the resolution setting up regions to the State Planning Office (Dec. 31, 1992).			
	Formation of municipal solid waste regions by counties (Dec. 12, 1992).			

**One-Time Expenditures
From Solid Waste Management Fund
*Funding Recipient***

Funding Component	Development Districts	Cities	Counties	Public And Non-Profit	Cooperative Marketing Service	State
Planning	X	X				
Collection		X				
Scales		X*				
Household Hazardous Waste		X				
Waste Tire Clean-up		X				
Public Education		X				
Technical Assistance						X

These programs would be supported through the establishment of a Solid Waste Management Fund, financed by the 85-cent per ton surcharge on municipal solid waste disposed of in Tennessee, the \$1 waste tire disposal fee, and some state appropriations.

*This money will be available to counties, municipalities, and solid waste authorities that meet the established criteria.

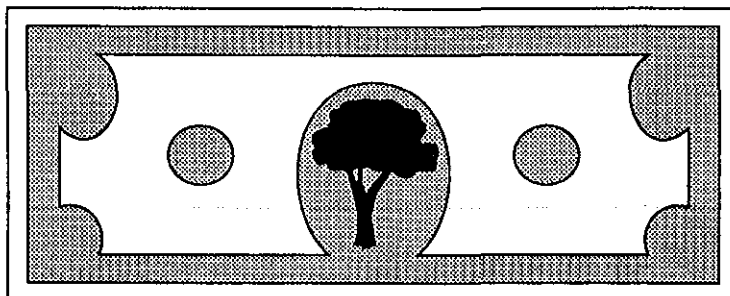
**Continuing Expenditures
From Solid Waste Managment Fund
*Funding Recipient***

Funding Component	Development Districts	Cities	Counties	Public And Non-Profit	Cooperative Marketing Service	State *
Planning	X					
Workshops and Training Programs for Local Govt.						X
Recycling Advisory Council						X
Office of Cooperative Recyclables Marketing					X	
Household Hazardous Waste (Mobile Collection)						X
Tire Shredders						X
Recycling Equipment				X		
Public Education						X
Technical Assistance						X

These programs would be supported through the establishment of a Solid Waste Managment, financed by the 85-cent per ton surcharge on municipal solid waste disposed of in Tennessee, the \$1 waste and tire disposal fee, and some state appropriations.

*These monies will be used for the implementation of programs to provide services to local governments.

The Environmental Fees Act



The second major piece of environmental legislation during this session of the Tennessee General Assembly establishes fees to provide additional funding for TDEC. The idea is to help the department defray the cost of administering its programs and to improve TDEC performance and timeliness. Revenues will be deposited in a special agency account known as the Tennessee Environmental Protection Fund. Unencumbered money or an unspent balance at the end of a fiscal year can't revert to the general fund; it's earmarked for environmental purposes.

All municipalities are affected to some extent by this act, even if it's just to expect a jump in the cost of water, wastewater, or solid waste services you buy. The act, which went into effect July 1, targets municipalities that:

- collect and/or dispose of solid waste, or own or operate some kind of disposal facility;
- own or operate a wastewater treatment plant or a wastewater collection system; or
- own or operate a water treatment plant or water distribution system.

Expect to receive a bill from the state at the end of this fiscal year if your city does any of the things listed above.

This is a summary of fees imposed on municipalities by this act, along with explanations of some of the rules, regulations, and deadline dates. The fees are presented by the TDEC division that will benefit from them.

Division of Solid Waste Management

Application Filing And Processing Fees

As of July 1, applicants for a permit to build or modify a solid waste disposal or processing facility must attach a check to their application in the amount specified below.

Disposal Facility	
Class I	\$10,000
Class II	10,000
Class III	3,000
Class IV	3,000
Processing Facility	
Incinerator	1,000
Transfer Station	1,000
Medical Waste Processor	1,000
Major Modifications	
Special Waste Approval	250

Annual Maintenance Fees

Permit holders must pay a maintenance fee this year by Oct. 1 and on July 1 of each following year. If you get a permit after July 1 of any year, you'll pay a proportionate share of the fee based on the number of days remaining in the year. The maintenance fees are outlined in the chart at the top of the next page.

Disposal Facilities	
Class I (Population Served)	
Greater than 100,000	\$15,000
50,000 to 100,000	10,000
25,000 to 50,000	6,000
10,000 to 25,000	2,000
Less than 10,000	1,000
Class II (Tons per Year)	
More than 1,000 tons	5,000
Less than 1,000 tons	2,000
Class III	2,000
Class IV	2,000
Processing Facilities	
Incinerator	2,000
Transfer Station	1,000
Medical Waste Processing	2,000

Baled Waste Inspection Fee

A facility that intends to receive baled waste not baled according to the new Solid Waste Management Act must pay a \$3-per-bale inspection fee before the waste can be received.

Transporter Permitting Fee

Transporters of municipal solid waste that originates or is disposed of in Tennessee must pay a \$50 annual fee per vehicle. Vehicles of less than five cubic yards capacity are exempt. This fee is due Oct. 1 and on July 1 of each following year.

Division of Water Pollution Control

401 Certifications And ARAPs

The act sets up application fees for 401 certifications and ARAPs. The fees will be charged for applications received on or after July 1, 1992.

ARAP means aquatic resource alteration permit. A 401 certification falls under section 401 of the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977. It's issued by the U.S. Army Corps of Engineers to discharge dredge and fill materials.

The fees are:

- \$1,500 for commercial land development,

- \$250 for commercial projects other than land development, and
- \$50 for individual projects.

Annual Maintenance Fees

Cities with National Pollution Discharge Elimination System (NPDES) permits now must pay an annual maintenance fee. If the anniversary of a city's permit falls between July 1 and June 30, 1992, the city will pay:

- \$6,000 for a sewage treatment facility with a design flow greater than 5 million gallons per day,
- \$4,000 for a sewage treatment facility with a design flow greater than 1 million gallons per day but less than 5 million,
- \$250 for a sewage treatment facility with a design flow greater than .075 million gallons per day but less than 1 million.

Design flow means the average daily flow that a wastewater treatment facility is designed to treat.

Maintenance Fees (on or after July 1, 1992)	
Design flow per day (in gallons)	Fee
5 million or more	\$7,500
4.5 to less than 5 million	7,250
4.0 to less than 4.5 million	7,000
3.5 to less than 4.0 million	6,750
3.0 to less than 3.5 million	6,500
2.5 to less than 3.0 million	6,000
2.0 to less than 2.5 million	5,500
1.5 to less than 2.0 million	5,000
1.0 to less than 1.5 million	4,500
0.75 to less than 1.0 million	4,000
0.5 to less than 0.75 million	3,500
0.25 to less than 0.5 million	2,500
0.1 to less than 0.25 million	1,250
0.075 to less than 0.1 million	750
Less than 0.075 million small mechanical facility	500
Less than 0.075 million small non-mechanical facility	250
.075 or more non-discharging system	1,000
less than .075 non-discharging system	250
Other waste or wastewater operations requiring permit	1,000
General permit (other than stormwater)	250

Fees for Plans Reviews

Effective July 1, 1992, cities submitting engineering plans for approval will pay a fee for the review. The fees apply to new facilities as well as expansion or modification of existing facilities. If the submittal includes more than one listed category, the fee will be the sum of the fees listed for each individual category. TDEC won't start reviewing the plans until all the fees are paid in full.

Wastewater Treatment Plants	
<i>Design flow per day (in gallons)</i>	
More than 5 million	\$ 1,500
More than 1 but less than 5 million	1,000
More than .075 but less than 1 million	500
Less than .075 million	250
Collection Systems	
Collection lines: \$25 per 250 feet or portion thereof of sewage collection line excluding service laterals	<i>Not to exceed</i> 1,500
Equalization Basins	
<i>Holding capacity (in gallons)</i>	
5 million or more	300
1 to less than 5 million	200
0.075 to less than 1 million	100
Less than 0.075 million	50
Pump Stations	
<i>Design capacity per day (in gallons)</i>	
5 million or more	300
1 to less than 5 million	200
0.075 to less than 1 million	100
Less than 0.075 million	50
Wastewater Plant And/Or Collection System Modification	
The plans review fee for modifications to wastewater plants and/or collection systems will be 20 percent of the full review fee based on the category and size of the facility.	

Local governments with plans review authority (in accordance with *Tennessee Code Annotated*. 68-13-706) will pay an annual fee of \$1,000. Failure of a local government to pay this fee will be cause for the revocation of plans review authority.

Division of Water Supply

This portion of the act levies fees on public water systems — maintenance fees, plans review fees, and inspection fees.

Annual Facility Maintenance Fees

From now until June 30, 1992, all public water systems will pay the following annual maintenance fee to TDEC:

Type of Public Water System	Amount Due Beginning Oct. 1, 1991
Number of Connections	
1 - 50	\$ 50
51 - 150	100
150 - 1,000	300
1,001 - 3,000	500
3,001 - 11,000	1,000
11,001 - 33,000	1,500
More than 33,000	2,000
Non-transient non-community	
Public Schools	100
Other - Groundwater	100
Other - Surface	150
Transient non-community	
Churches	50
Other	100

A non-transient, non-community water system is one that serves 25 or more people at least six months of the year — for example, a seasonal-labor factory with its own water source. A transient, non-community system is one that serves 25 or more people at least one time a year — for example, a rest stop or motel with its own water source.

Beginning July 1, 1992, and by July 1 each following year, all public water systems will pay the fees outlined on the next page.

Annual Facility Maintenance Fee Schedule

Community Water Systems

Number of Connections	Amount Due Beginning July 1, 1992	Amount Due Beginning July 1, 1993
1 - 50	\$ 75	\$ 100
51 - 150	100	125
151 - 300	200	300
301 - 450	325	450
451 - 600	450	650
601 - 750	550	850
751 - 900	650	1,000
901 - 1,050	775	1,150
1,051 - 1,250	875	1,300
1,251 - 1,500	975	1,450
1,501 - 1,750	1,050	1,700
1,751 - 2,000	1,200	1,950
2,001 - 2,250	1,350	2,250
2,251 - 2,500	1,500	2,450
2,501 - 2,750	1,650	2,625
2,751 - 3,000	1,750	2,750
3,001 - 3,250	1,850	2,875
3,251 - 3,500	1,950	3,000
3,501 - 3,750	2,050	3,175
3,751 - 4,000	2,150	3,350
4,001 - 4,250	2,250	3,400
4,251 - 4,500	2,350	3,450
4,501 - 4,750	2,450	3,500
4,751 - 5,000	2,550	3,550
5,001 - 5,500	2,600	3,650
5,501 - 6,000	2,650	3,700
6,001 - 6,500	2,700	3,750
6,501 - 7,000	2,800	3,800
7,001 - 8,000	2,900	3,850
8,001 - 9,000	3,000	3,900
9,001 - 10,000	3,100	3,950
10,001 - 12,500	3,200	4,000
12,501 - 15,000	3,300	4,250
15,001 - 17,500	3,500	4,500
17,501 - 20,000	3,800	4,800
20,001 - 22,500	4,100	5,100
22,501 - 25,000	4,400	5,400
25,001 - 30,000	4,700	5,700
30,001 - 35,000	5,000	6,000
35,001 - 40,000	5,300	6,400
40,001 - 45,000	5,600	6,800
45,001 - 50,000	5,900	7,200
50,001 - 75,000	6,200	7,600
75,001 - 100,000	6,500	8,000
100,001 - 150,000	6,800	8,400
150,001 - 200,000	7,100	8,800
200,001 - 300,000	7,400	9,200
300,001 - 400,000	7,700	9,600
400,001 - 500,000	8,000	10,000

Non-transient non-community

Public Schools	100	0
Other - Groundwater Source	150	200
Other - Surface Source	450	600

Transient non-community

Churches	75	75
Other	100	100

A maintenance fee invoice will be mailed to each water utility at least 45 days before the due date. If it's not paid in 15 days, a 5 percent penalty is immediately added. Thereafter, an additional 5 percent penalty is added on the first day of each month that the invoice isn't paid in full. Also, fees not paid within 15 days of the due date will be charged interest at the maximum lawful rate from the due date until the date paid.

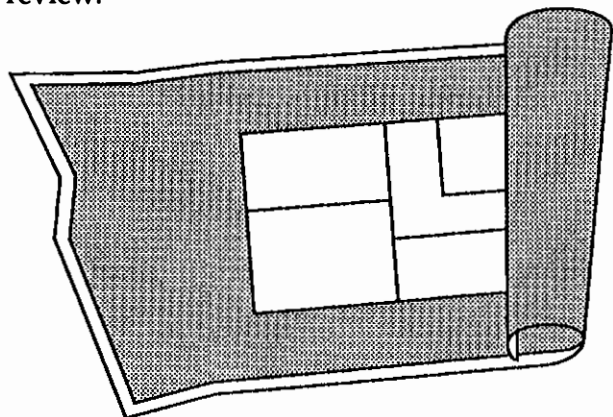
If you don't think your fee is correctly calculated, you may petition the Water Quality Control Board for a hearing. The petition for the hearing — together with the total amount of the fee due — must be received by the TDEC commissioner no later than 15 days after the invoice's due date. If it's finally determined that the amount in dispute was improperly assessed, the you'll get some of your money back with interest.

A new public water system that begins operation after Oct. 1, 1991 will owe the full fee by the date specified on the invoice.

Plans Review Fee

Beginning July 1, 1992, public water systems submitting plans for approval will have to pay review fees. The fees apply to new facilities, as well as the expansion or modification of existing ones. If the submittal includes multiple activities, the fee will be the sum of the fees listed for each activity. Plans won't get approved until all the fees required are paid in full. Local governments with plans review authority (in accordance with T.C.A. 68-13-706) must pay \$1,000 annually. Failure of local governments to pay this fee will be cause for the revocation of plans review authority.

The following table is a fee schedule for plans review.



Type of Activity	Fee
Well or Spring Development	\$ 200
Chemical Control Plant	400
Disinfection System	
Gaseous	300
Hypochlorinator	150
Filter Plant	750
Pump Station	250
Tank	225
Standard Specifications	100
Tank Coating	50
Sludge Treating	150
Distribution Lines	
0 to 1000 feet	50
Greater than 1000 feet	\$100+\$.01/ft.
Change Orders	50
Review of Operations and Maintenance Manuals	150
New raw water source and site evaluation for public water systems and water bottling operations	300
Miscellaneous (including other items not mentioned above)	50

TDEC will review plan documents within 30 days of their receipt, as long as the plans contain all the information the department needs. Fees won't be refunded for projects not approved or withdrawn voluntarily by the applicant. Plans resubmitted within 30 days of an initial denial will be reviewed without an extra charge provided the scope of the project hasn't changed. Penalties and interest on late payments will apply.

Sanitary Survey Fee

Beginning Jan. 1, 1993, fees will be assessed on public water systems that undergo:

- sanitary surveys, or
- the inspections required for ground water systems under the direct influence of surface waters that don't filter.

Sanitary Survey Fees

Distribution Systems

51 - 300 connections	\$ 50
301 - 2,500 connections	100
2,501 - 5,000 connections	150
5,000 - 15,000 connections	300
Greater than 15,000 connections	500

Treatment Facilities	Fee/ Entry Point	Entry Point Fee
		<i>not to exceed</i>
Small Water Systems	\$ 100	200
Water Treatment One	100	200
Water Treatment Two	300	600
Water Treatment Three		
<i>Groundwater Source</i>	400	1,200
<i>Surface Water Source</i>	600	1,500
Water Treatment Four		
<i>Groundwater Source</i>	600	2,000
<i>Surface Water Source</i>	1,000	2,000
Unclassified Systems	100	100

The total sanitary survey fee will include both the distribution fee and the treatment facility fee. Treatment facility fees are based on the number of entry points to the distribution system. The treatment facility fees can't exceed the maximum limit in the chart.

The maximum total sanitary survey fee for any public water system can't exceed \$2,500.

Invoices will be mailed to public water systems at least 45 days before the sanitary survey fee is due. Late fees and interest will be assessed and there is an appeals process

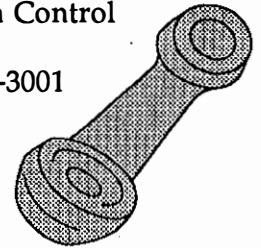
For more information

If you've got questions on information in this *Technical Bulletin*, there are several people available to help you. Contact your MTAS consultant in Knoxville at (615) 974-0411; in Nashville at (615) 256-8141; and in Jackson at (901) 423-3710.

Within TDEC, you may contact:
Robert Foster or Don Rima
Division of Water Supply
150 Ninth Avenue North
Nashville, Tennessee 37247-3001
(615) 741-6636

Paul E. Davis
Division of Water Pollution Control
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The Municipal Technical Advisory Service (MTAS) is a statewide agency of The University of Tennessee's Institute for Public Service. MTAS operates in cooperation with the Tennessee Municipal League in providing technical assistance services to officials of Tennessee's incorporated municipalities. Assistance is offered in areas such as accounting, administration, finance, public works, communications, ordinance codification, and waste-water management.

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