AGENDA
BLOUNT COUNTY BOARD OF COMMISSIONERS
THURSDAY, APRIL 16, 2015, 7:00 P.M.
Room 430, Blount County Courthouse

A. SETTING OF AGENDA.

B. CONSENT CALENDAR.

1. Minutes:
   a. March 19, 2015 meeting.
   b. April 7, 2015, 5:45 pm zoning public hearing.
   c. April 7, 2015, 6:00 pm zoning public hearing.
   d. April 7, 2015, 6:15 pm zoning public hearing.
2. Approval of Deputy Sheriff and Notary Public bonds and oaths.
3. Election of Notaries.
4. Appointments:
   a. Ad Hoc Committee to Study the Feasibility of Recycling in Blount County – *Grady Caskey, Brad Bowers, Tona Monroe, Brad Ansley, Charlene DeSha, Dennis Silverberg, Judy Clabough.*
   b. Planning Commission (Reappointment) – *Geneva W. Harrison*.
   c. Sheriff's Merit Board (Reappointments) – *Gary Hall, Cecil "Buster" Saffles*.
   d. Blount County Library Board of Trustees – *Dr. Cathy Hammon*.
   e. Parks and Recreation Commission (Reappointment) – *Nelson Russell*.

C. PUBLIC INPUT ON ITEMS ON THE AGENDA.

D. ELECTIONS, APPOINTMENTS, AND CONFIRMATIONS.

E. UNFINISHED BUSINESS.

1. A resolution establishing a water quality buffer and related regulation of streams, rivers, wetlands, ponds, and lakes, in Blount County.

F. NEW BUSINESS.

1. Budget modifications:
   a. Resolution to amend Central Cafeteria Fund budget - $20,000.00.
   b. Resolution to amend General County Fund budget - $9,753.50.
   c. Resolution to amend General County Fund budget - $26,206.00.
   d. Resolution to amend General County Fund budget - $1,500.00.
2. Grant applications:
   a. 2015-16 BCSO Alcohol Saturation Patrols/Roadside Sobriety Checkpoints.
   b. 2015-16 BCSO High Visibility Campaign.
   c. 2015-16 Motorcycle/Motorist Safety – the Dragon.
   d. 2015-16- BCSO Network Coordinator.
   e. 2015-16 BCSO Nighttime Seatbelt Demo Program.
3. Setting of public hearing for May 12, 2015, Room 430, Blount County Courthouse, 6:00 p.m. for a resolution to amend the zoning map of Blount County, Tennessee, from R-1 (Rural District One) to RAC (Rural Arterial Commercial) for property located at 110 and 112 N. Spring View Road, at the corner of US HWY 411 South and N. Spring View Road, the property is identified on tax map 089, parcel 109.00.
4. A resolution by the Blount County Commission pursuant to Tennessee Code Annotated Section 54-10-216 to close and vacate a section of the road bed and right-of-way of Hobert Hayes Road, a county maintained road in Blount County, Tennessee.
5. A resolution asking Federal Legislators to stop the expansion of EPA regulations over water and to repeal stormwater regulations.

G. ANNOUNCEMENTS AND STATEMENTS.

H. PUBLIC INPUT ON ITEMS NOT ON THE AGENDA.

STATE OF TENNESSEE
COUNTY OF BLOUNT

BE IT REMEMBERED that a meeting of the Blount County Board of Commissioners was held on Thursday, March 19, 2015 at 7:00 pm at the courthouse in Maryville, Tennessee. Roll call was taken by Rhonda Pitts, Deputy County Clerk:

Mike Akard - absent	Mike Caylor - absent	Mike Lewis - present
Andy Allen - present	Thomas Cole - present	Kenneth Melton - present
Archie Archer - present	Dodd Crowe - present	Karen Miller - present
Brad Bowers - present	Jamie Daly - present	Tona Monroe - present
Shawn Carter - present	Gary Farmer - present	Jerome Moon - present
Rick Carver - present	Ron French - present	Steve Samples - present
Grady Caskey - present	Jeff Headrick - present	Tom Stinnett - absent

There were 18 present and 3 absent. Chairman Moon declared a quorum to exist. The following proceedings were held to-wit:

IN RE: SETTING OF AGENDA.

Commissioner Melton made a motion to set the agenda. Commissioner Carter seconded the motion.

Commission Lewis asked for the item *"A resolution declaring surplus and available for sale 7.78 acres of vacant land located at the corner of Bart Giffin Road and Huffstetler Road, Tax Map 090, Parcel No. 120.09,"* be removed from the agenda.

Commissioner Monroe asked for the item *"Budget Transfer – General County Fund $6,000.00,"* be moved to New Business. Commissioner Monroe asked for *"Appointments,"* be moved to the Elections, Appointments and Confirmations. Chairman Moon stated this item of business was placed on the consent calendar and moved to this agenda. Chairman Moon stated the motion on the floor was to set the agenda, move the item *"Budget Transfer – General County Fund - $6,000.00*," to New Business, and delete the item *"A resolution declaring surplus and available for sale 7.78 acres of vacant land located at the corner of Bart Giffin Road and Huffstetler Road, Tax Map 090, Parcel No. 120.09,"* from the agenda.

A vote was taken on the motion:

Akard - absent	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - absent	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - absent
Bowers - abstain	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - yes	

There were 17 voting yes, 0 voting no, 1 abstaining, and 3 absent. Chairman Moon declared the motion to have passed and the agenda set.

IN RE: CONSENT CALENDAR:
MINUTES OF JANUARY 15, 2015 MEETING
MINUTES OF FEBRUARY 10, 2015, ZONING PUBLIC HEARING
APPROVAL OF DEPUTY SHERIFF AND NOTARY PUBLIC BONDS AND OATHS - FEBRUARY 19, 2015
APPROVAL OF DEPUTY SHERIFF AND NOTARY PUBLIC BONDS AND OATHS - MARCH 19, 2015
ELECTION OF NOTARIES - FEBRUARY 19, 2015
ELECTION OF NOTARIES - MARCH 19, 2015
A RESOLUTION AMENDING RESOLUTION NUMBER 12-07-007, BY ADDING TWO MEMBERS TO THE BLOUNT COUNTY CORRECTIONS PARTNERSHIP – JUDGE MICHAEL A. GALLEGOS, JUDGE TAMMY HARRINGTON – EX OFFICIO NON-VOTING MEMBERS
ANNUAL ADJUSTMENTS FINANCIAL ASSURANCE AGREEMENTS FOR THE ALCOA/MARYVILLE/BLOUNT COUNTY LANDFILL
APPOINTMENT OF CABLE TELEVISION AUTHORITY – GARY FARMER, KENNETH MELTON, STEVE SAMPLES.

Commissioner Lewis made a motion to approve the consent calendar. Commissioner Headrick seconded the motion. Commissioner Monroe asked to vote on the "Appointment of Purchasing Commission" separately. Chairman Moon asked if there were any objections to the request. There were none. Chairman Moon ordered the consent calendar would be voted on with the exception of the "Appointment of Purchasing Commission".

A vote was taken on the motion:

Akard - absent	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - absent	Headrick - yes	Samples -abstained
Archer - yes	Cole - yes	Lewis - yes	Stinnett - absent
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - yes	

There were 17 voting yes, 0 voting no, 1 abstaining, and 3 absent. Chairman Moon declared the consent calendar to be approved.

IN RE: APPOINTMENT OF PURCHASING COMMISSION – SHAWN CARTER, GLEN LONGHURST, LAURA FLOYD, STEVE HILLIS.

Commissioner Samples made a motion to approve the appointments of Shawn Carter, Glen Longhurst, Laura Floyd, and Steve Hillis to the Purchasing Commission. Commissioner Lewis seconded the motion.

A vote was taken on the original motion:

Akard - absent	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - absent	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - absent
Bowers - yes	Crowe - yes	Melton - yes	
Carter - abstain	Daly - yes	Miller - no	
Carver - yes	Farmer - yes	Monroe - no	

There were 15 voting yes, 2 voting no, 1 abstaining, and 3 absent. Chairman Moon declared the appointments to be confirmed.

IN RE: ELECTION TO FILL THE VACANCY IN THE OFFICE OF SCHOOL BOARD MEMBER, DISTRICT 2.

Chairman Moon stated registered voters had been allowed to submit names in writing to the Chairman to fill the vacancy in the office of School Board member District 2 prior to this meeting. Chairman Moon stated one name had been submitted, Bill Padgett. Chairman Moon asked if there were any additional names any registered voter would like to submit to the Chair. There was no response. Commissioner Archer nominated Darrell Lindsey. Commissioner Crowe nominated Bill Padgett. Commissioner Monroe nominated Samuel David Duck. Commissioner French made a motion to close nominations. Commissioner Caskey seconded the motion. A voice vote was taken with Chairman Moon declaring the nominations closed. Nominees Bill Padgett, Darrell Lindsey, and Samuel Duck addressed the Commission.

A roll call vote was taken:

Akard - absent	Caskey - Padgett	French - Padgett	Moon - Padgett
Allen - Padgett	Caylor - absent	Headrick - Lindsey	Samples - Padgett
Archer - Lindsey	Cole - Lindsey	Lewis - Lindsey	Stinnett - absent
Bowers - Padgett	Crowe - Padgett	Melton - Padgett	
Carter - Padgett	Daly - Duck	Miller - Duck	
Carver - Padgett	Farmer - Padgett	Monroe - Duck	

There were 11 voting for Padgett, 4 voting for Lindsey, 3 voting for Duck, and 3 absent. Chairman Moon declared Bill Padgett to be appointed. Kenlyn Foster, General Sessions Judge Division II, administered the oath of office to Bill Padgett.

IN RE: RESOLUTION TO AMEND GENERAL PURPOSE SCHOOL FUND BUDGET - $640,000.00.

Commissioner Caskey made a motion to adopt the resolution. Commissioner Carver seconded the motion.

A vote was taken on the motion:

Akard - absent	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - absent	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - absent
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - yes	

There were 18 voting yes, 0 voting no, 0 abstaining, and 3 absent. Chairman Moon declared the resolution adopted.

IN RE: SETTING OF PUBLIC HEARINGS FOR APRIL 7, 2015, IN ROOM 430 OF THE BLOUNT COUNTY COURTHOUSE, AT 5:45 PM, 6:00 PM, AND 6:15 PM, RESPECTIVELY REGARDING:
A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, SECTION 7.18 REGULATING CAMPGROUNDS OR RV PARKS BY CLARIFYING OR SPECIFYING THE FOLLOWING: RESPONSIBILITY FOR REQUIRED IMPROVEMENTS FOR A DECELERATION LANE; MANDATORY COMPLIANCE WITH NOISE LAWS; APPLICATION OF NON-CONFORMING (GRANDFATHER) PROVISIONS OF STATE STATUTES AND ZONING REGULATIONS; AND LIMITS OF STAY IN A CAMPGROUND OR RV PARK; AND
A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, SECTION 7.18 REGULATING CAMPGROUNDS OR RV PARKS SPECIFYING THE FOLLOWING: SETTING SETBACKS FROM PERIMETER PARCEL LINES; AND SETTING DEFINED DENSITY OF CAMPSITES PER GROSS ACRE; AND
A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, SECTION 9.1.C DELETING ALLOWANCE FOR COMMERCIAL CAMPGROUND AND RECREATIONAL VEHICLE PARKS IN THE S-SUBURBANIZING DISTRICT.

Commissioner Samples made a motion to set the public hearings for the resolutions to amend the zoning resolutions of Blount County Tennessee, regarding Campground and RV Parks regulations for April 7, 2015, 5:45 p.m., 6:00 p.m., and 6:15 p.m., respectively in Room 430 of the Blount County Courthouse. Commissioner Lewis seconded the motion.

A vote was taken on the motion:

Akard - absent	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - absent	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - absent
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - yes	

There were 18 voting yes, 0 voting no, 0 abstaining, and 3 absent. Chairman Moon declared the public hearings to be set.

IN RE: A RESOLUTION TO ESTABLISH AD HOC COMMITTEE TO STUDY THE FEASIBILITY OF RECYCLING IN BLOUNT COUNTY.

Commissioner Caskey made a motion to adopt the resolution. Commissioner Carver seconded the motion.

Commissioner Caskey made a motion to amend the resolution by striking the word “three” citizen volunteers and inserting the word “four” citizen volunteers in Section 2 of the resolution. Commissioner Bowers seconded the motion to amend.

A vote was taken on the motion to amend:

Akard - absent	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - absent	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - absent
Bowers - yes	Crowe - yes	Melton - no	
Carter - yes	Daly - yes	Miller - no	
Carver - yes	Farmer - yes	Monroe - yes	

There were 16 voting yes, 2 voting no, 0 abstaining, and 3 absent. Chairman Moon declared the amendment approved.

A vote was taken on the original motion as amended:

Akard - absent	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - absent	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - absent
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - yes	

There were 18 voting yes, 0 voting no, 0 abstaining, and 3 absent. Chairman Moon declared the amended resolution adopted.

IN RE: RESOLUTION AUTHORIZING CBIZ BENEFITS & INSURANCE OF TN AS THE NEW BROKER/CONSULTANT OF THE BLOUNT COUNTY EMPLOYEE HEALTH & WELFARE BENEFIT PLAN.

Commissioner Lewis made a motion to adopt the resolution. Commissioner Carver seconded the motion.

A vote was taken on the motion:

Akard - absent	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - absent	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - absent
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - yes	

There were 18 voting yes, 0 voting no, 0 abstaining, and 3 absent. Chairman Moon declared the resolution adopted.

IN RE: RESOLUTION AUTHORIZING A CONTINUOUS FOUR (4) YEAR REAPPRAISAL CYCLE.

Commissioner Bowers made a motion to adopt the resolution. Commissioner Crowe seconded the motion.

A vote was taken on the motion:

Akard - absent	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - absent	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - absent
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - no	
Carver - yes	Farmer - yes	Monroe - yes	

There were 17 voting yes, 1 voting no, 0 abstaining, and 3 absent. Chairman Moon declared the resolution adopted.

IN RE: RESOLUTION ESTABLISHING A WATER QUALITY BUFFER AND RELATED REGULATION OF STREAMS, RIVERS, WETLANDS, PONDS, AND LAKES IN BLOUNT COUNTY.

Commissioner Farmer made a motion to consider the resolution for discussion. Commissioner Melton seconded the motion.

Commissioner Farmer made a motion to refer the item to the Planning Commission for their oversight and handling and let them review it and bring it back to the County Commission. Commissioner Samples seconded the motion. Commissioner Farmer asked to withdraw his motion to refer the item to the Planning Commission. Chairman Moon asked if there were any objections. Commissioner Daly objected. Chairman Moon ruled the motion to refer was still in order.

A vote was taken on the motion to refer:

Akard - absent	Carver - no	Daly - yes	Melton - no
Allen - no	Caskey - no	Farmer - no	Miller - yes
Archer - no	Caylor - absent	French - yes	Monroe - no
Bowers - yes	Cole - yes	Headrick - yes	Moon - yes
Carter - no	Crowe - yes	Lewis - no	Samples - yes

Stinnett - absent

There were 9 voting yes, 9 voting no, 0 abstaining, and 3 absent. Chairman Moon declared the motion to refer the item to the Planning Commission to have failed.

Commissioner Monroe made a motion to postpone the item until the April Commission meeting. Commissioner Cole seconded the motion.

A vote was taken on the motion to postpone:

Akard - absent	Caskey - no	French - yes	Moon - yes
Allen - yes	Caylor - absent	Headrick - yes	Samples - no
Archer - yes	Cole - yes	Lewis - no	Stinnett - absent
Bowers - yes	Crowe - yes	Melton - no	
Carter - no	Daly - yes	Miller - yes	
Carver - no	Farmer - no	Monroe - yes	

There were 11 voting yes, 7 voting no, 0 abstaining, and 3 absent. Chairman Moon declared the motion to postpone to have passed.

IN RE: BUDGET TRANSFER – GENERAL COUNTY FUND - $6,000.00.

Commissioner Lewis made a motion to approve the transfer. Commissioner Headrick seconded the motion.

A vote was taken on the motion:

Akard - absent	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - absent	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - absent
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - no	
Carver - yes	Farmer - yes	Monroe - no	

There were 16 voting yes, 2 voting no, 0 abstaining, and 3 absent. Chairman Moon declared the transfer approved.

IN RE: ADJOURNMENT.

Chairman Moon declared the meeting to be adjourned.

STATE OF TENNESSEE
COUNTY OF BLOUNT

BE IT REMEMBERED that a zoning public hearing was held on Tuesday, April 7, 2015 at 6:10 PM at the courthouse in Maryville, Tennessee.

Roll call was taken by Rhonda Pitts, Deputy County Clerk:

Mike Akard - present	Mike Caylor - absent	Mike Lewis - present
Andy Allen - present	Thomas Cole - absent	Kenneth Melton - present
Archie Archer - present	Dodd Crowe - present	Karen Miller - present
Brad Bowers - present	Jamie Daly - present	Tona Monroe - present
Shawn Carter - present	Gary Farmer - present	Jerome Moon - present
Rick Carver - present	Ron French - present	Steve Samples - present
Grady Caskey - present	Jeff Headrick - absent	Tom Stinnett - present

There were 18 present and 3 absent. Jeff Headrick and Tom Cole arrived after the roll was taken. Chairman Moon declared a quorum to exist. The following proceedings were held to-wit:

IN RE: PUBLIC HEARING REGARDING A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY TENNESSEE, SECTION 7.18 REGULATING CAMPGROUNDS OR RV PARKS BY CLARIFYING OR SPECIFYING THE FOLLOWING: RESPONSIBILITY FOR REQUIRED IMPROVEMENTS FOR A DECELERATION LANE; MANDATORY COMPLIANCE WITH NOISE LAWS; APPLICATION OF NON-CONFORMING (GRANDFATHER) PROVISIONS OF STATE STATUTES AND ZONING REGULATIONS; AND LIMITS OF STAY IN A CAMPGROUND OR RV PARK.

Chairman Moon asked for any comments from the audience regarding the resolution. There was no response.

IN RE: ADJOURNMENT.

Chairman Moon declared the hearing to be closed.

STATE OF TENNESSEE
COUNTY OF BLOUNT

BE IT REMEMBERED that a zoning public hearing was held on Tuesday, April 7, 2015 at 6:14 PM at the courthouse in Maryville, Tennessee.

Roll call was taken by Rhonda Pitts, Deputy County Clerk:

Mike Akard - present	Mike Caylor - absent	Mike Lewis - present
Andy Allen - present	Thomas Cole - present	Kenneth Melton - present
Archie Archer - present	Dodd Crowe - present	Karen Miller - present
Brad Bowers - present	Jamie Daly - present	Tona Monroe - present
Shawn Carter - present	Gary Farmer - present	Jerome Moon - present
Rick Carver - present	Ron French - present	Steve Samples - present
Grady Caskey - present	Jeff Headrick - present	Tom Stinnett - present

There were 20 present and 1 absent. Chairman Moon declared a quorum to exist. The following proceedings were held to-wit:

IN RE: PUBLIC HEARING REGARDING A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY TENNESSEE, SECTION 7.18 REGULATING CAMPGROUNDS OR RV PARKS, SPECIFYING THE FOLLOWING: SETTING OF RATIO OF CAMP WORKER CAMPSITES THAT MAY BE ALLOWED; SETTING SETBACKS FROM PERIMETER PARCEL LINES; AND SETTING DEFINED DENSITY OF CAMPSITES PER GROSS ACRE.

Chairman Moon asked for any comments from the audience regarding the resolution. There was no response.

IN RE: ADJOURNMENT.

Chairman Moon declared the hearing to be closed.

STATE OF TENNESSEE
COUNTY OF BLOUNT

BE IT REMEMBERED that a zoning public hearing was held on Tuesday, April 7, 2015 at 6:15 PM at the courthouse in Maryville, Tennessee.

Roll call was taken by Rhonda Pitts, Deputy County Clerk:

Mike Akard - present	Mike Caylor - absent	Mike Lewis - present
Andy Allen - present	Thomas Cole - present	Kenneth Melton - present
Archie Archer - present	Dodd Crowe - present	Karen Miller - present
Brad Bowers - present	Jamie Daly - present	Tona Monroe - present
Shawn Carter - present	Gary Farmer - present	Jerome Moon - present
Rick Carver - present	Ron French - present	Steve Samples - present
Grady Caskey - present	Jeff Headrick - present	Tom Stinnett - present

There were 20 present and 1 absent. Chairman Moon declared a quorum to exist. The following proceedings were held to-wit:

IN RE: PUBLIC HEARING REGARDING A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY TENNESSEE, SECTION 9.1.C DELETING ALLOWANCE FOR COMMERCIAL CAMPGROUND AND RECREATIONAL VEHICLE PARKS IN THE S-SUBURBANIZING DISTRICT.

Chairman Moon asked for any comments from the audience regarding the resolution. There was no response.

IN RE: ADJOURNMENT.

Chairman Moon declared the hearing to be closed.

RESOLUTION No. 15-04-001

Sponsored by Commissioners Gary Farmer and Steve Samples

A RESOLUTION TO ACKNOWLEDGE AND ACCEPT THE BOND AND OATHS OF DEPUTY SHERIFFS, AND THE BONDS AND OATHS OF NOTARIES OF BLOUNT COUNTY, TENNESSEE.

BE IT RESOLVED, by the Board of Commissioners of Blount County, Tennessee, in session assembled April 16, 2015:

WHEREAS, Roy Crawford, Jr., Blount County Clerk, has certified according to the records of his office that the persons named on the attached listing labeled "OATHS OF DEPUTY SHERIFFS" have taken their oaths of office; and

WHEREAS, said Roy Crawford, Jr. has certified according to the records of his office that the persons named on the attached listing labeled "NOTARY PUBLIC BONDS AND OATHS" have given approved bonds for the office of Notary Public and have taken their oaths of office; and

WHEREAS, said Roy Crawford, Jr. has certified according to the records of his office that the persons named on the attached listing labeled "PUBLIC OFFICIALS OATHS" have taken their oaths of office.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF BLOUNT COUNTY, TENNESSEE:

1. That the persons named on the attached listing labeled "OATHS OF DEPUTY SHERIFFS" are hereby acknowledged for such and the bonds are accepted and their oaths therefor are approved as taken; and
2. That the persons named on the attached listing labeled "NOTARY PUBLIC BONDS AND OATHS" are hereby acknowledged for such and the bonds or sureties are accepted and approved and their oaths therefor are approved as taken; and
3. That the persons named on the attached listing labeled “PUBLIC OFFICIALS OATHS” are hereby approved and their oaths therefore are approved as taken; and
4. That each such person named on the listing hereinabove mentioned (which listing is attached hereto and incorporated herein by reference) is hereby deemed to have been individually considered according to the particular matter relating thereto.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION TAKE EFFECT FROM AND AFTER PASSAGE, THE PUBLIC WELFARE REQUIRING IT.

CERTIFICATION OF ACTION **ATTEST**

_____ _____

Commission Chairman County Clerk

Approved: ___

Vetoed: _____ _____ _____

County Mayor Date

REPORT FROM THE OFFICE OF THE COUNTY CLERK
TO THE BLOUNT COUNTY COMMISSION
NOTARY PUBLIC BONDS & OATHS
April 16, 2015

The following Notaries Public Elect of Blount County appeared in the County Clerk's Office to receive their Commissions duly signed by the Honorable William Haslam, Governor, and countersigned by approved bond of Ten Thousand Dollars and qualified as by law required:

Notary Name	*Date Qualified*	*Surety*
Brandi S. Breeden	March 17, 2015	RLI Insurance Company
Cherrie R. Hilliard	March 20, 2015	Western Surety Company
Rebecca Barry	March 26, 2015	Western Surety Company
D. A. Barnett	March 26, 2015	Western Surety Company
Lisa Mcdaniel-Tipton	March 26, 2015	Western Surety Company
Danielle K. Hardin	March 30, 2015	Merchants Bonding Company
Ronald N. Browning	March 30, 2015	State Farm Fire & Casualty Company
Sonja K. Everett	April 1, 2015	Surety Bonding Company of America
Jim Kirk	April 6, 2015	Steve Bledsoe, Michael Delozier
Shari Lynn Tayloe	April 6, 2015	Surety Bonding Company of America
Mindy Boudreau	April 6, 2015	Western Surety Company
Shannon D. Tipton	April 7, 2015	Surety Bonding Company of America
Dale E. Brewer	April 7, 2015	Western Surety Company
Charles M. Ewing	April 7, 2015	Travelers Casualty and Surety
Jane C. Sanders .	April 7, 2015	Western Surety Company
Terry Willett	April 7, 2015	State Farm Fire & Casualty Company
Lance Evans	April 7, 2015	State Farm Fire & Casualty Company
Edward F. Waters	April 7, 2015	RLI Insurance Company
Betsy Satterfield	April 8, 2015	Western Surety Company
Rebecca Sewell	April 8, 2015	Western Surety Company
Stephanie E. Haire	April 8, 2015	State Farm Fire & Casualty Company
Angela D. Haworth	April 8, 2015	Western Surety Company
Krystal J. Tumbleson	April 8, 2015	Western Surety Company
Nancy J. Kirkland	April 8, 2015	Janice L. Braun, Rex Sharp
Matthew Bryan	April 8, 2015	RLI Insurance Company
Cheryl A. Khoenle	April 8, 2015	Western Surety Company
Jodie King	April 8, 2015	Western Surety Company
Connie W. Huffman	April 8, 2015	Western Surety Company
Kimberly Diane Shands	April 8, 2015	State Farm Fire & Casualty Company
Kimberley C. Hill	April 9, 2015	Western Surety Company
Amy L. Norman	April 9, 2015	Western Surety Company
Jennifer D. Coffin	April 9, 2015	Western Surety Company
Carroll E. Williams	April 9, 2015	Oliver R. Williams, Jr., B. L. Ervin
Patricia K. Settlemire	April 9, 2015	American Bankers Insurance Company
Jonathan P. Settlemire	April 9, 2015	Western Surety Company
Denise Derossett	April 9, 2015	Surety Bonding Company of America

Sarah Williams	April 9, 2015	Travelers Casualty and Surety
Doug Hardwick	April 10, 2015	Western Surety Company

REPORT FROM THE OFFICE OF THE COUNTY CLERK
TO THE BLOUNT COUNTY COMMISSION
OATHS OF DEPUTY SHERIFFS
April 16, 2015

Name	Date of oath
Justin Lee Aycocke	March 16, 2015
Derek Thomas Mullins	March 16, 2015
Daniel Taylor Weatherbee	March 16, 2015
James Kemper Williams II	March 16, 2015

REPORT FROM THE OFFICE OF THE COUNTY CLERK
TO THE BLOUNT COUNTY COMMISSION
PUBLIC OFFICIALS OATHS
April 16, 2015

Name	Date of oath
William Padgett, School Board member, Second District	March 19, 2015

BLOUNT COUNTY

Office of the County Clerk

345 COURT STREET, MARYVILLE, TENNESSEE 37804-5906

Roy Crawford, Jr.
County Clerk

Telephone (865) 273-5800
Fax (865) 273-5815

NOTARIES TO BE ELECTED APRIL 16, 2015

Kristie Lynn Bennie
Mary Elizabeth Denny
Lawren Kay Fuller
Scarlet A. Kelley
Nancy Lee Kimball
Melody Kandice Mason
Matthew J. Pacifico
Melissa Sue Pfitzner
Melissa J. Powell
Glenda B. Rayborn
Kayla Renee' Russell
Deborah Lynn Sawyer
Patricia Kay Smaldone
Karen S. Smith
Lestina Marie Sprague
Brittany Tippit
Teri J. Travis
Walter Hobson Warren III
Lynn K. Waters
Wanda Leann Webb
Celena Wilson
Cynthia Elizabeth Winters
Billie Miller Woods

RESOLUTION No. _____

Sponsored by Commissioners _____ and _____.

A Resolution to amend the Zoning Resolution of Blount County, Tennessee Section 9.1.C deleting allowance for commercial campground and recreational vehicle parks in the S-Suburbanizing District

BE IT RESOLVED, by the Board of Commissioners of Blount County, Tennessee, in session assembled this _____, 2015:

WHEREAS, the Legislature of the State of Tennessee has enabled Blount County to adopt and amend zoning regulations in Tennessee Code Annotated Sections 13-7-101, *et seq.*, and

WHEREAS, the Board of Commissioners of Blount County, Tennessee adopted zoning regulations in Resolution 00-06-010 **A RESOLUTION ADOPTING ZONING IN BLOUNT COUNTY PURSUANT TO SECTIONS 13-7-101, *et seq.*, OF THE TENNESSEE CODE ANNOTATED,** and

WHEREAS, commercial campgrounds and RV parks are not deemed a desirable alternative in the S-Suburbanizing district,

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF BLOUNT COUNTY, TENNESSEE, **to adopt the following:**

That Section 9.1.C for the S-Suburbanizing District be amended by ***deletion*** of the phrase "*commercial campgrounds and recreational vehicle parks (see also section 7.18)*".

BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL BE IN FORCE AND BECOME EFFECTIVE UPON ITS ADOPTION, THE PUBLIC WELFARE REQUIRING IT.

CERTIFICATION OF ACTION **ATTEST**

_____ _____
Commission Chairman County Clerk

Approved: _____

Vetoed: _____ _____ _____
County Mayor Date

6

IN RE: A RESOLUTION TO ESTABLISH AD HOC COMMITTEE TO STUDY THE FEASIBILITY OF RECYCLING IN BLOUNT COUNTY.

Commissioner Caskey made a motion to adopt the resolution. Commissioner Carver seconded the motion.

Commissioner Caskey made a motion to amend the resolution by striking the word "three" citizen volunteers and inserting the word "four" citizen volunteers in Section 2 of the resolution. Commissioner Bowers seconded the motion to amend.

A vote was taken on the motion to amend:

Akard - absent	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - absent	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - absent
Bowers - yes	Crowe - yes	Melton - no	
Carter - yes	Daly - yes	Miller - no	
Carver - yes	Farmer - yes	Monroe - yes	

There were 16 voting yes, 2 voting no, 0 abstaining, and 3 absent. Chairman Moon declared the amendment approved.

A vote was taken on the original motion as amended:

Akard - absent	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - absent	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - absent
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - yes	

There were 18 voting yes, 0 voting no, 0 abstaining, and 3 absent. Chairman Moon declared the amended resolution adopted.

RESOLUTION NO. 15-02-005

SPONSORED BY COMMISSIONERS BRAD BOWERS, TOM STINNETT AND GRADY CASKEY

A RESOLUTION TO ESTABLISH AD HOC COMMITTEE TO STUDY THE FEASIBILITY OF RECYCLING IN BLOUNT COUNTY

WHEREAS, the Blount County Legislative Body finds it to be in the best interest of Blount County to establish an Ad Hoc committee to investigate a recycling program for Blount County; and

WHEREAS, Blount County has a very limited recycling program and 70% of the material placed in the landfill could be recycled, extending the life of the current landfill; and

WHEREAS, both Maryville City and Alcoa City have developed a recycling program for its citizens; and

NOW, THEREFORE, BE IT RESOLVED by the Blount County Board of Commissioners meeting in regular session on this the 19th day of March, 2015, that:

SECTION 1. The Blount County Legislative Body does hereby establish an Ad Hoc Committee to study recycling in Blount County.

SECTION 2. The Ad Hoc Committee to study recycling shall consist of three commission members appointed by the Blount County Legislative Body and three citizen volunteers.

SECTION 3. The Ad Hoc Committee shall report back to the full commission with its recommendations for implementing a recycling program in Blount County by the August, 2015, Agenda Committee Meeting.

Duly authorized and approved the 19th day of March, 2015.

CERTIFICATION OF ACTION: **ATTEST:**

Commission Chairman County Clerk

Approved: ✓

Vetoed: _____

County Mayor 3-27-15 Date

IN RE: RESOLUTION AUTHORIZING CBIZ BENEFITS & INSURANCE OF TN AS THE NEW BROKER/CONSULTANT OF THE BLOUNT COUNTY EMPLOYEE HEALTH & WELFARE BENEFIT PLAN.

Commissioner Lewis made a motion to adopt the resolution. Commissioner Carver seconded the motion.

A vote was taken on the motion:

Akard - absent	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - absent	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - absent
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - yes	

-----Original Message-----
From: "Brad Ansley"
Sent: Tuesday, March 17, 2015 11:15pm
To: Tona Monroe
Subject: Blount County Recycling Study Committee

Dear Commissioner Monroe,
I would very much like to serve on a committee to study recycling in Blount County. Plesase consider me for nomination.
--
Brad Ansley
Falls Creek Furniture Co
865-856-2981

To Rhonda Pitts,

My name is Bradford D. Ansley. I was born in Atlanta, Ga. in 1949. I attended Emory University in Atlanta. Besides Atlanta, I have lived in Columbus, Ga., Sarasota and Ft. Myers, Fl., Boulder,Colo., Boston, Mass., and Westchester County, NY. I moved to Happy Valley in 2000 to take care of my elderly Mother, Jeanne Ansley. She and my Father, Bradford Ansley Sr. retired here to Happy Valley from Sarasota, Fl. in the early 1980s. My Father passed My Mother's grandfather was from Pikeville, TN.

I have been a cabinetmaker/boat builder/furniture maker all my life. I am currently retired. Since my Mother's death 3 years ago I have remained in the family house in Happy Valley with my wife Kathy who grew up in Maryville. Her parents both taught in the Maryville public school system for over 30 years. My sister is a retired law professor at the University of Tennessee. She and my brother, who operated a marine design/build business both live in Knoxville.

After 15 years of living in Blount County I am both humbled by its beauty and dismayed by the lack of a comprehensive recycling program. I believe that such a program can be designed and implemented in Blount County. This is not rocket science and there are good examples of successful systems all around the country. Having said that, for the average citizen recycling is a bit of a chore and if selected as a member of the Ad Hoc Recycling Committee I will strive to help craft a program that is both easy to comply with and to administrate.

I ask that you consider me as a member of the Ad Hoc Committee. I have sent a copy of this request to my Commissioner, Tona Monroe.

Regards,

Brad Ansley
7360 Happy Valley Rd.
Tallassee, TN 37878

From: "Keep Blount Beautiful" <keepblo@earthlink.net>
Date: Mar 27, 2015 1:36 PM
Subject: RE: Recycling Committee
To: <gcaskey@blounttn.org>
Cc:

Judy Clabough: Graduated from the University of TN. Alzheimer's Association director 2003-2008, Blount Memorial Foundation 2008-2014 – just retired Dec 2014. She has a personal interest in recycling for county and residents. She said "We all need to be environmentally conscious and look at reliable recycling options we can offer county residents." She would like to help where she can to make sure Blount County is proactive in the process.

I have worked with her and her husband personally for 7 years and can vouch for her commitment to this process.

Thank you!

Charlene DeSha

Coordinator/Director

Keep Blount Beautiful

356 Sanderson Street

Suite A4

Alcoa, TN 37701

865-681-4809

www.keepblountbeautiful.org

Keep Blount Beautiful is a 501(c)3 non-profit.

Charlene DeSha is the Executive Director for Keep Blount Beautiful in Maryville, TN. Keep Blount Beautiful is a small non-profit located in the foothills of the Great Smoky Mountain National Park. Their mission is to improve their community by encouraging litter prevention, waste reduction and beautification.

Charlene started her non-profit career with KBB in March 2008. She was previously a retail buyer for Saks Inc., Homeplace Inc., Navy Exchange and Baby Superstore. She is originally from Greenville, SC and her retail career brought her to east Tennessee in 2000.

Charlene has won over eleven awards during her time at KBB and has more than doubled their yearly events and programs.

Dennis G. Silverberg

743 Hawk View Dr.

Townsend, TN 37882

865-738-3021

dmsilver1@comcast.net

Objective: Participate in a comprehensive review of the viability of establishing, improving and promoting recycling services for Blount County, TN, by participating in the Ad Hoc Committee to Study Recycling.

Education: Bachelor of Arts, University of Florida, 1974. Major: Psychology

Master of Science in Criminal Justice, Rollins College (FL), 1978

Work Experience: 25 years prison administration with U.S. Department of Justice, Federal Bureau of Prisons at nine different locations.

3 years as Program Coordinator, Alachua County, FL Work Release Center.

Related Experience: 5 years as Recycling Coordinator for Laurel Valley Property Owners Association.

Attributes: I have the energy, interest and ability to contribute thoughtful insight and creative ideas to developing cost effective and environmentally sound alternatives for recycling in Blount County. I am willing to invest the time needed to research other recycling programs and suggest viable alternatives to the Ad Hoc Committee.

I have been a property owner in Blount County for 13 years and a resident since 2006.

BLOUNT COUNTY MAYOR

Ed Mitchell

341 Court Street, Maryville, TN 37804-5906

Phone: (865) 273-5700

Fax: (865) 273-5705

Email: emitchell@blounttn.org

MEMO

TO: Blount County Board of Commissioners

FROM: Ed Mitchell, County Mayor

RE: Recommendation for the Planning Commission

DATE: March 31, 2015

For the consideration of the full commission, I am submitting my recommendation of the following name for re-appointment on the Blount County Planning Commission:

Geneva W. Harrison, term to expire 4/2019

Geneva Williams Harrison
275 Badget St Alcoa, Tennessee 37701

EDUCATION:

Charles M. Hall High School, Alcoa, Tennessee, graduated in 1959. Attended Alexandria Trade School in Alexandria, Louisiana majored in Business Administration; attended Pellissippi State Community College; attained Certified Professional Secretary Designation in 1990,

EXPERIENCE:

Blount County Schools September 2006 -Present

Substitute teacher (work almost every day and love it)
Substitutes at Eagleton Elementary School, Rockford Elementary School and Heritage Middle School.

Bath & Body Works 1995-Present

Part-time Sales Associate

City of Maryville, Tennessee September 1972-June 2006

Worked as Clerk Typist in Public Works and Engineering Department. Promoted to Secretary in 1974. This department included Sanitation, Streets, Building Codes, Plumbing Codes and Electrical Codes, Also worked In City Manager's office in absence of secretary.

Transferred to Fire Department in 1978. Promoted to Secretary II after being asked to take additional duties as secretary in newly created Purchasing Department

Became Secretary II to Fire Department in 1980 after the Codes Enforcement Bureau was created and placed under the Fire Chief. (This included Building Code, Fire Codes, Plumbing Codes, Electrical Codes) I served two fire chiefs as Secretary II (Glenn Thomas and Bruce Hill) and two fire chief as Administrative Assistant I during my employment at City of Maryville. (Kenneth Abbott & Ed Mitchell)

Volunteer Community Activities:

I have served on the board of the American Red Cross, the Blount County Library Foundation Board; I am past president of the Blount County Historic Trust (yet a board member).
Serves as a volunteer and mentor at the Martin Luther Xing Center in Alcoa Tennessee; volunteer for the Foothills Fall Festival. I am also president of-the

Charles M.Ha1l Alumni Association. I have attended the past three Republican National Conventions as an alternate delegate. (Philadelphia 2000; New York City 2004; and St, Paul, Minnesota 2008.)

Personal Interest: Working in my high school alumni association as a volunteer to raise money each year to provide scholarships to members of the graduating class.

SHERIFF'S MERIT BOARD
(3 YEAR TERMS)

Gary Hall **2351 Riverside Drive** **Maryville, TN 37804**	**984-1737 – H**	**(appt. 2/18/10 for 2 yrs.)** **(reappointed 2/16/12)**
Harold Coulter **207 Swanee Drive** **Maryville, TN 37804**	**983-7668 – H**	**(appt. 2/18/10)** **(reappointed 4/17/14)**
Danny Galyon **313 Luther Jackson Drive** **Maryville, TN 37804**	**983-2658 – H**	**(appt. 2/18/10 for 3 yrs.)** **(reappointed 2/21/13)**
Ron Dunn		**(appointed 7/17/14)**
Cecil "Buster" Saffles **1936 Montvale Station Road** **Maryville, TN 37803**	**982-7985 – H**	**(appt. 2/18/10 for 2 yrs.)** **(reappointed 2/16/12)**

CONTACT – **JEROME MOON, CHAIRMAN**
BLOUNT COUNTY COMMISSION
865-273-5830

Blount County Sheriff's Office Merit Board

Member Bios

Below is a brief biography of each of the Blount County Sheriff's Office Merit Board Members.

Each of the five members are all over the age of 21, all are U.S. Citizens, all reside in Blount County, and have resided in Blount County all or most of their lives, all are of good moral character, and they receive NO compensation for their services to Blount County.

Gary Hall, Chairman of the Board

Gary Hall is the Executive Director of the Knox County Merit Board. He retired from the Air Force Air National Guard as a lieutenant colonel of the Security Police Command in 1997 after serving 26 years in the military. Mr. Hall was also a law enforcement consultant for CTAS (Community Technical Assistance) for many years, and prior to that worked for the Law Enforcement Planning Agency. He began his law enforcement career with the Lebanon, Tennessee, Police Department. Mr. Gall grew up in Middle Tennessee, and has resided in Blount County since 1980.

Harold Coulter

Harold Coulter grew up and has resided in Blount County most of his life. He currently works for the Blount County Clerk's Office. He is retired from Hayes Alignment Service as the owner/operator – a company he started in 1956. Mr. Coulter is also retired from Metropolitan Life Insurance Company, and worked there for 27 years.

Buster Saffles

Buster Saffles was born and raised in Blount County, and has lived here all of his life. He is retired from Delta Faucets.

Danny Galyon

Danny Galyon has worked in the Blount County School System as an educator and principal since 1998, and has a 22 year career in education in Tennessee. Mr. Galyon retired from the Air National Guard's 134th Air Refueling Wing as a lieutenant colonel in June 2008. He grew up in Blount County, and is a lifelong resident of Tennessee.

Jerry Marrow

Jerry Marrow was born in McMinn County, Tennessee. He moved to Blount County in 1977. He is employed with ALCOA, where he has worked since 1973.

LAW ENFORCEMENT

CIVIL SERVICE MERIT SYSTEM

PRIVATE ACTS OF 1972

CHAPTER 332

SECTION 1. All counties having a population of not less than sixty-three thousand and seven hundred (63,700) nor more than sixty-three thousand eight hundred (63,800) inhabitants according to U. S. Census of population of 1970 or any subsequent U. S. Census of population may establish merit system for employees of the office of sheriff of such counties.

SECTION 2. The merit system to which this Act shall apply shall be the classified service which includes all positions and salaried employees in the office of sheriff except the sheriff, his chief deputy, jail cook, bookkeeper and his personal secretary, unless such secretary is deputized as a deputy sheriff.

SECTION 3. There is hereby created a merit service board composed of five (5) members selected by the Quarterly County Court to administer the provisions of this Act.

SECTION 4. The terms of the members shall be three (3) years; provided, however, that the initial appointment shall be as follows:

(a) Two (2) members for one (1) year.

(b) Two (2) members for two (2) years.

(c) One (1) member for three (3) years.

All appointments thereafter shall be for three-year terms. A member shall be eligible to reappointment.

SECTION 5. All members of the board must be over twenty-one (21) years of age; of good moral character; a citizen of the United States and the State of Tennessee and must reside in the county.

SECTION 6. The members of the board shall receive such compensation as may be determined by the Quarterly County Court.

SECTION 7. The board shall designate one of its members to serve as chairman of the board. The sheriff shall appoint one of his employees to be personnel officer. The personnel officer shall be the keeper of the personnel records of employees under the provisions of this Act and shall serve as secretary of the merit service board.

SECTION 8. The merit service board as a body shall have the power:

(a) To adopt and amend rules and regulations for the administration of this Act.

(b) To make investigations concerning the enforcement and effect of this Act and to require observance of the rules and regulations.

(c) To hear and determine appeals and complaints respecting the administration of this Act.

(d) To establish and maintain a roster of all employees of the classified service in the office of the sheriff showing their positions, rank, compensation and places of residence.

(e) To ascertain and record the duties and responsibilities pertaining to all positions in the classified service and to classify such positions in the manner hereinafter provided.

(f) Except as otherwise provided in this Act to formulate and hold competitive tests to determine the qualifications of persons who seek employment in any position, and as a result of such tests, establish employment lists of eligibles for the various positions.

(g) To establish records of the performance and a system of service ratings to be used to determine promotions, the order of lay-offs or reduction of force and the order or re-employment to assist in the determination of dismissal for cause and for other purposes.

(h) To provide for part-time and temporary positions and appointments and to establish rules defining and governing such positions; provided, however, that no temporary position shall be more than three (3) months.

(i) To keep any other records as may be necessary for the administration of this Act.

SECTION 9. The board shall, as soon as practical after this Act becomes operative, adopt a classification plan and make rules and regulations for its administration. The classification plan shall state for each class of positions, a class title, and the duties, authorities, responsibilities and character of work required for each position. Each class of positions may be subdivided, and classes may be grouped and ranked in such manner as is deemed appropriate. The board shall determine the requirements of each position and class thereof as to education, experience, capabilities, knowledge and skill. As far as practical, the probable lines of promotion to and from the classes of position shall be indicated.

SECTION 10. The board may, upon request and advice of the sheriff, create new positions or combine, alter or abolish existing positions in such manner as the board, acting with the advice of the sheriff, deems necessary for the effective operation of the office of sheriff; provided, however, that no position in the classified service shall be abolished except upon approval of the board acting in good faith upon the advice of the sheriff.

SECTION 11. The board shall formulate reasonable rules governing the granting of leaves of absence to members of the classified service in good standing. The board shall request the recommendation of the sheriff upon any request of leave of absence before acting thereon and shall be guided by the requirements of the adequate law enforcement and operational efficiency of the office of sheriff when considering any such request for a leave.

Any person coming under the classified service who shall hereafter be inducted into the armed forces of the United States of America, or who shall hereafter enter said service voluntarily, by enlistment or otherwise in a time of war or other national emergency shall, upon application to the sheriff, receive a military leave of absence for the duration of the period of service required. Such employee shall retain all rights for seniority and shall be entitled to re-employment in the same capacity and position which he held at the time of entering said military service. The application for such rein-statement in position shall be made by or on behalf of such employee within three (3) months after termination of active service in the armed forces.

SECTION 12. The sheriff shall inform the board by periodic reports of the employment needs of the office of sheriff and the board shall, as often as required by the needs of the office of sheriff, hold tests for the purpose of establishing lists of eligibles for the various positions in the classified service. Such tests shall be public, competitive and open to all persons who may be lawfully appointed under the rules promulgated by the board and existing prior to the announcement of the examination. Such rules shall set limitations as to residence, age, health, habits, moral character and other necessary pre-requisites for the performance of the duties of the position for which examination is designated and such rules shall not be less than those provided in Section 38-1104 of the Tennessee Code Annotated.

Promotion tests shall be public, competitive and free to all persons examined and appointed under the provisions of this Act and who have held a classified position with the office of sheriff for at least one (1) year period of time. All tests shall be practical and shall consist only of subjects which will fairly determine the capacity of the person examined to perform the duties of the position in which the appointment is to be made. Tests may include examination for physical fitness and manual skill. No questions in any test shall relate to religious or political opinions or affiliations. The eligibles shall take rank upon a list which shall be compiled for each position, in the order of their relative excellence as determined by the tests without reference to the priority of the time from when the tests are given. No lists of eligible persons shall be valid after one (1) year except, however, the merit service board may extend an eligible period for not more than one (1) year. Notice of the time, place and general scope of each test and the duties, pay and experience required for all positions for which the test is to be held, shall be given by; the board to each applicant at least one (1) week preceding the test. The notice must be in writing and addressed to the last known address supplied by the applicant. Notice of promotional tests shall be given as the board may prescribe.

SECTION 13. Whenever a vacancy occurs in any position in the classified section of the office of sheriff, the sheriff shall make requisition to the board for the names and addresses of all persons eligible for appointment thereto. The board shall certify the names of all persons on the eligible list for position wherein the vacancy exists within thirty (30) days of the requisition to the board. The sheriff thereupon shall investigate each of the five (5) highest on the list of eligibles. In

the event the investigations result in none of the five (5) eligible persons being acceptable to the sheriff, he shall investigate the next five (5) eligibles on the list, one after another until one of the eligibles investigated is acceptable to the sheriff. The sheriff shall appoint such person to the position wherein the vacancy exists and shall notify the board of his action. If the merit service board fails to provide a list, then the sheriff may make appointments to vacancies after having notified the board of his action or his intentions so to do.

No appointment or promotion for any position in the classified service, shall be deemed complete until after the expiration of six (6) months probationary service during which time the sheriff may determine the effectiveness of the employee. If in his judgment the employee does not meet the standards, he may terminate the employment of any person certified and appointed when he deems it to be in the best interest of the service. Whenever a position of the classified service is filled by promotion and the services of the person promoted are terminated by the sheriff during the probationary period, such person shall forthwith be returned to duty in the previous position held by him in the classified service unless such person's conduct during the probationary period had given grounds for dismissal for cause under this Act. Any person dismissed during the probationary period shall not be eligible to a hearing before the board.

A person who is certified to the sheriff and does not report for duty at the time so designated and who does not explain such failure to report in writing within five (5) days, may be rejected by the sheriff who shall forthwith notify the board of the action taken and the reason therefor, and the person's name will then be removed from the eligible list.

SECTION 14. All employees in the classified service may be transferred from one position to another in the same class, and not otherwise. Transfers may be instituted only by the sheriff and shall be permitted only with the consent of the sheriff.

SECTION 15. The practice and procedure of the board with respect to any investigation by the board as authorized by this Act, shall be in accordance with the rules and regulations to be established by the board. Such rules and regulations shall provide for a reasonable notice to all persons affected by any order which the board may issue upon completion of such investigation. Such persons shall have the opportunity to be heard either in person or by counsel, and to introduce testimony in his behalf at a public hearing which shall be held for that purpose.

The board, when conducting any investigations or hearings authorized by this Act, shall have the power to administer oaths, take depositions, issue subpoenas, compel the attendance of witnesses and the production of books, accounts, papers, records, documents and testimony. In case of the obedience of any person to comply with the orders of the board or of a subpoena issued by the board or any of its members, or on the refusal of a witness to testify on any matter on which he may be lawfully interrogated, the judge in any court of record within the county on application of any member of the board, shall compel obedience by proceedings as for contempt. The sheriff or his legal deputy shall serve such subpoenas as issued by the board.

SECTION 16. The sheriff shall give an immediate report in writing of all appointments, reinstatements, vacancies, absences or other matter effecting the status of any member of the

classified service or the performance of the duties of such members. The report shall be in the manner and form prescribed by the board.

The sheriff may suspend any employee for not more than ten (10) days for cause and there shall be no right of appeal for any suspension thereof. Provided, however, the sheriff shall not have the authority to suspend any employee for more than one suspension of ten (10) days within any given six (6) month period of time without a right of appeal. If the sheriff shall suspend any employee for a period longer than ten (10) days, the suspended employee shall be notified in writing of the charges which caused his suspension. He shall thereafter have ten (10) days to request a hearing before the merit service board, and upon his request the board shall set a hearing not more than thirty (30) days from the date of the receipt of his request for a hearing.

SECTION 17. The sheriff shall have the authority to dismiss any employee for ordinary cause with a right of appeal to the board assured the employee. The dismissed employee shall be notified in writing of the causes for dismissal. He shall have ten (10) days to request a hearing before the board and upon his request the council shall set a hearing not more than thirty (30) days from the date of the receipt of his request. The rules of procedure for the conduct of any investigation by the merit service board shall apply to this hearing. Upon a finding by the board that the sheriff has not complied with the procedures of board, the board may order the employee to be reinstated.

SECTION 18. No. employee holding a position in the classified service shall take an active part in any political campaign while on duty nor under any circumstance shall any employee of the office of sheriff solicit money for political campaigns or in any way use his position as a deputy sheriff so as to reflect his personal political feelings as those of the office of sheriff or to use his position as deputy sheriff to exert any pressure on any one person or group of people to sway that person's or persons' political views. Neither an employee while on duty nor any officer while in uniform shall display any political advertising or paraphernalia on his person or on his automobile. No employee of the office of sheriff shall make any public endorsement of any candidate in any campaign for elected office. However, nothing in this Act shall be construed to prohibit or prevent any such employee from becoming or continuing to be a member of a political club or organization and enjoying all the rights and privileges of such membership or from attending any political meetings, while not on duty, or in the course of his official business, nor shall he be denied from enjoying any freedom from interference in the casting of his vote. Any person violating the provisions of this Section shall be dismissed from the service of the office of the sheriff.

SECTION 19. The sheriff shall not require any employee in the classified service to participate in any political activity as a condition of employment, continuation of employment, or promotion. If, upon an investigation by the board and its determination that such actions have taken place, the board shall issue an order to the sheriff to cease and desist such activity. If the sheriff fails to comply or persists in the activity, the council may apply to any court of record in the county for a citation of contempt.

SECTION 20. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not effect other provisions or applications of the

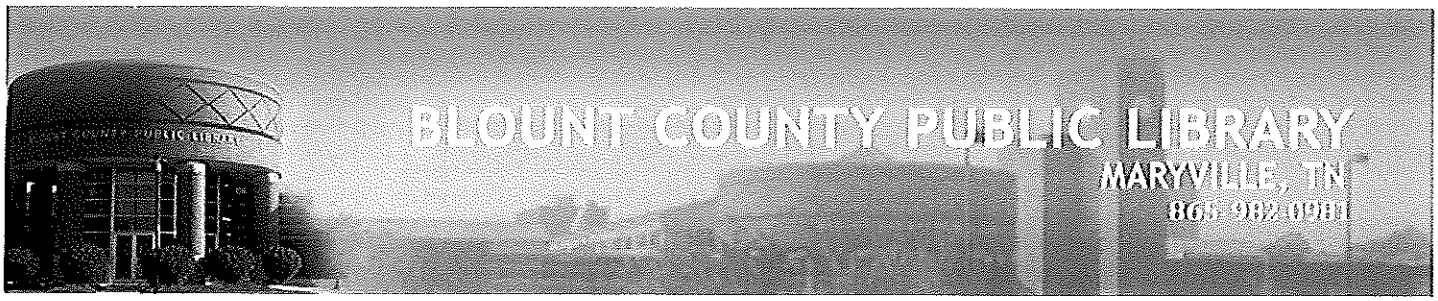
Act which can be given effect without the invalid provision or application, and to that end the provision of this Act are declared to [sic] severable.

SECTION 21. All laws or parts of laws in conflict with the provisions or [sic] this Act are hereby repealed.

SECTION 22. This Act shall become effective as to any county to which it may apply when the same shall have been approved by the Quarterly County Court of such county by vote of not less than two-thirds (⅔) of the members thereof, such approval to be made by said Quarterly County Court within ninety (90) days after the sine die adjournment of the General Assembly of the State of Tennessee for the year 1972, the public welfare requiring it becoming effective at the time. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

SECTION 23. For the purpose of approving or rejecting the provisions of this Act, as provided in Section 22, it shall be effective on becoming a law, the public welfare requiring it. For all other purposes it shall become effective September 1, 1972 upon being approved as provided in Section 22.

PASSED: March 22, 1972.



TO: Ed Mitchell, Blount County Mayor
Jerome Moon, Blount County Commission Chairman
FROM: K.C. Williams, Director
Bill Beatty, Library Board Chairman
DATE: 18 March 2015
RE: Appointment to Blount County Public Library Board of Trustees

At the 20 January 2015 regular meeting of the Blount County Library Board, Dr. Cathy Hammon was approved to be forwarded to the County Commission with a recommendation that she be appointed to the Blount County Public Library Board of Trustees as a representative for the County.

This will be Dr. Hammon's first term, which will run from 1 July 2015 until 30 June 2018. Additional information on Ms. Hammond can be found at http://epc.utk.edu/files/2014/11/Hammon-vita-2014.pdf

We are very pleased to present this highly qualified person for appointment. If you should need further information, please don't hesitate to call me at 864-273-1406.

Warm Regards,

K.C. Williams

K C Williams

Sharon Hannum

508 N. Cusick Street • Maryville, TN 37804 • 865.982.0981 • 865.977.1142 fax
www.blountlibrary.org

Mary Catherine “Cathy” Hammon, PhD



527 Bailey Education Complex
1122 Volunteer Blvd.
Knoxville, TN 37996-3452
865-974-6444
mary-hammon@utk.edu

Biography

As part of the *blount Achieves/tnAchieves* program (a forerunner to *Tennessee Promise*), serve as a mentor to Blount County high school female students many who plan to be first generation college attendees. Recognized as State of Tennessee’s “Mentor of the Month” in December 2012. Have also served on the Advisory Council for five years.

Currently serve on the Board of Directors of United Way of Blount County and on the Community Impact Committee. Was named “Outstanding Board Member” in 2013. We raise over $2 million annually to be allocated to over 20 organizations serving our community

Program Co-Coordinator for Adult Education/Applied Educational Psychology Programs

Clinical Assistant Professor

Educational Psychology – Applied Educational Psychology

Education

- PhD, Educational Psychology and Research, University of Tennessee, 2010
- Graduate of the *Human Resource Executive Program*, University of Michigan, 1995
- BS, Business Administration, University of Tennessee, 1979
- AAS, Business, Ferrum College, 1974

Curriculum Vita

Research Interests

- Education public policymaking in the US particularly as related to the teaching profession

- Politics of Education
- Teacher Voice in Public Policymaking Process
- Teacher Political Self-Efficacy Scale
- PreK to 12 Public Learning Systems
- Corporate Learning Systems

Nelson Russell
3862 Davis Ford Road
Maryville, Tennessee 37804

Education

B.S. Public Recreation Administration; University of Tennessee

Employment

U.S. Bridge – National Sales Manager

Served 22 years Air National Guard -Services Flight Commander of 134th

Worked 22 years as a TSSAA football and basketball official

Worked 10 years as a USA Swimming official

Parks and Recreation Commission

Served on the Maryville-Alcoa-Blount County Parks and Recreation Commission Board as the Blount County at-large representative since 1999.

RESOLUTION NO. 15-03-004

SPONSORED BY COMMISSIONERS:
JAMIE DALY, GRADY CASKEY, AND TOM COLE

A RESOLUTION ESTABLISHING A WATER QUALITY BUFFER AND RELATED REGULATION OF STREAMS, RIVERS, WETLANDS, PONDS AND LAKES IN BLOUNT COUNTY.

WHEREAS; the streams and rivers of Blount County supply much of the water required by citizens for drinking and other municipal and industrial uses, and

WHEREAS; the people of Blount County use surface waters for fishing, canoeing, swimming, and other recreational and economic purposes, and

WHEREAS; the streams and rivers of Blount County are vital to the environmental health of the community and to wildlife and aquatic life that reside in or near said streams; and

WHEREAS; the Blount County Commission finds that the protection of streams and rivers in Blount County is vital to the health, safety, environmental, and economic welfare of its citizens and the community at-large, and

WHEREAS; it is the intent of this Resolution to establish a new WATER QUALITY BUFFER of restricted development and limited land use adjacent to all community waters in the urbanized unincorporated areas of Blount County, and

WHEREAS; new development and re-development projects adjacent to community waters shall include such buffers in their proposed plans, and

WHEREAS; the purposes of the WATER QUALITY BUFFERS are to:

a. Protect public and private water supplies,
b. Minimize thermal stream pollution by adding or preserving stream canopy,
c. Trap sediment, nutrients and other pollutants in surface run-off,
d. Promote bank stabilization,
e. Protect wetlands,
f. Minimize the impact of floods,
g. Reduce stormwater runoff velocities,
h. Protect channel bank area from erosion and scour,
i. Protect wildlife habitat, and
j. Generally maintain water quality.

WHEREAS; Blount County has applied for, obtained, and shall comply with the National Pollutant Discharge Elimination System (NPDES) Phase II permit for discharges of stormwater runoff into the waters of the State of Tennessee; and

WHEREAS; Under the authority of the Federal Water Pollution Control Act of 1977 (known as the Clean Water Act), the United States Environmental Protection Agency (EPA) is specifically required to develop and oversee the National Pollutant Discharge Elimination System (NPDES) permit program which requires all communities operating a small municipal separate storm sewer system (MS4) to regulate the discharge of pollutants to the waters of the state. Under the authority of the Tennessee Water Quality Control Act of 1977, the Tennessee Department of Environment and Conservation (TDEC) has interpreted that this mandate includes the regulation of water quality buffers. The permit requires that Blount County "develop and implement a set of requirements to establish, protect and maintain permanent water quality buffers along all waters of the state at new development and redevelopment projects." In the permit, water quality buffers are defined as "undisturbed vegetation including trees, shrubs, and herbaceous vegetation; enhanced or restored vegetation; or the re-establishment of vegetation bordering streams, ponds, wetlands, springs, reservoirs, or lakes, which exists or is established to protect those water bodies."

NOW, THEREFORE BE IT ORDAINED BY THE COMMISSION OF BLOUNT COUNTY, TENNESSEE, AS FOLLOWS:

WATER QUALITY BUFFERS

Section	
1	Definitions
2	Applicability
3	Standards for Buffer Widths
4	Standards for Buffer Vegetation
5	Activities within the Water Quality Buffer
6	Protection of Water Quality Buffer
7	Water Quality Buffer Enhancements
8	Site Plans and Plats Prepared for Recoding
9	Variances – Water Quality Buffer Averaging
10	Non-compliance
11	Civil Penalties
12	Performance Bonds
13	Repeal Clause
14	Conflict with State Requirements
15	Effective Date

Section 1 DEFINITIONS

As used in this Document, unless the context clearly indicates otherwise, the following definitions apply:

a. "Blount County" represents any permitting agency within the county government including but not limited to the following: Stormwater, Building Codes, Planning, Environmental Health, and Zoning.

b. "Community Waters" include streams, rivers, wetlands, ponds, springs, reservoirs, and lakes as defined in this resolution that connect one to the other.

c. "Development, redevelopment, and/or projects" includes any of the following activities:
   1. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
      a. One or more residential or nonresidential buildings, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or,
      b. The division or allocation of land or space, between or among two or more existing or prospective occupants by means of, or for the purposes of streets, common areas, leaseholds, condominiums, building groups or other features.
   2. The process of grading, clearing, filling, quarrying, construction, or reconstruction to improved or unimproved real estate or other similar activities.

d. "Drainage Area" is the total surface area, as determined from the uppermost point on a community waters within the project, where the water from rain, snowmelt, or irrigation which is not absorbed into the ground flows over the ground surface, back into community waters, to finally reach that point.

e. "Existing Land Use" means a land use which, prior to the effective date of this resolution, is either:

   1. Completed; or
   2. Ongoing, as in the case of agricultural activity; or
   3. Under construction; or
   4. Fully approved by the governing authority.

f. "Floodplain" means relatively flat area or lowlands adjoining a water course, or other body of water, that has been, or may be, covered by water.

g. "Impervious Surfaces" shall mean those areas that prevent or impede the infiltration of stormwater into the soil as it entered in natural conditions prior to development. Common impervious areas include, but are not limited to, rooftops, sidewalks, walkways, streets, patio areas, driveways, parking lots, storage areas, compacted gravel and soil surfaces, awnings and other fabric or plastic coverings.

h. "Land-disturbing Activity" shall mean any activity on private or public land that may result in soil erosion and the movement of sediments. Land disturbing activities include, but are not

limited to, development, re-development, demolition, construction, reconstruction, clearing, grading, filling, logging and/or tree chipping operations, haul roads associated with the development, and excavation, etc.

i. "Native Vegetation" are indigenous plants to East Tennessee or the southeastern United States.

j. "Pond or Lake" are defined as inland bodies of standing water.

k. "Stream" or "River" means the following:

1. A linear surface water conveyance that can be characterized as having either perennial or ephemeral base flow and
2. Has a defined floodplain that has been computed as part of a Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA); or
3. Are identified as a blue line on a 7.5-minute USGS quadrangle, unless otherwise designated by Tennessee Department of Environmental Conservation (TDEC); or
4. Are determined to be streams by the United States Army Corps of Engineers (USACE), TDEC, or a Certified Hydrological Professional.

l. "Top of Bank" the uppermost limit of an active stream channel, usually marked by a break in slope.

m. "Water Quality Buffer" or "WQB" is a defined area that encompasses all land within the areas as described in Section 3. The water quality buffer is intended to mean undisturbed vegetation including trees, shrubs, and herbaceous vegetation; enhanced or restored vegetation; or the re-establishment of vegetation bordering streams, ponds, rivers, wetlands, springs, reservoirs, or lakes, which exists or is established to protect those water bodies.

n. "Waters of the State" or simply waters, is any and all water, public or private, on or beneath the surface of the ground, which are contained within, flow through or border upon Tennessee or any portion thereof except those bodies of water confined to and retained within the limits of private property in single ownership which do not combine to effect a junction with natural surface or underground waters.

o. "Wetlands" shall mean an area that is naturally or by design inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetland determination shall be made by the Army Corps of Engineers and/or Tennessee Department of Environment and Conservation (TDEC), or a qualified professional that has been trained in the identification and delineation of wetland areas.

Section 2 APPLICABILITY

The water quality buffer shall apply to all new development projects, modifications to existing development projects, and/or redevelopment projects, that will result in a land-disturbing activity

that is equal to or greater than one (1) acre and shall establish, protect and maintain water quality buffers along all streams, rivers, lakes, ponds, springs, reservoir, and wetlands that are located in, or portions of which are located in, the urbanized unincorporated areas of Blount County as set forth in this resolution. Any property or portion thereof that lies within the water quality buffer is subject to the requirements for the water quality buffer stated in this resolution.

a. Exemptions. The following shall be exempted from provisions of these regulations.

i.) Any land division that falls without the definition of a subdivision in TCA 13-3-401(4)(B) for five acre tracts that do not require extension of roads and utilities.
ii.) Any land division that falls under provisions of TCA 13-3-408 pertaining to division by the courts as among heirs and among joint owners.
iii.) Division of land falling within the definition of a minor subdivision in the Blount County Subdivision Regulations, being generally a division into four or fewer lots.
iv.) Adjustment of parcel lines between adjacent owners by plat.
v.) Division of parcel or lot all portions of which are outside the required buffer.
vi.) Any development which restricts in site plan or plat that impervious surface within 30 feet of the regulated body of water will be negligible, and for total development will not be greater than ten (10) percent impervious surface post development (after development is complete).

Section 3 STANDARDS FOR BUFFER WIDTHS

Except as otherwise provided in this resolution, the water quality buffer must be maintained in a vegetated state as defined below. Any property or portion thereof that lies within the WQB is subject to the restrictions of the WQB. The water quality buffer width shall be determined as follows:

a. If state and/or federal regulatory buffer requirements are not applicable, then a minimum buffer width as described below shall apply.

b. Buffer widths are determined by the size of the drainage area.

c. Streams or other waters with drainage areas less than 1 square mile will require buffer widths of 30 feet minimum.

d. Streams or other waters with drainage areas greater than 1 square mile will require buffer widths of 60 feet minimum.

e. The 60 feet criterion for the width of the buffer zone can be established on an average width basis at a project, as long as the minimum width of the buffer zone is more than 30 feet at any measured location.

Section 4 STANDARDS FOR BUFFER VEGETATION

The vegetative goal is a use-restricted, vegetated buffer that is located along the perimeter of a community water within Blount County, containing natural vegetation and grasses, enhanced or restored that is native in origin.

a. The vegetative targets for a stream, river, spring, or wetland buffer shall include native mature, moderately dense forest along the water for a minimum of 15 foot of the water quality buffer zone, with woody shrubs and understory vegetation and dense grasses for the balance.

b. The vegetative targets for a pond, reservoir, or lake buffer shall be a minimum of mowed dense grass that covers the entire buffer area.

c. If a water body does not have an established water quality buffer, then a water quality buffer enhancement plan shall be required. Such a planting plan shall be submitted to the Blount County Stormwater Department for approval and must comply with the following:

1. All planting plans shall be drawn to scale and may be part of a larger landscaping plan.
2. The planting plan shall be a part of the required site plan review submittals.

d. Establishment of a vegetated WQB must adhere to the following conditions and be shown on the buffer enhancement plan:

1. Stream banks must be planted with native vegetation that represents both woody (trees and shrubs) and herbaceous species. Density shall depend on the re-vegetation technique to be used and existing site conditions;
2. No trees shall be planted in a utility easement;
3. No single species may comprise more than one third (1/3) of the total planted trees or shrubs;
4. Seedlings/trees must be guaranteed at a seventy-five percent (75%) survivorship; and
5. Non-native species must be removed and managed.

e. Details on appropriate vegetation for water quality buffer areas, detailed information on streambank and buffer restoration techniques, planting guidelines and lists of native plant species can be found from the following sources:

- Tennessee Valley Authority's Riparian Restoration webpage, located at www.tva.com/river/landandshore/stabilization/index.htm
- Tennessee Valley Authority's Native Plant Finder webpage, located at www.tva.com/river/landandshore/stabilization/plantsearch.htm;
- Banks and Buffers: A guide to selecting native plants for streambanks and shorelines. Contact information to obtain this publication is provided at www.tva.com/river/landandshore/stabilization/websites.htm;
- the Tennessee Exotic Plant Pest Council website, located at www.tneppc.org; and
- the Natural Resource Conservation Service (NRCS) www.nrcs.gov.

Section 5 ACTIVITIES WITHIN THE WATER QUALITY BUFFER

The water quality buffer shall be established, managed and maintained to protect the physical and ecological integrity of community waters, to reduce flooding potential, provide tree canopy and to filter runoff from developed areas. Management of the WQB includes specific limitations on alteration of the natural conditions.

a. The following activities are prohibited within the Water Quality Buffer:

1. The storage of pesticides, herbicides, and fertilizers,
2. Parking lots,
3. Vehicle storage, vehicle maintenance, gasoline or diesel storage,
4. Waste storage,
5. Buildings, accessories, structures and all types of impervious surfaces greater than 200 square feet if used primarily for recreational purposes,
6. Hazardous or sanitary waste landfills,
7. Receiving areas for toxic or hazardous waste or other contaminants,
8. Mining (unless exempt by State law),
9. Dumpster storage,
10. Grease bin storage,
11. Animal lots or kennels, and
12. Other uses known to contribute pollutants to waterways.

b. The following activates may be allowed on a restricted basis within the Water Quality Buffer with prior approval by the Blount County Stormwater Department:

1. Septic tanks and septic drain fields in a location approved by the Blount County Environmental Health Department.
2. Individual trees within the WQB may be removed if in danger of falling, causing damage to dwellings or other structures, causing blockage of the stream, standing in the path of an approved water line, sanitary sewer, storm main; and/or the roots of a tree are penetrating or in danger of penetrating a sewer, water or storm drainage line at a joint or pipe connection. The root wad or stump should be left in place, where feasible, to maintain soil stability.
3. Infrastructure such as roads, bridges, storm drainage, stormwater management facilities that are appropriate for use in a riparian zone (i.e., wetlands, buffers), and utilities provided that they adhere to the following standards:

   i: The width should be the minimum width needed to allow for access for maintenance and installation;
   ii: WQB crossings shall be at an angle that minimizes clearing requirements;
   iii: The minimum number of WQB crossings should be used within each development, with no more than one crossing every one-thousand (1000) linear feet. The Stormwater Department may approve additional crossing if justified by traffic, safety, or access issues.

4. Paths and greenway trails, public or private, with a width no greater than 5 ft. be allowed, and if greater than 5ft., it must be approved by Blount County.

5. Access areas for utilities that are located in the water quality buffer shall be allowed. Access areas must be minimized to the maximum extent practicable and shall be located at intervals no less than four-hundred (400) feet unless warranted by valid safety, access, or service issues.
6. Removal of forest vegetation that has the potential to impact traffic safety or limit access to areas immediately surrounding the approved stream or utility crossing. The area shall be vegetated with a minimum of dense grass.
7. Bank stabilization / restoration / habitat alteration projects.
8. Disturbances as required to establish and/or restore buffer areas in accordance to an approved buffer enhancement plan.
9. The pruning of native vegetation is allowed provided that the health and function of the vegetation is not compromised. However, only the individual removal of under-story nuisance non-native vegetation (i.e. honeysuckle, kudzu, privet) causing minimal soil disturbance is permitted. On land where the removal of such nuisance vegetation would cause a reduction in the amount of stream canopy by 50% or more, re-vegetation with native plants should be targeted to provide 50% of the previous canopy at a minimum. For areas where such nuisance vegetation removal would cause a reduction in the amount of stream bank vegetation, re-vegetation with native plants is required to meet the previous density of coverage.
10. Other uses permitted and approved by TDEC, or under Section 404 of the Federal Clean Water Act, or by the Tennessee Valley Authority (TVA).
11. Education / scientific research that do not require any prohibited activities identified in this section.
12. Land uses that involve agriculture production and management consistent with all state and federal laws and all regulations promulgated by the Tennessee Department of Agriculture.
13. Land disturbance and grading, but must be re-vegetated according to Section 4.
14. Clearing, grubbing, grading and re-vegetation, performed in accordance with an approved grading plan.
15. Disturbances necessary for the construction of utility access areas and approved stream crossings.
16. Ongoing vegetative maintenance activates such as mowing, bush-hogging, and weed-eating.
17. The limited use or application of fertilizers, pesticides, and herbicides.
18. Storm water retention and detention facilities that meet the approval of Blount County.

Section 6 PROTECTION OF WATER QUALITY BUFFER

All water quality buffers must be protected during construction / development activities.

Prior to the initiation of land disturbing activities, construction layout surveys must include: staking and labeling of the water quality buffer perimeter. A combination of stakes, flagging and/or silt fence may be used to ensure adequate visibility of the WQB. The layout must be inspected and approved by the Stormwater Department before grading begins.

All areas of the water quality buffer, including stream banks, must be left in a stabilized condition upon completion of construction activities. No actively eroding bare or unstable stream banks shall remain, unless approved by the Director of the Stormwater Department or his designee. Placement of riprap and other hard armor is allowed only when bioengineering alternatives are not feasible.

Once construction has ceased on a project, water quality buffers must still be maintained in accordance with the recorded Covenants for Maintenance of Stormwater Facilities and Best Management Practices. The covenants shall require that maintenance of the water quality buffer in perpetuity be the responsibility of the property owner. If the property owner is not willing to accept responsibility and the area is not publicly owned, the water quality buffer shall be placed into an easement to be held by one of the following non-governmental entities.

a. A viable third party such as a land trust, land management company or utility. The purpose of the third party is to provide monitoring and oversight to ensure the perpetual protection of the area in accordance with the requirements of a buffer area. The organization shall:
    1. Have the legal authority to accept and maintain such easements;
    2. Be bona fide and in perpetual existence; and
    3. Have conveyance instruments that contain an appropriate provision for re-transfer in the event the organization becomes unable to carry-out its functions.

b. A property owners association (POA) provided that the following criteria are met:
    1. Membership in the POA is mandatory and automatic for all property owners and their successors;
    2. The POA shall have continuing lien authority to ensure the collection of dues from all members; and
    3. The POA assumes the responsibility for protecting, monitoring and maintaining the area as a conservation easement, in perpetuity.

Section 7 WATER QUALITY BUFFER ENHANCEMENTS

The property owner may restore or enhance vegetation within a water quality buffer with prior approval of a Buffer Enhancement Plan by the Director of the Stormwater Department or his designee.

The Director of the Stormwater Department or his designee shall have the authority to require a property owner to restore or enhance water quality buffers that have been disturbed or do not meet, or have the potential to not meet through natural vegetative succession, the vegetative targets for buffer areas that are defined herein.

Enhancement of water quality buffers must be performed in accordance with the requirements of Section 4 and the guidance provided below.

1. The buffer being enhanced must be planted with vegetation that is appropriate to achieve the vegetative targets stated in Section 4.
2. The buffer being enhanced must be stabilized against erosion.

3. If the buffer around a pond or lake will consist largely of grasses after enhancement, seeding must be performed at a rate sufficient to provide healthy, dense, permanent vegetative cover for 100% of the buffer area within one growing season. Mulch, pebbles, wood chips and other non-vegetative ground cover is not acceptable for buffer enhancement.
4. Where the removal of such vegetation would cause a reduction in the amount of stream canopy by 50% or more, re-vegetation with native plants is required to provide the cover of the previous canopy at a minimum. For areas where such vegetation removal would cause a reduction in the amount of stream bank vegetation, re-vegetation specifications with native plants is required to return the amount of vegetative cover to its previous state, at a minimum. To reduce the potential for stream bank erosion, re-vegetation measures along stream banks must include sufficient erosion control measures, such as turf reinforcement mats, erosion control blankets, straw wattles, etc., to stabilize the area in the short- and long-term.
5. To increase the chances for the success and health of the buffer area, the plant species, density, placement, and diversity proposed in the Buffer Enhancement Plans must be appropriate for stream, wetland, and pond/lake buffers to achieve the vegetative target that is defined for the buffer through natural succession. Proposed planting and long-term maintenance practices must also be appropriate and properly performed.
6. Vegetation mortality must be accounted for all planting densities that are proposed in buffer enhancement plans.

Section 8 SITE PLANS AND PLATS PREPARED FOR RECORDING

Unless otherwise provided herein, all site development plans and plats shall:

a. Clearly show the extent of any WQB width on the subject property plan or plat and be labeled as “Water Quality Buffer”.

b. Provide a note with reference to the WQB stating that there shall be no clearing, grading, construction or disturbance of vegetation except as permitted by Blount County.

c. Visible permanent boundary markers approved by Blount County shall be required to be installed prior to the recording of the final plat or the issuance of a Certificate of Occupancy. The boundary markers should be installed in a visible area located near the property lines at the intersection of the landward edge of the buffer. The boundary markers must be placed every one hundred (100) linear feet for parcels with buffers exceeding two hundred (200) linear feet for a single parcel of land. Buffer boundary markers shall include the statement “Water Quality Buffer – Do Not Disturb”. Where possible, the markers should be mounted to a tree larger than three (3) inches in diameter. Where it is not possible to mount the marker to a tree, a treated wood, metal, or plastic signpost must be used.

Section 9 VARIANCES - WATER QUALITY BUFFER AVERAGING

A variance may be granted in the form of a reduction in the Water Quality Buffer width over a portion of property in exchange for an increase in buffer width elsewhere on the same property such that the average WQB width remains sixty (60) feet. A property owner may request a variance from the requirements of the WQB by submitting a letter to the Blount County Stormwater Department justifying the purpose for the variance and the width of variance requested. The variance may be granted provided the following conditions are met:

i.) The width of the averaged buffer within the boundaries of the property to be developed shall not be less than sixty (60) feet; and

ii.) The width of the buffer shall not be less than thirty (30) feet at any location (sixty (60) feet for steep slope areas), except where stream crossings have been approved.

iii.) Those areas of the water quality buffer having a minimum width of thirty (30) feet (or less at the stream crossing) can comprise no more than fifty (50) percent of the buffer length.

iv.) Buffer averaging is required for WQB that have stream crossings.

v.) Buffer averaging is prohibited for any portion of developments that have or have planned land use as described:

1. Areas that have slopes greater than 15% that are located within fifty (50) feet of the stream to be buffered;
2. Landfills (demolition landfills, permitted landfills, close-in-place landfills);
3. Junkyards;
4. Commercial or industrial facilities that store and/or service motor vehicles;
5. Commercial greenhouses or landscape supply facilities;
6. Developments or facilities that have commercial or public pools;
7. Animal care facilities, kennels, and commercial/business developments or facilities that provide short-term or long-term care of animals;
8. Other land uses deemed by the Stormwater Department to have the potential to generate higher than normal pollutant loadings.

Section 10 NON-COMPLIANCE

Whenever the County Stormwater Director or his designee determines that a violation of any provision of this resolution has occurred, or that work does not have a required plan or permit, or that work does not comply with an approved plan or permit, the County Stormwater Director or his designee shall issue a Notice of Non-Compliance to the property owner, utility, facility operator, lessee, contractor, permittee and/or the equipment operator doing work on the site. The Notice of Non-Compliance shall:

a) Be in writing.
b) Include a description of the property sufficient for identification of where violation has occurred.

c) List the violation.
d) State the action required.
e) Provide a deadline for compliance or to stop work.

Section 11 CIVIL PENALTIES

a. Civil Penalty:

Any person or entity violating the provisions of this resolution may be assessed a civil penalty by the County of not less than fifty dollars ($50.00) or more than five thousand dollars ($5,000.00) per day for each day of violation. Each day of violation shall constitute a separate violation.

b. In assessing a civil penalty, the County may consider:

1) The harm done to the public health or the environment.
2) Whether the civil penalty imposed will be a substantial economic deterrent to the illegal activity.
3) The economic benefit gained by the violator.
4) The amount of effort put forth by the violator to remedy this violation.
5) Any unusual or extraordinary enforcement costs incurred by the County.
6) The amount of penalty established by resolution for specific categories of violations.
7) Any equities of the situation that outweigh the benefit of imposing any penalty of damage assessment.

c. In addition to the civil penalty in subsection (a) above, the County may recover all damages proximately caused by the violator to the County, which may include any reasonable expenses incurred in investigating and enforcing violations of this document.

d. The County may bring legal action to enjoin the continuing violation of this resolution, and the existence of any other remedy, at law or in equity, shall be no defense to any such actions.

e. The remedies set forth in this section shall be cumulative, not exclusive, and it shall not be a defense to any action, civil or criminal that one (1) or more of the remedies set forth herein has been sought or granted.

f. If a violation of the provisions contained herein occurs during the construction period, all work on the site may be halted by a Stop Work Order until the Director deems corrections are sufficient.

g. Appeals. Any applicant or permit holder may appeal any decision or interpretation of the provisions of this resolution by the Inspector to the Blount County Board of Zoning Appeals by filing a petition for review with the board within thirty (30) days of such decision or interpretation. No fine shall be rendered until the Appeals Board decision is given. Any person aggrieved by a final decision of the board may seek review by a court of competent jurisdiction.

Section 12 PERFORMANCE BONDS

a. Prior to plat approval, a performance bond which guarantees satisfactory completion of new development or redevelopment projects may be required for work related to the water quality buffer until project approval by Blount County.
b. Performance bonds shall name Blount County as beneficiary and shall be guaranteed in the form of a surety bond, cashier's check, or letter of credit from an approved financial institution or insurance carrier. The surety bond, cashier's check, or letter of credit shall be provided in a form in an amount to be determined by Blount County. The actual amount shall be based on submission of plans and estimated construction, installation or potential maintenance and/or remediation expenses.
c. The Director of the Stormwater Department may refuse brokers or financial institutions the right to provide a surety bond, letter of credit, or cashier's check based on past performance, ratings of the financial institution, or other appropriate sources of reference information.
d. A performance bond is not required for an individual residential lot, except when deemed necessary by the Director based on site conditions and the adverse impact on downstream conditions or other properties.

Section 13 REPEAL CLAUSE

The provisions of any ordinances or resolutions or parts thereof in conflict herewith shall not apply, except for ordinances or resolutions or parts thereof which provide stricter standards from those provided herein.

Section 14 CONFLICTS WITH STATE REQUIREMENTS

The State of Tennessee may require water quality buffers during construction activities via provisions contained in the Tennessee Construction General Permit (CGP) or other regulatory permits and processes. The State's requirements may, or may not, align with Blount County's requirements and policies for water quality buffers. It is the responsibility of the site owner/developer to be informed and educated on any State-level buffer requirements. If a site owner/developer intends to apply Blount County's buffer requirements in lieu of any requirements of the State of Tennessee, the owner/developer must first obtain approval from TDEC and provide Blount County with written documentation of such approval.

Section 15 EFFECTIVE DATE

NOW, THEREFORE, BE IT RESOLVED by the Blount County Board of Commissioners meeting in regular session on this the 16th day of April, 2015, that this resolution shall take effect on final passage, the public welfare requiring it.

Duly authorized and approved the 16th day of April, 2015.

CERTIFICATION OF ACTION: **ATTEST:**

_____ _____
Commission Chairman County Clerk

Approved: _____
Vetoed: _____ _____ _____
County Mayor Date

BLOUNT COUNTY GOVERNMENT
STORMWATER DEPARTMENT

1221 McArthur Road
Maryville, TN 37804
Phone: 865-681-9301 Fax: 865-681-9502

MEMO

TO: Ad Hoc Committee Members &
Mayor Ed Mitchell

FROM: Justin Teague
Director of Development Services

DATE: January 16, 2015

RE: Amending the Existing Water Quality Buffer Resolution and Related Regulations

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I. Background Information

In 2003, Blount County Government was required to submit an application to the Tennessee Department of Environment and Conservation (TDEC) for a Phase II Municipal Separate Storm Sewer System (MS4) Permit. This permit application was approved which required Blount County to enact minimum control measures to address water quality. One of those requirements was to adopt a Water Quality Buffer Program.

II. Existing Resolution

The Blount County Board of Commissioners adopted the current Water Quality Buffer Resolution (which can be found at: http://www.blounttn.org/Stormwater/stormwater%20buffers%20resolution%20nov%2008%20(11-20-08).pdf) in November of 2008 as per TDEC requirements for Phase II communities. However, the adopted resolution only required a vegetative buffer width of 5 feet from the top of bank along streams. TDEC deemed the 5 foot buffer to be inadequate. Furthermore, the resolution was adopted after the permit established deadline. This resulted in Blount County being issued a Director's Order and a Civil Penalty of $10,000.

III. Current Requirements

In May of 2010, Blount County's Phase II Stormwater Permit was renewed by TDEC. The renewed permit has new regulations requiring Blount County to make changes to existing regulations. The permit language can be found at: http://www.tennessee.gov/environment/water/docs/wpc/tns000000_MS4_phase_ii_2010.pdf. The Water Quality Buffer requirements within the new permit language require Blount County to amend our existing resolution to meet the new State standards. Those standards now require a 30 foot and 60 foot vegetated buffer from the top of bank along Waters of the State. Please keep in mind that these new regulations only apply to new development or redevelopment projects that disturb one or more acres of land with the project being located within the urbanized area of Blount County. Furthermore, this regulation does not apply to any agriculture/farming practice(s). The new Water Quality Buffer Program must be adopted by ***May of 2015***. I have copied and pasted those permit specific requirements below for quick reference:

Sec. 4.2.5.1 Permit requirements

(pg. 16) Develop and implement a set of requirements to establish, protect and maintain a permanent water quality buffer along all waters of the state at new development and redevelopment projects.

Sec. 7 Definitions

(pg. 37) Water quality buffer means a setback from the top of water body's bank of undisturbed vegetation, including trees, shrubs and herbaceous vegetation; enhanced or restored vegetation; or the re-establishment of native vegetation bordering streams, ponds, wetlands, springs, reservoirs or lakes, which exists or is established to protect those water bodies. The goal of the water quality buffer is to preserve undisturbed vegetation that is native to the streamside habitat in the area of the project. Vegetated, preferably native, water quality buffers protect water bodies by providing structural integrity and canopy cover, as well as stormwater infiltration, filtration and evapotranspiration. Buffer width depends on the size of a drainage area. Streams or other waters with drainage areas less than 1 square mile will require buffer widths of 30 feet minimum. Streams or other waters with drainage areas greater than 1 square mile will require buffer widths of 60 feet minimum. The 60-feet criterion for the width of the buffer zone can be established on an average width basis at a project, as long as the minimum width of the buffer zone is more than 30 feet at any measured location. The MS4 must develop and apply criteria for determining the circumstances under which these averages will be available. A determination that standards cannot be met may not be based solely on the difficulty or cost associated with implementation.

Every attempt should be made for development and redevelopment activities not to take place within the buffer zone. If water quality buffer widths as defined above cannot be fully accomplished on-site, the MS4 must develop and apply criteria for determining the circumstances under which alternative buffer widths will be available. A determination that water quality buffer widths cannot be met on site may not be based solely on the difficulty or cost of implementing measures, but must include multiple criteria, such as: type of project, existing land use and physical conditions that preclude use of these practices.

IV. Attachments

Attached you will find a copy of the existing resolution with areas highlighted that will need amending to meet the current TDEC standards. Other sections of the resolution may be amended should the Ad Hoc Committee and the County Commission deem necessary. Also attached is a map showing the urbanized area of Blount County for explanation of where this new regulation will apply.

I can be reached at (865)681-9301 or jteague@blounttn.org with any questions or comments you may have in regard to the changes to the existing resolution.

FOR INFORMATION ONLY

POSSIBLE PROPOSED AMENDMENTS TO RESOLUTION NO. 15-03-004 (*"A RESOLUTION ESTABLISHING A WATER QUALITY BUFFER AND RELATED REGULATION OF STREAMS, RIVERS, WETLANDS, PONDS, AND LAKES IN BLOUNT COUNTY")*

1. *Page 5 (under Section 2 APPLICABILITY) in the 3rd and 4th lines at the top of the page. STRIKE OUT the word "unincorporated" and INSERT the words "outside of the City/Town limits".*
2. Page 6 (under Section 4 STANDARDS FOR BUFFER VEGETATION) SUBSTITUTE Section 4 a. with: The vegetative targets for a stream, river, spring, or wetland buffer shall include native trees, shrubs and herbaceous vegetation. Vegetated, preferably native, water quality buffers protect water bodies by providing structural integrity and canopy cover, as well as storm water infiltration.
3. Page 7 (under Section 5 ACTIVITIES WITHIN THE WATER QUALITY BUFFER) In Section 5.a.5. STRIKE OUT the words "if used primarily" and INSERT the words "and not used".
4. Page 9 (under Section 6 PROTECTION OF WATER QUALITY BUFFER) In the 4th paragraph under Section 6 beginning at the 4th line - STRIKE OUT the last sentence which begins with the words "If the property owner….", and STRIKE OUT all of Section 6.a. and Section 6.b.

RESOLUTION NO. 15-03-004

SPONSORED BY COMMISSIONERS:
JAMIE DALY, GRADY CASKEY, AND TOM COLE

A RESOLUTION ESTABLISHING A WATER QUALITY BUFFER AND RELATED REGULATION OF STREAMS, RIVERS, WETLANDS, PONDS AND LAKES IN BLOUNT COUNTY.

WHEREAS; the streams and rivers of Blount County supply much of the water required by citizens for drinking and other municipal and industrial uses, and

WHEREAS; the people of Blount County use surface waters for fishing, canoeing, swimming, and other recreational and economic purposes, and

WHEREAS; the streams and rivers of Blount County are vital to the environmental health of the community and to wildlife and aquatic life that reside in or near said streams; and

WHEREAS; the Blount County Commission finds that the protection of streams and rivers in Blount County is vital to the health, safety, environmental, and economic welfare of its citizens and the community at-large, and

WHEREAS; it is the intent of this Resolution to establish a new WATER QUALITY BUFFER of restricted development and limited land use adjacent to all community waters in the urbanized unincorporated areas of Blount County, and

WHEREAS; new development and re-development projects adjacent to community waters shall include such buffers in their proposed plans, and

WHEREAS; the purposes of the WATER QUALITY BUFFERS are to:

a. Protect public and private water supplies,
b. Minimize thermal stream pollution by adding or preserving stream canopy,
c. Trap sediment, nutrients and other pollutants in surface run-off,
d. Promote bank stabilization,
e. Protect wetlands,
f. Minimize the impact of floods,
g. Reduce stormwater runoff velocities,
h. Protect channel bank area from erosion and scour,
i. Protect wildlife habitat, and
j. Generally maintain water quality.

WHEREAS; Blount County has applied for, obtained, and shall comply with the National Pollutant Discharge Elimination System (NPDES) Phase II permit for discharges of stormwater runoff into the waters of the State of Tennessee; and

WHEREAS; Under the authority of the Federal Water Pollution Control Act of 1977 (known as the Clean Water Act), the United States Environmental Protection Agency (EPA) is specifically required to develop and oversee the National Pollutant Discharge Elimination System (NPDES) permit program which requires all communities operating a small municipal separate storm sewer system (MS4) to regulate the discharge of pollutants to the waters of the state. Under the authority of the Tennessee Water Quality Control Act of 1977, the Tennessee Department of Environment and Conservation (TDEC) has interpreted that this mandate includes the regulation of water quality buffers. The permit requires that Blount County "develop and implement a set of requirements to establish, protect and maintain permanent water quality buffers along all waters of the state at new development and redevelopment projects." In the permit, water quality buffers are defined as "undisturbed vegetation including trees, shrubs, and herbaceous vegetation; enhanced or restored vegetation; or the re-establishment of vegetation bordering streams, ponds, wetlands, springs, reservoirs, or lakes, which exists or is established to protect those water bodies."

NOW, THEREFORE BE IT ORDAINED BY THE COMMISSION OF BLOUNT COUNTY, TENNESSEE, AS FOLLOWS:

WATER QUALITY BUFFERS

Section	
1	Definitions
2	Applicability
3	Standards for Buffer Widths
4	Standards for Buffer Vegetation
5	Activities within the Water Quality Buffer
6	Protection of Water Quality Buffer
7	Water Quality Buffer Enhancements
8	Site Plans and Plats Prepared for Recoding
9	Variances – Water Quality Buffer Averaging
10	Non-compliance
11	Civil Penalties
12	Performance Bonds
13	Repeal Clause
14	Conflict with State Requirements
15	Effective Date

Section 1 DEFINITIONS

As used in this Document, unless the context clearly indicates otherwise, the following definitions apply:

a. "Blount County" represents any permitting agency within the county government including but not limited to the following: Stormwater, Building Codes, Planning, Environmental Health, and Zoning.

b. "Community Waters" include streams, rivers, wetlands, ponds, springs, reservoirs, and lakes as defined in this resolution that connect one to the other.

c. "Development, redevelopment, and/or projects" includes any of the following activities:
   1. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
      a. One or more residential or nonresidential buildings, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or,
      b. The division or allocation of land or space, between or among two or more existing or prospective occupants by means of, or for the purposes of streets, common areas, leaseholds, condominiums, building groups or other features.
   2. The process of grading, clearing, filling, quarrying, construction, or reconstruction to improved or unimproved real estate or other similar activities.

d. "Drainage Area" is the total surface area, as determined from the uppermost point on a community waters within the project, where the water from rain, snowmelt, or irrigation which is not absorbed into the ground flows over the ground surface, back into community waters, to finally reach that point.

e. "Existing Land Use" means a land use which, prior to the effective date of this resolution, is either:

   1. Completed; or
   2. Ongoing, as in the case of agricultural activity; or
   3. Under construction; or
   4. Fully approved by the governing authority.

f. "Floodplain" means relatively flat area or lowlands adjoining a water course, or other body of water, that has been, or may be, covered by water.

g. "Impervious Surfaces" shall mean those areas that prevent or impede the infiltration of stormwater into the soil as it entered in natural conditions prior to development. Common impervious areas include, but are not limited to, rooftops, sidewalks, walkways, streets, patio areas, driveways, parking lots, storage areas, compacted gravel and soil surfaces, awnings and other fabric or plastic coverings.

h. "Land-disturbing Activity" shall mean any activity on private or public land that may result in soil erosion and the movement of sediments. Land disturbing activities include, but are not

limited to, development, re-development, demolition, construction, reconstruction, clearing, grading, filling, logging and/or tree chipping operations, haul roads associated with the development, and excavation, etc.

i. "Native Vegetation" are indigenous plants to East Tennessee or the southeastern United States.

j. "Pond or Lake" are defined as inland bodies of standing water.

k. "Stream" or "River" means the following:

1. A linear surface water conveyance that can be characterized as having either perennial or ephemeral base flow and
2. Has a defined floodplain that has been computed as part of a Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA); or
3. Are identified as a blue line on a 7.5-minute USGS quadrangle, unless otherwise designated by Tennessee Department of Environmental Conservation (TDEC); or
4. Are determined to be streams by the United States Army Corps of Engineers (USACE), TDEC, or a Certified Hydrological Professional.

l. "Top of Bank" the uppermost limit of an active stream channel, usually marked by a break in slope.

m. "Water Quality Buffer" or "WQB" is a defined area that encompasses all land within the areas as described in Section 3. The water quality buffer is intended to mean undisturbed vegetation including trees, shrubs, and herbaceous vegetation; enhanced or restored vegetation; or the re-establishment of vegetation bordering streams, ponds, rivers, wetlands, springs, reservoirs, or lakes, which exists or is established to protect those water bodies.

n. "Waters of the State" or simply waters, is any and all water, public or private, on or beneath the surface of the ground, which are contained within, flow through or border upon Tennessee or any portion thereof except those bodies of water confined to and retained within the limits of private property in single ownership which do not combine to effect a junction with natural surface or underground waters.

o. "Wetlands" shall mean an area that is naturally or by design inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetland determination shall be made by the Army Corps of Engineers and/or Tennessee Department of Environment and Conservation (TDEC), or a qualified professional that has been trained in the identification and delineation of wetland areas.

Section 2 APPLICABILITY

The water quality buffer shall apply to all new development projects, modifications to existing development projects, and/or redevelopment projects, that will result in a land-disturbing activity

that is equal to or greater than one (1) acre and shall establish, protect and maintain water quality buffers along all streams, rivers, lakes, ponds, springs, reservoir, and wetlands that are located in, or portions of which are located in, the urbanized ~~unincorporated~~ areas outside of the City/Town limits of Blount County as set forth in this resolution. Any property or portion thereof that lies within the water quality buffer is subject to the requirements for the water quality buffer stated in this resolution.

a. Exemptions. The following shall be exempted from provisions of these regulations.

i.) Any land division that falls without the definition of a subdivision in TCA 13-3-401(4)(B) for five acre tracts that do not require extension of roads and utilities.
ii.) Any land division that falls under provisions of TCA 13-3-408 pertaining to division by the courts as among heirs and among joint owners.
iii.) Division of land falling within the definition of a minor subdivision in the Blount County Subdivision Regulations, being generally a division into four or fewer lots.
iv.) Adjustment of parcel lines between adjacent owners by plat.
v.) Division of parcel or lot all portions of which are outside the required buffer.
vi.) Any development which restricts in site plan or plat that impervious surface within 30 feet of the regulated body of water will be negligible, and for total development will not be greater than ten (10) percent impervious surface post development (after development is complete).

Section 3 STANDARDS FOR BUFFER WIDTHS

Except as otherwise provided in this resolution, the water quality buffer must be maintained in a vegetated state as defined below. Any property or portion thereof that lies within the WQB is subject to the restrictions of the WQB. The water quality buffer width shall be determined as follows:

a. If state and/or federal regulatory buffer requirements are not applicable, then a minimum buffer width as described below shall apply.

b. Buffer widths are determined by the size of the drainage area.

c. Streams or other waters with drainage areas less than 1 square mile will require buffer widths of 30 feet minimum.

d. Streams or other waters with drainage areas greater than 1 square mile will require buffer widths of 60 feet minimum.

e. The 60 feet criterion for the width of the buffer zone can be established on an average width basis at a project, as long as the minimum width of the buffer zone is more than 30 feet at any measured location.

Section 4 STANDARDS FOR BUFFER VEGETATION

The vegetative goal is a use-restricted, vegetated buffer that is located along the perimeter of a community water within Blount County, containing natural vegetation and grasses, enhanced or restored that is native in origin.

a. ~~The vegetative targets for a stream, river, spring, or wetland buffer shall include native mature, moderately dense forest along the water for a minimum of 15 foot of the water quality buffer zone, with woody shrubs and understory vegetation and dense grasses for the balance.~~

a. The vegetative targets for a stream, river, spring, or wetland buffer shall include native trees, shrubs, and herbaceous vegetation. Vegetated, preferably native, water quality buffers protect water bodies by providing structural integrity and canopy cover, as well as storm water infiltration.

b. The vegetative targets for a pond, reservoir, or lake buffer shall be a minimum of mowed dense grass that covers the entire buffer area.

c. If a water body does not have an established water quality buffer, then a water quality buffer enhancement plan shall be required. Such a planting plan shall be submitted to the Blount County Stormwater Department for approval and must comply with the following:

1. All planting plans shall be drawn to scale and may be part of a larger landscaping plan.
2. The planting plan shall be a part of the required site plan review submittals.

d. Establishment of a vegetated WQB must adhere to the following conditions and be shown on the buffer enhancement plan:

1. Stream banks must be planted with native vegetation that represents both woody (trees and shrubs) and herbaceous species. Density shall depend on the re-vegetation technique to be used and existing site conditions;
2. No trees shall be planted in a utility easement;
3. No single species may comprise more than one third (1/3) of the total planted trees or shrubs;
4. Seedlings/trees must be guaranteed at a seventy-five percent (75%) survivorship; and
5. Non-native species must be removed and managed.

e. Details on appropriate vegetation for water quality buffer areas, detailed information on streambank and buffer restoration techniques, planting guidelines and lists of native plant species can be found from the following sources:

- Tennessee Valley Authority's Riparian Restoration webpage, located at www.tva.com/river/landandshore/stabilization/index.htm
- Tennessee Valley Authority's Native Plant Finder webpage, located at www.tva.com/river/landandshore/stabilization/plantsearch.htm;
- Banks and Buffers: A guide to selecting native plants for streambanks and shorelines. Contact information to obtain this publication is provided at

www.tva.com/river/landandshore/stabilization/websites.htm;

- the Tennessee Exotic Plant Pest Council website, located at www.tneppc.org; and
- the Natural Resource Conservation Service (NRCS) www.nrcs.gov.

Section 5 ACTIVITIES WITHIN THE WATER QUALITY BUFFER

The water quality buffer shall be established, managed and maintained to protect the physical and ecological integrity of community waters, to reduce flooding potential, provide tree canopy and to filter runoff from developed areas. Management of the WQB includes specific limitations on alteration of the natural conditions.

a. The following activities are prohibited within the Water Quality Buffer:

1. The storage of pesticides, herbicides, and fertilizers,
2. Parking lots,
3. Vehicle storage, vehicle maintenance, gasoline or diesel storage,
4. Waste storage,
5. Buildings, accessories, structures and all types of impervious surfaces greater than 200 square feet ~~if used primarily~~ and not used for recreational purposes,
6. Hazardous or sanitary waste landfills,
7. Receiving areas for toxic or hazardous waste or other contaminants,
8. Mining (unless exempt by State law),
9. Dumpster storage,
10. Grease bin storage,
11. Animal lots or kennels, and
12. Other uses known to contribute pollutants to waterways.

b. The following activates may be allowed on a restricted basis within the Water Quality Buffer with prior approval by the Blount County Stormwater Department:

1. Septic tanks and septic drain fields in a location approved by the Blount County Environmental Health Department.
2. Individual trees within the WQB may be removed if in danger of falling, causing damage to dwellings or other structures, causing blockage of the stream, standing in the path of an approved water line, sanitary sewer, storm main; and/or the roots of a tree are penetrating or in danger of penetrating a sewer, water or storm drainage line at a joint or pipe connection. The root wad or stump should be left in place, where feasible, to maintain soil stability.
3. Infrastructure such as roads, bridges, storm drainage, stormwater management facilities that are appropriate for use in a riparian zone (i.e., wetlands, buffers), and utilities provided that they adhere to the following standards:

i: The width should be the minimum width needed to allow for access for maintenance and installation;
ii: WQB crossings shall be at an angle that minimizes clearing requirements;
iii: The minimum number of WQB crossings should be used within each development, with no more than one crossing every one-thousand (1000) linear

feet. The Stormwater Department may approve additional crossing if justified by traffic, safety, or access issues.

4. Paths and greenway trails, public or private, with a width no greater than 5 ft. be allowed, and if greater than 5ft., it must be approved by Blount County.
5. Access areas for utilities that are located in the water quality buffer shall be allowed. Access areas must be minimized to the maximum extent practicable and shall be located at intervals no less than four-hundred (400) feet unless warranted by valid safety, access, or service issues.
6. Removal of forest vegetation that has the potential to impact traffic safety or limit access to areas immediately surrounding the approved stream or utility crossing. The area shall be vegetated with a minimum of dense grass.
7. Bank stabilization / restoration / habitat alteration projects.
8. Disturbances as required to establish and/or restore buffer areas in accordance to an approved buffer enhancement plan.
9. The pruning of native vegetation is allowed provided that the health and function of the vegetation is not compromised. However, only the individual removal of under-story nuisance non-native vegetation (i.e. honeysuckle, kudzu, privet) causing minimal soil disturbance is permitted. On land where the removal of such nuisance vegetation would cause a reduction in the amount of stream canopy by 50% or more, re-vegetation with native plants should be targeted to provide 50% of the previous canopy at a minimum. For areas where such nuisance vegetation removal would cause a reduction in the amount of stream bank vegetation, re-vegetation with native plants is required to meet the previous density of coverage.
10. Other uses permitted and approved by TDEC, or under Section 404 of the Federal Clean Water Act, or by the Tennessee Valley Authority (TVA).
11. Education / scientific research that do not require any prohibited activities identified in this section.
12. Land uses that involve agriculture production and management consistent with all state and federal laws and all regulations promulgated by the Tennessee Department of Agriculture.
13. Land disturbance and grading, but must be re-vegetated according to Section 4.
14. Clearing, grubbing, grading and re-vegetation, performed in accordance with an approved grading plan.
15. Disturbances necessary for the construction of utility access areas and approved stream crossings.
16. Ongoing vegetative maintenance activates such as mowing, bush-hogging, and weed-eating.
17. The limited use or application of fertilizers, pesticides, and herbicides.
18. Storm water retention and detention facilities that meet the approval of Blount County.

Section 6 PROTECTION OF WATER QUALITY BUFFER

All water quality buffers must be protected during construction / development activities.

Prior to the initiation of land disturbing activities, construction layout surveys must include: staking and labeling of the water quality buffer perimeter. A combination of stakes, flagging

and/or silt fence may be used to ensure adequate visibility of the WQB. The layout must be inspected and approved by the Stormwater Department before grading begins.

All areas of the water quality buffer, including stream banks, must be left in a stabilized condition upon completion of construction activities. No actively eroding bare or unstable stream banks shall remain, unless approved by the Director of the Stormwater Department or his designee. Placement of riprap and other hard armor is allowed only when bioengineering alternatives are not feasible.

Once construction has ceased on a project, water quality buffers must still be maintained in accordance with the recorded Covenants for Maintenance of Stormwater Facilities and Best Management Practices. The covenants shall require that maintenance of the water quality buffer in perpetuity be the responsibility of the property owner. ~~If the property owner is not willing to accept responsibility and the area is not publicly owned, the water quality buffer shall be placed into an easement to be held by one of the following non-governmental entities.~~

~~a. A viable third party such as a land trust, land management company or utility. The purpose of the third party is to provide monitoring and oversight to ensure the perpetual protection of the area in accordance with the requirements of a buffer area. The organization shall:~~
~~1. Have the legal authority to accept and maintain such easements;~~
~~2. Be bona fide and in perpetual existence; and~~
~~3. Have conveyance instruments that contain an appropriate provision for re-transfer in the event the organization becomes unable to carry-out its functions.~~

~~b. A property owners association (POA) provided that the following criteria are met:~~
~~1. Membership in the POA is mandatory and automatic for all property owners and their successors;~~
~~2. The POA shall have continuing lien authority to ensure the collection of dues from all members; and~~
~~3. The POA assumes the responsibility for protecting, monitoring and maintaining the area as a conservation easement, in perpetuity.~~

Section 7 WATER QUALITY BUFFER ENHANCEMENTS

The property owner may restore or enhance vegetation within a water quality buffer with prior approval of a Buffer Enhancement Plan by the Director of the Stormwater Department or his designee.

The Director of the Stormwater Department or his designee shall have the authority to require a property owner to restore or enhance water quality buffers that have been disturbed or do not meet, or have the potential to not meet through natural vegetative succession, the vegetative targets for buffer areas that are defined herein.

Enhancement of water quality buffers must be performed in accordance with the requirements of Section 4 and the guidance provided below.

1. The buffer being enhanced must be planted with vegetation that is appropriate to achieve the vegetative targets stated in Section 4.
2. The buffer being enhanced must be stabilized against erosion.
3. If the buffer around a pond or lake will consist largely of grasses after enhancement, seeding must be performed at a rate sufficient to provide healthy, dense, permanent vegetative cover for 100% of the buffer area within one growing season. Mulch, pebbles, wood chips and other non-vegetative ground cover is not acceptable for buffer enhancement.
4. Where the removal of such vegetation would cause a reduction in the amount of stream canopy by 50% or more, re-vegetation with native plants is required to provide the cover of the previous canopy at a minimum. For areas where such vegetation removal would cause a reduction in the amount of stream bank vegetation, re-vegetation specifications with native plants is required to return the amount of vegetative cover to its previous state, at a minimum. To reduce the potential for stream bank erosion, re-vegetation measures along stream banks must include sufficient erosion control measures, such as turf reinforcement mats, erosion control blankets, straw wattles, etc., to stabilize the area in the short- and long-term.
5. To increase the chances for the success and health of the buffer area, the plant species, density, placement, and diversity proposed in the Buffer Enhancement Plans must be appropriate for stream, wetland, and pond/lake buffers to achieve the vegetative target that is defined for the buffer through natural succession. Proposed planting and long-term maintenance practices must also be appropriate and properly performed.
6. Vegetation mortality must be accounted for all planting densities that are proposed in buffer enhancement plans.

Section 8 SITE PLANS AND PLATS PREPARED FOR RECORDING

Unless otherwise provided herein, all site development plans and plats shall:

a. Clearly show the extent of any WQB width on the subject property plan or plat and be labeled as “Water Quality Buffer”.

b. Provide a note with reference to the WQB stating that there shall be no clearing, grading, construction or disturbance of vegetation except as permitted by Blount County.

c. Visible permanent boundary markers approved by Blount County shall be required to be installed prior to the recording of the final plat or the issuance of a Certificate of Occupancy. The boundary markers should be installed in a visible area located near the property lines at the intersection of the landward edge of the buffer. The boundary markers must be placed every one hundred (100) linear feet for parcels with buffers exceeding two hundred (200) linear feet for a single parcel of land. Buffer boundary markers shall include the statement “Water Quality Buffer – Do Not Disturb”. Where possible, the markers should be mounted to a tree larger than three (3) inches in diameter. Where it is not possible to mount the marker to a tree, a treated wood, metal, or plastic signpost must be used.

Section 9 VARIANCES - WATER QUALITY BUFFER AVERAGING

A variance may be granted in the form of a reduction in the Water Quality Buffer width over a portion of property in exchange for an increase in buffer width elsewhere on the same property such that the average WQB width remains sixty (60) feet. A property owner may request a variance from the requirements of the WQB by submitting a letter to the Blount County Stormwater Department justifying the purpose for the variance and the width of variance requested. The variance may be granted provided the following conditions are met:

i.) The width of the averaged buffer within the boundaries of the property to be developed shall not be less than sixty (60) feet; and

ii.) The width of the buffer shall not be less than thirty (30) feet at any location (sixty (60) feet for steep slope areas), except where stream crossings have been approved.

iii.) Those areas of the water quality buffer having a minimum width of thirty (30) feet (or less at the stream crossing) can comprise no more than fifty (50) percent of the buffer length.

iv.) Buffer averaging is required for WQB that have stream crossings.

v.) Buffer averaging is prohibited for any portion of developments that have or have planned land use as described:

1. Areas that have slopes greater than 15% that are located within fifty (50) feet of the stream to be buffered;
2. Landfills (demolition landfills, permitted landfills, close-in-place landfills);
3. Junkyards;
4. Commercial or industrial facilities that store and/or service motor vehicles;
5. Commercial greenhouses or landscape supply facilities;
6. Developments or facilities that have commercial or public pools;
7. Animal care facilities, kennels, and commercial/business developments or facilities that provide short-term or long-term care of animals;
8. Other land uses deemed by the Stormwater Department to have the potential to generate higher than normal pollutant loadings.

Section 10 NON-COMPLIANCE

Whenever the County Stormwater Director or his designee determines that a violation of any provision of this resolution has occurred, or that work does not have a required plan or permit, or that work does not comply with an approved plan or permit, the County Stormwater Director or his designee shall issue a Notice of Non-Compliance to the property owner, utility, facility operator, lessee, contractor, permittee and/or the equipment operator doing work on the site. The Notice of Non-Compliance shall:

a) Be in writing.
b) Include a description of the property sufficient for identification of where violation has occurred.
c) List the violation.
d) State the action required.
e) Provide a deadline for compliance or to stop work.

Section 11 CIVIL PENALTIES

a. Civil Penalty:

Any person or entity violating the provisions of this resolution may be assessed a civil penalty by the County of not less than fifty dollars ($50.00) or more than five thousand dollars ($5,000.00) per day for each day of violation. Each day of violation shall constitute a separate violation.

b. In assessing a civil penalty, the County may consider:

1) The harm done to the public health or the environment.
2) Whether the civil penalty imposed will be a substantial economic deterrent to the illegal activity.
3) The economic benefit gained by the violator.
4) The amount of effort put forth by the violator to remedy this violation.
5) Any unusual or extraordinary enforcement costs incurred by the County.
6) The amount of penalty established by resolution for specific categories of violations.
7) Any equities of the situation that outweigh the benefit of imposing any penalty of damage assessment.

c. In addition to the civil penalty in subsection (a) above, the County may recover all damages proximately caused by the violator to the County, which may include any reasonable expenses incurred in investigating and enforcing violations of this document.

d. The County may bring legal action to enjoin the continuing violation of this resolution, and the existence of any other remedy, at law or in equity, shall be no defense to any such actions.

e. The remedies set forth in this section shall be cumulative, not exclusive, and it shall not be a defense to any action, civil or criminal that one (1) or more of the remedies set forth herein has been sought or granted.

f. If a violation of the provisions contained herein occurs during the construction period, all work on the site may be halted by a Stop Work Order until the Director deems corrections are sufficient.

g. Appeals. Any applicant or permit holder may appeal any decision or interpretation of the provisions of this resolution by the Inspector to the Blount County Board of Zoning Appeals by filing a petition for review with the board within thirty (30) days of such decision or interpretation. No fine shall be rendered until the Appeals Board decision is given. Any person aggrieved by a final decision of the board may seek review by a court of competent jurisdiction.

Section 12 PERFORMANCE BONDS

a. Prior to plat approval, a performance bond which guarantees satisfactory completion of new development or redevelopment projects may be required for work related to the water quality buffer until project approval by Blount County.
b. Performance bonds shall name Blount County as beneficiary and shall be guaranteed in the form of a surety bond, cashier's check, or letter of credit from an approved financial institution or insurance carrier. The surety bond, cashier's check, or letter of credit shall be provided in a form in an amount to be determined by Blount County. The actual amount shall be based on submission of plans and estimated construction, installation or potential maintenance and/or remediation expenses.
c. The Director of the Stormwater Department may refuse brokers or financial institutions the right to provide a surety bond, letter of credit, or cashier's check based on past performance, ratings of the financial institution, or other appropriate sources of reference information.
d. A performance bond is not required for an individual residential lot, except when deemed necessary by the Director based on site conditions and the adverse impact on downstream conditions or other properties.

Section 13 REPEAL CLAUSE

The provisions of any ordinances or resolutions or parts thereof in conflict herewith shall not apply, except for ordinances or resolutions or parts thereof which provide stricter standards from those provided herein.

Section 14 CONFLICTS WITH STATE REQUIREMENTS

The State of Tennessee may require water quality buffers during construction activities via provisions contained in the Tennessee Construction General Permit (CGP) or other regulatory permits and processes. The State's requirements may, or may not, align with Blount County's requirements and policies for water quality buffers. It is the responsibility of the site owner/developer to be informed and educated on any State-level buffer requirements. If a site owner/developer intends to apply Blount County's buffer requirements in lieu of any requirements of the State of Tennessee, the owner/developer must first obtain approval from TDEC and provide Blount County with written documentation of such approval.

Section 15 EFFECTIVE DATE

NOW, THEREFORE, BE IT RESOLVED by the Blount County Board of Commissioners meeting in regular session on this the 16th day of April, 2015, that this resolution shall take effect on final passage, the public welfare requiring it.

Duly authorized and approved the 16th day of April, 2015.

CERTIFICATION OF ACTION: **ATTEST:**

_____ _____
Commission Chairman County Clerk

Approved: _____
Vetoed: _____ _____ _____
County Mayor Date

AD HOC COMMITTEE TO STUDY AMENDING THE EXISTING WATER QUALITY BUFFER RESOLUTION AND RELATED REGULATIONS MEETING
Monday, February 23, 2015 – 5:00 p.m.
Room 315, Blount County Courthouse

MINUTES

Members Present: Grady Caskey, Tom Cole, Jamie Daly, and Karen Miller

Members Absent: Jeff Headrick

Others Present: Justin Teague, Tona Monroe, Rick Carver, and Rhonda Pitts

Chairwoman Jamie Daly called the meeting to order and read the Emergency Announcement.

Roll Call
The roll was taken by Chairwoman Jamie Daly.

Setting of Agenda
A motion was made by Grady Caskey and seconded by Thomas Cole to set the agenda. A voice vote was taken with Chairwoman Daly declaring the motion passed and the agenda set.

Approval of Minutes of January 26, 2015 meeting of the Ad Hoc Committee to Study Amending the Existing Water Quality Buffer Resolution and Related Regulations
Grady Caskey made a motion to approve the minutes of the January 26, 2015 Ad Hoc Committee To Study Amending the Existing Water Quality Buffer Resolution and Related Regulations meeting. Thomas Cole seconded the motion. A voice vote was taken with Chairwoman Daly declaring the motion passed and the minutes approved.

Public Input on Items on the Agenda
There was no public input on items on the agenda.

Unfinished Business
There was no unfinished business.

New Business

Discussion and possible action regarding amendment of a resolution Establishing a Water Quality Buffer and Related Regulations of Streams, Rivers, Wetlands, Ponds and Lakes in Blount County.

Motions Regarding Amendments Regarding Revision I of the Resolution:

Grady Caskey made a motion to consider Revision I for Discussion. Thomas Cole seconded the motion. A voice vote was taken with Chairwoman Daly declaring the motion passed.

A motion was made by Karen Miller to keep the word "projects" on page 1 of the Revision I resolution. Chairwoman Daly declared the motion failed due to a lack of a second.

A motion was made by Grady Caskey to reconsider the motion to add the word "projects". Thomas Cole seconded the motion. A voice vote was taken with Chairwoman Daly declaring the motion approved.
Grady Caskey made a motion to insert the word "projects" between the words re-development and adjacent, at the 6th Whereas of the preamble, on the first page of the Revision I of the resolution. Thomas Cole seconded the motion. A voice vote was taken with Chairwoman Daly declaring the motion to have passed.

Thomas Cole made a motion, which was seconded by Grady Caskey, to add the revision "urbanized unincorporated areas of Blount County" into the 5th Whereas (on the first page) after the "words waters in the". A voice vote was taken with Chairwoman Daly declaring the motion approved.

Karen Miller made a motion to insert the words "the urbanized unincorporated areas of Blount County" into the title of the resolution. Chairwoman Daly declared the motion failed due to a lack of a second.

Grady Caskey made a motion to insert the word "permanent" between the words "maintain and water quality" on page 2 in line 9 of the 2nd paragraph. Thomas Cole seconded the motion. A voice vote was taken with Chairwoman Daly declaring the motion approved.

Thomas Cole made a motion to accept the revised wording on page 2, paragraph 2 and line 10, "along all waters of the state at" after the words “water quality buffers” and to accept the word "projects" after the words new development and redevelopment. The motion was seconded by Grady Caskey. A voice vote was taken with Chairwoman Daly declaring the motion approved.

Grady Caskey made a motion, which was seconded by Thomas Cole, to insert the word “springs”, between the words wetlands and reservoirs, in the next to the last line of paragraph 2 on page 2. A voice vote was taken with Chairwoman Daly declaring the motion approved.

Section 1 - Definitions

Thomas Cole made a motion, which was seconded by Grady Caskey, to insert the words, "springs, reservoirs," between the words "ponds and lakes" on page 3 and section b. of the resolution. A voice vote was taken with Chairwoman Daly declaring the motion approved.

Grady Caskey made a motion, which was seconded by Thomas Cole, to insert a new paragraph for Section 1d. on page 3 under definitions. A voice was taken with Chairwoman Daly declaring the motion approved.

Grady Caskey made a motion, which was seconded by Thomas Cole, to strike the words "upstream of a" and insert the words "as determined from the uppermost point on a community waters within the project" and " community waters" after words "back into" on page 3 paragraph d. The paragraph would be stated as follows: "Drainage Area" is the total surface area as determined from the upper most point on a community waters within the project where the water from rain, snowmelt, or irrigation which is not absorbed into the ground flows over the ground surface, back into community water to finally reach that point. A voice vote was taken with Chairwoman Daly declaring the motion approved.

Thomas Cole made a motion, which was seconded by Grady Caskey, to strike out the words, "Blount County" and add the words, "a Certified Hydrological Professional" in section 4. Of Section L. on page 4. A voice vote was taken, with Chairwoman Daly declaring the motion approved.

Thomas Cole made a motion, which was seconded by Grady Caskey, to add the word "springs" between the words "wetlands and reservoirs" in section n. on page 4 of the resolution. A voice vote was taken with Chairwoman Daly declaring the motion approved.

Grady Caskey made a motion, which was seconded by Thomas Cole, to insert section o., "Waters of the State", on page 4 of the resolution, which would read as follows: "Waters of the State" or simply waters, is any and all water, public or private, on or beneath the surface of the ground, which are contained within, flow through or border upon Tennessee, or any portion thereof except those bodies of water confined to and retained with the limits of private property in single ownership which do not combine to effect a junction with natural surface or underground waters." A voice vote was taken with Chairwoman Daly declaring the motion approved.

A motion was made by Grady Caskey, and seconded by Thomas Cole, to include the definition for the word "projects" by adding the words on section c. page 3, "redevelopment and/or projects to the definition of c. "Development", which the title of c. on page 3 would read: "Development, redevelopment, and/or projects." A voice vote was taken with Chairwoman Daly declaring the motion approved.

Grady Caskey made a motion to strike section k. on page 4 in its entirety. Thomas Cole seconded the motion. A voice vote was taken with Chairwoman Daly declaring the motion approved.

Section 2 - Applicability

Grady Caskey made a motion to strike the word "non- residential" in line 1 of Section 2 on page 5 and in line 2 "or any residential development or redevelopment." Chairwoman Daly declared the motion to have failed due to a lack of a second.

Grady Caskey made a motion, which was seconded by Thomas Cole, to amend the 1st paragraph in Section 2 on page 5 as follows: on the first line to strike the word "non-residential"; on the 2nd line to strike the words "or any residential development or redevelopment"; on the 5th line insert the words "springs" and "reservoir"; on the 6th line insert the words "urbanized unincorporated areas of Blount County". The highlighted area in the first 3 lines shall read: "shall apply to all new development projects, modifications to existing development projects, and/or redevelopment projects that will result in a land disturbing activity that is equal to or greater than one (1) acre."

Grady Caskey restated his motion and stated the paragraph shall read as follows: The water quality buffer shall apply to all new development projects, modifications to existing development projects, and/or redevelopment projects, that will result in a land disturbing activity that is equal to or greater than one (1) acre and shall establish, protect and maintain water quality buffers along all streams, rivers, lakes, ponds, springs, reservoir, and wetlands that are located in, or portions of which are located in, the urbanized unincorporated areas of Blount County as set forth in this resolution. Any property or portion thereof that lies within the water quality buffer is subject to the requirements for the water quality buffer stated in this resolution." A voice vote was taken with Chairwoman Daly declaring the motion approved.

Grady Caskey made a motion, which was seconded by Thomas Cole, to strike the number "25" feet and insert the number "30" feet in Section 2, section a. vi.) on page 5 of the resolution. A voice vote was taken with Chairwoman Daly the motion approved.

Section 3 – Standards For Buffer Widths

Thomas Cole made a motion, which was seconded by Grady Caskey, to add between the words "width and shall apply" the words "as described below" in Section 3.a., and to add section b. to say the, "Buffer widths are determined by the size of the drainage area", and in section 3.c "Streams or other waters with drainage areas less than 1 square mile will require buffer widths of 30 feet minimum", and 3.d Streams or other waters with drainage areas greater than 1 square mile will require buffer widths of 60 feet minimum", and e. "The 60 feet criterion for the width of the buffer zone can be established on an average width basis at a project, as long as the minimum width of the buffer zone is more than 30 feet at any measured location", in Section 3 on page 5. The motion was restated to accept all of a.-e. as is, with the exception of the changing the 2 typos of the words corrected from "of" to "or" and this would add all of the

wording in Section 3 a.- e with the changing of the 2 typos “of” to “or”. A voice vote was taken with Chairwoman Daly declaring the motion approved.

Section 4 – Standards for Buffer Vegetation

Grady Caskey made a motion, which was seconded by Thomas Cole, to insert the word “must” between the words “and” and “comply” in the 3rd line in Section 4.c., and to insert the word “spring” after the word river in Section 4.a.

Recess and Reconvene

Chairwoman Daly declared the committee recessed at 7:20 p.m. Chairwoman Daly declared the committee reconvened at 7:32 p.m.

Section 4 – Standards for Buffer Vegetation continued

Grady Caskey restated his motion to add to Section 4.a. to add the word “spring” after the word “river” and before the word “or” and in Section 4. c. insert the word “must” in the 3rd line after the word “and” and before the word “comply”. Grady Caskey made a motion to amend the motion to add in Section b. to insert the word “, reservoir” after the word “pond” and before the words “or lake buffer”. Tom Cole seconded the amendment. A voice vote was taken on the motion to amend the original amendment with Chairwoman Daly declaring the motion to amend approved. Chairwoman Daly restated the original motion to insert the word “spring,” after river and before “or” in section 4.a and in section 4.c to insert the word “must” on the last line between “and” and “comply.” A voice vote was taken with Chairwoman Daly declaring the motion approved.

Section 5 – Activities Within the Water Quality Buffer

A motion was made by Grady Caskey, and seconded by Thomas Cole, to strike the word “and” after the word “maintenance,” and insert the words “and gasoline or diesel storage” in Section 5a.5. on page 7. A voice vote was taken with Chairwoman Daly declaring the motion approved.

Grady Caskey made a motion, which was seconded by Thomas Cole, to strike Section 5a.4. on page 7 in its entirety and to strike Section 5a.8. on page 7 in its entirety and to renumber correctly. A voice vote was taken with Chairwoman Daly declaring the motion approved.

Grady Caskey made a motion, which was seconded by Thomas Cole, to strike the word “an” in Section 5.b.1. on page 7 and add the words “in a location approved by the” to read: “Septic tanks and septic drain fields in a location approved by the Blount County Environmental Health Department.” A voice vote was taken, with Chairwoman Daly declaring the motion approved.

Thomas Cole made a motion to strike number 7. in section 5.a. and number 9. in section 5.a. on page 7 and add the words “larger than 200 square feet” in section 5.a.9. on page 7. Chairwoman Daly declared the motion failed due to a lack of a second.

Grady Caskey made a motion, which was seconded by Thomas Cole, to strike section 5.a.7. on page 7 in its entirety and in 5.a.9. on page 7, add the words "greater than 200 square feet if used primarily for recreational purposes". A voice vote was taken with Chairwoman Daly declaring the motion approved.

Section 6 – Protection of Water Quality Buffer

Thomas Cole made a motion, which was seconded by Grady Caskey, to strike paragraph 4 in Section 6 on page 9. Grady Caskey seconded the motion. A voice vote was taken with Chairwoman Daly declaring the motion approved.

Section 8 – Site Plans and Plats Prepared for Recording

Thomas Cole made a motion, which was seconded by Grady Caskey, to insert the word "Clearly" before the words "show the extent" and insert the word "width" after "WQB" and before the word "on" and strike the words "by metes and bounds or defined distance from metes and bounds referent and be" and insert the words "plan or plat" after the word "property" to read as follows: Clearly show the extent of any WQB width on the subject property plan or plat labeled as "Water Quality Buffer." A voice vote was taken, with Chairwoman Daly declaring the motion approved.

Section 9 – Variances – Water Quality Buffer Averaging

Grady Caskey made a motion, which was seconded by Thomas Cole, to strike section 9.v.)2. in its entirety on page 11and section 9 v.) 8. in its entirety on page 11 and renumbering correctly. A voice vote was taken with Chairwoman Daly declaring the motion approved.

Section 15 – Effective Date

Grady Caskey made a motion, which was seconded by Thomas Cole, to change the dates in Section 15 on page 14 to March 19, 2015. A voice vote was taken with Chairwoman Daly declaring the motion approved.

Section 4 – Standards for Buffer Vegetation

Grady Caskey made a motion to insert the words "along the water for a minimum of one half the water buffer zone with woody shrubs and understory vegetation and dense grasses for the balance" after the word "forest". Chairwoman Daly declared the motion failed due to a lack of a second.

Thomas Cole made a motion, which was seconded by Grady Caskey, to insert after the word "forest" the words "along the water for a minimum of 15 foot of the water quality buffer zone " before the " with woody shrubs and understory vegetation and dense grasses and inserting the words "for the balance" in Section 4.a. on page 6 to read as follows: "The vegetative targets for a stream, river, spring, or wetland buffer shall include native mature, moderately dense forest along the water for a minimum of 15 foot of the water quality buffer zone, with woody shrubs and understory vegetation and dense grasses for the balance." A voice vote was taken with Chairwoman Daly declaring the motion approved.

Revision 2 of the Resolution (A Resolution Establishing A Water Quality Buffer And Related Regulation of Streams, Rivers, Wetlands, Ponds and Lakes in Blount County)

Grady Caskey made a motion, which was seconded by Thomas Cole, to substitute Revision 2 for the current resolution as amended. A voice vote was taken, with Chairwoman Daly declaring the motion approved.

Thomas Cole made a motion, which was seconded by Grady Caskey, to forward the Revision 2 Resolution (A Resolution Establishing A Water Quality Buffer And Related Regulation of Streams, Rivers, Wetlands, Ponds and Lakes in Blount County), after revision 2 is updated and number assigned, to forward to the March 3 Agenda Committee meeting with the Committee's recommendation and sponsored by the members present. A voice vote was taken with Chairwoman Daly declaring the motion approved.

Next Meeting

No meeting was scheduled.

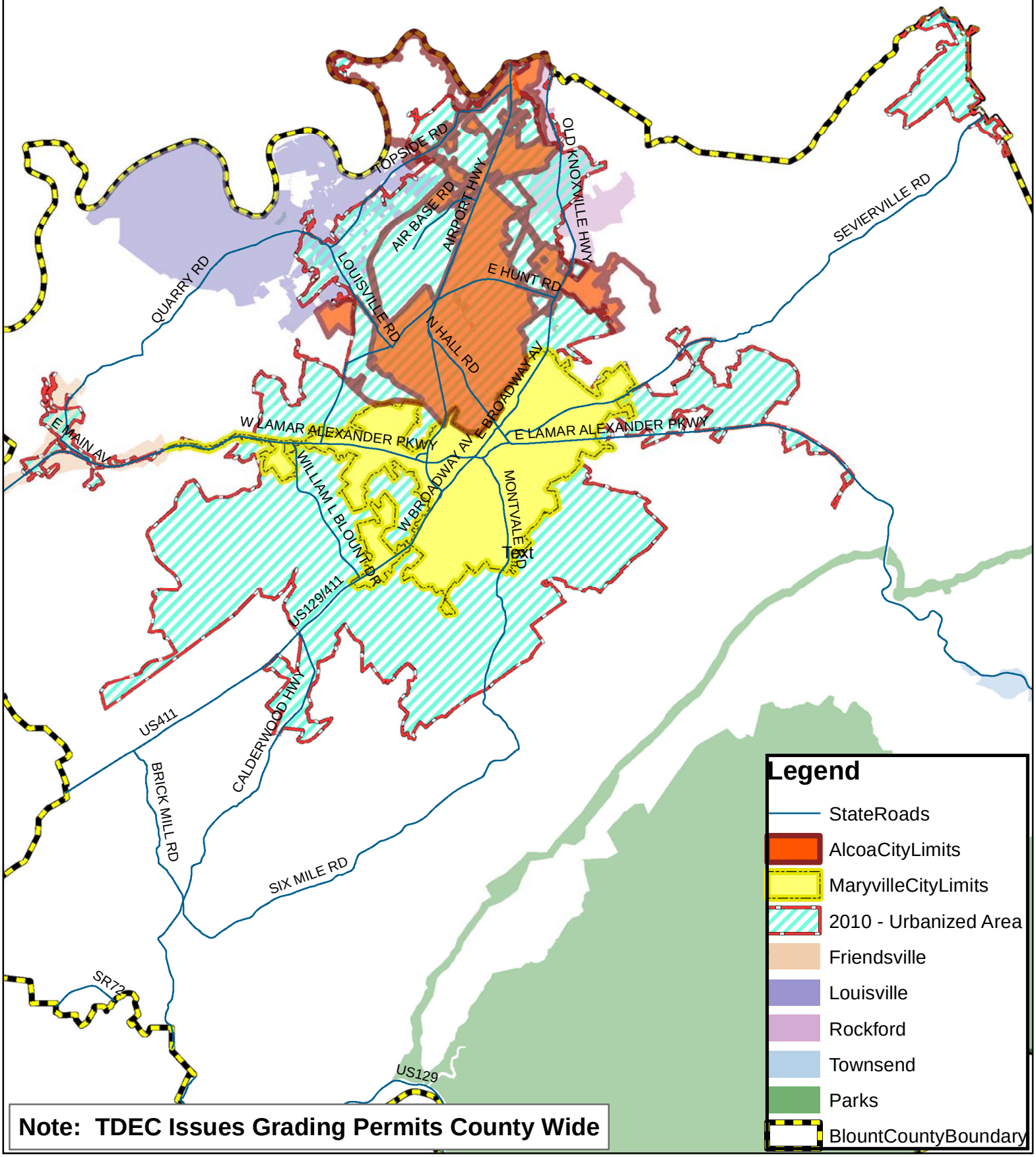
Public Input on Items Not on the Agenda

There was no public input on items not on the agenda.

Adjournment

A motion was made by Grady Caskey, and seconded by Tom Cole, to adjourn the meeting.
A voice vote was taken with Chairwoman Daly declaring the meeting adjourned. The meeting adjourned at 9:40 pm.

Blount County Stormwater Program Area Coverage
2010 Urbanized Area



Note: TDEC Issues Grading Permits County Wide

DRAFT

RESOLUTION NO. _____

SPONSORED BY: COMMISSIONERS MIKE WALKER, MARK HASTY AND WENDY PITTS REEVES

A RESOLUTION ESTABLISHING A WATER QUALITY BUFFER AND RELATED REGULATION OF STREAMS, RIVERS, WETLANDS, PONDS AND LAKES IN BLOUNT COUNTY.

WHEREAS; the streams and rivers of Blount County supply much of the water required by citizens for drinking and other municipal and industrial uses, and

WHEREAS; the people of Blount County use surface waters for fishing, canoeing, ***swimming,*** and other recreational and economic purposes, and

WHEREAS; the streams and rivers of Blount County are vital to the environmental health of the community and to wildlife and aquatic life that reside in or near said streams; and

WHEREAS; the Blount County Commission finds that the protection of streams and rivers in Blount County is vital to the health, safety, environmental, and economic welfare of its citizens and the community at-large, and

WHEREAS; it is the intent of this Resolution to establish a new WATER QUALITY BUFFER of restricted development and limited land use adjacent to all community waters in the unincorporated areas of Blount County, and

WHEREAS; new development and re-development adjacent to community waters shall include such buffers in their proposed plans, and

WHEREAS; the purposes of the WATER QUALITY BUFFERS are to:

a. Protect public and private water supplies,
b. Minimize thermal stream pollution by adding or preserving stream canopy,
c. Trap sediment, nutrients and other pollutants in surface run-off,
d. Promote bank stabilization,
e. Protect wetlands,
f. Minimize the impact of floods,
g. Reduce stormwater runoff velocities,
h. Protect channel bank area from erosion and scour,
i. Protect wildlife habitat, and

j. Generally maintain water quality.

WHEREAS; Blount County has applied for, obtained, and shall comply with the National Pollutant Discharge Elimination System (NPDES) Phase II permit for discharges of stormwater runoff into the waters of the State of Tennessee; and

WHEREAS; Under the authority of the Federal Water Pollution Control Act of 1977 (known as the Clean Water Act), the United States Environmental Protection Agency (EPA) is specifically required to develop and oversee the National Pollutant Discharge Elimination System (NPDES) permit program which requires all communities operating a small municipal separate storm sewer system (MS4) to regulate the discharge of pollutants to the waters of the state. Under the authority of the Tennessee Water Quality Control Act of 1977 the Tennessee Department of Environment and Conservation (TDEC) has interpreted that this mandate includes the regulation of water quality buffers. The permit requires that Blount County "develop and implement a set of requirements to establish, protect and maintain water quality buffers in areas of new development and redevelopment." In the permit, water quality buffers are defined as "undisturbed vegetation including trees, shrubs, and herbaceous vegetation; enhanced or restored vegetation; or the re-establishment of vegetation bordering streams, ponds, wetlands, reservoirs, or lakes, which exists or is established to protect those water bodies."

NOW, THEREFORE BE IT ORDAINED BY THE COMMISSION OF BLOUNT COUNTY, TENNESSEE, AS FOLLOWS:

WATER QUALITY BUFFERS

Section	
1	Definitions
2	Applicability
3	Standards for Buffer Widths
4	Standards for Buffer Vegetation
5	Activities within the Water Quality Buffer
6	Protection of Water Quality Buffer
7	Water Quality Buffer Enhancements
8	Site Plans and Plats Prepared for Recoding
9	Non-compliance
10	Civil Penalties
11	Performance Bonds
12	Repeal Clause
13	Conflict with State Requirements
14	Effective Date

Section 1 DEFINITIONS

As used in this Document, unless the context clearly indicates otherwise, the following definitions apply:

a. "Blount County" represents any permitting agency within the county government including but not limited to the following: Stormwater, Building Codes, Planning, Environmental Health, and Zoning.

b. "Community Waters" include streams, rivers, wetlands, ponds and lakes as defined in this resolution ***that connect one to the other***.

c. "Development" includes any of the following activities:
   1. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
      a. One or more residential or nonresidential buildings, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or,
      b. The division or allocation of land or space, between or among two or more existing or prospective occupants by means of, or for the purposes of streets, common areas, leaseholds, condominiums, building groups or other features.
   2. The process of grading, clearing, filling, quarrying, construction, or reconstruction to improved or unimproved real estate or other similar activities.

d. "Existing Land Use" means a land use which, prior to the effective date of this resolution, is either:

   1. Completed; or
   2. Ongoing, as in the case of agricultural activity; or
   3. Under construction; or
   4. Fully approved by the governing authority.

e. "Floodplain" means ***relatively flat area or lowlands adjoining a water course, or other body of water, that has been, or may be, covered by water.***

f. "Impervious Surfaces" shall mean those areas that prevent or impede the infiltration of stormwater into the soil as it entered in natural conditions prior to development. Common impervious areas include, but are not limited to, rooftops, sidewalks, walkways, streets, patio areas, driveways, parking lots, storage areas, compacted gravel and soil surfaces, awnings and other fabric or plastic coverings.

g. "Land-disturbing Activity" shall mean any activity on private or public land that may result in soil erosion and the movement of sediments. Land disturbing activities include, but are not limited to, development, re-development, demolition, construction, reconstruction, clearing, grading, filling, logging and/or tree chipping operations, haul roads associated with the development, and excavation, etc.

h. "Native Vegetation" are indigenous plants to East Tennessee or the southeastern United States.

i. "Pond or Lake" are defined as inland bodies of standing water.

j. "Redevelopment" See "development"

k. "Stream" or "River" means the following:

1. A linear surface water conveyance that can be characterized as having either perennial or ephemeral base flow and
2. Has a defined floodplain that has been computed as part of a Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA); or
3. Are identified as a blue line on a 7.5-minute USGS quadrangle, unless otherwise designated by Tennessee Department of Environmental Conservation (TDEC); or
4. Are determined to be streams by Blount County, the United States Army Corps of Engineers (USACE) or TDEC.

l. "Top of Bank" the uppermost limit of an active stream channel, usually marked by a break in slope.

m. "Water Quality Buffer" or "WQB" is a defined area that encompasses all land within the areas as described in Section 3. The water quality buffer is intended to mean undisturbed vegetation including trees, shrubs, and herbaceous vegetation; enhanced or restored vegetation; or the re-establishment of vegetation bordering streams, ponds, rivers, wetlands, reservoirs, or lakes, which exists or is established to protect those water bodies.

n. "Wetlands" shall mean an area that is ***naturally or by design*** inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetland determination shall be made by the Army Corps of Engineers and/or Tennessee Department of Environment and Conservation (TDEC), or a qualified professional that has been trained in the identification and delineation of wetland areas.

Section 2 APPLICABILITY

The water quality buffer shall apply to all non-residential new developments, modifications to existing developments, and/or ***redevelopments, or any residential*** development or redevelopment that will result in a land-disturbing activity that is equal to or greater than one (1) acre and shall establish, protect and maintain water quality buffers along all streams, rivers, lakes, ponds and wetlands that are located in, or portions of which are located in, the unincorporated areas of Blount County as set forth in this resolution. Any property or portion thereof that lies within the water quality buffer is subject to the requirements for the water quality buffer stated in this resolution.

a. Exemptions. The following shall be exempted from provisions of these regulations.

i.) Any land division that falls without the definition of a subdivision in TCA 13-3-401(4)(B) for five acre tracts that do not require extension of roads and utilities.

ii.) Any land division that falls under provisions of TCA 13-3-408 pertaining to division by the courts as among heirs and among joint owners.

iii.) Division of land falling within the definition of a minor subdivision in the Blount County Subdivision Regulations, being generally a division into four or fewer lots.

iv.) Adjustment of parcel lines between adjacent owners by plat.

v.) Division of parcel or lot all portions of which are outside the required buffer.

vi.) Any development which restricts in site plan or plat that impervious surface within 25 feet of the regulated body of water will be negligible, and for total development will not be greater than ten (10) percent impervious surface post development (after development is complete).

Section 3 STANDARDS FOR BUFFER WIDTHS

Except as otherwise provided in this resolution, the water quality buffer must be maintained in a vegetated state as defined below. Any property or portion thereof that lies within the WQB is subject to the restrictions of the WQB. The water quality buffer width shall be determined as follows:

a. If state and/or federal regulatory buffer requirements are not applicable, then a minimum buffer width of five (5) feet shall apply.

b. A water quality buffer of a minimum of five (5) feet shall be provided along each side of a stream or river, as measured perpendicular from the top of the bank of the active channel and extending landward. The minimum vegetative target is undisturbed, mature, moderately dense forest (i.e., trees) with woody shrubs and understory vegetation.

c. For ponds and lakes that are directly connected to community waters, a minimum buffer of five (5) feet shall be provided around the perimeter of ponds and lakes. The buffers shall be measured perpendicular from the topographic contour that defines the normal pool elevation.

1. Water quality buffers shall not be required around the perimeter of hydraulically disconnected ponds and lakes or ponds that are designed and constructed for the purposes of stormwater quality treatment.

2. The minimum vegetative target for water quality buffers on ponds and lakes is mowed dense grass that covers the entire buffer area.

d. A minimum buffer width of five (5) feet shall be provided around the perimeter of a wetland, as measured from the outermost edge of the wetland.

1. Water quality buffers are not required for wetlands designed and constructed for the purposes of stormwater quality treatment.

2. The minimum vegetative target for water quality buffers around wetlands is undisturbed, mature, moderately dense forest (i.e., trees) with woody shrubs and understory vegetation.

Section 4 STANDARDS FOR BUFFER VEGETATION

The vegetative goal is a use-restricted, vegetated buffer that is located along the perimeter of a community water within Blount County, containing natural vegetation and grasses, enhanced or restored that is native in origin.

a. The vegetative targets for a stream, river, or wetland buffer ***shall include native mature, moderately dense forest with woody shrubs and understory vegetation and dense grasses***.

b. The vegetative targets for a pond or lake buffer shall be a minimum of mowed dense grass that covers the entire buffer area.

c. If a water body does not have an established water quality buffer, then a water quality buffer enhancement plan shall be required. Such a planting plan shall be submitted to the Blount County Stormwater Department for approval and comply with the following:

1. All planting plans shall be drawn to scale and may be part of a larger landscaping plan.
2. The planting plan shall be a part of the required site plan review submittals.
3.
4.

d. Establishment of a vegetated WQB must adhere to the following conditions and be shown on the buffer enhancement plan:

1. Stream banks must be planted with native vegetation that represents both woody (trees and shrubs) and herbaceous species. Density shall depend on the re-vegetation technique to be used and existing site conditions;
2. No trees shall be planted in a utility easement;
3. No single species may comprise more than one third (1/3) of the total planted trees or shrubs;
4. Seedlings/trees must be guaranteed at a seventy-five percent (75%) survivorship; and
5. Non-native species must be removed and managed.

e. Details on appropriate vegetation for water quality buffer areas, detailed information on streambank and buffer restoration techniques, planting guidelines and lists of native plant species can be found from the following sources:

- Tennessee Valley Authority's Riparian Restoration webpage, located at www.tva.com/river/landandshore/stabilization/index.htm
- Tennessee Valley Authority's Native Plant Finder webpage, located at www.tva.com/river/landandshore/stabilization/plantsearch.htm;
- Banks and Buffers: A guide to selecting native plants for streambanks and shorelines. Contact information to obtain this publication is provided at www.tva.com/river/landandshore/stabilization/websites.htm;

- the Tennessee Exotic Plant Pest Council website, located at www.tneppc.org; and
- the Natural Resource Conservation Service (NRCS) www.nrcs.gov.

Section 5 ACTIVITIES WITHIN THE WATER QUALITY BUFFER

The water quality buffer shall be established, managed and maintained to protect the physical and ecological integrity of community waters, to reduce flooding potential, provide tree canopy and to filter runoff from developed areas. Management of the WQB includes specific limitations on alteration of the natural conditions.

a. The following activities are prohibited within the Water Quality Buffer:

1. The storage of pesticides, herbicides, and fertilizers,
2. Parking lots,
4. New structures,
5. Vehicle storage and vehicle maintenance,
6. Waste storage,
7. Other manmade impervious areas,
8. Septic tanks and septic drain fields, except as otherwise provided herein,
9. Buildings, accessories, structures and all types of impervious surfaces,
10. Hazardous or sanitary waste landfills,
11. Receiving areas for toxic or hazardous waste or other contaminants,
12. Mining (unless exempt by State law),
13. Dumpster storage,
14. Grease bin storage,
15. Animal lots or kennels, and
16. Other uses known to contribute pollutants to waterways.

b. The following activates may be allowed on a restricted basis within the Water Quality Buffer with prior approval by the Blount County Stormwater Department:

1. Septic tanks and septic drain fields in an approved location by the Blount County Environmental Health Department.
2. Individual trees within the WQB may be removed if in danger of falling, causing damage to dwellings or other structures, causing blockage of the stream, standing in the path of an approved water, sanitary sewer, storm main; and/or the roots of a tree are penetrating or in danger of penetrating a sewer, water or storm drainage line at a joint or pipe connection. The root wad or stump should be left in place, where feasible, to maintain soil stability.
3. Infrastructure such as roads, bridges, storm drainage, stormwater management facilities that are appropriate for use in a riparian zone (i.e., wetlands, buffers), and utilities provided that they adhere to the following standards:
   i: The width should be the minimum width needed to allow for maintenance access and installation;
   ii: WQB crossings shall be at an angle that minimizes clearing requirements;

iii: The minimum number of WQB crossings should be used within each development, with no more than one crossing every one-thousand (1000) linear feet. The Stormwater Department may approve additional crossing if justified by traffic, safety, or access issues.

4. Paths and greenway trails, ***public or private, with a width no greater than 5 ft. be allowed, and if greater than 5ft., it must be*** approved by Blount County.
5. Access areas for utilities that are located in the water quality buffer shall be allowed. Access areas must be minimized to the maximum extent practicable and shall be located at intervals no less than four-hundred (400) feet unless warranted by valid safety, access, or service issues.
6. Removal of forest vegetation that has the potential to impact traffic safety or limit access to areas immediately surrounding the approved stream or utility crossing. The area shall be vegetated with a minimum of dense grass.
7. Bank stabilization / restoration / habitat alteration projects.
8. Disturbances as required to establish and/or restore buffer areas in accordance to an approved buffer enhancement plan.
9. The pruning of native vegetation is allowed provided that the health and function of the vegetation is not compromised. However, only the individual removal of under-story nuisance non-native vegetation (i.e. honeysuckle, kudzu, privet) causing minimal soil disturbance is permitted. On land where the removal of such nuisance vegetation would cause a reduction in the amount of stream canopy by 50% or more, re-vegetation with native plants ***should be targeted*** to provide 50% of the previous canopy at a minimum. For areas where such nuisance vegetation removal would cause a reduction in the amount of stream bank vegetation, re-vegetation with native plants is required to meet the previous density of coverage.
10. Other uses permitted and approved by TDEC, or under Section 404 of the Federal Clean Water Act, or by the Tennessee Valley Authority (TVA).
11. Education / scientific research that do not require any prohibited activities identified in this section.
12. Land uses that involve agriculture production and management consistent with all state and federal laws and all regulations promulgated by the Tennessee Department of Agriculture.
13. Land disturbance and grading, but must be re-vegetated according to Section 4.
14. Clearing, grubbing, grading and re-vegetation, performed in accordance with an approved grading plan.
15. Disturbances necessary for the construction of utility access areas and approved stream crossings.
16. Ongoing vegetative maintenance activates such as mowing, bush-hogging, and weed-eating.
17. The limited use or application of ***fertilizers,*** pesticides, and herbicides.
18. Storm water retention and detention facilities that meet the approval of Blount County.

Section 6 PROTECTION OF WATER QUALITY BUFFER

All water quality buffers must be protected during construction / development activities.

Prior to the initiation of land disturbing activities, construction layout surveys must include: staking and labeling of the water quality buffer perimeter. A combination of stakes, flagging and/or silt fence may be used to ensure adequate visibility of the WQB. The layout must be inspected and approved by the Stormwater Department before grading begins.

All areas of the water quality buffer, including stream banks, must be left in a stabilized condition upon completion of construction activities. No actively eroding bare or unstable stream banks shall remain, unless approved by the Director of the Stormwater Department or his designee. Placement of riprap and other hard armor is allowed only when bioengineering alternatives are not feasible.

Water quality buffers cannot be encroached upon or disturbed during project construction, unless they are being established, restored, or enhanced in accordance with an approved buffer enhancement plan.

Once construction has ceased on a project, water quality buffers must still be maintained in accordance with the recorded Covenants for Maintenance of Stormwater Facilities and Best Management Practices. The covenants shall require that maintenance of the water quality buffer ***in perpetuity*** be the responsibility of the property owner. ***If the property owner is not willing to accept responsibility and the area is not publicly owned, "the water quality buffer shall be placed into an easement to be held" by one of the following non-governmental entities."*** :

a. A viable third party such as a land trust, land management company or utility. The purpose of the third party is to provide monitoring and oversight to ensure the perpetual protection of the area in accordance with the requirements of a buffer area. The organization shall:
   1. Have the legal authority to accept and maintain such easements;
   2. Be bona fide and in perpetual existence; and
   3. Have conveyance instruments that contain an appropriate provision for re-transfer in the event the organization becomes unable to carry-out its functions.

b. A property owners association (POA) provided that the following criteria are met:
   1. Membership in the POA is mandatory and automatic for all property owners and their successors;
   2. The POA shall have continuing lien authority to ensure the collection of dues from all members; and
   3. The POA assumes the responsibility for protecting, monitoring and maintaining the area as a conservation easement, in perpetuity.

Section 7 WATER QUALITY BUFFER ENHANCEMENTS

The property owner may restore or enhance vegetation within a water quality buffer with prior approval of a Buffer Enhancement Plan by the Director of the Stormwater Department or his designee.

The Director of the Stormwater Department or his designee shall have the authority to require a property owner to restore or enhance water quality buffers that have been disturbed or do not meet, or have the potential to not meet through natural vegetative succession, the vegetative targets for buffer areas that are defined herein.

Enhancement of water quality buffers must be performed in accordance with the requirements of Section 4 and the guidance provided below.

1. The buffer being enhanced must be planted with vegetation that is appropriate to achieve the vegetative targets stated in Section 4.
2. The buffer being enhanced must be stabilized against erosion.
3. If the buffer around a pond or lake will consist largely of grasses after enhancement, seeding must be performed at a rate sufficient to provide healthy, dense, permanent vegetative cover for 100% of the buffer area within one growing season. Mulch, pebbles, wood chips and other non-vegetative ground cover is not acceptable for buffer enhancement.
4. Where the removal of such vegetation would cause a reduction in the amount of stream canopy by 50% or more, re-vegetation with native plants is required to provide the cover of the previous canopy at a minimum. For areas where such vegetation removal would cause a reduction in the amount of stream bank vegetation, re-vegetation specifications with native plants is required to return the amount of vegetative cover to its previous state, at a minimum. To reduce the potential for stream bank erosion, re-vegetation measures along stream banks must include sufficient erosion control measures, such as turf reinforcement mats, erosion control blankets, straw wattles, etc., to stabilize the area in the short- and long-term.
5. To increase the chances for the success and health of the buffer area, the plant species, density, placement, and diversity proposed in the Buffer Enhancement Plans must be appropriate for stream, wetland, and pond/lake buffers to achieve the vegetative target that is defined for the buffer through natural succession. Proposed planting and long-term maintenance practices must also be appropriate and properly performed.
6. Vegetation mortality must be accounted for all planting densities that are proposed in buffer enhancement plans.

Section 8 SITE PLANS AND PLATS PREPARED FOR RECORDING

Unless otherwise provided herein, all site development plans and plats shall:

a. Show the extent of any WQB on the subject property by metes and bounds or defined distance from metes and bounds referent and be labeled as "Water Quality Buffer".

b. Provide a note with reference to the WQB stating that there shall be no clearing, grading, construction or disturbance of vegetation except as permitted by Blount County.

c. Visible permanent boundary markers approved by Blount County shall be required to be installed prior to the recording of the final plat or the issuance of a Certificate of

Occupancy. The boundary markers should be installed in a visible area located near the property lines at the intersection of the landward edge of the buffer. The boundary markers must be placed every one hundred (100) linear feet for parcels with buffers exceeding two hundred (200) linear feet for a single parcel of land. Buffer boundary markers shall include the statement "Water Quality Buffer – Do Not Disturb". Where possible, the markers should be mounted to a tree larger than three (3) inches in diameter. Where it is not possible to mount the marker to a tree, a treated wood, metal, or plastic signpost must be used.

Section 9 VARIANCES - *WATER QUALITY BUFFER AVERAGING*

A variance may be granted in the form of a reduction in the Water Quality Buffer width over a portion of property in exchange for an increase in buffer width elsewhere on the same property such that the average WQB width remains sixty (60) feet. A property owner may request a variance from the requirements of the WQB by submitting a letter to the Blount County Stormwater Department justifying the purpose for the variance and the width of variance requested. The variance may be granted provided the following conditions are met:

i.) The width of the averaged buffer within the boundaries of the property to be developed shall not be less than sixty (60) feet; and

ii.) The width of the buffer shall not be less than thirty (30) feet at any location (sixty (60) feet for steep slope areas), except where stream crossings have been approved by Blount County.

iii.) Those areas of the water quality buffer having a minimum width of thirty (30) feet (or less at the stream crossing) can comprise no more than fifty (50) percent of the buffer length.

iv.) Buffer averaging is required for WQB that have stream crossings.

v.) Buffer averaging is prohibited for any portion of the developments that have or have planned land use as described:

1. Areas that have slopes greater than 15% that are located within fifty (50) feet of the stream to be buffered;
2. Developments or facilities that include on-site sewage disposal and treatment system drainfields (i.e., septic systems), raised septic systems, subsurface discharges from a wastewater treatment plant, or land application of biosolids or animal waste;
3. Landfills (demolition landfills, permitted landfills, close-in-place landfills);
4. Junkyards;
5. Commercial or industrial facilities that store and/or service motor vehicles;
6. Commercial greenhouses or landscape supply facilities;
7. Developments or facilities that have commercial or public pools;
8. Agricultural facilities, farms, feedlots, and confined animal feed operations; and

9. Animal care facilities, kennels, and commercial/business developments or facilities that provide short-term or long-term care of animals;
10. Other land uses deemed by the Stormwater Department to have the potential to generate higher than normal pollutant loadings.

Section *10* NON-COMPLIANCE

Whenever the County Stormwater Director or his designee determines that a violation of any provision of this resolution has occurred, or that work does not have a required plan or permit, or that work does not comply with an approved plan or permit, the County Stormwater Director or his designee shall issue a Notice of Non-Compliance to the property owner, utility, facility operator, lessee, contractor, permittee and/or the equipment operator doing work on the site. The Notice of Non-Compliance shall:

a) Be in writing.
b) Include a description of the property sufficient for identification of where violation has occurred.
c) List the violation.
d) State the action required.
e) Provide a deadline for compliance or to stop work.

Section *11* CIVIL PENALTIES

a. Civil Penalty:

Any person or entity violating the provisions of this resolution may be assessed a civil penalty by the County of not less than fifty dollars ($50.00) or more than five thousand dollars ($5,000.00) per day for each day of violation. Each day of violation shall constitute a separate violation.

b. In assessing a civil penalty, the County may consider:

1) The harm done to the public health or the environment.
2) Whether the civil penalty imposed will be a substantial economic deterrent to the illegal activity.
3) The economic benefit gained by the violator.
4) The amount of effort put forth by the violator to remedy this violation.
5) Any unusual or extraordinary enforcement costs incurred by the County.
6) The amount of penalty established by resolution for specific categories of violations.
7) Any equities of the situation that outweigh the benefit of imposing any penalty of damage assessment.

c. In addition to the civil penalty in subsection (2) above, the County may recover all damages proximately caused by the violator to the County, which may include any reasonable expenses incurred in investigating and enforcing violations of this document.

d. The County may bring legal action to enjoin the continuing violation of this resolution, and the existence of any other remedy, at law or in equity, shall be no defense to any such actions.

e. The remedies set forth in this section shall be cumulative, not exclusive, and it shall not be a defense to any action, civil or criminal that one (1) or more of the remedies set forth herein has been sought or granted.

f. If a violation of the provisions contained herein occurs during the construction period, all work on the site may be halted by a Stop Work Order until the Director deems corrections are sufficient.

g. Appeals. Any applicant or permit holder may appeal any decision or interpretation of the provisions of this resolution by the Inspector to the Blount County Board of Zoning Appeals by filing a petition for review with the board within thirty (30) days of such decision or interpretation. No fine shall be rendered until the Appeals Board decision is given. Any person aggrieved by a final decision of the board may seek review by a court of competent jurisdiction.

Section *12* PERFORMANCE BONDS

a. Prior to plat approval, a performance bond which guarantees satisfactory completion of new development or redevelopment projects may be required for work related to the water quality buffer until project approval by Blount County.
b. Performance bonds shall name Blount County as beneficiary and shall be guaranteed in the form of a surety bond, cashier's check, or letter of credit from an approved financial institution or insurance carrier. The surety bond, cashier's check, or letter of credit shall be provided in a form in an amount to be determined by Blount County. The actual amount shall be based on submission of plans and estimated construction, installation or potential maintenance and/or remediation expenses.
c. The Director of the Stormwater Department may refuse brokers or financial institutions the right to provide a surety bond, letter of credit, or cashier's check based on past performance, ratings of the financial institution, or other appropriate sources of reference information.
d. A performance bond is not required for an individual residential lot, except when deemed necessary by the Director based on site conditions and the adverse impact on downstream conditions or other properties.

Section *13* REPEAL CLAUSE

The provisions of any ordinances or resolutions or parts thereof in conflict herewith shall not apply, except for ordinances or resolutions or parts thereof which provide stricter standards from those provided herein.

Section *14* CONFLICTS WITH STATE REQUIREMENTS

The State of Tennessee may require water quality buffers during construction activities via provisions contained in the Tennessee Construction General Permit (CGP) or other regulatory permits and processes. The State's requirements may, or may not, align with Blount County's requirements and policies for water quality buffers. It is the responsibility of the site owner/developer to be informed and educated on any State-level buffer requirements. If a site owner/developer intends to apply Blount County's buffer requirements in lieu of any requirements of the State of Tennessee, the owner/developer must first obtain approval from TDEC and provide Blount County with written documentation of such approval.

Section *15* EFFECTIVE DATE

NOW, THEREFORE, BE IT RESOLVED by the Blount County Board of Commissioners meeting in regular session on this the **20th day of November, 2008,** that this resolution shall take effect on final passage, the public welfare requiring it.

Duly authorized and approved the 20th day of November, 2008.

CERTIFICATION OF ACTION: **ATTEST:**

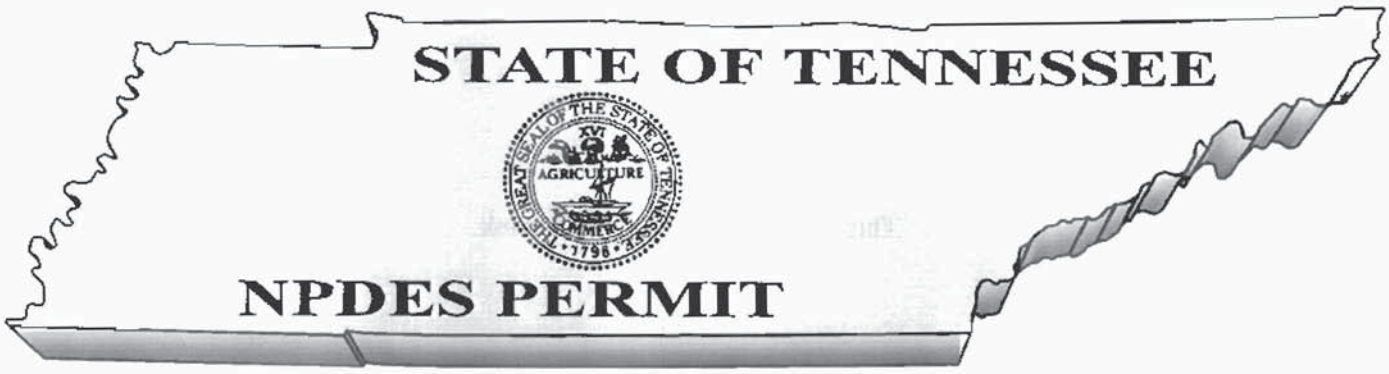
_____ _____

Commission Chairman County Clerk

Approved: _____
Vetoed: _____

_____ _____

County Mayor Date



NPDES GENERAL PERMIT FOR DISCHARGES

From

SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

PERMIT NO. TNS000000

Under authority of the Tennessee Water Quality Control Act of 1977 (T.C.A. 69-3-101 et seq.) and approval from the United States Environmental Protection Agency under the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251, et seq.) and the Water Quality Act of 1987, P.L. 100-4, operators of small municipal separate storm sewer systems are authorized to discharge stormwater runoff into waters of the State of Tennessee in accordance with the various eligibility criteria, administrative procedures, program requirements, reporting requirements, etc. set forth in parts 1 through 7 herein.

This permit is issued on: August 31, 2010

This permit is effective on: October 1, 2010

This permit expires on: September 1, 2015

B Flaherty FOR

Paul E. Davis, Director
Division of Water Pollution Control

CN-0759

RDAs 2352 and 2366

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NPDES GENERAL PERMIT FOR DISCHARGES FROM
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4)

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1. COVERAGE UNDER THIS PERMIT

1.1. Permit Area

This permit covers the entire State of Tennessee.

1.2. List of the Division's EFOs and Corresponding Counties

EFO Name	Division of Water Pollution Control Environmental Field Office Address	List of Counties
Chattanooga	State Office Building, Suite 550 540 McCallie Ave Chattanooga, TN 37402 (423) 634-5745	Bledsoe, Bradley, Grundy, Hamilton, McMinn, Marion, Meigs, Polk, Rhea, Sequatchie
Columbia	1421 Hampshire Pike Columbia, TN 38401 (931) 380-3371	Bedford, Coffee, Franklin, Giles, Hickman, Lawrence, Lewis, Lincoln, Marshall, Maury, Moore, Perry, Wayne
Cookeville	1221 South Willow Ave Cookeville, TN 38506 (931) 432-4015	Cannon, Clay, Cumberland, DeKalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Smith, Van Buren, Warren, White
Jackson	1625 Hollywood Drive Jackson, TN 38305-2222 (731) 512-1300	Benton, Carroll, Chester, Crockett, Decatur, Dyer, Gibson, Hardeman, Hardin, Haywood, Henderson, Henry, Lake, Lauderdale, McNairy, Madison, Obion, Weakly
Johnson City	2305 Silverdale Rd Johnson City, TN 37601 (423) 854-5400	Carter, Greene, Hancock, Hawkins, Johnson, Sullivan, Unicoi, Washington Counties
Knoxville	3711 Middlebrook Pike Knoxville, TN 37921 (865) 594-6035	Anderson, Blount, Campbell, Claiborne, Cocke, Grainger, Hamblen, Jefferson, Knox, Loudon, Monroe, Morgan, Roane, Scott, Sevier, Union
Memphis	8383 Wolf Lake Drive Bartlett, TN 38133-4119 (901) 368-7939	Fayette, Shelby, Tipton
Nashville	711 RS Gass Boulevard Nashville, TN 37243-1550 (615) 681-7000	Cheatham, Davidson, Dickson, Houston, Humphreys, Montgomery, Robertson, Rutherford, Stewart, Sumner, Trousdale, Williamson, Wilson
Nashville Central Office	6th Floor L& C Annex 401 Church Street Nashville, TN 37243	Statewide

All Environmental Field Offices (EFOs) may be reached by telephone at the toll-free number 1-888-891-8332.

1.3. Eligibility

1.3.1. Authorization to discharge

This permit authorizes discharges of stormwater from small municipal separate storm sewer systems (MS4s), as defined in 40 CFR §122.26(b)(16). The MS4 is authorized to discharge under the terms and conditions of this general permit if the MS4:

a. Operates a small MS4 within the permit area described in sub-part 1.1,

b. Is not a "large" or "medium" MS4 as defined in 40 CFR §122.26(b)(4) or (7),

c. Is located fully or partially within an urbanized area as determined by the latest Decennial Census by the Bureau of Census, or

d. Is designated for permit authorization by the division pursuant to 40 CFR §122.32 and

e. Submits a complete Notice of Intent (NOI) in accordance with part 2 of this permit and receive a Notice of Coverage (NOC).

1.3.2. Area of MS4 authorized

Where a city or town is covered under this permit, this permit covers all portions and areas of the MS4 operated by the city or town. Where a county is covered under this permit, the permit covers the urbanized area of the county and any additional portions of the county, or the whole county, as shall be indicated on the NOC. Applicants shall indicate what portion of the county they wish covered under the permit. Newly urbanized areas and areas annexed to the MS4 should be added to the MS4 authorized area. The MS4 must include this determination in an annual report.

1.3.3. Types of authorized discharges

1.3.3.1 Stormwater discharges

This permit authorizes stormwater discharges to waters of the state from the small MS4s identified in section 1.3.1, except as excluded in sub-part 1.4.

1.3.3.2 Non-stormwater discharges

The MS4 is authorized to discharge the following non-stormwater sources provided that the division has not determined these sources to be substantial contributors of pollutants to the MS4:

- Water line flushing
- Landscape irrigation
- Diverted stream flows
- Rising ground waters
- Uncontaminated ground water infiltration (infiltration is defined as water other than wastewater that enters a sewer system, including sewer service connections

and foundation drains, from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.)

- Uncontaminated pumped ground water
- Discharges from potable water sources
- Air conditioning condensate
- Irrigation water
- Springs
- Water from crawl space pumps
- Footing drains
- Lawn watering
- Individual residential car washing
- Flows from riparian habitats and wetlands
- Dechlorinated swimming pool discharges
- Street wash water
- Discharges or flows from fire fighting activities

1.4. Limitations on Coverage

This permit does not authorize:

a. Discharges that are mixed with sources of non-stormwater unless such non-stormwater discharges are:
   - In compliance with an NPDES permit; and
   - Determined not to be a substantial contributor of pollutants to waters of the state.

b. Stormwater discharges associated with industrial activity, excluding construction activities, as defined in 40 CFR §122.26(b)(14)

c. Stormwater discharges currently covered under another permit.

d. Discharge or conduct discharge-related activities that are likely to jeopardize the continued existence of any state or federally listed species or result in the adverse modification or destruction of habitat that is designated as critical under the Endangered Species Act (ESA) or other applicable state law or rule. See sub-part 3.2 for instructions related to evaluating and certifying your status with respect to state or federally listed species.

e. Discharge or conduct discharge related activities that will cause a prohibited take of federally listed species (as defined under Section 3 of the ESA and 50 CFR §17.3), unless such take is authorized under Sections 7 or 10 of the ESA.

f. Discharge or conduct discharge-related activities that will cause a prohibited take of state listed species (as defined in the Tennessee Wildlife Resources Commission Proclamation, Endangered or Threatened Species, and in the Tennessee Wildlife Resources Commission Proclamation, Wildlife in Need of Management), unless such take is authorized under the provisions of Tennessee Code Annotated §70-8-106(e)

g. Discharges that would cause or contribute to an in-stream exceedance of water quality standards. The stormwater management plan must include a description of the

best management practices (BMPs) that MS4 will be using to ensure that this will not occur. The division may require corrective action or an application for an individual permit or alternative general permit if discharges from an MS4 are determined to cause or contribute to an in-stream exceedance of water quality standards.

h. Discharges of any pollutant into any water for which a Total Maximum Daily Load (TMDL) has been approved by EPA, where the TMDL establishes a specific wasteload allocation and recommends it be incorporated into an individual NPDES permit.

i. Discharges of materials resulting from a spill, except emergency discharges required to prevent imminent threat to human health or to prevent severe property damage, provided reasonable and prudent measures have been taken to minimize the impact of the discharges.

j. Discharges that do not comply with the division's anti-degradation policy for water quality standards, pursuant to the Rules of the Tennessee Department of Environment and Conservation (TDEC), Chapter 1200-4-3-.06, titled "Tennessee Antidegradation Statement.

1.5. Obtaining Authorization

To be authorized to discharge stormwater from a small MS4, the MS4 must submit an NOI and a description of the Stormwater Management Program (program) in accordance with sub-part 2.1 of this permit.

The MS4 must submit the information required in sub-part 2.2 on the latest version of the NOI form (or photocopy thereof – see Addendum A). The NOI must be signed and dated in accordance with sub-part 6.7 of this permit. Note: If the division notifies dischargers (either directly, by public notice, or by making information available on the Internet) of other NOI form options that become available at a later date (e.g., electronic submission of forms), MS4 may take advantage of those options to satisfy the NOI use and submittal requirements of part 2.

Dischargers who submit an NOI in accordance with the requirements of this permit are authorized to discharge stormwater from small MS4s under the terms and conditions of this permit as of the effective date of coverage given in the NOC transmitted to the discharger by the division. The division may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information (see sub-part 6.17).

Where the operator changes, or where a new operator is added after submittal of an NOI under part 2, a new NOI must be submitted in accordance with part 2 prior to the change or addition.

2. NOTICE OF INTENT REQUIREMENTS

2.1. Deadlines for Notification

If the division designates your municipality as a small MS4, the MS4 is required to submit a NOI to the division at the appropriate EFO (see sub-part 1.2) within 180 days of notice. The NOI can be found in Appendix A. MS4s previously permitted must submit an NOI within 90 days of the effective date of this permit.

Submitting a late NOI. The MS4 is not prohibited from submitting an NOI after the dates provided above. If a late NOI is submitted, the authorization is only for discharges that occur after permit coverage is granted. The division may take appropriate enforcement actions for any unpermitted discharges.

2.2. Contents of the Notice of Intent

The MS4 must use the NOI form provided by the division as Appendix A to this permit. This document is also available in PDF format on our web page or by e-mail to you upon request. If the MS4 completes the form in the electronic version, additional information may be provided in an addendum.

The NOI must be signed in accordance with sub-part 6.7 of this permit and must include the following information:

a. The name of your municipal entity/state agency/federal agency, your mailing address, and telephone number.

b. The name of the major receiving water(s) and an indication of whether any of your receiving waters are on TDEC's latest list of impaired waters prepared under section 303(d) of the Clean Water Act.

c. If MS4 is relying on another governmental entity regulated under the stormwater regulations (40 CFR122.26 &122.32) to satisfy one or more of permit obligations, the identity of that entity and the element(s) they will be implementing.

d. Information on your chosen best management practices (BMPs) and the measurable goals for each of the stormwater Minimum Control Measures in sub-part 4.2 of this permit, your time frame for implementing each of the BMPs, and the person or persons responsible for implementing or coordinating your Stormwater Management Program.

2.3. Where and How to Submit Notice of Intent

The MS4 may submit the NOI either by hard copy or electronically. Insofar as MS4 is able to do so, the division prefers receiving NOIs by the electronic copy option.

2.3.1. Hard copy option

The MS4 must submit an original NOI, signed in accordance with the signatory requirements of sub-part 6.7 of this permit, and a copy of the NOI, to the address shown in sub-part 1.2 for the EFO responsible for the county where the facility is located.

2.3.2. Electronic copy option

Send by e-mail, with the completed NOI and attachments (such as map and city ordinances) to phase.two@tn.gov. In addition, send an original, hard copy letter, signed by the responsible official of the MS4, which makes reference to the e-mail transmission including date and time that the electronic submitted was made. The letter must contain the signatory statement found on the NOI form. The letter must be mailed to the Nashville Central Office address as defined in sub-part 1.2 of this permit.

3. SPECIAL CONDITIONS

3.1. Discharges to Water Quality Impaired Waters

Using the most current 303(d) list published on the division's web site along with the GIS mapping tool, the MS4 must determine whether stormwater discharges from any part of the MS4 contribute pollutants of concern to an impaired waterbody. For those impaired waters, the MS4 must determine whether or not a TMDL has been established and approved by EPA. A list of EPA-Approved TMDLs as well as EPA-Established TMDLs for Tennessee waters can be found on the division's web site.

3.1.1. Discharges into Waterbodies with EPA-Approved or Established TMDLs

The MS4 must implement stormwater pollutant reductions consistent with assumptions and requirements of any applicable wasteload allocation(s) in TMDLs established or approved by EPA. If an MS4 discharges into a water body with an approved or established TMDL, then the Stormwater Management Program must include BMPs specifically targeted to achieve the wasteload allocations prescribed by the TMDL. The SWMP must include a schedule for installation of such BMPs. A monitoring component to assess the effectiveness of the BMPs in achieving the wasteload allocations must also be included in the SWMP. Monitoring can entail a number of activities including but not limited to: outfall monitoring , in-stream monitoring or modeling. Monitoring requirements are further described in part 5 of this permit.

Not later than 6 months following the TMDL adoption, the SWMP shall be revised to meet the implementation of waste load allocations (WLA) as specified in the TMDL. If the source of the impairment has been determined, management measures specific for reducing pollutant of concern from that specified source shall be included.

3.1.2. Retrofit Plan Requirements in EPA-Approved or Established TMDLs

Where TMDL implementation plans require MS4s to retrofit existing developed sites that are impacting water quality, the retrofit plan must be developed within the timeframes established by the TMDL and must emphasize controls that infiltrate, evapotranspire, or harvest and use stormwater discharges. The plan must include:

a) An inventory of potential retrofit locations, which considers, at a minimum:

- Locations that contribute pollutants of concern to an impaired waterbody
- Locations that contribute to receiving waters that are significantly eroded
- Locations that are tributary to a sensitive ecosystem or protected area
- Locations that are tributary to areas prone to flooding

b) An evaluation and ranking of the inventoried locations to prioritize retrofitting which includes, at a minimum:

- Feasibility
- Cost effectiveness
- Pollutant removal effectiveness
- Impervious area potentially treated
- Maintenance requirements
- Landowner cooperation
- Neighborhood acceptance
- Aesthetic qualities, and
- Efficacy at addressing concern.

3.1.3. Discharges to Impaired Waterbodies without EPA-Approved TMDLs

MS4s that have discharges containing pollutants of concern into a receiving water which has been listed on the Section 303(d) list of impaired waters must document in the SWMP how the BMPs will control the discharge of the pollutants of concern, and must demonstrate that the discharge will not cause or contribute to an impairment. A monitoring component to assess the effectiveness of the BMPs in controlling the discharge of pollutants of concern must also be included in the SWMP. Monitoring can entail a number of activities including but not limited to: outfall monitoring , in-stream monitoring or modeling. Monitoring requirements are further described in part 5 of this permit.

3.2. Protection of State or Federally Listed Species

The MS4 must evaluate annually whether or not stormwater discharges, allowable non-stormwater discharges and discharge-related activities are likely to jeopardize the continued existence of any state or federally listed species or result in the adverse modification or destruction of habitat that is designated as critical under the ESA (critical habitat). To obtain lists by county and watershed for state and federally listed species reference the Department of Environment and Conservation, Division of Natural Areas (DNA) website at http://www.tn.gov/environment/natural-areas/natural-heritage-inventory-program.shtml. Also reference the Fish and Wildlife Service lists at http://www.fws.gov/endangered/. The MS4 shall keep documentation of the evaluations and decisions reached through the evaluation. The MS4 must include this determination in an annual report.

3.2.1. Evaluation Procedure

The MS4 must use the most recent Rare Species County and Watershed Lists http://www.tn.gov/environment/natural-areas/natural-heritage-inventory-program.shtml) available from TDEC's Division of Natural Areas and then follow the process described below to determine whether or not your discharges and/or discharge-related activities are likely to jeopardize the continued existence of any state or federally listed species or result in the adverse modification or destruction of habitat that is designated as critical under the ESA. The MS4 must meet one or more of the criteria A through C listed below for the entire term of coverage under the permit.

Criterion A: No state or federally listed species or critical habitat are in proximity to your MS4 or the point where authorized discharges reach the receiving water; or

Criterion B: The MS4 has evaluated the effects of its stormwater discharges, allowable non-stormwater discharges and discharge-related activities on state and federally listed species and critical habitat and do not have reason to believe the discharge and/or discharge-related activities will jeopardize the continued existence of any state or federally listed species or result in the adverse modification or destruction of critical habitat.

Such evaluation of the effects of your stormwater discharges on federally listed species may include authorizations and determinations made through consultation with the US Fish and Wildlife Service under Sections 7 and 10 of the ESA; however, the MS4 must still evaluate effects on state listed species as well and coordinate accordingly with the TWRA.

Criterion C: Stormwater discharges, allowable non-stormwater discharges and/or discharge-related activities from the MS4 were already addressed in another operator's certification of eligibility included with the MS4's activities. By certifying eligibility, the MS4 agrees to comply with any measures or controls upon which the operator's certification was based.

The division may require any permittee or applicant to provide documentation of the their determination of eligibility for this permit where TDEC, TWRA, EPA or the US Fish and Wildlife Service, or other regulatory agency otherwise determines that there is a potential impact on a state or federally listed species or a critical habitat.

3.3. Co-permittees and Coordinated Programs

3.3.1. Co-permittees

The MS4 may be covered under this general permit as a co-permittee with one or more other, neighboring MS4s. Co-permittees may submit an NOI at anytime during the term of this permit.

In order to be permitted as co-permittees, the original permittee and the other MS4(s) must submit an NOI with a set of BMPs for all co-permittees. Responsible officials of each participating MS4 must sign a single NOI. If measurable goals and implementation milestones vary, each co-permittee must submit its own appendix to the NOI, "BMP Measurable Goals and Implementation Milestones." The description of MS4's Stormwater Management Program must clearly describe which permittees are responsible for implementing each of the control measures.

Each co-permittee is individually liable for:

a. Permit compliance for discharges within its legal jurisdiction,

b. Ensuring that the six minimum measures are implemented for portions of the MS4 where it is the operator and in areas within its legal jurisdiction; and

c. If any permit conditions are established for specific portions of the MS4, co-permittees need only comply with the permit conditions relating to those portions of the MS4 for which they are the operator.

Each co-permittee is jointly liable for compliance with annual reporting requirements in sub-part 5.4, except that a co-permittee is individually liable for any parts of the annual report that relate exclusively to portions of the MS4 where it is the operator.

Specific co-permittees are jointly liable for permit compliance on portions of the MS4 as follows:

a. Where operational or Stormwater Management Program implementation authority over portions of the MS4 has been transferred from one co-permittee to another in accordance with legally binding interagency agreements, both the owner and operator may be jointly liable for permit compliance on those portions of the MS4; and

b. Where one or more co-permittees jointly own or operate a portion of the MS4, each owner/operator is jointly liable for compliance with permit conditions on the shared portion of the MS4.

3.3.2. Coordinated Programs

Implementation of one or more of the minimum measures described in sub-part 4.2 may be shared with another entity, or the entity may fully take over the measure. The MS4 may rely on another entity only if:

a. The particular control measure, or component of that measure, is at least as stringent as the corresponding permit requirement.

b. The other entity agrees to implement the control measure on the MS4's behalf. Written acceptance of this obligation is required. This obligation must be maintained as part of the description of the Stormwater Management Program. If the other entity agrees to report on the minimum measure, the MS4 must supply the other entity with the reporting requirements contained in sub-part 5.4 of this permit. If the other entity fails to implement the control measure on your behalf, then the MS4 remains liable for any discharges due to that failure to implement.

4. STORMWATER MANAGEMENT PROGRAM

4.1. Requirements

The MS4 must develop, implement, and enforce a Stormwater Management Program designed to reduce the discharge of pollutants from the MS4 to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act. The Stormwater

Management Program shall include management practices; control techniques, system design and engineering methods; and such other provisions as the division determines appropriate for the control of pollutants of concern. The MS4 must also document all the elements of the Stormwater Management Program in a stormwater management plan (SWMP). The SWMP shall be compiled within the first year of the permit cycle and submitted as an attachment to the first annual report. The SWMP must include the following information for each of the six minimum control measures described in sub-part 4.2 of this permit:

a. The best management practices (BMPs), programs and processes that the MS4 or another entity will implement for each of the stormwater minimum control measures;

b. The measurable goals for each of the BMPs including, as appropriate, the months and years in which the MS4 will undertake required actions, including interim milestones and the frequency of the action; and

c. The person or persons responsible for implementing or coordinating the BMPs for the SWMP.

d. Pollutant control efforts for all municipal-operated facilities that maintain or store motorized equipment, oils, or other hazardous materials;

e. All inspection and monitoring programs shall be described in detail in the SWMP.

4.1.1. Newly Permitted MS4s

MS4s who have not been previously covered under an MS4 permit must develop and fully implement the program in five years from the permit issuance date except for the following requirements:

Permit requirement	**Description**	**Implementation date**
4.2.4 a	Ordinance or other regulatory mechanism for construction site runoff control program.	Within 18 months following the reissuance of the Construction General Permit.
4.2.3	Ordinance prohibiting illicit discharges.	Within 18 months of coverage under this permit.
4.2.4	All components of construction site runoff control program, including plans review and inspections and staff training.	Within 24 months of coverage under this permit (12 months for inventory of all active public and private construction sites)
4.2.5	Ordinance or other regulatory mechanism for permanent stormwater management including green infrastructure BMPs.	Within 48 months of coverage under this permit.
4.2.5.6	Inventory and Tracking of Best Management Practices	Within 180 days of coverage under this permit

4.1.2. Previously Permitted MS4s

Renewing MS4s shall have all permit elements in place except for the following requirements:

Permit requirement	Description	Implementation date
4.2.4 a	Modifications to ordinance or other regulatory mechanism for construction site runoff control program consistent with requirements of current NPDES general permit for construction stormwater runoff.	Within 18 months following the reissuance of the Construction General Permit.
4.2.4	All updates to construction site runoff control program.	Within 24 months of coverage under this permit
4.2.5.6	Inventory and Tracking of Best Management Practices	Within 180 days of coverage under this permit
4.2.5	Revisions to ordinances or other regulatory mechanisms for permanent stormwater management to accommodate green infrastructure BMPs.	Within 48 months of coverage under this permit

4.2. Minimum Control Measures

The Stormwater Management Program is made up of the following minimum control measures:

4.2.1. Public Education and Outreach

MS4s shall implement a public education and outreach program. The focus of the program shall be on impacts of stormwater discharges to water bodies and the steps that the public (along with commercial, industrial, or institutional entities) can take to reduce pollutants in stormwater runoff. The program must target specific pollutants and sources that may cause or contribute to impairment. For example, in certain areas known as hot spots, the MS4 must focus education and outreach on those particular pollutants of concern. Some educational programs can lend themselves to water quality improvements. Permittees are encouraged to pursue those programs and document related or expected water quality improvements.

By the end of the first year of permit coverage, the permittee shall develop a Public Information and Education Plan (PIE) that details specific goals and specific public information events/activities that will occur over the remainder of the permit cycle. The PIE shall incorporate components from outreach campaigns and one on one communications and shall incorporate a mode to evaluate the plan's effectiveness so adjustments can be made (if necessary) The PIE shall also include targeted educational campaigns addressing the following issues:

a. General public awareness on the impacts on water quality from general housekeeping maintenance/activities.

b. Home owner associations and other operators of permanent BMPs awareness of the importance of maintenance activities
c. Local engineering and development community awareness of the stormwater ordinances, regulations, and guidance materials related to long-term water quality impacts.
d. General public and professional chemical applicators awareness on the proper storage, use, and disposal of pesticides, herbicides, and fertilizers use.
e. General public and professional chemical applicators awareness on the proper storage, use, and disposal of oil and other automotive-related fluids.
f. General public and municipal employees on the awareness of identifying and reporting procedures for illicit connections/discharges, sanitary sewer seepage, spills, etc.
g. Local engineering, development, and construction community awareness of stormwater ordinances, regulations and guidance materials related to construction phase water quality impacts; and
h. Municipal employee/contractor awareness of water quality impacts from daily operations

MS4s shall track and maintain records of public education and outreach activities. A summary of this information shall be included in the annual report.

4.2.2. Public Involvement/Participation

MS4s shall implement a public involvement/participation program. Such program shall comply with all applicable state and local public notice requirements. Elements of the program may include participation in local stormwater management work groups, public notices of MS4 meetings and public hearings, recruiting education volunteers, and involving the public with program coordination, detection of illicit discharges and monitoring efforts. The program shall encourage and promote citizen reporting of illegal spillage, dumping, or otherwise illicit disposal of materials into the MS4 system.

MS4s shall publicize program participation opportunities by methods designed to reach the intended audience.

MS4s shall facilitate opportunities for citizen involvement through activities such as creating a citizens' stormwater advisory council, volunteer stream monitoring programs, storm drain marking, riparian plantings or stream clean-up events.

MS4s shall develop, continue to develop and implement a method of advertising the public involvement opportunities listed above. Newly designated MS4s shall have this advertising method implemented within 180 days of coverage under this permit. Currently permitted MS4s shall develop and implement the advertising method within 30 days of coverage under this permit. The MS4 may develop a website that includes information that will inform stakeholders of actions that will result in behavior changes that will improve water quality, provide a press release or advertisement of activities to local cable networks, radio stations and/or newspapers, or other alternate method that provides an effective equivalent.

MS4s shall track and maintain records of public involvement and participation activities. A summary of this information shall be included in the annual report.

4.2.3. Illicit Discharge Detection and Elimination

MS4s shall develop, continue to develop, implement and enforce an illicit discharge detection and elimination program. Newly designated MS4s shall have this program implemented within 18 months of coverage under this permit. Currently permitted MS4s shall continue to implement existing illicit discharge detection and elimination program.

New MS4s must develop, and existing MS4s must continue to develop, update and maintain, a storm sewer system map that shows the location of all outfalls where the municipal storm sewer system discharges into waters of the state or conveyances owned or operated by another MS4. The map must also show:

- the names and location of all waters of the state that receive discharges from those outfalls;
- inputs into the storm sewer collection system, such as the inlets, catch basins, drop structures or other defined contributing points to the sewershed of that outfall;
- general direction of stormwater flow.

To the extent allowable under state or local law, MS4s shall effectively prohibit, through ordinance, or other regulatory mechanism, non-stormwater discharges into the storm sewer system and implement an appropriate Enforcement Response Plan (ERP). The ERP must be developed within 18 months of coverage under this permit.

Develop and implement a plan to detect, identify and eliminate non-stormwater discharges, including illegal disposal, to your system. The permittee shall develop and implement standard procedures to be followed to investigate portions of the MS4 that, based on the results of the field screening or other identification programs, indicate a reasonable potential of containing illicit discharges or other sources of non-storm water. Investigations, and results of all non-stormwater discharge investigations, including locations, times, parameters and sampling results, discovered sources of flows, etc. shall be documented.

Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.

Address the following categories of non-stormwater discharges or flows as illicit discharges only if the MS4 identifies them as significant contributors of pollutants to your MS4: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration, uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, and street wash water (discharges or flows from fire fighting activities are excluded from the effective prohibition against non-stormwater and need only be addressed where they are identified as significant sources of pollutants to waters of the state).

The MS4 must be able, by ordinance or other regulatory mechanism, to prohibit contamination of stormwater runoff from hot spots. The ordinance must allow for the maximum penalties per day for each day of violation as specified in TCA 68-221-1106.

The MS4 shall develop a mechanism for the public to report (e.g. via hotline or website), suspected illicit discharges. The MS4 shall specify within the ERP the timeframe for

complaint investigation. Documented illicit discharges shall be responded to no more than 7 days from detection, and eliminated as soon as possible.

The MS4 shall foster interagency coordination of hazardous waste or material spills response and cleanup. The MS4 shall inform local spill-response agencies and/or TEMA (Tennessee Emergency Management Agency) of the potential negative impacts to surface water (and ground water) of spill clean-up activities, that is, the potential for the response to cause pollutants to enter waters of the state. If a set of guidelines and procedures is not already in place, the MS4 should initiate a cooperative effort to develop a set of guidelines and procedures that local responders will follow to minimize damaging effects that spill response activities might have on water resources.

4.2.4. Construction Site Stormwater Runoff Control

MS4s shall develop, continue to develop, implement and enforce a construction site stormwater runoff control program. Newly designated MS4s shall have this program implemented within 24 months of coverage under this permit. Currently permitted MS4s shall continue to implement existing construction site stormwater runoff control program and must have any updates to the program completed within 24 months of coverage under this permit. The program must address pollutants in stormwater runoff from construction activities that result in a land disturbance of equal to or greater than one acre. Reduction of pollutants discharged from construction activity disturbing less than one acre must be included in your program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. Your program must include the development and implementation of, at a minimum:

a. An ordinance or other regulatory mechanism to require erosion prevention and sediment controls, as well as sanctions to ensure compliance: For newly designated MS4s, this regulatory mechanism must be in place within 18 months of coverage under this permit. The ordinance must allow for the maximum penalties per day for each day of violation as specified in TCA 68-221-1106. Modifications to ordinances or other regulatory mechanisms for construction site runoff control program to be consistent with requirements of the current NPDES general permit for construction stormwater runoff must be implemented within 18 months of coverage under this permit.

b. Requirements for construction site operators to implement appropriate erosion prevention and sediment control best management practices: The MS4's EPSC requirements shall be consistent with those described in the TDEC EPSC Handbook.

c. The MS4's requirements for design storm and special conditions for impaired waters or exceptional Tennessee waters must be consistent with those of the current effective Tennessee Construction General Permit (TNR100000).

d. The MS4 must develop and maintain an inventory of all active public and private construction sites that result in a total land disturbance as defined in section 4.2.4. For existing MS4s, the inventory must be completed within 12 months of coverage under this permit and must be updated as new projects are permitted and projects are completed. For new MS4s, the inventory must be completed with 24 months of coverage and must be updated as noted above for existing MS4s. The inventory must contain relevant contact information for each project (e.g., tracking number, name,

address, phone, etc.), the size of the project and area of disturbance, whether the project has submitted for permit coverage under the Tennessee Construction General Permit (TNR100000) and the date the MS4 approved the construction site plan. The MS4 must make this inventory available to TDEC upon request.

e. Requirements for construction site operators to control waste materials: The MS4 must require that operators control wastes such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site to avoid adverse impacts to water quality.

f. Specific procedures for construction site plan (including erosion prevention and sediment controls) review and approval: The MS4 procedures must include an evaluation of plan completeness and overall BMP effectiveness.

g. Procedures for managing public input on projects: The MS4 must have mechanisms for public access to information on projects and receiving and considering comments from the public on those projects. It is recommended that the MS4 uses the world wide web for facilitating public involvement.

h. Procedures for site inspection and enforcement: The MS4 must have procedures in place for its inspectors to evaluate construction site compliance. The ERP must include specific enforcement steps to ensure construction sites are in compliance with the MS4's program.

i. MS4 staff training: Inspectors must maintain certification under the Tennessee Fundamentals of Erosion Prevention and Sediment Control, Level 1 (or equivalent). Construction site plan reviewers must receive a certificate of completion from the Tennessee Erosion Prevention and Sediment Control Design Course, Level 2. It is recommended that MS4 staff receive training under both courses.

j. The MS4 program must provide for the following:

- Identification of priority construction activity;
- Pre-construction meetings with construction-site operators for priority construction activity; and
- Inspections by the MS4 of priority construction sites at least once per month.

4.2.5. Permanent Stormwater Management in New Development and Redevelopment

4.2.5.1 Permit requirements

Develop, implement, and enforce a program to address permanent (post-construction) stormwater runoff management from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into your small MS4. Your program must ensure that controls are in place that would prevent or minimize water quality impacts.

Develop and implement strategies which include a combination of structural and/or non-structural best management practices (BMPs) appropriate for your community.

Develop and implement a set of requirements to establish, protect and maintain a permanent water quality buffer along all waters of the state at new development and redevelopment projects.

Use an ordinance or other regulatory mechanism to address permanent runoff from new development and redevelopment projects to the extent allowable under state or local law. Your ordinance must allow for the maximum penalties per day for each day of violation as specified in TCA 68-221-1106.

4.2.5.2 Performance Standards

The MS4 must implement and enforce permanent stormwater controls that are comprised of runoff reduction and pollutant removal. The permittee must require that stormwater discharges from new development and redevelopment sites be managed such that post-development hydrology does not exceed the pre-development hydrology at the site, in accordance with the performance standards contained in this section. Runoff reduction is the preferred control practice as it can achieve both volume control and pollutant removal.

If runoff reduction and/or pollutant removal cannot be fully accomplished on-site per 4.2.5.2.1 and 4.2.5.2.2, then the MS4 may propose off-site mitigation and/or payment into a fund for public stormwater projects. The MS4 must develop and apply criteria for determining the circumstances under which these alternatives will be available. A determination that standards cannot be met on site may not be based solely on the difficulty or cost of implementing measures, but must include multiple criteria that would rule out an adequate combination of infiltration, evapotranspiration and reuse such as: lack of available area to create the necessary infiltrative capacity; a site use that is inconsistent with capture and reuse of stormwater; physical conditions that preclude use of these practices.

4.2.5.2.1 Runoff Reduction (green infrastructure)

Site design standards for all new and redevelopment require, in combination or alone, management measures that are designed, built and maintained to infiltrate, evapotranspire, harvest and/or use, at a minimum, the first inch of every rainfall event preceded by 72 hours of no measurable precipitation. This first inch of rainfall must be 100% managed with no storm water runoff being discharged to surface waters. For all new and redevelopment on private property, the MS4 may opt to have controls installed on that private property, in the public right-of-way, or a combination of both.

Limitations to the application of runoff reduction requirements include, but are not limited to:

- Where a potential for introducing pollutants into the groundwater exists, unless pretreatment is provided;
- Where pre-existing soil contamination is present in areas subject to contact with infiltrated runoff;
- Presence of sinkholes or other karst features.

Pre-development infiltrative capacity of soils at the site must be taken into account in selection of runoff reduction management measures.

The MS4 may develop a program to allow for incentive standards for redeveloped sites. The MS4 may provide a 10% reduction in the volume of rainfall to be managed for any of the

following types of development. Such credits are additive such that a maximum reduction of 50% of the standard in the paragraph above is possible for a project that meets all 5 criteria:

- Redevelopment;
- Brownfield redevelopment;
- High density (>7 units per acre);
- Vertical Density, (Floor to Area Ratio (FAR) of 2 or >18 units per acre); and
- Mixed use and Transit Oriented Development (within ½ mile of transit).

4.2.5.2.2 Pollutant Removal

For projects that cannot meet 100% of the runoff reduction requirement unless subject to the incentive standards, the remainder of the stipulated amount of rainfall must be treated prior to discharge with a technology reasonably expected to remove 80% total suspended solids (TSS). The treatment technology must be designed, installed and maintained to continue to meet this performance standard.

4.2.5.2.3 Off-site mitigation

For projects that cannot meet 100% of the runoff reduction requirements, the MS4 may allow runoff reduction measures to be implemented at another location within the same USGS 12-digit hydrologic unit code (HUC) as the original project. Off-site mitigation must be a minimum of 1.5 times the amount of water not managed on site. The off-site mitigation location (or alternative location outside the 12-digit HUC) and runoff reduction measures must be approved by the MS4. The MS4 shall identify priority areas within the watershed in which mitigation projects can be completed. The MS4 must create an inventory of appropriate mitigation projects, and develop appropriate institutional standards and management systems to value, evaluate and track transactions. Mitigation can be used for retrofit or redevelopment projects, but should be avoided in areas of new development.

4.2.5.2.4 Payment into Public Stormwater Project Fund

For projects that cannot meet 100% of the runoff reduction and pollutant removal standards, and cannot provide for off-site mitigation, the MS4 may allow the owner to make payment in a public stormwater project fund established by the MS4. Payment into a public stormwater fund must be at a minimum 1.5 times the estimated cost of on-site runoff reduction controls.

4.2.5.3 Codes and Ordinances Review and Update

Within one year of obtaining permit coverage, the permittee shall review local codes and ordinances using the EPA Water Quality Scorecard (the scorecard). A completed copy of the scorecard shall be submitted with the subsequent annual report.

Newly designated and currently permitted MS4s shall update codes and ordinances, if necessary, within 4 years of coverage under this permit. Currently permitted MS4s shall continue to implement existing permanent Stormwater Management Program until codes and ordinances review and update is completed.

The permittee should consider making revisions to policies, codes and ordinances that will achieve "the greatest improved protection of receiving waters." The permittee shall review

and change, where necessary, building codes or other local regulations, such as covenants, codes, ordinances, and restrictions. For example, green roofs; infiltration approaches such as rain gardens, curb extensions, planter gardens, permeable and porous pavements; water harvesting devices such as rain barrels and cisterns; and downspout disconnection, are fundamental infiltration, evapotranspiration and capture and use measures. The permittee shall ensure that a reasonable suite of these types of practices is implemented, and encourage use of new options. If the permittee decides to significantly limit the number of options, they must justify this limitation by demonstrating that the performance standard can be met with the limited set of management measures allowed.

4.2.5.4 Development Project Plan Review, Approval and Enforcement

The permittee shall develop project review, approval and enforcement procedures. The review, approval and enforcement procedures shall apply at a minimum to all projects requiring a construction general permit. The procedures shall be detailed in the Enforcement Response Plan (sub-part 4.5) developed by each MS4, and shall include:

a. procedures for development site plan review and approval that include inter-departmental consultations, and a re-submittal process when an owner requests changes to an approved stormwater management plan;

b. the site plan review must specifically address how the project applicant meets the performance standards in paragraph 4.2.5.2 above and how the project will ensure long-term maintenance as required in paragraph 4.2.5.5 below;

c. a verification process to ensure that permanent stormwater BMPs have been installed per design specifications, that includes enforceable procedures for bringing noncompliant projects into compliance.

4.2.5.5 BMP Maintenance

All stormwater BMPs, including BMPs used at mitigation projects, installed and implemented to meet the performance standards of sub-section 4.2.5.2 must be maintained in perpetuity. The MS4 must ensure the long-term maintenance of these stormwater BMPs through a local ordinance or other enforceable policy.

The MS4 must require the owner or operator of any site subject to the performance standards in Paragraph 4.2.5.2 to develop and implement a maintenance agreement (or an equivalent document ensuring compliance with this sub-section) addressing maintenance requirements for any BMPs, including off-site mitigation. The agreement must allow the MS4, or its designee, to conduct inspections of the stormwater BMPs and also account for transfer of responsibility in leases and/or deeds. When inadequacies are discovered, the MS4 shall promptly notify the BMP owner or operator of any deficiencies. The BMP owner must initiate corrective action within 30 days of the notice.

The agreement must also allow the MS4, or its designee, to perform necessary maintenance or corrective actions neglected by the property owner/operator, and bill or recoup costs from the property owner/operator when the owner/operator has not performed the necessary maintenance within 30 days of notification by the MS4 or its designee. The MS4 must conduct subsequent inspection (or obtain sufficient written and photographic evidence) to ensure completion of all required repairs.

Where practices are on public property or within public rights-of way the MS4 must document, e.g., with photos, maintenance logs, contractor invoices, and in the tracking system, that appropriate maintenance and/or repairs have been completed.

4.2.5.5.1 Verification of maintenance responsibilities

The MS4 must require that property owners or operators of any sites subject to the performance standards in Paragraph 4.2.5.2 provide verification of maintenance for the approved stormwater BMPs used to comply with the performance standards. Verification maintenance by BMP owners must be required either by the municipal ordinance regulation and enforcement or contractual agreement (whichever is most appropriate for the jurisdiction) or must include one or more of the following as applicable:

a. The owner/operator's signed statement accepting responsibility for maintenance with a provision for transferring maintenance responsibility if the property is legally transferred to another party; and/or

b. Written conditions in the sales or lease agreement that require the recipient to assume responsibility for maintenance; and/or

c. Written project conditions, covenants and restrictions for residential properties assigning maintenance responsibilities to a home owner’s association, or other appropriate group, for maintenance of runoff reduction and pollutant reduction stormwater BMPs; and/or

d. Any other legally enforceable agreement that assigns permanent responsibility for maintenance of runoff reduction and pollutant reduction stormwater BMPs, including, but not limited to a BMP permit tracking system developed by the MS4 authority.

4.2.5.6 Inventory and Tracking of Management Practices

The MS4 shall develop a system, or modify an existing system as necessary, within 180 days of issuance of this permit, designed to track BMPs deployed at new development and redevelopment projects. The division recommends for tracking of BMPs to begin during the plan review and approval process with a database or electronic geographic information system (GIS). The database or tracking system shall include information on both public and private projects that are within the jurisdiction of the MS4. In addition to the standard information collected for all projects (such as project name, owner, location, start/end date, etc.), the tracking system shall also include:

a. Short description of each stormwater BMPs (type, number, design or performance specifications);

b. Latitude and longitude coordinates of controls;

c. Maintenance requirements (frequency of required maintenance and inspections) and

d. Inspection information (date, findings, follow up activities, prioritization of follow-up activities, compliance status).

4.2.5.7 Owner/Operator Inspections

In order to ensure that all stormwater BMPs are operating correctly and are properly maintained, the MS4 shall, at a minimum, require owners or operators of stormwater management practices to:

a. Perform routine inspections to ensure that the BMPs are properly functioning. These inspections shall be conducted on an annual basis, at a minimum. These inspections shall be conducted by a person familiar with control measures implemented at a site. Owners or operators shall maintain documentation of these inspections.

b. Perform comprehensive inspections of all stormwater management facilities and practices. These inspections shall be conducted once every five years, at a minimum. Such inspections must be conducted by either a professional engineer or landscape architect. Complete inspection reports for these five year inspections shall include:

- Facility type,
- Inspection date,
- Latitude and longitude and nearest street address,
- BMP owner information (e.g. name, address, phone number, fax, and email),
- A description of BMP condition including: vegetation and soils; inlet and outlet channels and structures; embankments, slopes, and safety benches; spillways, weirs, and other control structures; and any sediment and debris accumulation,
- Photographic documentation of BMPs, and
- Specific maintenance items or violations that need to be corrected by the BMP owner along with deadlines and reinspection dates.

Owners or operators shall maintain documentation of these inspections. The MS4 may require submittal of this documentation.

4.2.6. Pollution Prevention/Good Housekeeping for Municipal Operations

The MS4 must develop and implement an operation and maintenance program that has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.

The program must include employee training to prevent and reduce stormwater pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance.

The MS4 must consider the following in developing the program: maintenance activities, maintenance schedules, and long-term inspection procedures for structural and non-structural stormwater controls to reduce floatable and other pollutants discharged from the MS4's separate storm sewers; controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, fleet or maintenance shops with outdoor storage areas, salt/sand storage locations and snow disposal areas operated by the MS4, and waste transfer stations; procedures for properly disposing of waste removed from the separate storm sewers and areas listed above (such as dredge spoil, accumulated sediments, floatable, and other debris); and ways to ensure that new flood management projects assess the impacts on water quality and examine existing projects for

incorporating additional water quality protection devices or practices. Operation and maintenance must be an integral component of all Stormwater Management Programs.

4.3. Qualifying Tribe, State or Local Program (QLP)

A Qualifying Local Program (QLP) is an MS4 Stormwater Management Program that has been formally approved by the division as having met QLP minimum program requirements related to stormwater discharges associated with construction activity. If a construction activity is within the jurisdiction of and has obtained a notice of coverage from a QLP, the operator of the construction activity is authorized to discharge stormwater associated with construction activity under General NPDES Permit for Discharges of Stormwater Associated with Construction Activities Permit without submittal of an NOI to the division. Additional information, including QLP minimum requirements and application procedures, can be obtained from your local EFO or TDEC's stormwater program website.

4.4. Reviewing and Updating Stormwater Management Programs

4.4.1. Stormwater Management Program Review

The MS4 must do an annual review of the Stormwater Management Program during preparation of the annual report required under sub-part 5.4. Any changes to the Stormwater Management Program should be reported as required in the annual report form.

4.4.2. Stormwater Management Program Update

The MS4 may change the Stormwater Management Program during the life of the permit in accordance with the following procedures:

a. Changes adding (but not subtracting or replacing) components, controls, or requirements to the Stormwater Management Program may be made at any time. Reporting of such changes must be made in accordance with sub-part 6.18.

b. Changes replacing an ineffective or unfeasible BMP specifically identified in the Stormwater Management Program with an alternate BMP may be adopted at any time, provided the MS4 can justify the change by:

- Analyzing why the BMP is ineffective or infeasible (including cost prohibitive),
- Analyzing why the replacement BMP is expected to achieve the goals of the BMP to be replaced, or has achieved those goals.

4.4.3. Stormwater Management Program Updates Required by the Division

The division may require changes to the Stormwater Management Program as needed to:

a. Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;

b. Include more stringent requirements necessary to comply with new federal statutory or regulatory requirements; or

c. Include such other conditions deemed necessary by the division to comply with the goals and requirements of the Clean Water Act.

Changes requested by the division must be made in writing to the MS4, set forth the time schedule for the MS4 to develop the changes, and offer the opportunity to propose alternative program changes to meet the objective of the requested modification. All changes required by the division will be made in accordance with 40 CFR §124.5, 40 CFR §122.62, or as appropriate 40 CFR §122.63.

4.4.4. Transfer of Ownership, Operational Authority, or Responsibility

The MS4 must implement the Stormwater Management Program in all new areas added to the MS4 as expeditiously as practicable, but not later than one year from addition of the new areas. Implementation may be accomplished in a phased manner to allow additional time for controls that cannot be implemented immediately.

Within 90 days of a transfer of ownership, operational authority, or responsibility for Stormwater Management Program implementation, the MS4 must have a plan for implementing the Stormwater Management Program in all newly added areas. The plan may include schedules for implementation. Information on all new annexed areas and any resulting updates required to the Stormwater Management Program must be included in the annual report.

4.5. Enforcement Response Plan

4.5.1. Development of Enforcement Response Plan

Within 18 months of permit effective date, the MS4 must develop and implement an enforcement response plan (ERP). The plan must set out the MS4's potential responses to violations and address repeat violations through progressive enforcement as needed to achieve compliance. The MS4 must have the legal ability to employ any combination of the enforcement actions below (or their functional equivalent), and to escalate enforcement responses where necessary to address persistent non-compliance, repeat or escalating violations, or incidents of major environmental harm. The ERP must describe how the MS4 will use each of the following types of enforcement responses:

a. Verbal Warnings –At a minimum, verbal warnings must specify the nature of the violation and required corrective action.

b. Written Notices – Written notices must stipulate the nature of the violation and the required corrective action, with deadlines for taking such action.

c. Citations with Administrative Penalties – The ERP must indicate when the MS4 will assess monetary penalties, which may include civil and administrative penalties.

d. Stop Work Orders – The MS4 must have the authority to issue stop work orders that require construction activities to be halted, except for those activities directed at cleaning up, abating discharge, and installing appropriate control measures.

e. Withholding of Plan Approvals or Other Authorizations – Where a facility is in non-compliance, the ERP must address how the MS4's own approval process affecting the facility's ability to discharge to the MS4 can be used to abate the violation.

f. Additional Measures – The MS4 may also use other escalated measures provided under local legal authorities. The MS4 may perform work necessary to improve erosion control measures and collect the funds from the responsible party in an appropriate manner, such as collecting against the project's bond or directly billing the responsible party to pay for work and materials.

4.5.2. NPDES Permit Referrals

For those construction projects or industrial facilities subject to the TNR100000 (the NPDES general permit for stormwater discharges from construction activity) or TNR050000 (the NPDES general permit for stormwater discharges from industrial activity), the MS4 must:

a. If the MS4 becomes aware that a construction activity, or an industrial stormwater discharge, exists and that the discharge must be permitted under an NPDES permit but is not so permitted, the MS4 must notify TDEC of this situation by supplying the following information to the local EFO:

- Construction project or industrial facility location;
- Name of owner or operator;
- Estimated construction project size or type of industrial activity (including SIC code if known);
- Records of communication with the owner or operator regarding filing requirements.

b. If the MS4 has not been able, through its enforcement mechanisms and protocol, to bring an NPDES-permitted discharge into compliance with the MS4s stormwater- and water pollution-related ordinances, then the MS4 must notify TDEC, at the local EFO, of this situation. In making such referrals, the MS4 must provide, at a minimum, the following:

- Construction project or industrial facility location;
- Name of owner or operator;
- Estimated construction project size or type of industrial activity (including SIC code if known);
- Records of communication with the owner or operator regarding the violation, including at least two follow-up inspections, two warning letters or notices of violation, and any response from the owner or operator.

4.5.3. Enforcement Tracking

The MS4 must track instances of non-compliance either in paper files or electronically. The enforcement case documentation must include, at a minimum, the following:

- Name of owner/operator;
- Location of construction project or industrial facility;
- Description of violation;

- Required schedule for returning to compliance;
- Description of enforcement response used, including escalated responses if repeat violations occur or violations are not resolved in a timely manner;
- Accompanying documentation of enforcement response (e.g., notices of noncompliance, notices of violations, etc.);
- Any referrals to different departments or agencies;
- Date violation was resolved.

4.5.4. Requirements for Chronic Violators

The MS4 must identify chronic violators of any Stormwater Management Program component and reduce the rate of noncompliance recidivism. The MS4 must track the violations, apply incentives and/or disincentives, and increase the inspection frequency at the operator's sites. If corrective actions are not taken, the MS4 shall pursue progressive enforcement and, if need be, perform the necessary work and assess against the owner the costs incurred for repairs. Where BMPs are on public property or within public rights-of way the MS4 must document, e.g., with photos, maintenance logs, contractor invoices, and in the tracking system, that appropriate maintenance and/or repairs have been completed.

5. MONITORING, RECORDKEEPING, AND REPORTING

5.1. Analytical monitoring

The MS4 shall perform analytical monitoring as a part of its Stormwater Management Program, at a minimum, in streams with EPA approved TMDLs and impaired streams.

For stream segments identified as being impaired for siltation and/or habitat alteration, where discharges from the MS4 have been identified as a source of the impairment, biological stream sampling must be performed utilizing the Semi-Quantitative Single Habitat (SQSH) Method as identified in the division's Quality System Standard Operating Procedure for Macroinvertebrate Stream Survey, revised October 2006. At least one sample per stream segment must be collected, with all segments in the MS4 jurisdiction sampled in a five-year period.

For stream segments identified as being impaired for pathogens, where discharges from the MS4 have been identified as a source of the impairment, bacteriological stream sampling must be performed utilizing methods identified in the division's Quality System Standard Operating Procedure for Chemical and Bacteriological Sampling of Surface Water, revised December 2009. Sampling shall include the collection of five samples and corresponding flow measurements, within a thirty-day period (to establish a geometric mean), and be performed during summer (June through September). Bacteriological sampling must be performed such that all pathogen-impaired segments in the MS4 jurisdiction are sampled within a five-year period.

For stream segments subject to TMDLs for parameters other than siltation, habitat alteration or pathogens, where discharges from the MS4 have been identified as a source of the impairment, the MS4 shall perform analytical monitoring as prescribed in the TMDL.

When the MS4 conducts monitoring of stormwater discharges, or of receiving waters, the MS4 must comply with the following:

a. Representative monitoring. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

b. Test Procedures. Monitoring results must be conducted according to test procedures approved under 40 CFR §136.

Records of monitoring information shall include:

- The date, exact place indicated by latitude and longitude, and time of sampling or measurements;
- The names(s) of the individual(s) who performed the sampling or measurements;
- The date(s) analyses were performed;
- The names of the individuals who performed the analyses;
- The analytical techniques or methods used; and
- The results of such analyses.

5.2. Non-analytical monitoring

Where discharges from the MS4 have been identified as a source of the impairment, **Visual Stream Surveys and Impairment Inventories** must be performed on streams impaired for siltation, habitat alteration and pathogens in order to identify and prioritize MS4 stream impairment sources. It is strongly recommended that visual stream surveys be performed throughout the entire HUC-12 sub watershed of a stream segment identified as being impaired. At a minimum, a visual stream survey must be performed immediately upstream and downstream of each MS4 outfall that discharges into an impaired stream segment. The MS4 shall refer to existing survey protocols such as the ones available through the Environmental Protection Agency, Natural Resources Conservation Service and the State of Maryland Department of Natural Resources. MS4s have the flexibility to select or modify a protocol to complement the existing MS4 program. All impaired stream segments in the MS4 jurisdiction must be surveyed in a five-year period.

Records of non-analytical monitoring of stormwater discharges shall include:

- The date, exact place, and time of observation/monitoring;
- The names(s) of the individual(s) who performed the observation/monitoring;
- The date(s) of the observation/monitoring;
- A description of the protocol employed;
- Documentation of findings, including a prioritized written description, photographs and corrective action plan and timeline.

5.3. Record keeping

The MS4 must retain records of all monitoring information, including, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, a copy of the NPDES permit, and records of all data used to complete the NOI for this permit, for a period of at least three years from the date of the sample, measurement, report or application, or for the term of this permit, whichever is longer. The division may extend this period with good cause.

The MS4 must submit records to the division only when specifically asked to do so or as required under sub-part 5.4. The MS4 must retain a copy of the stormwater management plan. A copy of this permit must be included as part of the plan. The stormwater management plan shall be kept in a location accessible to the division. The MS4 must make its records, including the NOI and the stormwater management plan, available to the public upon written request.

5.4. Reporting

The MS4 must submit an annual report to the appropriate EFO by September 30 of each calendar year that covers the previous fiscal year. The MS4 may fulfill this requirement by submitting the report via e-mail. Prior to submitting the annual report to the division, the MS4 must present the annual report at a public hearing for suggestions and comment. The annual report form is found in Appendix B.

6. STANDARD PERMIT CONDITIONS

6.1. Duty to Comply

You must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and/or the Tennessee Water Quality Control Act (TWQCA) and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Penalties for Violations of Permit Conditions

Pursuant to T.C.A. § 69-3-115 of The Tennessee Water Quality Control Act of 1977, as amended:

a. Any person who violates an effluent standard or limitation or a water quality standard established under this part (T.C.A. § 69-3-101, et. seq.); violates the terms or conditions of this permit; fails to complete a filing requirement; fails to allow or perform an entry, inspection, monitoring or reporting requirement; violates a final determination or order of the board, panel or commissioner; or violates any other provision of this part or any rule or regulation promulgated by the board, is subject to a civil penalty of up to ten thousand dollars ($10,000) per day for each day during which the act or omission continues or occurs;

b. Any person unlawfully polluting the waters of the state or violating or failing, neglecting, or refusing to comply with any of the provisions of this part (T.C.A. § 69-

3-101, et. seq.) commits a Class C misdemeanor. Each day upon which such violation occurs constitutes a separate offense;

c. Any person who willfully and knowingly falsifies any records, information, plans, specifications, or other data required by the board or the commissioner, or who willfully and knowingly pollutes the waters of the state, or willfully fails, neglects or refuses to comply with any of the provisions of this part (T.C.A. § 69-3-101, et. seq.) commits a Class E felony and shall be punished by a fine of not more than twenty-five thousand dollars ($25,000) or incarceration, or both.

d. Nothing in this permit shall be construed to relieve the discharger from civil or criminal penalties for noncompliance. Notwithstanding this permit, the discharger shall remain liable for any damages sustained by the State of Tennessee, including but not limited to fish kills and losses of aquatic life and/or wildlife, as a result of the discharge of treated wastewater to any surface or subsurface waters. Additionally, notwithstanding this permit, it shall be the responsibility of the discharger to conduct its wastewater treatment and/or discharge activities in a manner such that public or private nuisances or health hazards will not be created. Furthermore, nothing in this permit shall be construed to preclude the State of Tennessee from any legal action or relieve the discharger from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or the Federal Water Pollution Control Act.

6.2. Continuation of the Expired General Permit

This permit expires on September 1, 2015. However, this permit will continue to be in force and effect until the new general permit is issued. You can choose, or may be required, to obtain an individual permit; in that case, you must submit a Notice of Intent at least 180 days prior to expiration of this general permit. Permittees who are eligible and choose to be covered by the new general permit must submit an NOI by the date specified in that general permit.

6.3. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for you in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

6.4. Duty to Mitigate

You must take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

6.5. Duty to Provide Information

You must furnish to the division, within a time specified by the division but in no case later than 30 days subsequent any such request, any information that the division may request to determine compliance with this permit, including any and all records required by the permit.

6.6. Other Information

If you become aware that you have failed to submit any relevant facts in your Notice of Intent or submitted incorrect information in the Notice of Intent or in any other report to the division, you must promptly submit such facts or information.

6.7. Signatory Requirements

All Notices of Intent, reports, certifications, or information submitted to the division, or that this permit requires be maintained by you shall be signed, dated and certified as follows:

6.7.1. Notices of Intent

All Notices of Intent shall be signed as follows:

For a corporation. By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

(1) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or

(2) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

NOTE: The division does not require specific assignments or delegations of authority to responsible corporate officers. The division will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the director to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.
For a partnership or sole proprietorship. By a general partner or the proprietor, respectively; or

For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

6.7.2. Reports and other information

All reports required by the permit and other information requested by the division or authorized representative of the division shall be signed by a person described above or by a

duly authorized representative of that person. A person is a duly authorized representative only if:

6.7.2.1 Signed authorization

Person described in section 6.7.1 above must submitted written authorization for a specific position or individual to the division.

6.7.2.2 Authorization with specified responsibility

The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility for environmental matter for the regulated entity.

6.7.2.3 Changes to authorization

If an authorization is no longer accurate because a different operator has the responsibility for the overall operation of the MS4, a new authorization satisfying the requirement of 6.7.2.2 must be submitted to the division prior to or together with any reports, information, or notices of intent to be signed by an authorized representative.

6.7.3. Certification

Any person signing documents under sub-part 6.7 shall make the following certification:

> "*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*"

6.8. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

6.9. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related equipment) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

6.10. Inspection and Entry

You must allow the division or an authorized representative (including an authorized contractor acting as a representative of the division) upon the presentation of credentials and other documents as may be required by law, to do any of the following:

a. Enter your premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

b. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;

c. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment) practices, or operations regulated or required under this permit; and

d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the CWA, any substances or parameters at any location.

6.11. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. Your filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

6.12. Permit Transfers

This permit is not transferable to any person except after notice to the division. The division may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Act.

6.13. Anticipated Noncompliance

You must give advance notice to the division of any planned changes in the permitted small MS4 or activity, which may result in noncompliance with this permit.

6.14. State Environmental Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable Tennessee law or regulation under authority preserved by the Section 510 of the Clean Water Act. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

6.15. Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application

of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

6.16. Procedures for Modification or Revocation

Permit modification or revocation will be conducted according to 40 CFR §122.62, §122.63, §122.64 and §124.5.

Only those portions of the Stormwater Management Program specifically required as permit conditions shall be subject to the modification requirements of 40 CFR §124.5. Addition of components, controls, or requirements by the permittee(s) and replacement of an ineffective or infeasible BMP implementing a required component of the Stormwater Management Program with an alternate BMP expected to achieve the goals of the original BMP shall be considered minor changes to the Stormwater Management Program and not modifications to the permit.

6.17. Requiring an Individual Permit or an Alternative General Permit

6.17.1. Request by the Division

The division may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the division to take action under this paragraph. Where the division requires you to apply for an individual NPDES permit, the division will notify you in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for you to file the application, and a statement that on the effective date of issuance or denial of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Applications must be submitted to the appropriate Environmental Field Office (see 1.2 above). The division may grant additional time to submit the application upon request of the applicant. If you fail to submit in a timely manner an individual NPDES permit application as required by the division under this paragraph, then the applicability of this permit to you is automatically terminated at the end of the day specified by the division for application submittal.

6.17.2. Request by permittee

Any discharger authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, you must submit an individual application in accordance with the requirements of 40 CFR §122.33(b)(2), with reasons supporting the request, to the division at the address for the appropriate Environmental Field Office (see 1.2). The request may be granted by issuance of any individual permit or an alternative general permit if the reasons cited by you are adequate to support the request.

6.17.3. General permit termination

When an individual NPDES permit is issued to a discharger otherwise subject to this permit, or you are authorized to discharge under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is

denied to an operator otherwise subject to this permit, or the operator is denied for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the date of such denial, unless otherwise specified by the division.

6.18. Planned Changes

The permittee shall give notice to the director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or
b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1).

7. DEFINITIONS

All definitions contained in Section 502 of the Act and 40 CFR §122 shall apply to this permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided, but in the event of a conflict, the definition found in the Statute or Regulation takes precedence.

Analytical monitoring refers to monitoring of water bodies (streams, ponds, lakes, etc.) or of stormwater, according to 40 CFR 136 "Guidelines Establishing Test Procedures for the Analysis of Pollutants," or to state- or federally established protocols for biomonitoring or stream bioassessments.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Brownfield means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

Co-permittees are operators who by mutual consent request joint and severed responsibility for coverage under this general permit.

Construction Site Operator for the purpose of this permit and in the context of stormwater associated with construction activity, means any person associated with a construction project that meets either of the following two criteria:

a) This person has operational or design control over construction plans and specifications, including the ability to make modifications to those plans and specifications. This person is typically the owner or developer of the project or a portion of the project, and is considered the primary permittee; or

b) This person has day-to-day operational control of those activities at a project which are necessary to ensure compliance with a SWPPP for the site or other permit conditions. This person is typically a contractor or a commercial builder who is hired by the primary permittee, and is considered a secondary permittee.

It is anticipated that at different phases of a construction project, different types of parties may satisfy the definition of the "construction site operator."

Control Measure as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the state.

CWA or The Act means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L.92-500,as amended Pub.L.95-217, Pub.L.95-576, Pub.L.96-483 and Pub.L.97-117, 33 U.S.C.1251 et seq.

Director means the director of the Tennessee Division of Water Pollution Control, or an authorized representative.

Discharge, when used without a qualifier, refers to "discharge of a pollutant" as defined at 40 CFR §122.2.

Discharge-related activities include: activities which cause, contribute to, or result in stormwater point source pollutant discharges; and measures to control stormwater discharges, including the site, construction and operation of best management practices (BMPs) to control, reduce or prevent stormwater pollution.

Division means the Tennessee Department of Environment and Conservation, Division of Water Pollution Control.

Enforcement Response Plan (ERP) is a matrix of enforcement actions to be taken for noncompliance incidents. Permittees are required to include in their ordinance, or other regulatory mechanism, penalty provisions to ensure compliance with construction requirements, to require the removal of illicit discharges, and to address noncompliance with post-construction requirements. In complying with these requirements, EPA recommends the use of enforcement responses that vary with the type of permit violation, and escalate if violations are repeated or not corrected. The MS4 must develop and implement an enforcement response plan (ERP), which clearly describes the action to be taken for common violations associated with the construction program, or other Stormwater Management Program elements. A well-written ERP provides guidance to inspectors on the different enforcement responses available, actions to address general permit non-filers, when and how to refer violators to the state, and how to track enforcement actions.

Exceptional Tennessee Waters are surface waters of the State of Tennessee that satisfy the characteristics as listed in Rule 1200-4-3-.06 of the official compilation - rules and regulations of the State of Tennessee. Characteristics include waters within state or national parks, wildlife refuges, wilderness or natural areas; State or Federal Scenic Rivers; Federally-designated critical habitat; waters within an areas designated as Lands Unsuitable for Mining; waters with naturally reproducing trout; waters with exceptional biological diversity or; other waters with outstanding ecological or recreational value as determined by the department.

Hot spot means an area where land use or activities generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater. Examples might include operations producing concrete or asphalt, auto repair shops, auto supply shops, large commercial parking areas and restaurants.

Illicit Connection means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

Illicit Discharge is defined at 40 CFR §122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not entirely composed of stormwater, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from fire fighting activities.

Impaired Waters means any segment of surface waters that has been identified by the division as failing to support classified uses. The division periodically compiles a list of such waters known as the 303(d) List.

Load Allocation (LA): The portion of a receiving water's loading capacity that is attributed either to one of its existing or future nonpoint sources of pollution or to natural background (40 CFR §130.2(g)).

Margin of Safety (MOS): The "MOS" accounts for uncertainty in the loading calculation. The MOS may not be the same for different water bodies due to differences in the availability and strength of data used in the calculations.

Maximum Extent Practicable (MEP) is the technology-based discharge standard for Municipal Separate Storm Sewer Systems to reduce pollutants in stormwater discharges that was established by CWA §402(p). MS4 operators shall develop and implement their Stormwater Management Programs to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system, design and engineering methods, and such other provisions as the Administrator or the State determines appropriate for the control of pollutants. A discussion of MEP as it applies to small MS4s is found at 40 CFR §122.34.

Monitoring refers to tracking or measuring activities, progress, results, etc.; and can refer to non-analytical monitoring for pollutants by means other than 40 CFR 136 (and other than state- or federally established protocols in the case of biological monitoring and assessments), such as visually or by qualitative tools that provide comparative values or rough estimates.

Municipal Separate Storm Sewer (MS4) is defined at 40 CFR §122.26(b)(8) and means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

(i.) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the state;

(ii.) Designed or used for collecting or conveying stormwater;

(iii.) Which is not a combined sewer; and

(iv.) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR §122.2.

NOI is an acronym for "Notice of Intent" to be covered by this permit and is the mechanism used to "register" for coverage under a general permit.

Nonpoint Source is essentially any source of pollutant(s) that is not a point source. Examples are sheet flow from pastures and runoff from paved areas.

Owner or operator means the owner or operator of any ``facility or activity" subject to regulation under the NPDES program.

Point Source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

Priority construction activity shall be defined by the MS4, but shall include, at a minimum, those construction activities discharging directly into, or immediately upstream of, waters the state recognizes as impaired (for siltation or habitat alteration) or Exceptional Tennessee Waters.

Qualifying Local Program (QLP) is an MS4 Stormwater Management Program for discharges associated with construction activity that has been formally approved by the division as having met specific minimum program requirements, including those identified in 40 CFR §122.44(s). The intent of the QLP is to establish a streamlined and efficient process for managing discharges of stormwater associated with construction activities by eliminating duplication of the effort between the MS4 and the Division.

Redevelopment means the alteration of developed land that disturbs one acre or more, or less than an acre if part of a larger common plan of development, and increases the site or building impervious footprint, or offers a new opportunity for stormwater controls. The term is not intended to include such activities as exterior remodeling, which would not be expected to cause adverse stormwater quality impacts.

Significant Contributor is defined as a source of pollutants where the volume, concentration, or mass of a pollutant in a stormwater discharge can cause or threaten to cause pollution, contamination, or nuisance that adversely impact human health or the environment and cause or contribute to a violation of any applicable water quality standards for receiving water.

A regulated ***Small Municipal Separate Storm Sewer System (MS4)*** is not defined as "large" (municipality with a population of 250,000 or more) or "medium " (municipality with a population of 100,000 or more) municipal separate storm sewer system and refers to all separate storm sewers that are owned or operated by the United States, a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the state. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at

military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

Stormwater is defined at 40 CFR §122.26(b)(13) and means stormwater runoff, snowmelt runoff, and surface runoff and drainage.

A ***Stormwater Management Plan (SWMP)*** is a written compilation of the elements of the Stormwater Management Program. It is considered a single document, even though it actually consists of separate stand- alone components. There is no requirement for the SWMP, or its portions, to be submitted to the division, unless requested by the division in writing.

Stormwater Management Program refers to a comprehensive program to manage the quality of stormwater discharged from the municipal separate storm sewer system.

A ***Stormwater Pollution Prevention Plan (SWPPP)*** is a written plan that includes site map(s), an identification of construction/contractor activities that could cause pollutants in the stormwater, and a description of measures or practices to control these pollutants. It must be prepared and approved before construction begins. In order to effectively reduce erosion and sedimentation impacts, Best Management Practices (BMPs) must be designed, installed, and maintained during land disturbing activities. The SWPPP shall be prepared in accordance with the Tennessee Erosion and Sediment Control Handbook or local BMP Manual, whichever is more stringent and protective of waters of the state. The handbook is designed to provide information to planners, developers, engineers, and contractors on the proper selection, installation, and maintenance of BMPs. The handbook is intended for use during the design and construction of projects that require erosion and sediment controls to protect waters of the state. It also aids in the development of SWPPPs and other reports, plans, or specifications required when participating in Tennessee's water quality regulations.

Stream means a surface water that is not a wet weather conveyance.

TMDL (Total Maximum Daily Load) in this permit generally refers to a study that quantifies the amount of a pollutant that can be assimilated in a water body, identifies the sources of the pollutant, and recommends regulatory or other actions to be taken to achieve compliance with applicable water quality standards based on the relationship between pollution sources and in-stream water quality conditions. A TMDL can be expressed as the sum of all point source loads (Waste Load Allocations), non-point source loads (Load Allocations), and an appropriate margin of safety (MOS), which takes into account any uncertainty concerning the relationship between effluent limitations and water quality:

$$TMDL = \Sigma WLAs + \Sigma LAs + MOS$$

The objective of a TMDL is to allocate loads among all of the known pollutant sources throughout a watershed so that appropriate control measures can be implemented and water quality standards achieved. 40 CFR §130.2 (i) states that TMDLs can be expressed in terms of mass per time, toxicity, or other appropriate measure.

- ***Waste load Allocation*** **(WLA):** The portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution. WLAs constitute the type of water quality-based effluent limitation. (40 CFR §130.2(h)).

Water quality buffer means a setback from the top of water body's bank of undisturbed vegetation, including trees, shrubs and herbaceous vegetation; enhanced or restored vegetation; or the re-establishment of native vegetation bordering streams, ponds, wetlands, springs, reservoirs or lakes, which exists or is established to protect those water bodies. The goal of the water quality buffer is to preserve undisturbed vegetation that is native to the streamside habitat in the area of the project. Vegetated, preferably native, water quality buffers protect water bodies by providing structural integrity and canopy cover, as well as stormwater infiltration, filtration and evapotranspiration. Buffer width depends on the size of a drainage area. Streams or other waters with drainage areas less than 1 square mile will require buffer widths of 30 feet minimum. Streams or other waters with drainage areas greater than 1 square mile will require buffer widths of 60 feet minimum. The 60-feet criterion for the width of the buffer zone can be established on an average width basis at a project, as long as the minimum width of the buffer zone is more than 30 feet at any measured location. The MS4 must develop and apply criteria for determining the circumstances under which these averages will be available. A determination that standards cannot be met may not be based solely on the difficulty or cost associated with implementation.

Every attempt should be made for development and redevelopment activities not to take place within the buffer zone. If water quality buffer widths as defined above cannot be fully accomplished on-site , the MS4 must develop and apply criteria for determining the circumstances under which alternative buffer widths will be available. A determination that water quality buffer widths cannot be met on site may not be based solely on the difficulty or cost of implementing measures, but must include multiple criteria, such as: type of project, existing land use and physical conditions that preclude use of these practices.

Waters of the State or simply ***Waters*** is defined in the Tennessee Water Quality Control Act and means any and all water, public or private, on or beneath the surface of the ground, which are contained within, flow through or border upon Tennessee or any portion thereof except those bodies of water confined to and retained within the limits of private property in single ownership which do not combine to effect a junction with natural surface or underground waters.

Wet weather conveyance means, notwithstanding any other law or rule to the contrary, man-made or natural watercourses, including natural watercourses that have been modified by channelization:

(A) That flow only in direct response to precipitation runoff in their immediate locality;
(B) Whose channels are at all times above the groundwater table;
(C) That are not suitable for drinking water supplies; and
(D) In which hydrological and biological analyses indicate that, under normal weather conditions, due to naturally occurring ephemeral or low flow there is not sufficient water to support fish, or multiple populations of obligate lotic aquatic organisms whose life cycle includes an aquatic phase of at least two (2) months.

You and ***Your*** as used in this permit is intended to refer to the permittee, the operator, or the discharger as the context indicates and that party's responsibilities (e.g., the city, the county, the flood control district, the U.S. Air Force, etc.).

8. APPENDIX A – NOTICE OF INTENT (NOI)

You may access a copy of the NOI at the division's Web page:

http://www.tn.gov/environment/water/water-quality_storm-water.shtml

If you do not have access to the Internet,
Please contact the division at 1-888-891-8332 (TDEC)
or
E-mail a request for the NOI at Phase.Two@tn.gov

9. APPENDIX B – MS4 ANNUAL REPORT

You may access a copy of the Annual Report at the division's Web page:

http://www.tn.gov/environment/water/water-quality_storm-water.shtml

If you do not have access to the Internet,
Please contact the division at 1-888-891-8332 (TDEC)
or
E-mail a request for the NOI at Phase.Two@tn.gov

Annual reports must be submitted in accordance with the requirements of subpart 5.4. (Reporting) of the permit. Annual reports must be submitted to the appropriate Environmental Field Office (EFO) by September 30 of each calendar year, as shown in the table below:

EFO	Street Address	City	Zip Code	Telephone
Chattanooga	540 McCallie Avenue STE 550	Chattanooga	37402	(423) 634-5745
Columbia	1421 Hampshire Pike	Columbia	38401	(931) 380-3371
Cookeville	1221 South Willow Ave.	Cookeville	38506	(931) 432-4015
Jackson	1625 Hollywood Drive	Jackson	38305	(731) 512-1300
Johnson City	2305 Silverdale Road	Johnson City	37601	(423) 854-5400
Knoxville	3711 Middlebrook Pike	Knoxville	37921	(865) 594-6035
Memphis	8383 Wolf Lake Drive	Bartlett	38133	(901) 371-3000
Nashville	711 R S Gass Boulevard	Nashville	37216	(615) 687-7000



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GO TO THE TENNESSEE ANNOTATED STATUTES ARCHIVE DIRECTORY

Tenn. Code Ann. § 68-221-1101 (2014)

68-221-1101. Legislative purpose.

The purpose of this part is to facilitate compliance with the Water Quality Act of 1977, by municipalities which are affected by environmental protection agency (EPA) storm water regulations, particularly those arising from § 405 of the Water Quality Act of 1987, and § 402(p) of the Clean Water Act of 1977, regulating storm water discharges to protect water quality. This part shall enable municipalities to regulate such discharges, to establish a system of drainage facilities, and to fix and require payment of fees for the privilege of discharging storm water. This part shall also enable municipalities to construct and operate a system of drainage facilities for storm water management and flood control.

HISTORY: Acts 1993, ch. 257, § 1; 1995, ch. 133, § 1; 2001, ch. 119, § 1.

NOTES: Compiler's Notes.

Section 402 of the Clean Water Act of 1977, as amended by § 405 of the Water Quality Act of 1987, referred to in this section, is codified in *33 U.S.C. § 1342.*

Attorney General Opinions.

Authority for storm water fees/unfunded federal mandates. OAG 12-96, *2012 Tenn. AG LEXIS 100* (10/9/12).

Cited:

Vandergriff v. City of Chattanooga, 44 F. Supp. 2d 927, 1998 U.S. Dist. LEXIS 22102 (E.D. Tenn. 1998).



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Tenn. Code Ann. § 68-221-1102 (2014)

68-221-1102. Part definitions.

As used in this part, unless the context otherwise requires:

(1) "Agricultural land" means land used for agriculture, as defined in *§ 1-3-105*;

(2) "Construction" means the erection, building, acquisition, alteration, reconstruction, improvement or extension of storm water facilities; preliminary planning to determine the economic and engineering feasibility of storm water facilities; the engineering, architectural, legal, fiscal and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other action necessary in the construction of storm water facilities; and the inspection and supervision of the construction of storm water facilities;

(3) "Contaminant" means any physical, chemical, biological, or radiological substance or matter in water;

(4) "Municipality" means any incorporated city or town, county, metropolitan or consolidated government, or special district of this state empowered to provide storm water facilities;

(5) "Person" means any and all persons, natural or artificial, including any individual, firm or association and any municipal or private corporation organized or existing under the laws of this or any other state or country;

(6) "Qualified farmer or nurseryman" has the meaning as defined in *§ 67-6-207(e)*;

(7) "Storm water" means storm water runoff, snow melt runoff, surface runoff, street wash waters related to street cleaning or maintenance, infiltration (other than infiltration contaminated by seepage from sanitary sewers or by other discharges) and drainage;

(8) "Storm water facilities" means the drainage structures, conduits, combined sewers, sewers, and all device appurtenances by means of which storm water is collected, transported, pumped, treated or disposed of; and

(9) "Surface water" includes waters upon the surface of the earth in bounds created naturally or artificially including, but not limited to, streams, other water courses, lakes, and reservoirs.

HISTORY: Acts 1993, ch. 257, § 2; 1995, ch. 133, § 2; 2001, ch. 119, § 2; 2010, ch. 1143, §§ 2, 3.

NOTES:

Cited:

Vandergriff v. City of Chattanooga, 44 F. Supp. 2d 927, 1998 U.S. Dist. LEXIS 22102 (E.D. Tenn. 1998).



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Tenn. Code Ann. § 68-221-1103 (2014)

68-221-1103. Authorization of storm water facilities or flood control improvements by municipality.

The governing body of any municipality may authorize the construction, extension, enlargement, or acquisition of necessary storm water facilities or flood control improvements within its corporate boundaries. The improvements may include, but are not limited to, the extension, enlargement, construction, or acquisition of storm water facilities or flood control improvements; the widening, straightening, or relocating of streams, surface waters, or water courses; and the acquisition, extension, enlargement, or construction of any works necessary to regulate the quantity or quality of water for the protection of streams, water courses, surface waters, life, and property; provided, that the municipality obtains all applicable permits and complies with all applicable state and federal laws.

HISTORY: Acts 1993, ch. 257, § 3.

NOTES:

NOTES TO DECISIONS

1. Permit Not Required. 2. Use of Fees.

1. Permit Not Required.

This section does not require a municipality to possess or to have previously obtained a national pollutant discharge elimination system (NPDES) permit before enacting and implementing a storm water ordinance. *Vandergriff v. City of Chattanooga, 44 F. Supp. 2d 927, 1998 U.S. Dist. LEXIS 22102 (E.D. Tenn. 1998),* aff'd, *Rush v. City of Chattanooga, 182 F.3d 918, 1999 U.S. App. LEXIS 24525 (6th Cir. Tenn. 1999).*

2. Use of Fees.

The use of fees collected pursuant to a municipal storm water ordinance to improve a combined sewer overflow system does not violate this section even if such system is part of a publicly owned treatment works and is covered by a separate national pollution discharge elimination system permit since the definition of storm water facilities in this act includes combined sewers and sewers. *Vandergriff v. City of Chattanooga, 44 F. Supp. 2d 927, 1998 U.S. Dist. LEXIS 22102 (E.D. Tenn. 1998),* aff'd, *Rush v. City of Chattanooga, 182 F.3d 918, 1999 U.S. App. LEXIS 24525 (6th Cir. Tenn. 1999).*



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Tenn. Code Ann. § 68-221-1104 (2014)

68-221-1104. Condemnation of property.

A municipality may condemn either the fee or such right, title, interest, or easement in property within its corporate boundaries for any of the purposes mentioned in this part, and such property or interest in such property may be so acquired whether or not the same is owned or held for public use by corporations, associations or persons having the

power of eminent domain, or otherwise held or used for public purposes; provided, that such prior public use will not be interfered with by this use. Such power of condemnation may be exercised in the mode or method of procedure prescribed by any other applicable statutory provisions now in force or hereafter enacted for the exercise of the power of eminent domain.

HISTORY: Acts 1993, ch. 257, § 4.



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Tenn. Code Ann. § 68-221-1105 (2014)

68-221-1105. Municipal authority.

(a) In order to protect the public health, municipalities authorized to provide storm water and flood control facilities by this part are authorized by appropriate ordinance or resolution to:

(1) Exercise general regulation over the planning, location, construction, and operation and maintenance over storm water facilities in the municipality, whether owned and operated by the municipality or not;

(2) Adopt any rules and regulations deemed necessary to accomplish the purposes of this part, including the adoption of a system of fees for services and permits;

(3) Establish standards to regulate the quantity of storm water discharged and to regulate storm water contaminants as may be necessary to protect water quality;

(4) Review and approve plans and plats for storm water management in proposed subdivisions or commercial developments;

(5) Issue permits for storm water discharges, or for the construction, alteration, extension, or repair of storm water facilities;

(6) Suspend or revoke permits when it is determined that the person has violated any applicable ordinance, resolution, or condition of the permit;

(7) Regulate and prohibit discharges into storm water facilities of sanitary, industrial, or commercial sewage or waters that have otherwise been contaminated; and

(8) Expend funds to remediate or mitigate the detrimental effects of contaminated land or other sources of storm water contamination, whether public or private.

(b) Municipalities may only exercise the authority granted by subsection (a) in a manner consistent with all requirements of state and federal law that apply to such activities.

(c) In counties with a metropolitan form of government, the legislative body may, by ordinance, assign responsibility for the planning, location, construction, and operation and maintenance over storm water facilities in the metropolitan county to any department, board or commission.

(d) In counties having governments other than metropolitan or consolidated governments, the county shall only be empowered to exercise the authority granted by this part outside the jurisdiction of an incorporated city or town.

HISTORY: Acts 1993, ch. 257, § 5; 1995, ch. 409, § 1; 2001, ch. 119, § 3.

NOTES: Attorney General Opinions.

Authority for storm water fees/unfunded federal mandates. OAG 12-96, *2012 Tenn. AG LEXIS 100* (10/9/12).

NOTES TO DECISIONS

1. Permit Not Required.

1. Permit Not Required.

Where it is undisputed that a municipality submitted a timely application for and ultimately received a national pollutant discharge elimination system (NPDES) permit and otherwise acted in accordance with the requirements of state and federal law, the municipality had not violated the federal Clean Water Act or the Tennessee Storm Water Management Act by enacting and implementing a storm water ordinance before obtaining the NPDES permit. *Vandergriff v. City of Chattanooga, 44 F. Supp. 2d 927, 1998 U.S. Dist. LEXIS 22102 (E.D. Tenn. 1998),* aff'd, *Rush v. City of Chattanooga, 182 F.3d 918, 1999 U.S. App. LEXIS 24525 (6th Cir. Tenn. 1999).*



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Tenn. Code Ann. § 68-221-1106 (2014)

68-221-1106. Civil penalty for violation of ordinance.

(a) A municipality may establish by ordinance or resolution that any person who violates any ordinance or resolution regulating storm water discharges or facilities shall be subject to a civil penalty of not less than fifty dollars ($50.00) or more than five thousand dollars ($5,000) per day for each day of violations. Each day of violation may constitute a separate violation. A municipality shall give the violator reasonable notice of the assessment of any penalty. A municipality may also recover all damages proximately caused to the municipality by such violations.

(b) In assessing a civil penalty, the following factors may be considered:

(1) The harm done to the public health or the environment;

(2) Whether the civil penalty imposed will be substantial economic deterrent to the illegal activity;

(3) The economic benefit gained by the violator;

(4) The amount of effort put forth by the violator to remedy this violation;

(5) Any unusual or extraordinary enforcement costs incurred by the municipality;

(6) The amount of penalty established by ordinance or resolution for specific categories of violations; and

(7) Any equities of the situation which outweigh the benefit of imposing any penalty or damage assessment.

(c) The municipality may also assess damages proximately caused by the violator to the municipality which may include any reasonable expenses incurred in investigating and enforcing violations of this part, or any other actual damages caused by the violation.

(d) The municipality shall establish a procedure for a review of the civil penalty or damage assessment by either the governing body of the municipality or by a board established to hear appeals by any person incurring a damage assessment or a civil penalty. If a petition for review of such damage assessment or civil penalty is not filed within thirty (30) days after the damage assessment or civil penalty is served in any manner authorized by law, the violator shall be deemed to have consented to the damage assessment or civil penalty and it shall become final. The alleged violator may appeal a decision of the governing body or board pursuant to title 27, chapter 8.

(e) Whenever any damage assessment or civil penalty has become final because of a person's failure to appeal the municipality's damage assessment or civil penalty, the municipality may apply to the appropriate chancery court for a judgment and seek execution of such judgment. The court, in such proceedings, shall treat the failure to appeal such damage assessment or civil penalty as a confession of judgment.

HISTORY: Acts 1993, ch. 257, § 6.

NOTES:

NOTES TO DECISIONS

1. Criminal Penalties Not Precluded.

1. Criminal Penalties Not Precluded.

The general authority granted to municipalities to set criminal penalties for the violation of municipal ordinances is not in conflict with this section and may be applied to support the imposition of criminal penalties on a party who violates a local storm water ordinance. *Vandergriff v. City of Chattanooga, 44 F. Supp. 2d 927, 1998 U.S. Dist. LEXIS 22102 (E.D. Tenn. 1998),* aff'd, *Rush v. City of Chattanooga, 182 F.3d 918, 1999 U.S. App. LEXIS 24525 (6th Cir. Tenn. 1999).*



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Tenn. Code Ann. § 68-221-1107 (2014)

68-221-1107. Facilities user's fee.

(a) All municipalities constructing, operating, or maintaining storm water or flood control facilities are authorized to establish a graduated storm water user's fee which may be assessed and collected from each user of the storm water facilities provided by the municipality. These fees shall be reasonable in amount and used exclusively by the municipality for purposes set forth in this part. Such a graduated storm water user's fee shall be based on actual or estimated use of the storm water and/or flood control facilities of the municipality, and each user or user class shall only be required to pay its proportionate share of the construction, administration, operation and maintenance including

replacement costs of such facilities based on the user's actual or estimated proportionate contribution to the total storm water runoff from all users or user classes. To ensure a proportionate distribution of all costs to each user or user class, the user's contribution shall be based on factors such as the amount of impervious area utilized by the user, the water quality of user's storm water runoff or the volume or rate of storm water runoff. Persons whose storm water runoff is not discharged into or through the storm water or flood control facilities, or both, of the municipality; and owners and/or operators of agricultural land, in the municipality, upon which the owner and/or operator conducts activities that enable the owner and/or operator to satisfy the requirements of a qualified farmer or nurseryman shall be exempted from payment of the graduated storm water user fee authorized by this section. The fee structure shall provide adjustments for users who construct facilities to retain and control the quantity of storm water runoff. Prior to establishing or amending such user's fees, the municipality shall advertise its intent to do so by notice published in a newspaper of general circulation in such municipality at least thirty (30) days in advance of the meeting of the governing body which shall consider such adoption or amendment.

(b) The municipality providing such service is authorized to enter into a contract for the collection of such storm water facilities fees with any public or private corporation or municipal utilities board or commission operating a water, gas, or electric system other than an electric cooperative incorporated under the Electric Cooperative Law, compiled in title 65, chapter 25, part 2, in the area of the storm water facilities or to make contracts with any other city, town, or utility district to bill and collect storm water fees as a designated item on its utility bill or, in any county which is not in the state's computer assisted appraisal system (CAAS), to enter into a contract or interlocal agreement with the county in which such municipality is located to bill and collect storm water fees for the municipality as a designated item on the ad valorem tax notice issued by the county trustee. In addition, if any county which is not in the state's CAAS constructs, operates or maintains storm water or flood control facilities and establishes and assesses on each user of the storm water facilities provided by the county a graduated storm water user's fee in accordance with this chapter, then the county trustee of such county is authorized to bill and collect such storm water fees for such county as a designated item on the ad valorem tax notice issued by the county trustee. The contract may provide for the discontinuance of utility service to storm water facility users who fail or refuse to pay storm water facility user charges, including the right not to accept payment of the utility bill from any user without receiving at the same time payment of any storm water facility charges owed by such user and not to re-establish utility services until such time as all past due storm water facility service charges owed by such user have been paid and/or the user of the storm water facility has performed all acts and discharged all obligations required by the ordinances or resolutions of the municipality.

HISTORY: Acts 1993, ch. 257, § 7; 2004, ch. 578, § 1; 2004, ch. 849, § 1; 2010, ch. 1143, § 4.

NOTES: Section to Section References.

This section is referred to in *§ 12-9-104*.

Attorney General Opinions.

Applicability, OAG 94-039 (3/21/94).

Legislative bodies of counties and/or municipalities do not have the authority to exempt those who qualify for the state tax relief program from collection of storm water fees, OAG 06-177 (12/19/06).

Authority for storm water fees/unfunded federal mandates. OAG 12-96, *2012 Tenn. AG LEXIS 100* (10/9/12).

NOTES TO DECISIONS

1. Use of Fees.

1. Use of Fees.

The use of fees collected pursuant to a municipal storm water ordinance to improve a combined sewer overflow system does not violate this section even if such system is part of a publicly owned treatment works and is covered by a separate national pollution discharge elimination system permit since the definition of storm water facilities in this act includes combined sewers and sewers. *Vandergriff v. City of Chattanooga, 44 F. Supp. 2d 927, 1998 U.S. Dist. LEXIS 22102 (E.D. Tenn. 1998)*, aff'd, *Rush v. City of Chattanooga, 182 F.3d 918, 1999 U.S. App. LEXIS 24525 (6th Cir. Tenn. 1999).*



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Tenn. Code Ann. § 68-221-1108 (2014)

68-221-1108. Financing of facilities.

A municipal legislative body may finance storm water facilities under the Local Government Public Obligations Act of 1986, compiled in title 9, chapter 21. To protect the public health and to assure payment of bonds issued for storm water facilities, the municipality may by appropriate ordinance or resolution use the procedures set forth in *§§ 68-221-208* and *68-221-209*, for payment and collection of charges.

HISTORY: Acts 1993, ch. 257, § 8.



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Tenn. Code Ann. § 68-221-1109 (2014)

68-221-1109. Powers in addition to other municipal powers.

The powers conferred by this part are in addition and supplemental to the powers conferred by any other law, charter, or home rule provision.

HISTORY: Acts 1993, ch. 257, § 9.



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*** Current through the 2014 Regular Session and amendments approved at the November 4, 2014 General Election ***

Title 68 Health, Safety and Environmental Protection
Environmental Protection
Chapter 221 Water and Sewerage
Part 11 Storm Water Management

GO TO THE TENNESSEE ANNOTATED STATUTES ARCHIVE DIRECTORY

Tenn. Code Ann. § 68-221-1110 (2014)

68-221-1110. Permit conditions for discharges.

To the extent practicable, municipalities shall provide permit conditions for storm water discharges associated with

industrial activities that are consistent with any permits issued pursuant to the National Pollution Discharge Elimination System (NPDES), unless the discharge contains hazardous substances in excess of reporting quantities, or the facility and the municipality are not in compliance with applicable provisions of the NPDES permits issued to them for storm water, or the discharge materially affects the municipal storm water facilities through either the quantity of wastewater or its contamination.

HISTORY: Acts 1993, ch. 257, § 10.

NOTES:

NOTES TO DECISIONS

1. Permit Not Required.

1. Permit Not Required.

Where it is undisputed that a municipality submitted a timely application for and ultimately received a national pollutant discharge elimination system (NPDES) permit, the municipality had not violated the federal Clean Water Act or the Tennessee Storm Water Management Act by enacting and implementing a storm water ordinance before obtaining the NPDES permit. *Vandergriff v. City of Chattanooga, 44 F. Supp. 2d 927, 1998 U.S. Dist. LEXIS 22102 (E.D. Tenn. 1998),* aff'd, *Rush v. City of Chattanooga, 182 F.3d 918, 1999 U.S. App. LEXIS 24525 (6th Cir. Tenn. 1999).*



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Tenn. Code Ann. § 68-221-1111 (2014)

68-221-1111. Water quality regulation authority not limited by this part.

Nothing herein shall be construed to limit the power or authority of the department of environment and conservation or of the Tennessee board of water quality, oil and gas with respect to regulation of the waters of the state. Any ordinances or regulations adopted or imposed by municipalities shall be subject to regulation and oversight by the department of environment and conservation or the Tennessee board of water quality, oil and gas.

HISTORY: Acts 1993, ch. 257, § 11.

NOTES: Compiler's Notes.

Acts 2012, ch. 986, §§ 26-28 substituted "Tennessee board of water quality, oil and gas" for "water quality control board".



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Tenn. Code Ann. § 68-221-1112 (2014)

68-221-1112. Notice of federally mandated charges.

Any bill rendered as a result of this part shall contain the following statement with respect to the charges assessed under this part, which statement shall be printed in bold-faced type:

"THIS FEE HAS BEEN MANDATED BY CONGRESS."

HISTORY: Acts 1993, ch. 257, § 13; 2010, ch. 716, § 1.

NOTES: Compiler's Notes.

Acts 2010, ch. 716, § 2 provided that no change from "TAX" to "FEE" pursuant to § 1 of the act shall be required on any water bill until the current supply of water bills is exhausted.



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Tenn. Code Ann. § 68-221-1113 (2014)

68-221-1113. Annual report to state legislative delegation.

(a) The chief administrative officer of the agency or entity responsible for implementing this part or such officer's designated representative shall report annually and personally to the legislative delegation of any municipality to which this section applies on the storm water management program for which such officer is responsible. Such report shall include, at a minimum, the following:

(1) The status of the storm water management program in such municipality;

(2) The fee structure imposed to fund the implementation of this part and the adequacy of such fees to implement this part;

(3) Any long-range plans which have been developed to implement this part;

(4) The status of any projects to control storm water runoff;

(5) The status of any condemnation proceedings pursuant to this part; and

(6) Any other information deemed relevant by such officer or requested by the delegation.

(b) This section only applies to municipalities in counties having a population of not less than two hundred eighty-five thousand (285,000) nor more than two hundred eighty-six thousand (286,000), according to the 1990 federal census or any subsequent federal census. This section also applies to the municipality having the largest population in any county with a population of not less than three hundred thirty-five thousand (335,000) nor more than three hundred thirty-six thousand (336,000), according to the 1990 federal census or any subsequent federal census. This section shall also apply to the municipality having the largest population in any county with a population in excess of eight hundred thousand (800,000), according to the 1990 federal census or any subsequent federal census.

HISTORY: Acts 1993, ch. 257, § 14.

NOTES: Compiler's Notes.

For tables of U.S. decennial populations of Tennessee counties, see Volume 13 and its supplement.



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Tenn. Code Ann. § 69-3-101 (2014)

69-3-101. Short title.

This part shall be known as the "Water Quality Control Act of 1977."

HISTORY: Acts 1971, ch. 164, § 1; 1977, ch. 366, § 1; T.C.A., § 70-324.

NOTES: Compiler's Notes.

For transfer of the bureau of environment in the department of health and its related functions and the administration of the Tennessee environmental statutes (excluding title 68, chs. 14, 110 and 112) from the department of health to the department of conservation and environment, see Executive Order No. 42 (February 4, 1991).

Cross-References.

Major energy projects, coordination of regulation, title 13, ch. 18.

Nontraditional sewage disposal systems, regulation by water and wastewater treatment authorities, *§ 68-221-607*.

Taxation of pollution control equipment, *§ 67-5-604*.

Section to Section References.

This chapter is referred to in *§§ 4-5-226*, *5-1-118*, *39-14-504*, *65-27-101*, *68-1-104*, *68-203-101*, *68-212-203*, *68-221-402*, *68-221-607*, *69-3-137*, 69-8-205, 69-8-206, 69-8-207, 69-8-209, 69-8-212.

This part is referred to in *§§ 43-6-502*, *67-5-604*, *68-212-203*, *68-221-102*, *68-221-419*, *68-221-712*, 69-8-209.

Textbooks.

Tennessee Jurisprudence, 25 Tenn. Juris., Waters and Watercourses, § 12.

Law Reviews.

The Tennessee Water Quality Control Act of 1971, *25 Vand. L. Rev. 325, 331*.

Attorney General Opinions.

Permit requirements for landowners, OAG 97-039 (4/7/97).

Proposed private act purporting to give a single county zoning and regulatory authority over business activities and property uses that are subject to regulation by the department of environment and would be inconsistent with general laws and would constitute invalid class legislation, OAG 04-105 (7/02/04).

Comparative Legislation.

Water pollution control:
Ala. *Code § 22-22-1* et seq.
Ark. *Code § 8-4-201* et seq.
Ga. *O.C.G.A. § 12-5-20* et seq.
Ky. *Rev. Stat. Ann. § 224.70-100* et seq.
Miss. *Code Ann. § 49-17-1* et seq.
Mo. *Rev. Stat. § 644.006* et seq.
N.C. *Gen. Stat. § 143-211* et seq.
Va. *Code § 32.1-167* et seq.

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Water Quality

Cited:

Chastain v. Tennessee Water Quality Control Board, 555 S.W.2d 113, 1977 Tenn. LEXIS 626 (Tenn. 1977); Bunch v. Allison, 596 S.W.2d 814, 1980 Tenn. LEXIS 436 (Tenn. 1980); State v. Electroplating, Inc., 990 S.W.2d 211, 1998 Tenn. Crim. App. LEXIS 618 (Tenn. Crim. App. 1998); Jones v. City of Lakeland, 175 F.3d 410, 1999 FED App. 144P, 1999 U.S. App. LEXIS 7517 (6th Cir. Tenn. 1999); Ramsey v. Town of Oliver Springs, 998 S.W.2d 207, 1999 Tenn. LEXIS 366 (Tenn. 1999); Jones v. City of Lakeland, 224 F.3d 518, 2000 FED App. 265P, 2000 U.S. App. LEXIS 19013 (6th Cir. Tenn. 2000); Tenn. Envtl. Council v. Tenn. Water Quality Control Bd., 254 S.W.3d 396, 2007 Tenn. App. LEXIS 631 (Tenn. Ct. App. Oct. 3, 2007).

NOTES TO DECISIONS

1. Bankruptcy. 2. Private Right of Action.

1. Bankruptcy.

The water quality control board's (now the board of water quality, gas, and oil) proceedings to fix civil liability under this part are within the exception to the automatic stay in bankruptcy. *Word v. Commerce Oil Co., 847 F.2d 291, 1988 U.S. App. LEXIS 6901 (6th Cir. 1988).*

2. Private Right of Action.

No implied private right of action exists under the Tennessee Water Quality Control Act, *T.C.A. § 69-3-101* et seq.*Ergon, Inc. v. Amoco Oil Co., 966 F. Supp. 577, 1997 U.S. Dist. LEXIS 12817 (W.D. Tenn. 1997).*

Collateral References.

61B Am. Jur. 2d Pollution Control § 152 et seq.

39A C.J.S. Health and Environment § 172 et seq.; 65 C.J.S. Navigable Waters § 79; 93 C.J.S. Waters § 93 et seq.

Health and Environment 25.7(1)-25.7(25).



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Tenn. Code Ann. § 69-3-102 (2014)

69-3-102. Declaration of policy and purpose.

(a) Recognizing that the waters of Tennessee are the property of the state and are held in public trust for the use of the people of the state, it is declared to be the public policy of Tennessee that the people of Tennessee, as beneficiaries of this trust, have a right to unpolluted waters. In the exercise of its public trust over the waters of the state, the government of Tennessee has an obligation to take all prudent steps to secure, protect, and preserve this right.

(b) It is further declared that the purpose of this part is to abate existing pollution of the waters of Tennessee, to reclaim polluted waters, to prevent the future pollution of the waters, and to plan for the future use of the waters so that the water resources of Tennessee might be used and enjoyed to the fullest extent consistent with the maintenance of unpolluted waters.

(c) Moreover, an additional purpose of this part is to enable the state to qualify for full participation in the national pollutant discharge elimination system (NPDES) established under § 402 of the Federal Water Pollution Control Act,

Public Law 92-500, codified in *33 U.S.C. § 1342.*

(d) Additionally, it is intended that all procedures in this part shall be in conformity with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

HISTORY: Acts 1971, ch. 164, § 2; 1977, ch. 366, § 1; T.C.A., § 70-325; Acts 1992, ch. 684, § 1.

NOTES: Section to Section References.

This section is referred to in *§ 69-3-105*.

Law Reviews.

Tennessee Water Law, You Never Miss the Water Till the Well Runs Dry (Vincent A. Sikora), 24 No. *5 Tenn. B.J. 12 (1988).*

LexisNexis 50 State Surveys, Legislation & Regulations

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Cited:

State v. Champion Int'l Corp., 709 S.W.2d 569, 1986 Tenn. LEXIS 830 (Tenn. 1986); Ergon, Inc. v. Amoco Oil Co., 966 F. Supp. 577, 1997 U.S. Dist. LEXIS 12817 (W.D. Tenn. 1997); Pickard v. Tenn. Dep't of Env't & Conservation, -- S.W.3d --, 2012 Tenn. App. LEXIS 615 (Tenn. Ct. App. Sept. 4, 2012).

NOTES TO DECISIONS

1. Clean Water Act.

1. Clean Water Act.

The Clean Water Act precludes a citizen's suit only if the Administrator of the environmental protection agency (EPA) or a state is diligently prosecuting an enforcement action in a court of the United States, or a state. Thus, since neither the state's water quality control board (now the board of water quality, gas, and oil), nor the department of environment and conservation (TDEC), rise to the level of a federal or state court, the plaintiffs' citizen suit was not precluded, overruling *Jones v. City of Lakeland, 175 F.3d 410, 1999 FED App. 0144P, 1999 U.S. App. LEXIS 7517 (6th Cir. 1999). Jones v. City of Lakeland, 224 F.3d 518, 2000 FED App. 265P, 2000 U.S. App. LEXIS 19013 (6th Cir. Tenn. 2000).*



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Tenn. Code Ann. § 69-3-103 (2014)

69-3-103. Part definitions.

As used in this part, unless the context otherwise requires:

(1) "Administrator" means the administrator, or head by whatever name, of the United States environmental protection agency;

(2) "Areawide waste treatment management plan" means a plan that has been approved by the administrator pursuant to § 208 of the Federal Water Pollution Control Act, Public Law 92-500, codified in *33 U.S.C. § 1288;*

(3) "Board" means the board of water quality, oil and gas, created in *§ 69-3-104*;

(4) "Boat" means any vessel or watercraft moved by oars, paddles, sails or other power mechanism, inboard or outboard, or any vessel or structure floating upon the water whether or not capable of self-locomotion, including, but not limited to, houseboats, barges, docks, and similar floating objects;

(5) "Commissioner" means the commissioner of environment and conservation or the commissioner's duly authorized representative and, in the event of the commissioner's absence or a vacancy in the office of commissioner, the deputy commissioner;

(6) "Concentrated animal feeding operation" means such term as it is defined by the environmental protection agency; however, the department may, by permit requirements or by regulations adopted by the board in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, adopt a more stringent definition of "concentrated animal feeding operation";

(7) "Construction" means any placement, assembly, or installation of facilities or equipment, including contractual obligations to purchase such facilities or equipment, at the premises where such equipment will be used, including preparation work at such premises;

(8) "Department" means the department of environment and conservation;

(9) "Director" means the director of the division of water management of the department;

(10) "Discharge of a pollutant," "discharge of pollutants," and "discharge," when used without qualification, each refer to the addition of pollutants to waters from a source;

(11) "Division" means the division of water management;

(12) "Effluent limitation" means any restriction, established by the board or the commissioner, on quantities, rates and concentrations of chemical, physical, biological, and other constituents that are discharged into waters or adjacent to waters;

(13) "Forestry best management practices" means those land and water resource conservation measures that prevent, limit, or eliminate water pollution for forest resource management purposes, as provided in rules promulgated in this part in accordance with *§ 11-4-301(d)(18)*. Until those rules are effective, "forestry best management practices" will be those that have been developed by the division of forestry of the department of agriculture. The commissioner of agriculture shall specifically identify these interim forestry best management practices prior to September 1, 2000;

(14) "Industrial user" means those industries identified in the standard industrial classification manual, bureau of the budget, 1967, as amended and supplemented, under the category "Division D -- Manufacturing" and such other classes of significant waste producers as the board or commissioner deems appropriate;

(15) "Industrial wastes" means any liquid, solid, or gaseous substance, or combination thereof, or form of energy including heat, resulting from any process of industry, manufacture, trade, or business or from the development of any natural resource;

(16) "Local administrative officer" means the chief administrative officer of a pretreatment agency that has adopted and implemented an approved pretreatment program pursuant to this part and *33 U.S.C. § 1251* et seq. and *40 CFR 403.1* et seq.;

(17) "Local hearing authority" means the administrative board created pursuant to an approved pretreatment program that is responsible for the administration and enforcement of that program and *§§ 69-3-123 -- 69-3-129*;

(18) "Member" means a member of the board of water quality, oil and gas;

(19) "Municipal separate storm sewer system" means a municipal separate storm sewer system as defined in the Clean Water Act, compiled in *33 U.S.C. § 1251* et seq., and the rules promulgated thereunder;

(20) "New source" means any source, the construction of which is commenced after the publication of state or federal regulations prescribing a standard of performance applicable to such source;

(21) "Obligate lotic aquatic organisms" means organisms that require flowing water for all or almost all of the aquatic phase of their life cycles;

(22) "Operator" as used in the context of silvicultural activities, means any person who conducts or exercises control over any silvicultural activities; provided, however, that the term "operator" does not include an owner if the silvicultural activities are being conducted by an independent contractor;

(23) "Other wastes" means any and all other substances or forms of energy, with the exception of sewage and industrial wastes, including, but not limited to, decayed wood, sand, garbage, silt, municipal refuse, sawdust, shavings, bark, lime, ashes, offal, oil, hazardous materials, tar, sludge, or other petroleum byproducts, radioactive material, chemicals, heated substances, dredged spoil, solid waste, incinerator residue, sewage sludge, munitions, biological materials, wrecked and discarded equipment, rock, and cellar dirt;

(24) "Owner" as used in the context of silvicultural activities, means any person or persons that own or lease land on which silvicultural activities occur or own timber on land on which silvicultural activities occur;

(25) "Owner or operator" means any person who owns, leases, operates, controls, or supervises a source;

(26) "Person" means any and all persons, including individuals, firms, partnerships, associations, public or private institutions, state and federal agencies, municipalities or political subdivisions, or officers thereof, departments,

agencies, or instrumentalities, or public or private corporations or officers thereof, organized or existing under the laws of this or any other state or country;

(27) "Pollutant" means sewage, industrial wastes, or other wastes;

(28) "Pollution" means such alteration of the physical, chemical, biological, bacteriological, or radiological properties of the waters of this state, including, but not limited to, changes in temperature, taste, color, turbidity, or odor of the waters that will:

(A) Result or will likely result in harm, potential harm or detriment to the public health, safety, or welfare;

(B) Result or will likely result in harm, potential harm or detriment to the health of animals, birds, fish, or aquatic life;

(C) Render or will likely render the waters substantially less useful for domestic, municipal, industrial, agricultural, recreational, or other reasonable uses; or

(D) Leave or likely leave the waters in such condition as to violate any standards of water quality established by the board;

(29) "Pretreatment agency" means the owner of a publicly owned treatment works permitted pursuant to this part that is required by its permit to adopt and enforce an approved pretreatment program that complies with this part and *33 U.S.C. § 1251* et seq. and *40 CFR 403.1* et seq.;

(30) "Pretreatment program" means the rules, regulations, and/or ordinances of a pretreatment agency regulating the discharge and treatment of industrial waste that complies with this part and *33 U.S.C. § 1251* et seq. and *40 CFR 403.1* et seq.;

(31) "Qualified local program" means a municipal separate storm sewer system that has been approved as such by the department pursuant to this part;

(32) "Regional administrator" means the regional administrator of the United States environmental protection agency whose region includes Tennessee, or any person succeeding to the duties of this official;

(33) "Schedules of compliance" means a schedule of remedial measures including an enforceable sequence of actions or operations leading to compliance with an effluent limitation, condition of a permit, other limitation, prohibition, standard, or regulation;

(34) "Sewage" means water-carried waste or discharges from human beings or animals, from residences, public or private buildings, or industrial establishments, or boats, together with such other wastes and ground, surface, storm, or other water as may be present;

(35) "Sewerage system" means the conduits, sewers, and all devices and appurtenances by means of which sewage and other waste is collected, pumped, treated, or disposed;

(36) "Silvicultural activities" means those forest management activities associated with the harvesting of timber and including, without limitation, the construction of roads and trails;

(37) "Source" means any activity, operation, construction, building, structure, facility, or installation from which there is or may be the discharge of pollutants;

(38) "Standard of performance" means a standard for the control of the discharge of pollutants that reflects the greatest degree of effluent reduction that the commissioner determines to be achievable through application of the best

available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants;

(39) "Stop work order" means an order issued by the commissioner of environment and conservation requiring the operator to immediately cease part or all silvicultural activities;

(40) "Stream" means a surface water that is not a wet weather conveyance;

(41) "Toxic effluent limitation" means an effluent limitation on those pollutants or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will, on the basis of available information, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations, in such organisms or their offspring;

(42) "Variance" means an authorization issued to a person by the commissioner that would allow that person to cause a water quality standard to be exceeded for a limited time period without changing the standard;

(43) "Watercourse" means a man-made or natural hydrologic feature with a defined linear channel that discretely conveys flowing water, as opposed to sheet-flow;

(44) "Waters" means any and all water, public or private, on or beneath the surface of the ground, that are contained within, flow through, or border upon Tennessee or any portion thereof, except those bodies of water confined to and retained within the limits of private property in single ownership that do not combine or effect a junction with natural surface or underground waters; and

(45) "Wet weather conveyance" means, notwithstanding any other law or rule to the contrary, man-made or natural watercourses, including natural watercourses that have been modified by channelization:

(A) That flow only in direct response to precipitation runoff in their immediate locality;

(B) Whose channels are at all times above the groundwater table;

(C) That are not suitable for drinking water supplies; and

(D) In which hydrological and biological analyses indicate that, under normal weather conditions, due to naturally occurring ephemeral or low flow there is not sufficient water to support fish, or multiple populations of obligate lotic aquatic organisms whose life cycle includes an aquatic phase of at least two (2) months.

HISTORY: Acts 1971, ch. 164, § 3; 1977, ch. 366, § 1; T.C.A., § 70-326; Acts 1984, ch. 804, § 1; 1987, ch. 111, § 1; 1988, ch. 688, §§ 2, 6; 1992, ch. 693, § 1; 1998, ch. 735, § 1; 2000, ch. 680, § 1; 2009, ch. 464, § 1; 2012, ch. 1019, § 1.

NOTES: Compiler's Notes.

Acts 2012, ch. 986, §§ 26-28 amended *§ 69-3-104* to substitute "board of water quality, oil and gas" for "board of water quality control".

Amendments.

The 2012 amendment, effective July 1, 2013, added the definitions of "municipal separate storm sewer system" and "qualified local program".

Effective Dates.

Acts 2012, ch. 1019, § 3. July 1, 2013; provided, that, for the purpose of promulgating rules and regulations, the act shall take effect May 15, 2012.

Section to Section References.

This section is referred to in *§§ 47-50-113, 69-3-108, 69-3-114, 69-3-120*.

LexisNexis 50 State Surveys, Legislation & Regulations

Water Quality

Cited:

Environmental Defense Fund, Inc. v. Tennessee Water Quality Control Bd., 660 S.W.2d 776, 1983 Tenn. App. LEXIS 621 (Tenn. Ct. App. 1983); Brewer v. City of Bristol, 577 F. Supp. 519, 1983 U.S. Dist. LEXIS 10931 (E.D. Tenn. 1983); State v. Champion Int'l Corp., 709 S.W.2d 569, 1986 Tenn. LEXIS 830 (Tenn. 1986).



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Tenn. Code Ann. § 69-3-104 (2014)

69-3-104. Board of water quality, oil, and gas.

(a) (1) There is hereby created and established the Tennessee board of water quality, oil, and gas, referred to as the "board" in this part, which shall be composed of twelve (12) members as follows:

(A) The commissioner of environment and conservation, who shall be the chair of the board;

(B) The commissioner of health;

(C) The commissioner of agriculture;

(D) Nine (9) citizen members appointed by the governor for terms of four (4) years.

(2) Each ex officio member may, by official order filed with the director, designate a representative from such member's staff who shall have the powers and be subject to the duties and responsibilities of the ex officio member designating the representative, except that the representative designated by the commissioner of environment and conservation shall not serve as chair.

(3) The board shall annually elect a vice chair from among its members, who shall preside over all meetings at which the chair is not present.

(4) (A) The citizen members of the board shall be appointed as follows:

(i) One (1) of the nine (9) citizen members shall be from the public-at-large. The public member's occupation shall not be in the same primary area of interest as any other citizen member of the board;

(ii) One (1) member shall represent environmental interests and may be appointed from lists of qualified persons submitted by interested conservation groups including, but not limited to, the Tennessee conservation league;

(iii) One (1) member shall represent counties and may be appointed from lists of qualified persons submitted by interested county services groups including, but not limited to, the County Services Association;

(iv) One (1) member shall represent agricultural interests and may be appointed from lists of qualified persons submitted by interested farm business groups including, but not limited to, the Tennessee Farm Bureau;

(v) One (1) member shall represent the municipalities of the state and may be appointed from lists of qualified persons submitted by interested municipal groups including, but not limited to, the Tennessee Municipal League;

(vi) One (1) member shall represent small generators of water pollution and may be appointed from lists of qualified persons submitted by interested automotive groups including, but not limited to, the Tennessee Automotive Association;

(vii) One (1) member shall represent manufacturing industries and have current full-time employment with a manufacturing concern in Tennessee, shall hold a college degree in engineering or the equivalent, and shall have at least eight (8) years of combined technical training and experience in national pollutant discharge elimination system (NPDES) permit compliance and management of wastewater or water treatment facilities, and may be appointed from lists of qualified persons submitted by interested business groups including, but not limited to, the Tennessee Chamber of Commerce and Industry;

(viii) One (1) member shall represent the oil and gas industry; and

(ix) One (1) member shall represent oil or gas property owners.

(B) The governor shall consult with the interested groups described in subdivision (a)(4)(A) to determine qualified persons to fill the citizen member positions on the board.

(5) Each appointive member shall be a resident and domiciliary of the state of Tennessee.

(6) No member shall be appointed, unless at the time of the member's appointment, the member or the member's employer is in compliance with this part as certified by the commissioner.

(7) The three (3) ex officio members shall hold their positions on the board throughout their respective terms and

until the appointment of their successors as such.

(8) All appointments of citizen members shall be for a full four-year term.

(9) Any appointive member who is absent from three (3) consecutive, regularly scheduled meetings shall be removed from the board by the governor.

(10) Upon the death, resignation, or removal of any appointive member, the governor shall appoint some person representing the same area of interest as the member whose position has been vacated to fill the unexpired term of such member.

(11) Appointive members shall continue to serve until a successor has been appointed.

(12) In making appointments to the board, the governor shall strive to ensure that at least one (1) person appointed to serve on the board is sixty (60) years of age or older and that at least one (1) person appointed to serve on the board is a member of a racial minority.

(13) (A) Notwithstanding subdivision (a)(8), the terms of the appointive members of the board serving on July 1, 2014, shall terminate as follows:

(i) The terms of the members appointed under subdivisions (a)(4)(A)(i) and (ii) shall terminate on September 30, 2016;

(ii) The terms of the members appointed under subdivisions (a)(4)(A)(iii) and (iv) shall terminate on September 30, 2017;

(iii) The terms of the members appointed under subdivisions (a)(4)(A)(v) and (vi) shall terminate on September 30, 2018; and

(iv) The terms of the members appointed under subdivisions (a)(4)(A)(vii), (viii) and (ix) shall terminate on September 30, 2019.

(B) The terms of all members appointed for terms beginning after September 30, 2016, shall be for four (4) years.

(b) (1) The state shall ensure that those members of the board who do not receive, or during the previous two (2) years have not received, a significant portion of their income directly or indirectly from permit holders or applicants for a permit shall hear all appeals on permit matters. If the chair is not eligible to hear any permit matter, the members of the board shall select a member by majority vote to serve as chair. An ex officio member of the board who is not eligible to hear a permit matter shall designate a representative to serve on the board for that purpose in accordance with subsection (a). Board member participation in permit matters shall also be in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, part 3, in addition to the provisions set forth in subdivisions (b)(2)-(6) and subsection (h).

(2) For the purposes of this section, "significant portion of their income" means ten percent (10%) of gross personal income for a calendar year, except that it means fifty percent (50%) of gross personal income for a calendar year if the recipient is over sixty (60) years of age and is receiving such portion pursuant to retirement, pension, or similar arrangement.

(3) For the purposes of this section, "permit holders or applicants for a permit" does not include any department or agency of the state.

(4) For the purposes of this section, "income" includes retirement benefits, consultant fees, and stock dividends.

(5) For the purposes of this section, income is not received "directly or indirectly from permit holders or applicants for a permit" where it is derived from mutual fund payments, or from other diversified investments over which the recipient does not know the identity of the primary sources of income. If members other than the ex officio members are not qualified, then the seven (7) citizen members who are not ex officio members shall select, by agreement, qualified temporary replacements to serve for the duration of any proceeding before the board.

(6) For the purposes of this subsection (b), "permit" means national pollutant discharge elimination system (NPDES) permit.

(c) Each member of the board, other than the ex officio member, shall be entitled to be paid fifty dollars ($50.00) for each day actually and necessarily employed in the discharge of official duties, and each member shall be entitled to receive the amount of such member's traveling and other necessary expenses actually incurred while engaged in the performance of any official duties when so authorized by the board, but such expenses shall be made in accordance with the comprehensive state travel regulations promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

(d) The board shall have two (2) regularly scheduled meetings each year, one (1) in October and one (1) in April. Special meetings may be called by the chair at any time and shall be called as soon as possible by the chair on the written request of two (2) members. Regular meetings of the panel shall be held as necessary to review permit matters. All members shall be duly notified by the technical secretary of the time and place of any regular or special meeting at least five (5) days in advance of such meeting. The majority of the board constitutes a quorum and the concurrence of a majority of those present and voting in any matter within its duties shall be required for a determination of matters within its jurisdiction.

(e) The board shall keep complete and accurate records of the proceedings of all their meetings, a copy of which shall be kept on file in the office of the director and open to public inspection.

(f) The director shall serve as the technical secretary of the board. In that capacity, the member shall report the proceedings of the board pursuant to *§ 69-3-110* and perform such other duties as the board may require.

(g) (1) If the board incurs a vacancy, it shall notify the appointing authority in writing within ninety (90) days after the vacancy occurs. All vacancies on the board, other than ex officio members, shall be filled by the appointing authority within ninety (90) days of receiving written notice of the vacancy and of providing sufficient information for the appointing authority to make an informed decision in regard to filling such vacancy. If such sufficient information has been provided and the board has more than one (1) vacancy that is more than one hundred eighty (180) days in duration, such board shall report to the house of representatives and senate government operations committees why such vacancies have not been filled.

(2) If more than one half (1/2) of the positions on the board are vacant for more than one hundred eighty (180) consecutive days, the board shall terminate, provided that such board shall wind up its affairs pursuant to *§ 4-29-112*. If the board is terminated pursuant to this subdivision (g)(2), it shall be reviewed by the evaluation committees pursuant to the Uniform Administrative Procedures Act before ceasing all its activities. Nothing in this section shall prohibit the general assembly from continuing, restructuring, or reestablishing the board.

(h) No member of the board shall participate in making any decision upon a permit or upon a case in which the municipality, firm or organization which the member represents, or by which the member is employed, or in which the member has a direct substantial financial interest, is involved.

HISTORY: Acts 1971, ch. 164, § 4; 1971, ch. 386, § 1; 1972, ch. 631, § 1; 1976, ch. 806, § 1(125); 1977, ch. 366, § 1; 1979, ch. 422, § 18; T.C.A., § 70-327; Acts 1984, ch. 804, § 2; 1988, ch. 1013, § 72; 1991, ch. 117, § 4; 1992, ch. 693, § 3; 1994, ch. 610, §§ 6, 7, 8; 1994, ch. 628, §§ 3-6; 1995, ch. 155, § 1; 1996, ch. 728, §§ 4-8; 2000, ch. 835, § 6; 2005,

ch. 85, §§ 1-4; 2012, ch. 986, §§ 26-28; 2014, ch. 624, §§ 3, 6-8.

NOTES: Code Commission Notes.

Former subsection (h), concerning the transfer of the functions of the board of reclamation review to the water control board, was deleted as obsolete by the code commission in 2004.

Compiler's Notes.

The Tennessee board of water quality, oil and gas, created by this section, terminates June 30, 2018. See *§§ 4-29-112, 4-29-239*.

For transfer of the division of surface mining and reclamation and its functions under title 59, ch. 8, parts 2 and 3 and title 59, ch. 10 from the department of conservation (now environment and conservation) to the department of health and environment (now health), see Executive Order No. 40 (February 11, 1983).

Acts 2000, ch. 835, § 7 provided that the act shall not change any procedure, manner, or time that members of the Tennessee motor vehicle commission, who are selected from a list of qualified persons submitted by motor vehicle manufacturers licensed in Tennessee or their consumer replacements, are appointed pursuant to *§ 55-17-103*.

Acts 2012, ch. 986, § 48 provided that all rules, regulations, orders, and decisions heretofore issued or promulgated by any of the boards or commissions, which the act terminates or merges into another board or commission, shall remain in full force and effect. In the case of the boards or commissions that are merged with another board or commission by the act, all final rules, regulations, orders, and decisions together with any matters that are pending on October 1, 2012, shall hereafter be administered, enforced, modified, or rescinded in accordance with the law applicable to the continuing board or commission.

Amendments.

The 2012 amendment, in (a), in the introductory paragraph of (1), substituted "Tennessee board of water quality, oil, and gas" for "Tennessee water quality control board" and substituted "twelve (12) members" for "ten (10) members", rewrote (1)(D) which read: "Seven (7) citizen members appointed for terms of four (4) years by the governor of Tennessee", and rewrote (3) and (4) which read: "(3) In the absence of the commissioner of environment and conservation, the board shall elect one (1) of its members to serve as chair.
"(4)(A) One (1) of the seven (7) citizen members shall be from the public-at-large, one (1) shall be representative of environmental interests appointed from a list of three (3) persons nominated by the Tennessee conservation league, one (1) shall be a representative of counties appointed from a list of three (3) persons nominated by the county services association, one (1) shall be representative of agricultural interests appointed from a list of three (3) persons nominated by the Tennessee Farm Bureau, one (1) shall be representative of the municipalities of the state appointed from a list of three (3) persons nominated by the Tennessee municipal league, one (1) shall be representative of small generators of water pollution and shall be appointed from a list of three (3) persons nominated by the Tennessee Automotive Association, and one (1) shall be representative of industries appointed from a list of three (3) persons nominated by the Tennessee Association of Business. The occupation of the member representing the public-at-large shall not be in the same primary area of interest as any other citizen member of the board.
"(B) If the governor does not choose to appoint one (1) of the persons recommended under the terms of this subdivision (a)(4), the appropriate organization shall submit a new list of nominations to the governor equal in number to their original nominations. If the governor does not choose to appoint one (1) of the persons nominated by the Tennessee Automotive Association, such organization shall submit a new list of nominations to the governor equal in number to their original nominations."

The 2014 amendment in the last sentence of (b)(1) substituted "(b)(2)-(6) and subsection (h)" for "(b)(2)-(5)" and added (a)(13), (b)(6) and (h).

Effective Dates.

Acts 2012, ch. 986, § 49. October 1, 2012.

Acts 2014, ch. 624, § 9. July 1, 2014.

Cross-References.

Interstate mining compact, *§§ 59-10-101 -- 59-10-103*.

Major energy projects, coordination of regulation, title 13, ch. 18.

Severance tax on coal, title 67, ch. 7, part 1.

Section to Section References.

This section is referred to in *§§ 4-29-239*, *59-8-202*, *60-1-101*, *68-221-703*, *69-3-103*, *69-3-138*, *69-7-207*, *69-7-303*.

Law Reviews.

Disqualification of Administrative Officers (William Bates), *13 Mem. St. U.L. Rev. 501 (1984).*

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*** Current through the 2014 Regular Session and amendments approved at the November 4, 2014 General Election ***

Title 69 Waters, Waterways, Drains And Levees
Chapter 3 Water Pollution Control
Part 1 Water Quality Control Act

GO TO THE TENNESSEE ANNOTATED STATUTES ARCHIVE DIRECTORY

Tenn. Code Ann. § 69-3-105 (2014)

69-3-105. Duties and authority of the board.

(a) (1) The board has and shall exercise the power, duty, and responsibility to establish and adopt standards of quality for all waters of the state.

(2) The general assembly recognizes that, due to various factors, no single standard of quality and purity is applicable to all waters of the state or to different segments of the same waters. It also recognizes the suitability of certain geologic formations for the placement of fluids and other substances through underground injection; provided, that adequate protection can be afforded the geologic formations. The board shall classify all waters of the state and adopt water quality standards pursuant to such classifications. Such classifications shall be made in accordance with the declaration of policy and purpose in *§ 69-3-102*. In preparing the classification of waters and the standards of quality mentioned above, the board shall give consideration to:

(A) The size, depth, surface area covered, volume, direction and rate of flow, stream gradient, and temperature of the water;

(B) The character of the land bordering, overlying or underlying the waters of the state and its particular suitability for particular uses, with a view to conserving the value of that land, encouraging the most appropriate use of the same for economic, residential, agricultural, industrial, recreational and conservation purposes;

(C) The past, present, and potential uses of the waters for transportation, domestic and industrial consumption, recreation, fishing and fish culture, fire prevention, the disposal of sewage, industrial and other wastes, and other possible uses.

(3) The state water quality plan provided for in subsection (e) shall contain standards of quality and purity for each of the various classes of water in accordance with the best interests of the public. In preparing such standards, the board shall give due consideration to all physical, chemical, biological, bacteriological, or radiological properties that may be necessary for preserving the quality and purity of the waters of the state.

(4) The board may amend and revise such standards and classifications, including revisions to improve and upgrade the quality of water.

(b) The board has and shall exercise the power, duty, and responsibility to adopt, modify, repeal, promulgate after due notice and enforce rules and regulations that the board deems necessary for the proper administration of this part, the prevention, control, and abatement of pollution, or the modification of classifications and the upgrading of the standards of quality in accordance with subsection (a).

(c) The board has and shall exercise the power, duty, and responsibility to adopt, modify, repeal, and promulgate, after due notice, all necessary rules and regulations for the purpose of controlling the discharge of sewage, other wastes, and other substances from any boats.

(d) Prior to classifying or reclassifying waters of the state, or adopting, amending, or revising standards of quality for waters of the state, or promulgating, adopting, modifying, or repealing rules and regulations, or adopting, amending, or revising water quality plans, or area-wide waste treatment plans, the board shall conduct, or cause to be conducted, public hearings in connection therewith. Notice of any public hearing shall be given not less than thirty (30) days before the date of such hearing and shall state the date, time, and place of hearing, and the subject of the hearing. Any such notice shall be published at least once in one (1) newspaper of general public circulation circulated within the area of the state in which the water affected is located. Any person within the area of the state in which the water affected is located may contact the board and request to be placed on a notification registry, which includes such person's full name, mailing address, and telephone number. The board shall notify in writing all persons on such notification registry as to the date, time, and place of hearing, and the subject of the hearing, ten (10) days before the hearing. Any person who desires to be heard relative to water quality matters at any such public hearing shall give notice thereof in writing

to the board on or before the first date set for the hearing. The board is authorized to set reasonable time limits for the oral presentation of views by any person at any such public hearing.

(e) (1) The board has and shall exercise the power, duty, and responsibility to proceed without delay to formulate and adopt a state water quality plan, which shall consist of the following:

(A) Water quality standards as outlined in subsection (a);

(B) Water quality objectives for planning and operation of water resource development projects, for water quality control activities, and for the improvement of existing water quality;

(C) Other principles and guidelines deemed essential by the board of water quality, oil and gas; and

(D) A program of implementation for those waters that do not presently meet established water quality standards.

(2) The state water quality plan shall be reviewed at least biennially and may be revised. During the process of formulating or revising the state water quality plan, the board shall consult with and carefully evaluate the recommendations of concerned federal, state, and local agencies.

(f) The board has and shall exercise the power, duty, and responsibility to:

(1) Hear appeals as specified in subsection (i) from administrative judges' orders assessing penalties or damages, or issuing, denying, revoking or modifying a permit; and

(2) Affirm, modify, or revoke such orders, as specified in subsection (i).

(g) The board has and shall exercise the power, duty, and responsibility to require the technical secretary to carry out surveys, research, and investigations into all aspects of water use and water quality.

(h) (1) The board has and shall exercise the power, duty, and responsibility to adopt, modify, repeal, and promulgate all necessary rules and regulations for the purpose of establishing and administering a comprehensive permit program that will enable the department of environment and conservation to be designated by the United States environmental protection agency as authorized to issue permits under the national pollutant discharge elimination system (NPDES) established by § 402 of the Federal Water Pollution Control Act, P.L. 92-500, codified in *33 U.S.C. § 1342.*

(2) Such rules and regulations shall include provisions for:

(A) Forms and procedures for permit applications;

(B) Public notice and opportunity for public hearing on permit applications;

(C) Promulgation and application in permits of effluent standards and limitations, water quality standards, schedules of compliance, and such other terms and conditions as are necessary to implement this part;

(D) Monitoring and inspecting effluent discharges or treatment facilities and recording and reporting the results;

(E) Enforcement of this part, rules and regulations promulgated under it, and the terms and conditions of permits; and

(F) Adoption and enforcement of permits that have been issued by the United States environmental protection agency pursuant to § 402 of the Federal Water Pollution Control Act, P.L. 92-500, codified in *33 U.S.C. § 1342.*

(i) A petition for permit appeal may be filed by the permit applicant or by any aggrieved person who participated in the public comment period or gave testimony at a formal public hearing whose appeal is based upon any of the issues that were provided to the commissioner in writing during the public comment period or in testimony at a formal public hearing on the permit application. Additionally, for those permits for which the department gives public notice of a draft permit, any permit applicant or aggrieved person may base a permit appeal on any material change to conditions in the final permit from those in the draft, unless the material change has been subject to additional opportunity for public comment. Any petition for permit appeal under this subsection (i) shall be filed with the board within thirty (30) days after public notice of the commissioner's decision to issue or deny the permit. Notwithstanding *§ 4-5-223* or *§ 69-3-118(a)*, or any other law to the contrary, this subsection (i) and the established procedures of Tennessee's antidegradation statement, found in the rules promulgated by the department, shall be the exclusive means for obtaining administrative review of the commissioner's issuance or denial of a permit. When such a petition is timely filed, the procedure for conducting the contested case shall be in accordance with *§ 69-3-110(a)*.

(j) The board has and shall exercise the power, duty, and responsibility to adopt, modify, repeal, and promulgate all necessary rules and regulations that the board deems necessary relating to the underground placement of fluids and other substances that do or may affect the waters of the state.

(k) (1) Notwithstanding any other provisions of this title to the contrary, waters that are in areas of swamped-out bottomland hardwoods or swamped-out cropland shall be classified as protective of wildlife and humans that may come into contact with them, and shall maintain standards applicable to all downstream waters, but shall not be classified for the protection of fish and aquatic life.

(2) As used in this subsection (k):

(A) "Swamped-out bottomland hardwood" means an area subject to inundation or ponding of surface water that has resulted, or is resulting, in timber mortality or stress. The term does not include areas with a dominance of cypress or tupelo gum trees or areas in which the majority of the timber died prior to 1970; and

(B) "Swamped-out cropland" means an area that was previously in row crop cultivation or pasture, but can no longer be used for such purpose due to inundation or ponding of surface water. "Swamped-out cropland" does not include wetland areas that have not been cultivated or in pasture since 1970 because of inundation or ponding of surface water.

(l) The board has and shall exercise the power to adopt rules creating a system of incentives for alternatives to discharges to surface waters, such as land application and beneficial reuse of the wastewater.

(m) The commissioner shall develop and submit to the board proposed rules necessary for accurate and consistent wet weather conveyance determinations. These rules shall include at a minimum:

(1) Standard procedures for making stream and wet weather conveyance determinations that take into consideration biology, geology, geomorphology, precipitation, hydrology and other scientifically based principles; and

(2) A certification program for department staff and other persons who wish to become certified hydrologic professionals.

HISTORY: Acts 1971, ch. 164, § 5; 1977, ch. 366, § 1; T.C.A., § 70-328(a); Acts 1984, ch. 804, § 3; 1988, ch. 688, §§ 4, 8; 1991, ch. 123, § 1; 1992, ch. 693, § 1; 1998, ch. 643, § 1; 2005, ch. 355, § 1; 2007, ch. 362, § 36; 2009, ch. 271, § 2; 2009, ch. 464, § 3; 2013, ch. 181, §§ 13, 14.

NOTES: Compiler's Notes.

Acts 2005, ch. 355, § 2 provided that the amendment of subsection (i) shall only apply to permit applications filed

after June 7, 2005.

Acts 2009, ch. 454, § 3 provided that, within ninety (90) days of June 23, 2009, the commissioner shall develop and submit to the board proposed rules necessary for accurate and consistent wet weather conveyance determinations.

Acts 2012, ch. 986, §§ 26-28 amended *§ 69-3-104* to substitute "board of water quality, oil and gas" for "board of water quality control".

Acts 2013, ch.181, § 19 provided that for the purpose of construing the act in relation to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, the act shall be deemed to be procedural in nature. It is the intent of the general assembly that Acts 2013, chapter 181 and the Uniform Administrative Procedures Act shall be complied with, however when in conflict, the provisions of Acts 2013, chapter 181 shall govern.

Acts 2013, ch. 181, § 20 provided that the act, which amended subsections (f) and (i), shall apply to all cases filed on or after July 1, 2013.

Amendments.

The 2013 amendment rewrote (f) which read: "(f)(1) The board has and shall exercise the power, duty, and responsibility to:
"(A) Hear appeals from orders issued and penalties or damages assessed by the commissioner, or permit issuances, denials, revocations or modifications by the commissioner;
"(B) Affirm, modify, or revoke such actions or orders of the commissioner;
"(C) Issue notices of such appeals and subpoenas requiring attendance of witnesses and the production of evidence;
"(D) Administer oaths; and
"(E) Take such testimony as the board deems necessary.
"(2) Any of the powers enumerated in subdivision (f)(1) may be exercised on behalf of the board by any member or members thereof appointed by the chair, or by a hearing officer designated by the chair, subject to review by the board."; and, in (i), deleted the former first two sentences which read: "Upon receiving a petition for permit appeal, the board has the power, duty, and responsibility to hold a contested case hearing concerning the commissioner's issuance or denial of a permit. During this hearing, the board shall review the commissioner's permit decision and may reverse or modify the decision upon finding that it does not comply with any provisions of this part.", deleted ", pursuant to this subsection (i)," following "may be filed" in the present first sentence, and added the last sentence.

Effective Dates.

Acts 2013, ch. 181, § 20. July 1, 2013.

Section to Section References.

This section is referred to in *§§ 68-221-201*, *69-3-108*, *69-3-110*.

Attorney General Opinions.

Memorandum of agreement between division of solid waste management and division of water pollution control not a rule subject to Uniform Administrative Procedures Act, OAG 95-084 (8/15/95).

The water quality control board (now the board of water quality, oil and gas) has the authority to adopt rules that require applicants for individual aquatic resource alteration permits to evaluate practicable alternatives and to conduct an avoidance, minimization, and/or mitigation analysis for activities that will impact waters of the state as such requirements are in keeping with the public trust doctrine and the legislative policy of preserving and protecting the waters of the state from conditions of pollution, OAG 00-122 (7/21/00).

The Tennessee water quality control board (now the board of water quality, oil and gas) does not have authority to promulgate a rule that would authorize the commissioner of the Tennessee department of environment and conservation to issue stop work orders for construction activity that is being done without a required permit or in violation of a permit, OAG 01-105 (6/27/01).

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Cited:

Big Fork Mining Co. v. Tennessee Water Quality Control Bd., 620 S.W.2d 515, 1981 Tenn. App. LEXIS 609 (Tenn. Ct. App. 1981); State v. Champion Int'l Corp., 709 S.W.2d 569, 1986 Tenn. LEXIS 830 (Tenn. 1986); Pickard v. Tenn. Dep't of Env't & Conservation, -- S.W.3d --, 2012 Tenn. App. LEXIS 565 (Tenn. Ct. App. Aug. 14, 2012); *Pickard v. Tenn. Dep't of Env't & Conservation, -- S.W.3d --, 2012 Tenn. App. LEXIS 615* (Tenn. Ct. App. Sept. 4, 2012).

NOTES TO DECISIONS

1. Exhaustion of Administrative Remedies.

1. Exhaustion of Administrative Remedies.

When a wildlife sanctuary's trustees sought a declaratory judgment interpreting the Anti-Degradation Rule in *Tenn. Comp. R. & Regs. 1200-04-03-.06*, under *T.C.A. § 4-5-225*, while also contesting the issuance of a discharge permit by the Commissioner of Environment and Conservation, it was error not to dismiss the petition because the trustees did not exhaust administrative remedies pursuant to *T.C.A. § 69-3-105(i)*, which, with *T.C.A. § 4-5-322*, was the only way to seek judicial review of the discharge permit decision. *Pickard v. Tenn. Water Quality Control Bd., -- S.W.3d --, 2013 Tenn. LEXIS 1002* (Tenn. Dec. 17, 2013).



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Title 69 Waters, Waterways, Drains And Levees
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GO TO THE TENNESSEE ANNOTATED STATUTES ARCHIVE DIRECTORY

Tenn. Code Ann. § 69-3-106 (2014)

69-3-106. [Reserved.]

NOTES:

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GO TO THE TENNESSEE ANNOTATED STATUTES ARCHIVE DIRECTORY

Tenn. Code Ann. § 69-3-107 (2014)

69-3-107. Duties and authority of the commissioner.

In addition to any power, duty, or responsibility given to the commissioner under this part, the commissioner has the power, duty, and responsibility to:

(1) Exercise general supervision and control over the quality of all state waters, administer and enforce all laws relating to pollution of such waters, and administer and enforce this part, and all standards, policies, rules, and regulations promulgated under this part;

(2) Administer oaths, issue subpoenas, and compel the attendance of witnesses and production of necessary data for all purposes of this part;

(3) Bring suit in the name of the department for any violation of the provisions of this part, seeking any remedy provided in this part, and any other statutory or common law remedy available for the control, prevention, and abatement of pollution;

(4) Proceed against, as provided in this part, any owner or operator of any boat, located or operated on the waters of the state, that discharges or causes to be discharged any sewage, other wastes, or other substances into such waters in violation of this part or any rules or regulations promulgated under this part;

(5) Make inspections and investigations, carry on research, or take such other action as may be necessary to carry out this part;

(6) Enter or authorize the commissioner's agents to enter at all reasonable times upon any property other than dwelling places for the purpose of conducting investigations and studies or enforcing any of this part;

(7) Advise, consult, cooperate, contract, and make other binding agreements with the various agencies of the federal government and with state and local administrative and governmental agencies, colleges and universities, or with any other persons;

(A) In furtherance of this part, the commissioner may require any state or local agency to investigate and report on any matters involved in water quality control; provided, that the burden, including costs, of such reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports; and

(B) The department has the authority, subject to approval by the governor, to enter into agreements with other states and the United States relative to prevention and control of pollution in interstate waters. This authority is not deemed to extend to the modification of any agreement with the state concluded by direct legislative act, but unless otherwise expressly provided, the department shall be the agency for the administration and enforcement of any such legislative agreement;

(8) Apply for, accept, administer, and utilize loans and grants from the federal government, state government, and from any other sources, public or private, for prevention, abatement, and control of pollution of the waters of the state. The department is the water quality control agency for the state for the purpose of any federal water pollution control act;

(9) Prepare, publish, and issue such printed pamphlets and bulletins as the department deems necessary for the dissemination of information to the public concerning its activities;

(10) Require the submission of such plans, specifications, technical reports, and other information as deemed necessary to carry out this part or to carry out the rules and regulations adopted pursuant to this part;

(11) Be the administrative agent for the board and panel to carry out this part;

(12) Make an annual report to the governor and the general assembly on the status of water quality, including a description of the plan, regulations in effect, and other pertinent information, together with any recommendations the commissioner may care to make;

(13) Delegate to the director of the division with responsibility for water quality control any of the powers, duties, and responsibilities of the commissioner under this part, except the commissioner's powers, duties and responsibility as chair of the board;

(14) Issue permits and variances pursuant to *§ 69-3-108*;

(15) Inspect waters of the state where good cause is shown that the public health is threatened by pollutants in the waters, and, upon verification by the commissioner, post or cause to be posted such signs as required to give notice to the public of the potential or actual dangers of specific uses of such waters or restrictions of uses of such waters;

(16) Assess civil penalties in accordance with *§ 69-3-115*;

(17) Apply this part against any person who discharges into a publicly owned treatment works who is causing a violation of this part, or who is in violation of applicable pretreatment standards;

(18) Impose such restrictions, including an immediate cessation of connections and line extensions, upon the expansion of any sewerage or wastewater system as are necessary to mitigate or prevent violations of this part;

(19) Prepare a written report on stream bank erosion in Tennessee to be delivered to each member of the general assembly by January 15, 2000. Such report shall contain the following:

(A) An examination of the causes of stream bank erosion;

(B) The effectiveness of existing and new methods of bank protection;

(C) An assessment of stream bank erosion in Tennessee; and

(D) Any other matter the commissioner deems relevant to stream bank erosion that may be of concern to the general assembly;

(20) Conduct, or cause to be conducted, demonstration projects, to the extent of available funds, of methods of bank stabilization and debris removal in streams in western Middle Tennessee to be done as soon as is practicable and a report shall be made to the general assembly after the performance of the chosen techniques has been observed through at least a full year;

(21) Conduct, or cause to be conducted, a study or project comparing different techniques for stream bank stabilization and debris removal in streams in western Middle Tennessee to be done as soon as possible, either in conjunction with the project mentioned in subdivision (20), or separately;

(22) Develop a program of public education regarding simple, practical and affordable techniques for cleaning debris from streams and for stabilizing stream banks, including field examples of activities permissible without permits and activities that may be accomplished if permits are obtained;

(23) Produce a video by not later than January 1, 1999, that shows the above examples, explains the requirements of the law and rules for these activities, including the process of applying for a permit, and tells who to call for further assistance, which shall be distributed at no cost to public libraries and agricultural extension services;

(24) Perform a thorough and ongoing study of, and prepare recommendations regarding options for, the protection of watersheds and the control of sources of pollution, in order to assure the future quality of potable drinking water supplies throughout the state. The department is authorized to use information and studies from state, federal, and local governments and other sources of reliable scientific data. Initial findings and recommendations shall be presented to the governor and the general assembly no later than February 1, 2007, and annually thereafter; and

(25) Develop and submit to the board for comment proposed guidance that provides:

(A) Instructions, examples and definitions based upon scientifically based principles for consistently and accurately making hydrologic determinations; and

(B) Minimum qualifications for staff who are responsible for making or reviewing wet weather conveyance determinations.

HISTORY: Acts 1971, ch. 164, § 6; 1977, ch. 366, § 1; 1979, ch. 422, § 19; 1982, ch. 917, § 1; T.C.A., § 70-329; Acts 1984, ch. 804, § 5; 1988, ch. 688, §§ 5, 9; 1998, ch. 659, §§ 1, 2; 2006, ch. 513, § 1; 2009, ch. 464, § 4.

NOTES: Compiler's Notes.

Acts 2009, ch. 464, § 4 provided that, within ninety (90) days of June 23, 2009, the commissioner shall develop and submit to the board for comment proposed guidance that provides:
(A) Instructions, examples and definitions based upon scientifically based principles for consistently and accurately making hydrologic determinations; and
(B) Minimum qualifications for staff who are responsible for making or reviewing wet weather conveyance determinations.

Section to Section References.

This section is referred to in *§ 70-1-305*.

LexisNexis 50 State Surveys, Legislation & Regulations

Water Quality

Cited:

State v. Champion Int'l Corp., 709 S.W.2d 569, 1986 Tenn. LEXIS 830 (Tenn. 1986).



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*** Current through the 2014 Regular Session and amendments approved at the November 4, 2014 General Election ***

Title 69 Waters, Waterways, Drains And Levees
Chapter 3 Water Pollution Control
Part 1 Water Quality Control Act

GO TO THE TENNESSEE ANNOTATED STATUTES ARCHIVE DIRECTORY

Tenn. Code Ann. § 69-3-108 (2014)

69-3-108. Permits.

(a) Every person who is or is planning to carry on any of the activities outlined in subsection (b), other than a person who discharges into a publicly owned treatment works or who is a domestic discharger into a privately owned treatment works, or who is regulated under a general permit as described in subsection (*l*), shall file an application for a permit with the commissioner or, when necessary, for modification of such person's existing permit.

(b) It is unlawful for any person, other than a person who discharges into a publicly owned treatment works or a person who is a domestic discharger into a privately owned treatment works, to carry out any of the following activities, except in accordance with the conditions of a valid permit:

(1) The alteration of the physical, chemical, radiological, biological, or bacteriological properties of any waters of the state;

(2) The construction, installation, modification, or operation of any treatment works, or part thereof, or any extension or addition thereto;

(3) The increase in volume or strength of any wastes in excess of the permissive discharges specified under any existing permit;

(4) The development of a natural resource or the construction, installation, or operation of any establishment or any extension or modification thereof or addition thereto, the operation of which will or is likely to cause an increase in the discharge of wastes into the waters of the state or would otherwise alter the physical, chemical, radiological, biological or bacteriological properties of any waters of the state in any manner not already lawfully authorized;

(5) The construction or use of any new outlet for the discharge of any wastes into the waters of the state;

(6) The discharge of sewage, industrial wastes or other wastes into waters, or a location from which it is likely that the discharged substance will move into waters;

(7) The construction, installation or operation of a concentrated animal feeding operation; provided, however, that only those operations that are required under the federal Clean Water Act, compiled in *33 U.S.C. § 1251* et seq., to have a permit for concentrated animal feeding operations may be issued an national pollutant discharge elimination system (NPDES) permit;

(8) The discharge of sewage, industrial wastes, or other wastes into a well or a location where it is likely that the discharged substance will move into a well, or the underground placement of fluids and other substances that do or may affect the waters of the state; or

(9) The diversion of water through a flume for the purpose of generation of electric power by a utility.

(c) Any person operating or planning to operate a sewerage system shall file an application with the commissioner for a permit or, when necessary, for modification of such person's existing permit. Unless a person holds a valid permit, it is unlawful to operate a sewerage system.

(d) Nothing in this section shall be construed to require any person discharging into a septic tank connected only to a subsurface drainfield, or any person constructing or operating a sanitary landfill between March 25, 1980, and March 24, 1982, except in a county having a population of not less than sixty thousand two hundred fifty (60,250) nor more than sixty thousand three hundred fifty (60,350), according to the 1970 federal census or any subsequent federal census, as defined and regulated by *§§ 68-211-101 -- 68-211-115*, to secure a permit; provided, that the exemption provided in this subsection (d) shall not exempt such person from any other provision of this part; and provided further, that any such person who is exempt from obtaining a permit for constructing or operating a sanitary landfill between March 25, 1980, and March 24, 1982, shall not thereafter be required to obtain such permit.

(e) Applicants for permits that would authorize a new or expanded wastewater discharge into surface waters shall include in the application consideration of alternatives, including, but not limited to, land application and beneficial reuse of the wastewater.

(f) With regard to permits for activities related to the surface mining of coal:

(1) No permit shall be issued that would allow removal of coal from the earth from its original location by surface mining methods or surface access points to underground mining within one hundred feet (100') of the ordinary high water mark of any stream or allow overburden or waste materials from removal of coal from the earth by surface mining of coal to be disposed of within one hundred feet (100') of the ordinary high water mark of a stream; provided, however, that a permit may be issued or renewed for stream crossings, including, but not limited to, rail crossings, utilities crossings, pipeline crossings, minor road crossings, for operations to improve the quality of stream segments previously disturbed by mining and for activities related to and incidental to the removal of coal from its original location, such as transportation, storage, coal preparation and processing, loading and shipping operations within one hundred feet (100') of the ordinary high water mark of a stream if necessary due to site specific conditions that do not cause the loss of stream function and do not cause a discharge of pollutants in violation of water quality criteria. Nothing in this subdivision (f)(1) shall apply to placement of material from coal preparation and processing plants;

(2) Without limiting the applicability of this section, if the commissioner determines that surface coal mining at a particular site will violate water quality standards because acid mine drainage from the site will not be amenable to treatment with proven technology both during the permit period or subsequent to completion of mining activities, the permit shall be denied.

(g) The commissioner may grant permits authorizing the discharges or activities described in subsection (b), including, but not limited to, land application of wastewater, but in granting such permits shall impose such conditions, including effluent standards and conditions and terms of periodic review, as are necessary to accomplish the purposes of this part, and as are not inconsistent with the regulations promulgated by the board. Under no circumstances shall the commissioner issue a permit for an activity that would cause a condition of pollution either by itself or in combination with others. In addition the permits shall include:

(1) The most stringent effluent limitations and schedules of compliance, either promulgated by the board, required to implement any applicable water quality standards, necessary to comply with an areawide waste treatment plan, or necessary to comply with other state or federal laws or regulations;

(2) A definite term, not to exceed five (5) years, for which the permit is valid. This term shall be subject to provisions for modification, revocation or suspension of the permit;

(3) Monitoring, recording, reporting, and inspection requirements; and

(4) In the case of permits authorizing discharges from publicly owned treatment works, terms and conditions requiring the permittee to enforce user and cost recovery charges, pretreatment standards, and toxic effluent limitations applicable to industrial users discharging into the treatment works.

(h) The commissioner may revoke, suspend, or modify any permit for cause, including:

(1) Violation of any terms or conditions of the permit or of any provision of this part;

(2) Obtaining the permit by misrepresentation or failing to disclose fully all relevant facts; or

(3) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

(i) No permit under subsection (g) or (h) for the construction of any new outlet or for construction activities involved in the development of natural resources, for the construction of a new waste treatment system or for the modification or extension of an existing waste treatment system shall be issued by the commissioner until the plans have first been submitted to and approved by the commissioner. No such approval shall be construed as creating a presumption of correct operation nor as warranting by the commissioner that the approved facilities will reach the designated goals. If an environmental impact statement is required for any permit, the commissioner may require the

applicant to pay for its preparation. Any such impact statement must also include and address economic and social impact.

(j) Any permit procedure or other action required by or undertaken in accordance with this section or part shall be conducted in accordance with title 13, chapter 18, when the permit or action involves a major energy project, as defined in *§ 13-18-102*.

(k) Nothing in this section shall be construed to limit or circumscribe the authority of the commissioner to issue emergency orders as specified in *§ 69-3-109*.

(l) Where the commissioner finds that a category of activities or discharges would be appropriately regulated under a general permit, the commissioner may issue such a permit. Any person conducting activities in the category covered by a general permit shall not be required to file individual applications for permits except as provided in specific requirements of the general permit. Any person conducting activities covered under a general permit may be required by the commissioner to file an application for any individual permit. Upon the issuance of an individual permit to a person with a general permit, the applicability of the general permit to that permitted activity or discharge shall be terminated. Any person who holds an individual permit for an activity or discharge covered under the provisions of a general permit may request that the individual permit be revoked. Upon such revocation, the activity or discharge shall become subject to the provisions of the general permit.

(m) Notwithstanding subsection (g), upon application by a person who discharges into groundwaters of the state and who is subject to a permit issued pursuant to the Hazardous Waste Management Act, compiled in title 68, chapter 212, the commissioner may issue variances from the applicable water quality standards, criteria, or classification for groundwater; provided, that:

(1) The waters to which the variance applies are not used as a current source of drinking water and such use is not reasonably anticipated for the term of the variance and a reasonable time thereafter;

(2) The applicant demonstrates that such discharges will not pose a substantial present or potential hazard to human health or the environment as defined in *Tenn. Comp. R. & Reg. 1200-01-11-.06(6)(e)(2)* (reserved) in effect on April 1, 1988, and will not impair any actual, current uses other than those affected by the variance;

(3) Variances will be effective for a specific term, not to exceed the effective term of the permit;

(4) The variance is consistent with the Federal Water Pollution Control Act, compiled in *33 U.S.C. § 1251* et seq., and the federal Safe Drinking Water Act, compiled in *42 U.S.C. § 300f* et seq.; and

(5) The variance provided for under this subsection (m) shall be applied for and issued in accordance with procedures regarding the issuance of permits as required by regulations issued under this chapter.

(n) (1) A chief administrative officer of a county highway department does not violate this chapter by repairing or causing the repair of up to four hundred feet (400') of highway or road in an emergency situation, if immediate repairs are necessary to protect human safety and welfare, and if such repairs comply with rules and regulations promulgated by the board that regulate the manner in which the repairs are made. Such officer need not obtain a permit prior to making such repairs under such circumstances.

(2) As soon as practicable, the chief administrative officer of a county highway department shall notify the commissioner by telephone that an emergency has arisen and that such chief administrative officer intends to make repairs in response to such emergency. The giving of such notice shall not be construed to authorize the commissioner to terminate such repairs.

(3) Within ten (10) days of the completion of any highway or road repair made pursuant to this subsection (n), the

chief administrative officer of the county highway department ordering such repair shall notify the commissioner, in writing, of the action taken and the nature of the emergency necessitating such immediate repair.

(o) The following activities do not require a permit under this section:

(1) The removal of downed trees by dragging or winching and without grading or reshaping of the stream channel;

(2) The placement of downed trees on stream banks for erosion protection; and

(3) The planting of vegetation on stream banks.

(p) Unless the applicant agrees otherwise, when an individual landowner applies for a permit for debris removal or stream bank stabilization activities, the commissioner shall either issue or deny the permit or take action scheduling a public hearing on the application within sixty (60) days of receipt of a complete application; provided further, however, that the staff of the division will communicate orally or in writing to the applicant within fifteen (15) days of receipt of any such application.

(q) (1) The alteration of a wet weather conveyance, as defined in *§ 69-3-103*, by any activity is permitted by this subsection (q) and shall require no notice or approval; provided, that it is done in accordance with all of the following conditions:

(A) The activity may not result in the discharge of waste or other substances that may be harmful to humans or wildlife;

(B) Material may not be placed in a location or manner so as to impair surface water flow into or out of any wetland area;

(C) (i) Sediment shall be prevented from entering other waters of the state;

(ii) Erosion and sediment controls shall be designed according to the size and slope of disturbed or drainage areas to detain runoff and trap sediment and shall be properly selected, installed, and maintained in accordance with the manufacturer's specifications and good engineering practices;

(iii) Erosion and sediment control measures shall be in place and functional before earth moving operations begin, and shall be constructed and maintained throughout the construction period. Temporary measures may be removed at the beginning of the work day, but shall be replaced at the end of the work day;

(iv) Checkdams shall be utilized where runoff is concentrated. Clean rock, log, sandbag or straw bale checkdams shall be properly constructed to detain runoff and trap sediment. Checkdams or other erosion control devices are not to be constructed in stream. Clean rock can be of various type and size, depending on the application. Clean rock shall not contain fines, soils or other wastes or contaminants; and

(D) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills shall be reported to the appropriate emergency management agency and to the division. In the event of a spill, measures shall be taken immediately to prevent pollution of waters of the state, including groundwater.

(2) There shall be no additional conditions upon a person's activity within a wet weather conveyance. This subdivision (q)(2) does not apply to national pollutant discharge elimination system (NPDES) permits.

(r) A person desiring to alter a specific water of the state may request a determination from the commissioner that it is a wet weather conveyance and submit a report from a qualified hydrologic professional in support of the request. If

the report contains all information that is required in rules promulgated by the board, and in accordance with department procedures and guidance, and is certified by a qualified hydrologic professional to be true, accurate and complete and, if submitted after promulgation of the rules required by *§ 69-3-105*(*l*), contains all information that is required in those rules, then the determination made in the report shall be presumed to be correct, unless the commissioner notifies the person, in writing, within thirty (30) days of submittal of the report, that the commissioner has affirmatively determined that there is a significant question about whether the water of the state in question is a stream or a wet weather conveyance and states the reasons for that determination. In that event, the commissioner must, within thirty (30) days following the initial notification, determine whether the water of the state in question is a stream or a wet weather conveyance and notify the person in writing of that decision and the reasons for that determination. A person may appeal a determination by the commissioner that the specific water is a stream by filing a petition for appeal with the board within thirty (30) days of receiving the commissioner's decision. For purposes of this subsection (r), a qualified hydrologic professional is a person holding a bachelor's degree in biology, geology, ecology, engineering or related sciences, having at least five (5) years of relevant experience in making hydrologic determinations and who has been certified as a hydrologic professional pursuant to rules promulgated by the board.

HISTORY: Acts 1971, ch. 164, § 7; 1971, ch. 386, § 2; 1973, ch. 105, § 1; 1977, ch. 366, § 1; 1980, ch. 647, §§ 1, 2; 1981, ch. 131, § 43; T.C.A., § 70-330; Acts 1983, ch. 38, § 1; 1984, ch. 804, § 6; 1988, ch. 688, §§ 3, 7; 1989, ch. 114, § 1; 1993, ch. 155, § 1; 1998, ch. 659, § 4; 1998, ch. 735, § 2; 2004, ch. 519, § 1; 2009, ch. 271, § 1; 2009, ch. 289, § 2; 2009, ch. 330, § 1; 2009, ch. 464, §§ 2, 5.

NOTES: Compiler's Notes.

Tenn. Comp. R. & Reg. 1200-01-11-.06(6)(e)(2), referred to in this section, is reserved.

For tables of U.S. decennial populations of Tennessee counties, see Volume 13 and its supplement.

Acts 2009, ch. 289, § 1 provided that the act, which added subsection (f), shall be known and may be cited as "The Responsible Mining Act of 2009."

Cross-References.

Penalties for violations of title 69, ch. 3, part 1, *§ 69-3-115*.

Section to Section References.

This section is referred to in *§§ 69-3-107*, *69-3-114*, *69-3-130*, *69-3-131*, *69-3-142*, *69-3-145*.

Law Reviews.

Tennessee Water Law, You Never Miss the Water Till the Well Runs Dry (Vincent A. Sikora), 24 No. *5 Tenn. B.J. 12 (1988).*

Attorney General Opinions.

County zoning authority to regulate concentrated animal feeding operations, OAG 99-071 (3/22/99).

LexisNexis 50 State Surveys, Legislation & Regulations

Water Quality

Cited:

Brewer v. City of Bristol, 577 F. Supp. 519, 1983 U.S. Dist. LEXIS 10931 (E.D. Tenn. 1983); State v. Champion Int'l Corp., 709 S.W.2d 569, 1986 Tenn. LEXIS 830 (Tenn. 1986); Pickard v. Tenn. Dep't of Env't & Conservation, -- S.W.3d --, 2012 Tenn. App. LEXIS 565 (Tenn. Ct. App. Aug. 14, 2012); *Pickard v. Tenn. Dep't of Env't & Conservation, -- S.W.3d --, 2012 Tenn. App. LEXIS 615* (Tenn. Ct. App. Sept. 4, 2012).

NOTES TO DECISIONS

1. Applicability to Federal Agency. 2. Permit Granted.

1. Applicability to Federal Agency.

State could not subject a federal agency, here the TVA, to the requirements of its discharge permit program where the pollution complained of does not result from the discharge of pollutants from a point source; here the dam, a nonpoint source, did not impound the water but only diverted it to a hydroelectric plant. *United States ex rel. TVA v. Tennessee Water Quality Control Bd., 717 F.2d 992, 1983 U.S. App. LEXIS 16606 (6th Cir. 1983),* cert. denied, Tennessee *Water Quality Control Bd. v. Tennessee Valley Authority, 466 U.S. 937, 104 S. Ct. 1909, 80 L. Ed. 2d 458, 1984 U.S. LEXIS 1812 (1984).*

2. Permit Granted.

Completion of Columbia dam and impounding of Duck River waters was not such an activity as would cause a condition of pollution, and water quality control board (now the board of water quality, oil and gas), in construing its own administrative rules and regulations decided there was not sufficient degradation of water as to warrant denial of the permit. *Environmental Defense Fund, Inc. v. Tennessee Water Quality Control Bd., 660 S.W.2d 776, 1983 Tenn. App. LEXIS 621 (Tenn. Ct. App. 1983).*

When the Commissioner of Environment and Conservation (Commissioner) issued a discharge permit, the Tennessee Water Quality Control Board (Board) could review the Commissioner's interpretation of the Anti-Degradation Rule (Rule), *Tenn. Comp. R. & Regs. 1200-04-03-.06*, because: (1) the Board applied the Rule to evaluate the permit's terms; (2) third parties could raise issues provided in writing during the relevant public comment period, under *Tenn. Comp. R. & Regs. 1200-04-05-.12(4)*, which occurred; and (3) *T.C.A. § 69-3-105(i)* let the Board reverse the Commissioner's decisions. *Pickard v. Tenn. Water Quality Control Bd., -- S.W.3d --, 2013 Tenn. LEXIS 1002* (Tenn. Dec. 17, 2013).



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GO TO THE TENNESSEE ANNOTATED STATUTES ARCHIVE DIRECTORY

Tenn. Code Ann. § 69-3-109 (2014)

69-3-109. Complaints -- Orders for corrective action.

(a) (1) Whenever the commissioner has reason to believe that a violation of any provision of this part or regulation promulgated thereunder or orders issued pursuant thereto has occurred, is occurring, or is about to occur, the commissioner may cause a written complaint to be served upon the alleged violator or violators.

(2) The complaint shall specify the provision or provisions of this part or regulation or order alleged to be violated or about to be violated and the facts alleged to constitute a violation thereof, may order that necessary corrective action be taken within a reasonable time to be prescribed in such order, and shall inform the violators of the opportunity for a hearing before the board. Upon the request of the alleged violator or violators, the department shall promptly make available and provide access to any documents and other information that address the factual and scientific basis of the complaint.

(3) Any such order shall become final and not subject to review unless the person or persons named in the order request by written petition a hearing before the board, as provided in *§ 69-3-110*, no later than thirty (30) days after the date such order is served; provided, that the board may review such final order on the same grounds upon which a court of the state may review default judgments.

(b) (1) Whenever the commissioner, with the concurrence of the governor, finds that an emergency exists imperatively requiring immediate action to protect the public health, safety, or welfare, or the health of animals, fish, or aquatic life, or a public water supply, or recreational, commercial, industrial, agricultural, or other reasonable uses, the commissioner may, without prior notice, issue an order reciting the existence of such an emergency and requiring that such action be taken as the commissioner deems necessary to meet the emergency.

(2) If the violator fails to respond or is unable to respond to the commissioner's order, the commissioner may take such emergency action as the commissioner deems necessary, or contract with a qualified person or persons to carry out the emergency measures. The commissioner may assess the person or persons responsible for the emergency condition for actual costs incurred by the commissioner in meeting the emergency.

(3) Furthermore, the commissioner is empowered to establish programs and procedures to qualify the state for emergency funding from the federal government.

(c) Except as otherwise expressly provided, any notice, complaint, order, or other instrument issued by or under authority of this part may be served on any person affected thereby personally, by the commissioner or any person designated by the commissioner, or such service may be made in accordance with Tennessee statutes authorizing service of process in civil actions. Proof of service shall be filed in the office of the commissioner.

HISTORY: Acts 1971, ch. 164, § 8; 1971, ch. 386, § 3; 1977, ch. 366, § 1; T.C.A., § 70-331; Acts 2008, ch. 1056, § 1.

NOTES: Section to Section References.

This section is referred to in *§§ 69-3-108*, *69-3-110*, *69-3-142*.

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Water Quality

NOTES TO DECISIONS

1. Federal Law.

1. Federal Law.

Where an order of the Tennessee department of environment and conservation against a city became final under *T.C.A. § 69-3-109(a)(3),* and the city fully complied with the order, citizens lacked standing for an action under the Clear Water Act, *33 U.S.C. §§ 1251*--1387, and the Resource Conservation and Recovery Act, *42 U.S.C. § 6901* et seq.; the city's remedial actions preceded the citizens' action, and the action was not prompted by state or federal agency inaction. *Ailor v. City of Maynardville, 368 F.3d 587, 2004 FED App. 141P, 2004 U.S. App. LEXIS 9527 (6th Cir. 2004).*



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GO TO THE TENNESSEE ANNOTATED STATUTES ARCHIVE DIRECTORY

Tenn. Code Ann. § 69-3-110 (2014)

69-3-110. Hearings.

(a) Any hearing brought before the board pursuant to *§ 69-3-105(i), § 69-3-109, § 69-3-115, § 69-3-116,* or *§ 69-3-118* shall be conducted as a contested case. The hearing shall be heard before an administrative judge sitting alone pursuant to *§§ 4-5-301(a)(2)* and *4-5-314(b),* unless settled by the parties. The administrative judge to whom the case has been assigned shall convene the parties for a scheduling conference within thirty (30) days of the date the petition is filed. The scheduling order for the contested case issued by the administrative judge shall establish a schedule that results in a hearing being completed within one hundred eighty (180) days of the scheduling conference, unless the parties agree to

a longer time or the administrative judge allows otherwise for good cause shown, and an initial order being issued within sixty (60) days of completion of the record of the hearing. The administrative judge's initial order, together with any earlier orders issued by the administrative judge, shall become final unless appealed to the board by the commissioner or other party within thirty (30) days of entry of the initial order or, unless the board passes a motion to review the initial order pursuant to *§ 4-5-315*, within the longer of thirty (30) days or seven (7) days after the first board meeting to occur after entry of the initial order. Upon appeal to the board by a party, or upon passage of a motion of the board to review the administrative judge's initial order, the board shall afford each party an opportunity to present briefs, shall review the record and allow each party an opportunity to present oral argument. If appealed to the board, the review of the administrative judge's initial order shall be limited to the record, but shall be de novo with no presumption of correctness. In such appeals, the board shall thereafter render a final order, in accordance with *§ 4-5-314*, affirming, modifying, remanding, or vacating the administrative judge's order. A final order rendered pursuant to this section is effective upon its entry, except as provided in *§ 4-5-320(b)* unless a later effective date is stated therein. A petition to stay the effective date of a final order may be filed under *§ 4-5-316*. A petition for reconsideration of a final order may be filed pursuant to *§ 4-5-317*. Judicial review of a final order may be sought by filing a petition for review in accordance with *§ 4-5-322*. An order of an administrative judge that becomes final in the absence of an appeal or review by the board shall be deemed to be a decision of the board in that case for purposes of the standard of review by a court; however, in other matters before the board, it may be considered but shall not be binding on the board.

(b) In case of contumacy or refusal to obey a notice of hearing or subpoena issued under this section, the chancery court of Davidson County, or the chancery court of the county in which the hearing is conducted, shall have jurisdiction upon application of the board or commissioner to issue an order requiring such person to appear and testify or produce evidence as the case may require, and any failure to obey such order of the court may be punished by such court as contempt.

(c) [Deleted by 2013 amendment, effective July 1, 2013.]

(d) The decision of the board shall become final and binding on all parties unless appealed to the courts as provided in *§ 69-3-111*.

(e) Any person to whom an emergency order is directed pursuant to *§ 69-3-109(b)* shall comply immediately, but on petition to the board shall be afforded a hearing as soon as possible, but in no case shall such hearing be held later than three (3) days from the receipt of such petition by the board.

(f) Any hearing required by this section or chapter shall be conducted in accordance with *§ 13-18-114* when the hearing involves a major energy project, as defined by *§ 13-18-102*.

HISTORY: Acts 1971, ch. 164, § 9; 1971, ch. 386, § 4; 1973, ch. 98, § 5; 1977, ch. 366, § 1; 1981, ch. 131, § 44; T.C.A., § 70-332; Acts 1984, ch. 804, § 7; 2007, ch. 362, § 37; 2013, ch. 181, §§ 15, 16; 2014, ch. 624, § 4.

NOTES: Compiler's Notes.

Acts 2013, ch. 181, § 19 provided that for the purpose of construing the act in relation to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, the act shall be deemed to be procedural in nature. It is the intent of the general assembly that Acts 2013, chapter 181 and the Uniform Administrative Procedures Act shall be complied with, however when in conflict, the provisions of Acts 2013, chapter 181 shall govern.

Acts 2013, ch. 181, § 20 provided that the act, which amended subsection (a) and deleted subsection (c), shall apply to all cases filed on or after July 1, 2013.

Amendments.

The 2013 amendment rewrote (a) which read: "Any hearing or rehearing brought before the board shall be

conducted in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, part 3; provided, that hearings may be conducted by the board at a regular or special meeting by any member or panel of members of the board designated by the chair to act in its behalf, or the chair may designate hearing examiners who shall have the power and authority to conduct hearings in the name of the board."; and deleted former (c) which read: "If the hearing is held before any person or persons designated by the chair, the recommendation for findings of fact and conclusions of law, shall be transmitted to the board and the party affected. The parties may submit for the board's consideration, within thirty (30) days, exceptions to the recommended findings or conclusions and supporting reasons for such exceptions."

The 2014 amendment substituted "*§ 69-3-105(i), § 69-3-109, § 69-3-115, § 69-3-116*, or *§ 69-3-118*" for "*§ 69-3-105(i), § 69-3-109*, or *§ 69-3-118*" in the first sentence of (a).

Effective Dates.

Acts 2013, ch. 181, § 20. July 1, 2013.

Acts 2014, ch. 624, § 9. July 1, 2014.

Cross-References.

Contempt of court, title 29, ch. 9.

Section to Section References.

This section is referred to in *§§ 69-3-104*, *69-3-109*, *69-3-118*, *69-3-142*.

LexisNexis 50 State Surveys, Legislation & Regulations

Water Quality

Cited:

Brewer v. City of Bristol, 577 F. Supp. 519, 1983 U.S. Dist. LEXIS 10931 (E.D. Tenn. 1983).

NOTES TO DECISIONS

1. Time for Holding Hearing.

1. Time for Holding Hearing.

There is no requirement in this section that the hearing be completed within 60 days; commencement within 60 days is sufficient absent some showing of prejudice. *Big Fork Mining Co. v. Tennessee Water Quality Control Bd., 620 S.W.2d 515, 1981 Tenn. App. LEXIS 609 (Tenn. Ct. App. 1981).*



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Tenn. Code Ann. § 69-3-111 (2014)

69-3-111. Appeals.

An appeal may be taken from any final order or other final determination of the board by any party, with the exception of the department. An appeal from a final order or other final determination of the board is instituted by filing a petition for review in the chancery court of Davidson County, or in the chancery court of the county in which the violation of this chapter occurred. The alleged violator shall elect in which court to file the petition for review.

HISTORY: Acts 1971, ch. 164, § 10; 1971, ch. 386, § 5; 1977, ch. 366, § 1; 1981, ch. 449, § 2; T.C.A., § 70-333; Acts 1984, ch. 804, § 8; 1993, ch. 156, § 1; 2013, ch. 181, § 17.

NOTES: Compiler's Notes.

Acts 1993, ch. 156, § 2 provided that the amendment by that act applied to all petitions for review filed on or after July 1, 1993.

Acts 2013, ch. 181, § 19 provided that for the purpose of construing the act in relation to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, the act shall be deemed to be procedural in nature. It is the intent of the general assembly that Acts 2013, chapter 181 and the Uniform Administrative Procedures Act shall be complied with, however when in conflict, the provisions of Acts 2013, chapter 181 shall govern.

Acts 2013, ch. 181, § 20 provided that the act, which amended this section, shall apply to all cases filed on or after July 1, 2013.

Amendments.

The 2013 amendment deleted the former second sentence which read: "Any appeals from any final order or other final determination of the board by any party shall be conducted in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5."

Effective Dates.

Acts 2013, ch. 181, § 20. July 1, 2013.

Cross-References.

Permissive appeals to supreme court, *T.R.A.P. 11*.

Section to Section References.

This section is referred to in *§§ 69-3-110*, *69-3-142*.

Law Reviews.

The Tennessee Court System -- Supreme Court (Frederic S. Le Clercq), *8 Mem. St. U. L. Rev. 191*.

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Cited:

Big Fork Mining Co. v. Tennessee Water Quality Control Bd., 620 S.W.2d 515, 1981 Tenn. App. LEXIS 609 (Tenn. Ct. App. 1981); Brewer v. City of Bristol, 577 F. Supp. 519, 1983 U.S. Dist. LEXIS 10931 (E.D. Tenn. 1983).



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GO TO THE TENNESSEE ANNOTATED STATUTES ARCHIVE DIRECTORY

Tenn. Code Ann. § 69-3-112 (2014)

69-3-112. Assistance in prosecuting violations.

It is the duty of the district attorneys general in the various districts throughout the state or the attorney general and reporter to assist the department, upon its request, by prosecuting those persons in violation of *§§ 69-3-115 -- 69-3-117*.

HISTORY: Acts 1971, ch. 164, § 11; 1971, ch. 386, § 6; 1977, ch. 366, § 1; 1979, ch. 422, § 20; T.C.A., § 70-334.

NOTES: Law Reviews.

The Tennessee Court System -- Prosecution, *8 Mem. St. U.L. Rev. 477.*

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Tenn. Code Ann. § 69-3-113 (2014)

69-3-113. Procurement of information.

(a) (1) Any person whom the board or the commissioner has reason to believe is causing, or may be about to cause, pollution, or any person having information concerning such person, shall furnish the board or the commissioner, upon request by the board or commission, all pertinent information required by the board or the commissioner in the discharge of the board's or commissioner's duties under this part.

(2) Under this section, information includes data relating to processes or methods of manufacture or production required by the board, the commissioner, or officers of the United States in the administration of their duties, including secret formulae and proprietary manufacturing processes.

(3) All information shall be used by the board only for purposes of water quality control. The board or the commissioner has the power to issue protection orders to prevent public dissemination of any secret formulae or proprietary manufacturing processes, except that such orders shall not extend to information concerning waste products discharged into the waters of the state.

(4) In addition to providing information, persons may be required to keep such records as deemed necessary by the board or the commissioner to facilitate the discharge of their duties.

(b) Any information obtained by the board or commissioner, except secret formulae or proprietary manufacturing processes, pursuant to this section, shall be available to the public for reasonable inspection and copying.

HISTORY: Acts 1971, ch. 164, § 12; 1977, ch. 366, § 1; T.C.A., § 70-335.

NOTES: Cross-References.

Confidentiality of public records, *§ 10-7-504*.

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Tenn. Code Ann. § 69-3-114 (2014)

69-3-114. Causing pollution or refusing to furnish information.

(a) It is unlawful for any person to discharge any substance into the waters of the state or to place or cause any substance to be placed in any location where such substances, either by themselves or in combination with others, cause any of the damages as defined in *§ 69-3-103*, unless such discharge shall be due to an unavoidable accident or unless such action has been properly authorized. Any such action is declared to be a public nuisance.

(b) In addition, it is unlawful for any person to act in a manner or degree that is violative of any provision of this part or of any rule, regulation, or standard of water quality promulgated by the board or of any permits or orders issued pursuant to this part; or to fail or refuse to file an application for a permit as required in *§ 69-3-108*; or to refuse to furnish, or to falsify any records, information, plans, specifications, or other data required by the board or the commissioner under this part.

(c) The plea of financial inability to prevent, abate, or control pollution shall not be a valid defense under this part.

HISTORY: Acts 1971, ch. 164, § 13; 1972, ch. 631, § 2; 1977, ch. 366, § 1; T.C.A., § 70-336.

NOTES: Cross-References.

Abatement of nuisances, title 29, ch. 3.

Penalties for violations of title 69, ch. 3, part 1, *§ 69-3-115*.

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Cited:

Brewer v. City of Bristol, 577 F. Supp. 519, 1983 U.S. Dist. LEXIS 10931 (E.D. Tenn. 1983); State v. Electroplating, Inc., 990 S.W.2d 211, 1998 Tenn. Crim. App. LEXIS 618 (Tenn. Crim. App. 1998).

NOTES TO DECISIONS

1. Federal Law.

1. Federal Law.

Where a city fully complied with an order of the Tennessee department of environment and conservation to remedy violations of *T.C.A. § 69-3-108(b)(3)*, (6) and *T.C.A. § 69-3-114(b)*, citizens lacked standing for an action under the Clear Water Act, *33 U.S.C. §§ 1251*-1387, and the Resource Conservation and Recovery Act, *42 U.S.C. § 6901* et seq.; the city's remedial actions preceded the citizens' action, and the action was not prompted by state or federal agency inaction. *Ailor v. City of Maynardville, 368 F.3d 587, 2004 FED App. 141P, 2004 U.S. App. LEXIS 9527 (6th Cir. 2004).*

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Tenn. Code Ann. § 69-3-115 (2014)

69-3-115. Violations -- Penalties -- Judgment by consent.

(a) (1) Any person who does any of the following acts or omissions is subject to a civil penalty of up to ten thousand dollars ($10,000) per day for each day during which the act or omission continues or occurs:

(A) Violates an effluent standard or limitation or a water quality standard established under this part;

(B) Violates the terms or conditions of a permit;

(C) Fails to complete a filing requirement or causes false information to be filed with the department;

(D) Fails to allow or perform an entry, inspection, monitoring, or reporting requirement;

(E) Violates a final determination or order of the board, panel or commissioner;

(F) In the case of an industrial user of a publicly owned treatment works, fails to pay user or cost recovery charges or violates pretreatment standards or toxic effluent limitations established as a condition in the permit of the treatment works;

(G) After reasonable notice and opportunity to restore a ditch constructed pursuant to *§ 69-3-130*, the owner of the property fails to restore the ditch to permit specifications; or

(H) Violates any other provision of this part or any rule or regulation promulgated by the board.

(2) Any civil penalty shall be assessed in the following manner:

(A) The commissioner may issue an assessment against any person responsible for the violation;

(B) Any person against whom an assessment has been issued may secure a review of such assessment by filing with the commissioner a written petition setting forth the grounds and reasons for the objections, and asking for a hearing in the matter involved before the board. If a petition for review of the assessment is not filed within thirty (30) days after the date the assessment is served, the violator shall be deemed to have consented to the assessment and it shall become final;

(C) Whenever any assessment has become final because of a person's failure to appeal the commissioner's assessment, the commissioner may apply to the appropriate court for a judgment and seek execution of such judgment and the court, in such proceedings, shall treat a failure to appeal such assessment as a confession of judgment in the amount of the assessment; and

(D) The commissioner, through the attorney general and reporter, may institute proceedings for assessment in the chancery court of Davidson County or in the chancery court of the county in which all or part of the pollution or violation occurred, in the name of the department.

(3) In assessing the civil penalty, the commissioner may consider the following factors:

(A) Whether the civil penalty imposed will be a substantial economic deterrent to the illegal activity;

(B) Damages to the state, including compensation for loss or destruction of wildlife, fish, and other aquatic life, resulting from the violation, as well as expenses involved in enforcing this section and the costs involved in rectifying any damage;

(C) Cause of the discharge or violation;

(D) The severity of the discharge and its effect upon the quality and quantity of the receiving waters;

(E) Effectiveness of action taken by the violator to cease the violation;

(F) The technical and economic reasonableness of reducing or eliminating the discharge;

(G) The social and economic value of the discharge source; and

(H) The economic benefit gained by the violator.

(4) The board may establish by regulation a schedule of the amount of civil penalty that can be assessed by the commissioner for certain specific violations or categories of violations.

(b) Any person unlawfully polluting the waters of the state or violating or failing, neglecting, or refusing to comply with any of the provisions of this part, commits a Class C misdemeanor. Each day upon which such violation occurs constitutes a separate offense.

(c) Any person who willfully and knowingly falsifies any records, information, plans, specifications, or other data required by the board or the commissioner, or who willfully and knowingly pollutes the waters of the state, or willfully fails, neglects or refuses to comply with any of the provisions of this part commits a Class E felony and shall be punished by a fine of not more than twenty-five thousand dollars ($25,000) or incarceration, or both.

(d) No warrant, presentment, or indictment arising under this part shall be issued except upon application by the board or the commissioner or upon such application authorized in writing by either of them.

(e) (1) Whenever any order or assessment has become a final action under this section, a notarized copy of the same may be filed in the office of the clerk of the chancery court of Davidson County, and shall be considered as an agreement of the parties thereto to entry of a judgment by consent, the terms and conditions of which shall be the same as those recited in the final order or assessment. Except as otherwise provided in this section, the procedures for entry of the judgment and the effect thereof shall be the same as provided in title 26, chapter 6.

(2) If the final action is by the board, the judgment by consent shall be promptly entered by the court and shall be effective upon entry, and it shall have the same effect and be subject to the same procedures as a judgment of a court of record of this state and may be enforced or satisfied in like manner.

(3) If the final action is by the commissioner, the judgment by consent shall be promptly entered by the chancery court, but shall not become a final judgment until expiration of a period ending forty-five (45) days after the date it was filed. During this period, any citizen shall have the right to intervene in such proceeding on the grounds that the remedy or remedies provided are inadequate or are based on erroneously stated facts. If intervention occurs, the court shall determine whether it is duplicitous or frivolous and shall notify the parties and the intervenor of its determination. If determined not to be duplicitous or frivolous, review of the order or assessment shall be deemed to be sought by all parties and shall proceed in accordance with *§ 4-5-322*. If no citizen intervenes or if any such intervention is deemed duplicitous or frivolous, upon the expiration of the forty-five-day period, the judgment by consent shall be final, and it shall have the same effect and be subject to the same procedures as a judgment of a court of record of this state and may be enforced or satisfied in like manner.

HISTORY: Acts 1971, ch. 164, § 14; 1971, ch. 386, § 7; 1972, ch. 631, § 3; 1977, ch. 366, § 1; 1979, ch. 422, § 21; T.C.A., § 70-337; Acts 1985, ch. 160, § 1; 1988, ch. 688, § 1; 1989, ch. 321, § 10; 1989, ch. 591, §§ 101, 113; 1991, ch. 123, § 3; 2007, ch. 362, § 19.

NOTES: Compiler's Notes.

Acts 1989, ch. 321, § 15 provided that the amendment of this section by that act does not affect rights or duties that matured, liabilities that were incurred, or proceedings begun before May 18, 1989.

Cross-References.

Penalty for Class C misdemeanor, *§ 40-35-111*.

Penalty for Class E felony, *§ 40-35-111*.

Pretreatment enforcement, penalties, *§ 69-3-125*.

Section to Section References.

Sections 69-3-115 -- 69-3-119 are referred to in *§ 69-3-118*.

Sections 69-3-115 -- 69-3-117 are referred to in *§§ 69-3-112*, *69-3-118*.

This section is referred to in *§§ 69-3-107*, *69-3-110*, *69-3-125*, *69-3-136*, *69-3-139*, *69-3-146*.

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Cited:

State v. Electroplating, Inc., 990 S.W.2d 211, 1998 Tenn. Crim. App. LEXIS 618 (Tenn. Crim. App. 1998); Jones v. City of Lakeland, 175 F.3d 410, 1999 FED App. 144P, 1999 U.S. App. LEXIS 7517 (6th Cir. Tenn. 1999); Jones v. City of Lakeland, 224 F.3d 518, 2000 FED App. 265P, 2000 U.S. App. LEXIS 19013 (6th Cir. Tenn. 2000).

NOTES TO DECISIONS

1. Constitutionality. 2. Bankruptcy.

1. Constitutionality.

T.C.A. § 69-3-115, which requires that the district attorney general or the grand jury obtain permission from either the water quality control board (now the board of water quality, oil and gas) or the commissioner of the department of health and environment (now environment and conservation) before a warrant, presentment, or indictment, is unconstitutional because it infringes upon the prosecutorial discretion of the district attorney general and circumscribes the independence of the grand jury to investigate crimes and issue presentments. *State v. Superior Oil, Inc., 875 S.W.2d 658, 1994 Tenn. LEXIS 110 (Tenn. 1994).*

2. Bankruptcy.

The water quality control board's (now the board of water quality, oil and gas) proceedings to fix civil liability under this part are within the exception to the automatic stay in bankruptcy. *Word v. Commerce Oil Co., 847 F.2d 291, 1988 U.S. App. LEXIS 6901 (6th Cir. 1988).*



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Tenn. Code Ann. § 69-3-116 (2014)

69-3-116. Damages to the state.

(a) The commissioner may assess the liability of any polluter or violator for damages to the state resulting from any person's pollution or violation, failure, or neglect in complying with any rules, regulations, or standards of water quality promulgated by the board or permits or orders issued pursuant to this part.

(b) If an appeal from such assessment is not made to the board by the polluter or violator within thirty (30) days of notification of such assessment, the pollutor or violator shall be deemed to have consented to such assessment and it shall become final.

(c) Damages may include any expenses incurred in investigating and enforcing this part, in removing, correcting, and terminating any pollution, and also compensation for any loss or destruction of wildlife, fish, or aquatic life and any other actual damages caused by the pollution or violation.

(d) Whenever any assessment has become final because of a person's failure to appeal within the time provided, the commissioner may apply to the appropriate court for a judgment, and seek execution on such judgment. The court, in such proceedings, shall treat the failure to appeal such assessment as a confession of judgment in the amount of the assessment.

HISTORY: Acts 1971, ch. 164, § 15; 1977, ch. 366, § 1; T.C.A., § 70-338.

NOTES: Section to Section References.

Sections 69-3-115 -- 69-3-119 are referred to in *§ 69-3-118*.

Sections 69-3-115 -- 69-3-117 are referred to in *§§ 69-3-112, 69-3-118*.

This section is referred to in *§ 69-3-110*.

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Cited:

Chastain v. Tennessee Water Quality Control Board, 555 S.W.2d 113, 1977 Tenn. LEXIS 626 (Tenn. 1977).



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Tenn. Code Ann. § 69-3-117 (2014)

69-3-117. Proceedings against violators -- Injunctions.

The commissioner may initiate proceedings in the chancery court of Davidson County or the county in which the activities occurred against any person who is alleged to have violated or is about to violate this part, conditions of permits issued under this part, the rules and regulations of the board or orders of the board or commissioner. In such action the commissioner may seek, and the court may grant, injunctive relief and any other relief available in law or equity. Specifically, the commissioner may seek injunctive relief against industrial users of publicly owned treatment works who fail to pay user or cost recovery charges or who violate pretreatment standards or toxic effluent limitations established as a condition to the permit of the treatment works.

HISTORY: Acts 1971, ch. 164, § 16; 1972, ch. 444, § 1; 1977, ch. 366, § 1; 1979, ch. 422, § 22; T.C.A., § 70-339;

Acts 1984, ch. 804, § 9.

NOTES: Section to Section References.

Sections 69-3-115 -- 69-3-119 are referred to in *§ 69-3-118*.

Sections 69-3-115 -- 69-3-117 are referred to in *§§ 69-3-112*, *69-3-118*.

This section is referred to in *§ 69-3-142*.

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Cited:

Bunch v. Allison, 596 S.W.2d 814, 1980 Tenn. LEXIS 436 (Tenn. 1980); Brewer v. City of Bristol, 577 F. Supp. 519, 1983 U.S. Dist. LEXIS 10931 (E.D. Tenn. 1983).



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Tenn. Code Ann. § 69-3-118 (2014)

69-3-118. Other remedies.

(a) (1) Any person may file with the commissioner a signed complaint against any person allegedly violating any provisions of this part. Unless the commissioner determines that such complaint is duplicitous or frivolous, the commissioner shall immediately serve a copy of it upon the person or persons named in the complaint, promptly investigate the allegations contained in the complaint, and notify the alleged violator of what action, if any, the

commissioner will take. In all cases, the commissioner shall notify the complainant of the action or determination within ninety (90) days from the date of the commissioner's receipt of the written complaint.

(2) If either the complainant or the alleged violator believes that the commissioner's action or determination is or will be inadequate or too severe, such person may appeal to the board for a hearing, which will be conducted pursuant to *§ 69-3-110*. The appeal must be made within thirty (30) days after receipt of the notification sent by the commissioner.

(3) If the commissioner fails to take the action stated in the notification, the complainant may make an appeal to the board within thirty (30) days from the time at which the complainant knows or has reason to know of such failure.

(4) The department shall not be obligated to assist a complainant in gathering information or making investigations or to provide counsel for the purpose of drawing up the complaint.

(b) The penalties, damages, and injunctions provided for in *§§ 69-3-115 -- 69-3-119* are intended to provide additional and cumulative remedies to prevent, abate, and control the pollution of the waters of the state. Nothing contained in this section shall be construed to abridge or alter rights of action or remedies in equity or under common law or statutory law, criminal or civil, nor shall any provision of *§§ 69-3-115 -- 69-3-117* or this section, or any act done by virtue thereof, be construed as estopping the state or any municipality or person, as riparian owners or otherwise, in the exercise of their rights in equity or under the common law or statutory law to suppress nuisances, to abate pollution, or to recover damages resulting from such pollution.

(c) The board, department or its officials and employees acting in their official capacity shall not be considered "persons" pursuant to this section.

HISTORY: Acts 1971, ch. 164, § 17; 1971, ch. 386, § 8; 1977, ch. 366, § 1; T.C.A., § 70-340; Acts 1984, ch. 804, § 10.

NOTES: Section to Section References.

This section is referred to in *§§ 69-3-105*, *69-3-110*, *69-7-207*.

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Cited:

Ergon, Inc. v. Amoco Oil Co., 966 F. Supp. 577, 1997 U.S. Dist. LEXIS 12817 (W.D. Tenn. 1997); Jones v. City of Lakeland, 175 F.3d 410, 1999 FED App. 144P, 1999 U.S. App. LEXIS 7517 (6th Cir. Tenn. 1999); Jones v. City of Lakeland, 224 F.3d 518, 2000 FED App. 265P, 2000 U.S. App. LEXIS 19013 (6th Cir. Tenn. 2000).

NOTES TO DECISIONS

1. Exhaustion of Administrative Remedies.

1. Exhaustion of Administrative Remedies.

When a wildlife sanctuary's trustees sought a declaratory judgment interpreting the Anti-Degradation Rule in *Tenn. Comp. R. & Regs. 1200-04-03-.06*, under *T.C.A. § 4-5-225*, while also contesting the issuance of a discharge permit by

the Commissioner of Environment and Conservation, it was error not to dismiss the petition because the trustees did not exhaust administrative remedies pursuant to *T.C.A. § 69-3-105(i)*, which, with *T.C.A. § 4-5-322*, was the only way to seek judicial review of the discharge permit decision. *Pickard v. Tenn. Water Quality Control Bd., -- S.W.3d --, 2013 Tenn. LEXIS 1002* (Tenn. Dec. 17, 2013).



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Tenn. Code Ann. § 69-3-119 (2014)

69-3-119. Disposition of fees, penalties and damages.

All fees, penalties, and damages assessed and collected under this part shall be placed in a special fund and earmarked, allocated, and appropriated to the division for the purpose of complying with provisions of this part. Any unexpended balance of the special fund in any fiscal year shall revert to the general fund.

HISTORY: Acts 1971, ch. 164, § 18; 1971, ch. 386, § 9; 1977, ch. 366, § 1; T.C.A., § 70-341; Acts 1984, ch. 804, § 11; 1992, ch. 693, § 1.

NOTES: Section to Section References.

Sections 69-3-115 -- 69-3-119 are referred to in *§ 69-3-118*.

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Tenn. Code Ann. § 69-3-120 (2014)

69-3-120. Construction of part.

(a) This part is intended to supplement other provisions of the Tennessee Code Annotated, and no part thereof shall be construed to repeal any such provisions specifically enacted for the protection of health or the protection of fish and game of the state, except that the administration of any laws pertaining to the pollution of waters as defined in *§ 69-3-103* shall be in accordance with the general policies and regulations adopted by the board.

(b) All sections in this part shall be liberally construed for the accomplishment of its policy and purpose.

(c) All grants of power to the board or commissioner shall be liberally construed.

(d) Any list in this part preceded by "include" or "including" shall not be construed as exhaustive or otherwise limiting unless specifically stated.

(e) All procedures in this part are intended to be in conformity with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5. If any provision of this part conflicts with the Uniform Administrative Procedures Act, then the latter shall govern.

(f) If any section, subsection, sentence, clause, phrase, or words of this part are for any reason held to be invalid, such decree shall not affect the validity of any remaining portion of this part.

(g) Nothing whatsoever in this part shall be so construed as applying to any agricultural or forestry activity or the activities necessary to the conduct and operations thereof or to any lands devoted to the production of any agricultural or forestry products, unless there is a point source discharge from a discernible, confined, and discrete water conveyance.

(h) The passage of the Water Quality Control Act of 1977 shall grant no new authority over non-point sources to the department, which was not previously established by the Water Quality Control Act of 1971. In all cases of conflict between this part and *§§ 68-221-101 -- 68-221-108*, the Sanitary Engineering Law, this part shall take precedence.

HISTORY: Acts 1971, ch. 164, § 19; 1977, ch. 366, §§ 1, 3; T.C.A., § 70-342; Acts 1992, ch. 693, § 1.

NOTES: Compiler's Notes.

The Water Quality Control Act of 1971, referred to in this section, was enacted by Acts 1971, ch. 164 and compiled as former §§ 70-324 -- 70-342 as they existed prior to the enactment of Acts 1977, ch. 366.

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Cited:

Big Fork Mining Co. v. Tennessee Water Quality Control Bd., 620 S.W.2d 515, 1981 Tenn. App. LEXIS 609 (Tenn. Ct. App. 1981); Environmental Defense Fund, Inc. v. Tennessee Water Quality Control Bd., 660 S.W.2d 776, 1983 Tenn. App. LEXIS 621 (Tenn. Ct. App. 1983).



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Tenn. Code Ann. § 69-3-121 (2014)

69-3-121. Continuation of rules and regulations, permits, contracts and agreements.

(a) The rules and regulations previously promulgated under the Water Quality Control Act of 1971 shall remain in effect as the rules and regulations under this part. Any of these rules or regulations that may conflict with a statutory provision of this part are hereby rendered void, but shall not affect the validity of the remaining rules and regulations.

(b) All permits and temporary permits issued under the Water Quality Control Act of 1971 shall remain in effect under this part until such time as they expire or are revoked or modified pursuant to this part.

(c) Any contracts, agreements, plans or any other documents developed under the Water Quality Control Act of 1971 shall remain in effect under this part.

HISTORY: Acts 1977, ch. 366, § 2; T.C.A., § 70-343.

NOTES: Compiler's Notes.

The Water Quality Control Act of 1971, referred to in this section, was enacted by Acts 1971, ch. 164 and compiled as former §§ 70-324 -- 70-342 as they existed prior to the enactment of Acts 1977, ch. 366.

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GO TO THE TENNESSEE ANNOTATED STATUTES ARCHIVE DIRECTORY

Tenn. Code Ann. § 69-3-122 (2014)

69-3-122. Sewerage system contractors or operators -- Bonds or security -- Noncomplying or abandoned facilities.

(a) No person shall construct, operate or hold out to the public as proposing to construct or operate a sewerage system unless such person first provides a bond or other financial security to the department, and has received approval of the same.

(b) The board may by regulation establish the amount and form of such bond or financial security for various sizes and types of facilities. In no case shall the amount of the bond or financial security exceed seventy-five thousand dollars ($75,000). The purpose of the bond or financial security shall be the protection of the public health, welfare, and the environment of the state.

(c) The commissioner may petition the chancery court of the county in which the facility is located for forfeiture of the bond or other financial security, if the department determines that:

(1) The continued operation or lack of operation of a facility covered by this section represents a threat to the health of the public or is causing or will cause violations of classified water uses that the board has established;

(2) All reasonable and practical efforts under the circumstances have been made to obtain corrective actions from persons responsible for the facility; and

(3) It does not appear that corrective actions can or will be taken within an appropriate time or it appears that the facility has been abandoned.

(d) The proceeds of such forfeiture shall be paid into the court and, pursuant to the order of the court, used in combination with any remedy provided by law or equity that will correct or mitigate the noncompliance of such facility.

(e) If the court finds that a facility covered by this section has been abandoned or that services of the facility have been terminated, the court may enter such orders regarding the continued operations of such facility as it deems necessary to protect the public.

(f) This section does not apply to the following:

(1) Facilities owned or operated by a governmental entity or agency; or

(2) Facilities in operation prior to May 25, 1984.

HISTORY: Acts 1984, ch. 804, § 12.

NOTES: Section to Section References.

This section is referred to in *§ 65-4-201*.

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Tenn. Code Ann. § 69-3-123 (2014)

69-3-123. Pretreatment enforcement -- Procedure -- Complaints -- Orders.

(a) (1) Whenever the local administrative officer of any pretreatment agency has reason to believe that a violation of any provision of the pretreatment program of the pretreatment agency or orders of the local hearing authority issued pursuant thereto has occurred, is occurring, or is about to occur, the local administrative officer may cause a written complaint to be served upon the alleged violator or violators.

(2) The complaint shall specify the provision or provisions of the pretreatment program or order alleged to be violated or about to be violated and the facts alleged to constitute a violation thereof, may order that necessary corrective action be taken within a reasonable time to be prescribed in such order, and shall inform the violators of the opportunity for a hearing before the local hearing authority.

(3) Any such order shall become final and not subject to review unless the person or persons named in the order request by written petition a hearing before the local hearing authority as provided in *§ 69-3-124*, no later than thirty (30) days after the date such order is served; provided, that the local hearing authority may review such final order on the same grounds upon which a court of the state may review default judgments.

(b) (1) Whenever the local administrative officer finds that an emergency exists imperatively requiring immediate action to protect the public health, safety, or welfare, the health of animals, fish or aquatic life, a public water supply, or the facilities of the publicly owned treatment works of the pretreatment agency, the local administrative officer may, without prior notice, issue an order reciting the existence of such an emergency and requiring that such action be taken as the local administrative officer deems necessary to meet the emergency.

(2) If the violator fails to respond or is unable to respond to the local administrative officer's order, the local administrative officer may take such emergency action as the local administrative officer deems necessary, or contract with a qualified person or persons to carry out the emergency measures. The local administrative officer may assess the person or persons responsible for the emergency condition for actual costs incurred by the local administrative officer in meeting the emergency.

(c) Except as otherwise expressly provided, any notice, complaint, order or other instrument issued by or under authority of this part may be served on any person affected thereby personally, by the local administrative officer or any person designated by the local administrative officer, or such service may be made in accordance with Tennessee statutes authorizing service of process in a civil action. Proof of service shall be filed in the office of the local administrative officer.

HISTORY: Acts 1987, ch. 111, § 2.

NOTES: Section to Section References.

Sections 69-3-123 -- 69-3-129 are referred to in *§§ 69-3-103, 69-3-126, 69-3-127, 69-3-128*.

Sections 69-3-123 -- 69-3-128 are referred to in *§ 69-3-129*.

This section is referred to in *§§ 69-3-124, 69-3-126*.

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Tenn. Code Ann. § 69-3-124 (2014)

69-3-124. Pretreatment enforcement -- Hearings.

(a) Any hearing or rehearing brought before the local hearing authority shall be conducted in accordance with the following:

(1) Upon receipt of a written petition from the alleged violator pursuant to this section, the local administrative officer shall give the petitioner thirty (30) days' written notice of the time and place of the hearing, but in no case shall such hearing be held more than sixty (60) days from the receipt of the written petition, unless the local administrative officer and the petitioner agree to a postponement;

(2) The hearing provided for in this section may be conducted by the local hearing authority at a regular or special meeting. A quorum of the local hearing authority must be present at the regular or special meeting in order to conduct the hearing provided for in this section;

(3) A verbatim record of the proceedings of such hearings shall be taken and filed with the local hearing authority, together with the findings of fact and conclusions of law made pursuant to subdivision (a)(6). The transcript so recorded shall be made available to the petitioner or any party to a hearing upon payment of a charge set by the local administrative officer to cover the costs of preparation;

(4) In connection with the hearing, the chair shall issue subpoenas in response to any reasonable request by any party to the hearing requiring the attendance and testimony of witnesses and the production of evidence relevant to any

matter involved in the hearing. In case of contumacy or refusal to obey a notice of hearing or subpoena issued under this section, the chancery court of the county in which the pretreatment agency is located shall have jurisdiction upon the application of the local hearing authority or the local administrative officer to issue an order requiring such person to appear and testify or produce evidence as the case may require, and any failure to obey such order of the court may be punished by such court as contempt;

(5) Any member of the local hearing authority may administer oaths and examine witnesses;

(6) On the basis of the evidence produced at the hearing, the local hearing authority shall make findings of fact and conclusions of law and enter such decisions and orders as, in its opinion, will best further the purposes of the pretreatment program and shall give written notice of such decisions and orders to the alleged violator. The order issued under this subsection (a) shall be issued no later than thirty (30) days following the close of the hearing by the person or persons designated by the chair;

(7) The decision of the local hearing authority shall become final and binding on all parties unless appealed to the courts as provided in subsection (b); and

(8) Any person to whom an emergency order is directed pursuant to *§ 69-3-123* shall comply with the emergency order immediately, but on petition to the local hearing authority shall be afforded a hearing as soon as possible, but in no case shall such hearing be held later than three (3) days from the receipt of such petition by the local hearing authority.

(b) An appeal may be taken from any final order or other final determination of the local hearing authority by any party, including the pretreatment agency, who is or may be adversely affected thereby, to the chancery court pursuant to the common law writ of certiorari set out in *§ 27-8-101*, within sixty (60) days from the date such order or determination is made.

HISTORY: Acts 1987, ch. 111, § 3.

NOTES: Cross-References.

Contempt of court, title 29, ch. 9.

Section to Section References.

Sections 69-3-123 -- 69-3-129 are referred to in *§§ 69-3-103*, *69-3-126*, *69-3-127*, *69-3-128*.

Sections 69-3-123 -- 69-3-128 are referred to in *§ 69-3-129*.

This section is referred to in *§§ 69-3-123*, *69-3-126*.

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Tenn. Code Ann. § 69-3-125 (2014)

69-3-125. Pretreatment enforcement -- Violations -- Civil penalty.

(a) (1) Any person, including, but not limited to, industrial users, who does any of the following acts or omissions shall be subject to a civil penalty of up to ten thousand dollars ($10,000) per day for each day during which the act or omission continues or occurs:

(A) Violates an effluent standard or limitation imposed by a pretreatment program;

(B) Violates the terms or conditions of a permit issued pursuant to a pretreatment program;

(C) Fails to complete a filing requirement of a pretreatment program;

(D) Fails to allow or perform an entry, inspection, monitoring or reporting requirement of a pretreatment program;

(E) Fails to pay user or cost recovery charges imposed by a pretreatment program; or

(F) Violates a final determination or order of the local hearing authority or the local administrative officer.

(2) Any civil penalty shall be assessed in the following manner:

(A) The local administrative officer may issue an assessment against any person or industrial user responsible for the violation;

(B) Any person or industrial user against whom an assessment has been issued may secure a review of such assessment by filing with the local administrative officer a written petition setting forth the grounds and reasons for the violator's objections and asking for a hearing in the matter involved before the local hearing authority and, if a petition for review of the assessment is not filed within thirty (30) days after the date the assessment is served, the violator shall be deemed to have consented to the assessment and it shall become final;

(C) Whenever any assessment has become final because of a person's failure to appeal the local administrative officer's assessment, the local administrative officer may apply to the appropriate court for a judgment and seek execution of such judgment and the court, in such proceedings, shall treat a failure to appeal such assessment as a confession of judgment in the amount of the assessment;

(D) In assessing the civil penalty, the local administrative officer may consider the following factors:

(i) Whether the civil penalty imposed will be a substantial economic deterrent to the illegal activity;

(ii) Damages to the pretreatment agency, including compensation for the damage or destruction of the facilities of the publicly owned treatment works, and also including any penalties, costs and attorneys' fees incurred by the pretreatment agency as the result of the illegal activity, as well as the expenses involved in enforcing this section and the costs involved in rectifying any damages;

(iii) Cause of the discharge or violation;

(iv) The severity of the discharge and its effect upon the facilities of the publicly owned treatment works and upon the quality and quantity of the receiving waters;

(v) Effectiveness of action taken by the violator to cease the violation;

(vi) The technical and economic reasonableness of reducing or eliminating the discharge; and

(vii) The economic benefit gained by the violator; and

(E) The local administrative officer may institute proceedings for assessment in the chancery court of the county in which all or part of the pollution or violation occurred, in the name of the pretreatment agency.

(3) The local hearing authority may establish by regulation a schedule of the amount of civil penalty that can be assessed by the local administrative officer for certain specific violations or categories of violations.

(b) Any civil penalty assessed to a violator pursuant to this section may be in addition to any civil penalty assessed by the commissioner for violations of *§ 69-3-115(a)(1)(F)*. However, the sum of penalties imposed by this section and by *§ 69-3-115(a)* shall not exceed ten thousand dollars ($10,000) per day for each day during which the act or omission continues or occurs. The state's share of any additional costs of this section shall be funded in accordance with *§ 9-4-5303*, from the increase in state imposed taxes that are earmarked to counties and that are not designated by such counties for a particular purpose.

HISTORY: Acts 1987, ch. 111, § 4.

NOTES: Section to Section References.

Sections 69-3-123 -- 69-3-129 are referred to in *§§ 69-3-103, 69-3-126, 69-3-127, 69-3-128*.

Sections 69-3-123 -- 69-3-128 are referred to in *§ 69-3-129*.

This section is referred to in *§ 69-3-126*.

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Tenn. Code Ann. § 69-3-126 (2014)

69-3-126. Pretreatment enforcement -- Assessment for noncompliance with program permits or orders.

(a) The local administrative officer may assess the liability of any polluter or violator for damages to the pretreatment agency resulting from any person's or industrial user's pollution or violation, failure, or neglect in complying with any permits or orders issued pursuant to the pretreatment program or *§ 69-3-123*, *§ 69-3-124*, or *§ 69-3-125*.

(b) If an appeal from such assessment is not made to the local hearing authority by the polluter or violator within thirty (30) days of notification of such assessment, the polluter or violator shall be deemed to have consented to the assessment, and it shall become final.

(c) Damages may include any expenses incurred in investigating and enforcing the pretreatment program or *§§ 69-3-123 -- 69-3-129*, in removing, correcting, and terminating any pollution, and also compensation for any actual damages caused by the pollution or violation.

(d) Whenever any assessment has become final because of a person's failure to appeal within the time provided, the local administrative officer may apply to the appropriate court for a judgment, and seek execution on such judgment. The court, in such proceedings, shall treat the failure to appeal such assessment as a confession of judgment in the amount of the assessment.

HISTORY: Acts 1987, ch. 111, § 5.

NOTES: Section to Section References.

Sections 69-3-123 -- 69-3-129 are referred to in *§§ 69-3-103*, *69-3-127*, *69-3-128*.

Sections 69-3-123 -- 69-3-128 are referred to in *§ 69-3-129*.

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NOTES TO DECISIONS

1. Damages.

1. Damages.

Metropolitan wastewater hearing authority did not exceed its authority under *T.C.A. § 69-3-126(a)* by assessing costs to a business for replacing a damaged sewer line; the record contained sufficient evidence showing that the wastewater from the electroplating business caused the damage to the sewer line. *Leonard Plating Co. v. Metro. Gov't of Nashville & Davidson County, 213 S.W.3d 898, 2006 Tenn. App. LEXIS 471 (Tenn. Ct. App. 2006),* appeal denied, *Leonard Plating Co. v. Metro. Gov't, -- S.W.3d --, 2006 Tenn. LEXIS 1219 (Tenn. 2006).*



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Tenn. Code Ann. § 69-3-127 (2014)

69-3-127. Pretreatment enforcement -- Judicial proceedings and relief.

The local administrative officer may initiate proceedings in the chancery court of the county in which the activities occurred against any person or industrial user who is alleged to have violated or is about to violate the pretreatment program, *§§ 69-3-123 -- 69-3-129,* or orders of the local hearing authority or local administrative officer. In such action, the local administrative officer may seek, and the court may grant, injunctive relief and any other relief available in law or equity.

HISTORY: Acts 1987, ch. 111, § 6.

NOTES: Section to Section References.

Sections 69-3-123 -- 69-3-129 are referred to in *§§ 69-3-103, 69-3-126, 69-3-128*.

Sections 69-3-123 -- 69-3-128 are referred to in *§ 69-3-129*.

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Tenn. Code Ann. § 69-3-128 (2014)

69-3-128. Pretreatment enforcement.

Any net increase in expenditures after subtracting out net gains from penalties and damage payments received by a local governmental entity pursuant to *§§ 69-3-123 -- 69-3-129* shall be borne equally by the local governmental entity and by the department. The local governmental entity shall document and verify its expenditures before receiving reimbursement from the department.

HISTORY: Acts 1987, ch. 111, § 8; 1992, ch. 693, § 1.

NOTES: Section to Section References.

Sections 69-3-123 -- 69-3-129 are referred to in *§§ 69-3-103, 69-3-126, 69-3-127*.

Sections 69-3-123 -- 69-3-128 are referred to in *§ 69-3-129*.

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Tenn. Code Ann. § 69-3-129 (2014)

69-3-129. Disposition of damage payments and penalties -- Special fund.

All damages or penalties, or both, assessed and collected under *§§ 69-3-123 -- 69-3-128* shall be placed in a special fund by the pretreatment agency and allocated and appropriated to the pretreatment agency for the administration of its pretreatment program.

HISTORY: Acts 1987, ch. 111, § 7.

NOTES: Section to Section References.

Sections 69-3-123 -- 69-3-129 are referred to in *§§ 69-3-103, 69-3-126, 69-3-127, 69-3-128*.

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Tenn. Code Ann. § 69-3-130 (2014)

69-3-130. Ditch construction.

(a) (1) Ditch construction, the purpose of which is either to:

(A) Restore swamped-out bottomland hardwoods to bottomland hardwoods; or

(B) Restore swamped-out cropland to cropland or to bottomland hardwoods;

is permitted in any waters of this state, under general permit and without requirement of an individual permit; provided, that it is done in accordance with all terms and conditions of this section.

(2) The following conditions apply to all ditch construction conducted under this section:

(A) Written notification to the department shall be made at least thirty (30) days prior to beginning construction, and shall include:

(i) Aerial photographs showing existing conditions, or in the case of land used for pasture, documentation from a state or federal agency establishing prior usage as pasture;

(ii) A simple sketch showing approximate dimensions of the proposed ditch and anticipated affected area; and

(iii) Documentation that the area is either swamped-out hardwoods or swamped-out cropland;

(B) All construction shall be accomplished during periods of dry weather;

(C) Construction shall be by blasting, if feasible, although construction by other means is permissible if blasting is not practicable under the circumstances; and

(D) Construction may commence after thirty (30) days notification to the department unless the commissioner notifies the applicant that:

(i) The documentation regarding the qualification of the property as swamped-out bottomland hardwoods or swamped-out cropland is inadequate;

(ii) The proposed ditch will drain adjacent wetlands beyond the swamped-out cropland or swamped-out bottomland; or

(iii) The department's review of the proposal will require an additional time period not to exceed sixty (60) days.

(b) (1) As used in this subsection (b), "ditch maintenance" means the physical maintenance of the original, as built, configuration of a ditch, including the removal of sediment, debris or obstruction, the purpose of which is to:

(A) Maintain bottomland hardwoods or cropland;

(B) Restore swamped-out bottomland hardwoods to bottomland hardwoods; or

(C) Restore swamped-out croplands to cropland or to bottomland hardwoods.

(2) Ditch maintenance is permitted under general permit and without requirement of an individual permit in any water of the state under the following conditions:

(A) All construction shall be accomplished during periods of dry weather;

(B) The ditch maintenance activity shall not alter any other waters of the state; and

(C) The ditch maintenance activity shall not result in the extension of the ditch in length, width or depth from its original dimensions.

(c) Ditch construction that is for the purpose of maintaining existing bottomland hardwoods or cropland, and that requires a permit under § 404 of the federal Clean Water Act, codified in *33 U.S.C. § 1344,* is permitted under general permit and without requirement of individual permit in any water of the state under the following conditions:

(1) Written notification to the department shall be made at least thirty (30) days prior to beginning construction, and shall include:

(A) A copy of the § 404 permit; and

(B) A simple sketch showing approximate dimensions of the proposed ditch and anticipated affected area;

(2) All construction shall be accomplished during periods of dry weather;

(3) Construction should be by blasting, if feasible, although construction by other means is permissible if blasting is not practicable under the circumstances; and

(4) Construction may commence after thirty (30) days notification to the department unless the commissioner notifies the applicant that:

(A) The documentation is inadequate;

(B) The proposed ditch will drain adjacent wetlands beyond the affected cropland or bottomland; or

(C) The department's review of the proposed construction will require an additional time period not to exceed sixty (60) days.

(d) If ditch construction or ditch maintenance exceeds the permit specifications, then the owner of the property upon which the ditch is constructed shall be required to restore the ditch to the specifications of the permit. The owner of the property upon which the ditch is constructed shall be required to pay all costs of ditch restoration.

(e) The general permits granted by this section shall not be subject to the durational limit set forth in *§ 69-3-108*.

(f) The establishment of the general permit granted by this section shall not preclude application for individual permit for ditch construction or ditch maintenance in cropland or bottomland hardwoods swamped-out prior to 1970.

(g) This section shall not be construed as requiring a permit for any activity not requiring a permit under the federal Clean Water Act or the Federal Water Pollution Control Act, compiled in *33 U.S.C. § 1251* et seq.

HISTORY: Acts 1991, ch. 123, § 2.

NOTES: Section to Section References.

This section is referred to in *§ 69-3-115*.

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Tenn. Code Ann. § 69-3-131 (2014)

69-3-131. Rules and regulations.

The board shall promulgate rules and regulations pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, which rules and regulations shall govern the manner in which emergency repairs made in accordance with *§ 69-3-108*(*l*) must be made. The department shall send a copy of such rules and regulations to each county highway department in the state.

HISTORY: Acts 1993, ch. 155, § 2.

NOTES:

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Tenn. Code Ann. § 69-3-132 (2014)

69-3-132. Advisory committee to assist removal of debris from streams and stabilization of stream banks.

There is hereby created an advisory committee to the division of water pollution control to advise and assist the division on procedures and policies concerning the application of this part to the removal of debris from streams and stabilization of stream banks. The members of the committee shall serve without compensation and shall be appointed by the commissioner to include representatives from local government, farmers, the natural resource conservation service, the University of Tennessee extension, and environmental groups. Meetings of this committee shall be held in counties with a large number of situations where these activities are needed.

HISTORY: Acts 1998, ch. 659, § 3; 2004, ch. 517, § 14.

NOTES: Compiler's Notes.

Acts 2004, ch. 517, § 15 provided that the University of Tennessee extension service shall spend no funds beyond those currently budgeted to accelerate the replacement of signs, letterhead, and business cards on account of the provisions of the act.

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Tenn. Code Ann. § 69-3-133 (2014)

69-3-133. Stop work order.

When certain silvicultural activities have polluted waters of the state as a result of an operator's failure or refusal to use forestry best management practices, the commissioner of environment and conservation may issue a stop work order to the operator. If the owner is different than the operator, the commissioner shall at the same time notify the owner that a stop work order has been issued to the operator by delivering a copy of the stop work order to the owner. The stop work order requires that the operator must cease part or all of the silvicultural activities on site that are contributing to such pollution. The stop work order will remain in effect until the operator installs forestry best management practices that eliminate and prevent further pollution associated with the silvicultural activities. No stop work order may be issued or suspended without consultation with the commissioner of agriculture.

HISTORY: Acts 2000, ch. 680, § 2.

NOTES: Section to Section References.

This section is referred to in *§ 69-3-136*.

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Tenn. Code Ann. § 69-3-134 (2014)

69-3-134. Written notice of conduct violation.

No operator who at any time within the previous two (2) years has been found to have violated this part in the conduct of silvicultural activities, such finding of violation not having been overturned or reversed on appeal, shall start any silvicultural activities, unless the operator, at least ten (10) days prior to the start of any silvicultural activities has filed a written notification, with the commissioner of agriculture and the commissioner of environment and conservation, including the following information:

(1) The name and address of the operator and, if different than the owner, the name and address of the owner;

(2) The location of the silvicultural activities and estimated acreage; and

(3) The anticipated beginning date and anticipated length of the silvicultural activities.

HISTORY: Acts 2000, ch. 680, § 3.

NOTES: Section to Section References.

This section is referred to in *§ 69-3-136*.

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Tenn. Code Ann. § 69-3-135 (2014)

69-3-135. Request for hearing.

A written request for a hearing before the board of water quality, oil and gas on the stop work order must be filed by the operator with the commissioner of environment and conservation within thirty (30) days of receipt of notice. If a hearing is requested, the operator shall also be afforded the opportunity to meet with the commissioner of environment and conservation or, at the commissioner's option, the deputy or assistant commissioner, within three (3) working days after the hearing request is filed to discuss the alleged violation and show cause why a stop work order should not have been issued. Any modification or revocation of the stop work order shall be in writing. If the commissioner or such designee upholds the stop work order, it shall remain in effect until resolution of the appeal or the operator comes into compliance. If no request for hearing is made within thirty (30) days of the receipt of notice, the stop work order becomes final and not subject to review.

HISTORY: Acts 2000, ch. 680, § 4.

NOTES: Compiler's Notes.

Acts 2012, ch. 986, §§ 26-28 amended *§ 69-3-104* to substitute "board of water quality, oil and gas" for "board of water quality control".

Section to Section References.

This section is referred to in *§ 69-3-136*.

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GO TO THE TENNESSEE ANNOTATED STATUTES ARCHIVE DIRECTORY

Tenn. Code Ann. § 69-3-136 (2014)

69-3-136. Failure to give notice -- Failure to comply with stop work order.

Failure of an operator to give the notice required by *§ 69-3-134* or to comply with a stop work order issued pursuant to *§§ 69-3-133* and *69-3-135* shall subject the operator to the penalties in *§ 69-3-115(a)(1)(E)*.

HISTORY: Acts 2000, ch. 680, § 5.

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Tenn. Code Ann. § 69-3-137 (2014)

69-3-137. Pollution notification form.

(a) The department of environment and conservation and the department of agriculture shall devise a form to be used to notify the departments of a situation in which a person alleges that pollution has resulted or will result from a forestry operation that may have violated the Water Quality Control Act, compiled in this chapter.

(b) This form, together with instructions and information concerning the preferred method and locations for filing such notices, shall be prominently displayed and maintained in a downloadable form on the Internet websites maintained by each department. The form and instructions shall be simple and informative and shall avoid the use of technical terms. Any toll-free number available to accept public inquiries or complaints concerning pollution from silvicultural activity shall also be displayed.

(c) The departments shall continue to accept notifications and requests for investigation of silvicultural activities by telephone, in writing, and when feasible by electronic mail. Nothing in this section shall be construed to require that any notice or requests for investigation of a silvicultural activity must be on the form that is prepared pursuant to this section or that any notice to a department or any complaint must meet any technical requirement.

HISTORY: Acts 2000, ch. 849, § 1.

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Tenn. Code Ann. § 69-3-138 (2014)

69-3-138. Timber harvesting.

(a) (1) Whenever a person contracts in writing with a master logger to conduct any type of timber harvesting on the person's property, the master logger shall assume sole liability for compliance with the provisions of this chapter for a period of one (1) year after the timber harvest is completed; provided, that the master logger gives written certification to the person that the master logger has designed a plan of best management practices (BMPs) to ensure compliance with all applicable water pollution control laws and that the master logger will install, maintain and adhere to established BMPs to ensure erosion and sediment controls to protect waters of the state in all harvesting activities on the property.

(2) The master logger shall not be responsible for the negligent or intentional acts of the landowner or any third party when such actions are the cause of a water quality violation. Actions and appeals resulting from a violation issued by the department shall be heard by the board of water quality, oil and gas established in *§ 69-3-104*, in accordance with the procedures established by the board and in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(b) As used in this section, "master logger" means a person who is identified by the division of forestry of the department of agriculture as having completed all requirements of the Tennessee master logger program or a master logger program of substantially equal rigor provided in another state, including, but not limited to, maintaining all current continuing education requirements.

HISTORY: Acts 2005, ch. 268, § 1.

NOTES: Compiler's Notes.

Acts 2012, ch. 986, §§ 26-28 amended *§ 69-3-104* to substitute "board of water quality, oil and gas" for "board of water quality control".

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Tenn. Code Ann. § 69-3-139 (2014)

69-3-139. Stop work orders for coal surface mining operations.

(a) The commissioner is authorized to issue stop work orders for coal surface mining operations in accordance with subsections (b) and (c).

(b) When certain coal surface mining activities have polluted waters of the state as a result of an operator's failure or refusal to comply with permit conditions, the commissioner may issue a stop work order to the operator. The stop work order shall specify those parts of the coal surface mining activities on site that are contributing to the pollution that must stop. The stop work order shall remain in effect until the department determines that the operator has installed or repaired all necessary measures to comply with the permit so that further pollution associated with the surface mining activities will not occur.

(c) A written request for a hearing before the board of water quality, gas, and oil on the stop work order must be filed by the operator to the commissioner within thirty (30) days of receipt of notice. If the operator files that request and also makes a specific request for an informal meeting with the commissioner to show cause why the stop work order should not have been issued, then the commissioner or, at the commissioner's option, the deputy or assistant commissioner, shall meet with the operator within three (3) working days after the hearing request is filed. Any modification or revocation of the stop work order shall be in writing. If the commissioner or the commissioner's designee upholds the stop work order, it shall remain in effect until resolution of the appeal or until the operator comes into compliance. If no request for hearing is made within thirty (30) days of the receipt of notice, the stop work order becomes final and not subject to review.

(d) Failure of an operator to comply with a stop work order issued pursuant to this section shall subject the operator to the penalties in *§ 69-3-115*.

HISTORY: Acts 2006, ch. 594, § 1.

NOTES: Compiler's Notes.

Acts 2012, ch. 986, §§ 26-28 amended *§ 69-3-104* to substitute "board of water quality, oil, and gas" for "board of water quality control".

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Tenn. Code Ann. § 69-3-140 (2014)

69-3-140. Collection of water samples -- Report.

(a) (1) In collecting water samples drawn to test the water quality of the Pigeon River at the time the river enters Tennessee from Haywood County, North Carolina, the department shall draw samples from the river within one quarter (1/4) mile of the border separating Tennessee and North Carolina in the center of the river. The samples shall be drawn at a time when any power plant that emits discharges into the Pigeon River and that is located within one (1) mile of the state border is running at least one (1) generator. The samples shall be drawn in addition to collecting samples at any other location the department deems appropriate to test the water quality of the river.

(2) The results of water samples drawn pursuant to subdivision (a)(1) shall be reported independently of any other water samples drawn to test the quality of the Pigeon River and shall be incorporated by the department in any analysis of the river's water quality. The samples shall at a minimum be analyzed for apparent and true color in accordance with United States environmental protection agency methods and evaluated against Tennessee water quality standards approved by the United States environmental protection agency.

(b) The department is authorized to obtain a generation schedule from the power plant in order to facilitate timing the drawing of samples and may contract with local rafting entities for transportation services related to the taking of samples pursuant to subsection (a).

HISTORY: Acts 2008, ch. 767, § 1.

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Tenn. Code Ann. § 69-3-141 (2014)

69-3-141. Bill of rights for permit applicants.

(a) The general assembly finds and adopts as a matter of public policy, the following statements:

(1) The permitting process under this chapter should be a predictable, ordinary process for the benefit of the commissioner and permit applicants alike;

(2) As with all governmental regulatory activity, the permitting process under this chapter should be susceptible to easy public review and scrutiny;

(3) The permitting process under this chapter should afford applicants basic due process, including notice of application defects, timely review of applications, and prompt and meaningful administrative and judicial review of permitting decisions;

(4) The permitting process under this chapter should reflect an appropriate balance between enforcement of the state's environmental laws and the rights of persons seeking to comply voluntarily with those same laws, in order to safeguard our state's environment and develop our state's economy; and

(5) To further these goals, to protect the rights of applicants, and to promote efficient, effective resolution of permit applications by the commissioner, the general assembly enacts this bill of rights for permit applicants under this chapter.

(b) The commissioner shall afford each applicant for a permit under this chapter the following rights under this bill of rights for permit applicants:

(1) Permit applicants shall have the right to assistance from the department in understanding regulatory and permit requirements;

(2) Permit applicants shall have the right to know the projected fees for review of applications, and how any costs will be determined and billed;

(3) Permit applicants shall have the right to access, on the department's web site, complete and clearly written guidance documents, office of general counsel opinions, and department policies that explain the department's regulatory jurisdiction and requirements. The commissioner shall publish, on the department's web site, a list of all information required in a permit application and the criteria used to determine whether the submitted information is adequate;

(4) Permit applicants shall have the right to timely completeness determinations for their applications. Permit applicants shall have the right to know exactly how their applications are incomplete and what further information is needed to make their applications complete. Absent extraordinary circumstances, the commissioner shall notify the applicant within thirty (30) days of any permit application deficiencies, or determine that the application is complete;

(5) Permit applicants shall have the right to a timely decision on their permit application. The following time limits shall apply:

(A) Aquatic resource alteration permits (ARAPs) shall be issued or denied within ninety (90) days of the date the department determines an application is complete. If a public hearing is scheduled in response to a request from interested parties, an additional ninety (90) days shall be added to the allowable time limit. The ninety-day time limit may be extended by written mutual agreement between the commissioner and the permit applicant;

(B) Applications for the reissuance of national pollutant discharge elimination system (NPDES) permits shall be issued or denied within one hundred eighty (180) days of the date the department determines an application is complete. If a public hearing is scheduled, in response to comments by interested parties, additional time is requested by the applicant, or additional time is requested by the EPA, an additional ninety (90) days shall be added to the allowable time limit;

(C) Applications for new or modified NPDES permits shall be issued or denied within three hundred sixty-five (365) days of the date the department determines an application is complete. If a public hearing is scheduled, in response to comments by interested parties or additional time is requested by the EPA, an additional ninety (90) days shall be added to the allowable time limit. No other extension shall be granted, except by written mutual agreement between the commissioner and the permit applicant;

(6) Permit applicants shall have the right to appeal to the board any permit review time limits that have been violated without good cause. Through this appeal, applicants may obtain a set date for a decision on their permit and, where the board finds good cause, appropriate relief, including, but not limited to, a refund of all application fees; and

(7) Permit applicants shall have the right to know who will be reviewing their application and the time required to complete the full review process.

HISTORY: Acts 2008, ch. 854, § 1.

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Tenn. Code Ann. § 69-3-142 (2014)

69-3-142. Annual reports by commissioner.

(a) The commissioner shall submit by January 31 of each year to the chair of the energy, agriculture and natural resources committee of the senate and the chair of the agriculture and natural resources committee of the house of representatives the following information:

(1) The number of enforcement orders, including directors' orders and commissioner's orders, issued pursuant to *§ 69-3-109(a)(1)* and (2) during the prior year, listed by the county in which the violation occurred;

(2) The number of orders that become final pursuant to *§ 69-3-109(a)(3)* during the prior year, including the average civil penalties and damages assessed by the department from these orders;

(3) The number of final orders and consent orders by the board that become final pursuant to *§ 69-3-110(d)*, including the average civil penalties and damages assessed by the department from these decisions during the prior year; and

(4) The number of complaints filed in any chancery court of this state appealing a decision by the board, pursuant to *§ 69-3-111*, and any judicial proceedings initiated by the commissioner and the attorney general and reporter, pursuant to *§ 69-3-117*, during the prior year.

(b) The commissioner shall submit by January 31 of each year to the chair of the energy, agriculture and natural resources committee of the senate and the chair of the agriculture and natural resources committee of the house of representatives the following information:

(1) The number of individual permit applications made during the prior year, listed by county in which the activity sought to be permitted was to occur;

(2) The average length of time, in days, between date of individual permit application and the date permit applications are deemed complete by the department during the prior year; and

(3) The average length of time, in days, between date of individual permit application and the date the department grants or denies the permit application during the prior year.

(c) For purposes of this section, "permit application" and "permit applications" shall be defined to include applications for individual permits issued pursuant to *§ 69-3-108*.

(d) The commissioner shall submit by January 31 of each year to the chair of the energy, agriculture and natural resources committee of the senate and the chair of the agriculture and natural resources committee of the house of representatives a brief report on the status of the implementation of a secure web portal for the submittal of online permit applications. This service for electronic submittal of permit applications will comply with the federal guidelines contained in 40 CFR Ch. I, Subch. A, Part 3, Cross-Media Electronic Reporting Rule (CROMERR). This reporting requirement will terminate after a secure online permit application submittal system is implemented.

HISTORY: Acts 2008, ch. 1014, § 1; 2012, ch. 604, § 19; 2013, ch. 236, § 10.

NOTES: Amendments.

The 2012 amendment substituted "energy and environment committee" for "environment, conservation and tourism committee" in the introductory paragraphs of (a) and (b), and in the first sentence of (d).

The 2013 amendment substituted "the chair of the energy, agriculture and natural resources committee of the senate and the chair of the agriculture and natural resources committee of the house of representatives" for "the chair of the energy and environment committee of the senate and the chair of the conservation and environment committee of the house of representatives" in the introductory paragraphs of (a) and (b) and in the first sentence of (d).

Effective Dates.

Acts 2012, ch. 604, § 24. July 1, 2012.

Acts 2013, ch. 236, § 94. April 19, 2013.

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Tenn. Code Ann. § 69-3-143 (2014)

69-3-143. Rock harvesting operations.

Sections 69-3-143 -- 69-3-147 shall govern rock harvesting operations as defined in *§ 69-3-144*.

HISTORY: Acts 2011, ch. 341, § 3.

NOTES: Section to Section References.

Sections 69-3-143 - 69-3-147 are referred to in *§§ 69-3-144*, *69-3-147*.



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Tenn. Code Ann. § 69-3-144 (2014)

69-3-144. Definitions for §§ 69-3-143 -- 69-3-147.

As used in *§§ 69-3-143 -- 69-3-147*, unless the context otherwise requires:

(1) As used for the purposes of rock harvesting under *§§ 69-3-143 -- 69-3-147* only, "mineral" means dimension stone, flagstone, fieldstone, landscaping stone, drystack stone, facade and marble, but does not include any other "mineral" as defined in *§ 59-8-202*;

(2) "Operator" means any person engaged in rock harvesting who disturbs or intends to disturb one (1) acre or

more of land or removes or intends to remove more than one hundred (100) tons of minerals as defined in subdivision (1). Any operator who has obtained a permit and otherwise complied with this part may subcontract any part or all of the rock harvesting area covered by the permit to the extent that such subcontractors meet all the qualifications and requirements of this part; and

(3) "Rock harvesting" means the removal of minerals, as defined in subdivision (1), by an operator with or without machinery.

HISTORY: Acts 2011, ch. 341, § 3.

NOTES: Section to Section References.

Sections 69-3-143 - 69-3-147 are referred to in *§§ 69-3-143*, *69-3-147*.

This section is referred to in *§ 69-3-143*.



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Tenn. Code Ann. § 69-3-145 (2014)

69-3-145. Required permit or notice of coverage under a general permit -- Construction regarding adjudication of property rights disputes.

(a) No operator shall engage in rock harvesting without having first obtained from the commissioner a permit or notice of coverage under a general permit as required in *§ 69-3-108* and the regulations promulgated pursuant thereto. At least thirty (30) days prior to engaging in rock harvesting on any land in which the right to engage in rock harvesting has been severed from the ownership of the land surface, the operator shall send the owner of the surface, by certified mail, return receipt required, a copy of the permit or notice of coverage from the department. The operator shall forward copies of all records relating to the certified mailing to the department. All costs associated with the certified mailing and transmission of records to the department shall be borne by the operator.

(b) The granting of a permit shall be subject to payment by the operator of the fee prescribed in title 68, chapter 203, and upon submission to the department of the following information:

(1) Evidence of the operator's legal right to harvest the minerals on the land affected by the permit;

(2) Proof of general liability and, if applicable, workers' compensation insurance coverage. The general liability policy shall be in an amount of no less than one million dollars ($1,000,000). Proof of coverage shall be provided to the department prior to issuance of the permit;

(3) Proof of the registration with the department of revenue of the operator and any subcontractors;

(4) All application forms, maps, calculations and narratives required to satisfy *§ 69-3-108* and the regulations issued pursuant thereto; and

(5) A reclamation/stabilization plan which addresses backfilling, grading and revegetation of the site. The reclamation plan will be followed as operations proceed with the overburden and waste materials from succeeding cuts being utilized in the reclamation of preceding cuts. The overburden and waste material from the first cut may be utilized for access road construction. The plan shall provide for returning the affected area as close as is reasonable in the circumstances to its preharvesting state, considering the available overburden and other factors.

(c) Nothing in this section shall be construed to authorize the commissioner to adjudicate property rights disputes.

HISTORY: Acts 2011, ch. 341, § 3.

NOTES: Section to Section References.

Sections 69-3-143 - 69-3-147 are referred to in *§§ 69-3-143*, *69-3-144*, *69-3-147*.



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69-3-146. Stop-work orders.

(a) The commissioner is authorized to issue stop-work orders for rock harvesting operations in accordance with this section.

(b) When rock harvesting activities have polluted waters of the state as a result of an operator's knowing violation of permit conditions, or an operator has failed or refused to obtain permit coverage as required in *§ 69-3-145*, the commissioner may issue a stop-work order to the operator. The stop-work order shall specify those parts of the rock harvesting activities on site that are contributing to the pollution or require ceasing work until permit coverage is obtained. The stop-work order shall remain in effect until the department determines that the operator has obtained permit coverage and/or has taken all necessary measures to comply with the permit so that further pollution associated with the rock harvesting operations will not occur.

(c) A written request for a hearing before the board of water quality, oil and gas on the stop-work order shall be filed by the operator with the commissioner within thirty (30) days of the receipt of notice. If the operator files the request and also makes a specific request for an informal meeting with the commissioner to show cause why the stop-work order should not have been issued, the commissioner or the commissioner's designee shall meet with the operator within three (3) working days after the hearing request is filed. Any modification or revocation of the stop-work order shall be in writing. If the commissioner or the commissioner's designee upholds the stop-work order, it shall remain in effect until resolution of the appeal or until the operator comes into compliance. If no request for a hearing is made within thirty (30) days of the receipt of notice, the stop-work order shall be final and shall not be subject to review. In such case, the operator shall stabilize the site within sixty (60) days of the receipt of notice.

(d) Failure of an operator to comply with a stop-work order issued pursuant to this section shall subject the operator to another violation of this part in addition to any other violations the operator has committed that is subject to the penalties prescribed in *§ 69-3-115*. The commissioner may also institute proceedings for the confiscation and forfeiture of equipment used in any rock harvesting operation to which a stop-work order has been issued. Such proceedings may be instituted in the chancery court of Davidson County, or in the chancery court of the county in which all or part of the rock harvesting operation is located.

HISTORY: Acts 2011, ch. 341, § 3.

NOTES: Compiler's Notes.

Acts 2012, ch. 986, §§ 26-28 amended *§ 69-3-104* to substitute "board of water quality, oil and gas" for "board of water quality control".

Section to Section References.

Sections 69-3-143 - 69-3-147 are referred to in *§§ 69-3-143, 69-3-144, 69-3-147*.



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Tenn. Code Ann. § 69-3-147 (2014)

69-3-147. Rock harvesting governance.

Except where a specific provision of *§§ 69-3-143 -- 69-3-147* is applicable, rock harvesting is subject to and shall be governed by this part.

HISTORY: Acts 2011, ch. 341, § 3.

NOTES: Compiler's Notes.

Acts 2011, ch. 341, § 4 provided that notwithstanding any law to the contrary, where an owner of surface and mineral rights to real property enters into a contract for the conveyance of mineral rights in such property resulting in a severance of such interests, the parties to such conveyance shall identify the specific mineral interests to be conveyed to the purchaser of the mineral rights. The purchaser of the mineral interests shall identify such interests purchased by providing a deed reference number in accordance with *§ 67-5-804(c)* for the mineral interest with the property assessor in the county in which the interests are located as prescribed in this section. For the purposes of this section, "specific mineral interests" means only those minerals listed in the deed as contemplated by the parties. All rights to minerals not described in the deed shall remain with the surface owner. The provisions of this section shall apply to all contracts entered into on or after July 1, 2011, and shall not impair the obligation of any existing contract or be construed to direct courts in determining the intent of the parties who entered into a contract prior to such date.

Section to Section References.

Sections 69-3-143 - 69-3-147 are referred to in *§§ 69-3-143*, *69-3-144*.



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Tenn. Code Ann. § 69-3-148 (2014)

69-3-148. Municipal separate storm sewer systems becoming qualified local programs.

(a) The department may establish a program under which municipal separate storm sewer systems may become qualified local programs allowing for the streamlining of permits for construction activity as provided in this section.

(b) The department may review and approve applications from municipal separate storm sewer systems to become qualified local programs. The requirements for being a qualified local program shall be those required by federal regulation together with a system acceptable to the department for sharing information as to the construction sites authorized by the qualified local program.

(c) The department may incorporate by reference the requirements of a qualified local program for construction activity in its general permit.

(d) An operator of a construction site located within the jurisdiction of a qualified local program under subsection (b) who has obtained a notice of coverage from such program shall be authorized under the department's general permit for storm water associated with construction activity for that site and shall not have to submit any of the following to the department:

(1) Notice of intent to seek coverage under a storm water construction permit;

(2) Storm water pollution prevention plan;

(3) Storm water construction permit fee; or

(4) Notice of termination.

HISTORY: Acts 2012, ch. 1019, § 2.

NOTES: Effective Dates.

Acts 2012, ch. 1019, § 3. July 1, 2013; provided, that, for the purpose of promulgating rules and regulations, the act shall take effect May 15, 2012.

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FEDERAL WATER POLLUTION CONTROL ACT

[As Amended Through P.L. 107–303, November 27, 2002]

Q:\COMP\WATER2\CLEANWAT.001

FEDERAL WATER POLLUTION CONTROL ACT

(33 U.S.C. 1251 et seq.)

AN ACT To provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—RESEARCH AND RELATED PROGRAMS

DECLARATION OF GOALS AND POLICY

SEC. 101. (a) The objective of this Act is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. In order to achieve this objective it is hereby declared that, consistent with the provisions of this Act—

(1) it is the national goal that the discharge of pollutants into the navigable waters be eliminated by 1985;

(2) it is the national goal that wherever attainable, an interim goal of water quality which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water be achieved by July 1, 1983;

(3) it is the national policy that the discharge of toxic pollutants in toxic amounts be prohibited;

(4) it is the national policy that Federal financial assistance be provided to construct publicly owned waste treatment works;

(5) it is the national policy that areawide treatment management planning processes be developed and implemented to assure adequate control of sources of pollutants in each State;

(6) it is the national policy that a major research and demonstration effort be made to develop technology necessary to eliminate the discharge of pollutants into the navigable waters, waters of the contiguous zone and the oceans; and

(7) it is the national policy that programs for the control of nonpoint sources of pollution be developed and implemented in an expeditious manner so as to enable the goals of this Act to be met through the control of both point and nonpoint sources of pollution.

(b) It is the policy of the Congress to recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution, to plan the development and use (including restoration, preservation, and enhancement) of land and water resources, and to consult with the Administrator in the exercise of his authority under this Act. It is the policy of Congress that the States manage the construction grant program under this Act and implement the permit programs under sections 402 and 404 of

this Act. It is further the policy of the Congress to support and aid research relating to the prevention, reduction, and elimination of pollution, and to provide Federal technical services and financial aid to State and interstate agencies and municipalities in connection with the prevention, reduction, and elimination of pollution.

(c) It is further the policy of Congress that the President, acting through the Secretary of State and such national and international organizations as he determines appropriate, shall take such action as may be necessary to insure that to the fullest extent possible all foreign countries shall take meaningful action for the prevention, reduction, and elimination of pollution in their waters and in international waters and for the achievement of goals regarding the elimination of discharge of pollutants and the improvement of water quality to at least the same extent as the United States does under its laws.

(d) Except as otherwise expressly provided in this Act, the Administrator of the Environmental Protection Agency (hereinafter in this Act called "Administrator") shall administer this Act.

(e) Public participation in the development, revision, and enforcement of any regulation, standard, effluent limitation, plan, or program established by the Administrator or any State under this Act shall be provided for, encouraged, and assisted by the Administrator and the States. The Administrator, in cooperation with the States, shall develop and publish regulations specifying minimum guidelines for public participation in such processes.

(f) It is the national policy that to the maximum extent possible the procedures utilized for implementing this Act shall encourage the drastic minimization of paperwork and interagency decision procedures, and the best use of available manpower and funds, so as to prevent needless duplication and unnecessary delays at all levels of government.

(g) It is the policy of Congress that the authority of each State to allocate quantities of water within its jurisdiction shall not be superseded, abrogated or otherwise impaired by this Act. It is the further policy of Congress that nothing in this Act shall be construed to supersede or abrogate rights to quantities of water which have been established by any State. Federal agencies shall co-operate with State and local agencies to develop comprehensive solutions to prevent, reduce and eliminate pollution in concert with programs for managing water resources.

(33 U.S.C. 1251)

COMPREHENSIVE PROGRAMS FOR WATER POLLUTION CONTROL

SEC. 102. (a) The Administrator shall, after careful investigation, and in cooperation with other Federal agencies, State water pollution control agencies, interstate agencies, and the municipalities and industries involved, prepare or develop comprehensive programs for preventing, reducing, or eliminating the pollution of the navigable waters and ground waters and improving the sanitary condition of surface and underground waters. In the development of such comprehensive programs due regard shall be given to the improvements which are necessary to conserve such waters for the protection and propagation of fish and aquatic life and wildlife, rec-

reational purposes, and the withdrawal of such waters for public water supply, agricultural, industrial, and other purposes. For the purpose of this section, the Administrator is authorized to make joint investigations with any such agencies of the condition of any waters in any State or States, and of the discharges of any sewage, industrial wastes, or substance which may adversely affect such waters.

(b)(1) In the survey or planning of any reservoir by the Corps of Engineers, Bureau of Reclamation, or other Federal agency, consideration shall be given to inclusion of storage for regulation of streamflow, except that any such storage and water releases shall not be provided as a substitute for adequate treatment or other methods of controlling waste at the source.

(2) The need for and the value of storage for regulation of streamflow (other than for water quality) including but not limited to navigation, salt water intrusion, recreation, esthetics, and fish and wildlife, shall be determined by the Corps of Engineers, Bureau of Reclamation, or other Federal agencies.

(3) The need for, the value of, and the impact of, storage for water quality control shall be determined by the Administrator, and his views on these matters shall be set forth in any report or presentation to Congress proposing authorization or construction of any reservoir including such storage.

(4) The value of such storage shall be taken into account in determining the economic value of the entire project of which it is a part, and costs shall be allocated to the purpose of regulation of streamflow in a manner which will insure that all project purposes, share equitable in the benefits of multiple-purpose construction.

(5) Costs of regulation of streamflow features incorporated in any Federal reservoir or other impoundment under the provisions of this Act shall be determined and the beneficiaries identified and if the benefits are widespread or national in scope, the costs of such features shall be nonreimbursable.

(6) No license granted by the Federal Power Commission for a hydroelectric power project shall include storage for regulation of streamflow for the purpose of water quality control unless the Administrator shall recommend its inclusion and such reservoir storage capacity shall not exceed such proportion of the total storage required for the water quality control plan as the drainage area of such reservoir bears to the drainage area of the river basin or basins involved in such water quality control plan.

(c)(1) The Administrator shall, at the request of the Governor of a State, or a majority of the Governors when more than one State is involved make a grant to pay not to exceed 50 per centum of the administrative expenses of a planning agency for a period not to exceed three years, which period shall begin after the date of enactment of the Federal Water Pollution Control Act Amendments of 1972, if such agency provides for adequate representation of appropriate State, interstate, local, or (when appropriate) international interests in the basin or portion thereof involved and is capable of developing an effective, comprehensive water quality control plan for a basin or portion thereof.

(2) Each planning agency receiving a grant under this subsection shall develop a comprehensive pollution control plan for the basin or portion thereof which—

(A) is consistent with any applicable water quality standards, effluent and other limitations, and thermal discharge regulations established pursuant to current law within the basin;

(B) recommends such treatment works as will provide the most effective and economical means of collection, storage, treatment, and elimination of pollutants and recommends means to encourage both municipal and industrial use of such works;

(C) recommends maintenance and improvement of water quality within the basin or portion thereof and recommends methods of adequately financing those facilities as may be necessary to implement the plan; and

(D) as appropriate, is developed in cooperation with, and is consistent with any comprehensive plan prepared by the Water Resources Council, any areawide waste management plans developed pursuant to section 208 of this Act, and any State plan developed pursuant to section 303(e) of this Act.

(3) For the purposes of this subsection the term "basin" includes, but is not limited to, rivers and their tributaries, streams, coastal waters, sounds, estuaries, bays, lakes, and portions thereof, as well as the lands drained thereby.

(d) [Repealed by section 2021(a) of Public Law 104–66 (109 Stat. 726).]

(33 U.S.C. 1252)

INTERSTATE COOPERATION AND UNIFORM LAWS

SEC. 103. (a) The Administrator shall encourage cooperative activities by the States for the prevention, reduction, and elimination of pollution, encourage the enactment of improved and, so far as practicable, uniform State laws relating to the prevention, reduction, and elimination of pollution; and encourage compacts between States for the prevention and control of pollution.

(b) The consent of the Congress is hereby given to two or more States to negotiate and enter into agreements or compacts, not in conflict with any law or treaty of the United States, for (1) cooperative effort and mutual assistance for the prevention and control of pollution and the enforcement of their respective laws relating thereto, and (2) the establishment of such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts. No such agreement or compact shall be binding or obligatory upon any State a party thereto unless and until it has been approved by the Congress.

(33 U.S.C. 1253)

RESEARCH, INVESTIGATIONS, TRAINING, AND INFORMATION

SEC. 104. (a) The Administrator shall establish national programs for the prevention, reduction, and elimination of pollution and as part of such programs shall—

(1) in cooperation with other Federal, State, and local agencies, conduct and promote the coordination and accelera-

tion of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, reduction, and elimination of pollution;

(2) encourage, cooperate with, and render technical services to pollution control agencies and other appropriate public or private agencies, institutions, and organizations, and individuals, including the general public, in the conduct of activities referred to in paragraph (1) of this subsection;

(3) conduct, in cooperation with State water pollution control agencies and other interested agencies, organizations and persons, public investigations concerning the pollution of any navigable waters, and report on the results of such investigations;

(4) establish advisory committees composed of recognized experts in various aspects of pollution and representatives of the public to assist in the examination and evaluation of research progress and proposals and to avoid duplication of research;

(5) in cooperation with the States, and their political subdivisions, and other Federal agencies establish, equip, and maintain a water quality surveillance system for the purpose of monitoring the quality of the navigable waters and ground waters and the contiguous zone and the oceans and the Administrator shall, to the extent practicable, conduct such surveillance by utilizing the resources of the National Aeronautics and Space Administration, the National Oceanic and Atmospheric Administration, the Geological Survey, and the Coast Guard, and shall report on such quality not later than 90 days after the date of convening of each session of Congress; and

(6) initiate and promote the coordination and acceleration of research designed to develop the most effective practicable tools and techniques for measuring the social and economic costs and benefits of activities which are subject to regulations under this Act; and shall transmit a report on the results of such research to the Congress not later than January 1, 1974.

(b) In carrying out the provisions of subsection (a) of this section the Administrator is authorized to—

(1) collect and make available, through publications and other appropriate means, the results of and other information, including appropriate recommendations by him in connection therewith, pertaining to such research and other activities referred to in paragraph (1) of subsection (a);

(2) cooperate with other Federal departments and agencies, State water pollution control agencies, interstate agencies, other public and private agencies, institutions, organizations, industries involved, and individuals, in the preparation and conduct of such research and other activities referred to in paragraph (1) of subsection (a);

(3) make grants to State water pollution control agencies, interstate agencies, other public or nonprofit private agencies, institutions, organizations, and individuals, for purposes stated in paragraph (1) of subsection (a) of this section;

(4) contract with public or private agencies, institutions, organizations, and individuals, without regard to sections 3648

and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5), referred to in paragraph (1) of subsection (a);

(5) establish and maintain research fellowships at public or nonprofit private educational institutions or research organizations;

(6) collect and disseminate, in cooperation with other Federal departments and agencies, and with other public or private agencies, institutions, and organizations having related responsibilities, basic data on chemical, physical, and biological effects of varying water quality and other information pertaining to pollution and the prevention, reduction, and elimination thereof; and

(7) develop effective and practical processes, methods, and prototype devices for the prevention, reduction, and elimination of pollution.

(c) In carrying out the provisions of subsection (a) of this section the Administrator shall conduct research on, and survey the results of other scientific studies on, the harmful effects on the health or welfare of persons caused by pollutants. In order to avoid duplication of effort, the Administrator shall, to the extent practicable, conduct such research in cooperation with and through the facilities of the Secretary of Health, Education, and Welfare.

(d) In carrying out the provisions of this section the Administrator shall develop and demonstrate under varied conditions (including conducting such basic and applied research, studies, and experiments as may be necessary):

(1) Practicable means of treating municipal sewage, and other waterborne wastes to implement the requirements of section 201 of this Act;

(2) Improved methods and procedures to identify and measure the effects of pollutants, including those pollutants created by new technological developments; and

(3) Methods and procedures for evaluating the effects on water quality of augmented streamflows to control pollution not susceptible to other means of prevention, reduction, or elimination.

(e) The Administrator shall establish, equip, and maintain field laboratory and research facilities, including, but not limited to, one to be located in the northeastern area of the United States, one in the Middle Atlantic area, one in the southeastern area, one in the midwestern area, one in the southwestern area, one in the Pacific Northwest, and one in the State of Alaska, for the conduct of research, investigations, experiments, field demonstrations and studies, and training relating to the prevention, reduction and elimination of pollution. Insofar as practicable, each such facility shall be located near institutions of higher learning in which graduate training in such research might be carried out. In conjunction with the development of criteria under section 403 of this Act, the Administrator shall construct the facilities authorized for the National Marine Water Quality Laboratory established under this subsection.

(f) The Administrator shall conduct research and technical development work, and make studies, with respect to the quality of the waters of the Great Lakes, including an analysis of the present

and projected future water quality of the Great Lakes under varying conditions of waste treatment and disposal, an evaluation of the water quality needs of those to be served by such waters, an evaluation of municipal, industrial, and vessel waste treatment and disposal practices with respect to such waters, and a study of alternate means of solving pollution problems (including additional waste treatment measures) with respect to such waters.

(g)(1) For the purpose of providing an adequate supply of trained personnel to operate and maintain existing and future treatment works and related activities, and for the purpose of enhancing substantially the proficiency of those engaged in such activities, the Administrator shall finance pilot programs, in cooperation with State and interstate agencies, municipalities, educational institutions, and other organizations and individuals, of manpower development and training and retraining of persons in, on entering into, the field of operation and maintenance of treatment works and related activities. Such program and any funds expended for such a program shall supplement, not supplant, other manpower and training programs and funds available for the purposes of this paragraph. The Administrator is authorized, under such terms and conditions as he deems appropriate, to enter into agreements with one or more States, acting jointly or severally, or with other public or private agencies or institutions for the development and implementation of such a program.

(2) The Administrator is authorized to enter into agreements with public and private agencies and institutions, and individuals to develop and maintain an effective system for forecasting the supply of, and demand for, various professional and other occupational categories needed for the prevention, reduction, and elimination of pollution in each region, State, or area of the United States and, from time to time, to publish the results of such forecasts.

(3) In furtherance of the purposes of this Act, the Administrator is authorized to—

(A) make grants to public or private agencies and institutions and to individuals for training projects, and provide for the conduct of training by contract with public or private agencies and institutions and with individuals without regard to sections 3648 and 3709 of the Revised Statutes;

(B) establish and maintain research fellowships in the Environmental Protection Agency with such stipends and allowances, including traveling and subsistence expenses, as he may deem necessary to procure the assistance of the most promising research fellows; and

(C) provide, in addition to the program established under paragraph (1) of this subsection, training in technical matters relating to the causes, prevention, reduction, and elimination of pollution for personnel of public agencies and other persons with suitable qualifications.

(4) The Administrator shall submit, through the President, a report to the Congress not later than December 31, 1973, summarizing the actions taken under this subsection and the effectiveness of such actions, and setting forth the number of persons trained, the occupational categories for which training was provided, the effectiveness of other Federal, State, and local training programs in

this field, together with estimates of future needs, recommendations on improving training programs, and such other information and recommendations, including legislative recommendations, as he deems appropriate.

(h) The Administrator is authorized to enter into contracts, with, or make grants to, public or private agencies and organizations and individuals for (A) the purpose of developing and demonstrating new or improved methods for the prevention, removal, reduction, and elimination of pollution in lakes, including the undesirable effects of nutrients and vegetation, and (B) the construction of publicly owned research facilities for such purpose.

(i) The Administrator, in cooperation with the Secretary of the department in which the Coast Guard is operating, shall—

(1) engage in such research, studies, experiments, and demonstrations as he deems appropriate, relative to the removal of oil from any waters and to the prevention, control, and elimination of oil and hazardous substances pollution;

(2) publish from time to time the results of such activities; and

(3) from time to time, develop and publish in the Federal Register specifications and other technical information on the various chemical compounds used in the control of oil and hazardous substances spills.

In carrying out this subsection, the Administrator may enter into contracts with, or make grants to, public or private agencies and organizations and individuals.

(j) The Secretary of the department in which the Coast Guard is operating shall engage in such research, studies, experiments, and demonstrations as he deems appropriate relative to equipment which is to be installed on board a vessel and is designed to receive, retain, treat, or discharge human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes with particular emphasis on equipment to be installed on small recreational vessels. The Secretary of the department in which the Coast Guard is operating shall report to Congress the results of such research, studies, experiments, and demonstrations prior to the effective date of any regulations established under section 312 of this Act. In carrying out this subsection the Secretary of the department in which the Coast Guard is operating may enter into contracts with, or make grants to, public or private organizations and individuals.

(k) In carrying out the provisions of this section relating to the conduct by the Administrator of demonstration projects and the development of field laboratories and reseach facilities, the Administrator may acquire land and interests therein by purchase, with appropriated or donated funds, by donation, or by exchange for acquired or public lands under his jurisdiction which he classifies as suitable for disposition. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal, the values shall be equalized by the payment of cash to the grantor or to the Administrator as the circumstances require.

(l)(1) The Administrator shall, after consultation with appropriate local, State, and Federal agencies, public and private organi-

zations, and interested individuals, as soon as practicable but not later than January 1, 1973, develop and issue to the States for the purpose of carrying out this Act the latest scientific knowledge available in indicating the kind and extent of effects on health and welfare which may be expected from the presence of pesticides in the water in varying quantities. He shall revise and add to such information whenever necessary to reflect developing scientific knowledge.

(2) The President shall, in consultation with appropriate local, State, and Federal agencies, public and private organizations, and interested individuals, conduct studies and investigations of methods to control the release of pesticides into the environment which study shall include examination of the persistency of pesticides in the water environment and alternative thereto. The President shall submit reports, from time to time, on such investigations to Congress together with his recommendations for any necessary legislation.

(m)(1) The Administrator shall, in an effort to prevent degradation of the environment from the disposal of waste oil, conduct a study of (A) the generation of used engine, machine, cooling, and similar waste oil, including quantities generated, the nature and quality of such oil, present collecting methods and disposal practices, and alternate uses of such oil; (B) the long-term, chronic biological effects of the disposal of such waste oil; and (C) the potential market for such oils, including the economic and legal factors relating to the sale of products made from such oils, the level of subsidy, if any, needed to encourage the purchase by public and private nonprofit agencies of products from such oil, and the practicability of Federal procurement, on a priority basis, of products made from such oil. In conducting such study, the Administrator shall consult with affected industries and other persons.

(2) The Administrator shall report the preliminary results of such study to Congress within six months after the date of enactment of the Federal Water Pollution Control Act Amendments of 1972, and shall submit a final report to Congress within 18 months after such date of enactment.

(n)(1) The Administrator shall, in cooperation with the Secretary of the Army, the Secretary of Agriculture, the Water Resources Council, and with other appropriate Federal, State, interstate, or local public bodies and private organizations, institutions, and individuals, conduct and promote, encourage contributions to, continuing comprehensive studies of the effects of pollution, including sedimentation, in the estuaries and estuarine zones of the United States on fish and wildlife, on sport and commercial fishing, on recreation, on water supply and water power, and on other beneficial purposes. Such studies shall also consider the effect of demographic trends, the exploitation of mineral resources and fossil fuels, land and industrial development, navigation, flood and erosion control, and other uses of estuaries and estuarine zones upon the pollution of the waters therein.

(2) In conducting such studies, the Administrator shall assemble, coordinate, and organize all existing pertinent information on the Nation's estuaries and estuarine zones; carry out a program of investigations and surveys to supplement existing information in

representative estuaries and estuarine zones; and identify the problems and areas where further research and study are required.

(3) For the purpose of this subsection, the term "estuarine zones" means an environmental system consisting of an estuary and those transitional areas which are consistently influenced or affected by water from an estuary such as, but not limited to, salt marshes, coastal and intertidal areas, bays, harbors, lagoons, inshore waters, and channels, and the term "estuary" means all or part of the mouth of a river or stream or other body of water having unimpaired natural connection with open sea and within which the sea water is measurably diluted with fresh water derived from land drainage.

(o)(1) The Administrator shall conduct research and investigations on devices, systems, incentives, pricing policy, and other methods of reducing the total flow of sewage, including, but not limited to, unnecessary water consumption in order to reduce the requirements for, and the costs of, sewage and waste treatment services. Such research and investigations shall be directed to develop devices, systems, policies, and methods capable of achieving the maximum reduction of unnecessary water consumption.

(2) The Administrator shall report the preliminary results of such studies and investigations to the Congress within one year after the date of enactment of the Federal Water Pollution Control Act Amendments of 1972, and annually thereafter not later than 90 days after the date of convening of each session of Congress. Such report shall include recommendations for any legislation that may be required to provide for the adoption and use of devices, systems, policies, or other methods of reducing water consumption and reducing the total flow of sewage. Such report shall include an estimate of the benefits to be derived from adoption and use of such devices, systems, policies, or other methods and also shall reflect estimates of any increase in private, public, or other cost that would be occasioned thereby.

(p) In carrying out the provisions of subsection (a) of this section the Administrator shall, in cooperation with the Secretary of Agriculture, other Federal agencies, and the States, carry out a comprehensive study and research program to determine new and improved methods and the better application of existing methods of preventing, reducing, and eliminating pollution from agriculture, including the legal, economic, and other implications of the use of such methods.

(q)(1) The Administrator shall conduct a comprehensive program of research and investigation and pilot project implementation into new and improved methods of preventing, reducing, storing, collecting, treating, or otherwise eliminating pollution from sewage in rural and other areas where collection of sewage in conventional, community-wide sewage collection systems is impractical, uneconomical, or otherwise infeasible, or where soil conditions or other factors preclude the use of septic tank and drainage field systems.

(2) The Administrator shall conduct a comprehensive program of research and investigation and pilot project implementation into new and improved methods for the collection and treatment of sew-

age and other liquid wastes combined with the treatment and disposal of solid wastes.

(3) The Administrator shall establish, either within the Environmental Protection Agency, or through contract with an appropriate public or private non-profit organization, a national clearinghouse which shall (A) receive reports and information resulting from research, demonstrations, and other projects funded under this Act related to paragraph (1) of this subsection and to subsection (e)(2) of section 105; (B) coordinate and disseminate such reports and information for use by Federal and State agencies, municipalities, institutions, and persons in developing new and improved methods pursuant to this subsection; and (C) provide for the collection and dissemination of reports and information relevant to this subsection from other Federal and State agencies, institutions, universities, and persons.

(4) SMALL FLOWS CLEARINGHOUSE.—Notwithstanding section 205(d) of this Act, from amounts that are set aside for a fiscal year under section 205(i) of this Act and are not obligated by the end of the 24-month period of availability for such amounts under section 205(d), the Administrator shall make available $1,000,000 or such unobligated amount, whichever is less, to support a national clearinghouse within the Environmental Protection Agency to collect and disseminate information on small flows of sewage and innovative or alternative wastewater treatment processes and techniques, consistent with paragraph (3). This paragraph shall apply with respect to amounts set aside under section 205(i) for which the 24-month period of availability referred to in the preceding sentence ends on or after September 30, 1986.

(r) The Administrator is authorized to make grants to colleges and universities to conduct basic research into the structure and function of fresh water aquatic ecosystems, and to improve understanding of the ecological characteristics necessary to the maintenance of the chemical, physical, and biological integrity of freshwater aquatic ecosystems.

(s) The Administrator is authorized to make grants to one or more institutions of higher education (regionally located and to be designated as "River Study Centers") for the purpose of conducting and reporting on interdisciplinary studies on the nature of river systems, including hydrology, biology, ecology, economics, the relationship between river uses and land uses, and the effects of development within river basins on river systems and on the value of water resources and water related activities. No such grant in any fiscal year shall exceed $1,000,000.

(t) The Administrator shall, in cooperation with State and Federal agencies and public and private organizations, conduct continuing comprehensive studies of the effects and methods of control of thermal discharges. In evaluating alternative methods of control the studies shall consider (1) such data as are available on the latest available technology, economic feasibility including cost-effectiveness analysis, and (2) the total impact on the environment, considering not only water quality but also air quality, land use, and effective utilization and conservation of fresh water and other natural resources. Such studies shall consider methods of minimizing

adverse effects and maximizing beneficial effects of thermal discharges. The results of these studies shall be reported by the Administrator as soon as practicable, but not later than 270 days after enactment of this subsection, and shall be made available to the public and the States, and considered as they become available by the Administrator in carrying out section 316 of this Act and by the State in proposing thermal water quality standards.

(u) There is authorized to be appropriated (1) not to exceed $100,000,000 per fiscal year for the fiscal year ending June 30, 1973, the fiscal year ending June 30, 1974, and the fiscal year ending June 30, 1975, not to exceed $14,039,000 for the fiscal year ending September 30, 1980, not to exceed $20,697,000 for the fiscal year ending September 30, 1981, not to exceed $22,770,000 for the fiscal year ending September 30, 1982, such sums as may be necessary for fiscal years 1983 through 1985, and not to exceed $22,770,000 per fiscal year for each of the fiscal years 1986 through 1990, for carrying out the provisions of this section, other than subsections (g)(1) and (2), (p), (r), and (t), except that such authorizations are not for any research, development, or demonstration activity pursuant to such provisions; (2) not to exceed $7,500,000 for fiscal years 1973, 1974, and 1975, $2,000,000 for fiscal year 1977, $3,000,000 for fiscal year 1978, $3,000,000 for fiscal year 1979, $3,000,000 for fiscal year 1980, $3,000,000 for fiscal year 1981, $3,000,000 for fiscal year 1982, such sums as may be necessary for fiscal years 1983 through 1985, and $3,000,000 per fiscal year for each of the fiscal years 1986 through 1990, for carrying out the provisions of subsection (g)(1); (3) not to exceed $2,500,000 for fiscal years 1973, 1974, and 1975, $1,000,000 for fiscal year 1977, $1,500,000 for fiscal year 1978, $1,500,000 for fiscal year 1979, $1,500,000 for fiscal year 1980, $1,500,000 for fiscal year 1981, $1,500,000 for fiscal year 1982, such sums as may be necessary for fiscal years 1983 through 1985, and $1,500,000 per fiscal year for each of the fiscal years 1986 through 1990, for carrying out the provisions of subsection (g)(2); (4) not to exceed $10,000,000 for each of the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975, for carrying out the provisions of subsection (p); (5) not to exceed $15,000,000 per fiscal year for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975, for carrying out the provisions of subsection (r); and (6) not to exceed $10,000,000 per fiscal year for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975, for carrying out the provisions of subsection (t).

(v) STUDIES CONCERNING PATHOGEN INDICATORS IN COASTAL RECREATION WATERS.—Not later than 18 months after the date of the enactment of this subsection, after consultation and in cooperation with appropriate Federal, State, tribal, and local officials (including local health officials), the Administrator shall initiate, and, not later than 3 years after the date of the enactment of this subsection, shall complete, in cooperation with the heads of other Federal agencies, studies to provide additional information for use in developing—

(1) an assessment of potential human health risks resulting from exposure to pathogens in coastal recreation waters, including nongastrointestinal effects;

(2) appropriate and effective indicators for improving detection in a timely manner in coastal recreation waters of the presence of pathogens that are harmful to human health;

(3) appropriate, accurate, expeditious, and cost-effective methods (including predictive models) for detecting in a timely manner in coastal recreation waters the presence of pathogens that are harmful to human health; and

(4) guidance for State application of the criteria for pathogens and pathogen indicators to be published under section 304(a)(9) to account for the diversity of geographic and aquatic conditions.

(33 U.S.C. 1254)

GRANTS FOR RESEARCH AND DEVELOPMENT

SEC. 105. (a) The Administrator is authorized to conduct in the Environmental Protection Agency, and to make grants to any State, municipality, or intermunicipal or interstate agency for the purpose of assisting in the development of—

(1) any project which will demonstrate a new or improved method of preventing, reducing, and eliminating the discharge into any waters of pollutants from sewers which carry storm water or both storm water and pollutants; or

(2) any project which will demonstrate advanced waste treatment and water purification methods (including the temporary use of new or improved chemical additives which provide substantial immediate improvement to existing treatment processes), or new or improved methods of joint treatment systems for municipal and industrial wastes;

and to include in such grants such amounts as are necessary for the purpose of reports, plans, and specifications in connection therewith.

(b) The Administrator is authorized to make grants to any State or States or interstate agency to demonstrate, in river basins or portions thereof, advanced treatment and environmental enhancement techniques to control pollution from all sources, within such basins or portions thereof, including nonpoint sources, together with in stream water quality improvement techniques.

(c) In order to carry out the purposes of section 301 of this Act, the Administrator is authorized to (1) conduct in the Environmental Protection Agency, (2) make grants to persons, and (3) enter into contracts with persons, for research and demonstration projects for prevention of pollution of any waters by industry including, but not limited to, the prevention, reduction, and elimination of the discharge of pollutants. No grant shall be made for any project under this subsection unless the Administrator determines that such project will develop or demonstrate a new or improved method of treating industrial wastes or otherwise prevent pollution by industry, which method shall have industrywide application.

(d) In carrying out the provisions of this section, the Administrator shall conduct, on a priority basis, an accelerated effort to develop, refine, and achieve practical application of:

(1) waste management methods applicable to point and nonpoint sources of pollutants to eliminate the discharge of pollutants, including, but not limited to, elimination of runoff of pollutants and the effects of pollutants from inplace or accumulated sources;

(2) advanced waste treatment methods applicable to point and nonpoint sources, including inplace or accumulated sources of pollutants, and methods for reclaiming and recycling water and confining pollutants so they will not migrate to cause water or other environmental pollution; and

(3) improved methods and procedures to identify and measure the effects of pollutants on the chemical, physical, and biological integrity of water, including those pollutants created by new technological developments.

(e)(1) The Administrator is authorized to (A) make, in consultation with the Secretary of Agriculture, grants to persons for research and demonstration projects with respect to new and improved methods of preventing, reducing, and eliminating pollution from agriculture, and (B) disseminate, in cooperation with the Secretary of Agriculture, such information obtained under this subsection, section 104(p), and section 304 as will encourage and enable the adoption of such methods in the agricultural industry.

(2) The Administrator is authorized, (A) in consultation with other interested Federal agencies, to make grants for demonstration projects with respect to new and improved methods of preventing, reducing, storing, collecting, treating, or otherwise eliminating pollution from sewage in rural and other areas where collection of sewage in conventional, community-wide sewage collection systems is impractical, uneconomical, or otherwise infeasible, or where soil conditions or other factors preclude the use of septic tank and drainage field systems, and (B) in cooperation with other interested Federal and State agencies, to disseminate such information obtained under this subsection as will encourage and enable the adoption of new and improved methods developed pursuant to this subsection.

(f) Federal grants under subsection (a) of this section shall be subject to the following limitations:

(1) No grant shall be made for any project unless such project shall have been approved by the appropriate State water pollution control agency or agencies and by the Administrator;

(2) No grant shall be made for any project in an amount exceeding 75 per centum of cost thereof as determined by the Administrator; and

(3) No grant shall be made for any project unless the Administrator determines that such project will serve as a useful demonstration for the purpose set forth in clause (1) or (2) of subsection (a).

(g) Federal grants under subsections (c) and (d) of this section shall not exceed 75 per centum of the cost of the project.

(h) For the purpose of this section there is authorized to be appropriated $75,000,000 per fiscal year for the fiscal year ending June 30, 1973, the fiscal year ending June 30, 1974, and the fiscal year ending June 30, 1975, and from such appropriations at least

10 per centum of the funds actually appropriated in each fiscal year shall be available only for the purposes of subsection (e).

(i) The Administrator is authorized to make grants to a municipality to assist in the costs of operating and maintaining a project which received a grant under this section, section 104, or section 113 of this Act prior to the date of enactment of this subsection so as to reduce the operation and maintenance costs borne by the recipients of services from such project to costs comparable to those for projects assisted under title II of this Act.

(j) The Administrator is authorized to make a grant to any grantee who received an increased grant pursuant to section 202(a)(2) of this Act. Such grant may pay up to 100 per centum of the costs of technical evaluation of the operation of the treatment works, costs of training of persons (other than employees of the grantee), and costs of disseminating technical information on the operation of the treatment works.

(33 U.S.C. 1255)

GRANTS FOR POLLUTION CONTROL PROGRAMS

SEC. 106. (a) There are hereby authorized to be appropriated the following sums, to remain available until expended, to carry out the purposes of this section—

(1) $60,000,000 for the fiscal year ending June 30, 1973; and

(2) $75,000,000 for the fiscal year ending June 30, 1974, and the fiscal year ending June 30, 1975, $100,000,000 per fiscal year for the fiscal years 1977, 1978, 1979, and 1980, $75,000,000 per fiscal year for the fiscal years 1981 and 1982, such sums as may be necessary for fiscal years 1983 through 1985, and $75,000,000 per fiscal year for each of the fiscal years 1986 through 1990;

for grants to States and to interstate agencies to assist them in administering programs for the prevention, reduction, and elimination of pollution, including enforcement directly or through appropriate State law enforcement officers or agencies.

(b) From the sums appropriated in any fiscal year, the Administrator shall make allotments to the several States and interstate agencies in accordance with regulations promulgated by him on the basis of the extent of the pollution problem in the respective States.

(c) The Administrator is authorized to pay to each State and interstate agency each fiscal year either—

(1) the allotment of such State or agency for such fiscal year under subsection (b), or

(2) the reasonable costs as determined by the Administrator of developing and carrying out a pollution program by such State or agency during such fiscal year,

whichever amount is the lesser.

(d) No grant shall be made under this section to any State or interstate agency for any fiscal year when the expenditure of non-Federal funds by such State or interstate agency during such fiscal year for the recurrent expenses of carrying out its pollution control program are less than the expenditure by such State or interstate

agency of non-Federal funds for such recurrent program expenses during the fiscal year ending June 30, 1971.

(e) Beginning in fiscal year 1974 the Administrator shall not make any grant under this section to any State which has not provided or is not carrying out as a part of its program—

(1) the establishment and operation of appropriate devices, methods, systems, and procedures necessary to monitor, and to compile and analyze data on (including classification according to eutrophic condition), the quality of navigable waters and to the extent practicable, ground waters including biological monitoring; and provision for annually updating such data and including it in the report required under section 305 of this Act;

(2) authority comparable to that in section 504 of this Act and adequate contingency plans to implement such authority.

(f) Grants shall be made under this section on condition that—

(1) Such State (or interstate agency) filed with the Administrator within one hundred and twenty days after the date of enactment of this section:

(A) a summary report of the current status of the State pollution control program, including the criteria used by the State in determining priority of treatment works; and

(B) such additional information, data, and reports as the Administrator may require.

(2) No federally assumed enforcement as defined in section 309(a)(2) is in effect with respect to such State or interstate agency.

(3) Such State (or interstate agency) submits within one hundred and twenty days after the date of enactment of this section and before July 1 of each year thereafter for the Administrator's approval of its program for the prevention, reduction, and elimination of pollution in accordance with purposes and provisions of this Act in such form and content as the Administrator may prescribe.

(g) Any sums allotted under subsection (b) in any fiscal year which are not paid shall be reallotted by the Administrator in accordance with regulations promulgated by him.

(33 U.S.C. 1256)

MINE WATER POLLUTION CONTROL DEMONSTRATIONS

SEC. 107. (a) The Administrator in cooperation with the Appalachian Regional Commission and other Federal agencies is authorized to conduct, to make grants for, or to contract for, projects to demonstrate comprehensive approaches to the elimination or control of acid or other mine water pollution resulting from active or abandoned mining operations and other environmental pollution affecting water quality within all or part of a watershed or river basin, including siltation from surface mining. Such projects shall demonstrate the engineering and economic feasibility and practicality of various abatement techniques which will contribute substantially to effective and practical methods of acid or other mine water pollution elimination or control, and other pollution affecting water quality, including techniques that demonstrate the engineer-

ing and economic feasibility and practicality of using sewage sludge materials and other municipal wastes to diminish or prevent pollution affecting water quality from acid, sedimentation, or other pollutants and in such projects to restore affected lands to usefulness for forestry, agriculture, recreation, or other beneficial purposes.

(b) Prior to undertaking any demonstration project under this section in the Appalachian region (as defined in section 403 of the Appalachian Regional Development Act of 1965, as amended), the Appalachian Regional Commission shall determine that such demonstration project is consistent with the objectives of the Appalachian Regional Development Act of 1965, as amended.

(c) The Administrator, in selecting watersheds for the purposes of this section, shall be satisfied that the project area will not be affected adversely by the influx of acid or other mine water pollution from nearby sources.

(d) Federal participation in such projects shall be subject to the conditions—

(1) that the State shall acquire any land or interests therein necessary for such project; and

(2) that the State shall provide legal and practical protection to the project area to insure against any activities which will cause future acid or other mine water pollution.

(e) There is authorized to be appropriated $30,000,000 to carry out the provisions of this section, which sum shall be available until expended.

(33 U.S.C. 1257)

POLLUTION CONTROL IN GREAT LAKES

SEC. 108. (a) The Administrator, in cooperation with other Federal departments, agencies, and instrumentalities is authorized to enter into agreements with any State, political subdivision, interstate agency, or other public agency, or combination thereof, to carry out one or more projects to demonstrate new methods and techniques and to develop preliminary plans for the elimination or control of pollution, within all or any part of the watersheds of the Great Lakes. Such projects shall demonstrate the engineering and economic feasibility and practicality of removal of pollutants and prevention of any polluting matter from entering into the Great Lakes in the future and other reduction and remedial techniques which will contribute substantially to effective and practical methods of pollution prevention, reduction, or elimination.

(b) Federal participation in such projects shall be subject to the condition that the State, political subdivision, interstate agency, or other public agency, or combination thereof, shall pay not less than 25 per centum of the actual project costs, which payment may be in any form, including, but not limited to, land or interests therein that is needed for the project, and personal property or services the value of which shall be determined by the Administrator.

(c) There is authorized to be appropriated $20,000,000 to carry out the provisions of subsections (a) and (b) of this section, which sum shall be available until expended.

(d)(1) In recognition of the serious conditions which exist in Lake Erie, the Secretary of the Army, acting through the Chief of

Engineers, is directed to design and develop a demonstration waste water management program for the rehabilitation and environmental repair of Lake Erie. Prior to the initiation of detailed engineering and design, the program, along with the specific recommendations of the Chief of Engineers and recommendations for its financing, shall be submitted to the Congress for statutory approval. This authority is in addition to, and not in lieu of, other waste water studies aimed at eliminating pollution emanating from select sources around Lake Erie.

(2) This program is to be developed in cooperation with the Environmental Protection Agency, other interested departments, agencies, and instrumentalities of the Federal Government, and the States and their political subdivisions. This program shall set forth alternative systems for managing waste water on a regional basis and shall provide local and State governments with a range of choice as to the type of system to be used for the treatment of waste water. These alternative systems shall include both advanced waste treatment technology and land disposal systems including aerated treatment-spray irrigation technology and will also include provisions for the disposal of solid wastes, including sludge. Such program should include measures to control point sources of pollution, area sources of pollution, including acid-mine drainage, urban runoff and rural runoff, and in place sources of pollution, including bottom loads, sludge banks, and polluted harbor dredgings.

(e) There is authorized to be appropriated $5,000,000 to carry out the provisions of subsection (d) of this section, which sum shall be available until expended.

(33 U.S.C. 1258)

TRAINING GRANTS AND CONTRACTS

SEC. 109. (a) The Administrator is authorized to make grants to or contracts with institutions of higher education, or combinations of such institutions, to assist them in planning, developing, strengthening, improving, or carrying out programs or projects for the preparation of undergraduate students to enter an occupation which involves the design, operation, and maintenance of treatment works, and other facilities whose purpose is water quality control. Such grants or contracts may include payment of all or part of the cost of programs or projects such as—

(A) planning for the development or expansion of programs or projects for training persons in the operation and maintenance of treatment works;

(B) training and retraining of faculty members;

(C) conduct of short-term or regular session institutes for study by persons engaged in, or preparing to engage in, the preparation of students preparing to enter an occupation involving the operation and maintenance of treatment works;

(D) carrying out innovative and experimental programs of cooperative education involving alternate periods of full-time or part-time academic study at the institution and periods of full-time or part-time employment involving the operation and maintenance of treatment works; and

(E) research into, and development of, methods of training students or faculty, including the preparation of teaching materials and the planning of curriculum.

(b)(1) The Administrator may pay 100 per centum of any additional cost of construction of treatment works required for a facility to train and upgrade waste treatment works operation and maintenance personnel and for the costs of other State treatment works operator training programs, including mobile training units, classroom rental, specialized instructors, and instructional material.

(2) The Administrator shall make no more than one grant for such additional construction in any State (to serve a group of States, where, in his judgment, efficient training programs require multi-State programs), and shall make such grant after consultation with and approval by the State or States on the basis of (A) the suitability of such facility for training operation and maintenance personnel for treatment works throughout such State or States; and (B) a commitment by the State agency or agencies to carry out at such facility a program of training approved by the Administrator. In any case where a grant is made to serve two or more States, the Administrator is authorized to make an additional grant for a supplemental facility in each such State.

(3) The Administrator may make such grant out of the sums allocated to a State under section 205 of this Act, except that in no event shall the Federal cost of any such training facilities exceed $500,000.

(4) The Administrator may exempt a grant under this section from any requirement under section 204(a)(3) of this Act. Any grantee who received a grant under this section prior to enactment of the Clean Water Act of 1977 shall be eligible to have its grant increased by funds made available under such Act.

(33 U.S.C. 1259)

APPLICATION FOR TRAINING GRANT OR CONTRACT; ALLOCATION OF GRANTS OR CONTRACTS

SEC. 110. (1) A grant or contract authorized by section 109 may be made only upon application to the Administrator at such time or times and containing such information as he may prescribe, except that no such application shall be approved unless it—

(A) sets forth programs, activities, research, or development for which a grant is authorized under section 109 and describes the relation to any program set forth by the applicant in an application, if any, submitted pursuant to section 111;

(B) provides such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section; and

(C) provides for making such reports, in such form and containing such information, as the Administrator may require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Administrator may find necessary to assure the correctness and verification of such reports.

(2) The Administrator shall allocate grants or contracts under section 109 in such manner as will most nearly provide an equitable distribution of the grants or contracts throughout the United States among institutions of higher education which show promise of being able to use funds effectively for the purpose of this section.

(3)(A) Payments under this section may be used in accordance with regulations of the Administrator, and subject to the terms and conditions set forth in an application approved under paragraph (1), to pay part of the compensation of students employed in connection with the operation and maintenance of treatment works, other than as an employee in connection with the operation and maintenance of treatment works or as an employee in any branch of the Government of the United States, as part of a program for which a grant has been approved pursuant to this section.

(B) Departments and agencies of the United States are encouraged, to the extent consistent with efficient Administration, to enter into arrangements with institutions of higher education for the full-time, part-time, or temporary employment, whether in the competitive or excepted service, of students enrolled in programs set forth in applications approved under paragraph (1).

(33 U.S.C. 1260)

AWARD OF SCHOLARSHIPS

SEC. 111. (1) The Administrator is authorized to award scholarships in accordance with the provisions of this section for undergraduate study by persons who plan to enter an occupation involving the operation and maintenance of treatment works. Such scholarships shall be awarded for such periods as the Administrator may determine but not to exceed four academic years.

(2) The Administrator shall allocate scholarships under this section among institutions of higher education with programs approved under the provisions of this section for the use of individuals accepted into such programs, in such manner and accordance to such plan as will insofar as practicable—

(A) provide an equitable distribution of such scholarships throughout the United States; and

(B) attract recent graduates of secondary schools to enter an occupation involving the operation and maintenance of treatment works.

(3) The Administrator shall approve a program of any institution of higher education for the purposes of this section only upon application by the institution and only upon his finding—

(A) that such program has as a principal objective the education and training of persons in the operation and maintenance of treatment works;

(B) that such program is in effect and of high quality, or can be readily put into effect and may reasonably be expected to be of high quality;

(C) that the application describes the relation of such program to any program, activity, research, or development set forth by the applicant in an application, if any, submitted pursuant to section 110 of this Act; and

(D) that the application contains satisfactory assurances that (i) the institution will recommend to the Administrator for the award of scholarships under this section, for study in such program, only persons who have demonstrated to the satisfaction of the institution a serious intent, upon completing the program, to enter an occupation involving the operation and maintenance of treatment works, and (ii) the institution will make reasonable continuing efforts to encourage recipients of scholarships under this section, enrolled in such program, to enter occupations involving the operation and maintenance of treatment works upon completing the program.

(4)(A) The Administrator shall pay to persons awarded scholarships under this section such stipends (including such allowances for subsistence and other expenses for such persons and their dependents) as he may determine to be consistent with prevailing practices under comparable federally supported programs.

(B) The Administrator shall (in addition to the stipends paid to persons under paragraph (1)) pay to the institution of higher education at which such person is pursuing his course of study such amount as he may determine to be consistent with prevailing practices under comparable federally supported programs.

(5) A person awarded a scholarship under the provisions of this section shall continue to receive the payments provided in this section only during such periods as the Administrator finds that he is maintaining satisfactory proficiency and devoting full time to study or research in the field in which such scholarship was awarded in an institution of higher education, and is not engaging in gainful employment other than employment approved by the Administrator by or pursuant to regulation.

(6) The Administrator shall by regulation provide that any person awarded a scholarship under this section shall agree in writing to enter and remain in an occupation involving the design, operation, or maintenance of treatment works for such period after completion of his course of studies as the Administrator determines appropriate.

(33 U.S.C. 1261)

DEFINITIONS AND AUTHORIZATIONS

SEC. 112. (a) As used in sections 109 through 112 of this Act—

(1) The term "institution of higher education" means an educational institution described in the first sentence of section 101 of the Higher Education Act of 1965 (other than an institution of any agency of the United States) which is accredited by a nationally recognized accrediting agency or association approved by the Administrator for this purpose. For purposes of this subsection, the Administrator shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(2) The term "academic year" means an academic year or its equivalent, as determined by the Administrator.

(b) The Administrator shall annually report his activities under sections 109 through 112 of this Act, including recommendations for needed revisions in the provisions thereof.

(c) There are authorized to be appropriated $25,000,000 per fiscal year for fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975, $6,000,000 for the fiscal year ending September 30, 1977, $7,000,000 for the fiscal year ending September 30, 1978, $7,000,000 for the fiscal year ending September 30, 1979, $7,000,000 for the fiscal year ending September 30, 1980, $7,000,000 for the fiscal year ending September 30, 1981, $7,000,000 for the fiscal year ending September 30, 1982, such sums as may be necessary for fiscal years 1983 through 1985, and $7,000,000 per fiscal year for each of the fiscal years 1986 through 1990, to carry out sections 109 through 112 of this Act.

(33 U.S.C. 1262)

ALASKA VILLAGE DEMONSTRATION PROJECTS

SEC. 113. (a) The Administrator is authorized to enter into agreements with the State of Alaska to carry out one or more projects to demonstrate methods to provide for central community facilities for safe water and elimination or control of pollution in those native villages of Alaska without such facilities. Such project shall include provisions for community safe water supply systems, toilets, bathing and laundry facilities, sewage disposal facilities, and other similar facilities, and educational and informational facilities and programs relating to health and hygiene. Such demonstration projects shall be for the further purpose of developing preliminary plans for providing such safe water and such elimination or control of pollution for all native villages in such State.

(b) In carrying out this section the Administrator shall cooperate with the Secretary of Health, Education, and Welfare for the purpose of utilizing such of the personnel and facilities of that Department as may be appropriate.

(c) The Administrator shall report to Congress not later than July 1, 1973, the results of the demonstration projects authorized by this section together with his recommendations, including and necessary legislation, relating to the establishment of a statewide program.

(d) There is authorized to be appropriated not to exceed $2,000,000 to carry out this section. In addition, there is authorized to be appropriated to carry out this section not to exceed $200,000 for the fiscal year ending September 30, 1978, and $220,000 for the fiscal year ending September 30, 1979.

(e) The Administrator is authorized to coordinate with the Secretary of the Department of Health, Education, and Welfare, the Secretary of the Department of Housing and Urban Development, the Secretary of the Department of the Interior, the Secretary of the Department of Agriculture, and the heads of any other departments or agencies he may deem appropriate to conduct a joint study with representatives of the State of Alaska and the appropriate Native organizations (as defined in Public Law 92–203) to develop a comprehensive program for achieving adequate sanitation services in Alaska villages. This study shall be coordinated

with the programs and projects authorized by sections 104(q) and 105(e)(2) of this Act. The Administrator shall submit a report of the results of the study, together with appropriate supporting data and such recommendations as he deems desirable, to the Committee on Environment and Public Works of the Senate and to the Committee on Public Works and Transportation of the House of Representatives not later than December 31, 1979. The Administrator shall also submit recommended administrative actions, procedures, and any proposed legislation necessary to implement the recommendations of the study no later than June 30, 1980.

(f) The Administrator is authorized to provide technical, financial and management assistance for operation and maintenance of the demonstration projects constructed under this section, until such time as the recommendations of subsection (e) are implemented.

(g) For the purpose of this section, the term "village" shall mean an incorporated or unincorporated community with a population of ten to six hundred people living within a two-mile radius. The term "sanitation services" shall mean water supply, sewage disposal, solid waste disposal and other services necessary to maintain generally accepted standards of personal hygiene and public health.

(33 U.S.C. 1263)

LAKE TAHOE STUDY

SEC. 114. (a) The Administrator, in consultation with the Tahoe Regional Planning Agency, the Secretary of Agriculture, other Federal agencies, representatives of State and local governments, and members of the public, shall conduct a thorough and complete study on the adequacy of and need for extending Federal oversight and control in order to preserve the fragile ecology of Lake Tahoe.

(b) Such study shall include an examination of the interrelationships and responsibilities of the various agencies of the Federal Government and State and local governments with a view to establishing the necessity for redefinition of legal and other arrangements between these various governments, and making specific legislative recommendations to Congress. Such study shall consider the effect of various actions in terms of their environmental impact on the Tahoe Basin, treated as an ecosystem.

(c) The Administrator shall report on such study to Congress not later than one year after the date of enactment of this subsection.

(d) There is authorized to be appropriated to carry out this section not to exceed $500,000.

(33 U.S.C. 1264)

IN-PLACE TOXIC POLLUTANTS

SEC. 115. The Administrator is directed to identify the location of in-place pollutants with emphasis on toxic pollutants in harbors and navigable waterways and is authorized, acting through the Secretary of the Army, to make contracts for the removal and appropriate disposal of such materials from critical port and harbor

areas. There is authorized to be appropriated $15,000,000 to carry out the provisions of this section, which sum shall be available until expended.

(33 U.S.C. 1265)

HUDSON RIVER PCB RECLAMATION DEMONSTRATION PROJECT

SEC. 116. (a) The Administrator is authorized to enter into contracts and other agreements with the State of New York to carry out a project to demonstrate methods for the selective removal of polychlorinated biphenyls contaminating bottom sediments of the Hudson River, treating such sediments as required, burying such sediments in secure landfills, and installing monitoring systems for such landfills. Such demonstration project shall be for the purpose of determining the feasibility of indefinite storage in secure landfills of toxic substances and of ascertaining the improvement of the rate of recovery of a toxic contaminated national waterway. No pollutants removed pursuant to this paragraph shall be placed in any landfill unless the Administrator first determines that disposal of the pollutants in such landfill would provide a higher standard of protection of the public health, safety, and welfare than disposal of such pollutants by any other method including, but not limited to, incineration or a chemical destruction process.

(b) The Administrator is authorized to make grants to the State of New York to carry out this section from funds allotted to such State under section 205(a) of this Act, except that the amount of any such grant shall be equal to 75 per centum of the cost of the project and such grant shall be made on condition that non-Federal sources provide the remainder of the cost of such project. The authority of this section shall be available until September 30, 1983. Funds allotted to the State of New York under section 205(a) shall be available under this subsection only to the extent that funds are not available, as determined by the Administrator, to the State of New York for the work authorized by this section under section 115 or 311 of this Act or a comprehensive hazardous substance response and clean up fund. Any funds used under the authority of this subsection shall be deducted from any estimate of the needs of the State of New York prepared under section 516. The Administrator may not obligate or expend more than $20,000,000 to carry out this section.

(33 U.S.C. 1266)

SEC. 117. CHESAPEAKE BAY.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) ADMINISTRATIVE COST.—The term "administrative cost" means the cost of salaries and fringe benefits incurred in administering a grant under this section.

(2) CHESAPEAKE BAY AGREEMENT.—The term "Chesapeake Bay Agreement" means the formal, voluntary agreements executed to achieve the goal of restoring and protecting the Chesapeake Bay ecosystem and the living resources of the Chesapeake Bay ecosystem and signed by the Chesapeake Executive Council.

(3) CHESAPEAKE BAY ECOSYSTEM.—The term "Chesapeake Bay ecosystem" means the ecosystem of the Chesapeake Bay and its watershed.

(4) CHESAPEAKE BAY PROGRAM.—The term "Chesapeake Bay Program" means the program directed by the Chesapeake Executive Council in accordance with the Chesapeake Bay Agreement.

(5) CHESAPEAKE EXECUTIVE COUNCIL.—The term "Chesapeake Executive Council" means the signatories to the Chesapeake Bay Agreement.

(6) SIGNATORY JURISDICTION.—The term "signatory jurisdiction" means a jurisdiction of a signatory to the Chesapeake Bay Agreement.

(b) CONTINUATION OF CHESAPEAKE BAY PROGRAM.—

(1) IN GENERAL.—In cooperation with the Chesapeake Executive Council (and as a member of the Council), the Administrator shall continue the Chesapeake Bay Program.

(2) PROGRAM OFFICE.—

(A) IN GENERAL.—The Administrator shall maintain in the Environmental Protection Agency a Chesapeake Bay Program Office.

(B) FUNCTION.—The Chesapeake Bay Program Office shall provide support to the Chesapeake Executive Council by—

(i) implementing and coordinating science, research, modeling, support services, monitoring, data collection, and other activities that support the Chesapeake Bay Program;

(ii) developing and making available, through publications, technical assistance, and other appropriate means, information pertaining to the environmental quality and living resources of the Chesapeake Bay ecosystem;

(iii) in cooperation with appropriate Federal, State, and local authorities, assisting the signatories to the Chesapeake Bay Agreement in developing and implementing specific action plans to carry out the responsibilities of the signatories to the Chesapeake Bay Agreement;

(iv) coordinating the actions of the Environmental Protection Agency with the actions of the appropriate officials of other Federal agencies and State and local authorities in developing strategies to—

(I) improve the water quality and living resources in the Chesapeake Bay ecosystem; and

(II) obtain the support of the appropriate officials of the agencies and authorities in achieving the objectives of the Chesapeake Bay Agreement; and

(v) implementing outreach programs for public information, education, and participation to foster stewardship of the resources of the Chesapeake Bay.

(c) INTERAGENCY AGREEMENTS.—The Administrator may enter into an interagency agreement with a Federal agency to carry out this section.

(d) TECHNICAL ASSISTANCE AND ASSISTANCE GRANTS.—

(1) IN GENERAL.—In cooperation with the Chesapeake Executive Council, the Administrator may provide technical assistance, and assistance grants, to nonprofit organizations, State and local governments, colleges, universities, and interstate agencies to carry out this section, subject to such terms and conditions as the Administrator considers appropriate.

(2) FEDERAL SHARE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share of an assistance grant provided under paragraph (1) shall be determined by the Administrator in accordance with guidance issued by the Administrator.

(B) SMALL WATERSHED GRANTS PROGRAM.—The Federal share of an assistance grant provided under paragraph (1) to carry out an implementing activity under subsection (g)(2) shall not exceed 75 percent of eligible project costs, as determined by the Administrator.

(3) NON-FEDERAL SHARE.—An assistance grant under paragraph (1) shall be provided on the condition that non-Federal sources provide the remainder of eligible project costs, as determined by the Administrator.

(4) ADMINISTRATIVE COSTS.—Administrative costs shall not exceed 10 percent of the annual grant award.

(e) IMPLEMENTATION AND MONITORING GRANTS.—

(1) IN GENERAL.—If a signatory jurisdiction has approved and committed to implement all or substantially all aspects of the Chesapeake Bay Agreement, on the request of the chief executive of the jurisdiction, the Administrator—

(A) shall make a grant to the jurisdiction for the purpose of implementing the management mechanisms established under the Chesapeake Bay Agreement, subject to such terms and conditions as the Administrator considers appropriate; and

(B) may make a grant to a signatory jurisdiction for the purpose of monitoring the Chesapeake Bay ecosystem.

(2) PROPOSALS.—

(A) IN GENERAL.—A signatory jurisdiction described in paragraph (1) may apply for a grant under this subsection for a fiscal year by submitting to the Administrator a comprehensive proposal to implement management mechanisms established under the Chesapeake Bay Agreement.

(B) CONTENTS.—A proposal under subparagraph (A) shall include—

(i) a description of proposed management mechanisms that the jurisdiction commits to take within a specified time period, such as reducing or preventing pollution in the Chesapeake Bay and its watershed or meeting applicable water quality standards or established goals and objectives under the Chesapeake Bay Agreement; and

(ii) the estimated cost of the actions proposed to be taken during the fiscal year.

(3) APPROVAL.—If the Administrator finds that the proposal is consistent with the Chesapeake Bay Agreement and the national goals established under section 101(a), the Administrator may approve the proposal for an award.

(4) FEDERAL SHARE.—The Federal share of a grant under this subsection shall not exceed 50 percent of the cost of implementing the management mechanisms during the fiscal year.

(5) NON-FEDERAL SHARE.—A grant under this subsection shall be made on the condition that non-Federal sources provide the remainder of the costs of implementing the management mechanisms during the fiscal year.

(6) ADMINISTRATIVE COSTS.—Administrative costs shall not exceed 10 percent of the annual grant award.

(7) REPORTING.—On or before October 1 of each fiscal year, the Administrator shall make available to the public a document that lists and describes, in the greatest practicable degree of detail—

(A) all projects and activities funded for the fiscal year;

(B) the goals and objectives of projects funded for the previous fiscal year; and

(C) the net benefits of projects funded for previous fiscal years.

(f) FEDERAL FACILITIES AND BUDGET COORDINATION.—

(1) SUBWATERSHED PLANNING AND RESTORATION.—A Federal agency that owns or operates a facility (as defined by the Administrator) within the Chesapeake Bay watershed shall participate in regional and subwatershed planning and restoration programs.

(2) COMPLIANCE WITH AGREEMENT.—The head of each Federal agency that owns or occupies real property in the Chesapeake Bay watershed shall ensure that the property, and actions taken by the agency with respect to the property, comply with the Chesapeake Bay Agreement, the Federal Agencies Chesapeake Ecosystem Unified Plan, and any subsequent agreements and plans.

(3) BUDGET COORDINATION.—

(A) IN GENERAL.—As part of the annual budget submission of each Federal agency with projects or grants related to restoration, planning, monitoring, or scientific investigation of the Chesapeake Bay ecosystem, the head of the agency shall submit to the President a report that describes plans for the expenditure of the funds under this section.

(B) DISCLOSURE TO THE COUNCIL.—The head of each agency referred to in subparagraph (A) shall disclose the report under that subparagraph with the Chesapeake Executive Council as appropriate.

(g) CHESAPEAKE BAY PROGRAM.—

(1) MANAGEMENT STRATEGIES.—The Administrator, in coordination with other members of the Chesapeake Executive Council, shall ensure that management plans are developed

and implementation is begun by signatories to the Chesapeake Bay Agreement to achieve and maintain—

(A) the nutrient goals of the Chesapeake Bay Agreement for the quantity of nitrogen and phosphorus entering the Chesapeake Bay and its watershed;

(B) the water quality requirements necessary to restore living resources in the Chesapeake Bay ecosystem;

(C) the Chesapeake Bay Basinwide Toxins Reduction and Prevention Strategy goal of reducing or eliminating the input of chemical contaminants from all controllable sources to levels that result in no toxic or bioaccumulative impact on the living resources of the Chesapeake Bay ecosystem or on human health;

(D) habitat restoration, protection, creation, and enhancement goals established by Chesapeake Bay Agreement signatories for wetlands, riparian forests, and other types of habitat associated with the Chesapeake Bay ecosystem; and

(E) the restoration, protection, creation, and enhancement goals established by the Chesapeake Bay Agreement signatories for living resources associated with the Chesapeake Bay ecosystem.

(2) SMALL WATERSHED GRANTS PROGRAM.—The Administrator, in cooperation with the Chesapeake Executive Council, shall—

(A) establish a small watershed grants program as part of the Chesapeake Bay Program; and

(B) offer technical assistance and assistance grants under subsection (d) to local governments and nonprofit organizations and individuals in the Chesapeake Bay region to implement—

(i) cooperative tributary basin strategies that address the water quality and living resource needs in the Chesapeake Bay ecosystem; and

(ii) locally based protection and restoration programs or projects within a watershed that complement the tributary basin strategies, including the creation, restoration, protection, or enhancement of habitat associated with the Chesapeake Bay ecosystem.

(h) STUDY OF CHESAPEAKE BAY PROGRAM.—

(1) IN GENERAL.—Not later than April 22, 2003, and every 5 years thereafter, the Administrator, in coordination with the Chesapeake Executive Council, shall complete a study and submit to Congress a comprehensive report on the results of the study.

(2) REQUIREMENTS.—The study and report shall—

(A) assess the state of the Chesapeake Bay ecosystem;

(B) compare the current state of the Chesapeake Bay ecosystem with its state in 1975, 1985, and 1995;

(C) assess the effectiveness of management strategies being implemented on the date of enactment of this section and the extent to which the priority needs are being met;

(D) make recommendations for the improved management of the Chesapeake Bay Program either by strength-

ening strategies being implemented on the date of enactment of this section or by adopting new strategies; and

(E) be presented in such a format as to be readily transferable to and usable by other watershed restoration programs.

(i) SPECIAL STUDY OF LIVING RESOURCE RESPONSE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Administrator shall commence a 5-year special study with full participation of the scientific community of the Chesapeake Bay to establish and expand understanding of the response of the living resources of the Chesapeake Bay ecosystem to improvements in water quality that have resulted from investments made through the Chesapeake Bay Program.

(2) REQUIREMENTS.—The study shall—

(A) determine the current status and trends of living resources, including grasses, benthos, phytoplankton, zooplankton, fish, and shellfish;

(B) establish to the extent practicable the rates of recovery of the living resources in response to improved water quality condition;

(C) evaluate and assess interactions of species, with particular attention to the impact of changes within and among trophic levels; and

(D) recommend management actions to optimize the return of a healthy and balanced ecosystem in response to improvements in the quality and character of the waters of the Chesapeake Bay.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000 for each of fiscal years 2001 through 2005. Such sums shall remain available until expended.

(33 U.S.C. 1267)

SEC. 118. GREAT LAKES.

(a) FINDINGS, PURPOSE, AND DEFINITIONS.—

(1) FINDINGS.—The Congress finds that—

(A) the Great Lakes are a valuable national resource, continuously serving the people of the United States and other nations as an important source of food, fresh water, recreation, beauty, and enjoyment;

(B) the United States should seek to attain the goals embodied in the Great Lakes Water Quality Agreement of 1978, as amended by the Water Quality Agreement of 1987 and any other agreements and amendments, with particular emphasis on goals related to toxic pollutants; and

(C) the Environmental Protection Agency should take the lead in the effort to meet those goals, working with other Federal agencies and State and local authorities.

(2) PURPOSE.—It is the purpose of this section to achieve the goals embodied in the Great Lakes Water Quality Agreement of 1978, as amended by the Water Quality Agreement of 1987 and any other agreements and amendments, through im-

proved organization and definition of mission on the part of the Agency, funding of State grants for pollution control in the Great Lakes area, and improved accountability for implementation of such agreement.

(3) DEFINITIONS.—For purposes of this section, the term—

(A) "Agency" means the Environmental Protection Agency;

(B) "Great Lakes" means Lake Ontario, Lake Erie, Lake Huron (including Lake St. Clair), Lake Michigan, and Lake Superior, and the connecting channels (Saint Mary's River, Saint Clair River, Detroit River, Niagara River, and Saint Lawrence River to the Canadian Border);

(C) "Great Lakes System" means all the streams, rivers, lakes, and other bodies of water within the drainage basin of the Great Lakes;

(D) "Program Office" means the Great Lakes National Program Office established by this section;

(E) "Research Office" means the Great Lakes Research Office established by subsection (d);

(F) "area of concern" means a geographic area located within the Great Lakes, in which beneficial uses are impaired and which has been officially designated as such under Annex 2 of the Great Lakes Water Quality Agreement;

(G) "Great Lakes States" means the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin;

(H) "Great Lakes Water Quality Agreement" means the bilateral agreement, between the United States and Canada which was signed in 1978 and amended by the Protocol of 1987;

(I) "Lakewide Management Plan" means a written document which embodies a systematic and comprehensive ecosystem approach to restoring and protecting the beneficial uses of the open waters of each of the Great Lakes, in accordance with article VI and Annex 2 of the Great Lakes Water Quality Agreement; and

(J) "Remedial Action Plan" means a written document which embodies a systematic and comprehensive ecosystem approach to restoring and protecting the beneficial uses of areas of concern, in accordance with article VI and Annex 2 of the Great Lakes Water Quality Agreement.

(b) GREAT LAKES NATIONAL PROGRAM OFFICE.—The Great Lakes National Program Office (previously established by the Administrator) is hereby established within the Agency. The Program Office shall be headed by a Director who, by reason of management experience and technical expertise relating to the Great Lakes, is highly qualified to direct the development of programs and plans on a variety of Great Lakes issues. The Great Lakes National Program Office shall be located in a Great Lakes State.

(c) GREAT LAKES MANAGEMENT.—

(1) FUNCTIONS.—The Program Office shall—

(A) in cooperation with appropriate Federal, State, tribal, and international agencies, and in accordance with

section 101(e) of this Act, develop and implement specific action plans to carry out the responsibilities of the United States under the Great Lakes Water Quality Agreement of 1978, as amended by the Water Quality Agreement of 1987 and any other agreements and amendments,;[1]

(B) establish a Great Lakes system-wide surveillance network to monitor the water quality of the Great Lakes, with specific emphasis on the monitoring of toxic pollutants;

(C) serve as the liaison with, and provide information to, the Canadian members of the International Joint Commission and the Canadian counterpart to the Agency;

(D) coordinate actions of the Agency (including actions by headquarters and regional offices thereof) aimed at improving Great Lakes water quality; and

(E) coordinate actions of the Agency with the actions of other Federal agencies and State and local authorities, so as to ensure the input of those agencies and authorities in developing water quality strategies and obtain the support of those agencies and authorities in achieving the objectives of such agreement.

(2) GREAT LAKES WATER QUALITY GUIDANCE.—

(A) By June 30, 1991, the Administrator, after consultation with the Program Office, shall publish in the Federal Register for public notice and comment proposed water quality guidance for the Great Lakes System. Such guidance shall conform with the objectives and provisions of the Great Lakes Water Quality Agreement, shall be no less restrictive than the provisions of this Act and national water quality criteria and guidance, shall specify numerical limits on pollutants in ambient Great Lakes waters to protect human health, aquatic life, and wildlife, and shall provide guidance to the Great Lakes States on minimum water quality standards, antidegradation policies, and implementation procedures for the Great Lakes System.

(B) By June 30, 1992, the Administrator, in consultation with the Program Office, shall publish in the Federal Register, pursuant to this section and the Administrator's authority under this chapter, final water quality guidance for the Great Lakes System.

(C) Within two years after such Great Lakes guidance is published, the Great Lakes States shall adopt water quality standards, antidegradation policies, and implementation procedures for waters within the Great Lakes System which are consistent with such guidance. If a Great Lakes State fails to adopt such standards, policies, and procedures, the Administrator shall promulgate them not later than the end of such two-year period. When reviewing any Great Lakes State's water quality plan, the agency shall consider the extent to which the State has complied with the Great Lakes guidance issued pursuant to this section.

[1] See P.L. 100–688, section 1008.

(3) REMEDIAL ACTION PLANS.—

(A) For each area of concern for which the United States has agreed to draft a Remedial Action Plan, the Program Office shall ensure that the Great Lakes State in which such area of concern is located—

(i) submits a Remedial Action Plan to the Program Office by June 30, 1991;

(ii) submits such Remedial Action Plan to the International Joint Commission by January 1, 1992; and

(iii) includes such Remedial Action Plans within the State's water quality plan by January 1, 1993.

(B) For each area of concern for which Canada has agreed to draft a Remedial Action Plan, the Program Office shall, pursuant to subparagraph (c)(1)(C) of this section, work with Canada to assure the submission of such Remedial Action Plans to the International Joint Commission by June 30, 1991, and to finalize such Remedial Action Plans by January 1, 1993.

(C) For any area of concern designated as such subsequent to the enactment of this Act, the Program Office shall (i) if the United States has agreed to draft the Remedial Action Plan, ensure that the Great Lakes State in which such area of concern is located submits such Plan to the Program Office within two years of the area's designation, submits it to the International Joint Commission no later than six months after submitting it to the Program Office, and includes such Plan in the State's water quality plan no later than one year after submitting it to the Commission; and (ii) if Canada has agreed to draft the Remedial Action Plan, work with Canada, pursuant to subparagraph (c)(1)(C) of this section, to ensure the submission of such Plan to the International Joint Commission within two years of the area's designation and the finalization of such Plan no later than eighteen months after submitting it to such Commission.

(D) The Program Office shall compile formal comments on individual Remedial Action Plans made by the International Joint Commission pursuant to section 4(d) of Annex 2 of the Great Lakes Water Quality Agreement and, upon request by a member of the public, shall make such comments available for inspection and copying. The Program Office shall also make available, upon request, formal comments made by the Environmental Protection Agency on individual Remedial Action Plans.

(E) REPORT.—Not later than 1 year after the date of enactment of this subparagraph, the Administrator shall submit to Congress a report on such actions, time periods, and resources as are necessary to fulfill the duties of the Agency relating to oversight of Remedial Action Plans under—

(i) this paragraph; and

(ii) the Great Lakes Water Quality Agreement.

(4) LAKEWIDE MANAGEMENT PLANS.—The Administrator, in consultation with the Program Office shall—

(A) by January 1, 1992, publish in the Federal Register a proposed Lakewide Management Plan for Lake Michigan and solicit public comments;

(B) by January 1, 1993, submit a proposed Lakewide Management Plan for Lake Michigan to the International Joint Commission for review; and

(C) by January 1, 1994, publish in the Federal Register a final Lakewide Management Plan for Lake Michigan and begin implementation.

Nothing in this subparagraph shall preclude the simultaneous development of Lakewide Management Plans for the other Great Lakes.

(5) SPILLS OF OIL AND HAZARDOUS MATERIALS.—The Program Office, in consultation with the Coast Guard, shall identify areas within the Great Lakes which are likely to experience numerous or voluminous spills of oil or other hazardous materials from land based facilities, vessels, or other sources and, in consultation with the Great Lakes States, shall identify weaknesses in Federal and State programs and systems to prevent and respond to such spills. This information shall be included on at least a biennial basis in the report required by this section.

(6) 5-YEAR PLAN AND PROGRAM.—The Program Office shall develop, in consultation with the States, a five-year plan and program for reducing the amount of nutrients introduced into the Great Lakes. Such program shall incorporate any management program for reducing nutrient runoff from nonpoint sources established under section 319 of this Act and shall include a program for monitoring nutrient runoff into, and ambient levels in, the Great Lakes.

(7) 5-YEAR STUDY AND DEMONSTRATION PROJECTS.—(A) The Program Office shall carry out a five-year study and demonstration projects relating to the control and removal of toxic pollutants in the Great Lakes, with emphasis on the removal of toxic pollutants from bottom sediments. In selecting locations for conducting demonstration projects under this paragraph, priority consideration shall be given to projects at the following locations: Saginaw Bay, Michigan; Sheboygan Harbor, Wisconsin; Grand Calumet River, Indiana; Ashtabula River, Ohio; and Buffalo River, New York.

(B) The Program Office shall—

(i) by December 31, 1990, complete chemical, physical, and biological assessments of the contaminated sediments at the locations selected for the study and demonstration projects;

(ii) by December 31, 1990, announce the technologies that will be demonstrated at each location and the numerical standard of protection intended to be achieved at each location;

(iii) by December 31, 1992, complete full or pilot scale demonstration projects on site at each location of

promising technologies to remedy contaminated sediments; and

(iv) by December 31, 1993, issue a final report to Congress on its findings.

(C) The Administrator, after providing for public review and comment, shall publish information concerning the public health and environmental consequences of contaminants in Great Lakes sediment. Information published pursuant to this subparagraph shall include specific numerical limits to protect health, aquatic life, and wildlife from the bioaccumulation of toxins. The Administrator shall, at a minimum, publish information pursuant to this subparagraph within 2 years of the date of the enactment of this title.

(8) ADMINISTRATOR'S RESPONSIBILITY.—The Administrator shall ensure that the Program Office enters into agreements with the various organizational elements of the Agency involved in Great Lakes activities and the appropriate State agencies specifically delineating—

(A) the duties and responsibilities of each such element in the Agency with respect to the Great Lakes;

(B) the time periods for carrying out such duties and responsibilities; and

(C) the resources to be committed to such duties and responsibilities.

(9) BUDGET ITEM.—The Administrator shall, in the Agency's annual budget submission to Congress, include a funding request for the Program Office as a separate budget line item.

(10) COMPREHENSIVE REPORT.—Within 90 days after the end of each fiscal year, the Administrator shall submit to Congress a comprehensive report which—

(A) describes the achievements in the preceding fiscal year in implementing the Great Lakes Water Quality Agreement of 1978 and shows by categories (including judicial enforcement, research, State cooperative efforts, and general administration) the amounts expended on Great Lakes water quality initiatives in such preceding fiscal year;

(B) describes the progress made in such preceding fiscal year in implementing the system of surveillance of the water quality in the Great Lakes System, including the monitoring of groundwater and sediment, with particular reference to toxic pollutants;

(C) describes the long-term prospects for improving the condition of the Great Lakes; and

(D) provides a comprehensive assessment of the planned efforts to be pursued in the succeeding fiscal year for implementing the Great Lakes Water Quality Agreement of 1978, which assessment shall—

(i) show by categories (including judicial enforcement, research, State cooperative efforts, and general administration) the amount anticipated to be expended on Great Lakes water quality initiatives in the fiscal year to which the assessment relates; and

(ii) include a report of current programs administered by other Federal agencies which make available resources to the Great Lakes water quality management efforts.

(11) CONFINED DISPOSAL FACILITIES.—(A) The Administrator, in consultation with the Assistant Secretary of the Army for Civil Works, shall develop and implement, within one year of the date of enactment of this paragraph, management plans for every Great Lakes confined disposal facility.

(B) The plan shall provide for monitoring of such facilities, including—

(i) water quality at the site and in the area of the site;

(ii) sediment quality at the site and in the area of the site;

(iii) the diversity, productivity, and stability of aquatic organisms at the site and in the area of the site; and

(iv) such other conditions as the Administrator deems appropriate.

(C) The plan shall identify the anticipated use and management of the site over the following twenty-year period including the expected termination of dumping at the site, the anticipated need for site management, including pollution control, following the termination of the use of the site.

(D) The plan shall identify a schedule for review and revision of the plan which shall not be less frequent than five years after adoption of the plan and every five years thereafter.

(12) REMEDIATION OF SEDIMENT CONTAMINATION IN AREAS OF CONCERN.—

(A) IN GENERAL.—In accordance with this paragraph, the Administrator, acting through the Program Office, may carry out projects that meet the requirements of subparagraph (B).

(B) ELIGIBLE PROJECTS.—A project meets the requirements of this subparagraph if the project is to be carried out in an area of concern located wholly or partially in the United States and the project—

(i) monitors or evaluates contaminated sediment;

(ii) subject to subparagraph (D), implements a plan to remediate contaminated sediment; or

(iii) prevents further or renewed contamination of sediment.

(C) PRIORITY.—In selecting projects to carry out under this paragraph, the Administrator shall give priority to a project that—

(i) constitutes remedial action for contaminated sediment;

(ii)(I) has been identified in a Remedial Action Plan submitted under paragraph (3); and

(II) is ready to be implemented;

(iii) will use an innovative approach, technology, or technique that may provide greater environmental benefits, or equivalent environmental benefits at a reduced cost; or

(iv) includes remediation to be commenced not later than 1 year after the date of receipt of funds for the project.

(D) LIMITATION.—The Administrator may not carry out a project under this paragraph for remediation of contaminated sediments located in an area of concern—

(i) if an evaluation of remedial alternatives for the area of concern has not been conducted, including a review of the short-term and long-term effects of the alternatives on human health and the environment; or

(ii) if the Administrator determines that the area of concern is likely to suffer significant further or renewed contamination from existing sources of pollutants causing sediment contamination following completion of the project.

(E) NON-FEDERAL SHARE.—

(i) IN GENERAL.—The non-Federal share of the cost of a project carried out under this paragraph shall be at least 35 percent.

(ii) IN-KIND CONTRIBUTIONS.—The non-Federal share of the cost of a project carried out under this paragraph may include the value of in-kind services contributed by a non-Federal sponsor.

(iii) NON-FEDERAL SHARE.—The non-Federal share of the cost of a project carried out under this paragraph—

(I) may include monies paid pursuant to, or the value of any in-kind service performed under, an administrative order on consent or judicial consent decree; but

(II) may not include any funds paid pursuant to, or the value of any in-kind service performed under, a unilateral administrative order or court order.

(iv) OPERATION AND MAINTENANCE.—The non-Federal share of the cost of the operation and maintenance of a project carried out under this paragraph shall be 100 percent.

(F) MAINTENANCE OF EFFORT.—The Administrator may not carry out a project under this paragraph unless the non-Federal sponsor enters into such agreements with the Administrator as the Administrator may require to ensure that the non-Federal sponsor will maintain its aggregate expenditures from all other sources for remediation programs in the area of concern in which the project is located at or above the average level of such expenditures in the 2 fiscal years preceding the date on which the project is initiated.

(G) COORDINATION.—In carrying out projects under this paragraph, the Administrator shall coordinate with the Secretary of the Army, and with the Governors of States in which the projects are located, to ensure that Federal and State assistance for remediation in areas of concern is used as efficiently as practicable.

(H) AUTHORIZATION OF APPROPRIATIONS.—

(i) IN GENERAL.—In addition to other amounts authorized under this section, there is authorized to be appropriated to carry out this paragraph $50,000,000 for each of fiscal years 2004 through 2008.

(ii) AVAILABILITY.—Funds made available under clause (i) shall remain available until expended.

(13) PUBLIC INFORMATION PROGRAM.—

(A) IN GENERAL.—The Administrator, acting through the Program Office and in coordination with States, Indian tribes, local governments, and other entities, may carry out a public information program to provide information relating to the remediation of contaminated sediment to the public in areas of concern that are located wholly or partially in the United States.

(B) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph $1,000,000 for each of fiscal years 2004 through 2008.

(d) GREAT LAKES RESEARCH.—

(1) ESTABLISHMENT OF RESEARCH OFFICE.—There is established within the National Oceanic and Atmospheric Administration the Great Lakes Research Office.

(2) IDENTIFICATION OF ISSUES.—The Research Office shall identify issues relating to the Great Lakes resources on which research is needed. The Research Office shall submit a report to Congress on such issues before the end of each fiscal year which shall identify any changes in the Great Lakes system with respect to such issues.

(3) INVENTORY.—The Research Office shall identify and inventory, Federal, State, university, and tribal environmental research programs (and, to the extent feasible, those of private organizations and other nations) relating to the Great Lakes system, and shall update that inventory every four years.

(4) RESEARCH EXCHANGE.—The Research Office shall establish a Great Lakes research exchange for the purpose of facilitating the rapid identification, acquisition, retrieval, dissemination, and use of information concerning research projects which are ongoing or completed and which affect the Great Lakes system.

(5) RESEARCH PROGRAM.—The Research Office shall develop, in cooperation with the Coordination Office, a comprehensive environmental research program and data base for the Great Lakes system. The data base shall include, but not be limited to, data relating to water quality, fisheries, and biota.

(6) MONITORING.—The Research Office shall conduct, through the Great Lakes Environmental Research Laboratory, the National Sea Grant College program, other Federal laboratories, and the private sector, appropriate research and monitoring activities which address priority issues and current needs relating to the Great Lakes.

(7) LOCATION.—The Research Office shall be located in a Great Lakes State.

(e) RESEARCH AND MANAGEMENT COORDINATION.—

(1) JOINT PLAN.—Before October 1 of each year, the Program Office and the Research Office shall prepare a joint research plan for the fiscal year which begins in the following calendar year.

(2) CONTENTS OF PLAN.—Each plan prepared under paragraph (1) shall—

(A) identify all proposed research dedicated to activities conducted under the Great Lakes Water Quality Agreement of 1978;

(B) include the Agency's assessment of priorities for research needed to fulfill the terms of such Agreement; and

(C) identify all proposed research that may be used to develop a comprehensive environmental data base for the Great Lakes system and establish priorities for development of such data base.

(3) HEALTH RESEARCH REPORT.—(A) Not later than September 30, 1994, the Program Office, in consultation with the Research Office, the Agency for Toxic Substances and Disease Registry, and Great Lakes States shall submit to the Congress a report assessing the adverse effects of water pollutants in the Great Lakes System on the health of persons in Great Lakes States and the health of fish, shellfish, and wildlife in the Great Lakes System. In conducting research in support of this report, the Administrator may, where appropriate, provide for research to be conducted under cooperative agreements with Great Lakes States.

(B) There is authorized to be appropriated to the Administrator to carry out this section not to exceed $3,000,000 for each of fiscal years 1992, 1993, and 1994.

(f) INTERAGENCY COOPERATION.—The head of each department, agency, or other instrumentality of the Federal Government which is engaged in, is concerned with, or has authority over programs relating to research, monitoring, and planning to maintain, enhance, preserve, or rehabilitate the environmental quality and natural resources of the Great Lakes, including the Chief of Engineers of the Army, the Chief of the Soil Conservation Service, the Commandant of the Coast Guard, the Director of the Fish and Wildlife Service, and the Administrator of the National Oceanic and Atmospheric Administration, shall submit an annual report to the Administrator with respect to the activities of that agency or office affecting compliance with the Great Lakes Water Quality Agreement of 1978.

(g) RELATIONSHIP TO EXISTING FEDERAL AND STATE LAWS AND INTERNATIONAL TREATIES.—Nothing in this section shall be construed—

(1) to affect the jurisdiction, powers, or prerogatives of any department, agency, or officer of the Federal Government or of any State government, or of any tribe, nor any powers, jurisdiction, or prerogatives of any international body created by treaty with authority relating to the Great Lakes; or

(2) to affect any other Federal or State authority that is being used or may be used to facilitate the cleanup and protection of the Great Lakes.

(h) AUTHORIZATIONS OF GREAT LAKES APPROPRIATIONS.—There are authorized to be appropriated to the Administrator to carry out this section not to exceed—

(1) $11,000,000 per fiscal year for the fiscal years 1987, 1988, 1989, and 1990, and $25,000,000 for fiscal year 1991;

(2) such sums as are necessary for each of fiscal years 1992 through 2003; and

(3) $25,000,000 for each of fiscal years 2004 through 2008.

(33 U.S.C. 1268)

SEC. 119. LONG ISLAND SOUND.—(a) The Administrator shall continue the Management Conference of the Long Island Sound Study (hereinafter referred to as the "Conference") as established pursuant to section 320 of this Act, and shall establish an office (hereinafter referred to as the "Office") to be located on or near Long Island Sound.

(b) ADMINISTRATION AND STAFFING OF OFFICE.—The Office shall be headed by a Director, who shall be detailed by the Administrator, following consultation with the Administrators of EPA regions I and II, from among the employees of the Agency who are in civil service. The Administrator shall delegate to the Director such authority and detail such additional staff as may be necessary to carry out the duties of the Director under this section.

(c) DUTIES OF THE OFFICE.—The Office shall assist the Management Conference of the Long Island Sound Study in carrying out its goals. Specifically, the Office shall—

(1) assist and support the implementation of the Comprehensive Conservation and Management Plan for Long Island Sound developed pursuant to section 320 of this Act, including efforts to establish, within the process for granting watershed general permits, a system for promoting innovative methodologies and technologies that are cost-effective and consistent with the goals of the Plan;

(2) conduct or commission studies deemed necessary for strengthened implementation of the Comprehensive Conservation and Management Plan including, but not limited to—

(A) population growth and the adequacy of wastewater treatment facilities,

(B) the use of biological methods for nutrient removal in sewage treatment plants,

(C) contaminated sediments, and dredging activities,

(D) nonpoint source pollution abatement and land use activities in the Long Island Sound watershed,

(E) wetland protection and restoration,

(F) atmospheric deposition of acidic and other pollutants into Long Island Sound,

(G) water quality requirements to sustain fish, shellfish, and wildlife populations, and the use of indicator species to assess environmental quality,

(H) State water quality programs, for their adequacy pursuant to implementation of the Comprehensive Conservation and Management Plan, and

(I) options for long-term financing of wastewater treatment projects and water pollution control programs.

(3) coordinate the grant, research and planning programs authorized under this section;

(4) coordinate activities and implementation responsibilities with other Federal agencies which have jurisdiction over Long Island Sound and with national and regional marine monitoring and research programs established pursuant to the Marine Protection, Research, and Sanctuaries Act;

(5) provide administrative and technical support to the conference;

(6) collect and make available to the public publications, and other forms of information the conference determines to be appropriate, relating to the environmental quality of Long Island Sound;

(7) not more than two years after the date of the issuance of the final Comprehensive Conservation and Management Plan for Long Island Sound under section 320 of this Act, and biennially thereafter, issue a report to the Congress which—

(A) summarizes the progress made by the States in implementing the Comprehensive Conservation and Management Plan;

(B) summarizes any modifications to the Comprehensive Conservation and Management Plan in the twelve-month period immediately preceding such report; and

(C) incorporates specific recommendations concerning the implementation of the Comprehensive Conservation and Management Plan; and

(8) convene conferences and meetings for legislators from State governments and political subdivisions thereof for the purpose of making recommendations for coordinating legislative efforts to facilitate the environmental restoration of Long Island Sound and the implementation of the Comprehensive Conservation and Management Plan.

(d) GRANTS.—(1) The Administrator is authorized to make grants for projects and studies which will help implement the Long Island Sound Comprehensive Conservation and Management Plan. Special emphasis shall be given to implementation, research and planning, enforcement, and citizen involvement and education.

(2) State, interstate, and regional water pollution control agencies, and other public or nonprofit private agencies, institutions, and organizations held to be eligible for grants pursuant to this subsection.

(3) Citizen involvement and citizen education grants under this subsection shall not exceed 95 per centum of the costs of such work. All other grants under this subsection shall not exceed 50 per centum of the research, studies, or work. All grants shall be made on the condition that the non-Federal share of such costs are provided from non-Federal sources.

(e) ASSISTANCE TO DISTRESSED COMMUNITIES.—

(1) ELIGIBLE COMMUNITIES.—For the purposes of this subsection, a distressed community is any community that meets affordability criteria established by the State in which the community is located, if such criteria are developed after public review and comment.

(2) PRIORITY.—In making assistance available under this section for the upgrading of wastewater treatment facilities, the Administrator may give priority to a distressed community.

(f) AUTHORIZATIONS.—(1) There is authorized to be appropriated to the Administrator for the implementation of this section, other than subsection (d), such sums as may be necessary for each of the fiscal years 2001 through 2005.

(2) There is authorized to be appropriated to the Administrator for the implementation of subsection (d) not to exceed $40,000,000 for each of fiscal years 2001 through 2005.

(33 U.S.C. 1269)

SEC. 120. LAKE CHAMPLAIN BASIN PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established a Lake Champlain Management Conference to develop a comprehensive pollution prevention, control, and restoration plan for Lake Champlain. The Administrator shall convene the management conference within ninety days of the date of enactment of this section.

(2) IMPLEMENTATION.—The Administrator—

(A) may provide support to the State of Vermont, the State of New York, and the New England Interstate Water Pollution Control Commission for the implementation of the Lake Champlain Basin Program; and

(B) shall coordinate actions of the Environmental Protection Agency under subparagraph (A) with the actions of other appropriate Federal agencies.

(b) MEMBERSHIP.—The Members of the Management Conference shall be comprised of—

(1) the Governors of the States of Vermont and New York;

(2) each interested Federal agency, not to exceed a total of five members;

(3) the Vermont and New York Chairpersons of the Vermont, New York, Quebec Citizens Advisory Committee for the Environmental Management of Lake Champlain;

(4) four representatives of the State legislature of Vermont;

(5) four representatives of the State legislature of New York;

(6) six persons representing local governments having jurisdiction over any land or water within the Lake Champlain basin, as determined appropriate by the Governors; and

(7) eight persons representing affected industries, nongovernmental organizations, public and private educational institutions, and the general public, as determined appropriate by the trigovernmental Citizens Advisory Committee for the Environmental Management of Lake Champlain, but not to be current members of the Citizens Advisory Committee.

(c) TECHNICAL ADVISORY COMMITTEE.—(1) The Management Conference shall, not later than one hundred and twenty days after the date of enactment of this section, appoint a Technical Advisory Committee.

(2) Such Technical Advisory Committee shall consist of officials of: appropriate departments and agencies of the Federal Govern-

ment; the State governments of New York and Vermont; and governments of political subdivisions of such States; and public and private research institutions.

(d) RESEARCH PROGRAM.—The Management Conference shall establish a multi-disciplinary environmental research program for Lake Champlain. Such research program shall be planned and conducted jointly with the Lake Champlain Research Consortium.

(e) POLLUTION PREVENTION, CONTROL, AND RESTORATION PLAN.—(1) Not later than three years after the date of the enactment of this section, the Management Conference shall publish a pollution prevention, control, and restoration plan for Lake Champlain.

(2) The Plan developed pursuant to this section shall—

(A) identify corrective actions and compliance schedules addressing point and nonpoint sources of pollution necessary to restore and maintain the chemical, physical, and biological integrity of water quality, a balanced, indigenous population of shellfish, fish and wildlife, recreational, and economic activities in and on the lake;

(B) incorporate environmental management concepts and programs established in State and Federal plans and programs in effect at the time of the development of such plan;

(C) clarify the duties of Federal and State agencies in pollution prevention and control activities, and to the extent allowable by law, suggest a timetable for adoption by the appropriate Federal and State agencies to accomplish such duties within a reasonable period of time;

(D) describe the methods and schedules for funding of programs, activities, and projects identified in the Plan, including the use of Federal funds and other sources of funds;

(E) include a strategy for pollution prevention and control that includes the promotion of pollution prevention and management practices to reduce the amount of pollution generated in the Lake Champlain basin; and

(F) be reviewed and revised, as necessary, at least once every 5 years, in consultation with the Administrator and other appropriate Federal agencies.

(3) The Administrator, in cooperation with the Management Conference, shall provide for public review and comment on the draft Plan. At a minimum, the Management Conference shall conduct one public meeting to hear comments on the draft plan in the State of New York and one such meeting in the State of Vermont.

(4) Not less than one hundred and twenty days after the publication of the Plan required pursuant to this section, the Administrator shall approve such plan if the plan meets the requirements of this section and the Governors of the States of New York and Vermont concur.

(5) Upon approval of the plan, such plan shall be deemed to be an approved management program for the purposes of section 319(h) of this Act and such plan shall be deemed to be an approved comprehensive conservation and management plan pursuant to section 320 of this Act.

(f) GRANT ASSISTANCE.—(1) The Administrator may, in consultation with participants in the Lake Champlain Basin Program,

make grants to State, interstate, and regional water pollution control agencies, and public or nonprofit agencies, institutions, and organizations.

(2) Grants under this subsection shall be made for assisting research, surveys, studies, and modeling and technical and supporting work necessary for the development and implementation of the Plan.

(3) The amount of grants to any person under this subsection for a fiscal year shall not exceed 75 per centum of the costs of such research, survey, study and work and shall be made available on the condition that non-Federal share of such costs are provided from non-Federal sources.

(4) The Administrator may establish such requirements for the administration of grants as he determines to be appropriate.

(g) DEFINITIONS.—In this section:

(1) LAKE CHAMPLAIN BASIN PROGRAM.—The term "Lake Champlain Basin Program" means the coordinated efforts among the Federal Government, State governments, and local governments to implement the Plan.

(2) LAKE CHAMPLAIN DRAINAGE BASIN.—The term "Lake Champlain drainage basin" means all or part of Clinton, Franklin, Warren, Essex, and Washington counties in the State of New York and all or part of Franklin, Hamilton, Grand Isle, Chittenden, Addison, Rutland, Bennington, Lamoille, Orange, Washington, Orleans, and Caledonia counties in Vermont, that contain all of the streams, rivers, lakes, and other bodies of water, including wetlands, that drain into Lake Champlain.

(3) PLAN.—The term "Plan" means the plan developed under subsection (e).

(h) NO EFFECT ON CERTAIN AUTHORITY.—Nothing in this section—

(1) affects the jurisdiction or powers of—

(A) any department or agency of the Federal Government or any State government; or

(B) any international organization or entity related to Lake Champlain created by treaty or memorandum to which the United States is a signatory;

(2) provides new regulatory authority for the Environmental Protection Agency; or

(3) affects section 304 of the Great Lakes Critical Programs Act of 1990 (Public Law 101–596; 33 U.S.C. 1270 note).

(i) AUTHORIZATION.—There are authorized to be appropriated to the Environmental Protection Agency to carry out this section—

(1) $2,000,000 for each of fiscal years 1991, 1992, 1993, 1994, and 1995;

(2) such sums as are necessary for each of fiscal years 1996 through 2003; and

(3) $11,000,000 for each of fiscal years 2004 through 2008.

(33 U.S.C. 1270)

SEC. 121. LAKE PONTCHARTRAIN BASIN.

(a) ESTABLISHMENT OF RESTORATION PROGRAM.—The Administrator shall establish within the Environmental Protection Agency the Lake Pontchartrain Basin Restoration Program.

(b) PURPOSE.—The purpose of the program shall be to restore the ecological health of the Basin by developing and funding restoration projects and related scientific and public education projects.

(c) DUTIES.—In carrying out the program, the Administrator shall—

(1) provide administrative and technical assistance to a management conference convened for the Basin under section 320;

(2) assist and support the activities of the management conference, including the implementation of recommendations of the management conference;

(3) support environmental monitoring of the Basin and research to provide necessary technical and scientific information;

(4) develop a comprehensive research plan to address the technical needs of the program;

(5) coordinate the grant, research, and planning programs authorized under this section; and

(6) collect and make available to the public publications, and other forms of information the management conference determines to be appropriate, relating to the environmental quality of the Basin.

(d) GRANTS.—The Administrator may make grants—

(1) for restoration projects and studies recommended by a management conference convened for the Basin under section 320; and

(2) for public education projects recommended by the management conference.

(e) DEFINITIONS.—In this section, the following definitions apply:

(1) BASIN.—The term "Basin" means the Lake Pontchartrain Basin, a 5,000 square mile watershed encompassing 16 parishes in the State of Louisiana and 4 counties in the State of Mississippi.

(2) PROGRAM.—The term "program" means the Lake Pontchartrain Basin Restoration Program established under subsection (a).

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2001 through 2005. Such sums shall remain available until expended.

(2) PUBLIC EDUCATION PROJECTS.—Not more than 15 percent of the amount appropriated pursuant to paragraph (1) in a fiscal year may be expended on grants for public education projects under subsection (d)(2).

(33 U.S.C. 1273)

SEC. 121. WET WEATHER WATERSHED PILOT PROJECTS.[1]

(a) IN GENERAL.—The Administrator, in coordination with the States, may provide technical assistance and grants for treatment works to carry out pilot projects relating to the following areas of wet weather discharge control:

(1) WATERSHED MANAGEMENT OF WET WEATHER DISCHARGES.—The management of municipal combined sewer overflows, sanitary sewer overflows, and stormwater discharges, on an integrated watershed or subwatershed basis for the purpose of demonstrating the effectiveness of a unified wet weather approach.

(2) STORMWATER BEST MANAGEMENT PRACTICES.—The control of pollutants from municipal separate storm sewer systems for the purpose of demonstrating and determining controls that are cost-effective and that use innovative technologies in reducing such pollutants from stormwater discharges.

(b) ADMINISTRATION.—The Administrator, in coordination with the States, shall provide municipalities participating in a pilot project under this section the ability to engage in innovative practices, including the ability to unify separate wet weather control efforts under a single permit.

(c) FUNDING.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $10,000,000 for fiscal year 2002, $15,000,000 for fiscal year 2003, and $20,000,000 for fiscal year 2004. Such funds shall remain available until expended.

(2) STORMWATER.—The Administrator shall make available not less than 20 percent of amounts appropriated for a fiscal year pursuant to this subsection to carry out the purposes of subsection (a)(2).

(3) ADMINISTRATIVE EXPENSES.—The Administrator may retain not to exceed 4 percent of any amounts appropriated for a fiscal year pursuant to this subsection for the reasonable and necessary costs of administering this section.

(d) REPORT TO CONGRESS.—Not later than 5 years after the date of enactment of this section, the Administrator shall transmit to Congress a report on the results of the pilot projects conducted under this section and their possible application nationwide.

(33 U.S.C. 1274)

TITLE II—GRANTS FOR CONSTRUCTION OF TREATMENT WORKS

PURPOSE

SEC. 201. (a) It is the purpose of this title to require and to assist the development and implementation of waste treatment management plans and practices which will achieve the goals of this Act.

(b) Waste treatment management plans and practices shall provide for the application of the best practicable waste treatment

[1] The second section 121 was added by section 112(b) of the Miscellaneous Appropriations Act, 2001 (114 Stat. 2763A–225), as enacted into law by section 1(a)(6) of Public Law 106–554 (114 Stat. 2763).

technology before any discharge into receiving waters, including reclaiming and recycling of water, and confined disposal of pollutants so they will not migrate to cause water or other environmental pollution and shall provide for consideration of advanced waste treatment techniques.

(c) To the extent practicable, waste treatment management shall be on an areawide basis and provide control or treatment of all point and nonpoint sources of pollution, including in place or accumulated pollution sources.

(d) The Administrator shall encourage waste treatment management which results in the construction of revenue producing facilities providing for—

(1) the recycling of potential sewage pollutants through the production of agriculture, silviculture, or aquaculture products, or any combination thereof;

(2) the confined and contained disposal of pollutants not recycled;

(3) the reclamation of wastewater; and

(4) the ultimate disposal of sludge in a manner that will not result in environmental hazards.

(e) The Administrator shall encourage waste treatment management which results in integrating facilities for sewage treatment and recycling with facilities to treat, dispose of, or utilize other industrial and municipal wastes, including but not limited to solid waste and waste heat and thermal discharges. Such integrated facilities shall be designed and operated to produce revenues in excess of capital and operation and maintenance costs and such revenues shall be used by the designated regional management agency to aid in financing other environmental improvement programs.

(f) The Administrator shall encourage waste treatment management which combines "open space" and recreational considerations with such management.

(g)(1) The Administrator is authorized to make grants to any State, municipality, or intermunicipal or interstate agency for the construction of publicly owned treatment works. On and after October 1, 1984, grants under this title shall be made only for projects for secondary treatment or more stringent treatment, or any cost effective alternative thereto, new interceptors and appurtenances, and infiltration-in-flow correction. Notwithstanding the preceding sentences, the Administrator may make grants on and after October 1, 1984, for (A) any project within the definition set forth in section 212(2) of this Act, other than for a project referred to in the preceding sentence, and (B) any purpose for which a grant may be made under sections [1] 319 (h) and (i) of this Act (including any innovative and alternative approaches for the control of nonpoint sources of pollution), except that not more than 20 per centum (as determined by the Governor of the State) of the amount allotted to a State under section 205 of this Act for any fiscal year shall be obligated in such State under authority of this sentence.

(2) The Administrator shall not make grants from funds authorized for any fiscal year beginning after June 30, 1974, to any

[1] So in original. Probably should be "section".

State, municipality, or intermunicipal or interstate agency for the erection, building, acquisition, alteration, remodeling, improvement, or extension of treatment works unless the grant applicant has satisfactorily demonstrated to the Administrator that—

(A) alternative waste management techniques have been studied and evaluated and the works proposed for grant assistance will provide for the application of the best practicable waste treatment technology over the life of the works consistent with the purposes of this title; and

(B) as appropriate, the works proposed for grant assistance will take into account and allow to the extent practicable the application of technology at a later date which will provide for the reclaiming or recycling of water or otherwise eliminate the discharge of pollutants.

(3) The Administrator shall not approve any grant after July 1, 1973, for treatment works under this section unless the applicant shows to the satisfaction of the Administrator that each sewer collection system discharging into such treatment works is not subject to excessive infiltration.

(4) The Administrator is authorized to make grants to applicants for treatment works grants under this section for such sewer system evaluation studies as may be necessary to carry out the requirements of paragraph (3) of this subsection. Such grants shall be made in accordance with rules and regulations promulgated by the Administrator. Initial rules and regulations shall be promulgated under this paragraph not later than 120 days after the date of enactment of the Federal Water Pollution Control Act Amendments of 1972.

(5) The Administrator shall not make grants from funds authorized for any fiscal year beginning after September 30, 1978, to any State, municipality, or intermunicipal or interstate agency for the erection, building, acquisition, alteration, remodeling, improvement, or extension of treatment works unless the grant applicant has satisfactorily demonstrated to the Administrator that innovative and alternative wastewater treatment processes and techniques which provide for the reclaiming and reuse of water, otherwise eliminate the discharge of pollutants, and utilize recycling techniques, land treatment, new or improved methods of waste treatment management for municipal and industrial waste (discharged into municipal systems) and the confined disposal of pollutants, so that pollutants will not migrate to cause water or other environmental pollution, have been fully studied and evaluated by the applicant taking into account section 201(d) of this Act and taking into account and allowing to the extent practicable the more efficient use of energy and resources.

(6) The Administrator shall not make grants from funds authorized for any fiscal year beginning after September 30, 1978, to any State, municipality, or intermunicipal or interstate agency for the erection, building, acquisition, alteration, remodeling, improvement, or extension of treatment works unless the grant applicant has satisfactorily demonstrated to the Administrator that the applicant has analyzed the potential recreation and open space opportunities in the planning of the proposed treatment works.

(h) A grant may be made under this section to construct a privately owned treatment works serving one or more principal residences or small commercial establishments constructed prior to, and inhabited on the date of enactment of this subsection where the Administrator finds that—

(1) a public body otherwise eligible for a grant under subsection (g) of this section has applied on behalf of a number of such units and certified that public ownership of such works is not feasible;

(2) such public body has entered into an agreement with the Administrator which guarantees that such treatment works will be properly operated and maintained and will comply with all other requirements of section 204 of this Act and includes a system of charges to assure that each recipient of waste treatment services under such a grant will pay its proportionate share of the cost of operation and maintenance (including replacement); and

(3) the total cost and environmental impact of providing waste treatment services to such residences or commercial establishments will be less than the cost of providing a system of collection and central treatment of such wastes.

(i) The Administrator shall encourage waste treatment management methods, processes, and techniques which will reduce total energy requirements.

(j) The Administrator is authorized to make a grant for any treatment works utilizing processes and techniques meeting the guidelines promulgated under section 304(d)(3) of this Act, if the Administrator determines it is in the public interest and if in the cost effectiveness study made of the construction grant application for the purpose of evaluating alternative treatment works, the life cycle cost of the treatment works for which the grant is to be made does not exceed the life cycle cost of the most effective alternative by more than 15 per centum.

(k) No grant made after November 15, 1981, for a publicly owned treatment works, other than for facility planning and the preparation of construction plans and specifications, shall be used to treat, store, or convey the flow of any industrial user into such treatment works in excess of a flow per day equivalent to fifty thousand gallons per day of sanitary waste. This subsection shall not apply to any project proposed by a grantee which is carrying out an approved project to prepare construction plans and specifications for a facility to treat wastewater, which received its grant approval before May 15, 1980. This subsection shall not be in effect after November 15, 1981.

(l)(1) After the date of enactment of this subsection, Federal grants shall not be made for the purpose of providing assistance solely for facility plans, or plans, specifications, and estimates for any proposed project for the construction of treatment works. In the event that the proposed project receives a grant under this section for construction, the Administrator shall make an allowance in such grant for non-Federal funds expended during the facility planning and advanced engineering and design phase at the prevailing Federal share under section 202(a) of this Act, based on the per-

centage of total project costs which the Administrator determines is the general experience for such projects.

(2)(A) Each State shall use a portion of the funds allotted to such State each fiscal year, but not to exceed 10 per centum of such funds, to advance to potential grant applicants under this title the costs of facility planning or the preparation of plans, specifications, and estimates.

(B) Such an advance shall be limited to the allowance for such costs which the Administrator establishes under paragraph (1) of this subsection, and shall be provided only to a potential grant applicant which is a small community and which in the judgment of the State would otherwise be unable to prepare a request for a grant for construction costs under this section.

(C) In the event a grant for construction costs is made under this section for a project for which an advance has been made under this paragraph, the Administrator shall reduce the amount of such grant by the allowance established under paragraph (1) of this subsection. In the event no such grant is made, the State is authorized to seek repayment of such advance on such terms and conditions as it may determine.

(m)(1) Notwithstanding any other provisions of this title, the Administrator is authorized to make a grant from any funds otherwise allotted to the State of California under section 205 of this Act to the project (and in the amount) specified in Order WQG 81–1 of the California State Water Resources Control Board.

(2) Notwithstanding any other provision of this Act, the Administrator shall make a grant from any funds otherwise allotted to the State of California to the city of Eureka, California, in connection with project numbered C–06–2772, for the purchase of one hundred and thirty-nine acres of property as environmental mitigation for siting of the proposed treatment plant.

(3) Notwithstanding any other provision of this Act, the Administrator shall make a grant from any funds otherwise allotted to the State of California to the city of San Diego, California, in connection with that city's aquaculture sewage process (total resources recovery system) as an innovative and alternative waste treatment process.

(n)(1) On and after October 1, 1984, upon the request of the Governor of an affected State, the Administrator is authorized to use funds available to such State under section 205 to address water quality problems due to the impacts of discharges from combined storm water and sanitary sewer overflows, which are not otherwise eligible under this subsection, where correction of such discharges is a major priority for such State.

(2) Beginning fiscal year 1983, the Administrator shall have available $200,000,000 per fiscal year in addition to those funds authorized in section 207 of this Act to be utilized to address water quality problems of marine bays and estuaries subject to lower levels of water quality due to the impacts of discharges from combined storm water and sanitary sewer overflows from adjacent urban complexes, not otherwise eligible under this subsection. Such sums may be used as deemed appropriate by the Administrator as provided in paragraphs (1) and (2) of this subsection, upon the request

of and demonstration of water quality benefits by the Governor of an affected State.

(o) The Administrator shall encourage and assist applicants for grant assistance under this title to develop and file with the Administrator a capital financing plan which, at a minimum—

(1) projects the future requirements for waste treatment services within the applicant's jurisdiction for a period of no less than ten years;

(2) projects the nature, extent, timing, and costs of future expansion and reconstruction of treatment works which will be necessary to satisfy the applicant's projected future requirements for waste treatment services; and

(3) sets forth with specificity the manner in which the applicant intends to finance such future expansion and reconstruction.

(p) TIME LIMIT ON RESOLVING CERTAIN DISPUTES.—In any case in which a dispute arises with respect to the awarding of a contract for construction of treatment works by a grantee of funds under this title and a party to such dispute files an appeal with the Administrator under this title for resolution of such dispute, the Administrator shall make a final decision on such appeal within 90 days of the filing of such appeal.

(33 U.S.C. 1281)

FEDERAL SHARE

SEC. 202. (a)(1) The amount of any grant for treatment works made under this Act from funds authorized for any fiscal year beginning after June 30, 1971, and ending before October 1, 1984, shall be 75 per centum of the cost of construction thereof (as approved by the Administrator), and for any fiscal year beginning on or after October 1, 1984, shall be 55 per centum of the cost of construction thereof (as approved by the Administrator), unless modified to a lower percentage rate uniform throughout a State by the Governor of that State with the concurrence of the Administrator. Within ninety days after the enactment of this sentence the Administrator, shall issue guidelines for concurrence in any such modification, which shall provide for the consideration of the unobligated balance of sums allocated to the State under section 205 of this Act, the need for assistance under this title in such State, and the availability of State grant assistance to replace the Federal share reduced by such modification. The payment of any such reduced Federal share shall not constitute an obligation on the part of the United States or a claim on the part of any State or grantee to reimbursement for the portion of the Federal share reduced in any such State. Any grant (other than for reimbursement) made prior to the date of enactment of the Federal Water Pollution Control Act Amendments of 1972 from any funds authorized for any fiscal year beginning after June 30, 1971, shall, upon the request of the applicant, be increased to the applicable percentage under this section. Notwithstanding the first sentence of this paragraph, in any case where a primary, secondary, or advanced waste treatment facility or its related interceptors or a project for infiltration-in-flow correction has received a grant for erection, building, acqui-

sition, alteration, remodeling, improvement, extension, or correction before October 1, 1984, all segments and phases of such facility, interceptors, and project for infiltration-in-flow correction shall be eligible for grants at 75 per centum of the cost of construction thereof for any grant made pursuant to a State obligation which obligation occurred before October 1, 1990. Notwithstanding the first sentence of this paragraph, in the case of a project for which an application for a grant under this title has been made to the Administrator before October 1, 1984, and which project is under judicial injunction on such date prohibiting its construction, such project shall be eligible for grants at 75 percent of the cost of construction thereof. Notwithstanding the first sentence of this paragraph, in the case of the Wyoming Valley Sanitary Authority project mandated by judicial order under a proceeding begun prior to October 1, 1984, and a project for wastewater treatment for Altoona, Pennsylvania, such projects shall be eligible for grants at 75 percent of the cost of construction thereof.

(2) The amount of any grant made after September 30, 1978, and before October 1, 1981, for any eligible treatment works or significant portion thereof utilizing innovative or alternative wastewater treatment processes and techniques referred to in section 201(g)(5) shall be 85 per centum of the cost of construction thereof, unless modified by the Governor of the State with the concurrence of the Administrator to a percentage rate no less than 15 per centum greater than the modified uniform percentage rate in which the Administrator has concurred pursuant to paragraph (1) of this subsection. The amount of any grant made after September 30, 1981, for any eligible treatment works or unit processes and techinques thereof utilizing innovative or alternative wastewater treatment processes and techniques referred to in section 201(g)(5) shall be a percentage of the cost of construction thereof equal to 20 per centum greater than the percentage in effect under paragraph (1) of this subsection for such works or unit processes and techniques, but in no event greater than 85 per centum of the cost of construction thereof. No grant shall be made under this paragraph for construction of a treatment works in any State unless the proportion of the State contribution to the non-Federal share of construction costs for all treatment works in such State receiving a grant under this paragraph is the same as or greater than the proportion of the State contribution (if any) to the non-Federal share of construction costs for all treatment works receiving grants in such State under paragraph (1) of this subsection.

(3) In addition to any grant made pursuant to paragraph (2) of this subsection, the Administrator is authorized to make a grant to fund all of the costs of the modification or replacement of any facilities constructed with a grant made pursuant to paragraph (2) if the Administrator finds that such facilities have not met design performance specifications unless such failure is attributable to negligence on the part of any person and if such failure has significantly increased capital or operating and maintenance expenditures. In addition, the Administrator is authorized to make a grant to fund all of the costs of the modification or replacement of biodisc equipment (rotating biological contractors) in any publicly owned treatment works if the Administrator finds that such equipment

has failed to meet design performance specifications, unless such failure is attributable to negligence on the part of any person, and if such failure has significantly increased capital or operating and maintenance expenditures.

(4) For the purposes of this section, the term "eligible treatment works" means those treatment works in each State which meet the requirements of section 201(g)(5) of this Act and which can be fully funded from funds available for such purpose in such State.

(b) The amount of the grant for any project approved by the Administrator after January 1, 1971, and before July 1, 1971, for the construction of treatment works, the actual erection, building or acquisition of which was not commenced prior to July 1, 1971, shall, upon the request of the applicant, be increased to the applicable percentage under subsection (a) of this section for grants for treatment works from funds for fiscal years beginning after June 30, 1971, with respect to the cost of such actual erection, building, or acquisition. Such increased amount shall be paid from any funds allocated to the State in which the treatment works is located without regard to the fiscal year for which such funds were authorized. Such increased amount shall be paid for such project only if—

(1) a sewage collection system that is a part of the same total waste treatment system as the treatment works for which such grant was approved is under construction or is to be constructed for use in conjunction with such treatment works, and if the cost of such sewage collection system exceeds the cost of such treatment works, and

(2) the State water pollution control agency or other appropriate State authority certifies that the quantity of available ground water will be insufficient, inadequate, or unsuitable for public use, including the ecological preservation and recreational use of surface water bodies, unless effluents from publicly-owned treatment works after adequate treatment are returned to the ground water consistent with acceptable technological standards.

(c) Notwithstanding any other provision of law, sums allotted to the Commonwealth of Puerto Rico under section 205 of this Act for fiscal year 1981 shall remain available for obligation for the fiscal year for which authorized and for the period of the next succeeding twenty-four months. Such sums and any unobligated funds available to Puerto Rico from allotments for fiscal years ending prior to October 1, 1981, shall be available for obligation by the Administrator of the Environmental Protection Agency only to fund the following systems: Aguadilla, Arecibo, Mayaguez, Carolina, and Camuy Hatillo. These funds may be used by the Commonwealth of Puerto Rico to fund the non-Federal share of the costs of such projects. To the extent that these funds are used to pay the non-Federal share, the Commonwealth of Puerto Rico shall repay to the Environmental Protection Agency such amounts on terms and conditions developed and approved by the Administrator in consultation with the Governor of the Commonwealth of Puerto Rico. Agreement on such terms and conditions including the payment of interest to be determined by the Secretary of the Treasury, shall be reached prior to the use of these funds for the Commonwealth's

non-Federal share. No Federal funds awarded under this provision shall be used to replace local governments funds previously expended on these projects.

(33 U.S.C. 1282)

PLANS, SPECIFICATIONS, ESTIMATES, AND PAYMENTS

SEC. 203. (a)(1) Each applicant for a grant shall submit to the Administrator for his approval, plans, specifications, and estimates for each proposed project for the construction of treatment works for which a grant is applied for under section 201(g)(1) from funds allotted to the State under section 205 and which otherwise meets the requirements of this Act. The Administrator shall act upon such plans, specifications, and estimates as soon as practicable after the same have been submitted, and his approval of any such plans, specifications, and estimates shall be deemed a contractual obligation of the United States for the payment of its proportional contribution to such project.

(2) AGREEMENT ON ELIGIBLE COSTS.—

(A) LIMITATION ON MODIFICATIONS.—Before taking final action on any plans, specifications, and estimates submitted under this subsection after the 60th day following the date of the enactment of the Water Quality Act of 1987, the Administrator shall enter into a written agreement with the applicant which establishes and specifies which items of the proposed project are eligible for Federal payments under this section. The Administrator may not later modify such eligibility determinations unless they are found to have been made in violation of applicable Federal statutes and regulations.

(B) LIMITATION ON EFFECT.—Eligibility determinations under this paragraph shall not preclude the Administrator from auditing a project pursuant to section 501 of this Act, or other authority, or from withholding or recovering Federal funds for costs which are found to be unreasonable, unsupported by adequate documentation, or otherwise unallowable under applicable Federal costs principles, or which are incurred on a project which fails to meet the design specifications or effluent limitations contained in the grant agreement and permit pursuant to section 402 of this Act for such project.

(3) In the case of a treatment works that has an estimated total cost of $8,000,000 of less (as determined by the Administrator), and the population of the applicant municipality is twenty-five thousand or less (according to the most recent United States census), upon completion of an approved facility plan, a single grant may be awarded for the combined Federal share of the cost of preparing construction plans and specifications, and the building and erection of the treatment works.

(b) The Administrator shall, from time to time as the work progresses, make payments to the recipient of a grant for costs of construction incurred on a project. These payments shall at no time exceed the Federal share of the cost of construction incurred to the date of the voucher covering such payment plus the Federal share

of the value of the materials which have been stockpiled in the vicinity of such construction in conformity to plans and specifications for the project.

(c) After completion of a project and approval of the final voucher by the Administrator, he shall pay out of the appropriate sums the unpaid balance of the Federal share payable on account of such project.

(d) Nothing in this Act shall be construed to require, or to authorize the Administrator to require, that grants under this Act for construction of treatment works be made only for projects which are operable units usable for sewage collection, transportation, storage, waste treatment, or for similar purposes without additional construction.

(e) At the request of a grantee under this title, the Administrator is authorized to provide technical and legal assistance in the administration and enforcement of any contract in connection with treatment works assisted under this title, and to intervene any civil action involving the enforcement of such a contract.

(f) DESIGN/BUILD PROJECTS.—

(1) AGREEMENT.—Consistent with State law, an applicant who proposes to construct waste water treatment works may enter into an agreement with the Administrator under this subsection providing for the preparation of construction plans and specifications and the erection of such treatment works, in lieu of proceeding under the other provisions of this section.

(2) LIMITATION ON PROJECTS.—Agreements under this subsection shall be limited to projects under an approved facility plan which projects are—

(A) treatment works that have an estimated total cost of $8,000,000 or less; and

(B) any of the following types of waste water treatment systems: aerated lagoons, trickling filters, stabilization ponds, land application systems, sand filters, and subsurface disposal systems.

(3) REQUIRED TERMS.—An agreement entered into under this subsection shall—

(A) set forth an amount agreed to as the maximum Federal contribution to the project, based upon a competitively bid document of basic design data and applicable standard construction specifications and a determination of the federally eligible costs of the project at the applicable Federal share under section 202 of this Act;

(B) set forth dates for the start and completion of construction of the treatment works by the applicant and a schedule of payments of the Federal contribution to the project;

(C) contain assurances by the applicant that (i) engineering and management assistance will be provided to manage the project; (ii) the proposed treatment works will be an operable unit and will meet all the requirements of this title; and (iii) not later than 1 year after the date specified as the date of completion of construction of the treatment works, the treatment works will be operating so as

to meet the requirements of any applicable permit for such treatment works under section 402 of this Act;

(D) require the applicant to obtain a bond from the contractor in an amount determined necessary by the Administrator to protect the Federal interest in the project; and

(E) contain such other terms and conditions as are necessary to assure compliance with this title (except as provided in paragraph (4) of this subsection).

(4) LIMITATION ON APPLICATION.—Subsections (a), (b), and (c) of this section shall not apply to grants made pursuant to this subsection.

(5) RESERVATION TO ASSURE COMPLIANCE.—The Administrator shall reserve a portion of the grant to assure contract compliance until final project approval as defined by the Administrator. If the amount agreed to under paragraph (3)(A) exceeds the cost of designing and constructing the treatment works, the Administrator shall reallot the amount of the excess to the State in which such treatment works are located for the fiscal year in which such audit is completed.

(6) LIMITATION ON OBLIGATIONS.—The Administrator shall not obligate more than 20 percent of the amount allotted to a State for a fiscal year under section 205 of this Act for grants pursuant to this subsection.

(7) ALLOWANCE.—The Administrator shall determine an allowance for facilities planning for projects constructed under this subsection in accordance with section 201(l).

(8) LIMITATION ON FEDERAL CONTRIBUTIONS.—In no event shall the Federal contribution for the cost of preparing construction plans and specifications and the building and erection of treatment works pursuant to this subsection exceed the amount agreed upon under paragraph (3).

(9) RECOVERY ACTION.—In any case in which the recipient of a grant made pursuant to this subsection does not comply with the terms of the agreement entered into under paragraph (3), the Administrator is authorized to take such action as may be necessary to recover the amount of the Federal contribution to the project.

(10) PREVENTION OF DOUBLE BENEFITS.—A recipient of a grant made pursuant to this subsection shall not be eligible for any other grants under this title for the same project.

(33 U.S.C. 1283)

LIMITATIONS AND CONDITIONS

SEC. 204. (a) Before approving grants for any project for any treatment works under section 201(g)(1) the Administrator shall determine—

(1) that any required areawide waste treatment management plan under section 208 of this Act (A) is being implemented for such area and the proposed treatment works are included in such plan, or (B) is being developed for such area and reasonable progress is being made toward its implementation

and the proposed treatment works will be included in such plan;

(2) that (A) the State in which the project is to be located (i) is implementing any required plan under section 303(e) of this Act and the proposed treatment works are in conformity with such plan, or (ii) is developing such a plan and the proposed treatment works will be in conformity with such plan, and (B) such State is in compliance with section 305(b) of this Act;

(3) that such works have been certified by the appropriate State water pollution control agency as entitled to priority over such other works in the State in accordance with any applicable State plan under section 303(e) of this Act, except that any priority list developed pursuant to section 303(e)(3)(H) may be modified by such State in accordance with regulations promulgated by the Administrator to give higher priority for grants for the Federal share of the cost of preparing construction drawings and specifications for any treatment works utilizing processes and techniques meeting the guidelines promulgated under section 304(d)(3) of this Act for grants for the combined Federal share of the cost of preparing construction drawings and specifications and the building and erection of any treatment works meeting the requirements of the next to the last sentence of section 203(a) of this Act which utilizes processes and techniques meeting the guidelines promulgated under section 304(d)(3) of this Act.[1]

(4) that the applicant proposing to construct such works agrees to pay the non-Federal costs of such works and has made adequate provisions satisfactory to the Administrator for assuring proper and efficient operation, including the employment of trained management and operations personnel, and the maintenance of such works in accordance with a plan of operation approved by the state water pollution control agency or, as appropriate, the interstate agency, after construction thereof;

(5) that the size and capacity of such works relate directly to the needs to be served by such works, including sufficient reserve capacity. The amount of reserve capacity provided shall be approved by the Administrator on the basis of a comparison of the cost of constructing such reserves as a part of the works to be funded and the anticipated cost of providing expanded capacity at a date when such capacity will be required, after taking into account, in accordance with regulations promulgated by the Administrator, efforts to reduce total flow of sewage and unnecessary water consumption. The amount of reserve capacity eligible for a grant under this title shall be determined by the Administrator taking into account the projected population and associated commercial and industrial establishments within the jurisdiction of the applicant to be served by such treatment works as identified in an approved facilities plan, an areawide plan under section 208, or an applicable municipal master plan of development. For the purpose of this paragraph,

[1] So in law. The period should be a semicolon.

section 208, and any such plan, projected population shall be determined on the basis of the latest information available from the United States Department of Commerce or from the States as the Administrator, by regulation, determines appropriate. Beginning October 1, 1984, no grants shall be made under this title to construct that portion of any treatment works providing reserve capacity in excess of existing needs (including existing needs of residential, commercial, industrial, and other users) on the date of approval of a grant for the erection, building, acquisition, alteration, remodeling, improvement, or extension of a project for secondary treatment or more stringent treatment or new interceptors and appurtenances, except that in no event shall reserve capacity of a facility and its related interceptors to which this subsection applies be in excess of existing needs on October 1, 1990. In any case in which an applicant proposes to provide reserve capacity greater than that eligible for Federal financial assistance under this title, the incremental costs of the additional reserve capacity shall be paid by the applicant;

(6) that no specification for bids in connection with such works shall be written in such a manner as to contain proprietary, exclusionary, or discriminatory requirements other than those based upon performance, unless such requirements are necessary to test or demonstrate a specific thing or to provide for necessary interchangeability of parts and equipment. When in the judgment of the grantee, it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equal" description may be used as a means to define the performance or other salient requirements of a procurement, and in doing so the grantee need not establish the existence of any source other than the brand or source so named.

(b)(1) Notwithstanding any other provision of this title, the Administrator shall not approve any grant for any treatment works under section 201(g)(1) after March 1, 1973, unless he shall first have determined that the applicant (A) has adopted or will adopt a system of charges to assure that each recipient of waste treatment services within the applicant's jurisdiction, as determined by the Administrator, will pay its proportionate share (except as otherwise provided in this paragraph) of the costs of operation and maintenance (including replacement) of any waste treatment services provided by the applicant; and (B) has legal, institutional, managerial, and financial capability to insure adequate construction, operation, and maintenance of treatment works throughout the applicant's jurisdiction, as determined by the Administrator. In any case where an applicant which, as of the date of enactment of this sentence, uses a system of dedication ad valorem taxes and the Administrator determines that the applicant has a system of charges which results in the distribution of operation and maintenance costs for treatment works within the applicant's jurisdiction, to each user class, in proportion to the contribution to the total cost of operation and maintenance of such works by each user class (taking into account total waste water loading of such works, the constituent elements of the waste, and other appropriate factors),

and such applicant is otherwise in compliance with clause (A) of this paragraph with respect to each industrial user, then such dedication ad valorem tax system shall be deemed to be the user charge system meeting the requirements of clause (A) of this paragraph for the residential user class and such small non-residential user classes as defined by the Administrator. In defining small non-residential users, the Administrator shall consider the volume of wastes discharged into the treatment works by such users and the constituent elements of such wastes as well as such other factors as he deems appropriate. A system of user charges which imposes a lower charge for low-income residential users (as defined by the Administrator) shall be deemed to be a user charge system meeting the requirements of clause (A) of this paragraph if the Administrator determines that such system was adopted after public notice and hearing.

(2) The Administrator shall, within one hundred and eighty days after the date of enactment of the Federal Water Pollution Control Act Amendments of 1972, and after consultation with appropriate State, interstate, municipal and intermunicipal agencies, issue guidelines applicable to payment of waste treatment costs by industrial and nonindustrial receipts of waste treatment services which shall establish (A) classes of users of such services, including categories of industrial users; (B) criteria against which to determine the adequacy of charges imposed on classes and categories of users reflecting all factors that influence the cost of waste treatment, including strength, volume, and delivery flow rate characteristics of waste; and (C) model systems and rates of user charges typical of various treatment works serving municipal-industrial communities.

(3) Approval by the Administrator of a grant to an interstate agency established by interstate compact for any treatment works shall satisfy any other requirement that such works be authorized by Act of Congress.

(4) A system of charges which meets the requirement of clause (A) of paragraph (1) of this subsection may be based on something other than metering the sewage or water supply flow of residential recipients of waste treatment services, including ad valorem taxes. If the system of charges is based on something other than metering the Administrator shall require (A) the applicant to establish a system by which the necessary funds will be available for the proper operation and maintenance of the treatment works; and (B) the applicant to establish a procedure under which the residential user will be notified as to that portion of his total payment which will be allocated to the costs of the waste treatment services.

(c) The next to the last sentence of paragraph (5) of subsection (a) of this section shall not apply in any case where a primary, secondary, or advanced waste treatment facility or its related interceptors has received a grant for erection, building, acquisition, alteration, remodeling, improvement, or extension before October 1, 1984, and all segments and phases of such facility and interceptors shall be funded based on a 20-year reserve capacity in the case of such facility and a 20-year reserve capacity in the case of such interceptors, except that, if a grant for such interceptors has been approved prior to the date of enactment of the Municipal Waste-

water Treatment Construction Grant Amendments of 1981, such interceptors shall be funded based on the approved reserve capacity not to exceed 40 years.

(d)(1) A grant for the construction of treatment works under this title shall provide that the engineer or engineering firm supervising construction or providing architect engineering services during construction shall continue its relationship to the grant applicant for a period of one year after the completion of construction and initial operation of such treatment works. During such period such engineer or engineering firm shall supervise operation of the treatment works, train operating personnel, and prepare curricula and training material for operating personnel. Costs associated with the implementation of this paragraph shall be eligible for Federal assistance in accordance with this title.

(2) On the date one year after the completion of construction and initial operation of such treatment works, the owner and operator of such treatment works shall certify to the Administrator whether or not such treatment works meet the design specifications and effluent limitations contained in the grant agreement and permit pursuant to section 402 of the Act for such works. If the owner and operator of such treatment works cannot certify that such treatment works meet such design specifications and effluent limitations, any failure to meet such design specifications and effluent limitations shall be corrected in a timely manner, to allow such affirmative certification, at other than Federal expense.

(3) Nothing in this section shall be construed to prohibit a grantee under this title from requiring more assurances, guarantees, or indemnity or other contractual requirements from any party to a contract pertaining to a project assisted under this title, than those provided under this subsection.

(33 U.S.C. 1284)

ALLOTMENT

SEC. 205. (a) Sums authorized to be appropriated pursuant to section 207 for each fiscal year beginning after June 30, 1972, before September 30, 1977, shall be allotted by the Administrator not later than the January 1st immediately preceding the beginning of the fiscal year for which authorized, except that the allotment for fiscal year 1973 shall be made not later than 30 days after the date of enactment of the Federal Water Pollution Control Act Amendments of 1972. Such sums shall be allotted among the States by the Administrator in accordance with regulations promulgated by him, in the ratio that the estimated cost of constructing all needed publicly owned treatment works in each State bears to the estimated cost of construction of all needed publicly owned treatment works in all of the States. For the fiscal years ending June 30, 1973, and June 30, 1974, such ratio shall be determined on the basis of table III of House Public Works Committee Print No. 92–50. For the fiscal year ending June 30, 1975, such ratio shall be determined one-half on the basis of table I of House Public Works Committee Print Numbered 93–28 and one-half on the basis of table II of such print, except that no State shall receive an allotment less than that which it received for the fiscal year ending

June 30, 1972, as set forth in table III of such print. Allotments for fiscal years which begin after the fiscal year ending June 30, 1975 shall be made only in accordance with a revised cost estimate made and submitted to Congress in accordance with section 516 of this Act and only after such revised cost estimate shall have been approved by law specifically enacted hereafter.

(b)(1) Any sums allotted to a State under subsection (a) shall be available for obligation under section 203 on and after the date of such allotment. Such sums shall continue available for obligation in such State for a period of one year after the close of the fiscal year for which such sums are authorized. Any amounts so allotted which are not obligated by the end of such one-year period shall be immediately reallotted by the Administrator, in accordance with regulations promulgated by him, generally on the basis of the ratio used in making the last allotment of sums under this section. Such reallotted sums shall be added to the last allotments made to the States. Any sum made available to a State by reallotment under this subsection shall be in addition to any funds otherwise allotted to such State for grants under this title during any fiscal year.

(2) Any sums which have been obligated under section 203 and which are released by the payment of the final voucher for the project shall be immediately credited to the State to which such sums were last allotted. Such released sums shall be added to the amounts last allotted to such State and shall be immediately available for obligation in the same manner and to the same extent as such last allotment.

(c)(1) Sums authorized to be appropriated pursuant to section 207 for the fiscal years during the period beginning October 1, 1977, and ending September 30, 1981, shall be allotted for each such year by the Administrator not later than the tenth day which begins after the date of enactment of the Clean Water Act of 1977. Not-withstanding any other provision of law, sums authorized for the fiscal years ending September 30, 1978, September 30, 1979, September 30, 1980, and September 30, 1981, shall be allotted in accordance with table 3 of Committee Print Numbered 95–30 of the Committee on Public Works and Transportation of the House of Representatives.

(2) Sums authorized to be appropriated pursuant to section 207 for the fiscal years 1982, 1983, 1984, and 1985 shall be allotted for each such year by the Administrator not later than the tenth day which begins after the date of enactment of the Municipal Wastewater Treatment Construction Grant Amendments of 1981. Notwithstanding any other provision of law, sums authorized for the fiscal year ending September 30, 1982, shall be allotted in accordance with table 3 of Committee Print Numbered 95–30 of the Committee on Public Works and Transportation of the House of Representatives. Sums authorized for the fiscal years ending September 30, 1983, September 30, 1984, September 30, 1985, and September 30, 1986, shall be allotted in accordance with the following table:

	Fiscal years 1983 through 1985 [1]
States:	
Alabama	.011398
Alaska	.006101
Arizona	.006885
Arkansas	.006668
California	.072901
Colorado	.008154
Connecticut	.012487
Delaware	.004965
District of Columbia	.004965
Florida	.034407
Georgia	.017234
Hawaii	.007895
Idaho	.004965
Illinois	.046101
Indiana	.024566
Iowa	.013796
Kansas	.009201
Kentucky	.012973
Louisiana	.011205
Maine	.007788
Maryland	.024653
Massachusetts	.034608
Michigan	.043829
Minnesota	.018735
Mississippi	.009184
Missouri	.028257
Montana	.004965
Nebraska	.005214
Nevada	.004965
New Hampshire	.010186
New Jersey	.041654
New Mexico	.004965
New York	.113097
North Carolina	.018396
North Dakota	.004965
Ohio	.057383
Oklahoma	.008235
Oregon	.011515
Pennsylvania	.040377
Rhode Island	.006750
South Carolina	.010442
South Dakota	.004965
Tennessee	.014807
Texas	.038726
Utah	.005371
Vermont	.004965
Virginia	.020861
Washington	.017726
West Virginia	.015890
Wisconsin	.027557
Wyoming	.004965
Samoa	.000915
Guam	.000662
Northern Marianas	.000425
Puerto Rico	.013295
Pacific Trust Territories	.001305
Virgin Islands	.000531
United States totals	.999996

[1] So in original. Probably should be "1986".

(3) FISCAL YEARS 1987–1990.—Sums authorized to be appropriated pursuant to section 207 for the fiscal years 1987, 1988, 1989, and 1990 shall be allotted for each such year by the Administrator not later than the 10th day which begins after the

date of the enactment of this paragraph. Sums authorized for such fiscal years shall be allotted in accordance with the following table:

States:	
Alabama	.011309
Alaska	.006053
Arizona	.006831
Arkansas	.006616
California	.072333
Colorado	.008090
Connecticut	.012390
Delaware	.004965
District of Columbia	.004965
Florida	.034139
Georgia	.017100
Hawaii	.007833
Idaho	.004965
Illinois	.045741
Indiana	.024374
Iowa	.013688
Kansas	.009129
Kentucky	.012872
Louisiana	.011118
Maine	.007829
Maryland	.024461
Massachusetts	.034338
Michigan	.043487
Minnesota	.018589
Mississippi	.009112
Missouri	.028037
Montana	.004965
Nebraska	.005173
Nevada	.004965
New Hampshire	.010107
New Jersey	.041329
New Mexico	.004965
New York	.111632
North Carolina	.018253
North Dakota	.004965
Ohio	.056936
Oklahoma	.008171
Oregon	.011425
Pennsylvania	.040062
Rhode Island	.006791
South Carolina	.010361
South Dakota	.004965
Tennessee	.014692
Texas	.046226
Utah	.005329
Vermont	.004965
Virginia	.020698
Washington	.017588
West Virginia	.015766
Wisconsin	.027342
Wyoming	.004965
American Samoa	.000908
Guam	.000657
Northern Marianas	.000422
Puerto Rico	.013191
Pacific Trust Territories	.001295
Virgin Islands	.000527

(d) Sums allotted to the States for a fiscal year shall remain available for obligation for the fiscal year for which authorized and for the period of the next succeeding twelve months. The amount of any allotment not obligated by the end of such twenty-four-

month period shall be immediately reallotted by the Administrator on the basis of the same ratio as applicable to sums allotted for the then current fiscal year, except that none of the funds reallotted by the Administrator for fiscal year 1978 and for fiscal years thereafter shall be allotted to any State which failed to obligate any of the funds being reallotted. Any sum made available to a State by reallotment under this subsection shall be in addition to any funds otherwise allotted to such State for grants under this title during any fiscal year.

(e) For the fiscal years 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, and 1990, no State shall receive less than one-half of 1 per centum of the total allotment under subsection (c) of this section, except that in the case of Guam, Virgin Islands, American Samoa, and the Trust Territories not more than thirty-three one-hundredths of 1 per centum in the aggregate shall be allotted to all four for these jurisdictions. For the purpose of carrying out this subsection there are authorized to be appropriated, subject to such amounts as are provided in appropriation Acts, not to exceed $75,000,000 for each fiscal years 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, and 1990. If for any fiscal year the amount appropriated under authority of this subsection is less than the amount necessary to carry out this subsection, the amount each State receives under this subsection for such year shall be the same ratio for the amount such State would have received under this subsection in such year if the amount necessary to carry it out had been appropriated as the amount appropriated for such year bears to the amount necessary to carry out this subsection for such year.

(f) Notwithstanding any other provision of this section, sums made available between January 1, 1975, and March 1, 1975, by the Administrator for obligation shall be available for obligation until September 30, 1978.

(g)(1) The Administrator is authorized to reserve each fiscal year not to exceed 2 per centum of the amount authorized under section 207 of this title for purposes of the allotment made to each State under this section on or after October 1, 1977, except in the case of any fiscal year beginning on or after October 1, 1981, and ending before October 1, 1994, in which case the percentage authorized to be reserved shall not exceed 4 per centum.[1] or $400,000 whichever amount is the greater. Sums so reserved shall be available for making grants to such State under paragraph (2) of this subsection for the same period as sums are available from such allotment under subsection (d) of this section, and any such grant shall be available for obligation only during such period. Any grant made from sums reserved under this subsection which has not been obligated by the end of the period for which available shall be added to the amount last allotted to such State under this section and shall be immediately available for obligation in the same manner and to the same extent as such last allotment. Sums authorized to be reserved by this paragraph shall be in addition to and

[1] P.L. 97–117 added this phrase with a period at the end; probably should be a comma.

not in lieu of any other funds which may be authorized to carry out this subsection.

(2) The Administrator is authorized to grant to any State from amounts reserved to such State under this subsection, the reasonable costs of administering any aspects of sections 201, 203, 204, and 212 of this Act the responsibility for administration of which the Administrator has delegated to such State. The Administrator may increase such grant to take into account the reasonable costs of administering an approved program under section 402 or 404, administering a statewide waste treatment management planning program under section 208(b)(4), and managing waste treatment construction grants for small communities.

(h) The Administrator shall set aside from funds authorized for each fiscal year beginning on or after October 1, 1978, a total (as determined by the Governor of the State) of not less than 4 percent nor more than 7½ percent of the sums allotted to any State with a rural population of 25 per centum or more of the total population of such State, as determined by the Bureau of the Census. The Administrator may set aside no more than 7½ percent of the sums allotted to any other State for which the Governor requests such action. Such sums shall be available only for alternatives to conventional sewage treatment works for municipalities having a population of three thousand five hundred or less, or for the highly dispersed sections of larger municipalities, as defined by the Administrator.

(i) SET-ASIDE FOR INNOVATIVE AND ALTERNATIVE PROJECTS.—Not less than ½ of 1 percent of funds allotted to a State for each of the fiscal years ending September 30, 1979, through September 30, 1990, under subsection (c) of this section shall be expended only for increasing the Federal share of grants for construction of treatment works utilizing innovative processes and techniques pursuant to section 202(a)(2) of this Act. Including the expenditures authorized by the preceding sentence, a total of 2 percent of the funds allotted to a State for each of the fiscal years ending September 30, 1979, and September 30, 1980, and 3 percent of the funds allotted to a State for the fiscal year ending September 30, 1981, under subsection (c) of this section shall be expended only for increasing grants for construction of treatment works pursuant to section 202(a)(2) of this Act. Including the expenditures authorized by the first sentence of this subsection, a total (as determined by the Governor of the State) of not less than 4 percent nor more than 7½ percent of the funds allotted to such State under subsection (c) of this section for each of the fiscal years ending September 30, 1982, through September 30, 1990, shall be expended only for increasing the Federal share of grants for construction of treatment works pursuant to section 202(a)(2) of this Act.

(j)(1) The Administrator shall reserve each fiscal year not to exceed 1 per centum of the sums allotted and available for obligation to each State under this section for each fiscal year beginning on or after October 1, 1981, or $100,000, whichever amount is the greater.

(2) Such sums shall be used by the Administrator to make grants to the States to carry out water quality management planning, including, but not limited to—

(A) identifying most cost effective and locally acceptable facility and non-point measures to meet and maintain water quality standards;

(B) developing an implementation plan to obtain State and local financial and regulatory commitments to implement measures developed under subparagraph (A);

(C) determining the nature, extent, and causes of water quality problems in various areas of the State and interstate region, and reporting on these annually; and

(D) determining those publicly owned treatment works which should be constructed with assistance under this title, in which areas and in what sequence, taking into account the relative degree of effluent reduction attained, the relative contributions to water quality of other point or nonpoint sources, and the consideration of alternatives to such construction, and implementing section 303(e) of this Act.

(3) In carrying out planning with grants made under paragraph (2) of this subsection, a State shall develop jointly with local, regional, and interstate entities, a plan for carrying out the program and give funding priority to such entities and designated or undesignated public comprehensive planning organizations to carry out the purposes of this subsection. In giving such priority, the State shall allocate at least 40 percent of the amount granted to such State for a fiscal year under paragraph (2) of this subsection to regional public comprehensive planning organizations in such State and appropriate interstate organizations for the development and implementation of the plan described in this paragraph. In any fiscal year for which the Governor, in consultation with such organizations and with the approval of the Administrator, determines that allocation of at least 40 percent of such amount to such organizations will not result in significant participation by such organizations in water quality management planning and not significantly assist in development and implementation of the plan described in this paragraph and achieving the goals of this Act, the allocation to such organization may be less than 40 percent of such amount.

(4) All activities undertaken under this subsection shall be in coordination with other related provisions of this Act.

(5) NONPOINT SOURCE RESERVATION.—In addition to the sums reserved under paragraph (1), the Administrator shall reserve each fiscal year for each State 1 percent of the sums allotted and available for obligation to such State under this section for each fiscal year beginning on or after October 1, 1986, or $100,000, whichever is greater, for the purpose of carrying out section 319 of this Act. Sums so reserved in a State in any fiscal year for which such State does not request the use of such sums, to the extent such sums exceed $100,000, may be used by such State for other purposes under this title.

(k) The Administrator shall allot to the State of New York from sums authorized to be appropriated for the fiscal year ending September 30, 1982, an amount necessary to pay the entire cost of conveying sewage from the Convention Center of the City of New York to the Newtown sewage treatment plant, Brooklyn-Queens area, New York. The amount allotted under this subsection shall be in

addition to and not in lieu of any other amounts authorized to be allotted to such State under this Act.

(l) MARINE ESTUARY RESERVATION.—

(1) RESERVATION OF FUNDS.—

(A) GENERAL RULE.—Prior to making allotments among the States under subsection (c) of this section, the Administrator shall reserve funds from sums appropriated pursuant to section 207 for each fiscal year beginning after September 30, 1986.

(B) FISCAL YEARS 1987 AND 1988.—For each of fiscal years 1987 and 1988 the reservation shall be 1 percent of the sums appropriated pursuant to section 207 for such fiscal year.

(C) FISCAL YEARS 1989 AND 1990.—For each of fiscal years 1989 and 1990 the reservation shall be 1½ percent of the funds appropriated pursuant to section 207 for such fiscal year.

(2) USE OF FUNDS.—Of the sums reserved under this subsection, two-thirds shall be available to address water quality problems of marine bays and estuaries subject to lower levels of water quality due to the impacts of discharges from combined storm water and sanitary sewer overflows from adjacent urban complexes, and one-third shall be available for the implementation of section 320 of this Act, relating to the national estuary program.

(3) PERIOD OF AVAILABILITY.—Sums reserved under this subsection shall be subject to the period of availability for obligation established by subsection (d) of this section.

(4) TREATMENT OF CERTAIN BODY OF WATER.—For purposes of this section and section 201(n), Newark Bay, New Jersey, and the portion of the Passaic River up to Little Falls, in the vicinity of Beatties Dam, shall be treated as a marine bay and estuary.

(m) DISCRETIONARY DEPOSITS INTO STATE WATER POLLUTION CONTROL REVOLVING FUNDS.—

(1) FROM CONSTRUCTION GRANT ALLOTMENTS.—In addition to any amounts deposited in a water pollution control revolving fund established by a State under title VI, upon request of the Governor of such State, the Administrator shall make available to the State for deposit, as capitalization grants, in such fund in any fiscal year beginning after September 30, 1986, such portion of the amounts allotted to such State under this section for such fiscal year as the Governor considers appropriate; except that (A) in fiscal year 1987 such deposit may not exceed 50 percent of the amounts allotted to such State under this section for such fiscal year, and (B) in fiscal year 1988, such deposit may not exceed 75 percent of the amounts allotted to such State under this section for this [1] fiscal year.

(2) NOTICE REQUIREMENT.—The Governor of a State may make a request under paragraph (1) for a deposit into the water pollution control revolving fund of such State—

[1] So in original. Probably should be "such".

(A) in fiscal year 1987 only if no later than 90 days after the date of the enactment of this subsection, and

(B) in each fiscal year thereafter only if 90 days before the first day of such fiscal year,

the State provides notice of its intent to make such deposit.

(3) EXCEPTION.—Sums reserved under section 205(j) of this Act shall not be available for obligation under this subsection.

(33 U.S.C. 1285)

REIMBURSEMENT AND ADVANCED CONSTRUCTION

SEC. 206. (a) Any publicly owned treatment works in a State on which construction was initiated after June 30, 1966, but before July 1, 1973, which was approved by the appropriate State water pollution control agency and which the Administrator finds meets the requirements of section 8 of this Act in effect at the time of the initiation of construction shall be reimbursed a total amount equal to the difference between the amount of Federal financial assistance, if any, received under such section 8 for such project and 50 per centum of the cost of such project, or 55 per centum of the project cost where the Administrator also determines that such treatment works was constructed in conformity with a comprehensive metropolitan treatment plan as described in section 8(f) of the Federal Water Pollution Control Act as in effect immediately prior to the date of enactment of the Federal Water Pollution Control Act Amendments of 1972. Nothing in this subsection shall result in any such works receiving Federal grants from all sources in excess of 80 per centum of the cost of such project.

(b) Any publicly owned treatment works constructed with or eligible for Federal financial assistance under this Act in a State between June 30, 1956, and June 30, 1966, which was approved by the State water pollution control agency and which the Administrator finds meets the requirements of section 8 of this Act prior to the date of enactment of the Federal Water Pollution Control Act Amendments of 1972 but which was constructed without assistance under such section 8 or which received such assistance in an amount less than 30 per centum of the cost of such project shall qualify for payments and reimbursement of State or local funds used for such project from sums allocated to such State under this section in an amount which shall not exceed the difference between the amount of such assistance, if any, received for such project and 30 per centum of the cost of such project.

(c) No publicly owned treatment works shall receive any payment or reimbursement under subsection (a) or (b) of this section unless an application for such assistance is filed with the Administrator within the one year period which begins on the date of enactment of the Federal Water Pollution Control Act Amendments of 1972. Any application filed within such one year period may be revised from time to time, as may be necessary.

(d) The Administrator shall allocate to each qualified project under subsection (a) of this section each fiscal year for which funds are appropriated under subsection (e) of this section an amount which bears the same ratio to the unpaid balance of the reimbursement due such project as the total of such funds for such year

bears to the total unpaid balance of reimbursement due all such approved projects on the date of enactment of such appropriation. The Administrator shall allocate to each qualified project under subsection (b) of this section each fiscal year for which funds are appropriated under subsection (e) of this section an amount which bears the same ratio to the unpaid balance of the reimbursement due such project as the total of such funds for such year bears to the total unpaid balance of reimbursement due all such approved projects on the date of enactment of such appropriation.

(e) There is authorized to be appropriated to carry out subsection (a) of this section not to exceed $2,600,000,000 and, to carry out subsection (b) of this section, not to exceed $750,000,000. The authorizations contained in this subsection shall be the sole source of funds for reimbursements authorized by this section.

(f)(1) In any case where a substantial portion of the funds allotted to a State for the current fiscal year under this title have been obligated under section 201(g), or will be so obligated in a timely manner (as determined by the Administrator), and there is construction of any treatment work project without the aid of Federal funds and in accordance with all procedures and all requirements applicable to treatment works projects, except those procedures and requirements which limit construction of projects to those constructed with the aid of previously allotted Federal funds, the Administrator, upon his approval of an application made under this subsection therefore, is authorized to pay the Federal share of the cost of construction of such project when additional funds are allotted to the State under this title if prior to the construction of the project the Administrator approves plans, specifications, and estimates therefor in the same manner as other treatment works projects. The Administrator may not approve an application under this subsection unless an authorization is in effect for the first fiscal year in the period for which the application requests payment and such requested payment for that fiscal year does not exceed the State's expected allotment from such authorization. The Administrator shall not be required to make such requested payment for any fiscal year—

(A) to the extent that such payment would exceed such State's allotment of the amount appropriated for such fiscal year; and

(B) unless such payment is for a project which, on the basis of an approved funding priority list of such State, is eligible to receive such payment based on the allotment and appropriation for such fiscal year.

To the extent that sufficient funds are not appropriated to pay the full Federal share with respect to a project for which obligations under the provisions of this subsection have been made, the Administrator shall reduce the Federal share to such amount less than 75 per centum as such appropriations do provide.

(2) In determining the allotment for any fiscal year under this title, any treatment works project constructed in accordance with this section and without the aid of Federal funds shall not be considered completed until an application under the provisions of this subsection with respect to such project has been approved by the

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Administrator, or the availability of funds from which this project is eligible for reimbursement has expired, whichever first occurs.

(33 U.S.C. 1286)

AUTHORIZATION

SEC. 207. There is authorized to be appropriated to carry out this title, other than sections 206(e), 208 and 209, for the fiscal year ending June 30, 1973, not to exceed $5,000,000,000, for the fiscal year ending June 30, 1974, not to exceed $6,000,000,000, and for the fiscal year ending June 30, 1975, not to exceed $7,000,000,000, and, subject to such amounts as are provided in appropriation Acts for the fiscal year ending September 30, 1977, $1,000,000,000 for the fiscal year ending September 30, 1978, $4,500,000,000 and for the fiscal years ending September 30, 1979, September 30, 1980, not to exceed $5,000,000,000; for the fiscal year ending September 30, 1981, not to exceed $2,548,837,000; and for the fiscal years ending September 30, 1982, September 30, 1983, September 30, 1984, and September 30, 1985, not to exceed $2,400,000,000 per fiscal year; and for each of the fiscal years ending September 30, 1986, September 30, 1987, and September 30, 1988, not to exceed $2,400,000,000; and for each of the fiscal years ending September 30, 1989, and September 30, 1990, not to exceed $1,200,000,000.

(33 U.S.C. 1287)

AREAWIDE WASTE TREATMENT MANAGEMENT

SEC. 208. (a) For the purpose of encouraging and facilitating the development and implementation of areawide waste treatment management plans—

(1) The Administrator, within ninety days after the date of enactment of this Act and after consultation with appropriate Federal, State, and local authorities, shall by regulation publish guidelines for the identification of those areas which, as a result of urban-industrial concentrations or other factors, have substantial water quality control problems.

(2) The Governor of each State, within sixty days after publication of the guidelines issued pursuant to paragraph (1) of this subsection, shall identify each area within the State which, as a result of urban-industrial concentrations or other factors, has substantial water quality control problems. Not later than one hundred and twenty days following such identification and after consultation with appropriate elected and other officials of local governments having jurisdiction in such areas, the Governor shall designate (A) the boundaries of each such area, and (B) a single representative organization, including elected officials from local governments or their designees, capable of developing effective areawide waste treatment management plans for such an area. The Governor may in the same manner at any later time identify any additional area (or modify an existing area) for which he determines areawide waste treatment management to be appropriate, designate the boundaries of such area, and designate an organization capable

of developing effective areawide waste treatment management plans for such area.

(3) With respect to any area which, pursuant to the guidelines published under paragraph (1) of this subsection, is located in two or more States, the Governors of the respective States shall consult and cooperate in carrying out the provisions of paragraph (2), with a view toward designating the boundaries of the interstate area having common water quality control problems and for which areawide waste treatment management plans would be most effective, and toward designating, within one hundred and eighty days after publication of guidelines issued pursuant to paragraph (1) of this subsection, of a single representative organization capable of developing effective areawide waste treatment management plans for such area.

(4) If a Governor does not act, either by designating or determining not to make a designation under paragraph (2) of this subsection, within the time required by such paragraph, or if, in the case of an interstate area, the Governors of the States involved do not designate a planning organization within the time required by paragraph (3) of this subsection, the chief elected officials of local governments within an area may by agreement designate (A) the boundaries for such an area, and (B) a single representative organization including elected officials from such local governments, or their designees, capable of developing an areawide waste treatment management plan for such area.

(5) Existing regional agencies may be designated under paragraphs (2), (3), and (4) of this subsection.

(6) The State shall act as a planning agency for all portions of such State which are not designated under paragraphs (2), (3), or (4) of this subsection.

(7) Designations under this subsection shall be subject to the approval of the Administrator.

(b)(1)(A) Not later than one year after the date of designation of any organization under subsection (a) of this section such organization shall have in operation a continuing areawide waste treatment management planning process consistent with section 201 of this Act. Plans prepared in accordance with this process shall contain alternatives for waste treatment management, and be applicable to all wastes generated within the area involved. The initial plan prepared in accordance with such process shall be certified by the Governor and submitted to the Administrator not later than two years after the planning process is in operation.

(B) For any agency designated after 1975 under subsection (a) of this section and for all portions of a State for which the State is required to act as the planning agency in accordance with subsection (a)(6), the initial plan prepared in accordance with such process shall be certified by the Governor and submitted to the Administrator not later than three years after the receipt of the initial grant award authorized under subsection (f) of this section.

(2) Any plan prepared under such process shall include, but not be limited to—

(A) the identification of treatment works necessary to meet the anticipated municipal and industrial waste treatment needs of the area over a twenty-year period, annually updated (including an analysis of alternative waste treatment systems), including any requirements for the acquisition of land for treatment purposes; the necessary waste water collection and urban storm water runoff systems; and a program to provide the necessary financial arrangements for the development of such treatment works, and an identification of open space and recreation opportunities that can be expected to result from improved water quality, including consideration of potential use of lands associated with treatment works and increased access to water-based recreation;

(B) the establishment of construction priorities for such treatment works and time schedules for the initiation and completion of all treatment works;

(C) the establishment of a regulatory program to—

(i) implement the waste treatment management requirements of section 201(c),

(ii) regulate the location, modification, and construction of any facilities within such area which may result in any discharge in such area, and

(iii) assure that any industrial or commercial waste discharged into any treatment works in such area meet applicable pretreatment requirements;

(D) the identification of those agencies necessary to construct, operate, and maintain all facilities required by the plan and otherwise to carry out the plan;

(E) the identification of the measures necessary to carry out the plan (including financing), the period of time necessary to carry out the plan, the costs of carrying out the plan within such time, and the economic, social, and environmental impact of carrying out the plan within such time;

(F) a process to (i) identify, if appropriate, agriculturally and silviculturally related nonpoint sources of pollution, including return flows from irrigated agriculture, and their cumulative effects, runoff from manure disposal areas, and from land used for livestock and crop production, and (ii) set forth procedures and methods (including land use requirements) to control to the extent feasible such sources;

(G) a process of (i) identify, if appropriate, mine-related sources of pollution including new, current, and abandoned surface and underground mine runoff, and (ii) set forth procedures and methods (including land use requirements) to control to the extent feasible such sources;

(H) a process to (i) identify construction activity related sources of pollution, and (ii) set forth procedures and methods (including land use requirements) to control to the extent feasible such sources;

(I) a process to (i) identify, if appropriate, salt water intrusion into rivers, lakes, and estuaries resulting from reduction of fresh water flow from any cause, including irrigation, obstruction, ground water extraction, and diversion, and (ii) set forth procedures and methods to control such intrusion to the

extent feasible where such procedures and methods are otherwise a part of the waste treatment management plan;

(J) a process to control the disposition of all residual waste generated in such area which could affect water quality; and

(K) a process to control the disposal of pollutants on land or in subsurface excavations within such area to protect ground and surface water quality.

(3) Areawide waste treatment management plans shall be certified annually by the Governor or his designee (or Governors or their designees, where more than one State is involved) as being consistent with applicable basin plans and such areawide waste treatment management plans shall be submitted to the Administrator for his approval.

(4)(A) Whenever the Governor of any State determines (and notifies the Administrator) that consistency with a statewide regulatory program under section 303 so requires, the requirements of clauses (F) through (K) of paragraph (2) of this subsection shall be developed and submitted by the Governor to the Administrator for approval for application to a class or category of activity throughout such State.

(B) Any program submitted under subparagraph (A) of this paragraph which, in whole or in part, is to control the discharge or other placement of dredged or fill material into the navigable waters shall include the following:

(i) A consultation process which includes the State agency with primary jurisdiction over fish and wildlife resources.

(ii) A process to identify and manage the discharge or other placement of dredged or fill material which adversely affects navigable waters, which shall complement and be coordinated with a State program under section 404 conducted pursuant to this Act.

(iii) A process to assure that any activity conducted pursuant to a best management practice will comply with the guidelines established under section 404(b)(1), and sections 307 and 403 of this Act.

(iv) A process to assure that any activity conducted pursuant to a best management practice can be terminated or modified for cause including, but not limited to, the following:

(I) violation of any condition of the best management practice;

(II) change in any activity that requires either a temporary or permanent reduction or elimination of the discharge pursuant to the best management practice.

(v) A process to assure continued coordination with Federal and Federal-State water-related planning and reviewing processes, including the National Wetlands Inventory.

(C) If the Governor of a State obtains approval from the Administrator of a statewide regulatory program which meets the requirements of subparagraph (B) of this paragraph and if such State is administering a permit program under section 404 of this Act, no person shall be required to obtain an individual permit pursuant to such section, or to comply with a general permit issued pursuant to such section, with respect to any appropriate activity within such State for which a best management practice has been ap-

proved by the Administrator under the program approved by the Administrator pursuant to this paragraph.

(D)(i) Whenever the Administrator determines after public hearing that a State is not administering a program approved under this section in accordance with the requirements of this section, the Administrator shall so notify the State, and if appropriate corrective action is not taken within a reasonable time, not to exceed ninety days, the Administrator shall withdraw approval of such program. The Administrator shall not withdraw approval of any such program unless he shall first have notified the State, and made public, in writing, the reasons for such withdrawal.

(ii) In the case of a State with a program submitted and approved under this paragraph, the Administrator shall withdraw approval of such program under this subparagraph only for a substantial failure of the State to administer its program in accordance with the requirements of this paragraph.

(c)(1) The Governor of each State, in consultation with the planning agency designated under subsection (a) of this section, at the time a plan is submitted to the Administrator, shall designate one or more waste treatment management agencies (which may be an existing or newly created local, regional or State agency or potential subdivision) for each area designated under subsection (a) of this section and submit such designations to the Administrator.

(2) The Administrator shall accept any such designation, unless, within 120 days of such designation, he finds that the designated management agency (or agencies) does not have adequate authority—

(A) to carry out appropriate portions of an areawide waste treatment management plan developed under subsection (b) of this section;

(B) to manage effectively waste treatment works and related facilities serving such area in conformance with any plan required by subsection (b) of this section;

(C) directly or by contract, to design and construct new works, and to operate and maintain new and existing works as required by any plan developed pursuant to subsection (b) of this section;

(D) to accept and utilize grants, or other funds from any source, for waste treatment management purposes;

(E) to raise revenues, including the assessment of waste treatment charges;

(F) to incur short- and long-term indebtedness;

(G) to assure in implementation of an areawide waste treatment management plan that each participating community pays its proportionate share of treatment costs;

(H) to refuse to receive any wastes from any municipality or subdivision thereof, which does not comply with any provisions of an approved plan under this section applicable to such area; and

(I) to accept for treatment industrial wastes.

(d) After a waste treatment management agency having the authority required by subsection (c) has been designated under such subsection for an area and a plan for such area has been approved under subsection (b) of this section, the Administrator shall

not make any grant for construction of a publicy owned treatment works under section 201(g)(1) within such area except to such designated agency and for works in conformity with such plan.

(e) No permit under section 402 of this Act shall be issued for any point source which is in conflict with a plan approved pursuant to subsection (b) of this section.

(f)(1) The Administrator shall make grants to any agency designated under subsection (a) of this section for payment of the reasonable costs of developing and operating a continuing areawide waste treatment management planning process under subsection (b) of this section.

(2) For the two-year period beginning on the date of the first grant is made under paragraph (1) of this subsection to an agency, if such first grant is made before October 1, 1977, the amount of each such grant to such agency shall be 100 per centum of the costs of developing and operating a continuing areawide waste treatment management planning process under subsection (b) of this section, and thereafter the amount granted to such agency shall not exceed 75 per centum of such costs in each succeeding one-year period. In the case of any other grant made to an agency under such paragraph (1) of this subsection, the amount of such grant shall not exceed 75 per centum of the costs of developing and operating a continuing areawide waste treatment management planning process in any year.

(3) Each applicant for a grant under this subsection shall submit to the Administrator for his approval each proposal for which a grant is applied for under this subsection. The Administrator shall act upon such proposal as soon as practicable after it has been submitted, and his approval of that proposal shall be deemed a contractual obligation of the United States for the payment of its contribution to such proposal, subject to such amounts as are provided in appropriation Acts. There is authorized to be appropriated to carry out this subsection not to exceed $50,000,000 for the fiscal year ending June 30, 1973, not to exceed $100,000,000 for the fiscal year ending June 30, 1974, not to exceed $150,000,000 per fiscal year for the fiscal years ending June 30, 1975, September 30, 1977, September 30, 1978, September 30, 1979, and September 30, 1980, not to exceed $100,000,000 per fiscal year for the fiscal years ending September 30, 1981, and September 30, 1982, and such sums as may be necessary for fiscal years 1983 through 1990.

(g) The Administrator is authorized, upon request of the Governor or the designated planning agency, and without reimbursement, to consult with, and provide technical assistance to, any agency designated under subsection (a) of this section in the development of areawide waste treatment management plans under subsection (b) of this section.

(h)(1) The Secretary of the Army, acting through the Chief of Engineers, in cooperation with the Administrator is authorized and directed, upon request of the Governor or the designated planning organization, to consult with, and provide technical assistance to, any agency designed [1] under subsection (a) of this section in devel-

[1] So in original. Probably should be "designated".

oping and operating a continuing areawide waste treatment management planning process under subsection (b) of this section.

(2) There is authorized to be appropriated to the Secretary of the Army, to carry out this subsection, not to exceed $50,000,000 per fiscal year for the fiscal years ending June 30, 1973, and June 30, 1974.

(i)(1) The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, shall, upon request of the Governor of a State, and without reimbursement, provide technical assistance to such State in developing a statewide program for submission to the Administrator under subsection (b)(4)(B) of this section and in implementing such program after its approval.

(2) There is authorized to be appropriated to the Secretary of the Interior $6,000,000 to complete the National Wetlands Inventory of the United States, by December 31, 1981, and to provide information from such Inventory to States as it becomes available to assist such States in the development and operation of programs under this Act.

(j)(1) The Secretary of Agriculture, with the concurrence of the Administrator, and acting through the Soil Conservation Service and such other agencies of the Department of Agriculture as the Secretary may designate, is authorized and directed to establish and administer a program to enter into contracts, subject to such amounts as are provided in advance by appropriation acts, of not less than five years nor more than ten years with owners and operators having control of rural land for the purpose of installing and maintaining measures incorporating best management practices to control nonpoint source pollution for improved water quality in those States or areas for which the Administrator has approved a plan under subsection (b) of this section where the practices to which the contracts apply are certified by the management agency designated under subsection (c)(1) of this section to be consistent with such plans and will result in improved water quality. Such contracts may be entered into during the period ending not later than September 31, 1988. Under such contracts the land owners or operator shall agree—

(i) to effectuate a plan approved by a soil conservation district, where one exists, under this section for his farm, ranch, or other land substantially in accordance with the schedule outlined therein unless any requirement thereof is waived or modified by the Secretary;

(ii) to forfeit all rights to further payments or grants under the contract and refund to the United States all payments and grants received thereunder, with interest, upon his violation of the contract at any stage during the time he has control of the land if the Secretary, after considering the recommendations of the soil conservation district, where one exists, and the Administrator, determines that such violation is of such a nature as to warrant termination of the contract, or to make refunds or accept such payment adjustments as the Secretary may deem appropriate if he determines that the violation by the owner or operator does not warrant termination of the contract;

(iii) upon transfer of his right and interest in the farm, ranch, or other land during the contract period to forfeit all rights to further payments or grants under the contract and refund to the United States all payments or grants received thereunder, with interest, unless the transferee of any such land agrees with the Secretary to assume all obligations of the contract;

(iv) not to adopt any practice specified by the Secretary on the advice of the Administrator in the contract as a practice which would tend to defeat the purposes of the contract;

(v) to such additional provisions as the Secretary determines are desirable and includes in the contract to effectuate the purposes of the program or to facilitate the practical administration of the program.

(2) In return for such agreement by the landowner or operator the Secretary shall agree to provide technical assistance and share the cost of carrying out those conservation practices and measures set forth in the contract for which he determines that cost sharing is appropriate and in the public interest and which are approved for cost sharing by the agency designated to implement the plan developed under subsection (b) of this section. The portion of such cost (including labor) to be shared shall be that part which the Secretary determines is necessary and appropriate to effectuate the installation of the water quality management practices and measures under the contract, but not to exceed 50 per centum of the total cost of the measures set forth in the contract; except the Secretary may increase the matching cost share where he determines that (1) the main benefits to be derived from the measures are related to improving offsite water quality, and (2) the matching share requirement would place a burden on the landowner which would probably prevent him from participating in the program.

(3) The Secretary may terminate any contract with a landowner or operator by mutual agreement with the owner or operator if the Secretary determines that such termination would be in the public interest, and may agree to such modification of contracts previously entered into as he may determine to be desirable to carry out the purposes of the program or facilitate the practical administration thereof or to accomplish equitable treatment with respect to other conservation, land use, or water quality programs.

(4) In providing assistance under this subsection the Secretary will give priority to those areas and sources that have the most significant effect upon water quality. Additional investigations or plans may be made, where necessary, to supplement approved water quality management plans, in order to determine priorities.

(5) The Secretary shall, where practicable, enter into agreements with soil conservation districts, State soil and water conservation agencies, or State water quality agencies to administer all or part of the program established in this subsection under regulations developed by the Secretary. Such agreements shall provide for the submission of such reports as the Secretary deems necessary, and for payment by the United States of such portion of the costs incurred in the administration of the program as the Secretary may deem appropriate.

(6) The contracts under this subsection shall be entered into only in areas where the management agency designated under subsection (c)(1) of this section assures an adequate level of participation by owners and operators having control of rural land in such areas. Within such areas the local soil conservation district, where one exists, together with the Secretary of Agriculture, will determine the priority of assistance among individual land owners and operators to assure that the most critical water quality problems are addressed.

(7) The Secretary, in consultation with the Administrator and subject to section 304(k) of this Act, shall, not later than September 30, 1978, promulgate regulations for carrying out this subsection and for support and cooperation with other Federal and non-Federal agencies for implementation of this subsection.

(8) This program shall not be used to authorize or finance projects that would otherwise be eligible for assistance under the terms of Public Law 83–566.

(9) There are hereby authorized to be appropriated to the Secretary of Agriculture $200,000,000 for fiscal year 1979, $400,000,000 for fiscal year 1980, $100,000,000 for fiscal year 1981, $100,000,000 for fiscal year 1982, and such sums as may be necessary for fiscal years 1983 through 1990, to carry out this subsection. The program authorized under this subsection shall be in addition to, and not in substitution of, other programs in such area authorized by this or any other public law.

(33 U.S.C. 1288)

BASIN PLANNING

SEC. 209. (a) The President, acting through the Water Resources Council, shall, as soon as practicable, prepare a Level B plan under the Water Resource Planning Act for all basins in the United States. All such plans shall be completed not later than January 1, 1980, except that priority in the preparation of such plans shall be given to those basins and portions thereof which are within those areas designated under paragraphs (2), (3), and (4) of subsection (a) of section 208 of this Act.

(b) The President, acting through the Water Resources Council, shall report annually to Congress on progress being made in carrying out this section. The first such report shall be submitted not later than January 31, 1973.

(c) There is authorized to be appropriated to carry out this section not to exceed $200,000,000.

(33 U.S.C. 1289)

ANNUAL SURVEY

SEC. 210. The Administrator shall annually make a survey to determine the efficiency of the operation and maintenance of treatment works constructed with grants made under this Act, as compared to the efficiency planned at the time the grant was made. The results of such annual survey shall be reported to Congress not later than 90 days after the date of convening of each session of Congress.

(33 U.S.C. 1290)

SEWAGE COLLECTION SYSTEMS

SEC. 211. (a) No grant shall be made for a sewage collection system under this title unless such grant (1) is for replacement or major rehabilitation of an existing collection system and is necessary to the total integrity and performance of the waste treatment works serving such community, or (2) is for a new collection system in an existing community with sufficient existing or planned capacity adequately to treat such collected sewage and is consistent with section 201 of this Act.

(b) If the Administrator uses population density as a test for determining the eligibility of a collector sewer for assistance it shall be only for the purpose of evaluating alternatives and determining the needs for such system in relation to ground or surface water quality impact.

(c) No grant shall be made under this title from funds authorized for any fiscal year during the period beginning October 1, 1977, and ending September 30, 1990, for treatment works for control of pollutant discharges from separate storm sewer systems.

(33 U.S.C. 1291)

DEFINITIONS

SEC. 212. As used in this title—

(1) The term "construction" means any one or more of the following: preliminary planning to determine the feasibility of treatment works, engineering, architectural, legal, fiscal, or economic investigations or studies, surveys, designs, plans, working drawings, specifications, procedures, field testing of innovative or alternative waste water treatment processes and techniques meeting guidelines promulgated under section 304(d)(3) of this Act, or other necessary actions, erection, building, acquisition, alteration, remodeling, improvement, or extension of treatment works, or the inspection or supervision of any of the foregoing items.

(2)(A) The term "treatment works" means any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature to implement section 201 of this act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment, and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process (including land use for the storage of treated wastewater in land treatment systems prior to land application) or is used for ultimate disposal of residues resulting from such treatment.

(B) In addition to the definition contained in subparagraph (A) of this paragraph, "treatment works" means any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste, including storm water runoff, or industrial waste, including waste in combined storm water and sanitary sewer systems. Any application for construction

grants which includes wholly or in part such methods or systems shall, in accordance with guidelines published by the Administrator pursuant to subparagraph (C) of this paragraph, contain adequate data and analysis demonstrating such proposal to be, over the life of such works, the most cost efficient alternative to comply with sections 301 or 302 of this Act, or the requirements of section 201 of this Act.

(C) For the purposes of subparagraph (B) of this paragraph, the Administrator shall, within one hundred and eighty days after the date of enactment of this title, publish and thereafter revise no less often than annually, guidelines for the evaluation of methods, including cost-effective analysis, described in subparagraph (B) of this paragraph.

(3) The term "replacement" as used in this title means those expenditures for obtaining and installing equipment, accessories, or appurtenances during the useful life of the treatment works necessary to maintain the capacity and performance for which such works are designed and constructed.

(33 U.S.C. 1292)

LOAN GUARANTEES FOR CONSTRUCTION OF TREATMENT WORKS

SEC. 213. (a) Subject to the conditions of this section and to such terms and conditions as the Administrator determines to be necessary to carry out the purposes of this title, the Administrator is authorized to guarantee, and to make commitments to guarantee, the principal and interest (including interest accruing between the date of default and the date of the payment in full of the guarantee) of any loan, obligation, or participation therein of any State, municipality, or intermunicipal or interstate agency issued directly and exclusively to the Federal Financing Bank to finance that part of the cost of any grant-eligible project for the construction of publicly owned treatment works not paid for with Federal financial assistance under this title (other than this section), which project the Administrator has determined to be eligible for such financial assistance under this title, including, but not limited to, projects eligible for reimbursement under section 206 of this title.

(b) No guarantee, or commitment to make a guarantee, may be made pursuant to this section—

(1) unless the Administrator certifies that the issuing body is unable to obtain on reasonable terms sufficient credit to finance its actual needs without such guarantee; and

(2) unless the Administrator determines that there is a reasonable assurance or repayment of the loan, obligation, or participation therein.

A determination of whether financing is available at reasonable rates shall be made by the Secretary of the Treasury with relationship to the current average yield on outstanding marketable obligations of municipalities of comparable maturity.

(c) The Administrator is authorized to charge reasonable fees for the investigation of an application for a guarantee and for the issuance of a commitment to make a guarantee.

(d) The Administrator, in determining whether there is a reasonable assurance of repayment, may require a commitment which would apply to such repayment. Such commitment may include, but not be limited to, any funds received by such grantee from the amounts appropriated under section 206 of this Act.

(33 U.S.C. 1293)

PUBLIC INFORMATION

SEC. 214. The Administrator shall develop and operate within one year of the date of enactment of this section, a continuing program of public information and education on recycling and reuse of wastewater (including sludge), the use of land treatment, and methods for the reduction of wastewater volume.

(33 U.S.C. 1294)

REQUIREMENTS FOR AMERICAN MATERIALS

SEC. 215. Notwithstanding any other provision of law, no grant for which application is made after February 1, 1978, shall be made under this title for any treatment works unless only such unmanufactured articles, materials, and supplies as have been mined or produced in the United States, and only such manufactured articles, materials, and supplies as have been manufactured in the United States, substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States will be used in such treatment works. This section shall not apply in any case where the Administrator determines, based upon those factors the Administrator deems relevant, including the available resources of the agency, it to be inconsistent with the public interest (including multilateral government procurement agreements) or the cost to be unreasonable, or if articles, materials, or supplies of the class or kind to be used or the articles, materials, or supplies from which they are manufactured are not mined, produced, or manufactured, as the case may be, in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality.

(33 U.S.C. 1295)

DETERMINATION OF PRIORITY

SEC. 216. Notwithstanding any other provision of this Act, the determination of the priority to be given each category of projects for construction of publicly owned treatment works within each State shall be made solely by that State, except that if the Administrator, after a public hearing, determines that a specific project will not result in compliance with the enforceable requirements of this Act, such project shall be removed from the State's priority list and such State shall submit a revised priority list. These categories shall include, but not be limited to (A) secondary treatment, (B) more stringent treatment, (C) infiltration-in-flow correction, (D) major sewer system rehabilitation, (E) new collector sewers and appurtenances, (F) new interceptors and appurtenances, and (G) correction of combined sewer overflows. Not less than 25 per centum of funds allocated to a State in any fiscal year under this title for construction of publicly owned treatment works in such State shall

be obligated for those types of projects referred to in clauses (D), (E), (F), and (G) of this section, if such projects are on such State's priority list for that year and are otherwise eligible for funding in that fiscal year. It is the policy of Congress that projects for wastewater treatment and management undertaken with Federal financial assistance under this Act by any State, municipality, or intermunicipal or interstate agency shall be projects which, in the estimation of the State, are designed to achieve optimum water quality management, consistent with the public health and water quality goals and requirements of the Act.

(33 U.S.C. 1296)

COST-EFFECTIVENESS GUIDELINES

SEC. 217. Any guidelines for cost-effectiveness analysis published by the Administrator under this title shall provide for the identification and selection of cost effective alternatives to comply with the objective and goals of this Act and sections 201(b), 201(d), 201(g)(2)(A), and 301(b)(2)(B) of this Act.

(33 U.S.C. 1297)

COST EFFECTIVENESS

SEC. 218. (a) It is the policy of Congress that a project for waste treatment and management undertaken with Federal financial assistance under this Act by any State, municipality, or intermunicipal or interstate agency shall be considered as an overall waste treatment system for waste treatment and management, and shall be that system which constitutes the most economical and cost-effective combination of devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature to implement section 201 of this Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, outfall sewers, sewage collection systems, pumping power, and other equipment, and their appurtenances; extension, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process (including land use for the storage of treated wastewater in land treatment systems prior to land application) or which is used for ultimate disposal of residues resulting from such treatment; water efficiency measures and devices; and any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste, including storm water runoff, or industrial waste, including waste in combined storm water and sanitary sewer systems; to meet the requirements of this Act.

(b) In accordance with the policy set forth in subsection (a) of this section, before the Administrator approves any grant to any State, municipality, or intermunicipal or interstate agency for the erection, building, acquisition, alteration, remodeling, improvement, or extension of any treatment works the Administrator shall determine that the facilities plan of which such treatment works

are a part constitutes the most economical and cost-effective combination of treatment works over the life of the project to meet the requirements of this Act, including, but not limited to, consideration of construction costs, operation, maintenance, and replacement costs.

(c) In furtherance of the policy set forth in subsection (a) of this section, the Administrator shall require value engineering review in connection with any treatment works, prior to approval of any grant for the erection, building, acquisition, alteration, remodeling, improvement, or extension of such treatment works, in any case in which the cost of such erection, building, acquisition, alteration, remodeling, improvement, or extension is projected to be in excess of $10,000,000. For purposes of this subsection, the term "value engineering review" means a specialized cost control technique which uses a systematic and creative approach to identify and to focus on unnecessarily high cost in a project in order to arrive at a cost saving without sacrificing the reliability or efficiency of the project.

(d) This section applies to projects for waste treatment and management for which no treatment works including a facilities plan for such project have received Federal financial assistance for the preparation of construction plans and specifications under this Act before the date of enactment of this section.

(33 U.S.C. 1298)

STATE CERTIFICATION OF PROJECTS

SEC. 219. Whenever the Governor of a State which has been delegated sufficient authority to administer the construction grant program under this title in that State certifies to the Administrator that a grant application meets applicable requirements of Federal and State law for assistance under this title, the Administrator shall approve or disapprove such application within 45 days of the date of receipt of such application. If the Administrator does not approve or disapprove such application within 45 days of receipt, the application shall be deemed approved. If the Administrator disapproves such application the Administrator shall state in writing the reasons for such disapproval. Any grant approved or deemed approved under this section shall be subject to amounts provided in appropriation Acts.

(33 U.S.C. 1299)

SEC. 220. PILOT PROGRAM FOR ALTERNATIVE WATER SOURCE PROJECTS.

(a) POLICY.—Nothing in this section shall be construed to affect the application of section 101(g) of this Act and all of the provisions of this section shall be carried out in accordance with the provisions of section 101(g).

(b) IN GENERAL.—The Administrator may establish a pilot program to make grants to State, interstate, and intrastate water resource development agencies (including water management districts and water supply authorities), local government agencies, private utilities, and nonprofit entities for alternative water source projects to meet critical water supply needs.

(c) ELIGIBLE ENTITY.—The Administrator may make grants under this section to an entity only if the entity has authority

under State law to develop or provide water for municipal, industrial, and agricultural uses in an area of the State that is experiencing critical water supply needs.

(d) SELECTION OF PROJECTS.—

(1) LIMITATION.—A project that has received funds under the reclamation and reuse program conducted under the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h et seq.) shall not be eligible for grant assistance under this section.

(2) ADDITIONAL CONSIDERATION.—In making grants under this section, the Administrator shall consider whether the project is located within the boundaries of a State or area referred to in section 1 of the Reclamation Act of June 17, 1902 (32 Stat. 385), and within the geographic scope of the reclamation and reuse program conducted under the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h et seq.).

(3) GEOGRAPHICAL DISTRIBUTION.—Alternative water source projects selected by the Administrator under this section shall reflect a variety of geographical and environmental conditions.

(e) COMMITTEE RESOLUTION PROCEDURE.—

(1) IN GENERAL.—No appropriation shall be made for any alternative water source project under this section, the total Federal cost of which exceeds $3,000,000, if such project has not been approved by a resolution adopted by the Committee on Transportation and Infrastructure of the House of Representatives or the Committee on Environment and Public Works of the Senate.

(2) REQUIREMENTS FOR SECURING CONSIDERATION.—For purposes of securing consideration of approval under paragraph (1), the Administrator shall provide to a committee referred to in paragraph (1) such information as the committee requests and the non-Federal sponsor shall provide to the committee information on the costs and relative needs for the alternative water source project.

(f) USES OF GRANTS.—Amounts from grants received under this section may be used for engineering, design, construction, and final testing of alternative water source projects designed to meet critical water supply needs. Such amounts may not be used for planning, feasibility studies or for operation, maintenance, replacement, repair, or rehabilitation.

(g) COST SHARING.—The Federal share of the eligible costs of an alternative water source project carried out using assistance made available under this section shall not exceed 50 percent.

(h) REPORTS.—On or before September 30, 2004, the Administrator shall transmit to Congress a report on the results of the pilot program established under this section, including progress made toward meeting the critical water supply needs of the participants in the pilot program.

(i) DEFINITIONS.—In this section, the following definitions apply:

(1) ALTERNATIVE WATER SOURCE PROJECT.—The term "alternative water source project" means a project designed to

provide municipal, industrial, and agricultural water supplies in an environmentally sustainable manner by conserving, managing, reclaiming, or reusing water or wastewater or by treating wastewater. Such term does not include water treatment or distribution facilities.

(2) CRITICAL WATER SUPPLY NEEDS.—The term "critical water supply needs" means existing or reasonably anticipated future water supply needs that cannot be met by existing water supplies, as identified in a comprehensive statewide or regional water supply plan or assessment projected over a planning period of at least 20 years.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section a total of $75,000,000 for fiscal years 2002 through 2004. Such sums shall remain available until expended.

(33 U.S.C. 1300)

SEC. 221. SEWER OVERFLOW CONTROL GRANTS.

(a) IN GENERAL.—In any fiscal year in which the Administrator has available for obligation at least $1,350,000,000 for the purposes of section 601—

(1) the Administrator may make grants to States for the purpose of providing grants to a municipality or municipal entity for planning, design, and construction of treatment works to intercept, transport, control, or treat municipal combined sewer overflows and sanitary sewer overflows; and

(2) subject to subsection (g), the Administrator may make a direct grant to a municipality or municipal entity for the purposes described in paragraph (1).

(b) PRIORITIZATION.—In selecting from among municipalities applying for grants under subsection (a), a State or the Administrator shall give priority to an applicant that—

(1) is a municipality that is a financially distressed community under subsection (c);

(2) has implemented or is complying with an implementation schedule for the nine minimum controls specified in the CSO control policy referred to in section 402(q)(1) and has begun implementing a long-term municipal combined sewer overflow control plan or a separate sanitary sewer overflow control plan;

(3) is requesting a grant for a project that is on a State's intended use plan pursuant to section 606(c); or

(4) is an Alaska Native Village.

(c) FINANCIALLY DISTRESSED COMMUNITY.—

(1) DEFINITION.—In subsection (b), the term "financially distressed community" means a community that meets affordability criteria established by the State in which the community is located, if such criteria are developed after public review and comment.

(2) CONSIDERATION OF IMPACT ON WATER AND SEWER RATES.—In determining if a community is a distressed community for the purposes of subsection (b), the State shall consider, among other factors, the extent to which the rate of growth of a community's tax base has been historically slow such that

implementing a plan described in subsection (b)(2) would result in a significant increase in any water or sewer rate charged by the community's publicly owned wastewater treatment facility.

(3) INFORMATION TO ASSIST STATES.—The Administrator may publish information to assist States in establishing affordability criteria under paragraph (1).

(d) COST-SHARING.—The Federal share of the cost of activities carried out using amounts from a grant made under subsection (a) shall be not less than 55 percent of the cost. The non-Federal share of the cost may include, in any amount, public and private funds and in-kind services, and may include, notwithstanding section 603(h), financial assistance, including loans, from a State water pollution control revolving fund.

(e) ADMINISTRATIVE REPORTING REQUIREMENTS.—If a project receives grant assistance under subsection (a) and loan assistance from a State water pollution control revolving fund and the loan assistance is for 15 percent or more of the cost of the project, the project may be administered in accordance with State water pollution control revolving fund administrative reporting requirements for the purposes of streamlining such requirements.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $750,000,000 for each of fiscal years 2002 and 2003. Such sums shall remain available until expended.

(g) ALLOCATION OF FUNDS.—

(1) FISCAL YEAR 2002.—Subject to subsection (h), the Administrator shall use the amounts appropriated to carry out this section for fiscal year 2002 for making grants to municipalities and municipal entities under subsection (a)(2), in accordance with the criteria set forth in subsection (b).

(2) FISCAL YEAR 2003.—Subject to subsection (h), the Administrator shall use the amounts appropriated to carry out this section for fiscal year 2003 as follows:

(A) Not to exceed $250,000,000 for making grants to municipalities and municipal entities under subsection (a)(2), in accordance with the criteria set forth in subsection (b).

(B) All remaining amounts for making grants to States under subsection (a)(1), in accordance with a formula to be established by the Administrator, after providing notice and an opportunity for public comment, that allocates to each State a proportional share of such amounts based on the total needs of the State for municipal combined sewer overflow controls and sanitary sewer overflow controls identified in the most recent survey conducted pursuant to section 516(b)(1).

(h) ADMINISTRATIVE EXPENSES.—Of the amounts appropriated to carry out this section for each fiscal year—

(1) the Administrator may retain an amount not to exceed 1 percent for the reasonable and necessary costs of administering this section; and

(2) the Administrator, or a State, may retain an amount not to exceed 4 percent of any grant made to a municipality or

municipal entity under subsection (a), for the reasonable and necessary costs of administering the grant.

(i) REPORTS.—Not later than December 31, 2003, and periodically thereafter, the Administrator shall transmit to Congress a report containing recommended funding levels for grants under this section. The recommended funding levels shall be sufficient to ensure the continued expeditious implementation of municipal combined sewer overflow and sanitary sewer overflow controls nationwide.

(33 U.S.C. 1301)

TITLE III—STANDARDS AND ENFORCEMENT

EFFLUENT LIMITATIONS

SEC. 301. (a) Except as in compliance with this section and sections 302, 306, 307, 318, 402, and 404 of this Act, the discharge of any pollutant by any person shall be unlawful.

(b) In order to carry out the objective of this Act there shall be achieved—

(1)(A) not later than July 1, 1977, effluent limitations for point sources, other than publicly owned treatment works, (i) which shall require the application of the best practicable control technology currently available as defined by the Administrator pursuant to section 304(b) of this Act, or (ii) in the case of a discharge into a publicly owned treatment works which meets the requirements of subparagraph (B) of this paragraph, which shall require compliance with any applicable pretreatment requirements and any requirements under section 307 of this Act; and

(B) for publicly owned treatment works in existence on July 1, 1977, or approved pursuant to section 203 of this Act prior to June 30, 1974 (for which construction must be completed within four years of approval), effluent limitations based upon secondary treatment as defined by the Administrator pursuant to section 304(d)(1) of this Act; or,

(C) not later than July 1, 1977, any more stringent limitation, including those necessary to meet water quality standards, treatment standards, or schedule of compliance, established pursuant to any State law or regulations, (under authority preserved by section 510) or any other Federal law or regulation, or required to implement any applicable water quality standard established pursuant to this Act.

(2)(A) for pollutants identified in subparagraphs (C), (D), and (F) of this paragraph, effluent limitations for categories and classes of point sources, other than publicly owned treatment works, which (i) shall require application of the best available technology economically achievable for such category or class, which will result in reasonable further progress toward the national goal of eliminating the discharge of all pollutants, as determined in accordance with regulations issued by the Administrator pursuant to section 304(b)(2) of this Act, which such effluent limitations shall require the elimination of discharges of all pollutants if the Administrator finds, on the basis of information available to him (including information de-

veloped pursuant to section 315), that such elimination is technologically and economically achievable for category or class of point sources as determined in accordance with regulations issued by the Administrator pursuant to section 304(b)(2) of this Act, or (ii) in the case of the introduction of a pollutant into a publicly owned treatment works which meets the requirements of subparagraph (B) of this paragraph, shall require compliance with any applicable pretreatment requirements and any other requirement under section 307 of this Act;

[(B) subparagraph (B) repealed by section 21(b) of P.L. 97–117.]

(C) with respect to all toxic pollutants referred to in table 1 of Committee Print Numbered 95–30 of the Committee on Public Works and Transportation of the House of Representatives compliance with effluent limitations in accordance with subparagraph (A) of this paragraph as expeditiously as practicable but in no case later than three years after the date such limitations are promulgated under section 304(b), and in no case later than March 31, 1989;

(D) for all toxic pollutants listed under paragraph (1) of subsection (a) of section 307 of this Act which are not referred to in subparagraph (C) of this paragraph compliance with effluent limitation in accordance with subparagraph (A) of this paragraph as expeditiously as practicable, but in no case later than three years after the date such limitations are promulgated under section 304(b), and in no case later than March 31, 1989;

(E) as expeditiously as practicable but in no case later than three years after the date such limitations are promulgated under section 304(b), and in no case later than March 31, 1989, compliance with effluent limitations for categories and classes of point sources, other than publicly owned treatment works, which in the case of pollutants identified pursuant to section 304(a)(4) of this Act shall require application of the best conventional pollutant control technology as determined in accordance with regulations issued by the Administrator pursuant to section 304(b)(4) of this Act; and

(F) for all pollutants (other than those subject to subparagraphs (C), (D), or (E) of this paragraph) compliance with effluent limitations in accordance with subparagraph (A) of this paragraph as expeditiously as practicable but in no case later than 3 years after the date such limitations are established, and in no case later than March 31, 1989.

(3)(A) for effluent limitations under paragraph (1)(A)(i) of this subsection promulgated after January 1, 1982, and requiring a level of control substantially greater or based on fundamentally different control technology than under permits for an industrial category issued before such date, compliance as expeditiously as practicable but in no case later than three years after the date such limitations are promulgated under section 304(b), and in no case later than March 31, 1989; and

(B) for any effluent limitation in accordance with paragraph (1)(A)(i), (2)(A)(i), or (2)(E) of this subsection established

only on the basis of section 402(a)(1) in a permit issued after enactment of the Water Quality Act of 1987, compliance as expeditiously as practicable but in no case later than three years after the date such limitations are established, and in no case later than March 31, 1989.

(c) The Administrator may modify the requirements of subsection (b)(2)(A) of this section with respect to any point source for which a permit application is filed after July 1, 1977, upon a showing by the owner or operator of such point source satisfactory to the Administrator that such modified requirements (1) will represent the maximum use of technology within the economic capability of the owner or operator; and (2) will result in reasonable further progress toward the elimination of the discharge of pollutants.

(d) Any effluent limitation required by paragraph (2) of subsection (b) of this section shall be reviewed at least every five years and, if appropriate, revised pursuant to the procedure established under such paragraph.

(e) Effluent limitations established pursuant to this section or section 302 of this Act shall be applied to all point sources of discharge of pollutants in accordance with the provisions of this Act.

(f) Notwithstanding any other provisions of this Act it shall be unlawful to discharge any radiological, chemical, or biological warfare agent, any high-level radioactive waste, or any medical waste, into the navigable waters.

(g) MODIFICATIONS FOR CERTAIN NONCONVENTIONAL POLLUTANTS.—

(1) GENERAL AUTHORITY.—The Administrator, with the concurrence of the State, may modify the requirements of subsection (b)(2)(A) of this section with respect to the discharge from any point source of ammonia, chlorine, color, iron, and total phenols (4AAP) (when determined by the Administrator to be a pollutant covered by subsection (b)(2)(F)) and any other pollutant which the Administrator lists under paragraph (4) of this subsection.

(2) REQUIREMENTS FOR GRANTING MODIFICATIONS.—A modification under this subsection shall be granted only upon a showing by the owner or operator of a point source satisfactory to the Administrator that—

(A) such modified requirements will result at a minimum in compliance with the requirements of subsection (b)(1)(A) or (C) of this section, whichever is applicable;

(B) such modified requirements will not result in any additional requirements on any other point or nonpoint source; and

(C) such modification will not interfere with the attainment or maintenance of that water quality which shall assure protection of public water supplies, and the protection and propagation of a balanced population of shellfish, fish, and wildlife, and allow recreational activities, in and on the water and such modification will not result in the discharge of pollutants in quantities which may reasonably be anticipated to pose an unacceptable risk to human health or the environment because of bioaccumulation, persistency in the environment, acute toxicity, chronic tox-

icity (including carcinogenicity, mutagenicity or teratogenicity), or synergistic propensities.

(3) LIMITATION ON AUTHORITY TO APPLY FOR SUBSECTION (c) MODIFICATION.—If an owner or operator of a point source applies for a modification under this subsection with respect to the discharge of any pollutant, such owner or operator shall be eligible to apply for modification under subsection (c) of this section with respect to such pollutant only during the same time-period as he is eligible to apply for a modification under this subsection.

(4) PROCEDURES FOR LISTING ADDITIONAL POLLUTANTS.—

(A) GENERAL AUTHORITY.—Upon petition of any person, the Administrator may add any pollutant to the list of pollutants for which modification under this section is authorized (except for pollutants identified pursuant to section 304(a)(4) of this Act, toxic pollutants subject to section 307(a) of this Act, and the thermal component of discharges) in accordance with the provisions of this paragraph.

(B) REQUIREMENTS FOR LISTING.—

(i) SUFFICIENT INFORMATION.—The person petitioning for listing of an additional pollutant under this subsection shall submit to the Administrator sufficient information to make the determinations required by this subparagraph.

(ii) TOXIC CRITERIA DETERMINATION.—The Administrator shall determine whether or not the pollutant meets the criteria for listing as a toxic pollutant under section 307(a) of this Act.

(iii) LISTING AS TOXIC POLLUTANT.—If the Administrator determines that the pollutant meets the criteria for listing as a toxic pollutant under section 307(a), the Administrator shall list the pollutant as a toxic pollutant under section 307(a).

(iv) NONCONVENTIONAL CRITERIA DETERMINATION.—If the Administrator determines that the pollutant does not meet the criteria for lising as a toxic pollutant under such section and determines that adequate test methods and sufficient data are available to make the determinations required by paragraph (2) of this subsection with respect to the pollutant, the Administrator shall add the pollutant to the list of pollutants specified in paragraph (1) of this subsection for which modifications are authorized under this subsection.

(C) REQUIREMENTS FOR FILING OF PETITIONS.—A petition for lising of a pollutant under this paragraph—

(i) must be filed not later than 270 days after the date of promulgation of an applicable effluent guideline under section 304;

(ii) may be filed before promulgation of such guideline; and

(iii) may be filed with an application for a modification under paragraph (1) with respect to the discharge of such pollutant.

(D) DEADLINE FOR APPROVAL OF PETITION.—A decision to add a pollutant to the list of pollutants for which modifications under this subsection are authorized must be made within 270 days after the date of promulgation of an applicable effluent guideline under section 304.

(E) BURDEN OF PROOF.—The burden of proof for making the determinations under subparagraph (B) shall be on the petitioner.

(5) REMOVAL OF POLLUTANTS.—The Administrator may remove any pollutant from the list of pollutants for which modifications are authorized under this subsection if the Administrator determines that adequate test methods and sufficient data are no longer available for determining whether or not modifications may be granted with respect to such pollutant under paragraph (2) of this subsection.

(h) The Administrator, with the concurrence of the State, may issue a permit under section 402 which modifies the requirements of subsection (b)(1)(B) of this section with respect to the discharge of any pollutant from a publicly owned treatment works into marine waters, if the applicant demonstrates to the satisfaction of the Administrator that—

(1) there is an applicable water quality standard specific to the pollutant for which the modification is requested, which has been identified under section 304(a)(6) of this Act;

(2) the discharge of pollutants in accordance with such modified requirements will not interfere, alone or in combination with pollutants from other sources, with the attainment or maintenance of that water quality which assures protection of public water supplies and the protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife, and allows recreational activities, in and on the water;

(3) the applicant has established a system for monitoring the impact of such discharge on a representative sample of aquatic biota, to the extent practicable, and the scope of such monitoring is limited to include only those scientific investigations which are necessary to study the effects of the proposed discharge;

(4) such modified requirements will not result in any additional requirements on any other point or nonpoint source;

(5) all applicable pretreatment requirements for sources introducing waste into such treatment works will be enforced;

(6) in the case of any treatment works serving a population of 50,000 or more, with respect to any toxic pollutant introduced into such works by an industrial discharger for which pollutant there is no applicable pretreatment requirement in effect, sources introducing waste into such works are in compliance with all applicable pretreatment requirements, the applicant will enforce such requirements, and the applicant has in effect a pretreatment program which, in combination with the treatment of discharges from such works, removes the same amount of such pollutant as would be removed if such works

were to apply secondary treatment to discharges and if such works had no pretreatment program with respect to such pollutant;

(7) to the extent practicable the applicant has established a schedule of activities designed to eliminate the entrance of toxic pollutants from nonindustrial sources into such treatment works;

(8) there will be no new or substantially increased discharges from the point source of the pollutant to which the modification applies above that volume of discharge specified in the permit;

(9) the applicant at the time such modification becomes effective will be discharging effluent which has received at least primary or equivalent treatment and which meets the criteria established under section 304(a)(1) of this Act after initial mixing in the waters surrounding or adjacent to the point at which such effluent is discharged.

For the purposes of this subsection the phrase "the discharge of any pollutant into marine waters" refers to a discharge into deep waters of the territorial sea or the waters of the contiguous zone, or into saline estuarine waters where there is strong tidal movement and other hydrological and geological characteristics which the Administrator determines necessary to allow compliance with paragraph (2) of this subsection, and section 101(a)(2) of this Act. For the purposes of paragraph (9), "primary or equivalent treatment" means treatment by screening, sedimentation, and skimming adequate to remove at least 30 percent of the biological oxygen demanding material and of the suspended solids in the treatment works influent, and disinfection, where appropriate. A municipality which applies secondary treatment shall be eligible to receive a permit pursuant to this subsection which modifies the requirements of subsection (b)(1)(B) of this section with respect to the discharge of any pollutant from any treatment works owned by such municipality into marine waters. No permit issued under this subsection shall authorize the discharge of sewage sludge into marine waters. In order for a permit to be issued under this subsection for the discharge of a pollutant into marine waters, such marine waters must exhibit characteristics assuring that water providing dilution does not contain significant amounts of previously discharged effluent from such treatment works. No permit issued under this subsection shall authorize the discharge of any pollutant into saline estuarine waters which at the time of application do not support a balanced indigenous population of shellfish, fish and wildlife, or allow recreation in and on the waters or which exhibit ambient water quality below applicable water quality standards adopted for the protection of public water supplies, shellfish, fish and wildlife or recreational activities or such other standards necessary to assure support and protection of such uses. The prohibition contained in the preceding sentence shall apply without regard to the presence or absence of a causal relationship between such characteristics and the applicant's current or proposed discharge. Notwithstanding any other provisions of this subsection, no permit may be issued under this subsection for discharge of a pollutant into the New York Bight Apex consisting of the ocean waters

of the Atlantic Ocean westward of 73 degrees 30 minutes west longitude and northward of 40 degrees 10 minutes north latitude.

(i)(1) Where construction is required in order for a planned or extisting publicly owned treatment works to achieve limitations under subsection (b)(1)(B) or (b)(1)(C) of this section, but (A) construction cannot be completed with the time required in such subsection, or (B) the United States has failed to make financial assistance under this Act available in time to achieve such limitations by the time specified in such subsection, the owner or operator of such treatment works may request the Administrator (or if appropriate the State) to issue a permit pursuant to section 402 of this Act or to modify a permit issued pursuant to that section to extend such time for compliance. Any such request shall be filed with the Administrator (or if appropriate the State) within 180 days after the date of enactment of the Water Quality Act of 1987. The Administrator (or if appropriate the State) may grant such request and issue or modify such a permit, which shall contain a schedule of compliance for the publicly owned treatment works based on the earliest date by which such financial assistance will be available from the United States and construction can be completed, but in no event later than July 1, 1988, and shall contain such other terms and conditions, including those necessary to carry out subsections (b) through (g) of section 201 of this Act, section 307 of this Act, and such interim effluent limitations applicable to that treatment works as the Administrator determines are necessary to carry out the provisions of this Act.

(2)(A) Where a point source (other than a publicly owned treatment works) will not achieve the requirements of subsections (b)(1)(A) and (b)(1)(C) of this section and—

(i) if a permit issued prior to July 1, 1977, to such point source is based upon a discharge into a publicly owned treatment works; or

(ii) if such point source (other than a publicly owned treatment works) had before July 1, 1977, a contract (enforceable against such point source) to discharge into a publicly owned treatment works; or

(iii) if either an application made before July 1, 1977, for a construction grant under this Act for a publicly owned treatment works, or engineering or architectural plans or working drawings made before July 1, 1977, for a publicly owned treatment works, show that such point source was to discharge into such publicly owned treatment works,

and such publicly owned treatment works is presently unable to accept such discharge without construction, and in the case of a discharge to an existing publicly owned treatment works, such treatment works has an extension pursuant to paragraph (1) of this subsection, the owner or operator of such point source may request the Administrator (or if appropriate the State) to issue or modify such a permit pursuant to such section 402 to extend such time for compliance. Any such request shall be filed with the Administrator (or if appropriate the State) within 180 days after the date of enactment of this subsection or the filing of a request by the appropriate publicly owned treatment works under paragraph (1) of this subsection, whichever is later. If the Administrator (or if appro-

priate the State) finds that the owner or operator of such point source has acted in good faith, he may grant such request and issue or modify such a permit, which shall contain a schedule of compliance for the point source to achieve the requirements of subsections (b)(1)(A) and (C) of this section and shall contain such other terms and conditions, including pretreatment and interim effluent limitations and water conservation requirements applicable to that point source, as the Administrator determines are necessary to carry out the provisions of this Act.

(B) No time modification granted by the Administrator (or if appropriate the State) pursuant to paragraph (2)(A) of this subsection shall extend beyond the earliest date practicable for compliance or beyond the date of any extension granted to the appropriate publicly owned treatment works pursuant to paragraph (1) of this subsection, but in no event shall it extend beyond July 1, 1988, and no such time modification shall be granted unless (i) the publicly owned treatment works will be in operation and available to the point source before July 1, 1988, and will meet the requirements to subsections (b)(1) (B) and (C) of this section after receiving the discharge from that point source; and (ii) the point source and the publicly owned treatment works have entered into an enforceable contract requiring the point source to discharge into the publicly owned treatment works, the owner or operator of such point source to pay the costs required under section 204 of this Act, and the publicly owned treatment works to accept the discharge from the point source; and (iii) the permit for such point source requires point source to meet all requirements under section 307 (a) and (b) during the period of such time modification.

(j)(1) Any application filed under this section for a modification of the provisions of—

(A) subsection (b)(1)(B) under subsection (h) of this section shall be filed not later that[1] the 365th day which begins after the date of enactment of the Municipal Wastewater Treatment Construction Grant Amendments of 1981, except that a publicly owned treatment works which prior to December 31, 1982, had a contractual arrangement to use a portion of the capacity of an ocean outfall operated by another publicly owned treatment works which has applied for or received modification under subsection (h), may apply for a modification of subsection (h) in its own right not later than 30 days after the date of the enactment of the Water Quality Act of 1987, and except as provided in paragraph (5);

(B) subsection (b)(2)(A) as it applies to pollutants identified in subsection (b)(2)(F) shall be filed not later than 270 days after the date of promulgation of an applicable effluent guideline under section 304 or not later than 270 days after the date of enactment of the Clean Water Act of 1977, whichever is later.

(2) Subject to paragraph (3) of this section, any application for a modification filed under subsection (g) of this section shall not operate to stay any requirement under this Act, unless in the judgment of the Administrator such a stay or the modification sought

[1] So in law. Probably should be "than".

will not result in the discharge of pollutants in quantities which may reasonably be anticipated to pose an unacceptable risk to human health or the environment because of bioaccumulation, persistency in the environment, acute toxicity, chronic toxicity (including carcinogenicity, mutagenicity or teratogenicity), or synergistic propensities, and that there is a substantial likelihood that the applicant will succeed on the merits of such application. In the case of an application filed under subsection (g) of this section, the Administrator may condition any stay granted under this paragraph on requiring the filing of a bond or other appropriate security to assure timely compliance with the requirements from which a modification is sought.

(3) COMPLIANCE REQUIREMENTS UNDER SUBSECTION (g).—

(A) EFFECT OF FILING.—An application for a modification under subsection (g) and a petition for listing of a pollutant as a pollutant for which modifications are authorized under such subsection shall not stay the requirement that the person seeking such modification or listing comply with effluent limitations under this Act for all pollutants not the subject of such application or petition.

(B) EFFECT OF DISAPPROVAL.—Disapproval of an application for a modification under subsection (g) shall not stay the requirement that the person seeking such modification comply with all applicable effluent limitations under this Act.

(4) DEADLINE FOR SUBSECTION (g) DECISION.—An application for a modification with respect to a pollutant filed under subsection (g) must be approved or disapproved not later than 365 days after the date of such filing; except that in any case in which a petition for listing such pollutant as a pollutant for which modifications are authorized under such subsection is approved, such application must be approved or disapproved not later than 365 days after the date of approval of such petition.

(5) EXTENSION OF APPLICATION DEADLINE.—

(A) IN GENERAL.—In the 180-day period beginning on the date of the enactment of this paragraph, the city of San Diego, California, may apply for a modification pursuant to subsection (h) of the requirements of subsection (b)(1)(B) with respect to biological oxygen demand and total suspended solids in the effluent discharged into marine waters.

(B) APPLICATION.—An application under this paragraph shall include a commitment by the applicant to implement a waste water reclamation program that, at a minimum, will—

(i) achieve a system capacity of 45,000,000 gallons of reclaimed waste water per day by January 1, 2010; and

(ii) result in a reduction in the quantity of suspended solids discharged by the applicant into the marine environment during the period of the modification.

(C) ADDITIONAL CONDITIONS.—The Administrator may not grant a modification pursuant to an application submitted under this paragraph unless the Administrator determines that such modification will result in removal of not less than 58 percent of the biological oxygen demand (on an annual average) and not less than 80 percent of total suspended solids (on a monthly average) in the discharge to which the application applies.

(D) PRELIMINARY DECISION DEADLINE.—The Administrator shall announce a preliminary decision on an application submitted under this paragraph not later than 1 year after the date the application is submitted.

(k) In the case of any facility subject to a permit under section 402 which proposes to comply with the requirements of subsection (b)(2)(A) or (b)(2)(E) of this section by replacing existing production capacity with an innovative production process which will result in an effluent reduction significantly greater than that required by the limitation otherwise applicable to such facility and moves toward the national goal of eliminating the discharge of all pollutants, or with the installation of an innovative control technique that has a substantial likelihood for enabling the facility to comply with the applicable effluent limitation by achieving a significantly greater effluent reduction than that required by the applicable effluent limitation and moves toward the national goal of eliminating the discharge of all pollutants, or by achieving the required reduction with an innovative system that has the potential for significantly lower costs than the systems which have been determined by the Administrator to be economically achievable, the Administrator (or the State with an approved program under section 402, in consultation with the Administrator) may establish a date for compliance under subsection (b)(2)(A) or (b)(2)(E) of this section no later than two years after the date for compliance with such effluent limitation which would otherwise be applicable under such subsection, if it is also determined that such innovative system has the potential for industrywide application.

(l) Other than as provided in subsection (n) of this section, the Administrator may not modify any requirement of this section as it applies to any specific pollutant which is on the toxic pollutant list under section 307(a)(1) of this Act.

(m)(1) The Administrator, with the concurrence of the State, may issue a permit under section 402 which modifies the requirements of subsections (b)(1)(A) and (b)(2)(E) of this section, and of section 403, with respect to effluent limitations to the extent such limitations relate to biochemical oxygen demand and pH from discharges by an industrial discharger in such State into deep waters of the territorial seas, if the applicant demonstrates and the Administrator finds that—

(A) the facility for which modification is sought is covered at the time of the enactment of this subsection by National Pollutant Discharge Elimination System permit number CA0005894 or CA0005282;

(B) the energy and environmental costs of meeting such requirements of subsections (b)(1)(A) and (b)(2)(E) and section

403 exceed by an unreasonable amount the benefits to be obtained, including the objectives of this Act;

(C) the applicant has established a system for monitoring the impact of such discharges on a representative sample of aquatic biota;

(D) such modified requirements will not result in any additional requirements on any other point or nonpoint source;

(E) there will be no new or substantially increased discharges from the point source of the pollutant to which the modification applies above that volume of discharge specified in the permit;

(F) the discharge is into waters where there is strong tidal movement and other hydrological and geological characteristics which are necessary to allow compliance with this subsection and section 101(a)(2) of this Act;

(G) the applicant accepts as a condition to the permit a contractural obligation to use funds in the amount required (but not less than $250,000 per year for ten years) for research and development of water pollution control technology, including but not limited to closed cycle technology;

(H) the facts and circumstances present a unique situation which, if relief is granted, will not establish a precedent or the relaxation of the requirements of this Act applicable to similarly situated discharges; and

(I) no owner or operator of a facility comparable to that of the applicant situated in the United States has demonstrated that it would be put at a competitive disadvantage to the applicant (or the parent company or any subsidiary thereof) as a result of the issuance of a permit under this subsection.

(2) The effluent limitations established under a permit issued under paragraph (1) shall be sufficient to implement the applicable State water quality standards, to assure the protection of public water supplies and protection and propagation of a balanced, indigenous population of shellfish, fish, fauna, wildlife, and other aquatic organisms, and to allow recreational activities in and on the water. In setting such limitations, the Administrator shall take into account any seasonal variations and the need for an adequate margin of safety, considering the lack of essential knowledge concerning the relationship between effluent limitations and water quality and the lack of essential knowledge of the effects of discharges on beneficial uses of the receiving waters.

(3) A permit under this subsection may be issued for a period not to exceed five years, and such a permit may be renewed for one additional period not to exceed five years upon a demonstration by the applicant and a finding by the Administrator at the time of application for any such renewal that the provisions of this subsection are met.

(4) The Administrator may terminate a permit issued under this subsection if the Administrator determines that there has been a decline in ambient water quality of the receiving waters during the period of the permit even if a direct cause and effect relationship cannot be shown: *Provided,* That if the effluent from a source with a permit issued under this subsection is contributing to a de-

cline in ambient water quality of the receiving waters, the Administrator shall terminate such permit.

(n) FUNDAMENTALLY DIFFERENT FACTORS.—

(1) GENERAL RULE.—The Administrator, with the concurrance of the State, may establish an alternative requirement under subsection (b)(2) or section 307(b) for a facility that modifies the requirements of national effluent limitation guidelines or categorical pretreatment standards that would otherwise be applicable to such facility, if the owner or operator of such facility demonstrates to the satisfaction of the Administrator that—

(A) the facility is fundamentally different with respect to the factors (other than cost) specified in section 304(b) or 304(g) and considered by the Administrator in establishing such national effluent limitation guidelines or categorical pretreatment standards;

(B) the application—

(i) is based solely on information and supporting data submitted to the Administrator during the rule making for establishment of the applicable national effluent limitation guidelines or categorical pretreatment standard specifically raising the factors that are fundamentally different for such facility; or

(ii) is based on information and supporting data referred to in clause (i) and information and supporting data the applicant did not have a reasonable opportunity to submit during such rulemaking;

(C) the alternative requirement is no less stringent than justified by the fundamental difference; and

(D) the alternative requirement will not result in a non-water quality environmental impact which is markedly more adverse than the impact considered by the Administrator in establishing such national affluent limitation guideline or categorical pretreatment standard.

(2) TIME LIMIT FOR APPLICATIONS.—An application for an alternative requirement which modifies the requirements of an effluent limitation or pretreatment standard under this subsection must be submitted to the Administrator within 180 days after the date on which such limitation or standard is established or revised, as the case may be.

(3) TIME LIMIT FOR DECISION.—The Administrator shall approve or deny by final agency action an application submitted under this subsection within 180 days after the date such application is filed with the Administrator.

(4) SUBMISSION OF INFORMATION.—The Administrator may allow an applicant under this subsection to submit information and supporting data until the earlier of the date the application is approved or denied or the last day that the Administrator has to approve or deny such application.

(5) TREATMENT OF PENDING APPLICATIONS.—For the purposes of this subsection, an application for an alternative requirement based on fundamentally different factors which is pending on the date of the enactment of this subsection shall be treated as having been submitted to the Administrator on

the 180th day following such date of enactment. The applicant may amend the application to take into account the provisions of this subsection.

(6) EFFECT OF SUBMISSION OF APPLICATION.—An application for an alternative requirement under this subsection shall not stay the applicant's obligation to comply with the effluent limitation guideline or categorical pretreatment standard which is the subject of the application.

(7) EFFECT OF DENIAL.—If an application for an alternative requirement which modifies the requirements of an effluent limitation or pretreatment standard under this subsection is denied by the Administrator, the applicant must comply with such limitation or standard as established or revised, as the case may be.

(8) REPORTS.—By January 1, 1997, and January 1 of every odd-numbered year thereafter, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of Representatives a report on the status of applications for alternative requirements which modify the requirements of effluent limitations under section 301 or 304 of this Act or any national categorical pretreatment standard under section 307(b) of this Act filed before, on, or after such date of enactment.

(o) APPLICATION FEES.—The Administrator shall prescribe and collect from each applicant fees reflecting the reasonable administrative costs incurred in reviewing and processing applications for modifications submitted to the Administrator pursuant to subsections (c), (g), (i), (k), (m), and (n) of section 301, section 304(d)(4), and section 316(a) of this Act. All amounts collected by the Administrator under this subsection shall be deposited into a special fund of the Treasury entitled "Water Permits and Related Services" which shall thereafter be available for appropriation to carry out activities of the Environmental Protection Agency for which such fees were collected.

(p) MODIFIED PERMIT FOR COAL REMINING OPERATIONS.—

(1) IN GENERAL.—Subject to paragraphs (2) through (4) of this subsection, the Administrator, or the State in any case which the State has an approved permit program under section 402(b), may issue a permit under section 402 which modifies the requirements of subsection (b)(2)(A) of this section with respect to the pH level of any pre-existing discharge, and with respect to pre-existing discharges of iron and manganese from the remined area of any coal remining operation or with respect to the pH level or level of iron or manganese in any pre-existing discharge affected by the remining operation. Such modified requirements shall apply the best available technology economically achievable on a case-by-case basis, using best professional judgment, to set specific numerical effluent limitations in each permit.

(2) LIMITATIONS.—The Administrator or the State may only issue a permit pursuant to paragraph (1) if the applicant demonstrates to the satisfaction of the Administrator or the State, as the case may be, that the coal remining operation will

result in the potential for improved water quality from the remining operation but in no event shall such a permit allow the pH level of any discharge, and in no event shall such a permit allow the discharges of iron and manganese, to exceed the levels being discharged from the remined area before the coal remining operation begins. No discharge from, or affected by, the remining operation shall exceed State water quality standards established under section 303 of this Act.

(3) DEFINITIONS.—For purposes of this subsection—

(A) COAL REMINING OPERATION.—The term "coal remining operation" means a coal mining operation which begins after the date of the enactment of this subsection at a site on which coal mining was conducted before the effective date of the Surface Mining Control and Reclamation Act of 1977.

(B) REMINED AREA.—The term "remined area" means only that area of any coal remining operation on which coal mining was conducted before the effective date of the Surface Mining Control and Reclamation Act of 1977.

(C) PRE-EXISTING DISCHARGE.—The term "pre-existing discharge" means any discharge at the time of permit application under this subsection.

(4) APPLICABILITY OF STRIP MINING LAWS.—Nothing in this subsection shall affect the application of the Surface Mining Control and Reclamation Act of 1977 to any coal remining operation, including the application of such Act to suspended solids.

(33 U.S.C. 1311)

WATER QUALITY RELATED EFFLUENT LIMITATIONS

SEC. 302. (a) Whenever, in the judgment of the Administrator or as identified under section 304(l), discharges of pollutants from a point source or group of point sources, with the application of effluent limitations required under section 301(b)(2) of this Act, would interfere with the attainment or maintenance of that water quality in a specific portion of the navigable waters which shall assure protection of public health, public water supplies, agricultural and industrial uses, and the protection and propagation of a balanced population of shellfish, fish and wildlife, and allow recreational activities in and on the water, effluent limitations (including alternative effluent control strategies) for such point source or sources shall be established which can reasonably be expected to contribute to the attainment or maintenance of such water quality.

(b) MODIFICATIONS OF EFFLUENT LIMITATIONS.—

(1) NOTICE AND HEARING.—Prior to establishment of any effluent limitation pursuant to subsection (a) of this section, the Administrator shall publish such proposed limitation and within 90 days of such publication hold a public hearing.

(2) PERMITS.—

(A) NO REASONABLE RELATIONSHIP.—The Administrator, with the concurrence of the State, may issue a permit which modifies the effluent limitations required by subsection (a) of this section for pollutants other than toxic

pollutants if the applicant demonstrates at such hearing that (whether or not technology or other alternative control strategies are available) there is no reasonable relationship between the economic and social costs and the benefits to be obtained (including attainment of the objective of this Act) from achieving such limitation.

(B) REASONABLE PROGRESS.—The Administrator, with the concurrence of the State, may issue a permit which modifies the effluent limitations required by subsection (a) of this section for toxic pollutants for a single period not to exceed 5 years if the applicant demonstrates to the satisfaction of the Administrator that such modified requirements (i) will represent the maximum degree of control within the economic capability of the owner and operator of the source, and (ii) will result in reasonable further progress beyond the requirements of section 301(b)(2) toward the requirements of subsection (a) of this section.

(c) The establishment of effluent limitations under this section shall not operate to delay the application of any effluent limitation established under section 301 of this Act.

(33 U.S.C. 1312)

WATER QUALITY STANDARDS AND IMPLEMENTATION PLANS

SEC. 303. (a)(1) In order to carry out the purpose of this Act, any water quality standard applicable to interstate waters which was adopted by any State and submitted to, and approved by, or is awaiting approval by, the Administrator pursuant to this Act as in effect immediately prior to the date of enactment of the Federal Water Pollution Control Act Amendments of 1972, shall remain in effect unless the Administrator determined that such standard is not consistent with the applicable requirements of this Act as in effect immediately prior to the date of enactment of the Federal Water Pollution Control Act Amendments of 1972. If the Administrator makes such a determination he shall, within three months after the date of enactment of the Federal Water Pollution Control Act Amendments of 1972, notify the State and specify the changes needed to meet such requirements. If such changes are not adopted by the State within ninety days after the date of such notification, the Administrator shall promulgate such changes in accordance with subsection (b) of this section.

(2) Any State which, before the date of enactment of the Federal Water Pollution Control Act Amendments of 1972, has adopted, pursuant to its own law, water quality standards applicable to intrastate waters shall submit such standards to the Administrator within thirty days after the date of enactment of the Federal Water Pollution Control Act Amendments of 1972. Each such standard shall remain in effect, in the same manner and to the same extent as any other water quality standard established under this Act unless the Administrator determines that such standard is inconsistent with the applicable requirements of this Act as in effect immediately prior to the date of enactment of the Federal Water Pollution Control Act Amendments of 1972. If the Administrator makes such a determination he shall not later than the one hun-

dred and twentieth day after the date of submission of such standards, notify the State and specify the changes needed to meet such requirements. If such changes are not adopted by the State within ninety days after such notification, the Administrator shall promulgate such changes in accordance with subsection (b) of this section.

(3)(A) Any State which prior to the date of enactment of the Federal Water Pollution Control Act Amendments of 1972 has not adopted pursuant to its own laws water quality standards applicable to intrastate waters shall, not later than one hundred and eighty days after the date of enactment of the Federal Water Pollution Control Act Amendments of 1972, adopt and submit such standards to the Administrator.

(B) If the Administrator determines that any such standards are consistent with the applicable requirements of this Act as in effect immediately prior to the date of enactment of the Federal Water Pollution Control Act Amendments of 1972, he shall approve such standards.

(C) If the Administrator determines that any such standards are not consistent with the applicable requirements of this Act as in effect immediately prior to the date of enactment of the Federal Water Pollution Control Act Amendments of 1972, he shall, not later than the ninetieth day after the date of submission of such standards, notify the State and specify the changes to meet such requirements. If such changes are not adopted by the State within ninety days after the date of notification, the Administrator shall promulgate such standards pursuant to subsection (b) of this section.

(b)(1) The Administrator shall promptly prepare and publish proposed regulations setting forth water quality standards for a State in accordance with the applicable requirements of this Act as in effect immediately prior to the date of enactment of the Federal Water Pollution Control Act Amendments of 1972, if—

(A) the State fails to submit water quality standards within the times prescribed in subsection (a) of this section,

(B) a water quality standard submitted by such State under subsection (a) of this section is determined by the Administrator not to be consistent with the applicable requirements of subsection (a) of this section.

(2) The Administrator shall promulgate any water quality standard published in a proposed regulation not later than one hundred and ninety days after the date he publishes any such proposed standard, unless prior to such promulgation, such State has adopted a water quality standard which the Administrator determines to be in accordance with subsection (a) of this section.

(c)(1) The Governor of a State or the State water pollution control agency of such State shall from time to time (but at least once each three year period beginning with the date of enactment of the Federal Water Pollution Control Act Amendments of 1972) hold public hearings for the purpose of reviewing applicable water quality standards and, as appropriate, modifying and adopting standards. Results of such review shall be made available to the Administrator.

(2)(A) Whenever the State revises or adopts a new standard, such revised or new standard shall be submitted to the Adminis-

trator. Such revised or new water quality standard shall consist of the designated uses of the navigable waters involved and the water quality criteria for such waters based upon such uses. Such standards shall be such as to protect the public health or welfare, enhance the quality of water and serve the purposes of this Act. Such standards shall be established taking into consideration their use and value for public water supplies, propagation of fish and wildlife, recreational purposes, and agricultural, industrial, and other purposes, and also taking into consideration their use and value for navigation.

(B) Whenever a State reviews water quality standards pursuant to paragraph (1) of this subsection, or revises or adopts new standards pursuant to this paragraph, such State shall adopt criteria for all toxic pollutants listed pursuant to section 307(a)(1) of this Act for which criteria have been published under section 304(a), the discharge or presence of which in the affected waters could reasonably be expected to interfere with those designated uses adopted by the State, as necessary to support such designated uses. Such criteria shall be specific numerical criteria for such toxic pollutants. Where such numerical criteria are not available, whenever a State reviews water quality standards pursuant to paragraph (1), or revises or adopts new standards pursuant to this paragraph, such State shall adopt criteria based on biological monitoring or assessment methods consistent with information published pursuant to section 304(a)(8). Nothing in this section shall be construed to limit or delay the use of effluent limitations or other permit conditions based on or involving biological monitoring or assessment methods or previously adopted numerical criteria.

(3) If the Administrator, within sixty days after the date of submission of the revised or new standard, determines that such standard meets the requirements of this Act, such standard shall thereafter be the water quality standard for the applicable waters of that State. If the Administrator determines that any such revised or new standard is not consistent with the applicable requirements of this Act, he shall not later than the ninetieth day after the date of submission of such standard notify the State and specify the changes to meet such requirements. If such changes are not adopted by the State within ninety days after the date of notification, the Administrator shall promulgate such standard pursuant to paragraph (4) of this subsection.

(4) The Administrator shall promptly prepare and publish proposed regulations setting forth a revised or new water quality standard for the navigable waters involved—

(A) if a revised or new water quality standard submitted by such State under paragraph (3) of this subsection for such waters is determined by the Administrator not to be consistent with the applicable requirements of this Act, or

(B) in any case where the Administrator determines that a revised or new standard is necessary to meet the requirements of this Act.

The Administrator shall promulgate any revised or new standard under this paragraph not later than ninety days after he publishes such proposed standards, unless prior to such promulgation, such

State has adopted a revised or new water quality standard which the Administrator determines to be in accordance with this Act.

(d)(1)(A) Each State shall identify those waters within its boundaries for which the effluent limitations required by section 301(b)(1)(A) and section 301(b)(1)(B) are not stringent enough to implement any water quality standard applicable to such waters. The State shall establish a priority ranking for such waters, taking into account the severity of the pollution and the uses to be made of such waters.

(B) Each State shall identify those waters or parts thereof within its boundaries for which controls on thermal discharges under section 301 are not stringent enough to assure protection and propagation of a balanced indigenous population of shellfish, fish, and wildlife.

(C) Each State shall establish for the waters identified in paragraph (1)(A) of this subsection, and in accordance with the priority ranking, the total maximum daily load, for those pollutants which the Administrator identifies under section 304(a)(2) as suitable for such calculation. Such load shall be established at a level necessary to implement the applicable water quality standards with seasonal variations and a margin of safety which takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality.

(D) Each State shall estimate for the waters identified in paragraph (1)(D) of this subsection the total maximum daily thermal load required to assure protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife. Such estimates shall take into account the normal water temperatures, flow rates, seasonal variations, existing sources of heat input, and the dissipative capacity of the identified waters or parts thereof. Such estimates shall include a calculation of the maximum heat input that can be made into each such part and shall include a margin of safety which takes into account any lack of knowledge concerning the development of thermal water quality criteria for such protection and propagation in the identified waters or parts thereof.

(2) Each State shall submit to the Administrator from time to time, with the first such submission not later than one hundred and eighty days after the date of publication of the first identification of pollutants under section 304(a)(2)(D), for his approval the waters identified and the loads established under paragraphs (1)(A), (1)(B), (1)(C), and (1)(D) of this subsection. The Administrator shall either approve or disapprove such identification and load not later than thirty days after the date of submission. If the Administrator approves such identification and load, such State shall incorporate them into its current plan under subsection (e) of this section. If the Administrator disapproves such identification and load, he shall not later than thirty days after the date of such disapproval identify such waters in such State and establish such loads for such waters as he determines necessary to implement the water quality standards applicable to such waters and upon such identification and establishment the State shall incorporate them into its current plan under subsection (e) of this section.

(3) For the specific purpose of developing information, each State shall identify all waters within its boundaries which it has

not identified under paragraph (1)(A) and (1)(B) of this subsection and estimate for such waters the total maximum daily load with seasonal variations and margins of safety, for those pollutants which the Administrator identifies under section 304(a)(2) as suitable for such calculation and for thermal discharges, at a level that would assure protection and propagation of a balanced indigenous population of fish, shellfish and wildlife.

(4) LIMITATIONS ON REVISION OF CERTAIN EFFLUENT LIMITATIONS.—

(A) STANDARD NOT ATTAINED.—For waters identified under paragraph (1)(A) where the applicable water quality standard has not yet been attained, any effluent limitation based on a total maximum daily load or other waste load allocation established under this section may be revised only if (i) the cumulative effect of all such revised effluent limitations based on such total maximum daily load or waste load allocation will assure the attainment of such water quality standard, or (ii) the designated use which is not being attained is removed in accordance with regulations established under this section.

(B) STANDARD ATTAINED.—For waters identified under paragraph (1)(A) where the quality of such waters equals or exceeds levels necessary to protect the designated use for such waters or otherwise required by applicable water quality standard, any effluent limitation based on a total maximum daily load or other waste load allocation established under this section, or any water quality standard established under this section, or any other permitting standard may be revised only if such revision is subject to and consistent with the antidegradation policy established under this section.

(e)(1) Each State shall have a continuing planning process approved under paragraph (2) of this subsection which is consistent with this Act.

(2) Each State shall submit not later than 120 days after the date of the enactment of the Water Pollution Control Amendments of 1972 to the Administrator for his approval a proposed continuing planning process which is consistent with this Act. Not later than thirty days after the date of submission of such a process the Administrator shall either approve or disapprove such process. The Administrator shall from time to time review each State's approved planning process for the purpose of insuring that such planning process is at all times consistent with this Act. The Administrator shall not approve any State permit program under title IV of this Act for any State which does not have an approved continuing planning process under this section.

(3) The Administrator shall approve any continuing planning process submitted to him under this section which will result in plans for all navigable waters within such State, which include, but are not limited to, the following:

(A) effluent limitations and schedules of compliance at least as stringent as those required by section 301(b)(1), section 301(b)(2), section 306, and section 307, and at least as

stringent as any requirements contained in any applicable water quality standard in effect under authority of this section;

(B) the incorporation of all elements of any applicable areawide waste management plans under section 208, and applicable basin plans under section 209 of this Act;

(C) total maximum daily load for pollutants in accordance with subsection (d) of this section;

(D) procedures for revision;

(E) adequate authority for intergovernmental cooperation;

(F) adequate implementation, including schedules of compliance, for revised or new water quality standards, under subsection (c) of this section;

(G) controls over the disposition of all residual waste from any water treatment processing;

(H) an inventory and ranking, in order of priority, of needs for construction of waste treatment works required to meet the applicable requirements of sections 301 and 302.

(f) Nothing in this section shall be construed to affect any effluent limitation, or schedule of compliance required by any State to be implemented prior to the dates set forth in sections 301(b)(1) and 301(b)(2) nor to preclude any State from requiring compliance with any effluent limitation or schedule of compliance at dates earlier than such dates.

(g) Water quality standards relating to heat shall be consistent with the requirements of section 316 of this Act.

(h) For the purposes of this Act the term "water quality standards" includes thermal water quality standards.

(i) COASTAL RECREATION WATER QUALITY CRITERIA.—

(1) ADOPTION BY STATES.—

(A) INITIAL CRITERIA AND STANDARDS.—Not later than 42 months after the date of the enactment of this subsection, each State having coastal recreation waters shall adopt and submit to the Administrator water quality criteria and standards for the coastal recreation waters of the State for those pathogens and pathogen indicators for which the Administrator has published criteria under section 304(a).

(B) NEW OR REVISED CRITERIA AND STANDARDS.—Not later than 36 months after the date of publication by the Administrator of new or revised water quality criteria under section 304(a)(9), each State having coastal recreation waters shall adopt and submit to the Administrator new or revised water quality standards for the coastal recreation waters of the State for all pathogens and pathogen indicators to which the new or revised water quality criteria are applicable.

(2) FAILURE OF STATES TO ADOPT.—

(A) IN GENERAL.—If a State fails to adopt water quality criteria and standards in accordance with paragraph (1)(A) that are as protective of human health as the criteria for pathogens and pathogen indicators for coastal recreation waters published by the Administrator, the Administrator shall promptly propose regulations for the State setting forth revised or new water quality standards

for pathogens and pathogen indicators described in paragraph (1)(A) for coastal recreation waters of the State.

(B) EXCEPTION.—If the Administrator proposes regulations for a State described in subparagraph (A) under subsection (c)(4)(B), the Administrator shall publish any revised or new standard under this subsection not later than 42 months after the date of the enactment of this subsection.

(3) APPLICABILITY.—Except as expressly provided by this subsection, the requirements and procedures of subsection (c) apply to this subsection, including the requirement in subsection (c)(2)(A) that the criteria protect public health and welfare.

(33 U.S.C. 1313)

INFORMATION AND GUIDELINES

SEC. 304. (a)(1) The Administrator, after consultation with appropriate Federal and State agencies and other interested persons, shall develop and publish, within one year after the date of enactment of this title (and from time to time thereafter revise) criteria for water quality accurately reflecting the latest scientific knowledge (A) on the kind and extent of all identifiable effects on health and welfare including, but not limited to, plankton, fish, shellfish, wildlife, plant life, shorelines, beaches, esthetics, and recreation which may be expected from the presence of pollutants in any body of water, including ground water; (B) on the concentration and dispersal of pollutants, or their byproducts, through biological, physical, and chemical processes; and (C) on the effects of pollutants on biological community diversity, productivity, and stability, including information on the factors affecting rates of eutrophication and rates of organic and inorganic sedimentation for varying types of receiving waters.

(2) The Administrator, after consultation with appropriate Federal and State agencies and other interested persons, shall develop and publish, within one year after the date of enactment of this title (and from time to time thereafter revise) information (A) on the factors necessary to restore and maintain the chemical, physical, and biological integrity of all navigable waters, ground waters, waters of the contiguous zone, and the oceans; (B) on the factors necessary for the protection and propagation of shellfish, fish, and wildlife for classes and categories of receiving waters and to allow recreational activities in and on the water; and (C) on the measurement and classification of water quality; and (D) for the purpose of section 303, on and the identification of pollutants suitable for maximum daily load measurement correlated with the achievement of water quality objectives.

(3) Such criteria and information and revisions thereof shall be issued to the States and shall be published in the Federal Register and otherwise made available to the public.

(4) The Administrator shall, within 90 days after the date of enactment of the Clean Water Act of 1977 and from time to time thereafter, publish and revise as appropriate information identifying conventional pollutants, including but not limited to, pollut-

ants classified as biological oxygen demanding, suspended solids, fecal coliform, and pH. The thermal component of any discharge shall not be identified as a conventional pollutant under this paragraph.

(5)(A) The Administrator, to the extent practicable before consideration of any request under section 301(g) of this Act and within six months after the date of enactment of the Clean Water Act of 1977, shall develop and publish information on the factors necessary for the protection of public water supplies, and the protection and propagation of a balanced population of shellfish, fish and wildlife, and to allow recreational activities, in and on the water.

(B) The Administrator, to the extent practicable before consideration of any application under section 301(h) of this Act and within six months after the date of enactment of Clean Water Act of 1977, shall develop and publish information on the factors necessary for the protection of public water supplies, and the protection and propagation of a balanced indigenous population of shellfish, fish and wildlife, and to allow recreational activities, in and on the water.

(6) The Administrator shall, within three months after enactment of the Clean Water Act of 1977 and annually thereafter, for purposes of section 301(h) of this Act publish and revise as appropriate information identifying each water quality standard in effect under this Act of State law, the specific pollutants associated with such water quality standard, and the particular waters to which such water quality standard applies.

(7) GUIDANCE TO STATES.—The Administrator, after consultation with appropriate State agencies and on the basis of criteria and information published under paragraphs (1) and (2) of this subsection, shall develop and publish, within 9 months after the date of the enactment of the Water Quality Act of 1987, guidance to the States on performing the identification required by section 304(l)(1) of this Act.

(8) INFORMATION ON WATER QUALITY CRITERIA.—The Administrator, after consultation with appropriate State agencies and within 2 years after the date of the enactment of the Water Quality Act of 1987, shall develop and publish information on methods for establishing and measuring water quality criteria for toxic pollutants on other bases than pollutant-by-pollutant criteria, including biological monitoring and assessment methods.

(9) REVISED CRITERIA FOR COASTAL RECREATION WATERS.—

(A) IN GENERAL.—Not later than 5 years after the date of the enactment of this paragraph, after consultation and in cooperation with appropriate Federal, State, tribal, and local officials (including local health officials), the Administrator shall publish new or revised water quality criteria for pathogens and pathogen indicators (including a revised list of testing methods, as appropriate), based on the results of the studies conducted under section 104(v), for the purpose of protecting human health in coastal recreation waters.

(B) REVIEWS.—Not later than the date that is 5 years after the date of publication of water quality criteria under

this paragraph, and at least once every 5 years thereafter, the Administrator shall review and, as necessary, revise the water quality criteria.

(b) For the purposes of adopting or revising effluent limitations under this Act the Administrator shall, after consultation with appropriate Federal and State agencies and other interested persons, publish within one year of enactment of this title, regulations, providing guidelines for effluent limitations, and, at least annually thereafter, revise, if appropriate, such regulations. Such regulations shall—

(1)(A) identify, in terms of amounts of constituents and chemical, physical, and biological characteristics of pullutants, the degree of effluent reduction attainable through the application of the best practicable control technology currently available for classes and categories to point sources (other than publicly owned treatment works); and

(B) specify factors to be taken into account in determining the control measures and practices to be applicable to point sources (other than publicly owned treatment works) within such categories of classes. Factors relating to the assessment of best practical control technology currently available to comply with subsection (b)(1) of section 301 of this Act shall include consideration of the total cost of application of technology in relation to the effluent reduction benefits to be achieved from such application, and shall also take into account the age of equipment and facilities involved, the process employed, the engineering aspects of the application of various types of control techniques, process changes, non-water quality environmental impact (including energy requirements), and such other factors as the Administrator deems appropriate;

(2)(A) identify, in terms of amounts of constituents and chemical, physical, and biological characteristics of pollutants, the degree of effluent reduction attainable through the application of the best control measures and practices achievable including treatment techniques, process and procedure innovations, operating methods, and other alternatives for classes and categories of point sources (other than publicly owned treatment works); and

(B) specify factors to be taken into account in determining the best measures and practices available to comply with subsection (b)(2) of section 301 of this Act to be applicable to any point source (other than publicly owned treatment works) within such categories of classes. Factors relating to the assessment of best available technology shall take into account the age of equipment and facilities involved, the process employed, the engineering aspects of the application of various types of control techniques, process changes, the cost of achieving such effluent reduction, non-water quality environmental impact (including energy requirements), and such other factors as the Administrator deems appropriate;

(3) identify control measures and practices available to eliminate the discharge of pollutants from categories and classes of point sources, taking into account the cost of achieving such elimination of the discharge of pollutants; and

(4)(A) identify, in terms of amounts of constituents and chemical, physical, and biological characteristics of pollutants, the degree of effluent reduction attainable through the application of the best conventional pollutant control technology (including measures and practices) for classes and categories of point sources (other than publicly owned treatment works); and

(B) specify factors to be taken into account in determining the best conventional pollutant control technology measures and practices to comply with section 301(b)(2)(E) of this Act to be applicable to any point source (other than publicly owned treatment works) within such categories or classes. Factors relating to the assessment of best conventional pollutant control technology (including measures and practices) shall include consideration of the reasonableness of the relationship between the costs of attaining a reduction in effluents and the effluent reduction benefits derived, and the comparison of the cost and level of reduction of such pollutants from the discharge from publicly owned treatment works to the cost and level of reduction of such pollutants from a class or category of industrial sources, and shall take into account the age of equipment and facilities involved, the process employed, the engineering aspects of the application of various types of control techniques, process changes, non-water quality environmental impact (including energy requirements), and such other factors as the Administrator deems appropriate.

(c) The Administrator, after consultation, with appropriate Federal and State agencies and other interested persons, shall issue to the States and appropriate water pollution control agencies within 270 days after enactment of this title (and from time to time thereafter) information on the processes, procedures, or operating methods which result in the elimination or reduction of the discharge of pollutants to implement standards of performance under section 306 of this Act. Such information shall include technical and other data, including costs, as are available on alternative methods of elimination or reduction of the discharge of pollutants. Such information, and revisions thereof, shall be published in the Federal Register and otherwise shall be made available to the public.

(d)(1) The Administrator, after consultation with appropriate Federal and State agencies and other interested persons, shall publish within sixty days after enactment of this title (and from time to time thereafter) information, in terms of amounts of constituents and chemical, physical, and biological characteristics of pollutants, on the degree of effluent reduction attainable through the application of secondary treatment.

(2) The Administrator, after consultation with appropriate Federal and State agencies and other interested persons, shall publish within nine months after the date of enactment of this title (and from time to time thereafter) information on alternative waste treatment management techniques and systems available to implement section 201 of this Act.

(3) The Administrator, after consultation with appropriate Federal and State agencies and other interested persons, shall promul-

gate witin one hundred and eighty days after the date of enactment of this subsection guidelines for identifying and evaluating innovative and alternative wastewater treatment process and techniques referred to in section 201(g)(5) of this Act.

(4) For the purposes of this subsection, such biological treatment facilities as oxidation ponds, lagoons, and ditches and trickling filters shall be deemed the equivalent of secondary treatment. The Administrator shall provide guidance under paragraph (1) of this subsection on design criteria for such facilities, taking into account pollutant removal efficiencies and, consistent with the objective of the Act, assuring that water quality will not be adversely affected by deeming such facilities as the equivalent of secondary treatment.

(e) The Administrator, after consultation with appropriate Federal and State agencies and other interested persons, may publish regulations, supplemental to any effluent limitations specified under subsections (b) and (c) of this section for a class or category of point sources, for any specific pollutant which the Administrator is charged with a duty to regulate as a toxic or hazardous pollutant under section 307(a)(1) or 311 of this Act, to control plant site runoff, spillage or leaks, sludge or waste disposal, and drainage from raw material storage which the Administrator determines are associated with or ancillary to the industrial manufacturing or treatment process within such class or category of point sources and may contribute significant amounts of such pollutants, to navigable waters. Any applicable controls established under this subsection shall be included as a requirement for the purposes of section 301, 302, 307, or 403, as the case may be, in any permit issued to a point source pursuant to section 402 of this Act.

(f) The Administrator, after consultation with appropriate Federal and State agencies and other interested persons, shall issue to appropriate Federal agencies, the States, water pollution control agencies, and agencies designated under section 208 of this Act, within one year after the effective date of this subsection (and from time to time thereafter) information including (1) guidelines for identifying and evaluating the nature and extent of nonpoint sources of pollutants, and (2) processes, procedures, and methods to control pollution resulting from—

(A) agricultural and silvicultural activities, including runoff from fields and crop and forest lands;

(B) mining activities, including runoff and siltation from new, currently operating, and abandoned surface and underground mines;

(C) all construction activity, including runoff from the facilities resulting from such construction;

(D) the disposal of pollutants in wells or in subsurface excavations;

(E) salt water intrusion resulting from reductions of fresh water flow from any cause, including extraction of ground water, irrigation, obstruction, and diversion; and

(F) changes in the movement, flow, or circulation of any navigable waters or ground waters, including changes caused by the construction of dams, levees, channels, causeways, or flow diversion facilities.

Such information and revisions thereof shall be published in the Federal Register and otherwise made available to the public.

(g)(1) For the purpose of assisting States in carrying out programs under section 402 of this Act, the Administrator shall publish, within one hundred and twenty days after the date of enactment of this title, and review at least annually thereafter and, if appropriate, revise guidelines for pretreatment of pollutants which he determines are not susceptible to treatment by publicly owned treatment works. Guidelines under this subsection shall be established to control and prevent the discharge into the navigable waters, the contiguous zone, or the ocean (either directly or through publicly owned treatment works) of any pollutant which interferes with, passes through, or otherwise is incompatible with such works.

(2) When publishing guidelines under this subsection, the Administrator shall designate the category or categories of treatment works to which the guidelines shall apply.

(h) The Administrator shall, within one hundred and eighty days from the date of enactment of this title, promulgate guidelines establishing test procedures for the analysis of pollutants that shall include the factors which must be provided in any certification pursuant to section 401 of this Act or permit application pursuant to section 402 of this Act.

(i) The Administrator shall (1) within sixty days after the enactment of this title promulgate guidelines for the purpose of establishing uniform application forms and other minimum requirements for the acquisition of information from owners and operators of point-sources of discharge subject to any State program under section 402 of this Act, and (2) within sixty days from the date of enactment of this title promulgate guidelines establishing the minimum procedural and other elements of any State program under section 402 of this Act which shall include:

(A) monitoring requirements;

(B) reporting requirements (including procedures to make information available to the public);

(C) enforcement provisions; and

(D) funding, personnel qualifications, and manpower requirements (including a requirement that no board or body which approves permit applications or portions thereof shall include, as a member, any person who receives, or has during the previous two years received, a significant portion of his income directly or indirectly from permit holders or applicants for a permit).

(j) LAKE RESTORATION GUIDANCE MANUAL.—The Administrator shall, within 1 year after the date of the enactment of the Water Quality Act of 1987 and biennially thereafter, publish and disseminate a lake restoration guidance manual describing methods, procedures, and processes to guide State and local efforts to improve, restore, and enhance water quality in the Nation's publicly owned lakes.

(k)(1) The Administrator shall enter into agreements with the Secretary of Agriculture, the Secretary of the Army, and the Secretary of the Interior, and the heads of such other departments, agencies, and instrumentalities of the United States as the Administrator determines, to provide for the maximum utilization of other

Federal laws and programs for the purpose of achieving and maintaining water quality through appropriate implementation of plans approved under section 208 of this Act and nonpoint source pollution management programs approved under section 319 of this Act.

(2) The Administrator is authorized to transfer to the Secretary of Agriculture, the Secretary of the Army, and the Secretary of the Interior and the heads of such other departments, agencies, and instrumentalities of the United States as the Administrator determines, any funds appropriated under paragraph (3) of this subsection to supplement funds otherwise appropriated to programs authorized pursuant to any agreement under paragraph (1).

(3) There is authorized to be appropriated to carry out the provisions of this subsection, $100,000,000 per fiscal year for the fiscal years 1979 through 1983 and such sums as may be necessary for fiscal years 1984 through 1990.

(l) INDIVIDUAL CONTROL STRATEGIES FOR TOXIC POLLUTANTS.—

(1) STATE LIST OF NAVIGABLE WATERS AND DEVELOPMENT OF STRATEGIES.—Not later than 2 years after the date of the enactment of this subsection, each State shall submit to the Administrator for review, approval, and implementation under this subsection—

(A) a list of those waters within the State which after the application of effluent limitations required under section 301(b)(2) of this Act cannot reasonably be anticipated to attain or maintain (i) water quality standards for such waters reviewed, revised, or adopted in accordance with section 303(c)(2)(B) of this Act, due to toxic pollutants, or (ii) that water quality which shall assure protection of public health, public water supplies, agricultural and industrial uses, and the protection and propagation of a balanced population of shellfish, fish and wildlife, and allow recreational activities in and on the water;

(B) a list of all navigable waters in such State for which the State does not expect the applicable standard under section 303 of this Act will be achieved after the requirements of sections 301(b), 306, and 307(b) are met, due entirely or substantially to discharges from point sources of any toxic pollutants listed pursuant to section 307(a);

(C) for each segment of the navigable waters included on such lists, a determination of the specific point sources discharging any such toxic pollutant which is believed to be preventing or impairing such water quality and the amount of each toxic pollutant discharged by each such source; and

(D) for each such segment, an individual control strategy which the State determines will produce a reduction in the discharge of toxic pollutants from point sources identified by the State under this paragraph through the establishment of effluent limitations under section 402 of this Act and water quality standards under section 303(c)(2)(B) of this Act, which reduction is sufficient, in combination with existing controls on point and nonpoint sources of pollution, to achieve the applicable water quality standard as

soon as possible, but not later than 3 years after the date of the establishment of such strategy.

(2) APPROVAL OR DISAPPROVAL.—Not later than 120 days after the last day of the 2-year period referred to in paragraph (1), the Administrator shall approve or disapprove the control strategies submitted under paragraph (1) by any State.

(3) ADMINISTRATOR'S ACTION.—If a State fails to submit control strategies in accordance with paragraph (1) or the Administrator does not approve the control strategies submitted by such State in accordance with paragraph (1), then, not later than 1 year after the last day of the period referred to in paragraph (2), the Administrator, in cooperation with such State and after notice and opportunity for public comment, shall implement the requirements of paragraph (1) in such State. In the implementation of such requirements, the Administrator shall, at a minimum, consider for listing under this subsection any navigable waters for which any person submits a petition to the Administrator for listing not later than 120 days after such last day.

(m) SCHEDULE FOR REVIEW OF GUIDELINES.—

(1) PUBLICATION.—Within 12 months after the date of the enactment of the Water Quality Act of 1987, and biennially thereafter, the Administrator shall publish in the Federal Register a plan which shall—

(A) establish a schedule for the annual review and revision of promulgated effluent guidelines, in accordance with subsection (b) of this section;

(B) identify categories of sources discharging toxic or nonconventional pollutants for which guidelines under subsection (b)(2) of this section and section 306 have not previously been published; and

(C) establish a schedule for promulgation of effluent guidelines for categories identified in subparagraph (B), under which promulgation of such guidelines shall be no later than 4 years after such date of enactment for categories identified in the first published plan or 3 years after the publication of the plan for categories identified in later published plans.

(2) PUBLIC REVIEW.—The Administrator shall provide for public review and comment on the plan prior to final publication.

(33 U.S.C. 1314)

WATER QUALITY INVENTORY

SEC. 305. (a) The Administrator, in cooperation with the States and with the assistance of appropriate Federal agencies, shall prepare a report to be submitted to the Congress on or before January 1, 1974, which shall—

(1) describe the specific quality, during 1973, with appropriate supplemental descriptions as shall be required to take into account seasonal, tidal, and other variations, of all navigable waters and the waters of the contiguous zone;

(2) include an inventory of all point sources of discharge (based on a qualitative and quantitative analysis of discharges) of pollutants, into all navigable waters and the waters of the contiguous zone; and

(3) identify specifically those navigable waters, the quality of which—

(A) is adequate to provide for the protection and propagation of a balanced population of shellfish, fish, and wildlife and allow recreational activities in and on the water;

(B) can reasonably be expected to attain such level by 1977 or 1983; and

(C) can reasonably be expected to attain such level by any later date.

(b)(1) Each State shall prepare and submit to the Administrator by April 1, 1975, and shall bring up to date by April 1, 1976, and biennially thereafter, a report which shall include—

(A) a description of the water quality of all navigable waters in such State during the preceding year, with appropriate supplemental descriptions as shall be required to take into account seasonal, tidal, and other variations, correlated with the quality of water required by the objective of this Act (as identified by the Administrator pursuant to criteria published under section 304(a) of this Act) and the water quality described in subparagraph (B) of this paragraph;

(B) an analysis of the extent to which all navigable waters of such State provide for the protection and propagation of a balanced population of shellfish, fish, and wildlife, and allow recreational activities in and on the water;

(C) an analysis of the extent to which the elimination of the discharge of pollutants and a level of water quality which provides for the protection and propagation of a balanced population of shellfish, fish, and wildlife and allows recreational activities in and on the water, have been or will be achieved by the requirements of this Act, together with recommendations as to additional action necessary to achieve such objectives and for what waters such additional action is necessary;

(D) an estimate of (i) the environmental impact, (ii) the economic and social costs necessary to achieve the objective of this Act in such State, (iii) the economic and social benefits of such achievement, and (iv) an estimate of the date of such achievement; and

(E) a description of the nature and extent of nonpoint sources of pollutants, and recommendations as to the programs which must be undertaken to control each category of such sources, including an estimate of the costs of implementing such programs.

(2) The Administrator shall transmit such State reports, together with an analysis thereof, to Congress on or before October 1, 1975, and October 1, 1976, and biennially thereafter.

(33 U.S.C. 1315)

NATIONAL STANDARDS OF PERFORMANCE

SEC. 306. (a) For purposes of this section:

(1) The term "standard of performance" means a standard for the control of the discharge of pollutants which reflects the greatest degree of effluent reduction which the Administrator determines to be achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants.

(2) The term "new source" means any source, the construction of which is commenced after the publication of proposed regulations prescribing a standard of performance under this section which will be applicable to such sources, if such standard is thereafter promulgated in accordance with this section.

(3) The term "source" means any building, structure, facility, or installation from which there is or may be the discharge of pollutants.

(4) The term "owner or operator" means any person who owns, leases, operates, controls, or supervises a source.

(5) The term "construction" means any placement, assembly, or installation of facilities or equipment (including contractual obligations to purchase such facilities or equipment) at the premises where such equipment will be used, including preparation work at such premises.

(b)(1)(A) The Administrator shall, within ninety days after the date of enactment of this title publish (and from time to time thereafter shall revise) a list of categories of sources, which shall, at the minimum, include:

pulp and paper mills;
paperboard, builders paper and board mills;
meat product and rendering processing;
dairy product processing;
grain mills;
canned and preserved fruits and vegetables processing;
canned and preserved seafood processing;
sugar processing;
textile mills;
cement manufacturing;
feedlots;
electroplating;
organic chemicals manufacturing;
inorganic chemicals manufacturing;
plastic and synthetic materials manufacturing;
soap and detergent manufacturing
fertilizer manufacturing;
petroleum refining;
iron and steel manufacturing;
nonferrous metals manufacturing;
phosphate manufacturing;
steam electric powerplants;
ferroalloy manufacturing;
leather tanning and finishing;
glass and asbestos manufacturing;

rubber processing; and
timber products processing.

(B) As soon as practicable, but in no case more than one year, after a category of sources is included in a list under subparagraph (A) of this paragraph, the Administrator shall propose and publish regulations establishing Federal standards of performance for new sources within such category. The Administrator shall afford interested persons an opportunity for written comment on such proposed regulations. After considering such comments, he shall promulgate, within one hundred and twenty days after publication of such proposed regulations, such standards with such adjustments as he deems appropriate. The Administrator shall, from time to time, as technlogy and alternatives change, revise such standards following the procedure required by this subsection for promulgation of such standards. Standards of performance, or revisions thereof, shall become effective upon promulgation. In establishing or revising Federal standards of performance for new sources under this section, the Administrator shall take into consideration the cost of achieving such effluent reduction, and any non-water quality environmental impact and energy requirements.

(2) The Administrator may distinguish among classes, types, and sizes within categories of new sources for the purpose of establishing such standards and shall consider the type of process employed (including whether batch or continuous).

(3) The provisions of this section shall apply to any new source owned or operated by the United States.

(c) Each State may develop and submit to the Administrator a procedure under State law for applying and enforcing standards of performance for new sources located in such State. If the Administrator finds that the procedure and the law of any State require the application and enforcement of standards of performance to at least the same extent as required by this section, such State is authorized to apply and enforce such standards of performance (except with respect to new sources owned or operated by the United States).

(d) Notwithstanding any other provision of this Act, any point source the construction of which is commenced after the date of enactment of the Federal Water Pollution Control Act Amendments of 1972 and which is so constructed as to meet all applicable standards of performance shall not be subject to any more stringent standard of performance during a ten-year period beginning on the date of completion of such construction or during the period of depreciation or amortization of such facility for the purposes of section 167 or 169 (or both) of the Internal Revenue Code of 1954, whichever period ends first.

(e) After the effective date of standards of performance promulgated under this section, it shall be unlawful for any owner or operator of any new source to operate such source in violation of any standard of performance applicable to such source.

(33 U.S.C. 1316)

TOXIC AND PRETREATMENT EFFLUENT STANDARDS

SEC. 307. (a)(1) On and after the date of enactment of the Clean Water Act of 1977, the list of toxic pollutants or combination of pollutants subject to this Act shall consist of those toxic polllutants listed in table 1 of Committee Print Numbered 95–30 of the Committee on Public Works and Transportation of the House of Representatives, and the Administrator shall publish, not later than the thirtieth day after the date of enactment of the Clean Water Act of 1977, that list. From time to time thereafter, the Administrator may revise such list and the Administrator is authorized to add to or remove from such list any pollutant. The Administrator in publishing any revised list, including the addition or removal of any pollutant from such list, shall take into account the toxicity of the pollutant, its persistence, degradability, the usual or potential presence of the affected organisms in any waters, the importance of the affected organisms, and the nature and extent of the effect of the toxic pollutant on such organisms. A determination of the Administrator under this paragraph shall be final except that if, on judicial review, such determination was based on arbitrary and capricious action of the Administrator, the Administrator shall make a redetermination.

(2) Each toxic pollutant listed in accordance with paragraph (1) of this subsection shall be subject to effluent limitations resulting from the application of the best available technology economically achieveable for the applicable category or class of point sources established in accordance with section 301(b)(2)(A) and 304(b)(2) of this Act. The Administrator, in his discretion, may publish in the Federal Register a proposed effluent standard (which may include a prohibition) establishing requirements for a toxic pollutant which, if an effluent limitation is applicable to a class or category of point sources, shall be applicable to such category or class only if such standard imposes more stringent requirements. Such published effluent standard (or prohibition) shall take into account the toxicity of the pollutant, its persistence, degradability, the usual or potential presence of the affected organisms in any waters, the importance of the affected organisms and the nature and extent of the effect of the toxic pollutant on such organisms, and the extent to which effective control is being or may be achieved under other regulatory authority. The Administrator shall allow a period of not less than sixty days following publication of any such proposed effluent standard (or prohibition) for written comment by interested persons on such proposed standard. In addition, if within thirty days of publication of any such proposed effluent standard (or prohibition) any interested person so requests, the Administrator shall hold a public hearing in connection therewith. Such a public hearing shall provide an opportunity for oral and written presentations, such cross-examination as the Administrator determines is appropriate on disputed issues of material fact, and the transcription of a verbatim record which shall be available to the public. After consideration of such comments and any information and material presented at any public hearing held on such proposed standard or prohibition, the Administrator shall promulgate such standards (or prohibition) with such modifications as the Administrator finds are

justified. Such promulgation by the Administrator shall be made within two hundred and seventy days after publication of proposed standard (or prohibition). Such standard (or prohibition) shall be final except that if, on judicial review, such standard was not based on substantial evidence, the Administrator shall promulgate a revised standard. Effluent limitations shall be established in accordance with sections 301(b)(2)(A) and 304(b)(2) for every toxic pollutant referred to in table 1 of Committee Print Numbered 95–30 of the Committee on Public Works and Transportation of the House of Representatives as soon as practicable after the date of enactment of the Clean Water Act of 1977, but no later than July 1, 1980. Such effluent limitations or effluent standards (or prohibitions) shall be established for every other toxic pollutant listed under paragraph (1) of this subsection as soon as practicable after it is so listed.

(3) Each such effluent standard (or prohibition) shall be reviewed and, if appropriate, revised at least every three years.

(4) Any effluent standard promulgated under this section shall be at that level which the Administrator determines provides an ample margin of safety.

(5) When proposing or promulgating any effluent standard (or prohibition) under this section, the Administrator shall designate the category or categories of sources to which the effluent standard (or prohibition) shall apply. Any disposal of dredged material may be included in such a category of sources after consultation with the Secretary of the Army.

(6) Any effluent standard (or prohibition) established pursuant to this section shall take effect on such date or dates as specified in the order promulgating such standard, but in no case, more than one year from the date of such promulgation. If the Administrator determines that compliance within one year from the date of promulgation is technologically infeasible for a category of sources, the Administrator may establish the effective date of the effluent standard (or prohibition) for such category at the earliest date upon which compliance can be feasibly attained by sources within such category, but in no event more than three years after the date of such promulgation.

(7) Prior to publishing any regulations pursuant to this section the Administrator shall, to the maximum extent practicable within the time provided, consult with appropriate advisory committees, States, independent experts, and Federal departments and agencies.

(b)(1) The Administrator shall, within one hundred and eighty days after the date of enactment of this title and from time to time thereafter, publish proposed regulations establishing pretreatment standards for introduction of pollutants into treatment works (as defined in section 212 of this Act) which are publicly owned for those pollutants which are determined not to be susceptible to treatment by such treatment works or which would interfere with the operation of such treatment works. Not later than ninety days after such publication, and after opportunity for public hearing, the Administrator shall promulgate such pretreatment standards. Pretreatment standards under this subsection shall specify a time for compliance not to exceed three years from the date of promulga-

tion and shall be established to prevent the discharge of any pollutant through treatment works (as defined in section 212 of this Act) which are publicly owned, which pollutant interfers with, passes through, or otherwise is incompatible with such works. If, in the case of any toxic pollutant under subsection (a) of this section introduced by a source into a publicly owned treatment works, the treatment by such works removes all or any part of such toxic pollutant and the discharge from such works does not violate that effluent limitation or standard which would be applicable to such toxic pollutant if it were discharged by such source other than through a publicly owned treatment works, and does not prevent sludge use or disposal by such works in accordance with section 405 of this Act, then the pretreatment requirements for the sources actually discharging such toxic pollutant into such publicly owned treatment works may be revised by the owner or operator of such works to reflect the removal of such toxic pollutant by such works.

(2) The Administrator shall, from time to time, as control technology, processes, operating methods, or other alternative change, revise such standards following the procedures established by this subsection for promulgation of such standards.

(3) When proposing or promulgating any pretreatment standard under this section, the Administrator shall designate the category or categories of sources to which such standard shall apply.

(4) Nothing in this subsection shall affect any pretreatment requirement established by any State or local law not in conflict with any pretreatment standard established under this subsection.

(c) In order to ensure that any source introducing pollutants into a publicly owned treatment works, which source would be a new source subject to section 306 if it were to discharge pollutants, will not cause a violation of the effluent limitations established for any such treatment works, the Administrator shall promulgate pretreatment standards for the category of such sources simultaneously with the promulgation of standards of performance under section 306 for the equivalent category of new sources. Such pretreatment standards shall prevent the discharge of any pollutant into such treatment works, which pollutant may interfere with, pass through, or otherwise be incompatible with such works.

(d) After the effective date of any effluent standard or prohibition or pretreatment standard promulgated under this section, it shall be unlawful for any owner or operator of any source to operate any source in violation of any such effluent standard or prohibition or pretreatment standard.

(e) COMPLIANCE DATE EXTENSION FOR INNOVATIVE PRETREATMENT SYSTEMS.—In the case of any existing facility that proposes to comply with the pretreatment standards of subsection (b) of this section by applying an innovative system that meets the requirements of section 301(k) of this Act, the owner or operator of the publicly owned treatment works receiving the treated effluent from such facility may extend the date for compliance with the applicable pretreatment standard established under this section for a period not to exceed 2 years—

(1) if the Administrator determines that the innovative system has the potential for industrywide application, and

(2) if the Administrator (or the State in consultation with the Administrator, in any case in which the State has a pretreatment program approved by the Administrator)—

(A) determines that the proposed extension will not cause the publicly owned treatment works to be in violation of its permit under section 402 or of section 405 or to contribute to such a violation, and

(B) concurs with the proposed extension.

(33 U.S.C. 1317)

INSPECTIONS, MONITORING, AND ENTRY

SEC. 308. (a) Whenever required to carry out the objective of this Act, including but not limited to (1) developing or assisting in the development of any effluent limitation, or other limitation, prohibition, or effluent standard, pretreatment standard, or standard of performance under this Act; (2) determining whether any person is in violation of any such effluent limitation, or other limitation, prohibition or effluent standard, pretreatment standard, or standard of performance; (3) any requirement established under this section; or (4) carrying out sections 305, 311, 402, 404 (relating to State permit programs), 405, and 504 of this Act—

(A) the Administrator shall require the owner or operator of any point source to (i) establish and maintain such records, (ii) make such reports, (iii) install, use, and maintain such monitoring equipment or methods (including where appropriate, biological monitoring methods), (iv) sample such effluents (in accordance with such methods, at such locations, at such intervals, and in such manner as the Administrator shall prescribe), and (v) provide such other information as he may reasonably require; and

(B) the Administrator or his authorized representative (including an authorized contractor acting as a representative of the Administrator), upon presentation of his credentials—

(i) shall have a right of entry to, upon, or through any premises in which an effluent source is located or in which any records required to be maintained under clause (A) of this subsection are located, and

(ii) may at reasonable times have access to and copy any records, inspect any monitoring equipment or method required under clause (A), and sample any effluents which the owner or operator of such source is required to sample under such clause.

(b) Any records, reports, or information obtained under this section (1) shall, in the case of effluent data, be related to any applicable effluent limitations, toxic, pretreatment, or new source performance standards, and (2) shall be available to the public, except that upon a showing satisfactory to the Administrator by any person that records, reports, or information, or particular part thereof (other than effluent data), to which the Administrator has access under this section, if made public would divulge methods or processes entitled to protection as trade secrets of such person, the Administrator shall consider such record, report, or information, or particular portion thereof confidential in accordance with the pur-

poses of section 1905 of title 18 of the United States Code. Any authorized representative of the Administrator (including an authorized contractor acting as a representative of the Administrator) who knowingly or willfully publishes, divulges, discloses, or makes known in any manner or to any extent not authorized by law any information which is required to be considered confidential under this subsection shall be fined not more than $1,000 or imprisoned not more than 1 year, or both. Nothing in this subsection shall prohibit the Administrator or an authorized representative of the Administrator (including any authorized contractor acting as a representative of the Administrator) from disclosing records, reports, or information to other officers, employees, or authorized representatives of the United States concerned with carrying out this Act or when relevant in any proceeding under this Act.

(c) Each State may develop and submit to the Administrator procedures under State law for inspection, monitoring, and entry with respect to point sources located in such State. If the Administrator finds that the procedures and the law of any State relating to inspection, monitoring, and entry are applicable to at least the same extent as those required by this section, such State is authorized to apply and enforce its procedures for inspection, monitoring, and entry with respect to point sources located in such State (except with respect to point sources owned or operated by the United States).

(d) ACCESS BY CONGRESS.—Notwithstanding any limitation contained in this section or any other provision of law, all information reported to or otherwise obtained by the Administrator (or any representative of the Administrator) under this Act shall be made available, upon written request of any duly authorized committee of Congress, to such committee.

(33 U.S.C. 1318)

FEDERAL ENFORCEMENT

SEC. 309. (a)(1) Whenever, on the basis of any information available to him, the Administrator finds that any person is in violation of any condition or limitation which implements section 301, 302, 306, 307, 308, 318, or 405 of this Act in a permit issued by a State under an approved permit program under section 402 or 404 of this Act, he shall proceed under his authority in paragraph (3) of this subsection or he shall notify the person in alleged violation and such State of such finding. If beyond the thirtieth day after the Administrator's notification the State has not commenced appropriate enforcement action, the Administrator shall issue an order requiring such person to comply with such condition or limitation or shall bring a civil action in accordance with subsection (b) of this section.

(2) Whenever, on the basis of information available to him, the Administrator finds that violations of permit conditions or limitations as set forth in paragraph (1) of this subsection are so widespread that such violations appear to result from a failure of the State to enforce such permit conditions or limitations effectively, he shall so notify the State. If the Administrator finds such failure extends beyond the thirtieth day after such notice, he shall give pub-

lic notice of such finding. During the period beginning with such public notice and ending when such State satisfies the Administrator that it will enforce such conditions and limitations (hereafter referred to in this section as the period of "federally assumed enforcement"), except where an extension has been granted under paragraph (5)(B) of this subsection, the Administrator shall enforce any permit condition or limitation with respect to any person—

(A) by issuing an order to comply with such condition or limitation, or

(B) by bringing a civil action under subsection (b) of this section.

(3) Whenever on the basis of any information available to him the Administrator finds that any person is in violation of section 301, 302, 306, 307, 308, 318, or 405 of this Act, or is in violation of any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act by him or by a State or in a permit issued under section 404 of this Act by a State, he shall issue an order requiring such person to comply with such section or requirement, or he shall bring a civil action in accordance with subsection (b) of this section.

(4) A copy of any order issued under this subsection shall be sent immediately by the Administrator to the State in which the violation occurs and other affected States. In any case in which an order under this subsection (or notice to a violator under paragraph (1) of this subsection) is issued to a corporation, a copy of such order (or notice) shall be served on any appropriate corporate officers. An order issued under this subsection relating to a violation of section 308 of this Act shall not take effect until the person to whom it is issued has had an opportunity to confer with the Administrator concerning the alleged violation.

(5)(A) Any order issued under this subsection shall be by personal service, shall state with reasonable specificity the nature of the violation, and shall specify a time for compliance not to exceed thirty days in the case of a violation of an interim compliance schedule or operation and maintenance requirement and not to exceed a time the Administrator determines to be reasonable in the case of a violation of a final deadline, taking into account the seriousness of the violation and any good faith efforts to comply with applicable requirements.

(B) The Administrator may, if he determines (i) that any person who is a violator of, or any person who is otherwise not in compliance with, the time requirements under this Act or in any permit issued under this Act, has acted in good faith, and has made a commitment (in the form of contracts or other securities) of necessary resources to achieve compliance by the earliest possible date after July 1, 1977, but not later than April 1, 1979; (ii) that any extension under this provision will not result in the imposition of any additional controls on any other point or nonpoint source; (iii) that an application for a permit under section 402 of this Act was filed for such person prior to December 31, 1974; and (iv) that the facilities necessary for compliance with such requirements are under construction, grant an extension of the date referred to in section 301(b)(1)(A) to a date which will achieve compliance at the earliest time possible but not later than April 1, 1979.

(6) Whenever, on the basis of information available to him, the Administrator finds (A) that any person is in violation of section 301(b)(1) (A) or (C) of this Act, (B) that such person cannot meet the requirements for a time extension under section 301(i)(2) of this Act, and (C) that the most expeditious and appropriate means of compliance with this Act by such person is to discharge into a publicly owned treatment works, then, upon request of such person, the Administrator may issue an order requiring such person to comply with this Act at the earliest date practicable, but not later than July 1, 1983, by discharging into a publicly owned treatment works if such works concur with such order. Such order shall include a schedule of compliance.

(b) The Administrator is authorized to commence a civil action for appropriate relief, including a permanent or temporary injunction, for any violation for which he is authorized to issue a compliance order under subsection (a) of this section. Any action under this subsection may be brought in the district court of the United States for the district in which the defendant is located or resides or is doing business, and such court shall have jurisdiction to restrain such violation and to require compliance. Notice of the commencement of such action shall be given immediately to the appropriate State.

(c) CRIMINAL PENALTIES.—

(1) NEGLIGENT VIOLATIONS.—Any person who—

(A) negligently violates section 301, 302, 306, 307, 308, 311(b)(3), 318, or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act by the Administrator or by a State, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of this Act or in a permit issued under section 404 of this Act by the Secretary of the Army or by a State; or

(B) negligently introduces into a sewer system or into a publicly owned treatment works any pollutant or hazardous substance which such person knew or reasonably should have known could cause personal injury or property damage or, other than in compliance with all applicable Federal, State, or local requirements or permits, which causes such treatment works to violate any effluent limitation or condition in any permit issued to the treatment works under section 402 of this Act by the Administrator or a State;

shall be punished by a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than 1 year, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than $50,000 per day of violation, or by imprisonment of not more than 2 years, or by both.

(2) KNOWING VIOLATIONS.—Any person who—

(A) knowingly violates section 301, 302, 306, 307, 308, 311(b)(3), 318, or 405 of this Act, or any permit condition or limitation implementing any of such sections in a per-

mit issued under section 402 of this Act by the Administrator or by a State, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of this Act or in a permit issued under section 404 of this Act by the Secretary of the Army or by a State; or

(B) knowingly introduces into a sewer system or into a publicly owned treatment works any pollutant or hazardous substance which such person knew or reasonably should have known could cause personal injury or property damage or, other than in compliance with all applicable Federal, State, or local requirements or permits, which causes such treatment works to violate any effluent limitation or condition in a permit issued to the treatment works under section 402 of this Act by the Administrator or a State;

shall be punished by a fine of not less that $5,000 nor more than $50,000 per day of violation, or by imprisonment for not more than 3 years, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than $100,000 per day of violation, or imprisonment of not more than 6 years, or by both.

(3) KNOWING ENDANGERMENT.—

(A) GENERAL RULE.—Any person who knowingly violates section 301, 302, 306, 307, 308, 311(b)(3), 318, or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act by the Administrator or by a State, or in a permit issued under section 404 of this Act by the Secretary of the Army or by a State, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both. A person which is an organization shall, upon conviction of violating this subparagraph, be subject to a fine of not more than $1,000,000. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, the maximum punishment shall be doubled with respect to both fine and imprisonment.

(B) ADDITIONAL PROVISIONS.—For the purpose of subparagraph (A) of this paragraph—

(i) in determining whether a defendant who is an individual knew that his conduct placed another person in imminent danger of death or serious bodily injury—

(I) the person is responsible only for actual awareness or actual belief that he possessed; and

(II) knowledge possessed by a person other than the defendant but not by the defendant himself may not be attributed to the defendant;

except that in proving the defendant's possession of actual knowledge, circumstantial evidence may be

used, including evidence that the defendant took affirmative steps to shield himself from relevant information;

(ii) it is an affirmative defense to prosecution that the conduct charged was consented to by the person endangered and that the danger and conduct charged were reasonably foreseeable hazards of—

(I) an occupation, a business, or a profession; or

(II) medical treatment or medical or scientific experimentation conducted by professionally approved methods and such other person had been made aware of the risks involved prior to giving consent;

and such defense may be established under this subparagraph by a preponderance of the evidence;

(iii) the term "organization" means a legal entity, other than a government, established or organized for any purpose, and such term includes a corporation, company, association, firm, partnership, joint stock company, foundation, institution, trust, society, union, or any other association of persons; and

(iv) the term "serious bodily injury" means bodily injury which involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

(4) FALSE STATEMENTS.—Any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this Act or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under this Act, shall upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or by both.

(5) TREATMENT OF SINGLE OPERATIONAL UPSET.—For purposes of this subsection, a single operational upset which leads to simultaneous violations of more than one pollutant parameter shall be treated as a single violation.

(6) RESPONSIBLE CORPORATE OFFICER AS "PERSON".—For the purpose of this subsection, the term "person" means, in addition to the definition contained in section 502(5) of this Act, any responsible corporate officer.

(7) HAZARDOUS SUBSTANCE DEFINED.—For the purpose of this subsection, the term "hazardous substance" means (A) any substance designated pursuant to section 311(b)(2)(A) of this Act, (B) any element, compound, mixture, solution, or substance designated pursuant to section 102 of the Comprehen-

sive Environmental Response, Compensation, and Liability Act of 1980, (C) any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (but not including any waste the regulation of which under the Solid Waste Disposal Act has been suspended by Act of Congress), (D) any toxic pollutant listed under section 307(a) of this Act, and (E) any imminently hazardous chemical substance or mixture with respect to which the Administrator has taken action pursuant to section 7 of the Toxic Substances Control Act.

(d) Any person who violates section 301, 302, 306, 307, 308, 311(b)(3), 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act by the Administrator, or by a State, or in a permit issued under section 404 of this Act by a State,,[1] or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of this Act, and any person who violates any order issued by the Administrator under subsection (a) of this section, shall be subject to a civil penalty not to exceed $25,000 per day for each violation. In determining the amount of a civil penalty the court shall consider the seriousness of the violation or violations, the economic benefit (if any) resulting from the violation, any history of such violations, any good-faith efforts to comply with the applicable requirements, the economic impact of the penalty on the violator, and such other matters as justice may require. For purposes of this subsection, a single operational upset which leads to simultaneous violations of more than one pollutant parameter shall be treated as a single violation.

(e) Whenever a municipality is a party to a civil action brought by the United States under this section, the State in which such municipality is located shall be joined as a party. Such State shall be liable for payment of any judgment, or any expenses incurred as a result of complying with any judgment, entered against the municipality in such action to the extent that the laws of that State prevent the municipality from raising revenues needed to comply with such judgment.

(f) Whenever, on the basis of an information available to him, the Administrator finds that an owner or operator of any source is introducing a pollutant into a treatment works in violation of subsection (d) of section 307, the Administrator may notify the owner or operator of such treatment works and the State of such violation. If the owner or operator of the treatment works does not commence appropriate enforcement action within 30 days of the date of such notification, the Administrator may commence a civil action for appropriate relief, including but not limited to, a permanent or temporary injunction, against the owner or operator of such treatment works. In any such civil action the Administrator shall join the owner or operator of such source as a party to the action. Such action shall be brought in the district court of the United States in the district in which the treatment works is located. Such court shall have jurisdiction to restrain such violation and to require the owner or operator of the treatment works and the owner or oper-

[1] So in law. See P.L. 100–4, sec. 313(a)(1), 101 Stat. 45.

ator of the source to take such action as may be necessary to come into compliance with this Act. Notice of commencement of any such action shall be given to the State. Nothing in this subsection shall be construed to limit or prohibit any other authority the Administrator may have under this Act.

(g) ADMINISTRATIVE PENALTIES.—

(1) VIOLATIONS.—Whenever on the basis of any information available—

(A) the Administrator finds that any person has violated section 301, 302, 306, 307, 308, 318, or 405 of this Act, or has violated any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act by the Administrator or by a State, or in a permit issued under section 404 by a State, or

(B) the Secretary of the Army (hereinafter in this subsection referred to as the "Secretary") finds that any person has violated any permit condition or limitation in a permit issued under section 404 of this Act by the Secretary,

the Administrator or Secretary, as the case may be, may, after consultation with the State in which the violation occurs, assess a class I civil penalty or a class II civil penalty under this subsection.

(2) CLASSES OF PENALTIES.—

(A) CLASS I.—The amount of a class I civil penalty under paragraph (1) may not exceed $10,000 per violation, except that the maximum amount of any class I civil penalty under this subparagraph shall not exceed $25,000. Before issuing an order assessing a civil penalty under this subparagraph, the Administrator or the Secretary, as the case may be, shall give to the person to be assessed such penalty written notice of the Administrator's or Secretary's proposal to issue such order and the opportunity to request, within 30 days of the date the notice is received by such person, a hearing on the proposed order. Such hearing shall not be subject to section 554 or 556 of title 5, United States Code, but shall provide a reasonable opportunity to be heard and to represent evidence.

(B) CLASS II.—The amount of a class II civil penalty under paragraph (1) may not exceed $10,000 per day for each day during which the violation continues; except that the maximum amount of any class II civil penalty under this subparagraph shall not exceed $125,000. Except as otherwise provided in this subsection, a class II civil penalty shall be assessed and collected in the same manner, and subject to the same provisions, as in the case of civil penalties assessed and collected after notice and opportunity for a hearing on the record in accordance with section 554 of title 5, United States Code. The Administrator and the Secretary may issue rules for discovery procedures for hearings under this subparagraph.

(3) DETERMINING AMOUNT.—In determining the amount of any penalty assessed under this subsection, the Administrator or the Secretary, as the case may be, shall take into account

the nature, circumstances, extent and gravity of the violation, or violations, and, with respect to the violator, ability to pay, any prior history of such violations, the degree of culpability, economic benefit or savings (if any) resulting from the violation, and such other matters as justice may require. For purposes of this subsection, a single operational upset which leads to simultaneous violations of more than one pollutant parameter shall be treated as a single violation.

(4) RIGHTS OF INTERESTED PERSONS.—

(A) PUBLIC NOTICE.—Before issuing an order assessing a civil penalty under this subsection the Administrator or Secretary, as the case may be, shall provide public notice of and reasonable opportunity to comment on the proposed issuance of such order.

(B) PRESENTATION OF EVIDENCE.—Any person who comments on a proposed assessment of a penalty under this subsection shall be given notice of any hearing held under this subsection and of the order assessing such penalty. In any hearing held under this subsection, such person shall have a reasonable opportunity to be heard and to present evidence.

(C) RIGHTS OF INTERESTED PERSONS TO A HEARING.—If no hearing is held under paragraph (2) before issuance of an order assessing a penalty under this subsection, any person who commented on the proposed assessment may petition, within 30 days after the issuance of such order, the Administrator or Secretary, as the case may be, to set aside such order and to provide a hearing on the penalty. If the evidence presented by the petitioner in support of the petition is material and was not considered in the issuance of the order, the Administrator or Secretary shall immediately set aside such order and provide a hearing in accordance with paragraph (2)(A) in the case of a class I civil penalty and paragraph (2)(B) in the case of a class II civil penalty. If the Administrator or Secretary denies a hearing under this subparagraph, the Administrator or Secretary shall provide to the petitioner, and publish in the Federal Register, notice of and the reasons for such denial.

(5) FINALITY OF ORDER.—An order issued under this subsection shall become final 30 days after its issuance unless a petition for judicial review is filed under paragraph (8) or a hearing is requested under paragraph (4)(C). If such a hearing is denied, such order shall become final 30 days after such denial.

(6) EFFECT OF ORDER.—

(A) LIMITATION ON ACTIONS UNDER OTHER SECTIONS.—Action taken by the Administrator or the Secretary, as the case may be, under this subsection shall not affect or limit the Administrator's or Secretary's authority to enforce any provision of this Act; except that any violation—

(i) with respect to which the Administrator or the Secretary has commenced and is diligently prosecuting an action under this subsection,

(ii) with respect to which a State has commenced and is diligently prosecuting an action under a State law comparable to this subsection, or

(iii) for which the Administrator, the Secretary, or the State has issued a final order not subject to further judicial review and the violator has paid a penalty assessed under this subsection, or such comparable State law, as the case may be,

shall not be the subject of a civil penalty action under subsection (d) of this section or section 311(b) or section 505 of this Act.

(B) APPLICABILITY OF LIMITATION WITH RESPECT TO CITIZEN SUITS.—The limitations contained in subparagraph (A) on civil penalty actions under section 505 of this Act shall not apply with respect to any violation for which—

(i) a civil action under section 505(a)(1) of this Act has been filed prior to commencement of an action under this subsection, or

(ii) notice of an alleged violation of section 505(a)(1) of this Act has been given in accordance with section 505(b)(1)(A) prior to commencement of an action under this subsection and an action under section 505(a)(1) with respect to such alleged violation is filed before the 120th day after the date on which such notice is given.

(7) EFFECT OF ACTION ON COMPLIANCE.—No action by the Administrator or the Secretary under this subsection shall affect any person's obligation to comply with any section of this Act or with the terms and conditions of any permit issued pursuant to section 402 or 404 of this Act.

(8) JUDICIAL REVIEW.—Any person against whom a civil penalty is assessed under this subsection or who commented on the proposed assessment of such penalty in accordance with paragraph (4) may obtain review of such assessment—

(A) in the case of assessment of a class I civil penalty, in the United States District Court for the District of Columbia or in the district in which the violation is alleged to have occurred, or

(B) in the case of assessment of a class II civil penalty, in United States Court of Appeals for the District of Columbia Circuit or for any other circuit in which such person resides or transacts business,

by filing a notice of appeal in such court within the 30-day period beginning on the date the civil penalty order is issued and by simultaneously sending a copy of such notice by certified mail to the Administrator or the Secretary, as the case may be, and the Attorney General. The Administrator or the Secretary shall promptly file in such court a certified copy of the record on which the order was issued. Such court shall not set aside or remand such order unless there is not substantial evidence in the record, taken as a whole, to support the finding of a violation or unless the Administrator's or Secretary's assessment of the penalty constitutes an abuse of discretion and shall not impose additional civil penalties for the same violation unless

the Administrator's or Secretary's assessment of the penalty constitutes an abuse of discretion.

(9) COLLECTION.—If any person fails to pay an assessment of a civil penalty—

(A) after the order making the assessment has become final, or

(B) after a court in an action brought under paragraph (8) has entered a final judgment in favor of the Administrator or the Secretary, as the case may be,

the Administrator or the Secretary shall request the Attorney General to bring a civil action in an appropriate district court to recover the amount assessed (plus interest at currently prevailing rates from the date of the final order or the date of the final judgment, as the case may be). In such an action, the validity, amount, and appropriateness of such penalty shall not be subject to review. Any person who fails to pay on a timely basis the amount of an assessment of a civil penalty as described in the first sentence of this paragraph shall be required to pay, in addition to such amount and interest, attorneys fees and costs for collection proceedings and a quarterly nonpayment penalty for each quarter during which such failure to pay persists. Such nonpayment penalty shall be in an amount equal to 20 percent of the aggregate amount of such person's penalties and nonpayment penalties which are unpaid as of the beginning of such quarter.

(10) SUBPOENAS.—The Administrator or Secretary, as the case may be, may issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, or documents in connection with hearings under this subsection. In case of contumacy or refusal to obey a subpoena issued pursuant to this paragraph and served upon any person, the district court of the United States for any district in which such person is found, resides, or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the administrative law judge or to appear and produce documents before the administrative law judge, or both, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(11) PROTECTION OF EXISTING PROCEDURES.—Nothing in this subsection shall change the procedures existing on the day before the date of the enactment of the Water Quality Act of 1987 under other subsections of this section for issuance and enforcement of orders by the Administrator.

(33 U.S.C. 1319)

INTERNATIONAL POLLUTION ABATEMENT

SEC. 310. (a) Whenever the Administrator, upon receipts of reports, surveys, or studies from any duly constituted international agency, has reason to believe that pollution is occurring which endangers the health or welfare of persons in a foreign country, and the Secretary of State requests him to abate such pollution, he

shall give formal notification thereof to the State water pollution control agency of the State or States in which such discharge or discharges originate and to the appropriate interstate agency, if any. He shall also promptly call such a hearing, if he believes that such pollution is occurring in sufficient quantity to warrant such action, and if such foreign country has given the United States essentially the same rights with respect to the prevention and control of pollution occurring in that country as is given that country by this subsection. The Administrator, through the Secretary of State, shall invite the foreign country which may be adversely affected by the pollution to attend and participate in the hearing, and the representative of such country shall, for the purpose of the hearing and any further proceeding resulting from such hearing, have all the rights of a State water pollution control agency. Nothing in this subsection shall be construed to modify, amend, repeal, or otherwise affect the provisions of the 1909 Boundary Waters Treaty between Canada and the United States or the Water Utilization Treaty of 1944 between Mexico and the United States (59 Stat. 1219), relative to the control and abatement of pollution in waters covered by those treaties.

(b) The calling of a hearing under this section shall not be construed by the courts, the Administrator, or any person as limiting, modifying, or otherwise affecting the functions and responsibilities of the Administrator under this section to establish and enforce water quality requirements under this Act.

(c) The Administrator shall publish in the Federal Register a notice of a public hearing before a hearing board of five or more persons appointed by the Administrator. A majority of the members of the board and the chairman who shall be designated by the Administrator shall not be officers or employees of Federal, State, or local governments. On the basis of the evidence presented at such hearing, the board shall within sixty days after completion of the hearing make findings of fact as to whether or not such pollution is occurring and shall thereupon by decision, incorporating its findings therein, make such recommendations to abate the pollution as may be appropriate and shall transmit such decision and the record of the hearings to the Administrator. All such decisions shall be public. Upon receipt of such decision, the Administrator shall promptly implement the board's decision in accordance with the provisions of this Act.

(d) In connection with any hearing called under this subsection, the board is authorized to require any persons whose alleged activities result in discharges causing or contributing to pollution to file with it in such forms as it may prescribe, a report based on existing data, furnishing such information as may reasonably be required as to the character, kind, and quantity of such discharges and the use of facilities or other means to prevent or reduce such discharges by the person filing such a report. Such report shall be made under oath or otherwise, as the board may prescribe, and shall be filed with the board within such reasonable period as it may prescribe, unless additional time is granted by it. Upon a showing satisfactory to the board by the person filing such report that such report or portion thereof (other than effluent data), to which the Adminsitrator has access under this section, if

made public would divulge trade secrets or secret processes of such person, the board shall consider such report or portion thereof confidential for the purposes of section 1905 of title 18 of the United States Code. If any person required to file any report under this paragraph shall fail to do so within the time fixed by the board for filing the same, and such failure shall continue for thirty days after notice of such default, such person shall forfeit to the United States the sum of $1,000 for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States, and shall be recoverable in a civil suit in the name of the United States in the district court of the United States where such person has his principal office or in any district in which he does business. The Administrator may upon application therefor remit or mitigate any forfeiture provided for under this subsection.

(e) Board members, other than officers or employees of Federal, State, or local governments, shall be for each day (including traveltime) during which they are performing board business, entitled to receive compensation at a rate fixed by the Administrator but not in excess of the maximum rate of pay for grade GS–18, as provided in the General Schedule under section 5332 of title 5 of the United States Code, and shall, notwithstanding the limitations of sections 5703 and 5704 of title 5 of the United States Code, be fully reimbursed for travel, subsistence, and related expenses.

(f) When any such recommendation adopted by the Administrator involves the institution of enforcement proceedings against any person to obtain the abatement of pollution subject to such recommendation, the Administrator shall institute such proceedings if he believes that the evidence warrants such proceedings. The district court of the United States shall consider and determine de novo all relevant issues, but shall receive in evidence the record of the proceedings before the conference or hearing board. The court shall have jurisdiction to enter such judgment and orders enforcing such judgment as it deems appropriate or to remand such proceedings to the Administrator for such further action as it may direct.

(33 U.S.C. 1320)

OIL AND HAZARDOUS SUBSTANCE LIABILITY

SEC. 311. (a) For the purpose of this section, the term—

(1) "oil" means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil;

(2) "discharge" includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying or dumping, but excludes (A) discharges in compliance with a permit under section 402 of this Act, (B) discharges resulting from circumstances identified and reviewed and made a part of the public record with respect to a permit issued or modified under section 402 of this Act, and subject to a condition in such permit, ,(C)[1] continuous or anticipated intermittent discharges from a point source, identified in a permit or permit applica-

[1] So in law.

tion under section 402 of this Act, which are caused by events occurring within the scope of relevant operating or treatment systems, and (D) discharges incidental to mechanical removal authorized by the President under subsection (c) of this section;

(3) "vessel" means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water other than a public vessel;

(4) "public vessel" means a vessel owned or bareboat-chartered and operated by the United States, or by a State or political subdivision thereof, or by a foreign nation, except when such vessel is engaged in commerce;

(5) "United States" means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

(6) "owner or operator" means (A) in the case of a vessel, any person owning, operating, or chartering by demise, such vessel, and (B) in the case of an onshore facility, and an offshore facility, any person owning or operating such onshore facility or offshore facility, and (C) in the case of any abandoned offshore facility, the person who owned or operated such facility immediately prior to such abandonment;

(7) "person" includes an individual, firm, corporation, association, and a partnership;

(8) "remove" or "removal" refers to containment and removal of the oil or hazardous substances from the water and shorelines or the taking of such other actions as may be necessary to prevent, minimize, or mitigate damage to the public health or welfare, including, but not limited to, fish, shellfish, wildlife, and public and private property, shorelines, and beaches;

(9) "contiguous zone" means the entire zone established or to be established by the United States under article 24 of the Convention on the Territorial Sea and the Contiguous Zone;

(10) "onshore facility" means any facility (including, but not limited to, motor vehicles and rolling stock) of any kind located in, on, or under, any land within the United States other than submerged land;

(11) "offshore facility" means any facility of any kind located in, on, or under, any of the navigable waters of the United States, and any facility of any kind which is subject to the jurisdiction of the United States and is located in, on, or under any other waters, other than a vessel or a public vessel;

(12) "act of God" means an act occasioned by an unanticipated grave natural disaster;

(13) "barrel" means 42 United States gallons at 60 degrees Fahrenheit;

(14) "hazardous substance" means any substance designated pursuant to subsection (b)(2) of this section;

(15) "inland oil barge" means a non-self-propelled vessel carrying oil in bulk as cargo and certificated to operate only in the inland waters of the United States, while operating in such waters;

(16) "inland waters of the United States" means those waters of the United States lying inside the baseline from which the territorial sea is measured and those water outside such baseline which are a part of the Gulf Intracoastal Waterway;

(17) "otherwise" subject to the jurisdiction of the United States" means subject to the jurisdiction of the United States by virtue of United States citizenship, United States vessel documentation or numbering, or as provided for by international agreement to which the United States is a party;

(18) "Area Committee" means an Area Committee established under subsection (j);

(19) "Area Contingency Plan" means an Area Contingency Plan prepared under subsection (j);

(20) "Coast Guard District Response Group" means a Coast Guard District Response Group established under subsection (j);

(21) "Federal On-Scene Coordinator" means a Federal On-Scene Coordinator designated in the National Contingency Plan;

(22) "National Contingency Plan" means the National Contingency Plan prepared and published under subsection (d);

(23) "National Response Unit" means the National Response Unit established under subsection (j);

(24) "worst case discharge" means—

(A) in the case of a vessel, a discharge in adverse weather conditions of its entire cargo; and

(B) in the case of an offshore facility or onshore facility, the largest foreseeable discharge in adverse weather conditions; and

(25) "removal costs" means—

(A) the costs of removal of oil or a hazardous substance that are incurred after it is discharged; and

(B) in any case in which there is a substantial threat of a discharge of oil or a hazardous substance, the costs to prevent, minimize, or mitigate that threat.

(b)(1) The Congress hereby declares that it is the policy of the United States that there should be no discharges of oil or hazardous substances into or upon the navigable waters of the United States, adjoining shorelines, or into or upon the waters of the contiguous zone, or in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974, or which may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (including resources under the Fishery Conservation and Management Act of 1976).

(2)(A) The Administrator shall develop, promulgate, and revise as may be appropriate, regulations designating as hazardous substances, other than oil as defined in this section, such elements and compounds which, when discharged in any quantity into or upon the navigable waters of the United States or adjoining shorelines or the waters of the contiguous zone or in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974, or which may affect natural resources belonging to, appertaining to, or under the exclusive management authority

of the United States (including resources under the Fishery Conservation and Management Act of 1976), present an imminent and substantial danger to the public health or welfare, including, but not limited to, fish, shellfish, wildlife, shorelines, and beaches.

(B) The Administrator shall within 18 months after the date of enactment of this paragraph, conduct a study and report to the Congress on methods, mechanisms, and procedures to create incentives to achieve a higher standard of care in all aspects of the management and movement of hazardous substances on the part of owners, operators, or persons in charge of onshore facilities, offshore facilities, or vessels. The Administrator shall include in such study (1) limits of liability, (2) liability for third party damages, (3) penalties and fees, (4) spill prevention plans, (5) current practices in the insurance and banking industries, and (6) whether the penalty enacted in subclause (bb) of clause (iii) of subparagraph (B) of subsection (b)(2) of section 311 of Public Law 92–500 should be enacted.

(3) The discharge of oil or hazardous substances (i) into or upon the navigable waters of the United States, adjoining shorelines, or into or upon the waters of the contiguous zone, or (ii) in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974, or which may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (including resources under the Fishery Conservation and Management Act of 1976), in such quantities as may be harmful as determined by the President under paragraph (4) of this subsection, is prohibited, except (A) in the case of such discharges into the waters of the contiguous zone or which may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (including resources under the Fishery Conservation and Management Act of 1976), where permitted under the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships, 1973, and (B) where permitted in quantities and at times and locations or under such circumstances or conditions as the President may, by regulation, determine not to be harmful. Any regulations issued under this subsection shall be consistent with maritime safety and with marine and navigation laws and regulations and applicable water quality standards.

(4) The President shall by regulation determine for the purposes of this section those quantities of oil and any hazardous substances the discharge of which may be harmful to the public health or welfare or the environment of the United States, including but not limited to fish, shellfish, wildlife, and public and private property, shorelines, and beaches.

(5) Any person in charge of a vessel or of an onshore facility or an offshore facility shall, as soon as he has knowledge of any discharge of oil or a hazardous substance from such vessel or facility in violation of paragraph (3) of this subsection, immediately notify the appropriate agency of the United States Government of such discharge. The Federal agency shall immediately notify the appropriate State agency of any State which is, or may reasonably be expected to be, affected by the discharge of oil or a hazardous substance. Any such person (A) in charge of a vessel from which

oil or a hazardous substance is discharged in violation of pragraph (3)(i) of this subsection, or (B) in charge of a vessel from which oil or a hazardous substance is discharged in violation of paragraph (3)(ii) of this subsection and who is otherwise subject to the jurisdiction of the United States at the time of the discharge, or (C) in charge of an onshore facility or an offshore facility, who fails to notify immediately such agency of such discharge shall, upon conviction, be fined in accordance with title 18, United States Code, or imprisoned for not more than 5 years, or both. Notification received pursuant to this paragraph shall not be used against any such natural person in any criminal case, except a prosecution for perjury or for giving a false statement.

(6) ADMINISTRATIVE PENALTIES.—

(A) VIOLATIONS.—Any owner, operator, or person in charge of any vessel, onshore facility, or offshore facility—

(i) from which oil or a hazardous substance is discharged in violation of paragraph (3), or

(ii) who fails or refuses to comply with any regulation issued under subsection (j) to which that owner, operator, or person in charge is subject,

may be assessed a class I or class II civil penalty by the Secretary of the department in which the Coast Guard is operating or the Administrator.

(B) CLASSES OF PENALTIES.—

(i) CLASS I.—The amount of a class I civil penalty under subparagraph (A) may not exceed $10,000 per violation, except that the maximum amount of any class I civil penalty under this subparagraph shall not exceed $25,000. Before assessing a civil penalty under this clause, the Administrator or Secretary, as the case may be, shall give to the person to be assessed such penalty written notice of the Administrator's or Secretary's proposal to assess the penalty and the opportunity to request, within 30 days of the date the notice is received by such person, a hearing on the proposed penalty. Such hearing shall not be subject to section 554 or 556 of title 5, United States Code, but shall provide a reasonable opportunity to be heard and to present evidence.

(ii) CLASS II.—The amount of a class II civil penalty under subparagraph (A) may not exceed $10,000 per day for each day during which the violation continues; except that the maximum amount of any class II civil penalty under this subparagraph shall not exceed $125,000. Except as otherwise provided in this subsection, a class II civil penalty shall be assessed and collected in the same manner, and subject to the same provisions, as in the case of civil penalties assessed and collected after notice and opportunity for a hearing on the record in accordance with section 554 of title 5, United States Code. The Administrator and Secretary may issue rules for discovery procedures for hearings under this paragraph.

(C) RIGHTS OF INTERESTED PERSONS.—

(i) PUBLIC NOTICE.—Before issuing an order assessing a class II civil penalty under this paragraph the Administrator or Secretary, as the case may be, shall provide public notice of and reasonable opportunity to comment on the proposed issuance of such order.

(ii) PRESENTATION OF EVIDENCE.—Any person who comments on a proposed assessment of a class II civil penalty under this paragraph shall be given notice of any hearing held under this paragraph and of the order assessing such penalty. In any hearing held under this paragraph, such person shall have a reasonable opportunity to be heard and to present evidence.

(iii) RIGHTS OF INTERESTED PERSONS TO A HEARING.—If no hearing is held under subparagraph (B) before issuance of an order assessing a class II civil penalty under this paragraph, any person who commented on the proposed assessment may petition, within 30 days after the issuance of such order, the Administrator or Secretary, as the case may be, to set aside such order and to provide a hearing on the penalty. If the evidence presented by the petitioner in support of the petition is material and was not considered in the issuance of the order, the Administrator or Secretary shall immediately set aside such order and provide a hearing in accordance with subparagraph (B)(ii). If the Administrator or Secretary denies a hearing under this clause, the Administrator or Secretary shall provide to the petitioner, and publish in the Federal Register, notice of and the reasons for such denial.

(D) FINALITY OF ORDER.—An order assessing a class II civil penalty under this paragraph shall become final 30 days after its issuance unless a petition for judicial review is filed under subparagraph (G) or a hearing is requested under subparagraph (C)(iii). If such a hearing is denied, such order shall become final 30 days after such denial.

(E) EFFECT OF ORDER.—Action taken by the Administrator or Secretary, as the case may be, under this paragraph shall not affect or limit the Administrator's or Secretary's authority to enforce any provision of this Act; except that any violation—

(i) with respect to which the Administrator or Secretary has commenced and is diligently prosecuting an action to assess a class II civil penalty under this paragraph, or

(ii) for which the Administrator or Secretary has issued a final order assessing a class II civil penalty not subject to further judicial review and the violator has paid a penalty assessed under this paragraph,

shall not be the subject of a civil penalty action under section 309(d), 309(g), or 505 of this Act or under paragraph (7).

(F) EFFECT OF ACTION ON COMPLIANCE.—No action by the Administrator or Secretary under this paragraph shall affect any person's obligation to comply with any section of this Act.

(G) JUDICIAL REVIEW.—Any person against whom a civil penalty is assessed under this paragraph or who commented on the proposed assessment of such penalty in accordance with subparagraph (C) may obtain review of such assessment—

(i) in the case of assessment of a class I civil penalty, in the United States District Court for the District of Columbia or in the district in which the violation is alleged to have occurred, or

(ii) in the case of assessment of a class II civil penalty, in United States Court of Appeals for the District of Columbia Circuit or for any other circuit in which such person resides or transacts business,

by filing a notice of appeal in such court within the 30-day period beginning on the date the civil penalty order is issued and by simultaneously sending a copy of such notice by certified mail to the Administrator or Secretary, as the case may be, and the Attorney General. The Administrator or Secretary shall promptly file in such court a certified copy of the record on which the order was issued. Such court shall not set aside or remand such order unless there is not substantial evidence in the record, taken as a whole, to support the finding of a violation or unless the Administrator's or Secretary's assessment of the penalty constitutes an abuse of discretion and shall not impose additional civil penalties for the same violation unless the Administrator's or Secretary's assessment of the penalty constitutes an abuse of discretion.

(H) COLLECTION.—If any person fails to pay an assessment of a civil penalty—

(i) after the assessment has become final, or

(ii) after a court in an action brought under subparagraph (G) has entered a final judgment in favor of the Administrator or Secretary, as the case may be,

the Administrator or Secretary shall request the Attorney General to bring a civil action in an appropriate district court to recover the amount assessed (plus interest at currently prevailing rates from the date of the final order or the date of the final judgment, as the case may be). In such an action, the validity, amount, and appropriateness of such penalty shall not be subject to review. Any person who fails to pay on a timely basis the amount of an assessment of a civil penalty as described in the first sentence of this subparagraph shall be required to pay, in addition to such amount and interest, attorneys fees and costs for collection proceedings and a quarterly nonpayment penalty for each quarter during which such failure to pay persists. Such nonpayment penalty shall be in an amount equal to 20 percent of the aggregate amount of such person's pen-

alties and nonpayment penalties which are unpaid as of the beginning of such quarter.

(I) SUBPOENAS.—The Administrator or Secretary, as the case may be, may issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, or documents in connection with hearings under this paragraph. In case of contumacy or refusal to obey a subpoena issued pursuant to this subparagraph and served upon any person, the district court of the United States for any district in which such person is found, resides, or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the administrative law judge or to appear and produce documents before the administrative law judge, or both, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(7) CIVIL PENALTY ACTION.—

(A) DISCHARGE, GENERALLY.—Any person who is the owner, operator, or person in charge of any vessel, onshore facility, or offshore facility from which oil or a hazardous substance is discharged in violation of paragraph (3), shall be subject to a civil penalty in an amount up to $25,000 per day of violation or an amount up to $1,000 per barrel of oil or unit of reportable quantity of hazardous substances discharged.

(B) FAILURE TO REMOVE OR COMPLY.—Any person described in subparagraph (A) who, without sufficient cause—

(i) fails to properly carry out removal of the discharge under an order of the President pursuant to subsection (c); or

(ii) fails to comply with an order pursuant to subsection (e)(1)(B);

shall be subject to a civil penalty in an amount up to $25,000 per day of violation or an amount up to 3 times the costs incurred by the Oil Spill Liability Trust Fund as a result of such failure.

(C) FAILURE TO COMPLY WITH REGULATION.—Any person who fails or refuses to comply with any regulation issued under subsection (j) shall be subject to a civil penalty in an amount up to $25,000 per day of violation.

(D) GROSS NEGLIGENCE.—In any case in which a violation of paragraph (3) was the result of gross negligence or willful misconduct of a person described in subparagraph (A), the person shall be subject to a civil penalty of not less than $100,000, and not more than $3,000 per barrel of oil or unit of reportable quantity of hazardous substance discharged.

(E) JURISDICTION.—An action to impose a civil penalty under this paragraph may be brought in the district court of the United States for the district in which the defendant

is located, resides, or is doing business, and such court shall have jurisdiction to assess such penalty.

(F) LIMITATION.—A person is not liable for a civil penalty under this paragraph for a discharge if the person has been assessed a civil penalty under paragraph (6) for the discharge.

(8) DETERMINATION OF AMOUNT.—In determining the amount of a civil penalty under paragraphs (6) and (7), the Administrator, Secretary, or the court, as the case may be, shall consider the seriousness of the violation or violations, the economic benefit to the violator, if any, resulting from the violation, the degree of culpability involved, any other penalty for the same incident, any history of prior violations, the nature, extent, and degree of success of any efforts of the violator to minimize or mitigate the effects of the discharge, the economic impact of the penalty on the violator, and any other matters as justice may require.

(9) MITIGATION OF DAMAGE.—In addition to establishing a penalty for the discharge of oil or a hazardous substance, the Administrator or the Secretary of the department in which the Coast Guard is operating may act to mitigate the damage to the public health or welfare caused by such discharge. The cost of such mitigation shall be deemed a cost incurred under subsection (c) of this section for the removal of such substance by the United States Government.

(10) RECOVERY OF REMOVAL COSTS.—Any costs of removal incurred in connection with a discharge excluded by subsection (a)(2)(C) of this section shall be recoverable from the owner or operator of the source of the discharge in an action brought under section 309(b) of this Act.

(11) LIMITATION.—Civil penalties shall not be assessed under both this section and section 309 for the same discharge.

(12)[1] WITHHOLDING CLEARANCE.—If any owner, operator, or person in charge of a vessel is liable for a civil penalty under this subsection, or if reasonable cause exists to believe that the owner, operator, or person in charge may be subject to a civil penalty under this subsection, the Secretary of the Treasury, upon the request of the Secretary of the department in which the Coast Guard is operating or the Administrator, shall with respect to such vessel refuse or revoke—

(A) the clearance required by section 4197 of the Revised Statutes of the United States (46 U.S.C. App. 91);

(B) a permit to proceed under section 4367 of the Revised Statutes of the United States (46 U.S.C. App. 313); and

(C) a permit to depart required under section 443 of the Tariff Act of 1930 (19 U.S.C. 1443);

as applicable. Clearance or a permit refused or revoked under this paragraph may be granted upon the filing of a bond or other surety satisfactory to the Secretary of the department in which the Coast Guard is operating or the Administrator.

(c) FEDERAL REMOVAL AUTHORITY.—

[1] Indentation so in law.

(1) GENERAL REMOVAL REQUIREMENT.—(A) The President shall, in accordance with the National Contingency Plan and any appropriate Area Contingency Plan, ensure effective and immediate removal of a discharge, and mitigation or prevention of a substantial threat of a discharge, of oil or a hazardous substance—

(i) into or on the navigable waters;

(ii) on the adjoining shorelines to the navigable waters;

(iii) into or on the waters of the exclusive economic zone; or

(iv) that may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States.

(B) In carrying out this paragraph, the President may—

(i) remove or arrange for the removal of a discharge, and mitigate or prevent a substantial threat of a discharge, at any time;

(ii) direct or monitor all Federal, State, and private actions to remove a discharge; and

(iii) remove and, if necessary, destroy a vessel discharging, or threatening to discharge, by whatever means are available.

(2) DISCHARGE POSING SUBSTANTIAL THREAT TO PUBLIC HEALTH OR WELFARE.—(A) If a discharge, or a substantial threat of a discharge, of oil or a hazardous substance from a vessel, offshore facility, or onshore facility is of such a size or character as to be a substantial threat to the public health or welfare of the United States (including but not limited to fish, shellfish, wildlife, other natural resources, and the public and private beaches and shorelines of the United States), the President shall direct all Federal, State, and private actions to remove the discharge or to mitigate or prevent the threat of the discharge.

(B) In carrying out this paragraph, the President may, without regard to any other provision of law governing contracting procedures or employment of personnel by the Federal Government—

(i) remove or arrange for the removal of the discharge, or mitigate or prevent the substantial threat of the discharge; and

(ii) remove and, if necessary, destroy a vessel discharging, or threatening to discharge, by whatever means are available.

(3) ACTIONS IN ACCORDANCE WITH NATIONAL CONTINGENCY PLAN.—(A) Each Federal agency, State, owner or operator, or other person participating in efforts under this subsection shall act in accordance with the National Contingency Plan or as directed by the President.

(B) An owner or operator participating in efforts under this subsection shall act in accordance with the National Contingency Plan and the applicable response plan required under subsection (j), or as directed by the President, except that the owner or operator may deviate from the applicable response

plan if the President or the Federal On-Scene Coordinator determines that deviation from the response plan would provide for a more expeditious or effective response to the spill or mitigation of its environmental effects.

(4) EXEMPTION FROM LIABILITY.—(A) A person is not liable for removal costs or damages which result from actions taken or omitted to be taken in the course of rendering care, assistance, or advice consistent with the National Contingency Plan or as otherwise directed by the President relating to a discharge or a substantial threat of a discharge of oil or a hazardous substance.

(B) Subparagraph (A) does not apply—

(i) to a responsible party;

(ii) to a response under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(iii) with respect to personal injury or wrongful death; or

(iv) if the person is grossly negligent or engages in willful misconduct.

(C) A responsible party is liable for any removal costs and damages that another person is relieved of under subparagraph (A).

(5) OBLIGATION AND LIABILITY OF OWNER OR OPERATOR NOT AFFECTED.—Nothing in this subsection affects—

(A) the obligation of an owner or operator to respond immediately to a discharge, or the threat of a discharge, of oil; or

(B) the liability of a responsible party under the Oil Pollution Act of 1990.

(6) RESPONSIBLE PARTY DEFINED.—For purposes of this subsection, the term "responsible party" has the meaning given that term under section 1001 of the Oil Pollution Act of 1990.

(d) NATIONAL CONTINGENCY PLAN.—

(1) PREPARATION BY PRESIDENT.—The President shall prepare and publish a National Contingency Plan for removal of oil and hazardous substances pursuant to this section.

(2) CONTENTS.—The National Contingency Plan shall provide for efficient, coordinated, and effective action to minimize damage from oil and hazardous substance discharges, including containment, dispersal, and removal of oil and hazardous substances, and shall include, but not be limited to, the following:

(A) Assignment of duties and responsibilities among Federal departments and agencies in coordination with State and local agencies and port authorities including, but not limited to, water pollution control and conservation and trusteeship of natural resources (including conservation of fish and wildlife).

(B) Identification, procurement, maintenance, and storage of equipment and supplies.

(C) Establishment or designation of Coast Guard strike teams, consisting of—

(i) personnel who shall be trained, prepared, and available to provide necessary services to carry out the National Contingency Plan;

(ii) adequate oil and hazardous substance pollution control equipment and material; and

(iii) a detailed oil and hazardous substance pollution and prevention plan, including measures to protect fisheries and wildlife.

(D) A system of surveillance and notice designed to safeguard against as well as ensure earliest possible notice of discharges of oil and hazardous substances and imminent threats of such discharges to the appropriate State and Federal agencies.

(E) Establishment of a national center to provide coordination and direction for operations in carrying out the Plan.

(F) Procedures and techniques to be employed in identifying, containing, dispersing, and removing oil and hazardous substances.

(G) A schedule, prepared in cooperation with the States, identifying—

(i) dispersants, other chemicals, and other spill mitigating devices and substances, if any, that may be used in carrying out the Plan,

(ii) the waters in which such dispersants, other chemicals, and other spill mitigating devices and substances may be used, and

(iii) the quantities of such dispersant, other chemicals, or other spill mitigating device or substance which can be used safely in such waters,

which schedule shall provide in the case of any dispersant, chemical, spill mitigating device or substance, or waters not specifically identified in such schedule that the President, or his delegate, may, on a case-by-case basis, identify the dispersants, other chemicals, and other spill mitigating devices and substances which may be used, the waters in which they may be used, and the quantities which can be used safely in such waters.

(H) A system whereby the State or States affected by a discharge of oil or hazardous substance may act where necessary to remove such discharge and such State or States may be reimbursed in accordance with the Oil Pollution Act of 1990, in the case of any discharge of oil from a vessel or facility, for the reasonable costs incurred for that removal, from the Oil Spill Liability Trust Fund.

(I) Establishment of criteria and procedures to ensure immediate and effective Federal identification of, and response to, a discharge, or the threat of a discharge, that results in a substantial threat to the public health or welfare of the United States, as required under subsection (c)(2).

(J) Establishment of procedures and standards for removing a worst case discharge of oil, and for mitigating or preventing a substantial threat of such a discharge.

(K) Designation of the Federal official who shall be the Federal On-Scene Coordinator for each area for which an Area Contingency Plan is required to be prepared under subsection (j).

(L) Establishment of procedures for the coordination of activities of—

(i) Coast Guard strike teams established under subparagraph (C);

(ii) Federal On-Scene Coordinators designated under subparagraph (K);

(iii) District Response Groups established under subsection (j); and

(iv) Area Committees established under subsection (j).

(M) A fish and wildlife response plan, developed in consultation with the United States Fish and Wildlife Service, the National Oceanic and Atmospheric Administration, and other interested parties (including State fish and wildlife conservation officials), for the immediate and effective protection, rescue, and rehabilitation of, and the minimization of risk of damage to, fish and wildlife resources and their habitat that are harmed or that may be jeopardized by a discharge.

(3) REVISIONS AND AMENDMENTS.—The President may, from time to time, as the President deems advisable, revise or otherwise amend the National Contingency Plan.

(4) ACTIONS IN ACCORDANCE WITH NATIONAL CONTINGENCY PLAN.—After publication of the National Contingency Plan, the removal of oil and hazardous substances and actions to minimize damage from oil and hazardous substance discharges shall, to the greatest extent possible, be in accordance with the National Contingency Plan.

(e) CIVIL ENFORCEMENT.—

(1) ORDERS PROTECTING PUBLIC HEALTH.—In addition to any action taken by a State or local government, when the President determines that there may be an imminent and substantial threat to the public health or welfare of the United States, including fish, shellfish, and wildlife, public and private property, shorelines, beaches, habitat, and other living and nonliving natural resources under the jurisdiction or control of the United States, because of an actual or threatened discharge of oil or a hazardous substance from a vessel or facility in violation of subsection (b), the President may—

(A) require the Attorney General to secure any relief from any person, including the owner or operator of the vessel or facility, as may be necessary to abate such endangerment; or

(B) after notice to the affected State, take any other action under this section, including issuing administrative orders, that may be necessary to protect the public health and welfare.

(2) JURISDICTION OF DISTRICT COURTS.—The district courts of the United States shall have jurisdiction to grant any relief

under this subsection that the public interest and the equities of the case may require.

(f)(1) Except where an owner or operator can prove that a discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States Government, or (D) an act or omission of a third party without regard to whether any such act or omission was or was not negligent, or any combination of the foregoing clauses, such owner or operator of any vessel from which oil or a hazardous substance is discharged in violation of subsection (b)(3) of this section shall, notwithstanding any other provision of law, be liable to the United States Government for the actual costs incurred under subsection (c) for the removal of such oil or substance by the United States Government in an amount not to exceed, in the case of an inland oil barge $125 per gross ton of such barge, or $125,000, whichever is greater, and in the case of any other vessel, $150 per gross ton of such vessel (or, for a vessel carrying oil or hazardous substances as cargo, $250,000), whichever is greater, except that where the United States can show that such discharge was the result of willful negligence or willful misconduct within the privity and knowledge of the owner, such owner or operator shall be liable to the United States Government for the full amount of such costs. Such costs shall constitute a maritime lien on such vessel which may be recovered in an action in rem in the district court of the United States for any district within which any vessel may be found. The United States may also bring an action against the owner or operator of such vessel in any court of competent jurisdiction to recover such costs.

(2) Except where an owner or operator of an onshore facility can prove that a discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States Government, or (D) an act or omission of a third party without regard to whether any such act or omission was or was not negligent, or any combination of the foregoing clauses, such owner or operator of any such facility from which oil or a hazardous substance is discharged in violation of subsection (b)(3) of this section shall be liable to the United States Government for the actual costs incurred under subsection (c) for the removal of such oil or substance by the United States Government in an amount not to exceed $50,000,000, except that where the United States can show that such discharge was the result of willful negligence or willful misconduct within the privity and knowledge of the owner, such owner or operator shall be liable to the United States Government for the full amount of such costs. The United States may bring an action against the owner or operator of such facility in any court of competent jurisdiction to recover such costs. The Administrator is authorized, by regulation, after consultation with the Secretary of Commerce and the Small Business Administration, to establish reasonable and equitable classifications, of those onshore facilities having a total fixed storage capacity of 1,000 barrels or less which he determines because of size, type, and location do not present a substantial risk of the discharge of oil or hazardous substance in violation of subsection (b)(3) of this section, and apply with respect to such classifications differing limits of liability which may be less than the amount contained in this paragraph.

(3) Except where an owner or operator of an onshore facility can prove that a discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States Government, or (D) an act or omission of a third party without regard to whether any such act or omission was or was not negligent, or any combination of the foregoing clauses, such owner or operator of any such facility from which oil or a hazardous substance is discharged in violation of subsection (b)(3) of this section shall, notwithstanding any other provision of law, be liable to the United States Government for the actual costs incurred under subsection (c) for the removal of such oil or substance by the United States Government in an amount not to exceed $50,000,000, except that where the United States can show that such discharge was the result of willful negligence or willful misconduct within the privity and knowledge of the owner, such owner or operator shall be liable to the United States Government for the full amount of such costs. The United States may bring an action against the owner or operator of such facility in any court of competent jurisdiction to recover such costs.

(4) The costs of removal of oil or a hazardous substance for which the owner or operator of a vessel or onshore or offshore facility is liable under subsection (f) of this section shall include any costs or expenses incurred by the Federal Government or any State government in the restoration or replacement of natural resources damaged or destroyed as a result of a discharge of oil or a hazardous substance in violation of subsection (b) of this section.

(5) The President, or the authorized representative of any State, shall act on behalf of the public as trustee of the natural resources to recover for the costs of replacing or restoring such resources. Sums recovered shall be used to restore, rehabilitate, or acquire the equivalent of such natural resources by the appropriate agencies of the Federal Government, or the State government.

(g) Where the owner or operator of a vessel (other than an inland oil barge) carrying oil or hazardous substances as cargo or an onshore or offshore facility which handles or stores oil or hazardous substances in bulk, from which oil or a hazardous substance is discharged in violation of subsection (b) of this section, alleges that such discharge was caused solely by an act or omission of a third party, such owner or operator shall pay to the United States Government the actual costs incurred under subsection (c) for removal of such oil or substance and shall be entitled by subrogation to all rights of the United States Government to recover such costs from such third party under this subsection. In any case where an owner or operator of a vessel, of an onshore facility, or of an offshore facility, from which oil or a hazardous substance is discharged in violation of subsection (b)(3) of this section, proves that such discharge of oil or hazardous substance was caused solely by an act or omission of a third party, or was caused solely by such an act or omission in combination with an act of God, an act of war, or negligence on the part of the United States Government, such third party shall, not withstanding any other provision of law, be liable to the United States Government for the actual costs incurred under subsection (c) for removal of such oil or substance by the United States Government, except where such third party can prove that such

discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States Government, or (D) an act or omission of another party without regard to whether such an act or omission was or was not negligent, or any combination of the foregoing clauses. If such third party was the owner or operator of a vessel which caused the discharge of oil or a hazardous substance in violation of subsection (b)(3) of this section, the liability of such third party under this subsection shall not exceed, in the case of an inland oil barge $125 per gross ton of such barge, $125,000, whichever is greater, and in the case of any other vessel, $150 per gross ton of such vessel (or, for a vessel carrying oil or hazardous substances as cargo, $250,000), whichever is greater. In any other case the liability of such third party shall not exceed the limitation which would have been applicable to the owner or operator of the vessel or the onshore or offshore facility from which the discharge actually occurred if such owner or operator were liable. If the United States can show that the discharge of oil or a hazardous substance in violation of subsection (b)(3) of this section was the result of willful negligence or willful misconduct within the privity and knowledge of such third party, such third party shall be liable to the United States Government for the full amount of such removal costs. The United States may bring an action against the third party in any court of competent jurisdiction to recover such removal costs.

(h) The liabilities established by this section shall in no way affect any rights which (1) the owner or operator of a vessel or of an onshore facility or an offshore facility may have against any third party whose acts may in any way have caused or contributed to such discharge, or (2) The [1] United States Government may have against any third party whose actions may in any way have caused or contributed to the discharge of oil or hazardous substance.

(i) In any case where an owner or operator of a vessel or an onshore facility or an offshore facility from which oil or a hazardous substance is discharged in violation of subsection (b)(3) of this section acts to remove such oil or substance in accordance with regulations promulgated pursuant to this section, such owner or operator shall be entitled to recover the reasonable costs incurred in such removal upon establishing, in a suit which may be brought against the United States Government in the United States Claims Court, that such discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States Government, or (D) an act or omission of a third party without regard to whether such act or omission was or was not negligent, or of any combination of the foregoing clauses.

(j) NATIONAL RESPONSE SYSTEM.—

(1) IN GENERAL.—Consistent with the National Contingency Plan required by subsection (c)(2) of this section, as soon as practicable after the effective date of this section, and from time to time thereafter, the President shall issue regulations consistent with maritime safety and with marine and navigation laws (A) establishing methods and procedures for removal of discharged oil and hazardous substances, (B) establishing

[1] So in law. Should not be capitalized.

criteria for the development and implementation of local and regional oil and hazardous substance removal contingency plans, (C) establishing procedures, methods, and equipment and other requirements for equipment to prevent discharges of oil and hazardous substances from vessels and from onshore facilities and offshore facilities, and to contain such discharges, and (D) governing the inspection of vessels carrying cargoes of oil and hazardous substances and the inspection of such cargoes in order to reduce the likelihood of discharges of oil from vessels in violation of this section.

(2) NATIONAL RESPONSE UNIT.—The Secretary of the department in which the Coast Guard is operating shall establish a National Response Unit at Elizabeth City, North Carolina. The Secretary, acting through the National Response Unit—

(A) shall compile and maintain a comprehensive computer list of spill removal resources, personnel, and equipment that is available worldwide and within the areas designated by the President pursuant to paragraph (4), and of information regarding previous spills, including data from universities, research institutions, State governments, and other nations, as appropriate, which shall be disseminated as appropriate to response groups and area committees, and which shall be available to Federal and State agencies and the public;

(B) shall provide technical assistance, equipment, and other resources requested by a Federal On-Scene Coordinator;

(C) shall coordinate use of private and public personnel and equipment to remove a worst case discharge, and to mitigate or prevent a substantial threat of such a discharge, from a vessel, offshore facility, or onshore facility operating in or near an area designated by the President pursuant to paragraph (4);

(D) may provide technical assistance in the preparation of Area Contingency Plans required under paragraph (4);

(E) shall administer Coast Guard strike teams established under the National Contingency Plan;

(F) shall maintain on file all Area Contingency Plans approved by the President under this subsection; and

(G) shall review each of those plans that affects its responsibilities under this subsection.

(3) COAST GUARD DISTRICT RESPONSE GROUPS.—(A) The Secretary of the department in which the Coast Guard is operating shall establish in each Coast Guard district a Coast Guard District Response Group.

(B) Each Coast Guard District Response Group shall consist of—

(i) the Coast Guard personnel and equipment, including firefighting equipment, of each port within the district;

(ii) additional prepositioned equipment; and

(iii) a district response advisory staff.

(C) Coast Guard district response groups—

(i) shall provide technical assistance, equipment, and other resources when required by a Federal On-Scene Coordinator;

(ii) shall maintain all Coast Guard response equipment within its district;

(iii) may provide technical assistance in the preparation of Area Contingency Plans required under paragraph (4); and

(iv) shall review each of those plans that affect its area of geographic responsibility.

(4) AREA COMMITTEES AND AREA CONTINGENCY PLANS.—(A) There is established for each area designated by the President an Area Committee comprised of members appointed by the President from qualified personnel of Federal, State, and local agencies.

(B) Each Area Committee, under the direction of the Federal On-Scene Coordinator for its area, shall—

(i) prepare for its area the Area Contingency Plan required under subparagraph (C);

(ii) work with State and local officials to enhance the contingency planning of those officials and to assure preplanning of joint response efforts, including appropriate procedures for mechanical recovery, dispersal, shoreline cleanup, protection of sensitive environmental areas, and protection, rescue, and rehabilitation of fisheries and wildlife; and

(iii) work with State and local officials to expedite decisions for the use of dispersants and other mitigating substances and devices.

(C) Each Area Committee shall prepare and submit to the President for approval an Area Contingency Plan for its area. The Area Contingency Plan shall—

(i) when implemented in conjunction with the National Contingency Plan, be adequate to remove a worst case discharge, and to mitigate or prevent a substantial threat of such a discharge, from a vessel, offshore facility, or onshore facility operating in or near the area;

(ii) describe the area covered by the plan, including the areas of special economic or environmental importance that might be damaged by a discharge;

(iii) describe in detail the responsibilities of an owner or operator and of Federal, State, and local agencies in removing a discharge, and in mitigating or preventing a substantial threat of a discharge;

(iv) list the equipment (including firefighting equipment), dispersants or other mitigating substances and devices, and personnel available to an owner or operator and Federal, State, and local agencies, to ensure an effective and immediate removal of a discharge, and to ensure mitigation or prevention of a substantial threat of a discharge;

(v) compile a list of local scientists, both inside and outside Federal Government service, with expertise in the environmental effects of spills of the types of oil typically transported in the area, who may be contacted to provide

information or, where appropriate, participate in meetings of the scientific support team convened in response to a spill, and describe the procedures to be followed for obtaining an expedited decision regarding the use of dispersants;

(vi) describe in detail how the plan is integrated into other Area Contingency Plans and vessel, offshore facility, and onshore facility response plans approved under this subsection, and into operating procedures of the National Response Unit;

(vii) include any other information the President requires; and

(viii) be updated periodically by the Area Committee.

(D) The President shall—

(i) review and approve Area Contingency Plans under this paragraph; and

(ii) periodically review Area Contingency Plans so approved.

(5) TANK VESSEL AND FACILITY RESPONSE PLANS.—(A) The President shall issue regulations which require an owner or operator of a tank vessel or facility described in subparagraph (B) to prepare and submit to the President a plan for responding, to the maximum extent practicable, to a worst case discharge, and to a substantial threat of such a discharge, of oil or a hazardous substance.

(B) The tank vessels and facilities referred to in subparagraph (A) are the following:

(i) A tank vessel, as defined under section 2101 of title 46, United States Code.

(ii) An offshore facility.

(iii) An onshore facility that, because of its location, could reasonably be expected to cause substantial harm to the environment by discharging into or on the navigable waters, adjoining shorelines, or the exclusive economic zone.

(C) A response plan required under this paragraph shall—

(i) be consistent with the requirements of the National Contingency Plan and Area Contingency Plans;

(ii) identify the qualified individual having full authority to implement removal actions, and require immediate communications between that individual and the appropriate Federal official and the persons providing personnel and equipment pursuant to clause (iii);

(iii) identify, and ensure by contract or other means approved by the President the availability of, private personnel and equipment necessary to remove to the maximum extent practicable a worst case discharge (including a discharge resulting from fire or explosion), and to mitigate or prevent a substantial threat of such a discharge;

(iv) describe the training, equipment testing, periodic unannounced drills, and response actions of persons on the vessel or at the facility, to be carried out under the plan to ensure the safety of the vessel or facility and to mitigate or prevent the discharge, or the substantial threat of a discharge;

(v) be updated periodically; and

(vi) be resubmitted for approval of each significant change.

(D) With respect to any response plan submitted under this paragraph for an onshore facility that, because of its location, could reasonably be expected to cause significant and substantial harm to the environment by discharging into or on the navigable waters or adjoining shorelines or the exclusive economic zone, and with respect to each response plan submitted under this paragraph for a tank vessel or offshore facility, the President shall—

(i) promptly review such response plan;

(ii) require amendments to any plan that does not meet the requirements of this paragraph;

(iii) approve any plan that meets the requirements of this paragraph; and

(iv) review each plan periodically thereafter.

(E)[1] A tank vessel, offshore facility, or onshore facility required to prepare a response plan under this subsection may not handle, store, or transport oil unless—

(i) in the case of a tank vessel, offshore facility, or onshore facility for which a response plan is reviewed by the President under subparagraph (D), the plan has been approved by the President; and

(ii) the vessel or facility is operating in compliance with the plan.

(F) Notwithstanding subparagraph (E), the President may authorize a tank vessel, offshore facility, or onshore facility to operate without a response plan approved under this paragraph, until not later than 2 years after the date of the submission to the President of a plan for the tank vessel or facility, if the owner or operator certifies that the owner or operator has ensured by contract or other means approved by the President the availability of private personnel and equipment necessary to respond, to the maximum extent practicable, to a worst case discharge or a substantial threat of such a discharge.

(G) The owner or operator of a tank vessel, offshore facility, or onshore facility may not claim as a defense to liability under title I of the Oil Pollution Act of 1990 that the owner or operator was acting in accordance with an approved response plan.

(H) The Secretary shall maintain, in the Vessel Identification System established under chapter 125 of title 46, United States Code, the dates of approval and review of a response plan under this paragraph for each tank vessel that is a vessel of the United States.

(6) EQUIPMENT REQUIREMENTS AND INSPECTION.—Not later than 2 years after the date of enactment of this section, the President shall require—

[1] Subparagraph (E) of section 311(j)(5) shall take effect 36 months (August 18, 1993) after the date of the enactment of Public Law 101-380. See P.L. 101-380, sec. 4202(b)(4)(C), 104 Stat. 532.

(A) periodic inspection of containment booms, skimmers, vessels, and other major equipment used to remove discharges; and

(B) vessels operating on navigable waters and carrying oil or a hazardous substance in bulk as cargo to carry appropriate removal equipment that employs the best technology economically feasible and that is compatible with the safe operation of the vessel.

(7) AREA DRILLS.—The President shall periodically conduct drills of removal capability, without prior notice, in areas for which Area Contingency Plans are required under this subsection and under relevant tank vessel and facility response plans. The drills may include participation by Federal, State, and local agencies, the owners and operators of vessels and facilities in the area, and private industry. The President may publish annual reports on these drills, including assessments of the effectiveness of the plans and a list of amendments made to improve plans.

(8) UNITED STATES GOVERNMENT NOT LIABLE.—The United States Government is not liable for any damages arising from its actions or omissions relating to any response plan required by this section.

[Subsection (k) was repealed by sec. 2002(b)(2) of P.L. 101-380.]

(l) The President is authorized to delegate the administration of this section to the heads of those Federal departments, agencies, and instrumentalities which he determines to be appropriate. Each such department, agency, and instrumentality, in order to avoid duplication of effort, shall, whenever appropriate, utilize the personnel, services, and facilities of other Federal departments, agencies, and instrumentalities.

(m) ADMINISTRATIVE PROVISIONS.—

(1) FOR VESSELS.—Anyone authorized by the President to enforce the provisions of this section with respect to any vessel may, except as to public vessels—

(A) board and inspect any vessel upon the navigable waters of the United States or the waters of the contiguous zone,

(B) with or without a warrant, arrest any person who in the presence or view of the authorized person violates the provisions of this section or any regulation issued thereunder, and

(C) execute any warrant or other process issued by an officer or court of competent jurisdiction.

(2) FOR FACILITIES.—

(A) RECORDKEEPING.—Whenever required to carry out the purposes of this section, the Administrator or the Secretary of the Department in which the Coast Guard is operating shall require the owner or operator of a facility to which this section applies to establish and maintain such records, make such reports, install, use, and maintain such monitoring equipment and methods, and provide such other information as the Administrator or Secretary, as

the case may be, may require to carry out the objectives of this section.

(B) ENTRY AND INSPECTION.—Whenever required to carry out the purposes of this section, the Administrator or the Secretary of the Department in which the Coast Guard is operating or an authorized representative of the Administrator or Secretary, upon presentation of appropriate credentials, may—

(i) enter and inspect any facility to which this section applies, including any facility at which any records are required to be maintained under subparagraph (A); and

(ii) at reasonable times, have access to and copy any records, take samples, and inspect any monitoring equipment or methods required under subparagraph (A).

(C) ARRESTS AND EXECUTION OF WARRANTS.—Anyone authorized by the Administrator or the Secretary of the department in which the Coast Guard is operating to enforce the provisions of this section with respect to any facility may—

(i) with or without a warrant, arrest any person who violates the provisions of this section or any regulation issued thereunder in the presence or view of the person so authorized; and

(ii) execute any warrant or process issued by an officer or court of competent jurisdiction.

(D) PUBLIC ACCESS.—Any records, reports, or information obtained under this paragraph shall be subject to the same public access and disclosure requirements which are applicable to records, reports, and information obtained pursuant to section 308.

(n) The several district courts of the United States are invested with jurisdiction for any actions, other than actions pursuant to subsection (i)(1), arising under this section. In the case of Guam and the Trust Territory of the Pacific Islands, such actions may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands, such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions. In the case of the Canal Zone, such actions may be brought in the United States District Court for the District of the Canal Zone.

(o)(1) Nothing in this section shall affect or modify in any way the obligations of any owner or operator of any vessel, or of any owner or operator of any onshore facility or offshore facility to any person or agency under any provision of law for damages to any publicly owned or privately owned property resulting from a discharge of any oil or hazardous substance or from the removal of any such oil or hazardous substance.

(2) Nothing in this section shall be construed as preempting any State or political subdivision thereof from imposing any requirement or liability with respect to the discharge of oil or haz-

ardous substance into any waters within such State, or with respect to any removal activites related to such discharge.

(3) Nothing in this section shall be construed as affecting or modifying any other existing authority of any Federal department, agency, or instrumentality, relative to onshore or offshore facilities under this Act or any other provision of law, or to affect any State or local law not in conflict with this section.

[Subsection (p) was repealed by sec. 2002(b)(4) of Public Law 101-380, 104 Stat. 507.]

(q) The President is authorized to establish, with repect to any class or category of onshore or offshore facilities, a maximum limit of liability under subsections (f)(2) and (3) of this section of less than $50,000,0000, but not less than, $8,000,000.

(r) Nothing in this section shall be construed to impose, or authorize the imposition of any limitation on liability under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974.

(s) The Oil Spill Liability Trust Fund established under section 9509 of the Internal Revenue Code of 1986 (26 U.S.C. 9509) shall be available to carry out subsections (b), (c), (d), (j), and (l) as those subsections apply to discharges, and substantial threats of discharges, of oil. Any amounts received by the United States under this section shall be deposited in the Oil Spill Liability Trust Fund.

(33 U.S.C. 1321)

MARINE SANITATION DEVICES

SEC. 312. (a) For the purpose of this section, the term—

(1) "new vessel" includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on the navigable waters, the construction of which is initiated after promulgation of standards and regulations under this section;

(2) "existing vessel" includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on the navigable waters, the construction of which is initiated before promulgation of standards and regulations under this section;

(3) "public vessel" means a vessel owned or bareboat chartered and operated by the United States, by a State or political subdivision thereof, or by a foreign nation, except when such vessel is engaged in commerce;

(4) "United States" includes the States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Canal Zone, and the Trust Territory of the Pacific Islands;

(5) "marine sanitation device" includes any equipment for installation on board a vessel which is designed to receive, retain, treat, or discharge sewage, and any process to treat such sewage;

(6) "sewage" means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes except that, with respect to commercial vessels on the Great Lakes, such term shall include graywater;

(7) "manufacture" means any person engaged in the manufacturing, assembling, or importation of marine sanitation devices or of vessels subject to standards and regulations promulgated under this section;

(8) "person" means an individual, partnership, firm, corporation, association, or agency of the United States, but does not include an individual on board a public vessel;

(9) "discharge" includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying or dumping;

(10) "commercial vessels" means those vessels used in the business of transporting property for compensation or hire, or in transporting property in the business of the owner, lessee, or operator of the vessel;

(11) "graywater" means galley, bath, and shower water;

(12) "discharge incidental to the normal operation of a vessel"—

(A) means a discharge, including—

(i) graywater, bilge water, cooling water, weather deck runoff, ballast water, oil water separator effluent, and any other pollutant discharge from the operation of a marine propulsion system, shipboard maneuvering system, crew habitability system, or installed major equipment, such as an aircraft carrier elevator or a catapult, or from a protective, preservative, or absorptive application to the hull of the vessel; and

(ii) a discharge in connection with the testing, maintenance, and repair of a system described in clause (i) whenever the vessel is waterborne; and

(B) does not include—

(i) a discharge of rubbish, trash, garbage, or other such material discharged overboard;

(ii) an air emission resulting from the operation of a vessel propulsion system, motor driven equipment, or incinerator; or

(iii) a discharge that is not covered by part 122.3 of title 40, Code of Federal Regulations (as in effect on the date of the enactment of subsection (n));

(13) "marine pollution control device" means any equipment or management practice, for installation or use on board a vessel of the Armed Forces, that is—

(A) designed to receive, retain, treat, control, or discharge a discharge incidental to the normal operation of a vessel; and

(B) determined by the Administrator and the Secretary of Defense to be the most effective equipment or management practice to reduce the environmental impacts of the discharge consistent with the considerations set forth in subsection (n)(2)(B); and

(14) "vessel of the Armed Forces" means—

(A) any vessel owned or operated by the Department of Defense, other than a time or voyage chartered vessel; and

(B) any vessel owned or operated by the Department of Transportation that is designated by the Secretary of

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the department in which the Coast Guard is operating as a vessel equivalent to a vessel described in subparagraph (A).

(b)(1) As soon as possible, after the enactment of this section and subject to the provisions of section 104(j) of this Act, the Administrator, after consultation with the Secretary of the department in which the Coast Guard is operating, after giving appropriate consideration to the economic costs involved, and within the limits of available technology, shall promulgate Federal standards of performance for marine sanitation devices (hereinafter in this section referred to as "standards") which shall be designed to prevent the discharge of untreated or inadequately treated sewage into or upon the navigable waters from new vessels and existing vessels, except vessels not equipped with installed toilet facilities. Such standards and standards established under subsection (c)(1)(B) of this section shall be consistent with maritime safety and the marine and navigation laws and regulations and shall be coordinated with the regulations issued under this subsection by the Secretary of the department in which the Coast Guard is operating. The Secretary of the department in which the Coast Guard is operating shall promulgate regulations, which are consistent with standards promulgated under this subsection and subsection (c) of this section and with maritime safety and the marine and navigation laws and regulations governing the design, construction, installation, and operation of any marine sanitation device on board such vessels.

(2) Any existing vessel equipped with a marine sanitation device on the date of promulgation of initial standards and regulations under this section, which device is in compliance with such initial standards and regulations, shall be deemed in compliance with this section until such time as the device is replaced or is found not to be in compliance with such initial standards and regulations.

(c)(1)(A) Initial standards and regulations under this section shall become effective for new vessels two years after promulgation; and for existing vessels five years after promulgation. Revisions of standards and regulations shall be effective upon promulgation, unless another effective date is specified, except that no revision shall take effect before the effective date of the standard or regulation being revised.

(B) The Administrator shall, with respect to commercial vessels on the Great Lakes, establish standards which require at a minimum the equivalent of secondary treatment as defined under section 304(d) of this Act. Such standards and regulations shall take effect for existing vessels after such time as the Administrator determines to be reasonable for the upgrading of marine sanitation devices to attain such standard.

(2) The Secretary of the department in which the Coast Guard is operating with regard to his regulatory authority established by this section, after consultation with the Administrator, may distinguish among classes, types, and sizes of vessels as well as between new and existing vessels, and may waive applicability of standards and regulations as necessary or appropriate for such classes, types, and sizes of vessels (including existing vessels equipped with ma-

rine sanitation devices on the date of promulgation of the initial standards required by this section), and, upon application, for individual vessels.

(d) The provisions of this section and the standards and regulations promulgated hereunder apply to vessels owned and operated by the United States unless the Secretary of Defense finds that compliance would not be in the interest of national security. With respect to vessels owned and operated by the Department of Defense, regulations under the last sentence of subsection (b)(1) of this section and certifications under subsection (g)(2) of this section shall be promulgated and issued by the Secretary of Defense.

(e) Before the standards and regulations under this section are promulgated, the Administrator and the Secretary of the department in which the Coast Guard is operating shall consult with the Secretary of State; the Secretary of Health, Education, and Welfare; the Secretary of Defense; the Secretary of the Treasury; the Secretary of Commerce; other interested Federal agencies; and the States and industries interested; and otherwise comply with the requirements of section 553 of title 5 of the United States Code.

(f)(1)(A) Except as provided in subparagraph (B), after the effective date of the initial standards and regulations promulgated under this section, no State or political subdivision thereof shall adopt or enforce any statute or regulation of such State or political subdivision with respect to the design, manufacture, or installation or use of any marine sanitation device on any vessel subject to the provisions of this section.

(B) A State may adopt and enforce a statute or regulation with respect to the design, manufacture, or installation or use of any marine sanitation device on a houseboat, if such statute or regulation is more stringent than the standards and regulations promulgated under this section. For purposes of this paragraph, the term "houseboat" means a vessel which, for a period of time determined by the State in which the vessel is located, is used primarily as a residence and is not used primarily as a means of transportation.

(2) If, after promulgation of the initial standards and regulations and prior to their effective date, a vessel is equipped with a marine sanitation device in compliance with such standards and regulations and the installation and operation of such device is in accordance with such standards and regulations, such standards and regulations shall, for the purposes of paragraph (1) of this subsection, become effective with respect to such vessel on the date of such compliance.

(3) After the effective date of the initial standards and regulations promulgated under this section, if any State determines that the protection and enhancement of the quality of some or all of the waters within such State require greater environmental protection, such State may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into such waters, except that no such prohibition shall apply until the Administrator determines that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for such water to which such prohibition would apply. Upon application of the State, the Administrator shall make such determination within 90 days of the date of such application.

(4)(A) If the Administrator determines upon application by a State that the protection and enhancement of the quality of specified waters within such State requires such a prohibition, he shall by regulation completely prohibit the discharge from a vessel of any sewage (whether treated or not) into such waters.

(B) Upon application by a State, the Administrator shall, by regulation, establish a drinking water intake zone in any waters within such State and prohibit the discharge of sewage from vessels within that zone.

(g)(1) No manufacturer of a marine sanitation device shall sell, offer for sale, or introduce or deliver for introduction in interstate commerce, or import into the United States for sale or resale any marine sanitation device manufactured after the effective date of the standards and regulations promulgated under this section unless such device is in all material respects substantially the same as a test device certified under this subsection.

(2) Upon application of the manufacturer, the Secretary of the department in which the Coast Guard is operating shall so certify a marine sanitation device if he determines, in accordance with the provisions of this paragraph, that it meets the appropriate standards and regulations promulgated under this section. The Secretary of the department in which the Coast Guard is operating shall test or require such testing of the device in accordance with procedures set forth by the Administrator as to standards of performance and for such other purposes as may be appropriate. If the Secretary of the department in which the Coast Guard is operating determines that the device is satisfactory from the standpoint of safety and any other requirements of maritime law or regulation, and after consideration of the design, installation, operation, material, or other appropriate factors, he shall certify the device. Any device manufactured by such manufacturer which is in all material respects substantially the same as the certified test device shall be deemed to be in conformity with the appropriate standards and regulations established under this section.

(3) Every manufacturer shall establish and maintain such records, make such reports, and provide such information as the Administrator or the Secretary of the department in which the Coast Guard is operating may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this section and regulations issued thereunder and shall, upon request of an officer or employee duly designated by the Administrator or the Secretary of the department in which the Coast Guard is operating, permit such officer or employee at reasonable times to have access to and copy such records. All information reported to or otherwise obtained by the Administrator or the Secretary of the department in which the Coast Guard is operating or their representatives pursuant to this subsection which contains or relates to a trade secret or other matter referred in section 1905 of title 18 of the United States Code shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this section. This paragraph shall not apply in the case of the construction of a vessel by an individual for his own use.

(h) After the effective date of standards and regulations promulgated under this section, it shall be unlawful—

(1) for the manufacturer of any vessel subject to such standards and regulations to manufacture for sale, to sell or offer for sale, or to distribute for sale or resale any such vessel unless it is equipped with a marine sanitation device which is in all material respects substantially the same as the appropriate test device certified pursuant to this section;

(2) for any person, prior to the sale or delivery of a vessel subject to such standards and regulations to the ultimate purchaser, wrongfully to remove or render inoperative any certified marine sanitation device or element of design of such device installed in such vessel;

(3) for any person to fail or refuse to permit access to or copying of records or to fail to make reports or provide information required under this section; and

(4) for a vessel subject to such standards and regulations to operate on the navigable waters of the United States, if such vessel is not equipped with an operable marine sanitation device certified pursuant to this section.

(i) The district courts of the United States shall have jurisdictions to restrain violations of subsection (g)(1) of this section and subsections (h)(1) through (3) of this section. Actions to restrain such violations shall be brought by, and in, the name of the United States. In case of contumacy or refusal to obey a subpena served upon any person under this subsection, the district court of the United States for any district in which such person is found or resides or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony or to appear and produce documents, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(j) Any person who violates subsection (g)(1), clause (1) or (2) of subsection (h), or subsection (n)(8) shall be liable to a civil penalty of not more than $5,000 for each violation. Any person who violates clause (4) of subsection (h) of this section or any regulation issued pursuant to this section shall be liable to a civil penalty of not more than $2,000 for each violation. Each violation shall be a separate offense. The Secretary of the department in which the Coast Guard is operating may assess and compromise any such penalty. No penalty shall be assessed until the person charged shall have been given notice and an opportunity for a hearing on such charge. In determining the amount of the penalty, or the amount agreed upon in compromise, the gravity of the violation, and the demonstrated good faith of the person charged in attempting to achieve rapid compliance, after notification of a violation, shall be considered by said Secretary.

(k) The provisions of this section shall be enforced by the Secretary of the department in which the Coast Guard is operating and he may utilize by agreement, with or without reimbursement, law enforcement officers or other personnel and facilities of the Administrator, other Federal agencies, or the States to carry out the provisions of this section. The provisions of this section may also be enforced by a State.

(l) Anyone authorized by the Secretary of the department in which the Coast Guard is operating to enforce the provisions of this section may, except as to public vessels, (1) board and inspect any vessel upon the navigable waters of the United States and (2) execute any warrant or other process issued by an officer or court of competent jurisdiction.

(m) In the case of Guam and the Trust Territory of the Pacific Islands, actions arising under this section may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands, such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions. In the case of the Canal Zone, such actions may be brought in the District Court for the District of the Canal Zone.

(n) UNIFORM NATIONAL DISCHARGE STANDARDS FOR VESSELS OF THE ARMED FORCES.—

(1) APPLICABILITY.—This subsection shall apply to vessels of the Armed Forces and discharges, other than sewage, incidental to the normal operation of a vessel of the Armed Forces, unless the Secretary of Defense finds that compliance with this subsection would not be in the national security interests of the United States.

(2) DETERMINATION OF DISCHARGES REQUIRED TO BE CONTROLLED BY MARINE POLLUTION CONTROL DEVICES.—

(A) IN GENERAL.—The Administrator and the Secretary of Defense, after consultation with the Secretary of the department in which the Coast Guard is operating, the Secretary of Commerce, and interested States, shall jointly determine the discharges incidental to the normal operation of a vessel of the Armed Forces for which it is reasonable and practicable to require use of a marine pollution control device to mitigate adverse impacts on the marine environment. Notwithstanding subsection (a)(1) of section 553 of title 5, United States Code, the Administrator and the Secretary of Defense shall promulgate the determinations in accordance with such section. The Secretary of Defense shall require the use of a marine pollution control device on board a vessel of the Armed Forces in any case in which it is determined that the use of such a device is reasonable and practicable.

(B) CONSIDERATIONS.—In making a determination under subparagraph (A), the Administrator and the Secretary of Defense shall take into consideration—

(i) the nature of the discharge;

(ii) the environmental effects of the discharge;

(iii) the practicability of using the marine pollution control device;

(iv) the effect that installation or use of the marine pollution control device would have on the operation or operational capability of the vessel;

(v) applicable United States law;

(vi) applicable international standards; and

(vii) the economic costs of the installation and use of the marine pollution control device.

(3) PERFORMANCE STANDARDS FOR MARINE POLLUTION CONTROL DEVICES.—

(A) IN GENERAL.—For each discharge for which a marine pollution control device is determined to be required under paragraph (2), the Administrator and the Secretary of Defense, in consultation with the Secretary of the department in which the Coast Guard is operating, the Secretary of State, the Secretary of Commerce, other interested Federal agencies, and interested States, shall jointly promulgate Federal standards of performance for each marine pollution control device required with respect to the discharge. Notwithstanding subsection (a)(1) of section 553 of title 5, United States Code, the Administrator and the Secretary of Defense shall promulgate the standards in accordance with such section.

(B) CONSIDERATIONS.—In promulgating standards under this paragraph, the Administrator and the Secretary of Defense shall take into consideration the matters set forth in paragraph (2)(B).

(C) CLASSES, TYPES, AND SIZES OF VESSELS.—The standards promulgated under this paragraph may—

(i) distinguish among classes, types, and sizes of vessels;

(ii) distinguish between new and existing vessels; and

(iii) provide for a waiver of the applicability of the standards as necessary or appropriate to a particular class, type, age, or size of vessel.

(4) REGULATIONS FOR USE OF MARINE POLLUTION CONTROL DEVICES.—The Secretary of Defense, after consultation with the Administrator and the Secretary of the department in which the Coast Guard is operating, shall promulgate such regulations governing the design, construction, installation, and use of marine pollution control devices on board vessels of the Armed Forces as are necessary to achieve the standards promulgated under paragraph (3).

(5) DEADLINES; EFFECTIVE DATE.—

(A) DETERMINATIONS.—The Administrator and the Secretary of Defense shall—

(i) make the initial determinations under paragraph (2) not later than 2 years after the date of the enactment of this subsection; and

(ii) every 5 years—

(I) review the determinations; and

(II) if necessary, revise the determinations based on significant new information.

(B) STANDARDS.—The Administrator and the Secretary of Defense shall—

(i) promulgate standards of performance for a marine pollution control device under paragraph (3) not later than 2 years after the date of a determination

under paragraph (2) that the marine pollution control device is required; and

(ii) every 5 years—

(I) review the standards; and

(II) if necessary, revise the standards, consistent with paragraph (3)(B) and based on significant new information.

(C) REGULATIONS.—The Secretary of Defense shall promulgate regulations with respect to a marine pollution control device under paragraph (4) as soon as practicable after the Administrator and the Secretary of Defense promulgate standards with respect to the device under paragraph (3), but not later than 1 year after the Administrator and the Secretary of Defense promulgate the standards. The regulations promulgated by the Secretary of Defense under paragraph (4) shall become effective upon promulgation unless another effective date is specified in the regulations.

(D) PETITION FOR REVIEW.—The Governor of any State may submit a petition requesting that the Secretary of Defense and the Administrator review a determination under paragraph (2) or a standard under paragraph (3), if there is significant new information, not considered previously, that could reasonably result in a change to the particular determination or standard after consideration of the matters set forth in paragraph (2)(B). The petition shall be accompanied by the scientific and technical information on which the petition is based. The Administrator and the Secretary of Defense shall grant or deny the petition not later than 2 years after the date of receipt of the petition.

(6) EFFECT ON OTHER LAWS.—

(A) PROHIBITION ON REGULATION BY STATES OR POLITICAL SUBDIVISIONS OF STATES.—Beginning on the effective date of—

(i) a determination under paragraph (2) that it is not reasonable and practicable to require use of a marine pollution control device regarding a particular discharge incidental to the normal operation of a vessel of the Armed Forces; or

(ii) regulations promulgated by the Secretary of Defense under paragraph (4);

except as provided in paragraph (7), neither a State nor a political subdivision of a State may adopt or enforce any statute or regulation of the State or political subdivision with respect to the discharge or the design, construction, installation, or use of any marine pollution control device required to control discharges from a vessel of the Armed Forces.

(B) FEDERAL LAWS.—This subsection shall not affect the application of section 311 to discharges incidental to the normal operation of a vessel.

(7) ESTABLISHMENT OF STATE NO-DISCHARGE ZONES.—

(A) STATE PROHIBITION.—

(i) IN GENERAL.—After the effective date of—

(I) a determination under paragraph (2) that it is not reasonable and practicable to require use of a marine pollution control device regarding a particular discharge incidental to the normal operation of a vessel of the Armed Forces; or

(II) regulations promulgated by the Secretary of Defense under paragraph (4);

if a State determines that the protection and enhancement of the quality of some or all of the waters within the State require greater environmental protection, the State may prohibit 1 or more discharges incidental to the normal operation of a vessel, whether treated or not treated, into the waters. No prohibition shall apply until the Administrator makes the determinations described in subclauses (II) and (III) of subparagraph (B)(i).

(ii) DOCUMENTATION.—To the extent that a prohibition under this paragraph would apply to vessels of the Armed Forces and not to other types of vessels, the State shall document the technical or environmental basis for the distinction.

(B) PROHIBITION BY THE ADMINISTRATOR.—

(i) IN GENERAL.—Upon application of a State, the Administrator shall by regulation prohibit the discharge from a vessel of 1 or more discharges incidental to the normal operation of a vessel, whether treated or not treated, into the waters covered by the application if the Administrator determines that—

(I) the protection and enhancement of the quality of the specified waters within the State require a prohibition of the discharge into the waters;

(II) adequate facilities for the safe and sanitary removal of the discharge incidental to the normal operation of a vessel are reasonably available for the waters to which the prohibition would apply; and

(III) the prohibition will not have the effect of discriminating against a vessel of the Armed Forces by reason of the ownership or operation by the Federal Government, or the military function, of the vessel.

(ii) APPROVAL OR DISAPPROVAL.—The Administrator shall approve or disapprove an application submitted under clause (i) not later than 90 days after the date on which the application is submitted to the Administrator. Notwithstanding clause (i)(II), the Administrator shall not disapprove an application for the sole reason that there are not adequate facilities to remove any discharge incidental to the normal operation of a vessel from vessels of the Armed Forces.

(C) APPLICABILITY TO FOREIGN FLAGGED VESSELS.—A prohibition under this paragraph—

(i) shall not impose any design, construction, manning, or equipment standard on a foreign flagged vessel engaged in innocent passage unless the prohibition implements a generally accepted international rule or standard; and

(ii) that relates to the prevention, reduction, and control of pollution shall not apply to a foreign flagged vessel engaged in transit passage unless the prohibition implements an applicable international regulation regarding the discharge of oil, oily waste, or any other noxious substance into the waters.

(8) PROHIBITION RELATING TO VESSELS OF THE ARMED FORCES.—After the effective date of the regulations promulgated by the Secretary of Defense under paragraph (4), it shall be unlawful for any vessel of the Armed Forces subject to the regulations to—

(A) operate in the navigable waters of the United States or the waters of the contiguous zone, if the vessel is not equipped with any required marine pollution control device meeting standards established under this subsection; or

(B) discharge overboard any discharge incidental to the normal operation of a vessel in waters with respect to which a prohibition on the discharge has been established under paragraph (7).

(9) ENFORCEMENT.—This subsection shall be enforceable, as provided in subsections (j) and (k), against any agency of the United States responsible for vessels of the Armed Forces notwithstanding any immunity asserted by the agency.

(33 U.S.C. 1322)

FEDERAL FACILITIES POLLUTION CONTROL

SEC. 313. (a) Each department, agency, or instrumentality of the executive, legislative, and judicial branches of the Federal Government (1) having jurisdiction over any property or facility, or (2) engaged in any activity resulting, or which may result, in the discharge or runoff of pollutants, and each officer, agent, or employee thereof in the performance of his official duties, shall be subject to, and comply with, all Federal, State, interstate, and local requirements, administrative authority, and process and sanctions respecting the control and abatement of water pollution in the same manner, and to the same extent as any nongovernmental entity including the payment of reasonable service charges. The preceding sentence shall apply (A) to any requirement whether substantive or procedural (including any recordkeeping or reporting requirement, any requirement respecting permits and any other requirement, whatsoever), (B) to the exercise of any Federal, State, or local administrative authority, and (C) to any process and sanction, whether enforced in Federal, State, or local courts or in any other manner. This subsection shall apply notwithstanding any immunity of such agencies, officers, agents, or employees under any law or rule of law. Nothing in this section shall be construed to prevent any department, agency, or instrumentality of the Federal Government,

or any officer, agent, or employee thereof in the performance of his official duties, from removing to the appropriate Federal district court any proceeding to which the department, agency, or instrumentality or officer, agent, or employee thereof is subject pursuant to this section, and any such proceeding may be removed in accordance with 28 U.S.C. 1441 et seq. No officer, agent, or employee of the United States shall be personally liable for any civil penalty arising from the performance of his official duties, for which he is not otherwise liable, and the United States shall be liable only for those civil penalties arising under Federal law or imposed by a State or local court to enforce an order or the process of such court. The President may exempt any effluent source of any department, agency, or instrumentality in the executive branch from compliance with any such a requirement if he determines it to be in the paramount interest of the United States to do so; except that no exemption may be granted from the requirements of section 306 or 307 of this Act. No such exemptions shall be granted due to lack of appropriation unless the President shall have specifically requested such appropriation as a part of the budgetary process and the Congress shall have failed to make available such requested appropriation. Any exemption shall be for a period not in excess of one year, but additional exemptions may be granted for periods of not to exceed one year upon the President's making a new determination. The President shall report each January to the Congress all exemptions from the requirements of this section granted during the preceding calendar year, together with his reason for granting such exemption. In addition to any such exemption of a particular effluent source, the President may, if he determines it to be in the paramount interest of the United States to do so, issue regulations exempting from compliance with the requirements of this section any weaponry, equipment, aircraft, vessels, vehicles, or other classes or categories of property, and access to such property, which are owned or operated by the Armed Forces of the United States (including the Coast Guard) or by the National Guard of any State and which are uniquely military in nature. The President shall reconsider the need for such regulations at three-year intervals.

(b)(1) The Administrator shall coordinate with the head of each department, agency, or instrumentality of the Federal Government having jurisdiction over any property or facility utilizing federally owned wastewater facilities to develop a program of cooperation for utilizing wastewater control systems utilizing those innovative treatment processes and techniques for which guidelines have been promulgated under section 304(d)(3). Such program shall include an inventory of property and facilities which could utilize such processes and techniques.

(2) Construction shall not be initiated for facilities for treatment of wastewater at any Federal property or facility after September 30, 1979, if alternative methods for wastewater treatment at such property or facility utilizing innovative treatment processes and techniques, including but not limited to methods utilizing recycle and reuse techniques and land treatment are not utilized, unless the life cycle cost of the alternative treatment works exceeds the life cycle cost of the most cost effective alternative by more than 15 per centum. The Administrator may waive the application

of this paragraph in any case where the Administrator determines it to be in the public interest, or that compliance with this paragraph would interfere with the orderly compliance with the conditions of a permit issued pursuant to section 402 of this Act.

(33 U.S.C. 1323)

CLEAN LAKES

SEC. 314. (a) ESTABLISHMENT AND SCOPE OF PROGRAM.—

(1) STATE PROGRAM REQUIREMENTS.—Each State on a biennial basis shall prepare and submit to the Administrator for his approval—

(A) an identification and classification according to eutrophic condition of all publicly owned lakes in such State;

(B) a description of procedures, processes, and methods (including land use requirements), to control sources of pollution of such lakes;

(C) a description of methods and procedures, in conjunction with appropriate Federal agencies, to restore the quality of such lakes;

(D) methods and procedures to mitigate the harmful effects of high acidity, including innovative methods of neutralizing and restoring buffering capacity of lakes and methods of removing from lakes toxic metals and other toxic substances mobilized by high acidity;

(E) a list and description of those publicly owned lakes in such State for which uses are known to be impaired, including those lakes which are known not to meet applicable water quality standards or which require implementation of control programs to maintain compliance with applicable standards and those lakes in which water quality has deteriorated as a result of high acidity that may reasonably be due to acid deposition; and

(F) an assessment of the status and trends of water quality in lakes in such State, including but not limited to, the nature and extent of pollution loading from point and nonpoint sources and the extent to which the use of lakes is impaired as a result of such pollution, particularly with respect to toxic pollution.

(2) SUBMISSION AS PART OF 305(b)(1) REPORT.—The information required under paragraph (1) shall be included in the report required under section 305(b)(1) of this Act, beginning with the report required under such section by April 1, 1988.

(3) ELIGIBILITY REQUIREMENT.—Beginning after April 1, 1988, a State must have submitted the information required under paragraph (1) in order to receive grant assistance under this section.

(b) The Administrator shall provide financial assistance to States in order to carry out methods and procedures approved by him under subsection (a) of this section. The Administrator shall provide financial assistance to States to prepare the identification and classification surveys required in subsection (a)(1) of this section.

(c)(1) The amount granted to any State for any fiscal year under subsection (b) of this section shall not exceed 70 per centum of the funds expended by such State in such year for carrying out approved methods and procedures under subsection (a) of this section.

(2) There is authorized to be appropriated $50,000,000 for the fiscal year ending June 30, 1973; $100,000,000 for the fiscal year 1974; $150,000,000 for the fiscal year 1975, $50,000,000 for fiscal year 1977, $60,000,000 for fiscal year 1978, $60,000,000 for fiscal year 1979, $60,000,000 for fiscal year 1980, $30,000,000 for fiscal year 1981, $30,000,000 for fiscal year 1982, such sums as may be necessary for fiscal years 1983 through 1985, and $30,000,000 per fiscal year for each of the fiscal years 1986 through 1990 for grants to States under subsection (b) of this section which such sums shall remain available until expended. The Administrator shall provide for an equitable distribution of such sums to the States with approved methods and procedures under subsection (a) of this section.

(d) DEMONSTRATION PROGRAM.—

(1) GENERAL REQUIREMENTS.—The Administrator is authorized and directed to establish and conduct at locations throughout the Nation a lake water quality demonstration program. The program shall, at a minimum—

(A) develop cost effective technologies for the control of pollutants to preserve or enhance lake water quality while optimizing multiple lakes uses;

(B) control nonpoint sources of pollution which are contributing to the degradation of water quality in lakes;

(C) evaluate the feasibility of implementing regional consolidated pollution control strategies;

(D) demonstrate environmentally preferred techniques for the removal and disposal of contaminated lake sediments;

(E) develop improved methods for the removal of silt, stumps, aquatic growth, and other obstructions which impair the quality of lakes;

(F) construct and evaluate silt traps and other devices or equipment to prevent or abate the deposit of sediment in lakes; and

(G) demonstrate the costs and benefits of utilizing dredged material from lakes in the reclamation of despoiled land.

(2) GEOGRAPHICAL REQUIREMENTS.—Demonstration projects authorized by this subsection shall be undertaken to reflect a variety of geographical and environmental conditions. As a priority, the Administrator shall undertake demonstration projects at Lake Champlain, New York and Vermont; Lake Houston, Texas; Beaver Lake, Arkansas; Greenwood Lake and Belcher Creek, New Jersey; Deal Lake, New Jersey; Alcyon Lake, New Jersey; Gorton's Pond, Rhode Island; Lake Washington, Rhode Island; Lake Bomoseen, Vermont; Sauk Lake, Minnesota; and Lake Worth, Texas.

(3) REPORTS.—By January 1, 1997, and January 1 of every odd-numbered year thereafter, the Administrator shall report to the Committee on Transportation and Infrastructure of the

House of Representatives and the Committee on Environment and Public Works of the Senate on work undertaken pursuant to this subsection. Upon completion of the program authorized by this subsection, the Administrator shall submit to such committees a final report on the results of such program, along with recommendations for further measures to improve the water quality of the Nation's lakes.

(4) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There is authorized to be appropriated to carry out this subsection not to exceed $40,000,000 for fiscal years beginning after September 30, 1986, to remain available until expended.

(B) SPECIAL AUTHORIZATIONS.—

(i) AMOUNT.—There is authorized to be appropriated to carry out subsection (b) with respect to subsection (a)(1)(D) not to exceed $15,000,000 for fiscal years beginning after September 30, 1986, to remain available until expended.

(ii) DISTRIBUTION OF FUNDS.—The Administrator shall provide for an equitable distribution of sums appropriated pursuant to this subparagraph among States carrying out approved methods and procedures. Such distribution shall be based on the relative needs of each such State for the mitigation of the harmful effects on lakes and other surface waters of high acidity that may reasonably be due to acid deposition or acid mine drainage.

(iii) GRANTS AS ADDITIONAL ASSISTANCE.—The amount of any grant to a State under this subparagraph shall be in addition to, and not in lieu of, any other Federal financial assistance.

(33 U.S.C. 1324)

NATIONAL STUDY COMMISSION

SEC. 315. (a) There is established a National Study Commission, which shall make a full and complete investigation and study of all of the technological aspects of achieving, and all aspects of the total economic, social, and environmental effects of achieving or not achieving, the effluent limitations and goals set forth for 1983 in section 301(b)(2) of this Act.

(b) Such Commission shall be composed of fifteen members, including five members of the Senate, who are members of the Public Works committee, appointed by the President of the Senate, five members of the House, who are members of the Public Works committee, appointed by the Speaker of the House, and five members of the public appointed by the President. The Chairman of such Commission shall be elected from among its members.

(c) In the conduct of such study, the Commission is authorized to contract with the National Academy of Sciences and the National Academy of Engineering (acting through the National Research Council), the National Institute of Ecology, Brookings Institution, and other nongovernmental entities, for the investigation of matters within their competence.

(d) The heads of the departments, agencies and instrumentalities of the executive branch of the Federal Government shall cooperate with the Commission in carrying out the requirements of this section, and shall furnish to the Commission such information as the Commission deems necessary to carry out this section.

(e) A report shall be submitted to the Congress of the results of such investigation and study, together with recommendations, not later than three years after the date of enactment of this title.

(f) The members of the Commission who are not officers or employees of the United States, while attending conferences or meetings of the Commission or while otherwise serving at the request of the Chairman shall be entitled to receive compensation at a rate not in excess of the maximum rate of pay for grade GS–18, as provided in the General Schedule under section 5332 of title V of the United States Code, including traveltime and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(g) In addition to authority to appoint personnel subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and to pay such personnel in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, the Commission shall have authority to enter into contracts with private or public organizations who shall furnish the Commission with such administrative and technical personnel as may be necessary to carry out the purpose of this section. Personnel furnished by such organizations under this subsection are not, and shall not be considered to be, Federal employees for any purposes, but in the performance of their duties shall be guided by the standards which apply to employees of the legislative branches under rules 41 and 43 of the Senate and House of Representatives, respectively.

(h) There is authorized to be appropriated, for use in carrying out this section, not to exceed $17,250,000.

(33 U.S.C. 1325)

THERMAL DISCHARGES

SEC. 316. (a) With respect to any point source otherwise subject to the provisions of section 301 or section 306 of this Act, whenever the owner or operator of any such source, after opportunity for public hearing, can demonstrate to the satisfaction of the Administrator (or, if appropriate, the State) that any effluent limitation proposed for the control of the thermal component of any discharge from such source will require effluent limitations more stringent than necessary to assure the projection and propagation of a balanced, indigenous population of shellfish, fish, and wildlife in and on the body of water into which the discharge is to be made, the Administrator (or, if appropriate, the State) may impose an effluent limitation under such sections for such plant, with respect to the thermal component of such discharge (taking into account the interaction of such thermal component with other pollutants),

that will assure the projection and propagation of a balanced, indigenous population of shellfish, fish, and wildlife in and on that body of water.

(b) Any standard established pursuant to section 301 or section 306 of this Act and applicable to a point source shall require that the location, design, construction, and capacity of cooling water intake structures reflect the best technology available for minimizing adverse environmental impact.

(c) Notwithstanding any other provision of this Act, any point source of a discharge having a thermal component, the modification of which point source is commenced after the date of enactment of the Federal Water Pollution Control Act Amendments of 1972 and which, as modified, meets effluent limitations established under section 301 or, if more stringent, effluent limitations established under section 303 and which effluent limitations will assure protection and propagation of a balanced, indigenous population of shellfish, fish, and wildlife in or on the water into which the discharge is made, shall not be subject to any more stringent effluent limitation with respect to the thermal component of its discharge during a ten year period beginning on the date of completion of such modification or during the period of depreciation or amortization of such facility for the purpose of section 167 or 169 (or both) of the Internal Revenue Code of 1954, whichever period ends first.

(33 U.S.C. 1326)

FINANCING STUDY

SEC. 317. (a) The Administrator shall continue to investigate and study the feasibility of alternate methods of financing the cost of preventing, controlling and abating pollution as directed in the Water Quality Improvement Act of 1970 (Public Law 91–224), including, but not limited to, the feasibility of establishing a pollution abatement trust fund. The results of such investigation and study shall be reported to the Congress not later than two years after enactment of this title, together with recommendations of the Administrator for financing the programs for preventing, controlling and abating pollution for the fiscal years beginning after fiscal year 1976, including any necessary legislation.

(b) There is authorized to be appropriated for use in carrying out this section, not to exceed $1,000,000.

(33 U.S.C. 1327)

AQUACULTURE

SEC. 318. (a) The Administrator is authorized, after public hearings, to permit the discharge of a specific pollutant or pollutants under controlled conditions associated with an approved aquaculture project under Federal or State supervision pursuant to section 402 of this Act.

(b) The Administrator shall by regulation establish any procedures and guidelines which the Administrator deems necessary to carry out this section. Such regulations shall require the application to such discharge of each criterion, factor, procedure, and requirement applicable to a permit issued under section 402 of this

title, as the Administrator determines necessary to carry out the objective of this Act.

(c) Each State desiring to administer its own permit program within its jurisdiction for discharge of a specific pollutant or pollutants under controlled conditions associated with an approved aquaculture project may do so if upon submission of such program the Administrator determines such program is adequate to carry out the objective of this Act.

(33 U.S.C. 1328)

SEC. 319. NONPOINT SOURCE MANAGEMENT PROGRAMS.

(a) STATE ASSESSMENT REPORTS.—

(1) CONTENTS.—The Governor of each State shall, after notice and opportunity for public comment, prepare and submit to the Administrator for approval, a report which—

(A) identifies those navigable waters within the State which, without additional action to control nonpoint sources of pollution, cannot reasonably be expected to attain or maintain applicable water quality standards or the goals and requirements of this Act;

(B) identifies those categories and subcategories of nonpoint sources or, where appropriate, particular nonpoint sources which add significant pollution to each portion of the navigable waters identified under subparagraph (A) in amounts which contribute to such portion not meeting such water quality standards or such goals and requirements;

(C) describes the process, including intergovernmental coordination and public participation, for identifying best management practices and measures to control each category and subcategory of nonpoint sources and, where appropriate, particular nonpoint sources identified under subparagraph (B) and to reduce, to the maximum extent practicable, the level of pollution resulting from such category, subcategory, or source; and

(D) identifies and describes State and local programs for controlling pollution added from nonpoint sources to, and improving the quality of, each such portion of the navigable waters, including but not limited to those programs which are receiving Federal assistance under subsections (h) and (i).

(2) INFORMATION USED IN PREPARATION.—In developing the report required by this section, the State (A) may rely upon information developed pursuant to sections 208, 303(e), 304(f), 305(b), and 314, and other information as appropriate, and (B) may utilize appropriate elements of the waste treatment management plans developed pursuant to sections 208(b) and 303, to the extent such elements are consistent with and fulfill the requirements of this section.

(b) STATE MANAGEMENT PROGRAMS.—

(1) IN GENERAL.—The Governor of each State, for that State or in combination with adjacent States, shall, after notice and opportunity for public comment, prepare and submit to the Administrator for approval a management program which such

State proposes to implement in the first four fiscal years beginning after the date of submission of such management program for controlling pollution added from nonpoint sources to the navigable waters within the State and improving the quality of such waters.

(2) SPECIFIC CONTENTS.—Each management program proposed for implementation under this subsection shall include each of the following:

(A) An identification of the best management practices and measures which will be undertaken to reduce pollutant loadings resulting from each category, subcategory, or particular nonpoint source designated under paragraph (1)(B), taking into account the impact of the practice on ground water quality.

(B) An identification of programs (including, as appropriate, nonregulatory or regulatory programs for enforcement, technical assistance, financial assistance, education, training, technology transfer, and demonstration projects) to achieve implementation of the best management practices by the categories, subcategories, and particular nonpoint sources designated under subparagraph (A).

(C) A schedule containing annual milestones for (i) utilization of the program implementation methods identified in subparagraph (B), and (ii) implementation of the best management practices identified in subparagraph (A) by the categories, subcategories, or particular nonpoint sources designated under paragraph (1)(B). Such schedule shall provide for utilization of the best management practices at the earliest practicable date.

(D) A certification of the attorney general of the State or States (or the chief attorney of any State water pollution control agency which has independent legal counsel) that the laws of the State or States, as the case may be, provide adequate authority to implement such management program or, if there is not such adequate authority, a list of such additional authorities as will be necessary to implement such management program. A schedule and commitment by the State or States to seek such additional authorities as expeditiously as practicable.

(E) Sources of Federal and other assistance and funding (other than assistance provided under subsections (h) and (i)) which will be available in each of such fiscal years for supporting implementation of such practices and measures and the purposes for which such assistance will be used in each of such fiscal years.

(F) An identification of Federal financial assistance programs and Federal development projects for which the State will review individual assistance applications or development projects for their effect on water quality pursuant to the procedures set forth in Executive Order 12372 as in effect on September 17, 1983, to determine whether such assistance applications or development projects would be consistent with the program prepared under this subsection; for the purposes of this subparagraph, identifica-

tion shall not be limited to the assistance programs or development projects subject to Executive Order 12372 but may include any programs listed in the most recent Catalog of Federal Domestic Assistance which may have an effect on the purposes and objectives of the State's nonpoint source pollution management program.

(3) UTILIZATION OF LOCAL AND PRIVATE EXPERTS.—In developing and implementing a management program under this subsection, a State shall, to the maximum extent practicable, involve local public and private agencies and organizations which have expertise in control of nonpoint sources of pollution.

(4) DEVELOPMENT ON WATERSHED BASIS.—A State shall, to the maximum extent practicable, develop and implement a management program under this subsection on a watershed-by-watershed basis within such State.

(c) ADMINISTRATIVE PROVISIONS.—

(1) COOPERATION REQUIREMENT.—Any report required by subsection (a) and any management program and report required by subsection (b) shall be developed in cooperation with local, substate regional, and interstate entities which are actively planning for the implementation of nonpoint source pollution controls and have either been certified by the Administrator in accordance with section 208, have worked jointly with the State on water quality management planning under section 205(j), or have been designated by the State legislative body or Governor as water quality management planning agencies for their geographic areas.

(2) TIME PERIOD FOR SUBMISSION OF REPORTS AND MANAGEMENT PROGRAMS.—Each report and management program shall be submitted to the Administrator during the 18-month period beginning on the date of the enactment of this section.

(d) APPROVAL OR DISAPPROVAL OF REPORTS AND MANAGEMENT PROGRAMS.—

(1) DEADLINE.—Subject to paragraph (2), not later than 180 days after the date of submission to the Administrator of any report or management program under this section (other than subsections (h), (i), and (k)), the Administrator shall either approve or disapprove such report or management program, as the case may be. The Administrator may approve a portion of a management program under this subsection. If the Administrator does not disapprove a report, management program, or portion of a management program in such 180-day period, such report, management program, or portion shall be deemed approved for purposes of this section.

(2) PROCEDURE FOR DISAPPROVAL.—If, after notice and opportunity for public comment and consultation with appropriate Federal and State agencies and other interested persons, the Administrator determines that—

(A) the proposed management program or any portion thereof does not meet the requirements of subsection (b)(2) of this section or is not likely to satisfy, in whole or in part, the goals and requirements of this Act;

(B) adequate authority does not exist, or adequate resources are not available, to implement such program or portion;

(C) the schedule for implementing such program or portion is not sufficiently expeditious; or

(D) the practices and measures proposed in such program or portion are not adequate to reduce the level of pollution in navigable waters in the State resulting from nonpoint sources and to improve the quality of navigable waters in the State;

the Administrator shall within 6 months of the receipt of the proposed program notify the State of any revisions or modifications necessary to obtain approval. The State shall thereupon have an additional 3 months to submit its revised management program and the Administrator shall approve or disapprove such revised program within three months of receipt.

(3) FAILURE OF STATE TO SUBMIT REPORT.—If a Governor of a State does not submit the report required by subsection (a) within the period specified by subsection (c)(2), the Administrator shall, within 30 months after the date of the enactment of this section, prepare a report for such State which makes the identifications required by paragraphs (1)(A) and (1)(B) of subsection (a). Upon completion of the requirement of the preceding sentence and after notice and opportunity for comment, the Administrator shall report to Congress on his actions pursuant to this section.

(e) LOCAL MANAGEMENT PROGRAMS; TECHNICAL ASSISTANCE.—If a State fails to submit a management program under subsection (b) or the Administrator does not approve such a management program, a local public agency or organization which has expertise in, and authority to, control water pollution resulting from nonpoint sources in any area of such State which the Administrator determines is of sufficient geographic size may, with approval of such State, request the Administrator to provide, and the Administrator shall provide, technical assistance to such agency or organization in developing for such area a management program which is described in subsection (b) and can be approved pursuant to subsection (d). After development of such management program, such agency or organization shall submit such management program to the Administrator for approval. If the Administrator approves such management program, such agency or organization shall be eligible to receive financial assistance under subsection (h) for implementation of such management program as if such agency or organization were a State for which a report submitted under subsection (a) and a management program submitted under subsection (b) were approved under this section. Such financial assistance shall be subject to the same terms and conditions as assistance provided to a State under subsection (h).

(f) TECHNICAL ASSISTANCE FOR STATE.—Upon request of a State, the Administrator may provide technical assistance to such State in developing a management program approved under subsection (b) for those portions of the navigable waters requested by such State.

(g) INTERSTATE MANAGEMENT CONFERENCE.—

(1) CONVENING OF CONFERENCE; NOTIFICATION; PURPOSE.—If any portion of the navigable waters in any State which is implementing a management program approved under this section is not meeting applicable water quality standards or the goals and requirements of this Act as a result, in whole or in part, of pollution from nonpoint sources in another State, such State may petition the Administrator to convene, and the Administrator shall convene, a management conference of all States which contribute significant pollution resulting from nonpoint sources to such portion. If, on the basis of information available, the Administrator determines that a State is not meeting applicable water quality standards or the goals and requirements of this Act as a result, in whole or in part, of significant pollution from nonpoint sources in another State, the Administrator shall notify such States. The Administrator may convene a management conference under this paragraph not later than 180 days after giving such notification, whether or not the State which is not meeting such standards requests such conference. The purpose of such conference shall be to develop an agreement among such States to reduce the level of pollution in such portion resulting from nonpoint sources and to improve the water quality of such portion. Nothing in such agreement shall supersede or abrogate rights to quantities of water which have been established by interstate water compacts, Supreme Court decrees, or State water laws. This subsection shall not apply to any pollution which is subject to the Colorado River Basin Salinity Control Act. The requirement that the Administrator convene a management conference shall not be subject to the provisions of section 505 of this Act.

(2) STATE MANAGEMENT PROGRAM REQUIREMENT.—To the extent that the States reach agreement through such conference, the management programs of the States which are parties to such agreements and which contribute significant pollution to the navigable waters or portions thereof not meeting applicable water quality standards or goals and requirements of this Act will be revised to reflect such agreement. Such management programs shall be consistent with Federal and State law.

(h) GRANT PROGRAM.—

(1) GRANTS FOR IMPLEMENTATION OF MANAGEMENT PROGRAMS.—Upon application of a State for which a report submitted under subsection (a) and a management program submitted under subsection (b) is approved under this section, the Administrator shall make grants, subject to such terms and conditions as the Administrator considers appropriate, under this subsection to such State for the purpose of assisting the State in implementing such management program. Funds reserved pursuant to section 205(j)(5) of this Act may be used to develop and implement such management program.

(2) APPLICATIONS.—An application for a grant under this subsection in any fiscal year shall be in such form and shall contain such other information as the Administrator may require, including an identification and description of the best management practices and measures which the State proposes

to assist, encourage, or require in such year with the Federal assistance to be provided under the grant.

(3) FEDERAL SHARE.—The Federal share of the cost of each management program implemented with Federal assistance under this subsection in any fiscal year shall not exceed 60 percent of the cost incurred by the State in implementing such management program and shall be made on condition that the non-Federal share is provided from non-Federal sources.

(4) LIMITATION ON GRANT AMOUNTS.—Notwithstanding any other provision of this subsection, not more than 15 percent of the amount appropriated to carry out this subsection may be used to make grants to any one State, including any grants to any local public agency or organization with authority to control pollution from nonpoint sources in any area of such State.

(5) PRIORITY FOR EFFECTIVE MECHANISMS.—For each fiscal year beginning after September 30, 1987, the Administrator may give priority in making grants under this subsection, and shall give consideration in determining the Federal share of any such grant, to States which have implemented or are proposing to implement management programs which will—

(A) control particularly difficult or serious nonpoint source pollution problems, including, but not limited to, problems resulting from mining activities;

(B) implement innovative methods or practices for controlling nonpoint sources of pollution, including regulatory programs where the Administrator deems appropriate;

(C) control interstate nonpoint source pollution problems; or

(D) carry out ground water quality protection activities which the Administrator determines are part of a comprehensive nonpoint source pollution control program, including research, planning, ground water assessments, demonstration programs, enforcement, technical assistance, education, and training to protect ground water quality from nonpoint sources of pollution.

(6) AVAILABILITY FOR OBLIGATION.—The funds granted to each State pursuant to this subsection in a fiscal year shall remain available for obligation by such State for the fiscal year for which appropriated. The amount of any such funds not obligated by the end of such fiscal year shall be available to the Administrator for granting to other States under this subsection in the next fiscal year.

(7) LIMITATION ON USE OF FUNDS.—States may use funds from grants made pursuant to this section for financial assistance to persons only to the extent that such assistance is related to the costs of demonstration projects.

(8) SATISFACTORY PROGRESS.—No grant may be made under this subsection in any fiscal year to a State which in the preceding fiscal year received a grant under this subsection unless the Administrator determines that such State made satisfactory progress in such preceding fiscal year in meeting the schedule specified by such State under subsection (b)(2).

(9) MAINTENANCE OF EFFORT.—No grant may be made to a State under this subsection in any fiscal year unless such

State enters into such agreements with the Administrator as the Administrator may require to ensure that such State will maintain its aggregate expenditures from all other sources for programs for controlling pollution added to the navigable waters in such State from nonpoint sources and improving the quality of such waters at or above the average level of such expenditures in its two fiscal years preceding the date of enactment of this subsection.

(10) REQUEST FOR INFORMATION.—The Administrator may request such information, data, and reports as he considers necessary to make the determination of continuing eligibility for grants under this section.

(11) REPORTING AND OTHER REQUIREMENTS.—Each State shall report to the Administrator on an annual basis concerning (A) its progress in meeting the schedule of milestones submitted pursuant to subsection (b)(2)(C) of this section, and (B) to the extent that appropriate information is available, reductions in nonpoint source pollutant loading and improvements in water quality for those navigable waters or watersheds within the State which were identified pursuant to subsection (a)(1)(A) of this section resulting from implementation of the management program.

(12) LIMITATION ON ADMINISTRATIVE COSTS.—For purposes of this subsection, administrative costs in the form of salaries, overhead, or indirect costs for services provided and charged against activities and programs carried out with a grant under this subsection shall not exceed in any fiscal year 10 percent of the amount of the grant in such year, except that costs of implementing enforcement and regulatory activities, education, training, technical assistance, demonstration projects, and technology transfer programs shall not be subject to this limitation.

(i) GRANTS FOR PROTECTING GROUNDWATER QUALITY.—

(1) ELIGIBLE APPLICANTS AND ACTIVITIES.—Upon application of a State for which a report submitted under subsection (a) and a plan submitted under subsection (b) is approved under this section, the Administrator shall make grants under this subsection to such State for the purpose of assisting such State in carrying out groundwater quality protection activities which the Administrator determines will advance the State toward implementation of a comprehensive nonpoint source pollution control program. Such activities shall include, but not be limited to, research, planning, groundwater assessment, demonstration programs, enforcement, technical assistance, education and training to protect the quality of groundwater and to prevent contamination of groundwater from nonpoint sources of pollution.

(2) APPLICATIONS.—An application for a grant under this subsection shall be in such form and shall contain such information as the Administrator may require.

(3) FEDERAL SHARE; MAXIMUM AMOUNT.—The Federal share of the cost of assisting a State in carrying out groundwater protection activities in any fiscal year under this subsection shall be 50 percent of the costs incurred by the State

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in carrying out such activities, except that the maximum amount of Federal assistance which any State may receive under this subsection in any fiscal year shall not exceed $150,000.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsections (h) and (i) not to exceed $70,000,000 for fiscal year 1988, $100,000,000 per fiscal year for each of fiscal years 1989 and 1990, and $130,000,000 for fiscal year 1991; except that for each of such fiscal years not to exceed $7,500,000 may be made available to carry out subsection (i). Sums appropriated pursuant to this subsection shall remain available until expended.

(k) CONSISTENCY OF OTHER PROGRAMS AND PROJECTS WITH MANAGEMENT PROGRAMS.—The Administrator shall transmit to the Office of Management and Budget and the appropriate Federal departments and agencies a list of those assistance programs and development projects identified by each State under subsection (b)(2)(F) for which individual assistance applications and projects will be reviewed pursuant to the procedures set forth in Executive Order 12372 as in effect on September 17, 1983. Beginning not later than sixty days after receiving notification by the Administrator, each Federal department and agency shall modify existing regulations to allow States to review individual development projects and assistance applications under the identified Federal assistance programs and shall accommodate, according to the requirements and definitions of Executive Order 12372, as in effect on September 17, 1983, the concerns of the State regarding the consistency of such applications or projects with the State nonpoint source pollution management program.

(l) COLLECTION OF INFORMATION.—The Administrator shall collect and make available, through publications and other appropriate means, information pertaining to management practices and implementation methods, including, but not limited to, (1) information concerning the costs and relative efficiencies of best management practices for reducing nonpoint source pollution; and (2) available data concerning the relationship between water quality and implementation of various management practices to control nonpoint sources of pollution.

(m) SET ASIDE FOR ADMINISTRATIVE PERSONNEL.—Not less than 5 percent of the funds appropriated pursuant to subsection (j) for any fiscal year shall be available to the Administrator to maintain personnel levels at the Environmental Protection Agency at levels which are adequate to carry out this section in such year.

(33 U.S.C. 1329)

SEC. 320. NATIONAL ESTUARY PROGRAM.

(a) MANAGEMENT CONFERENCE.—

(1) NOMINATION OF ESTUARIES.—The Governor of any State may nominate to the Administrator an estuary lying in whole or in part within the State as an estuary of national significance and request a management conference to develop a comprehensive management plan for the estuary. The nomination shall document the need for the conference, the likelihood of

success, and information relating to the factors in paragraph (2).

(2) CONVENING OF CONFERENCE.—

(A) IN GENERAL.—In any case where the Administrator determines, on his own initiative or upon nomination of a State under paragraph (1), that the attainment or maintenance of that water quality in an estuary which assures protection of public water supplies and the protection and propagation of a balanced, indigenous population of shellfish, fish, and wildlife and allows recreational activities, in and on the water, requires the control of point and nonpoint sources of pollution to supplement existing controls of pollution in more than one State, the Administrator shall select such estuary and convene a management conference.

(B) PRIORITY CONSIDERATION.—The Administrator shall give priority consideration under this section to Long Island Sound, New York and Connecticut; Narragansett Bay, Rhode Island; Buzzards Bay, Massachusetts; Massachusetts Bay, Massachusetts (including Cape Cod Bay and Boston Harbor);[1] Puget Sound, Washington; New York-New Jersey Harbor, New York and New Jersey; Delaware Bay, Delaware and New Jersey; Delaware Inland Bays, Delaware; Albermarle Sound, North Carolina; Sarasota Bay, Florida; San Francisco Bay, California; Santa Monica Bay, California; Galveston Bay, Texas;[2] Barataria-Terrebonne Bay estuary complex, Louisiana; Indian River Lagoon, Florida; and Peconic Bay, New York.

(3) BOUNDARY DISPUTE EXCEPTION.—In any case in which a boundary between two States passes through an estuary and such boundary is disputed and is the subject of an action in any court, the Administrator shall not convene a management conference with respect to such estuary before a final adjudication has been made of such dispute.

(b) PURPOSES OF CONFERENCE.—The purposes of any management conference convened with respect to an estuary under this subsection shall be to—

(1) assess trends in water quality, natural resources, and uses of the estuary;

(2) collect, characterize, and assess data on toxics, nutrients, and natural resources within the estuarine zone to identify the causes of environmental problems;

(3) develop the relationship between the inplace loads and point and nonpoint loadings of pollutants to the estuarine zone and the potential uses of the zone, water quality, and natural resources;

(4) develop a comprehensive conservation and management plan that recommends priority corrective actions and compliance schedules addressing point and nonpoint sources of pollution to restore and maintain the chemical, physical, and bio-

[1] Both P.L. 100–653 and P.L. 100–658 inserted the same Massachusetts Bay phrase after Buzzards Bay; so that the phrase appears twice.

[2] P.L. 100–688, section 2001(3) inserted the Louisiana, Florida, New York bays after "Galveston, Texas;" which technically could not be executed.

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logical integrity of the estuary, including restoration and maintenance of water quality, a balanced indigenous population of shellfish, fish and wildlife, and recreational activities in the estuary, and assure that the designated uses of the estuary are protected;

(5) develop plans for the coordinated implementation of the plan by the States as well as Federal and local agencies participating in the conference;

(6) monitor the effectiveness of actions taken pursuant to the plan; and

(7) review all Federal financial assistance programs and Federal development projects in accordance with the requirements of Executive Order 12372, as in effect on September 17, 1983, to determine whether such assistance program or project would be consistent with and further the purposes and objectives of the plan prepared under this section.

For purposes of paragraph (7), such programs and projects shall not be limited to the assistance programs and development projects subject to Executive Order 12372, but may include any programs listed in the most recent Catalog of Federal Domestic Assistance which may have an effect on the purposes and objectives of the plan developed under this section.

(c) MEMBERS OF CONFERENCE.—The members of a management conference convened under this section shall include, at a minimum, the Administrator and representatives of—

(1) each State and foreign nation located in whole or in part in the estuarine zone of the estuary for which the conference is convened;

(2) international, interstate, or regional agencies or entities having jurisdiction over all or a significant part of the estuary;

(3) each interested Federal agency, as determined appropriate by the Administrator;

(4) local governments having jurisdiction over any land or water within the estuarine zone, as determined appropriate by the Administrator; and

(5) affected industries, public and private educational institutions, and the general public, as determined appropriate by the Administrator.

(d) UTILIZATION OF EXISTING DATA.—In developing a conservation and management plan under this section, the management conference shall survey and utilize existing reports, data, and studies relating to the estuary that have been developed by or made available to Federal, interstate, State, and local agencies.

(e) PERIOD OF CONFERENCE.—A management conference convened under this section shall be convened for a period not to exceed 5 years. Such conference may be extended by the Administrator, and if terminated after the initial period, may be reconvened by the Administrator at any time thereafter, as may be necessary to meet the requirements of this section.

(f) APPROVAL AND IMPLEMENTATION OF PLANS.—

(1) APPROVAL.—Not later than 120 days after the completion of a conservation and management plan and after providing for public review and comment, the Administrator shall

approve such plan if the plan meets the requirements of this section and the affected Governor or Governors concur.

(2) IMPLEMENTATION.—Upon approval of a conservation and management plan under this section, such plan shall be implemented. Funds authorized to be appropriated under titles II and VI and section 319 of this Act may be used in accordance with the applicable requirements of this Act to assist States with the implementation of such plan.

(g) GRANTS.—

(1) RECIPIENTS.—The Administrator is authorized to make grants to State, interstate, and regional water pollution control agencies and entities, State coastal zone management agencies, interstate agencies, other public or nonprofit private agencies, institutions, organizations, and individuals.

(2) PURPOSES.—Grants under this subsection shall be made to pay for assisting research, surveys, studies, and modeling and other technical work necessary for the development of a conservation and management plan under this section.

(3) FEDERAL SHARE.—The amount of grants to any person (including a State, interstate, or regional agency or entity) under this subsection for a fiscal year shall not exceed 75 percent of the costs of such research, survey, studies, and work and shall be made on condition that the non-Federal share of such costs are provided from non-Federal sources.

(h) GRANT REPORTING.—Any person (including a State, interstate, or regional agency or entity) that receives a grant under subsection (g) shall report to the Administrator not later than 18 months after receipt of such grants and biennially there after on the progress being made under this section.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator not to exceed $12,000,000 per fiscal year for each of fiscal years 1987, 1988, 1989, 1990, and 1991 for—

(1) expenses related to the administration of management conferences under this section, not to exceed 10 percent of the amount appropriated under this subsection;

(2) making grants under subsection (g); and

(3) monitoring the implementation of a conservation and management plan by the management conference or by the Administrator, in any case in which the conference has been terminated.

The Administrator shall provide up to $5,000,000 per fiscal year of the sums authorized to be appropriated under this subsection to the Administrator of the National Oceanic and Atmospheric Administration to carry out subsection (j).

(j) RESEARCH.—

(1) PROGRAMS.—In order to determine the need to convene a management conference under this section or at the request of such a management conference, the Administrator shall coordinate and implement, through the National Marine Pollution Program Office and the National Marine Fisheries Service of the National Oceanic and Atmospheric Administration, as appropriate, for one or more estuarine zones—

(A) a long-term program of trend assessment monitoring measuring variations in pollutant concentrations, marine ecology, and other physical or biological environmental paramenters which may affect estuarine zones, to provide the Administrator the capacity to determine the potential and actual effects of alternative management strategies and measures;

(B) a program of ecosystem assessment assisting in the development of (i) baseline studies which determine the state of estuarine zones and the effects of natural and anthropogenic changes, and (ii) predictive models capable of translating information on specific discharges or general pollutant loadings within estuarine zones into a set of probable effects on such zones;

(C) a comprehensive water quality sampling program for the continuous monitoring of nutrients, chlorine, acid precipitation dissolved oxygen, and potentially toxic pollutants (including organic chemicals and metals) in estuarine zones, after consultation with interested State, local, interstate, or international agencies and review and analysis of all environmental sampling data presently collected from estuarine zones; and

(D) a program of research to identify the movements of nutrients, sediments and pollutants through estuarine zones and the impact of nutrients, sediments, and pollutants on water quality, the ecosystem, and designated or potential uses of the estuarine zones.

(2) REPORTS.—The Administrator, in cooperation with the Administrator of the National Oceanic and Atmospheric Administration, shall submit to the Congress no less often than biennially a comprehensive report on the activities authorized under this subsection including—

(A) a listing of priority monitoring and research needs;

(B) an assessment of the state and health of the Nation's estuarine zones, to the extent evaluated under this subsection;

(C) a discussion of pollution problems and trends in pollutant concentrations with a direct or indirect effect on water quality, the ecosystem, and designated or potential uses of each estuarine zone, to the extent evaluated under this subsection; and

(D) an evaluation of pollution abatement activities and management measures so far implemented to determine the degree of improvement toward the objectives expressed in subsection (b)(4) of this section.

(k) DEFINITIONS.—For purposes of this section, the terms "estuary" and "estuarine zone" have the meanings such terms have in section 104(n)(3) of this Act, except that the term "estuarine zone" shall also include associated aquatic ecosystems and those portions of tributaries draining into the estuary up to the historic height of migration of anadromous fish or the historic head of tidal influence, whichever is higher.

(33 U.S.C. 1330)

TITLE IV—PERMITS AND LICENSES

CERTIFICATION

SEC. 401. (a)(1) Any applicant for a Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters, shall provide the licensing or permitting agency a certification from the State in which the discharge originates or will originate, or, if appropriate, from the interstate water pollution control agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate, that any such discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307 of this Act. In the case of any such activity for which there is not an applicable effluent limitation or other limitation under sections 301(b) and 302, and there is not an applicable standard under sections 306 and 307, the State shall so certify, except that any such certification shall not be deemed to satisfy section 511(c) of this Act. Such State or interstate agency shall establish procedures for public notice in the case of all applications for certification by it and, to the extent it deems appropriate, procedures for public hearings in connection with specific applications. In any case where a State or interstate agency has no authority to give such a certification, such certification shall be from the Administrator. If the State, interstate agency, or Administrator, as the case may be, fails or refuses to act on a request for certification, within a reasonable period of time (which shall not exceed one year) after receipt of such request, the certification requirements of this subsection shall be waived with respect to such Federal application. No license or permit shall be granted until the certification required by this section has been obtained or has been waived as provided in the preceding sentence. No license or permit shall be granted if certification has been denied by the State, interstate agency, or the Administrator, as the case may be.

(2) Upon receipt of such application and certification the licensing or permitting agency shall immediately notify the Administrator of such application and certification. Whenever such a discharge may affect, as determined by the Administrator, the quality of the waters of any other State, the Administrator within thirty days of the date of notice of application for such Federal license or permit shall so notify such other State, the licensing or permitting agency, and the applicant. If, within sixty days after receipt of such notification, such other State determines that such discharge will affect the quality of its waters so as to violate any water quality requirement in such State, and within such sixty-day period notifies the Administrator and the licensing or permitting agency in writing of its objection to the issuance of such license or permit and requests a public hearing on such objection, the licensing or permitting agency shall hold such a hearing. The Administrator shall at such hearing submit his evaluation and recommendations with respect to any such objection to the licensing or permitting agency. Such agency, based upon the recommendations of such State, the Administrator, and upon any additional evidence, if any, presented to the agency at the hearing, shall condition such license or permit in such manner as may be necessary to insure compliance with ap-

plicable water quality requirements. If the imposition of conditions cannot insure such compliance such agency shall not issue such license or permit.

(3) The certification obtained pursuant to paragraph (1) of this subsection with respect to the construction of any facility shall fulfill the requirements of this subsection with respect to certification in connection with any other Federal license or permit required for the operation of such facility unless, after notice to the certifying State, agency, or Administrator, as the case may be, which shall be given by the Federal agency to whom application is made for such operating license or permit, the State, or if appropriate, the interstate agency or the Administrator, notifies such agency within sixty days after receipt of such notice that there is no longer reasonable assurance that there will be compliance with the applicable provisions of sections 301, 302, 303, 306, and 307 of this Act because of changes since the construction license or permit certification was issued in (A) the construction or operation of the facility, (B) the characteristics of the waters into which such discharge is made, (C) the water quality criteria applicable to such waters or (D) applicable effluent limitations or other requirements. This paragraph shall be inapplicable in any case where the applicant for such operating license or permit has failed to provide the certifying State, or, if appropriate, the interstate agency or the Administrator, with notice of any proposed changes in the construction or operation of the facility with respect to which a construction license or permit has been granted, which changes may result in violation of section 301, 302, 303, 306, or 307 of this Act.

(4) Prior to the initial operation of any federally licensed or permitted facility or activity which may result in any discharge into the navigable waters and with respect to which a certification has been obtained pursuant to paragraph (1) of this subsection, which facility or activity is not subject to a Federal operating license or permit, the licensee or permittee shall provide an opportunity for such certifying State, or, if appropriate, the interstate agency or the Administrator to review the manner in which the facility or activity shall be operated or conducted for the purposes of assuring that applicable effluent limitations or other limitations or other applicable water quality requirements will not be violated. Upon notification by the certifying State, or if appropriate, the interstate agency or the Administrator that the operation of any such federally licensed or permitted facility or activity will violate applicable effluent limitations or other limitations or other water quality requirements such Federal agency may, after public hearing, suspend such license or permit. If such license or permit is suspended, it shall remain suspended until notification is received from the certifying State, agency, or Administrator, as the case may be, that there is reasonable assurance that such facility or activity will not violate the applicable provisions of section 301, 302, 303, 306, or 307 of this Act.

(5) Any Federal license or permit with respect to which a certification has been obtained under paragraph (1) of this subsection may be suspended or revoked by the Federal agency issuing such license or permit upon the entering of a judgment under this Act that such facility or activity has been operated in violation of the

applicable provisions of section 301, 302, 303, 306, or 307 of this Act.

(6) Except with respect to a permit issued under section 402 of this Act, in any case where actual construction of a facility has been lawfully commenced prior to April 3, 1970, no certification shall be required under this subsection for a license or permit issued after April 3, 1970, to operate such facility, except that any such license or permit issued without certification shall terminate April 3, 1973, unless prior to such termination date the person having such license or permit submits to the Federal agency which issued such license or permit a certification and otherwise meets the requirements of this section.

(b) Nothing in this section shall be construed to limit the authority of any department or agency pursuant to any other provision of law to require compliance with any applicable water quality requirements. The Administrator shall, upon the request of any Federal department or agency, or State or interstate agency, or applicant, provide, for the purpose of this section, any relevant information on applicable effluent limitations, or other limitations, standards, regulations, or requirements, or water quality criteria, and shall, when requested by any such department or agency or State or interstate agency, or applicant, comment on any methods to comply with such limitations, standards, regulations, requirements, or criteria.

(c) In order to implement the provisions of this section, the Secretary of the Army, acting throught the Chief of Engineers, is authorized, if he deems it to be in the public interest, to permit the use of spoil disposal areas under his jurisdiction by Federal licenses or permittees, and to make an appropriate charge for such use. Moneys received from such licensees or permittees shall be deposited in the Treasury as miscellaneous receipts.

(d) Any certification provided under this section shall set forth any effluent limitations and other limitations, and monitoring requirements necessary to assure that any applicant for a Federal license or permit will comply with any applicable effluent limitations and other limitations, under section 301 or 302 of this Act, standard of performance under section 306 of this Act, or prohibition, effluent standard, or pretreatment standard under section 307 of this Act, and with any other appropriate requirement of State law set forth in such certification, and shall become a condition on any Federal license or permit subject to the provisions of this section.

(33 U.S.C. 1341)

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

SEC. 402. (a)(1) Except as provided in sections 318 and 404 of this Act, the Administrator may, after opportunity for public hearing, issue a permit for the discharge of any pollutant, or combination of pollutants, notwithstanding section 301(a), upon condition that such discharge will meet either (A) all applicable requirements under sections 301, 302, 306, 307, 308, and 403 of this Act, or (B) prior to the taking of necessary implementing actions relating to all such requirements, such conditions as the Administrator determines are necessary to carry out the provisions of this Act.

(2) The Administrator shall prescribe conditions for such permits to assure compliance with the requirements of paragraph (1) of this subsection, including conditions on data and information collection, reporting, and such other requirements as he deems appropriate.

(3) The permit program of the Administrator under paragraph (1) of this subsection, and permits issued thereunder, shall be subject to the same terms, conditions, and requirements as apply to a State permit program and permits issued thereunder under subsection (b) of this section.

(4) All permits for discharges into the navigable waters issued pursuant to section 13 of the Act of March 3, 1899, shall be deemed to be permits issued under this title, and permits issued under this title shall be deemed to be permits issued under section 13 of the Act of March 3, 1899, and shall continue in force and effect for their term unless revoked, modified, or suspended in accordance with the provisions of this Act.

(5) No permit for a discharge into the navigable waters shall be issued under section 13 of the Act of March 3, 1899, after the date of enactment of this title. Each application for a permit under section 13 of the Act of March 3, 1899, pending on the date of enactment of this Act shall be deemed to be an application for a permit under this section. The Administrator shall authorize a State, which he determines has the capability of administering a permit program which will carry out the objective of this Act, to issue permits for discharges into the navigable waters within the jurisdiction of such State. The Administrator may exercise the authority granted him by the preceding sentence only during the period which begins on the date of enactment of this Act and ends either on the ninetieth day after the date of the first promulgation of guidelines required by section 304(h)(2) of this Act, or the date of approval by the Administrator of a permit program for such State under subsection (b) of this section, whichever date first occurs, and no such authorization to a State shall extend beyond the last day of such period. Each such permit shall be subject to such conditions as the Administrator determines are necessary to carry out the provisions of this Act. No such permit shall issue if the Administrator objects to such issuance.

(b) At any time after the promulgation of the guidelines required by subsection (h)(2) of section 304 of this Act, the Governor of each State desiring to administer its own permit program for discharges into navigable waters within its jurisdiction may submit to the Administrator a full and complete discription of the program it proposes to establish and administer under State law or under an interstate compact. In addition, such State shall submit a statement from the attorney general (or the attorney for those State water pollution control agencies which have independent legal counsel), or from the chief legal officer in the case of an interstate agency, that the laws of such State, or the interstate compact, as the case may be, provide adequate authority to carry out the described program. The Administrator shall approve each such submitted program unless he determines that adequate authority does not exist:

(1) To issue permits which—

(A) apply, and insure compliance with, any applicable requirements of sections 301, 302, 306, 307, and 403;

(B) are for fixed terms not exceeding five years; and

(C) can be terminated or modified for cause including, but not limited to, the following:

(i) violation of any condition of the permit;

(ii) obtaining a permit by misrepresentation, or failure to disclose fully all relevant facts;

(iii) change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;

(D) control the disposal of pollutants into wells;

(2)(A) To issue permits which apply, and insure compliance with, all applicable requirements of section 308 of this Act, or

(B) To inspect, monitor, enter, and require reports to at least the same extent as required in section 308 of this Act;

(3) To insure that the public, and any other State the waters of which may be affected, receive notice of each application for a permit and to provide an opportunity for public hearing before a ruling on each such application;

(4) To insure that the Administrator receives notice of each application (including a copy thereof) for a permit;

(5) To insure that any State (other than the permitting State), whose waters may be affected by the issuance of a permit may submit written recommendations to the permitting State (and the Administrator) with respect to any permit application and, if any part of such written recommendations are not accepted by the permitting State, that the permitting State will notify such affected State (and the Administrator) in writing of its failure to so accept such recommendations together with its reasons for so doing;

(6) To insure that no permit will be issued if, in the judgment of the Secretary of the Army acting through the Chief of Engineers, after consultation with the Secretary of the department in which the Coast Guard is operating, anchorage and navigation of any of the navigable waters would be substantially impaired thereby;

(7) To abate violations of the permit or the permit program, including civil and criminal penalties and other ways and means of enforcement;

(8) To insure that any permit for a discharge from a publicly owned treatment works includes conditions to require the identification in terms of character and volume of pollutants of any significant source introducing pollutants subject to pretreatment standards under section 307(b) of this Act into such works and a program to assure compliance with such pretreatment standards by each such source, in addition to adequate notice to the permitting agency of (A) new introductions into such works of pollutants from any source which would be a new source as defined in section 306 if such source were discharging pollutants, (B) new introductions of pollutants into such works from a source which would be subject to section 301 if it were discharging such pollutants, or (C) a substantial change in volume or character of pollutants being introduced into such works by a source introducing pollutants into such works at the time of issuance of the permit. Such notice shall include information on the quality and quantity of effluent to be in-

troduced into such treatment works and any anticipated impact of such change in the quantity or quality of effluent to be discharged from such publicly owned treatment works; and

(9) To insure that any industrial user of any publicly owned treatment works will comply with sections 204(b), 307, and 308.

(c)(1) Not later than ninety days after the date on which a State has submitted a program (or revision thereof) pursuant to subsection (b) of this section, the Administrator shall suspend the issuance of permits under subsection (a) of this section as to those discharges subject to such program unless he determines that the State permit program does not meet the requirements of subsection (b) of this section or does not conform to the guidelines issued under section 304(i)(2) of this Act. If the Administrator so determines, he shall notify the State or any revisons or modifications necessary to conform to such requirements or guidelines.

(2) Any State permit program under this section shall at all times be in accordance with this section and guidelines promulgated pursuant to section 304(h)(2) of this Act.

(3) Whenever the Administrator determines after public hearing that a State is not administering a program approved under this section in accordance with requirements of this section, he shall so notify the State and, if appropriate corrective action is not taken within a reasonable time, not to exceed ninety days, the Administrator shall withdraw approval of such program. The Administrator shall not withdraw approval of any such program unless he shall first have notified the State, and made public, in writing, the reasons for such withdrawal.

(4) LIMITATIONS ON PARTIAL PERMIT PROGRAM RETURNS AND WITHDRAWALS.—A State may return to the Administrator administration, and the Administrator may withdraw under paragraph (3) of this subsection approval, of—

(A) a State partial permit program approved under subsection (n)(3) only if the entire permit program being administered by the State department or agency at the time is returned or withdrawn; and

(B) a State partial permit program approved under subsection (n)(4) only if an entire phased component of the permit program being administered by the State at the time is returned or withdrawn.

(d)(1) Each State shall transmit to the Administrator a copy of each permit application received by such State and provide notice to the Administrator of every action related to the consideration of such permit application, including each permit proposed to be issued by such State.

(2) No permit shall issue (A) if the Administrator within ninety days of the date of his notification under subsection (b)(5) of this section objects in writing to the issuance of such permit, or (B) if the Administrator within ninety days of the date of transmittal of the proposed permit by the State objects in writing to the issuance of such permit as being outside the guidelines and requirements of this Act. Whenever the Administrator objects to the issuance of a permit under this paragraph such written objection shall contain a statement of the reasons for such objection and the effluent limita-

tions and conditions which such permit would include if it were issued by the Administrator.

(3) The Administrator may, as to any permit application, waive paragraph (2) of this subsection.

(4) In any case where, after the date of enactment of this paragraph, the Administrator, pursuant to paragraph (2) of this subsection, objects to the issuance of a permit, on request of the State, a public hearing shall be held by the Administrator on such objection. If the State does not resubmit such permit revised to meet such objection within 30 days after completion of the hearing, or, if no hearing is requested within 90 days after the date of such objection, the Administrator may issue the permit pursuant to subsection (a) of this section for such source in accordance with the guidelines and requirements of this Act.

(e) In accordance with guidelines promulgated pursuant to subsection (h)(2) of section 304 of this Act, the Administrator is authorized to waive the requirements of subsection (d) of this section at the time he approves a program pursuant to subsection (b) of this section for any category (including any class, type, or size within such category) of point sources within the State submitting such program.

(f) The Administrator shall promulgate regulations establishing categories of point sources which he determines shall not be subject to the requirements of subsection (d) of this section in any State with a program approved pursuant to subsection (b) of this section. The Administrator may distinguish among classes, types, and sizes within any category of point sources.

(g) Any permit issued under this section for the discharge of pollutants into the navigable waters from a vessel or other floating craft shall be subject to any applicable regulations promulgated by the Secretary of the Department in which the Coast Guard is operating, establishing specifications for safe transportation, handling, carriage, storage, and stowage of pollutants.

(h) In the event any condition of a permit for discharges from a treatment works (as defined in section 212 of this Act) which is publicly owned is violated, a State with a program approved under subsection (b) of this section or the Administrator, where no State program is approved or where the Administrator determines pursuant to section 309(a) of this Act that a State with an approved program has not commenced appropriate enforcement action with respect to such permit, may proceed in a court of competent jurisdiction to restrict or prohibit the introduction of any pollutant into such treatment works by a source not utilizing such treatment works prior to the finding that such condition was violated.

(i) Nothing in this section shall be construed to limit the authority of the Administrator to take action pursuant to section 309 of this Act.

(j) A copy of each permit application and each permit issued under this section shall be available to the public. Such permit application or permit, or portion thereof, shall further be available on request for the purpose of reproduction.

(k) Compliance with a permit issued pursuant to this section shall be deemed compliance, for purposes of sections 309 and 505, with sections 301, 302, 306, 307, and 403, except any standard im-

posed under section 307 for a toxic pollutant injurious to human health. Until December 31, 1974, in any case where a permit for discharge has been applied for pursuant to this section, but final administrative disposition of such application has not been made, such discharge shall not be a violation of (1) section 301, 306, or 402 of this Act, or (2) section 13 of the Act of March 3, 1899, unless the Administrator or other plaintiff proves that final administrative disposition of such application has not been made because of the failure of the applicant to furnish information reasonably required or requested in order to process the application. For the 180-day period beginning on the date of enactment of the Federal Water Pollution Control Act Amendments of 1972, in the case of any point source discharging any pollutant or combination of pollutants immediately prior to such date of enactment which source is not subject to section 13 of the Act of March 3, 1899, the discharge by such source shall not be a violation of this Act if such a source applies for a permit for discharge pursuant to this section within such 180-day period.

(l) LIMITATION ON PERMIT REQUIREMENT.—

(1) AGRICULTURAL RETURN FLOWS.—The Administrator shall not require a permit under this section for discharges composed entirely of return flows from irrigated agriculture, nor shall the Administrator directly or indirectly, require any State to require such a permit.

(2) STORMWATER RUNOFF FROM OIL, GAS, AND MINING OPERATIONS.—The Administrator shall not require a permit under this section, nor shall the Administrator directly or indirectly require any State to require a permit, for discharges of stormwater runoff from mining operations or oil and gas exploration, production, processing, or treatment operations or transmission facilities, composed entirely of flows which are from conveyances or systems of conveyances (including but not limited to pipes, conduits, ditches, and channels) used for collecting and conveying precipitation runoff and which are not contaminated by contact with, or do not come into contact with, any overburden, raw material, intermediate products, finished product, byproduct, or waste products located on the site of such operations.

(m) ADDITIONAL PRETREATMENT OF CONVENTIONAL POLLUTANTS NOT REQUIRED.—To the extent a treatment works (as defined in section 212 of this Act) which is publicly owned is not meeting the requirements of a permit issued under this section for such treatment works as a result of inadequate design or operation of such treatment works, the Administrator, in issuing a permit under this section, shall not require pretreatment by a person introducing conventional pollutants identified pursuant to a section 304(a)(4) of this Act into such treatment works other than pretreatment required to assure compliance with pretreatment standards under subsection (b)(8) of this section and section 307(b)(1) of this Act. Nothing in this subsection shall affect the Administrator's authority under sections 307 and 309 of this Act, affect State and local authority under sections 307(b)(4) and 510 of this Act, relieve such treatment works of its obligations to meet requirements established under this Act, or otherwise preclude such

works from pursuing whatever feasible options are available to meet its responsibility to comply with its permit under this section.

(n) PARTIAL PERMIT PROGRAM.—

(1) STATE SUBMISSION.—The Governor of a State may submit under subsection (b) of this section a permit program for a portion of the discharges into the navigable waters in such State.

(2) MINIMUM COVERAGE.—A partial permit program under this subsection shall cover, at a minimum, administration of a major category of the discharges into the navigable waters of the State or a major component of the permit program required by subsection (b).

(3) APPROVAL OF MAJOR CATEGORY PARTIAL PERMIT PROGRAMS.—The Administrator may approve a partial permit program covering administration of a major category of discharges under this subsection if—

(A) such program represents a complete permit program and covers all of the discharges under the jurisdiction of a department or agency of the State; and

(B) the Administrator determines that the partial program represents a significant and identifiable part of the State program required by subsection (b).

(4) APPROVAL OF MAJOR COMPONENT PARTIAL PERMIT PROGRAMS.—The Administrator may approve under this subsection a partial and phased permit program covering administration of a major component (including discharge categories) of a State permit program required by subsection (b) if—

(A) the Administrator determines that the partial program represents a significant and identifiable part of the State program required by subsection (b); and

(B) the State submits, and the Administrator approves, a plan for the State to assume administration by phases of the remainder of the State program required by subsection (b) by a specified date not more than 5 years after submission of the partial program under this subsection and agrees to make all reasonable efforts to assume such administration by such date.

(o) ANTI-BACKSLIDING.—

(1) GENERAL PROHIBITION.—In the case of effluent limitations established on the basis of subsection (a)(1)(B) of this section, a permit may not be renewed, reissued, or modified on the basis of effluent guidelines promulgated under section 304(b) subsequent to the original issuance of such permit, to contain effluent limitations which are less stringent than the comparable effluent limitations in the previous permit. In the case of effluent limitations established on the basis of section 301(b)(1)(C) or section 303(d) or (e), a permit may not be renewed, reissued, or modified to contain effluent limitations which are less stringent than the comparable effluent limitations in the previous permit except in compliance with section 303(d)(4).

(2) EXCEPTIONS.—A permit with respect to which paragraph (1) applies may be renewed, reissued, or modified to con-

tain a less stringent effluent limitation applicable to a pollutant if—

(A) material and substantial alterations or additions to the permitted facility occurred after permit issuance which justify the application of a less stringent effluent limitation;

(B)(i) information is available which was not available at the time of permit issuance (other than revised regulations, guidance, or test methods) and which would have justified the application of a less stringent effluent limitation at the time of permit issuance; or

(ii) the Administrator determines that technical mistakes or mistaken interpretations of law were made in issuing the permit under subsection (a)(1)(B);

(C) a less stringent effluent limitation is necessary because of events over which the permittee has no control and for which there is no reasonably available remedy;

(D) the permittee has received a permit modification under section 301(c), 301(g), 301(h), 301(i), 301(k), 301(n), or 316(a); or

(E) the permittee has installed the treatment facilities required to meet the effluent limitations in the previous permit and has properly operated and maintained the facilities but has nevertheless been unable to achieve the previous effluent limitations, in which case the limitations in the reviewed, reissued, or modified permit may reflect the level of pollutant control actually achieved (but shall not be less stringent than required by effluent guidelines in effect at the time of permit renewal, reissuance, or modification).

Subparagraph (B) shall not apply to any revised waste load allocations or any alternative grounds for translating water quality standards into effluent limitations, except where the cumulative effect of such revised allocations results in a decrease in the amount of pollutants discharged into the concerned waters, and such revised allocations are not the result of a discharger eliminating or substantially reducing its discharge of pollutants due to complying with the requirements of this Act or for reasons otherwise unrelated to water quality.

(3) LIMITATIONS.—In no event may a permit with respect to which paragraph (1) applies be renewed, reissued, or modified to contain an effluent limitation which is less stringent than required by effluent guidelines in effect at the time the permit is renewed, reissued, or modified. In no event may such a permit to discharge into waters be renewed, reissued, or modified to contain a less stringent effluent limitation if the implementation of such limitation would result in a violation of a water quality standard under section 303 applicable to such waters.

(p) MUNICIPAL AND INDUSTRIAL STORMWATER DISCHARGES.—

(1) GENERAL RULE.—Prior to October 1, 1994, the Administrator or the State (in the case of a permit program approved under section 402 of this Act) shall not require a permit under this section for discharges composed entirely of stormwater.

(2) EXCEPTIONS.—Paragraph (1) shall not apply with respect to the following stormwater discharges:

(A) A discharge with respect to which a permit has been issued under this section before the date of the enactment of this subsection.

(B) A discharge associated with industrial activity.

(C) A discharge from a municipal separate storm sewer system serving a population of 250,000 or more.

(D) A discharge from a municipal separate storm sewer system serving a population of 100,000 or more but less than 250,000.

(E) A discharge for which the Administrator or the State, as the case may be, determines that the stormwater discharge contributes to a violation of a water quality standard or is a significant contributor of pollutants to waters of the United States.

(3) PERMIT REQUIREMENTS.—

(A) INDUSTRIAL DISCHARGES.—Permits for discharges associated with industrial activity shall meet all applicable provisions of this section and section 301.

(B) MUNICIPAL DISCHARGE.—Permits for discharges from municipal storm sewers—

(i) may be issued on a system- or jurisdiction-wide basis;

(ii) shall include a requirement to effectively prohibit non-stormwater discharges into the storm sewers; and

(iii) shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system, design and engineering methods, and such other provisions as the Administrator or the State determines appropriate for the control of such pollutants.

(4) PERMIT APPLICATION REQUIREMENTS.—

(A) INDUSTRIAL AND LARGE MUNICIPAL DISCHARGES.—Not later than 2 years after the date of the enactment of this subsection, the Administrator shall establish regulations setting forth the permit application requirements for stormwater discharges described in paragraphs (2)(B) and (2)(C). Applications for permits for such discharges shall be filed no later than 3 years after such date of enactment. Not later than 4 year after such date of enactment the Administrator or the State, as the case may be, shall issue or deny each such permit. Any such permit shall provide for compliance as expeditiously as practicable, but in no event later than 3 years after the date of issuance of such permit.

(B) OTHER MUNICIPAL DISCHARGES.—Not later than 4 years after the date of the enactment of this subsection, the Administrator shall establish regulations setting forth the permit application requirements for stormwater discharges described in paragraph (2)(D). Applications for permits for such discharges shall be filed no later than 5 years after such date of enactment. Not later than 6 years

after such date of enactment, the Administrator or the State, as the case may be, shall issue or deny each such permit. Any such permit shall provide for compliance as expeditiously as practicable, but in no event later than 3 years after the date of issuance of such permit.

(5) STUDIES.—The Administrator, in consultation with the States, shall conduct a study for the purposes of—

(A) identifying those stormwater discharges or classes of stormwater discharges for which permits are not required pursuant to paragraphs (1) and (2) of this subsection;

(B) determining, to the maximum extent practicable, the nature and extent of pollutants in such discharges; and

(C) establishing procedures and methods to control stormwater discharges to the extent necessary to mitigate impacts on water quality.

Not later than October 1, 1988, the Administrator shall submit to Congress a report on the results of the study described in subparagraphs (A) and (B). Not later than October 1, 1989, the Administrator shall submit to Congress a report on the results of the study described in subparagraph (C).

(6) REGULATIONS.—Not later than October 1, 1993, the Administrator, in consultation with State and local officials, shall issue regulations (based on the results of the studies conducted under paragraph (5)) which designate stormwater discharges, other than those discharges described in paragraph (2), to be regulated to protect water quality and shall establish a comprehensive program to regulate such designated sources. The program shall, at a minimum, (A) establish priorities, (B) establish requirements for State stormwater management programs, and (C) establish expeditious deadlines. The program may include performance standards, guidelines, guidance, and management practices and treatment requirements, as appropriate.

(q) COMBINED SEWER OVERFLOWS.—

(1) REQUIREMENT FOR PERMITS, ORDERS, AND DECREES.—Each permit, order, or decree issued pursuant to this Act after the date of enactment of this subsection for a discharge from a municipal combined storm and sanitary sewer shall conform to the Combined Sewer Overflow Control Policy signed by the Administrator on April 11, 1994 (in this subsection referred to as the "CSO control policy").

(2) WATER QUALITY AND DESIGNATED USE REVIEW GUIDANCE.—Not later than July 31, 2001, and after providing notice and opportunity for public comment, the Administrator shall issue guidance to facilitate the conduct of water quality and designated use reviews for municipal combined sewer overflow receiving waters.

(3) REPORT.—Not later than September 1, 2001, the Administrator shall transmit to Congress a report on the progress made by the Environmental Protection Agency, States, and municipalities in implementing and enforcing the CSO control policy.

(33 U.S.C. 1342)

OCEAN DISCHARGE CRITERIA

SEC. 403. (a) No permit under section 402 of this Act for a discharge into the territorial sea, the waters of the contiguous zone, or the oceans shall be issued, after promulgation of guidelines established under subsection (c) of this section, except in compliance with such guidelines. Prior to the promulgation of such guidelines, a permit may be issued under such section 402 if the Administrator determines it to be in the public interest.

(b) The requirements of subsection (d) of section 402 of this Act may not be waived in the case of permits for discharges into the territorial sea.

(c)(1) The Administrator shall, within one hundred and eighty days after enactment of this Act (and from time to time thereafter), promulgate guidelines for determining the degradation of the waters of the territorial seas, the contiguous zone, and the oceans, which shall include:

(A) the effect of disposal of pollutants on human health or welfare, including but not limited to plankton, fish, shellfish, wildlife, shorelines, and beaches;

(B) the effect of disposal of pollutants on marine life including the transfer, concentration, and dispersal of pollutants or their byproducts through biological, physical, and chemical processes; changes in marine ecosystem diversity, productivity, and stability; and species and community population changes;

(C) the effect of disposal, of pollutants on esthetic, recreation, and economic values;

(D) the persistence and permanence of the effects of disposal of pollutants;

(E) the effect of the disposal at varying rates, of particular volumes and concentrations of pollutants;

(F) other possible locations and methods of disposal or recycling of pollutants including land-based alternatives; and

(G) the effect on alternate uses of the oceans, such as mineral exploitation and scientific study.

(2) In any event where insufficient information exists on any proposed discharge to make a reasonable judgment on any of the guidelines established pursuant to this subsection no permit shall be issued under section 402 of this Act.

(33 U.S.C. 1343)

PERMITS FOR DREDGED OR FILL MATERIAL

SEC. 404. (a) The Secretary may issue permits, after notice and opportunity for public hearings for the discharge of dredged or fill material into the navigable waters at specified disposal sites. Not later than the fifteenth day after the date an applicant submits all the information required to complete an application for a permit under this subsection, the Secretary shall publish the notice required by this subsection.

(b) Subject to subsection (c) of this section, each such disposal site shall be specified for each such permit by the Secretary (1) through the application of guidelines developed by the Administrator, in conjunction with the Secretary which guidelines shall be based upon criteria comparable to the criteria applicable to the ter-

ritorial seas, the contiguous zone, and the ocean under section 403(c), and (2) in any case where such guidelines under clause (1) alone would prohibit the specification of a site, through the application additionally of the economic impact of the site on navigation and anchorage.

(c) The Administrator is authorized to prohibit the specification (including the withdrawal of specification) of any defined area as a disposal site, and he is authorized to deny or restrict the use of any defined area for specification (including the withdrawal of specification) as a disposal site, whenever he determines, after notice and opportunity for public hearings, that the discharge of such materials into such area will have an unacceptable adverse effect on municipal water supplies, shellfish beds and fishery areas (including spawning and breeding areas), wildlife, or recreational areas. Before making such determination, the Administrator shall consult with the Secretary. The Administrator shall set forth in writing and make public his findings and his reasons for making any determination under this subsection.

(d) The term "Secretary" as used in this section means the Secretary of the Army, acting through the Chief of Engineers.

(e)(1) In carrying out his functions relating to the discharge of dredged or fill material under this section, the Secretary may, after notice and opportunity for public hearing, issue general permits on a State, regional, or nationwide basis for any category of activities involving discharges of dredged or fill material if the Secretary determines that the activities in such category are similar in nature, will cause only minimal adverse environmental effects when performed separately, and will have only minimal cumulative adverse effect on the environment. Any general permit issued under this subsection shall (A) be based on the guidelines described in subsection (b)(1) of this section, and (B) set forth the requirements and standards which shall apply to any activity authorized by such general permit.

(2) No general permit issued under this subsection shall be for a period of more than five years after the date of its issuance and such general permit may be revoked or modified by the Secretary if, after opportunity for public hearing, the Secretary determines that the activities authorized by such general permit have an adverse impact on the environment or such activities are more appropriately authorized by individual permits.

(f)(1) Except as provided in paragraph (2) of this subsection, the discharge of dredge or fill material—

(A) from normal farming, silviculture, and ranching activities such as plowing, seeding, cultivating, minor drainage, harvesting for the production of food, fiber, and forest products, or upland soil and water conservation practices;

(B) for the purpose of maintenance, including emergency reconstruction of recently damaged parts, of currently serviceable structures such as dikes, dams, levees, groins, riprap, breakwaters, causeways, and bridge abutments or approaches, and transportation structures;

(C) for the purpose of construction or maintenance of farm or stock ponds or irrigation ditches, or the maintenance of drainage ditches;

(D) for the purpose of construction of temporary sedimentation basins on a construction site which does not include placement of fill material into the navigable waters;

(E) for the purpose of construction or maintenance of farm roads or forest roads, or temporary roads for moving mining equipment, where such roads are constructed and maintained, in accordance with best management practices, to assure that flow and circulation patterns and chemical and biological characteristics of the navigable waters are not impaired, that the reach of the navigable waters is not reduced, and that any adverse effect on the aquatic environment will be otherwise minimized;

(F) resulting from any activity with respect to which a State has an approved program under section 208(b)(4) which meets the requirements of subparagraphs (B) and (C) of such section,

is not prohibited by or otherwise subject to regulation under this section or section 301(a) or 402 of this Act (except for effluent standards or prohibitions under section 307).

(2) Any discharge of dredged or fill material into the navigable waters incidental to any activity having as its purpose bringing an area of the navigable waters into a use to which it was not previously subject, where the flow or circulation of navigable waters may be impaired or the reach of such waters be reduced, shall be required to have a permit under this section.

(g)(1) The Governor of any State desiring to administer its own individual and general permit program for the discharge of dredged or fill material into the navigable waters (other than those waters which are presently used, or are susceptible to use in their natural condition or by reasonable improvement as a means to transport interstate or foreign commerce shoreward to their ordinary high water mark, including all waters which are subject to the ebb and flow of the tide shoreward to their mean high water mark, or mean higher high water mark on the west coast, including wetlands adjacent thereto), within its jurisdiction may submit to the Administrator a full and complete description of the program it proposes to establish and administer under State law or under an interstate compact. In addition, such State shall submit a statement from the attorney general (or the attorney for those State agencies which have independent legal counsel), or from the chief legal officer in the case of an interstate agency, that the laws of such State, or the interstate compact, as the case may be, provide adequate authority to carry out the described program.

(2) Not later than the tenth day after the date of the receipt of the program, and statement submitted by any State under paragraph (1) of this subsection, the Administrator shall provide copies of such program and statement to the Secretary and the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

(3) Not later than the ninetieth day after the date of the receipt by the Administrator of the program and statement submitted by any State, under paragraph (1) of this subsection, the Secretary and the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, shall submit any com-

ments with respect to such program and statement to the Administrator in writing.

(h)(1) Not later than the one-hundred-twentieth day after the date of the receipt by the Administrator of a program and statement submitted by any State under paragraph (1) of this subsection, the Administrator shall determine, taking into account any comments submitted by the Secretary and the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, pursuant to subsection (g) of this section, whether such State has the following authority with respect to the issuance of permits pursuant to such program:

(A) To issue permits which—

(i) apply, and assure compliance with, any applicable requirements of this section, including, but not limited to, the guidelines established under subsection (b)(1) of this section, and sections 307 and 403 of this Act;

(ii) are for fixed terms not exceeding five years; and

(iii) can be terminated or modified for cause including, but not limited to, the following:

(I) violation of any condition of the permit;

(II) obtaining a permit by misrepresentation, or failure to disclose fully all relevant facts;

(III) change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

(B) To issue permits which apply, and assure compliance with, all applicable requirements of section 308 of this Act, or to inspect, monitor, enter, and requrie reports to at least the same extent as required in section 308 of this Act.

(C) To assure that the public, and any other State the waters of which may be affected, receive notice of each application for a permit and to provide an opportunity for public hearing before a ruling on each such application.

(D) To assure that the Administrator receives notice of each application (including a copy thereof) for a permit.

(E) To assure that any State (other than the permitting State), whose waters may be affected by the issuance of a permit may submit written recommendation to the permitting State (and the Administrator) with respect to any permit application and, if any part of such written recommendations are not accepted by the permitting State, that the permitting State will notify such affected State (and the Administrator) in writing of its failure to so accept such recommendations together with its reasons for so doing.

(F) To assure that no permit will be issued if, in the judgment of the Secretary, after consultation with the Secretary of the department in which the Coast Guard is operating, anchorage and navigation of any of the navigable waters would be substantially impaired thereby.

(G) To abate violations of the permit or the permit program, including civil and criminal penalties and other ways and means of enforcement.

(H) To assure continued coordination with Federal and Federal-State water-related planning and review processes.

(2) If, with respect to a State program submitted under subsection (g)(1) of this section, the Administrator determines that such State—

(A) has the authority set forth in paragraph (1) of this subsection, the Administrator shall approve the program and so notify (i) such State, and (ii) the Secretary, who upon subsequent notification from such State that it is administering such program, shall suspend the issuance of permits under subsection (a) and (e) of this section for activities with respect to which a permit may be issued pursuant to such State program; or

(B) does not have the authority set forth in paragraph (1) of this subsection, the Administrator shall so notify such State, which notification shall also describe the revisions or modifications necessary so that such State may resubmit such program for a determination by the Administrator under this subsection.

(3) If the Administrator fails to make a determination with respect to any program submitted by a State under subsection (g)(1) of this section within one-hundred-twenty days after the date of the receipt of such program, such program shall be deemed approved pursuant to paragraph (2)(A) of this subsection and the Administrator shall so notify such State and the Secretary who, upon subsequent notification from such State that it is administering such program, shall suspend the issuance of permits under subsection (a) and (e) of this section for activities with respect to which a permit may be issued by such State.

(4) After the Secretary receives notification from the Administrator under paragraph (2) or (3) of this subsection that a State permit program has been approved, the Secretary shall transfer any applications for permits pending before the Secretary for activities with respect to which a permit may be issued pursuant to such State program to such State for appropriate action.

(5) Upon notification from a State with a permit program approved under this subsection that such State intends to administer and enforce the terms and conditions of a general permit issed by the Secretary under subsection (e) of this section with respect to activities in such State to which such general permit applies, the Secretary shall suspend the administration and enforcement of such general permit with respect to such activities.

(i) Whenever the Administrator determines after public hearing that a State is not administering a program approved under section (h)(2)(A) of this section, in accordance with this section, including, but not limited to, the guidelines established under subsection (b)(1) of this section, the Administrator shall so notify the State, and, if appropriate corrective action is not taken within a reasonable time, not to exceed ninety days after the date of the receipt of such notification, the Administrator shall (1) withdraw approval of such program until the Administrator determines such corrective action has been taken, and (2) notify the Secretary that the Secretary shall resume the program for the issuance of permits under subsections (a) and (e) of this section for activities with respect to which the State was issuing permits and that such authority of the Secretary shall continue in effect until such time as the

Administrator makes the determination described in clause (1) of this subsection and such State again has an approved program.

(j) Each State which is administering a permit program pursuant to this section shall transmit to the Administrator (1) a copy of each permit application received by such State and provide notice to the Administrator of every action related to the consideration of such permit application, including each permit proposed to be issued by such State, and (2) a copy of each proposed general permit which such State intends to issue. Not later than the tenth day after the date of the receipt of such permit application or such proposed general permit, the Administrator shall provide copies of such permit application or such proposed general permit to the Secretary and the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service. If the Administrator intends to provide written comments to such State with respect to such permit application or such proposed general permit, he shall so notify such State not later than the thirtieth day after the date of the receipt of such application or such proposed general permit and provide such written comments to such State, after consideration of any comments made in writing with respect to such application or such proposed general permit by the Secretary and the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, not later than the ninetieth day after the date of such receipt. If such State is so notified by the Administrator, it shall not issue the proposed permit until after the receipt of such comments from the Administrator, or after such ninetieth day, whichever first occurs. Such State shall not issue such proposed permit after such ninetieth day if it has received such written comments in which the Administrator objects (A) to the issuance of such proposed permit and such proposed permit is one that has been submitted to the Administrator pursuant to subsection (h)(1)(E), or (B) to the issuance of such proposed permit as being outside the requirements of this section, including, but not limited to, the guidelines developed under subsection (b)(1) of this section unless it modifies such proposed permit in accordance with such comments. Whenever the Administrator objects to the issuance of a permit under the preceding sentence such written objection shall contain a statement of the reasons for such objection and the conditions which such permit would include if it were issued by the Administrator. In any case where the Administrator objects to the issuance of a permit, on request of the State, a public hearing shall be held by the Administrator on such objection. If the State does not resubmit such permit revised to meet such objection within 30 days after completion of the hearing or, if no hearing is requested within 90 days after the date of such objection, the Secretary may issue the permit pursuant to subsection (a) or (e) of this section, as the case may be, for such source in accordance with the guidelines and requirements of this Act.

(k) In accordance with guidelines promulgated pursuant to subsection (i)(2) of section 304 of this Act, the Administrator is authorized to waive the requirements of subsection (j) of this section at the time of the approval of a program pursuant to subsection (h)(2)(A) of this section for any category (including any class, type,

or size within such category) of discharge within the State submitting such program.

(l) The Administrator shall promulgate regulations establishing categories of discharges which he determines shall not be subject to the requirements of subsection (j) of this section in any State with a program approved pursuant to subsection (h)(2)(A) of this section. The Administrator may distinguish among classes, types, and sizes within any category of discharges.

(m) Not later than the ninetieth day after the date on which the Secretary notifies the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service that (1) an application for a permit under subsection (a) of this section has been received by the Secretary, or (2) the Secretary proposes to issue a general permit under subsection (e) of this section, the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, shall submit any comments with respect to such application or such proposed general permit in writing to the Secretary.

(n) Nothing in this section shall be construed to limit the authority of the Administrator to take action pursuant to section 309 of this Act.

(o) A copy of each permit application and each permit issued under this section shall be available to the public. Such permit application or portion thereof, shall further be available on request for the purpose of reproduction.

(p) Compliance with a permit issued pursuant to this section, including any activity carried out pursuant to a general permit issued under this section, shall be deemed compliance, for purposes of sections 309 and 505, with sections 301, 307, and 403.

(q) Not later than the one-hundred-eightieth day after the date of enactment of this subsection, the Secretary shall enter into agreements with the Administrator, the Secretaries of the Departments of Agriculture, Commerce, Interior, and Transportation, and the heads of other appropriate Federal agencies to minimize, to the maximum extent practicable, duplication, needless paperwork, and delays in the issuance of permits under this section. Such agreements shall be developed to assure that, to the maximum extent practicable, a decision with respect to an application for a permit under subsection (a) of this section will be made not later than the ninetieth day after the date the notice of such application is published under subsection (a) of this section.

(r) The discharge of dredged or fill material as part of the construction of a Federal project specifically authorized by Congress, whether prior to or on or after the date of enactment of this subsection, is not prohibited by or otherwise subject to regulation under this section, or a State program approved under this section, or section 301(a) or 402 of the Act (except for effluent standards or prohibitions under section 307), if information on the effects of such discharge, including consideration of the guidelines developed under subsection (b)(1) of this section, is included in an environmental impact statement for such project pursuant to the National Environmental Policy Act of 1969 and such environmental impact statement has been submitted to Congress before the actual discharge of dredged or fill material in connection with the construc-

tion of such project and prior to either authorization of such project or an appropriation of funds for each construction.

(s)(1) Whenever on the basis of any information available to him the Secretary finds that any person is in violation of any condition or limitation set forth in a permit issued by the Secretary under this section, the Secretary shall issue an order requiring such persons to comply with such condition or limitation, or the Secretary shall bring a civil action in accordance with paragraph (3) of this subsection.

(2) A copy of any order issued under this subsection shall be sent immediately by the Secretary to the State in which the violation occurs and other affected States. Any order issued under this subsection shall be by personal service and shall state with reasonable specificity the nature of the violation, specify a time for compliance, not to exceed thirty days, which the Secretary determines is reasonable, taking into account the seriousness of the violation and any good faith efforts to comply with applicable requirements. In any case in which an order under this subsection is issued to a corporation, a copy of such order shall be served on any appropriate corporate officers.

(3) The Secretary is authorized to commence a civil action for appropriate relief, including a permanent or temporary injunction for any violation for which he is authorized to issue a compliance order under paragraph (1) of this subsection. Any action under this paragraph may be brought in the district court of the United States for the district in which the defendant is located or resides or is doing business, and such court shall have jurisdiction to restrain such violation and to require compliance. Notice of the commencement of such acton [1] shall be given immediately to the appropriate State.

(4) Any person who violates any condition or limitation in a permit issued by the Secretary under this section, and any person who violates any order issued by the Secretary under paragraph (1) of this subsection, shall be subject to a civil penalty not to exceed $25,000 per day for each violation. In determining the amount of a civil penalty the court shall consider the seriousness of the violation or violations, the economic benefit (if any) resulting from the violaltion, any history of such violations, any good-faith efforts to comply with the applicable requirements, the economic impact of the penalty on the violator, and such other matters as justice may require.

(t) Nothing in the section shall preclude or deny the right of any State or interstate agency to control the discharge of dredged or fill material in any portion of the navigable waters within the jurisdiction of such State, including any activity of any Federal agency, and each such agency shall comply with such State or interstate requirements both substantive and procedural to control the discharge of dredged or fill material to the same extent that any person is subject to such requirements. This section shall not be construed as affecting or impairing the authority of the Secretary to maintain navigation.

(33 U.S.C. 1344)

[1] So in law. Probably should be "action".

DISPOSAL OF SEWAGE SLUDGE

SEC. 405. (a) Notwithstanding any other provision of this Act or of any other law, in the case where the disposal of sewage sludge resulting from the operation of a treatment works as defined in section 212 of this Act (including the removal of in-place sewage sludge from one location and its deposit at another location) would result in any pollutant from such sewage sludge entering the navigable waters, such disposal is prohibited except in accordance with a permit issued by the Administrator under section 402 of this Act.

(b) The Administrator shall issue regulations governing the issuance of permits for the disposal of sewage sludge subject to subsection (a) of this section and section 402 of this Act. Such regulations shall require the application to such disposal of each criterion, factor, procedure, and requirement applicable to a permit issued under section 402 of this title.

(c) Each State desiring to administer its own permit program for disposal of sewage sludge subject to subsection (a) of this section within its jurisdiction may do so in accordance with section 402 of this Act.

(d) REGULATIONS.—

(1) REGULATIONS.—The Administrator, after consultation with appropriate Federal and State agencies and other interested persons, shall develop and publish, within one year after the date of enactment of this subsection and from time to time thereafter, regulations poroviding guidelines for the disposal of sludge and the utilization of sludge for various purposes. Such regulations shall—

(A) identify uses for sludge, including disposal;

(B) specify factors to be taken into account in determining the measures and practices applicable to each such use or disposal (including publication of information on costs);

(C) identify concentrations of pollutants which interfere with each such use or disposal.

The Administrator is authorized to revise any regulation issued under this subsection.

(2) IDENTIFICATION AND REGULATION OF TOXIC POLLUTANTS.—

(A) ON BASIS OF AVAILABLE INFORMATION.—

(i) PROPOSED REGULATIONS.—Not later than November 30, 1986, the Administrator shall identify those toxic pollutants which, on the basis of available information on their toxicity, persistence, concentration, mobility, or potential for exposure, may be present in sewage sludge in concentrations which may adversely affect public health or the environment, and propose regulations specifying acceptable management practices for sewage sludge containing each such toxic pollutant and establishing numerical limitations for each such pollutant for each use identified under paragraph (1)(A).

(ii) FINAL REGULATIONS.—Not later than August 31, 1987, and after opportunity for public hearing, the

Administrator shall promulgate the regulations required by subparagraph (A)(i).

(B) OTHERS.—

(i) PROPOSED REGULATIONS.—Not later than July 31, 1987, the Administrator shall identify those toxic pollutants not identified under subparagraph (A)(i) which may be present in sewage sludge in concentrations which may adversely affect public health or the environment, and propose regulations specifying acceptable management practices for sewage sludge containing each such toxic pollutant and establishing numerical limitations for each pollutant for each such use identified under paragraph (1)(A).

(ii) FINAL REGULATIONS.—Not later than June 15, 1988, the Administrator shall promulate the regulations required by subparagraph (B)(i).

(C) REVIEW.—From time to time, but not less often than every 2 years, the Administrator shall review the regulations promulgated under this paragraph for the purpose of identifying additional toxic pollutants and promulgating regulations for such pollutants consistent with the requirements of this paragraph.

(D) MINIMUM STANDARDS; COMPLIANCE DATE.—The management practices and numerical criteria established under subparagraphs (A), (B), and (C) shall be adequate to protect public health and the environment from any reasonably anticipated adverse effects of each pollutant. Such regulations shall require compliance as expeditiously as practicable but in no case later than 12 months after their publication, unless such regulations require the construction of new pollution control facilities, in which case the regulations shall require compliance as expeditiously as practicable but in no case later than two years from the date of their publication.

(3) ALTERNATIVE STANDARDS.—For purposes of this subsection, if, in the judgment of the Administrator, it is not feasible to prescribe or enforce a numerical limitation for a pollutant identified under paragraph (2), the Administrator may instead promulgate a design, equipment, management practice, or operational standard, or combination thereof, which in the Administrator's judgment is adequate to protect public health and the environment from any reasonably anticipated adverse effects of such pollutant. In the event the Administrator promulgates a design or equipment standard under this subsection, the Administrator shall include as part of such standard such requirements as will assure the proper operation and maintenance of any such element of design or equipment.

(4) CONDITIONS ON PERMITS.—Prior to the promulgation of the regulations required by paragraph (2), the Administrator shall impose conditions in permits issued to publicly owned treatment works under section 402 of this Act or take such other measures as the Administrator deems appropriate to protect public health and the environment from any adverse effects which may occur from toxic pollutants in sewage sludge.

(5) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section is intended to waive more stringent requirements established by this Act or any other law.

(e) MANNER OF SLUDGE DISPOSAL.—The determination of the manner of disposal or use of sludge is a local determination, except that it shall be unlawful for any person to dispose of sludge from a publicly owned treatment works or any other treatment works treating domestic sewage for any use for which regulations have been established pursuant to subsection (d) of this section, except in accordance with such regulations.

(f) IMPLEMENTATION OF REGULATIONS.—

(1) THROUGH SECTION 402 PERMITS.—Any permit issued under section 402 of this Act to a publicly owned treatment works or any other treatment works treating domestic sewage shall include requirements for the use and disposal of sludge that implement the regulations established pursuant to subsection (d) of this section, unless such requirements have been included in a permit issued under the appropriate provisions of subtitle C of the Solid Waste Disposal Act, part C of the Safe Drinking Water Act, the Marine Protection, Research, and Sanctuaries Act of 1972, or the Clean Air Act, or under State permit programs approved by the Administrator, where the Administrator determines that such programs assure compliance with any applicable requirements of this section. Not later than December 15, 1986, the Administrator shall promulgate procedures for approval of State programs pursuant to this paragraph.

(2) THROUGH OTHER PERMITS.—In the case of a treatment works described in paragraph (1) that is not subject to section 402 of this Act and to which none of the other above listed permit programs nor approved State permit authority apply, the Administrator may issue a permit to such treatment works solely to impose requirements for the use and disposal of sludge that implement the regulations established pursuant to subsection (d) of this section. The Administrator shall include in the permit appropriate requirements to assure compliance with the regulations established pursuant to subsection (d) of this section. The Administrator shall establish procedures for issuing permits pursuant to this paragraph.

(g) STUDIES AND PROJECTS.—

(1) GRANT PROGRAM; INFORMATION GATHERING.—The Administrator is authorized to conduct or initiate scientific studies, demonstration projects, and public information and education projects which are designed to promote the safe and beneficial management or use of sewage sludge for such purposes as aiding the restoration of abandoned mine sites, conditioning soil for parks and recreation areas, agricultural and horticultural uses, and other beneficial purposes. For the purposes of carrying out this subsection, the Administrator may make grants to State water pollution control agencies, other public or nonprofit agencies, institutions, organizations, and individuals. In cooperation with other Federal departments and agencies, other public and private agencies, institutions, and organizations, the Administrator is authorized to collect and

disseminate information pertaining to the safe and beneficial use of sewage sludge.

(2) AUTHORIZATION OF APPROPRIATIONS.—For the purposes of carrying out the scientific studies, demonstration projects, and public information and education projects authorized in this section, there is authorized to be appropriated for fiscal years beginning after September 30, 1986, not to exceed $5,000,000.

(33 U.S.C. 1345)

SEC. 406. COASTAL RECREATION WATER QUALITY MONITORING AND NOTIFICATION.

(a) MONITORING AND NOTIFICATION.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this section, after consultation and in cooperation with appropriate Federal, State, tribal, and local officials (including local health officials), and after providing public notice and an opportunity for comment, the Administrator shall publish performance criteria for—

(A) monitoring and assessment (including specifying available methods for monitoring) of coastal recreation waters adjacent to beaches or similar points of access that are used by the public for attainment of applicable water quality standards for pathogens and pathogen indicators; and

(B) the prompt notification of the public, local governments, and the Administrator of any exceeding of or likelihood of exceeding applicable water quality standards for coastal recreation waters described in subparagraph (A).

(2) LEVEL OF PROTECTION.—The performance criteria referred to in paragraph (1) shall provide that the activities described in subparagraphs (A) and (B) of that paragraph shall be carried out as necessary for the protection of public health and safety.

(b) PROGRAM DEVELOPMENT AND IMPLEMENTATION GRANTS.—

(1) IN GENERAL.—The Administrator may make grants to States and local governments to develop and implement programs for monitoring and notification for coastal recreation waters adjacent to beaches or similar points of access that are used by the public.

(2) LIMITATIONS.—

(A) IN GENERAL.—The Administrator may award a grant to a State or a local government to implement a monitoring and notification program if—

(i) the program is consistent with the performance criteria published by the Administrator under subsection (a);

(ii) the State or local government prioritizes the use of grant funds for particular coastal recreation waters based on the use of the water and the risk to human health presented by pathogens or pathogen indicators;

(iii) the State or local government makes available to the Administrator the factors used to prioritize the use of funds under clause (ii);

(iv) the State or local government provides a list of discrete areas of coastal recreation waters that are subject to the program for monitoring and notification for which the grant is provided that specifies any coastal recreation waters for which fiscal constraints will prevent consistency with the performance criteria under subsection (a); and

(v) the public is provided an opportunity to review the program through a process that provides for public notice and an opportunity for comment.

(B) GRANTS TO LOCAL GOVERNMENTS.—The Administrator may make a grant to a local government under this subsection for implementation of a monitoring and notification program only if, after the 1-year period beginning on the date of publication of performance criteria under subsection (a)(1), the Administrator determines that the State is not implementing a program that meets the requirements of this subsection, regardless of whether the State has received a grant under this subsection.

(3) OTHER REQUIREMENTS.—

(A) REPORT.—A State recipient of a grant under this subsection shall submit to the Administrator, in such format and at such intervals as the Administrator determines to be appropriate, a report that describes—

(i) data collected as part of the program for monitoring and notification as described in subsection (c); and

(ii) actions taken to notify the public when water quality standards are exceeded.

(B) DELEGATION.—A State recipient of a grant under this subsection shall identify each local government to which the State has delegated or intends to delegate responsibility for implementing a monitoring and notification program consistent with the performance criteria published under subsection (a) (including any coastal recreation waters for which the authority to implement a monitoring and notification program would be subject to the delegation).

(4) FEDERAL SHARE.—

(A) IN GENERAL.—The Administrator, through grants awarded under this section, may pay up to 100 percent of the costs of developing and implementing a program for monitoring and notification under this subsection.

(B) NON-FEDERAL SHARE.—The non-Federal share of the costs of developing and implementing a monitoring and notification program may be—

(i) in an amount not to exceed 50 percent, as determined by the Administrator in consultation with State, tribal, and local government representatives; and

(ii) provided in cash or in kind.

(c) CONTENT OF STATE AND LOCAL GOVERNMENT PROGRAMS.—As a condition of receipt of a grant under subsection (b), a State

or local government program for monitoring and notification under this section shall identify—

(1) lists of coastal recreation waters in the State, including coastal recreation waters adjacent to beaches or similar points of access that are used by the public;

(2) in the case of a State program for monitoring and notification, the process by which the State may delegate to local governments responsibility for implementing the monitoring and notification program;

(3) the frequency and location of monitoring and assessment of coastal recreation waters based on—

(A) the periods of recreational use of the waters;

(B) the nature and extent of use during certain periods;

(C) the proximity of the waters to known point sources and nonpoint sources of pollution; and

(D) any effect of storm events on the waters;

(4)(A) the methods to be used for detecting levels of pathogens and pathogen indicators that are harmful to human health; and

(B) the assessment procedures for identifying short-term increases in pathogens and pathogen indicators that are harmful to human health in coastal recreation waters (including increases in relation to storm events);

(5) measures for prompt communication of the occurrence, nature, location, pollutants involved, and extent of any exceeding of, or likelihood of exceeding, applicable water quality standards for pathogens and pathogen indicators to—

(A) the Administrator, in such form as the Administrator determines to be appropriate; and

(B) a designated official of a local government having jurisdiction over land adjoining the coastal recreation waters for which the failure to meet applicable standards is identified;

(6) measures for the posting of signs at beaches or similar points of access, or functionally equivalent communication measures that are sufficient to give notice to the public that the coastal recreation waters are not meeting or are not expected to meet applicable water quality standards for pathogens and pathogen indicators; and

(7) measures that inform the public of the potential risks associated with water contact activities in the coastal recreation waters that do not meet applicable water quality standards.

(d) FEDERAL AGENCY PROGRAMS.—Not later than 3 years after the date of the enactment of this section, each Federal agency that has jurisdiction over coastal recreation waters adjacent to beaches or similar points of access that are used by the public shall develop and implement, through a process that provides for public notice and an opportunity for comment, a monitoring and notification program for the coastal recreation waters that—

(1) protects the public health and safety;

(2) is consistent with the performance criteria published under subsection (a);

(3) includes a completed report on the information specified in subsection (b)(3)(A), to be submitted to the Administrator; and

(4) addresses the matters specified in subsection (c) .

(e) DATABASE.—The Administrator shall establish, maintain, and make available to the public by electronic and other means a national coastal recreation water pollution occurrence database that provides—

(1) the data reported to the Administrator under subsections (b)(3)(A)(i) and (d)(3); and

(2) other information concerning pathogens and pathogen indicators in coastal recreation waters that—

(A) is made available to the Administrator by a State or local government, from a coastal water quality monitoring program of the State or local government; and

(B) the Administrator determines should be included.

(f) TECHNICAL ASSISTANCE FOR MONITORING FLOATABLE MATERIAL.—The Administrator shall provide technical assistance to States and local governments for the development of assessment and monitoring procedures for floatable material to protect public health and safety in coastal recreation waters.

(g) LIST OF WATERS.—

(1) IN GENERAL.—Beginning not later than 18 months after the date of publication of performance criteria under subsection (a), based on information made available to the Administrator, the Administrator shall identify, and maintain a list of, discrete coastal recreation waters adjacent to beaches or similar points of access that are used by the public that—

(A) specifies any waters described in this paragraph that are subject to a monitoring and notification program consistent with the performance criteria established under subsection (a); and

(B) specifies any waters described in this paragraph for which there is no monitoring and notification program (including waters for which fiscal constraints will prevent the State or the Administrator from performing monitoring and notification consistent with the performance criteria established under subsection (a)).

(2) AVAILABILITY.—The Administrator shall make the list described in paragraph (1) available to the public through—

(A) publication in the Federal Register; and

(B) electronic media.

(3) UPDATES.—The Administrator shall update the list described in paragraph (1) periodically as new information becomes available.

(h) EPA IMPLEMENTATION.—In the case of a State that has no program for monitoring and notification that is consistent with the performance criteria published under subsection (a) after the last day of the 3-year period beginning on the date on which the Administrator lists waters in the State under subsection (g)(1)(B), the Administrator shall conduct a monitoring and notification program for the listed waters based on a priority ranking established by the Administrator using funds appropriated for grants under subsection (i)—

(1) to conduct monitoring and notification; and

(2) for related salaries, expenses, and travel.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for making grants under subsection (b), including implementation of monitoring and notification programs by the Administrator under subsection (h), $30,000,000 for each of fiscal years 2001 through 2005.

(33 U.S.C. 1346)

TITLE V—GENERAL PROVISIONS

ADMINISTRATION

SEC. 501. (a) The Administrator is authorized to prescribe such regulations as are necessary to carry out his functions under this Act.

(b) The Administrator, with the consent of the head of any other agency of the United States, may utilize such officers and employees of such agency as may be found necessary to assist in carrying out the purposes of this Act.

(c) Each recipient of financial assistance under this Act shall keep such records as the Administrator shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(d) The Administrator and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of the recipients that are pertinent to the grants received under this Act. For the purpose of carrying out audits and examinations with respect to recipients of Federal assistance under this Act, the Administrator is authorized to enter into noncompetitive procurement contracts with independent State audit organizations, consistent with chapter 75 of title 31, United States Code. Such contracts may only be entered into to the extent and in such amounts as may be provided in advance in appropriation Acts.

(e)(1) It is the purpose of this subsection to authorize a program which will provide official recognition by the United States Government to those industrial organizations and political subdivisions of States which during the preceding year demonstrated an outstanding technological achievement or an innovative process, method, or device in their waste treatment and pollution abatement programs. The Administrator shall, in consultation with the appropriate State water pollution control agencies, establish regulations under which such recognition may be applied for and granted, except that no applicant shall be eligible for an award under this subsection if such applicant is not in total compliance with all applicable water quality requirements under this Act, or otherwise does not have a satisfactory record with respect to environmental quality.

(2) The Administrator shall award a certificate or plaque of suitable design to each industrial organization or political subdivision which qualifies for such recognition under regulations established under this subsection.

(3) The President of the United States, the Governor of the appropriate State, the Speaker of the House of Representatives, and the President pro tempore of the Senate shall be notified of the award by the Administrator and the awarding of such recognition shall be published in the Federal Register.

(f) Upon the request of a State water pollution control agency, personnel of the Environmental Protection Agency may be detailed to such agency for the purpose of carrying out the provisions of this Act.

(33 U.S.C. 1361)

GENERAL DEFINITIONS

SEC. 502. Except as otherwise specifically provided, when used in this Act:

(1) The term "State water pollution control agency" means the State agency designated by the Governor having responsibility for enforcing State laws relating to the abatement of pollution.

(2) The term "interstate agency" means an agency of two or more States established by or pursuant to an agreement or compact approved by the Congress, or any other agency of two or more States, having substantial powers or duties pertaining to the control of pollution as determined and approved by the Adminstrator.

(3) The term "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

(4) The term "municipality" means a city, town, borough, county, parish, district, association, or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of this Act.

(5) The term "person" means an individual, corporation, partnership, association, State, municipality, commission, or political subdivision of a State, or any interstate body.

(6) The term "pollutant" means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water. This term does not mean (A) "sewage from vessels or a discharge incidental to the normal operation of a vessel of the Armed Forces" within the meaning of section 312 of this Act; or (B) water, gas, or other material which is injected into a well to facilitate production of oil or gas, or water derived in association with oil or gas production and disposed of in a well, if the well used either to facilitate production or for disposal purpose is approved by authority of the State in which the well is located, and if such State determines

that such injection or disposal will not result in the degradation of ground or surface water resources.

(7) The term "navigable waters" means the waters of the United States, including the territorial seas.

(8) The term "territorial seas" means the belt of the seas measured from the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters, and extending seaward a distance of three miles.

(9) The term "contiguous zone" means the entire zone established or to be established by the United States under article 24 of the Convention of the Territorial Sea and the Contiguous Zone.

(10) The term "ocean" means any portion of the high seas beyond the contiguous zone.

(11) The term "effluent limitation" means any restriction established by a State or the Administrator on quantities, rates, and concentrations of chemical, physical, biological, and other constituents which are discharged from point sources into navigable waters, the waters of the contiguous zone, or the ocean, including schedules of compliance.

(12) The term "discharge of a pollutant" and the term "discharge of pollutants" each means (A) any addition of any pollutant to navigable waters from any point source, (B) any addition of any pollutant to the waters of the contiguous zone or the ocean from any point source other than a vessel or other floating craft.

(13) The term "toxic pollutant" means those pollutants, or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will, on the basis of information available to the Administrator, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in such organisms or their offspring.

(14) The term "point source" means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include agricultural stormwater discharges and return flows from irrigated agriculture.

(15) The term "biological monitoring" shall mean the determination of the effects on aquatic life, including accumulation of pollutants in tissue, in receiving waters due to the discharge of pollutants (A) by techniques and procedures, including sampling of organisms representative of appropriate levels of the food chain appropriate to the volume and the physical, chemical, and biological characteristics of the effluent, and (B) at appropriate frequencies and locations.

(16) The term "discharge" when used without qualification includes a discharge of a pollutant, and a discharge of pollutants.

(17) The term "schedule of compliance" means a schedule of remedial measures including an enforceable sequence of actions or

operations leading to compliance with an effluent limitation, other limitation, prohibition, or standard.

(18) The term "industrial user" means those industries identified in the Standard Industrial Classification Manual, Bureau of the Budget, 1967, as amended and supplemented, under the category "Division D—Manufacturing" and such other classes of significant waste producers as, by regulation, the Administrator deems appropriate.

(19) The term "pollution" means the man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

(20) The term "medical waste" means isolation wastes; infectious agents; human blood and blood products; pathological wastes; sharps; body parts; contaminated bedding; surgical wastes and potentially contaminated laboratory wastes; dialysis wastes; and such additional medical items as the Administrator shall prescribe by regulation.

(21) COASTAL RECREATION WATERS.—

(A) IN GENERAL.—The term "coastal recreation waters" means—

(i) the Great Lakes; and

(ii) marine coastal waters (including coastal estuaries) that are designated under section 303(c) by a State for use for swimming, bathing, surfing, or similar water contact activities.

(B) EXCLUSIONS.—The term "coastal recreation waters" does not include—

(i) inland waters; or

(ii) waters upstream of the mouth of a river or stream having an unimpaired natural connection with the open sea.

(22) FLOATABLE MATERIAL.—

(A) IN GENERAL.—The term "floatable material" means any foreign matter that may float or remain suspended in the water column.

(B) INCLUSIONS.—The term "floatable material" includes—

(i) plastic;

(ii) aluminum cans;

(iii) wood products;

(iv) bottles; and

(v) paper products.

(23) PATHOGEN INDICATOR.—The term "pathogen indicator" means a substance that indicates the potential for human infectious disease.

(33 U.S.C. 1362)

WATER POLLUTION CONTROL ADVISORY BOARD

SEC. 503. (a)(1) There is hereby established in the Environmental Protection Agency a Water Pollution Control Advisory Board, composed of the Administrator or his designee, who shall be Chairman, and nine members appointed by the President, none of whom shall be Federal officers or employees. The appointed mem-

bers, having due regard for the purposes of this Act, shall be selected from among representatives of various State, interstate, and local governmental agencies, of public or private interests contributing to, affected by, or concerned with pollution, and of other public and private agencies, organizations, or groups demonstrating an active interest in the field of pollution prevention and control, as well as other individuals who are expert in this field.

(2)(A) Each member appointed by the President shall hold office for a term of three years, except that (i) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (ii) the terms of office of the members first taking office after June 30, 1956, shall expire as follows: three at the end of one year after such date, three at the end of two years after such date, and three at the end of three years after such date, as designated by the President at the time of appointment, and (iii) the term of any member under the preceding provisions shall be extended until the date on which his successor's appointment is effective. None of the members appointed by the President shall be eligible for reappointment within one year after the end of his preceding term.

(B) The members of the Board who are not officers or employees of the United States, while attending conferences or meetings of the Board or while otherwise serving at the request of the Administrator, shall be entitled to receive compensation at a rate to be fixed by the Administrator, but not exceeding $100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(b) The Board shall advise, consult with, and make recommendations to the Administrator on matters of policy relating to the activities and functions of the Administrator under this Act.

(c) Such clerical and technical assistance as may be necessary to discharge the duties of the Board shall be provided from the personnel of the Environmental Protection Agency.

(33 U.S.C. 1363)

EMERGENCY POWERS

SEC. 504. (a) Notwithstanding any other provision of this Act, the Administrator upon receipt of evidence that a pollution source or combination of sources is presenting an imminent and substantial endangerment to the health of persons or to the welfare of persons where such endangerment is to the livelihood of such persons, such as inability to market shellfish, may bring suit on behalf of the United States in the appropriate district court to immediately restrain any person causing or contributing to the alleged pollution to stop the discharge of pollutants causing or contributing to such pollution or to take such other action as may be necessary.

[Subsection (b) repealed by §304(a) of P.L. 96–510, Dec. 11, 1980, 94 Stat. 2809]

(33 U.S.C. 1364)

CITIZEN SUITS

SEC. 505. (a) Except as provided in subsection (b) of this section and section 309(g)(6), any citizen may commence a civil action on his own behalf—

(1) against any person (including (i) the United States, and (ii) any other governmental instrumentality or agency to the extent permitted by the eleventh amendment to the Constitution) who is alleged to be in violation of (A) an effluent standard or limitation under this Act or (B) an order issued by the Administrator or a State with respect to such a standard or limitation, or

(2) against the Administrator where there is alleged a failure of the Administrator to perform any act or duty under this Act which is not discretionary with the Administrator.

The district courts shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties, to enforce such an effluent standard or limitation, or such an order, or to order the Administrator to perform such act or duty, as the case may be, and to apply any appropriate civil penalties under section 309(d) of this Act.

(b) No action may be commenced—

(1) under subsection (a)(1) of this section—

(A) prior to sixty days after the plaintiff has given notice of the alleged violation (i) to the Administrator, (ii) to the State in which the alleged violation occurs, and (iii) to any alleged violator of the standard, limitation, or order, or

(B) if the Administrator or State has commenced and is diligently prosecuting a civil or criminal action in a court of the United States, or a State to require compliance with the standard, limitation, or order, but in any such action in a court of the United States any citizen may intervene as a matter of right.

(2) under subsection (a)(2) of this section prior to sixty days after the plaintiff has given notice of such action to the Administrator,

except that such action may be brought immediately after such notification in the case of an action under this section respecting a violation of sections 306 and 307(a) of this Act. Notice under this subsection shall be given in such manner as the Administrator shall prescribe by regulation.

(c)(1) Any action respecting a violation by a discharge source of an effluent standard or limitation or an order respecting such standard or limitation may be brought under this section only in the judicial district in which such source is located.

(2) In such action under this section, the Administrator, if not a party, may intervene as a matter of right.

(3) PROTECTION OF INTERESTS OF UNITED STATES.—Whenever any action is brought under this section in a court of the United States, the plaintiff shall serve a copy of the complaint on the Attorney General and the Administrator. No consent judgment shall be entered in an action in which the United States is not a party prior to 45 days following the receipt of

a copy of the proposed consent judgment by the Attorney General and the Administrator.

(d) The court, in issuing any final order in any action brought pursuant to this section, may award costs of litigation (including reasonable attorney and expert witness fees) to any prevailing or substantially prevailing party, whenever the court determines such award is appropriate. The court may, if a temporary restraining order or preliminary injunction is sought, require the filing of a bond or equivalent security in accordance with the Federal Rules of Civil Procedure.

(e) Nothing in this section shall restrict any right which any person (or class of persons) may have under any statute or common law to seek enforcement of any effluent standard or limitation or to seek any other relief (including relief against the Administrator or a State agency).

(f) For purposes of this section, the term "effluent standard or limitation under this Act" means (1) effective July 1, 1973, an unlawful act under subsection (a) of section 301 of this Act; (2) an effluent limitation or other limitation under section 301 or 302 of this Act; (3) standard or performance under section 306 of this Act; (4) prohibition, effluent standard or pretreatment standards under section 307 of this Act; (5) certification under section 401 of this Act; (6) a permit or condition thereof issued under section 402 of this Act, which is in effect under this Act (including a requirement applicable by reason of section 313 of this Act); or (7) a regulation under section 405(d) of this Act,.[1]

(g) For the purposes of this section the term "citizen" means a person or persons having an interest which is or may be adversely affected.

(h) A Governor of a State may commence a civil action under subsection (a), without regard to the limitations of subsection (b) of this section, against the Administrator where there is alleged a failure of the Administrator to enforce an effluent standard or limitation under this Act the violation of which is occurring in another State and is causing an adverse effect on the public health or welfare in his State, or is causing a violation of any water quality requirement in his State.

(33 U.S.C. 1365)

APPEARANCE

SEC. 506. The Administrator shall request the Attorney General to appear and represent the United States in any civil or criminal action instituted under this Act to which the Administrator is a party. Unless the Attorney General notifies the Administrator within a reasonable time, that he will appear in a civil action, attorneys who are officers or employees of the Environmental Protection Agency shall appear and represent the United States in such action.

(33 U.S.C. 1366)

[1] So in law. See P.L. 100–4, sec. 406(d)(2), 101 Stat. 73.

EMPLOYEE PROTECTION

SEC. 507. (a) No person shall fire, or in any other way discriminate against, or cause to be fired or discriminated against, any employee or any authorized representative or employees by reason of the fact that such employee or representative has filed, instituted, or caused to be filed or instituted any proceeding under this Act, or has testified or is about to testify in any proceeding resulting from the administration or enforcement of the provisions of this Act.

(b) Any employee or a representative of employees who believes that he has been fired or otherwise discriminated against by any person in violation of subsection (a) of this section may, within thirty days after such alleged violation occurs, apply to the Secretary of Labor for a review of such firing or alleged discrimination. A copy of the application shall be sent to such person who shall be the respondent. Upon receipt of such application, the Secretary of Labor shall cause such investigation to be made as he deems appropriate. Such investigation shall provide an opportunity for a public hearing at the request of any party to such review to enable the parties to present information relating to such alleged violation. The parties shall be given written notice of the time and place of the hearing at least five days prior to the hearing. Any such hearing shall be of record and shall be subject to section 554 of title 5 of the United States Code. Upon receiving the report of such investigation, the Secretary of Labor shall make findings of fact. If he finds that such violation did occur, he shall issue a decision, incorporating an order therein and his findings, requiring the party committing such violation to take such affirmative action to abate the violation as the Secretary of Labor deems appropriate, including, but not limited to, the rehiring or reinstatement of the employee or representative of employees to his former position with compensation. If he finds that there was no such violation, he shall issue an order denying the application. Such order issued by the Secretary of Labor under this subparagraph shall be subject to judicial review in the same manner as orders and decisions of the Administrator are subject to judicial review under this Act.

(c) Whenever an order is issued under this section to abate such violation, at the request of the applicant, a sum equal to the aggregate amount of all costs and expenses (including the attorney's fees), as determined by the Secretary of Labor, to have been reasonably incurred by the applicant for, or in connection with, the institution and prosecution of such proceedings, shall be assessed against the person committing such violation.

(d) This section shall have no application to any employee who, acting without direction from his employer (or his agent) deliberately violates any prohibition of effluent limitation or other limitation under section 301 or 302 of this Act, standards of performance under section 306 of this Act, effluent standard, prohibition or pretreatment standard under section 307 of this Act, or any other prohibition or limitation established under this Act.

(e) The Administrator shall conduct continuing evaluations of potential loss or shifts of employment which may result from the issuance of any effluent limitation or order under this Act, includ-

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ing, where appropriate, investigating threatened plant closures or reductions in employment allegedly resulting from such limitation or order. Any employee who is discharged or laid off, threatened with discharge or lay-off, or otherwise discriminated against by any person because of the alleged results of any effluent limitation or order issued under this Act, or any representative of such employee, may request the Administrator to conduct a full investigation of the matter. The Administrator shall thereupon investigate the matter and, at the request of any party, shall hold public hearings on not less than five days notice, and shall at such hearings require the parties, including the employer involved, to present information relating to the actual or potential effect of such limitation or order on employment and on any alleged discharge, lay-off, or other discrimination and the detailed reasons or justification therefor. Any such hearing shall be of record and shall be subject to section 554 of title 5 of the United States Code. Upon receiving the report of such investigation, the Administrator shall make findings of fact as to the effect of such effluent limitation or order on employment and on the alleged discharge, lay-off, or discrimination and shall make such recommendations as he deems appropriate. Such report, findings, and recommendations shall be available to the public. Nothing in this subsection shall be construed to require or authorize the Administrator to modify or withdraw any effluent limitation or order issued under this Act.

(33 U.S.C. 1367)

FEDERAL PROCUREMENT

SEC. 508. (a) No Federal agency may enter into any contract with any person, who has been convicted of any offense under section 309(c) of this Act, for the procurement of goods, materials, and services if such contract is to be performed at any facility at which the violation which gave rise to such conviction occurred, and if such facility is owned, leased, or supervised by such person. The prohibition in the preceding sentence shall continue until the Administrator certifies that the condition giving rise to such conviction has been corrected.

(b) The Administrator shall establish procedures to provide all Federal agencies with the notification necessary for the purposes of subsection (a) of this section.

(c) In order to implement the purposes and policy of this Act to protect and enhance the quality of the Nation's water, the President shall, not more than one hundred and eighty days after enactment of this Act, cause to be issued an order (1) requiring each Federal agency authorized to enter into contracts and each Federal agency which is empowered to extend Federal assistance by way of grant, loan, or contract to effectuate the purpose and policy of this Act in such contracting or assistance activities, and (2) setting forth procedures, sanctions, penalties, and such other provisions, as the President determines necessary to carry out such requirement.

(d) The President may exempt any contract, loan, or grant from all or part of the provisions of this section where he determines such exemption is necessary in the paramount interest of

the United States and he shall notify the Congress of such exemption.

(e) The President shall annually report to the Congress on measures taken in compliance with the purpose and intent of this section, including, but not limited to, the progress and problems associated with such compliance.

(f)(1) No certification by a contractor, and no contract clause, may be required in the case of a contract for the acquisition of commercial items in order to implement a prohibition or requirement of this section or a prohibition or requirement issued in the implementation of this section.

(2) In paragraph (1), the term "commercial item" has the meaning given such term in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)).

(33 U.S.C. 1368)

ADMINISTRATIVE PROCEDURE AND JUDICIAL REVIEW

SEC. 509. (a)(1) For purposes of obtaining information under section 305 of this Act, or carrying out section 507(e) of this Act, the Administrator may issue subpenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and he may administer oaths. Except for effluent data, upon a showing satisfactory to the Administrator that such papers, books, documents, or information or particular part thereof, if made public, would divulge trade secrets or secret processes, the Administrator shall consider such record, report, or information or particular portion thereof confidential in accordance with the purposes of section 1905 of title 18 of the United States Code, except that such paper, book, document, or information may be disclosed to other officers, employees, or authorized representatives of the United States concerned with carrying out this Act, or when relevant in any proceeding under this Act. Witnesses summoned shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. In case of contumacy or refusal to obey a subpena served upon any person under this subsection, the district court of the United States for any district in which such person is found or resides or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the Administrator, to appear and produce papers, books, and documents before the Administrator, or both, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(2) The district courts of the United States are authorized, upon application by the Administrator, to issue subpenas for attendance and testimony of witnesses and the production of relevant papers, books, and documents, for purposes of obtaining information under sections 304 (b) and (c) of this Act. Any papers, books, documents, or other information or part thereof, obtained by reason of such a subpena shall be subject to the same requirements as are provided in paragraph (1) of this subsection.

(b)(1) Review of the Administrator's action (A) in promulgating any standard of performance under section 306, (B) in making any

determination pursuant to section 306(b)(1)(C), (C) in promulgating any effluent standard, prohibition, or pretreatment standard under section 307, (D) in making any determination as to a State permit program submitted under section 402(b), (E) in approving or promulgating any effluent limitation or other limitation under sections 301, 302, 306, or 405, (F) in issuing or denying any permit under section 402, and (G) in promulgating any individual control strategy under section 304(l), may be had by any interested person in the Circuit Court of Appeals of the United States for the Federal judicial district in which such person resides or transacts business which is directly affected by such action upon application by such person. Any such application shall be made within 120 days from the date of such determination, approval, promulgation, issuance or denial, or after such date only if such application is based solely on grounds which arose after such 120th day.

(2) Action of the Administrator with respect to which review could have been obtained under paragraph (1) of this subsection shall not be subject to judicial review in any civil or criminal proceeding for enforcement.

(3) AWARD OF FEES.—In any judicial proceeding under this subsection, the court may award costs of litigation (including reasonable attorney and expert witness fees) to any prevailing or substantially prevailing party whenever it determines that such award is appropriate.

(c) In any judicial proceeding brought under subsection (b) of this section in which review is sought of a determination under this Act required to be made on the record after notice and opportunity for hearing, if any party applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Administrator, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Administrator, in such manner and upon such terms and conditions as the court may deem proper. The Administrator may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken and he shall file such modified or new findings, and his recommendation, if any, for the modification or setting aside of his original determination with the return of such additional evidence.

(33 U.S.C. 1369)

STATE AUTHORITY

SEC. 510. Except as expressly provided in this Act, nothing in this Act shall (1) preclude or deny the right of any State or political subdivision thereof or interstate agency to adopt or enforce (A) any standard or limitation respecting discharges of pollutants, or (B) any requirement respecting control or abatement of pollution; except that if an effluent limitation, or other limitation, effluent standard, prohibition, pretreatment standard, or standard of performance is in effect under this Act, such State or political subdivision or interstate agency may not adopt or enforce any effluent limitation, or other limitation, effluent standard, prohibition,

pretreatment standard, or standard of performance which is less stringent than the effluent limitation, or other limitation, effluent standard prohibition, pretreatment standard, or standard of performance under this Act; or (2) be construed as impairing or in any manner affecting any right or jurisdiction of the States with respect to the waters (including boundary waters) of such States.

(33 U.S.C. 1370)

OTHER AFFECTED AUTHORITY

SEC. 511. (a) This Act shall not be construed as (1) limiting the authority or functions of any officer or agency of the United States under any other law or regulation not inconsistent with this Act; (2) affecting or impairing the authority of the Secretary of the Army (A) to maintain navigation or (B) under the Act of March 3, 1899 (30 Stat. 1112); except that any permit issued under section 404 of this Act shall be conclusive as to the effect on water quality of any discharge resulting from any activity subject to section 10 of the Act of March 3, 1899, or (3) affecting or impairing the provisions of any treaty of the United States.

(b) Discharges of pollutants into the navigable waters subject to the Rivers and Harbors Act of 1910 (36 Stat. 593; 33 U.S.C. 421) and the Supervisory Harbors, Act of 1888 (25 Stat. 209; 33 U.S.C. 441–451b) shall be regulated pursuant to this Act, and not subject to such Act of 1910 and the Act of 1888 except as to effect on navigation and anchorage.

(c)(1) Except for the provision of Federal financial assistance for the purpose of assisting the construction of publicly owned treatment works as authorized by section 201 of this Act, and the issuance of a permit under section 402 of this Act for the discharge of any pollutant by a new source as defined in section 306 of this Act, no action of the Administrator taken pursuant to this Act shall be deemed a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (83 Stat. 852); and

(2) Nothing in the National Environmental Policy Act of 1969 (83 Stat. 852) shall be deemed to—

(A) authorize any Federal agency authorized to license or permit the conduct of any activity which may result in the discharge of a pollutant into the navigable waters to review any effluent limitation or other requirement established pursuant to this Act or the adequacy of any certification under section 401 of ths Act; or

(B) authorize any such agency to impose, as a condition precedent to the issuance of any license or permit, any effluent limitation other than any such limitation established pursuant to this Act.

(d) Notwithstanding this Act or any other provisions of law, the Administrator (1) shall not require any State to consider in the development of the ranking in order of priority of needs for the construction of treatment works (as defined in title II of this Act), any water pollution control agreement which may have been entered into between the United States and any other nation, and (2) shall

not consider any such agreement in the approval of any such priority ranking.

(33 U.S.C. 1371)

SEPARABILITY

SEC. 512. If any provision of this Act, or the application of any provision of this Act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this Act shall not be affected thereby.

(33 U.S.C. 1251 note)

LABOR STANDARDS

SEC. 513. The Administrator shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on treatment works for which grants are made under this Act shall be paid wages at rates not less than those prevailing for the same type of work on similar construction in the immediate locality, as determied by the Secretry of Labor, in accordance with the Act of March 3, 1931, as amended, known as the Davis-Bacon Act (46 Stat. 1494; 40 U.S.C., sec. 276a through 276a–5). The Secretary of Labor shall have, with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c).

(33 U.S.C. 1372)

PUBLIC HEALTH AGENCY COORDINATION

SEC. 514. The permitting agency under section 402 shall assist the applicant for a permit under such section in coordinating the requirements of this Act with those of the appropriate public health agencies.

(33 U.S.C. 1373)

EFFLUENT STANDARDS AND WATER QUALITY INFORMATION ADVISORY COMMITTEE

SEC. 515. (a)(1) There is established on Effluent Standards and Water Quality Information Advisory Committee, which shall be composed of a Chairman and eight members who shall be appointed by the Administrator within sixty days after the date of enactment of this Act.

(2) All members of the Committee shall be selected from the scientific community, qualified by education, training, and experience to provide assess, and evaluate scientific and technical information on effluent standards and limitations.

(3) Members of the Committee shall serve for a term of four years, and may be reappointed.

(b)(1) No later than one hundred and eighty days prior to the date on which the Administrator is required to publish any proposed regulations required by section 304(b) of this Act, any proposed standard of performance for new sources required by section 306 of this Act, or any proposed toxic effluent standard required by

section 307 of this Act, he shall transmit to the Committee a notice of intent to propose such regulations. The Chairman of the Committee within ten days after receipt of such notice may publish a notice of a public hearing by the Committee, to be held within thirty days.

(2) No later than one hundred and twenty days after receipt of such notice, the Committee shall transmit to the Administrator such scientific and technical information as is in its possession, including that presented at any public hearing, related to the subject matter contained in such notice.

(3) Information so transmitted to the Administrator shall constitute a part of the administrative record and comments on any proposed regulations or standards as information to be considered with other comments and information in making any final determinations.

(4) In preparing information for transmittal, the Committee shall avail itself of the technical and scientific services of any Federal agency, including the United States Geological Survey and any national environmental laboratories which may be established.

(c)(1) The Committee shall appoint and prescribe the duties of a Secretary, and such legal counsel as it deems necessary. The Committee shall appoint such other employees as it deems necessary to exercise and fulfill its powers and responsibilities. The compensation of all employees appointed by the Committee shall be fixed in accordance with chapter 51 and subchapter III of chapter 53 of title V of the United States Code.

(2) Members of the Committee shall be entitled to receive compensation at a rate to be fixed by the President but not in excess of the maximum rate of pay grade for GS–18, as provided in the General Schedule under section 5332 of title V of the United States Code.

(d) Five members of the Committee shall constitute a quorum, and official actions of the Committee shall be taken only on the affirmative vote of at least five members. A special panel composed of one or more members upon order of the Committee shall conduct any hearing authorized by this section and submit the transcript of such hearing to the entire Committee for its action thereon.

(e) The Committee is authorized to make such rules as are necessary for the orderly transaction of its business.

(33 U.S.C. 1374)

REPORTS TO CONGRESS

SEC. 516. The Administrator, in cooperation with the States, including water pollution control agencies and other water pollution control planning agencies, shall make (1) a detailed estimate of the cost of carrying out the provisions of this Act; (2) a detailed estimate, biennially revised, of the cost of construction of all needed publicly owned treatment works in all of the States and of the cost of construction of all needed publicly owned treatment works in each of the States; (3) a comprehensive study of the economic impact on affected units of government of the cost of installation of treatment facilities; and (4) a comprehensive analysis of the national requirements for and the cost of treating municipal, indus-

trial, and other effluent to attain the water quality objectives as established by this Act or applicable State law. The Administrator shall submit such detailed estimate and such comprehensive study of such cost to the Congress no later than February 10 of each odd-numbered year. Whenever the Administrator, pursuant to this subsection, requests and receives an estimate of cost from a State, he shall furnish copies of such estimate together with such detailed estimate to Congress.

(33 U.S.C. 1375)

GENERAL AUTHORIZATION

SEC. 517. There are authorized to be appropriated to carry out this Act, other than sections 104, 105, 106(a), 107, 108, 112, 113, 114, 115, 206, 207, 208 (f) and (h), 209, 304, 311 (c), (d), (i), (l), and (k), 314, 315, and 317, $250,000,000 for the fiscal year ending June 30, 1973, $300,000,000 for the fiscal year ending June 30, 1974, $350,000,000 for the fiscal year ending June 30, 1975, $100,000,000 for the fiscal year ending September 30, 1977, $150,000,000 for the fiscal year ending September 30, 1978, $150,000,000 for the fiscal year ending September 30, 1979, $150,000,000 for the fiscal year ending September 30, 1980, $150,000,000 for the fiscal year ending September 30, 1981, $161,000,000 for the fiscal year ending September 30, 1982, such sums as may be necessary for fiscal years 1983 through 1985, and $135,000,000 per fiscal year for each of the fiscal years 1986 through 1990.

(33 U.S.C. 1376)

SEC. 518. INDIAN TRIBES.

(a) POLICY.—Nothing in this section shall be construed to affect the application of section 101(g) of this Act, and all of the provisions of this section shall be carried out in accordance with the provisions of such section 101(g). Indian tribes shall be treated as States for purposes of such section 101(g).

(b) ASSESSMENT OF SEWAGE TREATMENT NEEDS; REPORT.—The Administrator, in cooperation with the Director of the Indian Health Service, shall assess the need for sewage treatment works to serve Indian tribes, the degree to which such needs will be met through funds allotted to States under section 205 of this Act and priority lists under section 216 of this Act, and any obstacles which prevent such needs from being met. Not later than one year after the date of the enactment of this section, the Administrator shall submit a report to Congress on the assessment under this subsection, along with recommendations specifying (1) how the Administrator intends to provide assistance to Indian tribes to develop waste treatment management plans and to construct treatment works under this Act, and (2) methods by which the participation in and administration of programs under this Act by Indian tribes can be maximized.

(c) RESERVATION OF FUNDS.—The Administrator shall reserve each fiscal year beginning after September 30, 1986, before allotments to the States under section 205(e), one-half of one percent of the sums appropriated under section 207. Sums reserved under this subsection shall be available only for grants for the develoment of waste treatment management plans and for the construction of

sewage treatment works to serve Indian tribes, as defined in subsection (h) and former Indian reservations in Oklahoma (as determined by the Secretary of the Interior) and Alaska Native Villages as defined in Public Law 92–203.

(d) COOPERATIVE AGREEMENTS.—In order to ensure the consistent implementation of the requirements of this Act, an Indian tribe and the State or States in which the lands of such tribe are located may enter into a cooperative agreement, subject to the review and approval of the Administrator, to jointly plan and administer the requirements of this Act.

(e) TREATMENT AS STATES.—The Administrator is authorized to treat an Indian tribe as a State for purposes of title II and sections 104, 106, 303, 305, 308, 309, 314, 319, 401, 402, 404, and 406 of this Act to the degree necessary to carry out the objectives of this section, but only if—

(1) the Indian tribe has a governing body carrying out substantial governmental duties and powers;

(2) the functions to be exercised by the Indian tribe pertain to the management and protection of water resources which are held by an Indian tribe, held by the United States in trust for Indians, held by a member of an Indian tribe if such property interest is subject to a trust restriction on alienation, or otherwise within the borders of an Indian reservation; and

(3) the Indian tribe is reasonably expected to be capable, in the Administrator's judgment, of carrying out the functions to be exercised in a manner consistent with the terms and purposes of this Act and of all applicable regulations.

Such treatment as a State may include the direct provision of funds reserved under subsection (c) to the governing bodies of Indian tribes, and the determination of priorities by Indian tribes, where not determined by the Administrator in cooperation with the Director of the Indian Health Service. The Administrator, in cooperation with the Director of the Indian Health Service, is authorized to make grants under title II of this Act in an amount not to exceed 100 percent of the cost of a project. Not later than 18 months after the date of the enactment of this section, the Administrator shall, in consultation with Indian tribes, promulgate final regulations which specify how Indian tribes shall be treated as States for purposes of this Act. The Administrator shall, in promulgating such regulations, consult affected States sharing common water bodies and provide a mechanism for the resolution of any unreasonable consequences that may arise as a result of differing water quality standards that may be set by States and Indian tribes located on common bodies of water. Such mechanism shall provide for explicit consideration of relevant factors including, but not limited to, the effects of differing water quality permit requirements on upstream and downstream dischargers, economic impacts, and present and historical uses and quality of the waters subject to such standards. Such mechanism should provide for the avoidance of such unreasonable consequences in a manner consistent with the objective of this Act.

(f) GRANTS FOR NONPOINT SOURCE PROGRAMS.—The Administrator shall make grants to an Indian tribe under section 319 of this Act as though such tribe was a State. Not more than one-third

of one percent of the amount appropriated for any fiscal year under section 319 may be used to make grants under this subsection. In addition to the requirements of section 319, an Indian tribe shall be required to meet the requirements of paragraphs (1), (2), and (3) of subsection (d)[1] of this section in order to receive such a grant.

(g) ALASKA NATIVE ORGANIZATIONS.—No provision of this Act shall be construed to—

(1) grant, enlarge, or diminish, or in any way affect the scope of the governmental authority, if any, of any Alaska Native organization, including any federally-recognized tribe, traditional Alaska Native council, or Native council organized pursuant to the Act of June 18, 1934 (48 Stat. 987), over lands or persons in Alaska;

(2) create or validate any assertion by such organization or any form of governmental authority over lands or persons in Alaska; or

(3) in any way affect any assertion that Indian country, as defined in section 1151 of title 18, United States Code, exists or does not exist in Alaska.

(h) DEFINITIONS.—For purposes of this section, the term—

(1) "Federal Indian reservation" means all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation; and

(2) "Indian tribe" means any Indian tribe, band, group, or community recognized by the Secretary of the Interior and exercising governmental authority over a Federal Indian reservation.

(33 U.S.C. 1377)

SHORT TITLE

SEC. 519. This Act may be cited as the "Federal Water Pollution Control Act" (commonly referred to as the Clean Water Act).

(33 U.S.C. 1251 note)

TITLE VI—STATE WATER POLLUTION CONTROL REVOLVING FUNDS

SEC. 601. GRANTS TO STATES FOR ESTABLISHMENT OF REVOLVING FUNDS.

(a) GENERAL AUTHORITY.—Subject to the provisions of this title, the Administrator shall make capitalization grants to each State for the purpose of establishing a water pollution control revolving fund for providing assistance (1) for construction of treatment works (as defined in section 212 of this Act) which are publicly owned, (2) for implementing a management program under section 319, and (3) for developing and implementing a conservation and management plan under section 320.

(b) SCHEDULE OF GRANT PAYMENTS.—The Administrator and each State shall jointly establish a schedule of payments under which the Administrator will pay to the State the amount of each

[1] Probably should be subsection (e).

grant to be made to the State under this title. Such schedule shall be based on the State's intended use plan under section 606(c) of this Act, except that—

(1) such payments shall be made in quarterly installments, and

(2) such payments shall be made as expeditiously as possible, but in no event later than the earlier of—

(A) 8 quarters after the date such funds were obligated by the State, or

(B) 12 quarters after the date such funds were allotted to the State.

(33 U.S.C. 1381)

SEC. 602. CAPITALIZATION GRANT AGREEMENTS.

(a) GENERAL RULE.—To receive a capitalization grant with funds made available under this title and section 205(m) of this Act, a State shall enter into an agreement with the Administrator which shall include but not be limited to the specifications set forth in subsection (b) of this section.

(b) SPECIFIC REQUIREMENTS.—The Administrator shall enter into an agreement under this section with a State only after the State has established to the satisfaction of the Administrator that—

(1) the State will accept grant payments with funds to be made available under this title and section 205(m) of this Act in accordance with a payment schedule established jointly by the Administrator under section 601(b) of this Act and will deposit all such payments in the water pollution control revolving fund established by the State in accordance with this title;

(2) the State will deposit in the fund from State moneys an amount equal to at least 20 percent of the total amount of all capitalization grants which will be made to the State with funds to be made available under this title and section 205(m) of this Act on or before the date on which each quarterly grant payment will be made to the State under this title;

(3) the State will enter into binding commitments to provide assistance in accordance with the requirements of this title in an amount equal to 120 percent of the amount of each such grant payment within 1 year after the receipt of such grant payment;

(4) all funds in the fund will be expended in an expeditious and timely manner;

(5) all funds in the fund as a result of capitalization grants under this title and section 205(m) of this Act will first be used to assure maintenance of progress, as determined by the Governor of the State, toward compliance with enforceable deadlines, goals, and requirements of this Act, including the municipal compliance deadline;

(6) treatment works eligible under section 603(c)(1) of this Act which will be constructed in whole or in part before fiscal year 1995 with funds directly made available by capitalization grants under this title and section 205(m) of this Act will meet the requirements of, or otherwise be treated (as determined by the Governor of the State) under sections 201(b), 201(g)(1),

201(g)(2), 201(g)(3), 201(g)(5), 201(g)(6), 201(n)(1), 201(o), 204(a)(1), 204(a)(2), 204(b)(1), 204(d)(2), 211, 218, 511(c)(1), and 513 of this Act in the same manner as treatment works constructed with assistance under title II of this Act;

(7) in addition to complying with the requirements of this title, the State will commit or expend each quarterly grant payment which it will receive under this title in accordance with laws and procedures applicable to the commitment or expenditure of revenues of the State;

(8) in carrying out the requirements of section 606 of this Act, the State will use accounting, audit, and fiscal procedures conforming to generally accepted government accounting standards;

(9) the State will require as a condition of making a loan or providing other assistance, as described in section 603(d) of this Act, from the fund that the recipient of such assistance will maintain project accounts in accordance with generally accepted government accounting standards; and

(10) the State will make annual reports to the Administrator on the actual use of funds in accordance with section 606(d) of this Act.

(33 U.S.C. 1382)

SEC. 603. WATER POLLUTION CONTROL REVOLVING LOAN FUNDS. [1]

(a) REQUIREMENTS FOR OBLIGATION OF GRANT FUNDS.—Before a State may receive a capitalization grant with funds made available under this title and section 205(m) of this Act, the State shall first establish a water pollution control revolving fund which complies with the requirements of this section.

(b) ADMINISTRATOR.—Each State water pollution control revolving fund shall be administered by an instrumentality of the State with such powers and limitations as may be required to operate such fund in accordance with the requirements and objectives of this Act.

(c) PROJECTS ELIGIBLE FOR ASSISTANCE.—The amounts of funds available to each State water pollution control revolving fund shall be used only for providing financial assistance (1) to any municipality, intermunicipal, interstate, or State agency for construction of publicly owned treatment works (as defined in section 212 of this Act), (2) for the implementation of a management program established under section 319 of this Act, and (3) for development and implementation of a conservation and management plan under section 320 of this Act. The fund shall be established, maintained, and credited with repayments, and the fund balance shall be available in perpetuity for providing such financial assistance. [2]

[1] See section 104B of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1414G) for additional amounts that are to be deposited into a State's fund and treatment of such deposits.

[2] Section 1006 of the Ocean Dumping Ban Act of 1988 (P.L. 100–688) is as follows:

SEC. 1066. USE OF STATE WATER POLLUTION CONTROL REVOLVING FUND GRANTS FOR DEVELOPING ALTERNATIVE SYSTEMS.

(a) GENERAL REQUIREMENT.—Notwithstanding the provisions of title VI of the Federal Water Pollution Control Act, each of the States of New York and New Jersey shall use 10 percent of the amount of a grant payment made to such State under such title for each of the fiscal years 1990 and 1991 and 10 percent of the State's contribution associated with such grant payment in the 6-month period beginning on the date of receipt of such grant payment for making loans

(d) TYPES OF ASSISTANCE.—Except as otherwise limited by State law, a water pollution control revolving fund of a State under this section may be used only—

(1) to make loans, on the condition that—

(A) such loans are made at or below market interest rates, including interest free loans, at terms not to exceed 20 years;

(B) annual principal and interest payments will commence not later than 1 year after completion of any project and all loans will be fully amortized not later than 20 years after project completion;

(C) the recipient of a loan will establish a dedicated source of revenue for repayment of loans; and

(D) the fund will be credited with all payments of principal and interest on all loans;

(2) to buy or refinance the debt obligation of municipalities and intermunicipal and interstate agencies within the State at or below market rates, where such debt obligations were incurred after March 7, 1985;

(3) to guarantee, or purchase insurance for, local obligations where such action would improve credit market access or reduce interest rates;

(4) as a source of revenue or security for the payment of principal and interest on revenue or general obligation bonds issued by the State if the proceeds of the sale of such bonds will be deposited in the fund;

(5) to provide loan guarantees for similar revolving funds established by municipalities or intermunicipal agencies;

(6) to earn interest on fund accounts; and

(7) for the reasonable costs of administering the fund and conducting activities under this title, except that such amounts shall not exceed 4 percent of all grant awards to such fund under this title.

(e) LIMITATION TO PREVENT DOUBLE BENEFITS.—If a State makes, from its water pollution revolving fund, a loan which will finance the cost of facility planning and the preparation of plans, specifications, and estimates for construction of publicly owned treatment works, the State shall ensure that if the recipient of such loan receives a grant under section 201(g) of this Act for construction of such treatment works and an allowance under section 201(l)(1) of this Act for non-federal funds expended for such planning and preparation, such recipient will promptly repay such loan to the extent of such allowance.

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and providing other assistance as described in section 603(d) of the Federal Water Pollution Control Act to any governmental entity in such State which has entered into a compliance agreement or enforcement agreement under section 104B of the Marine Protection, Research, and Sanctuaries Act of 1972 for identifying, developing, and implementing pursuant to such section alternative systems for management of sewage sludge.

(b) LIMITATION.—If, after the last day of the 6-month period beginning on the date of receipt of a grant payment by the State of New York or New Jersey under title VI of the Federal Water Pollution Control Act for each of fiscal years 1990 and 1991, 10 percent of the amount of such grant payment and the State's contribution associated with such grant payment has not been used for providing assistance described in subsection (a) as a result of insufficient applications for such assistance from persons eligible for such assistance, the 10 percent limitations set forth in subsection (a) shall not be applicable with respect to such grant payment and associated State contribution.

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(f) CONSISTENCY WITH PLANNING REQUIREMENTS.—A State may provide financial assistance from its water pollution control revolving fund only with respect to a project which is consistent with plans, if any, developed under sections 205(j), 208, 303(e), 319, and 320 of this Act.

(g) PRIORITY LIST REQUIREMENT.—The State may provide financial assistance from its water pollution control revolving fund only with respect to a project for construction of a treatment works described in subsection (c)(1) if such project is on the State's priority list under section 216 of this Act. Such assistance may be provided regardless of the rank of such project on such list.

(h) ELIGIBILITY OF NON-FEDERAL SHARE OF CONSTRUCTION GRANT PROJECTS.—A State water pollution control revolving fund may provide assistance (other than under subsection (d)(1) of this section) to a municipality or intermunicipal or interstate agency with respect to the non-Federal share of the costs of a treatment works project for which such municipality or agency is receiving assistance from the Administrator under any other authority only if such assistance is necessary to allow such project to proceed.

(33 U.S.C. 1383)

SEC. 604. ALLOTMENT OF FUNDS.

(a) FORMULA.—Sums authorized to be appropriated to carry out this section for each of fiscal years 1989 and 1990 shall be allotted by the Administrator in accordance with section 205(c) of this Act.

(b) RESERVATION OF FUNDS FOR PLANNING.—Each State shall reserve each fiscal year 1 percent of the sums allotted to such State under this section for such fiscal year, or $100,000, whichever amount is greater, to carry out planning under sections 205(j) and 303(e) of this Act.

(c) ALLOTMENT PERIOD.—

(1) PERIOD OF AVAILABILITY FOR GRANT AWARD.—Sums allotted to a State under this section for a fiscal year shall be available for obligation by the State during the fiscal year for which sums are authorized and during the following fiscal year.

(2) REALLOTMENT OF UNOBLIGATED FUNDS.—The amount of any allotment not obligated by the State by the last day of the 2-year period of availability established by paragraph (1) shall be immediately reallotted by the Administrator on the basis of the same ratio as is applicable to sums allotted under title II of this Act for the second fiscal year of such 2-year period. None of the funds reallotted by the Administrator shall be reallotted to any State which has not obligated all sums allotted to such State in the first fiscal year of such 2-year period.

(33 U.S.C. 1384)

SEC. 605. CORRECTIVE ACTION.

(a) NOTIFICATION OF NONCOMPLIANCE.—If the Administrator determines that a State has not complied with its agreement with the Administrator under section 602 of this Act or any other requirement of this title, the Administrator shall notify the State of such noncompliance and the necessary corrective action.

(b) WITHHOLDING OF PAYMENTS.—If a State does not take corrective action within 60 days after the date a State receives notification of such action under subsection (a), the Administrator shall withhold additional payments to the State until the Administrator is satisfied that the State has taken the necessary corrective action.

(c) REALLOTMENT OF WITHHELD PAYMENTS.—If the Administrator is not satisfied that adequate corrective actions have been taken by the State within 12 months after the State is notified of such actions under subsection (a), the payments withheld from the State by the Administrator under subsection (b) shall be made available for reallotment in accordance with the most recent formula for allotment of funds under this title.

(33 U.S.C. 1385)

SEC. 606. AUDITS, REPORTS, AND FISCAL CONTROLS; INTENDED USE PLAN.

(a) FISCAL CONTROL AND AUDITING PROCEDURES.—Each State electing to establish a water pollution control revolving fund under this title shall establish fiscal controls and accounting procedures sufficient to assure proper accounting during appropriate accounting periods for—

(1) payments received by the fund;

(2) disbursements made by the fund; and

(3) fund balances at the beginning and end of the accounting period.

(b) ANNUAL FEDERAL AUDITS.—The Administrator shall, at least on an annual basis, conduct or require each State to have independently conducted reviews and audits as may be deemed necessary or appropriate by the Administrator to carry out the objectives of this section. Audits of the use of funds deposited in the water pollution revolving fund established by such State shall be conducted in accordance with the auditing procedures of the General Accounting Office, including chapter 75 of title 31, United States Code.

(c) INTENDED USE PLAN.—After providing for public comment and review, each State shall annually prepare a plan identifying the intended uses of the amounts available to its water pollution control revolving fund. Such intended use plan shall include, but not be limited to—

(1) a list of those projects for construction of publicly owned treatment works on the State's priority list developed pursuant to section 216 of this Act and a list of activities eligible for assistance under sections 319 and 320 of this Act;

(2) a description of the short- and long-term goals and objectives of its water pollution control revolving fund;

(3) information on the activities to be supported, including a description of project categories, discharge requirements under titles III and IV of this Act, terms of financial assistance, and communities served;

(4) assurances and specific proposals for meeting the requirements of paragraphs (3), (4), (5), and (6) of section 602(b) of this Act; and

(5) the criteria and method established for the distribution of funds.

(d) ANNUAL REPORT.—Beginning the first fiscal year after the receipt of payments under this title, the State shall provide an annual report to the Administrator describing how the State has met the goals and objectives for the previous fiscal year as identified in the plan prepared for the previous fiscal year pursuant to subsection (c), including identification of loan recipients, loan amounts, and loan terms and similar details on other forms of financial assistance provided from the water pollution control revolving fund.

(e) ANNUAL FEDERAL OVERSIGHT REVIEW.—The Administrator shall conduct an annual oversight review of each State plan prepared under subsection (c), each State report prepared under subsection (d), and other such materials as are considered necessary and appropriate in carrying out the purposes of this title. After reasonable notice by the Administrator to the State or the recipient of a loan from a water pollution control revolving fund, the State or loan recipient shall make available to the Administrator such records as the Administrator reasonably requires to review and determine compliance with this title.

(f) APPLICABILITY OF TITLE II PROVISIONS.—Except to the extent provided in this title, the provisions of title II shall not apply to grants under this title.

(33 U.S.C. 1386)

SEC. 607. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out the purposes of this title the following sums:

(1) $1,200,000,000 per fiscal year for each of fiscal year 1989 and 1990;

(2) $2,400,000,000 for fiscal year 1991;

(3) $1,800,000,000 for fiscal year 1992;

(4) $1,200,000,000 for fiscal year 1993; and

(5) $600,000,000 for fiscal year 1994.

(33 U.S.C. 1387)

JERRY G. CUNNINGHAM

Blount County Mayor

341 Court Street, Maryville, TN 37804-5906

jcunningham@blounttn.org

Phone: (865) 273-5700

Fax: (865) 273-5705

JERRY G. CUNNINGHAM
Blount County Mayor

DAVID R. BENNETT, CPA, CGFM
Assistant County Mayor

MEMO

To: Blount County Commissioners

From: Jerry G. Cunningham

Date: August 19, 2008

Re: $10,000 Fine for Failure to Act

Enclosed please find the Tennessee Department of Environment and Conservation, Division of Water Pollution Control Director's Order and Assessment sent to Blount County. It is self-explanatory.

STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
401 Church Street
L&C Annex 6th Floor
Nashville, TN 37243-1534

August 12, 2008

The Honorable Jerry Cunningham
Mayor of Blount County
341 Court Street
Maryville, Tennessee 37804

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
RECEIPT #7004 2510 0002 4678 2518

Subject: DIRECTOR'S ORDER NO. 08-0191
BLOUNT COUNTY MS4 PHASE II PERMIT TNS075116
BLOUNT COUNTY, TENNESSEE

Dear Mayor Cunningham:

Enclosed is a Director's Order and Assessment of Civil Penalty issued by Paul E. Davis, Director of the Division of Water Pollution Control, under the delegation of Commissioner James H. Fyke. Read the Order carefully and pay special attention to the NOTICE OF RIGHTS section.

If you or your attorney has questions concerning this correspondence, please contact Jennifer Watson at (615) 532-0359.

Sincerely,

Patrick Parker, Manager
Enforcement and Compliance Section

PNP:jaw

cc: DWPC – EFO-Knoxville
DWPC – Enforcement File
Office of General Counsel

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
DIRECTOR'S ORDER & ASSESSMENT
WPC CASE No. WPC08-0191

Respondent: The Honorable Jerry Cunningham
341 Court Street
Maryville, Tennessee 37804

The Tennessee Department of Environment and Conservation, Division of Water Pollution Control, conducted an inspection of the Blount County permit program in Blount County on February 5, 2008. It was discovered that the Respondent had violated the requirements of the Tennessee Municipal Separate Storm Sewer System Permit, No. TNS075116, (hereinafter referred to as the MS4) and the *Tennessee Water Quality Control Act*, Tennessee Code Annotated (T.C.A.) Section 69-3-101 *et seq.* (hereinafter the "Act") as indicated below:

☐ Failed to develop a storm sewer system map (MS4 Sec. 4.2.3.1.2)
☐ Failed to prohibit non-storm water discharges into your storm sewer system or implement appropriate enforcement procedures and actions. (MS4 Sec. 4.2.3.1.3)
☐ Failed to develop or implement a plan to detect and address non-storm water discharges (MS4 Sec. 4.2.3.1.4)
☐ Failed to develop or implement an ordinance to require EPSCs or ensure compliance. (MS4 Sec. 4.2.4.1.1)
☐ Failed to have staff trained in the fundamentals of EPSCs (MS4 Sec. 4.2.4.1.8)
☐ Failed to hold pre-construction meetings, and/or conduct inspections of priority construction sites at least once per month (MS4 Sec. 4.2.4.1.9)
☒ Failed to develop, implement, or enforce a program to address post construction storm water runoff management. (MS4 Sec. 4.2.5.1.1)
☒ Failed to develop and implement a set of requirements to establish water quality buffers (MS4 Sec. 4.2.5.1.3)
☐ Failed to submit annual reports following each year of the permit term (MS4 Sec. 5.4)

When the Commissioner finds that provisions of the Act are not being complied with, the Commissioner is authorized by T.C.A. Section 69-3-109 to issue Orders for correction. Further, Sections 69-3-115 and 69-3-116 give the Commissioner the authority to assess damages and civil penalties against any person who violates the Act. Pursuant to T.C.A. 69-3-107(13), the Commissioner may delegate to the Director of the Division of Water Pollution Control any of the powers, duties, and responsibilities of the Commissioner under the Act.

WHEREFORE, RESPONDENT IS HEREBY ASSESSED A CIVIL PENALTY OF $10,000.00

1. **If the Respondent waives the right to appeal this Order and Assessment, as provided below, said assessed penalty is payable as follows:**

   A. $5,000.00 shall be paid to the Division within thirty (30) days of receipt of this Order and Assessment, and

   B. The remaining $5,000.00 balance shall be paid to the Division **if, and only if**, another Notice of Violation, addressing a violation of the MS4 permit, is issued by the Division within twelve months immediately following the issuance of this Order and Assessment. In that event, the $5,000.00 balance shall be paid to the Division within thirty (30) days of the Respondent's receipt of the Notice of Violation. Further, in that event, the Division reserves the right to assess additional penalties and to take any and all other enforcement actions that it deems necessary.

2. **If the Respondent fails to pay the amount set out in paragraph 1.A or fails to return the signed Waiver of Right to Appeal within thirty (30) days after receiving this Order and Assessment, subject to the rights to appeal, the full amount of the assessed penalty, $10,000.00, is due and payable to the Division within thirty (30) days of the Respondent's receipt of this Order and Assessment.**

This Order and Assessment is not to be construed as a waiver of any provision of the law or regulations, including but not limited to, future enforcement for violations of the Act and Regulations which are not charged as violations in this Order and Assessment.

Issued this 11th day of August, 2008 on behalf of James H. Fyke, Commissioner of the Tennessee Department of Environment and Conservation.

BY: Paul E. Davis

Paul E.Davis, P.E,
Director, Division of Water Pollution Control

SEE OTHER SIDE---SEE OTHER SIDE---SEE OTHER SIDE---SEE OTHER SIDE

Penalty payments shall be made payable to "Treasurer, State of Tennessee" and shall be sent to Division of Water Pollution Control, Tennessee Department of Environment and Conservation, 6th Floor L & C Annex, 401 Church Street, Nashville, TN 37243. Please write the Case Number on your payment to ensure that you are properly credited for your payment. Correspondence, other than penalty payments or a petition to appeal, should be sent to Paul E. Davis, Director, Division of Water Pollution Control, Tennessee Department of Environment and Conservation, 6th Floor L&C Annex, 401 Church Street, Nashville, TN 37243.

WAIVER OF RIGHT TO APPEAL

The Respondent may resolve this matter by consenting to this Order and Assessment and waiving the right to appeal. To do so, an authorized representative of the Respondent must sign the waiver below and return one copy of this Order and Assessment, along with a check or money order for the penalty amount of $5,000.00 to the Division. If both the signed waiver and payment are not received by the Division within thirty (30) days of your receipt of this Order the full assessed penalty of $5,000.00 is due, unless an appeal has been timely filed. **The Respondent knowingly and voluntarily waives the right to appeal this Order and Assessment as evidenced by the signature below.**

Date: _____ _____ _____

Respondent's Printed or Typed Name Respondent's Signature(s)

NOTICE OF RIGHT TO APPEAL

Tennessee Code Annotated §§ 69-3-109, 115, allow the Respondent to secure review (appeal) of this Order and Assessment. To do so, a written petition setting forth the grounds (reasons) for requesting a hearing before the Water Quality Control Board must be RECEIVED by the Department within THIRTY (30) DAYS of the date the Respondent received this Order and Assessment or it will become final (not subject to review).

Artificial Respondents (corporations, limited partnerships, limited liability companies, etc.) cannot carry-on the practice of law. They may secure review (appeal) before the Water Quality Control Board only through an attorney licensed to practice law in Tennessee. Natural Respondents may represent themselves or be represented by an attorney licensed to practice law in Tennessee. Low-income individuals may be eligible for representation at no cost or reduced cost through a local bar association or legal aid organization.

Any hearing of this case before the Board will be a contested case hearing governed by T.C.A. § 4-5-301 *et seq.* (the Uniform Administrative Procedures Act) and the Department of State's Uniform Rules of Procedure for Hearing Contested Cases Before State Administrative Agencies. Such hearings are in the nature of a trial before the Board sitting with an Administrative Law Judge. The Respondent may subpoena witnesses to testify.

At the conclusion of a hearing the Board has the authority to affirm, modify, or deny the Order and Assessment. This includes the authority to modify the penalty within the statutory confines (up to $10,000.00 per day per violation). Furthermore, the Board has the authority to assess additional damages incurred by the Department including, but not limited to, all docketing expenses associated with the setting of the matter for a hearing and the hourly fees incurred due to the presence of an administrative law judge and a court reporter.

Any petition to appeal which is filed should be sent to: Appeal of an Enforcement Order, TDEC-OGC, 20th Floor L & C Tower, 401 Church Street, Nashville, TN 37243-1548. Payments of the civil penalty shall be made payable to the "Treasurer, State of Tennessee," and sent to the Division of Fiscal Services - Consolidated Fees Section, Tennessee Department of Environment and Conservation, 14th Floor L&C Tower, 401 Church Street, Nashville, Tennessee 37243. All other correspondence shall be sent to Paul E. Davis, Director, Division of Water Pollution Control, Tennessee Department of Environment and Conservation, 6th Floor Annex, 401 Church Street, Nashville, TN, 37243. The case number should be written on all correspondence regarding this matter.

BASS, BERRY & SIMS PLC
Attorneys at Law
A PROFESSIONAL LIMITED LIABILITY COMPANY

Gregory T. Young
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315 Deaderick Street, Suite 2700
Nashville, Tennessee 37238-3001
(615) 742-6200

September 3, 2008

VIA FACSIMILE AND U.S. MAIL

Robert N. Goddard, Esq.
Goddard & Gamble
101 West Broadway, Suite 209
Maryville, Tennessee 37801

Re: Blount County, Tennessee
Director's Order & Assessment (No. WPC08-0191)

Dear Mr. Goddard:

This letter summarizes our discussions about the referenced Director's Order & Assessment (the "Order"). As we discussed, I also spoke with Patrick Parker and Robert Karesh of the Tennessee Department of Environment & Conservation ("TDEC") about the Order. Information from that conversation is also contained in this letter.

The Order is a type of order that is commonly referred to by TDEC as an "expedited director's order." It is used in contexts where TDEC believes that facts are not in question and there are no other legal issues that might warrant more extensive review by TDEC central office personnel prior to issuing the Order. Over the last two years, TDEC and the Attorney General's Office have taken a more aggressive position on enforcement of storm water regulatory requirements, and the expedited director's order is one tool that has been used more often.

The regulatory requirements with respect to controlling storm water runoff arise from the Federal Clean Water Act (33 U.S.C. § 1251 *et seq.*), its regulations (40 CFR §§ 122.26, 122.30-37), and the Tennessee Water Quality Control Act (T.C.A. § 69-3-101 *et seq.*). The federal Environmental Protection Agency delegates authority to states like Tennessee that have a regulatory framework in place to implement and administer the Clean Water Act's regulations. Accordingly, TDEC has been delegated authority to implement the federal storm water regulations.

TDEC implements the federal storm water regulations by requiring that certain municipalities obtain coverage under and comply with the requirements of a general permit. Blount County falls into "Phase 2" of storm water regulations as a smaller municipality outside of a larger municipal area that was covered under the "Phase 1" regulations. Under the Phase 2 program, as implemented through the Tennessee Small MS4 General Permit, Blount County

must develop and implement a storm water management program to control storm water runoff and protect the quality of the water bodies that receive the storm water runoff.

Based on the information you sent to Drew, the Order cites Blount County for: (i) failing to develop, implement or enforce a program that addresses post construction storm water runoff; and (ii) failing to develop and implement requirements for water quality buffers. As to the first point, it is my understanding that Blount County recently passed an ordinance to address post construction storm water runoff. As to the second point, I understand that Blount County passed an ordinance requiring 5' buffers of streams and water bodies located at construction sites.

While it seems that the first point has been addressed, TDEC remains concerned that the 5' buffers are not adequate to protect water quality from storm water runoff impacts at construction sites. Unfortunately, the Small MS4 General Permit does not provide specific buffer widths that are considered to be protective. As such, TDEC has stated that Blount County would need to develop and provide information to TDEC proving that the 5' buffers are in fact protective. If such information cannot be provided, then TDEC indicated that Blount County should look to similarly situated municipalities in East Tennessee with similar geography and approved buffer widths to determine what the protective buffer width should be. TDEC provided me with the enclosed summary of approved, protective buffer widths of similarly situated municipalities in East Tennessee.[1]

As you can see from the Order, the total penalty assessed for the first and second points totals $10,000. However, if within 30 days of receipt Blount County accepts the Order and waives it right to appeal, then Blount County would only pay $5,000 "up front" and the remaining $5,000 would be payable if and only if another Notice of Violation is issued within 12 months. TDEC confirmed that to avoid another Notice of Violation (at least with respect to the buffer issue), Blount County would need to either prove that a 5' buffer is adequately protective or impose wider buffer requirements that have been determined to be protective in other similar situations.

If Blount County does not accept the Order and/or chooses to appeal, then TDEC has confirmed that it will take the position that the entire $10,000 is owed. TDEC declined my requests to negotiate the penalty framework or amounts and informed me that they believe that the penalty framework already contemplates a penalty reduction if the Order is accepted.

I hope that the information above is helpful. If you have any additional questions or concerns, please do not hesitate to contact either me or Drew.

Sincerely,

Gregory T. Young

[1] I understand from TDEC that this information came from Justin Teague, Blount County MS4 Storm Water Coordinator.

City of Maryville

Buffer Widths:

1) Stream or river = 60' from top of bank with inner and outer zones.
   30' inner zone: mature, moderately dense forest (i.e., trees) with woody shrubs and understory vegetation.
   30' outer zone: mowed, dense grass that covers the entire zone.
2) Ponds = 30' shall be provided around the perimeter of ponds and lakes that discharge water to or receive discharges of water from streams or rivers. Follow outer zone requirements.
3) Wetlands = 30' shall be provided around the perimeter of a wetland, as measured from the outermost edge of the wetland. Follow inner zone requirements.
4) Steep slopes = Where steep slopes of 15% or greater are located within fifty (60) feet of the water body, one of the following conditions shall apply:
   The Water Quality Buffer width in the steep slope area shall be adjusted to include an additional twenty (20) feet, giving a total buffer width of eighty (80) feet. At a minimum, the additional twenty (20) feet shall meet the vegetation target of mowed, dense grass that covers the entire additional area; or the water quality buffer in the steep slope area shall have a minimum width of sixty (60) feet and follow the inner zone criteria.

City of Alcoa

Buffer Widths:

1) A water quality buffer shall be provided along each side of a stream, as measured perpendicular from the centerline of the active channel and extending landward. The WQB may be divided into two zones:
   1. Inner Zone: The inner zone of the water quality buffer shall be a minimum width of thirty-five (35) feet or one-half (1/2) of the total required total buffer, whichever is greater.
   2. Outer Zone: The outer zone of the water quality buffer shall be the remainder of the WQB, if applicable, that extends beyond the inner zone.
2) Ponds = 30'. Follow outer zone.
3) Wetlands = 30'. Follow inner zone.
4) Steep slopes = Where steep slopes of 15% or greater are located within fifty (50) feet of the water body, one of the following conditions shall apply:
   1. The water quality buffer width in the steep slope area shall be adjusted to include an additional twenty (20) feet from the outer edge of the WQB. The additional twenty (20) feet shall follow the outer zone criteria.
   2. The water quality buffer in the steep slope area shall have a minimum width of the total required buffer width and follow the inner zone criteria.

City of Knoxville

Buffer Widths:

1) Blue-line streams where a floodway profile has been computed, as part of the Flood Insurance Study, shall require a natural buffer zone measured 50 feet from the center of the low flow channel or the width of the 100-year floodway, whichever is greater.

2) Blue-line streams where a floodway profile has not been computed, as part of the Flood Insurance Study, but are named on the USGS 7.5-minute quadrangle map, shall require a natural buffer zone measured 35 feet from the center of the low flow channel.
3) Blue-line streams and tributaries where a floodway profile has not been computed, as part of the Flood Insurance Study, and are not named on the USGS 7.5-minute quadrangle map, shall require a natural buffer zone measured 15 feet from the center of the low flow channel.

Town of Farragut

Buffer Widths:

1) The aquatic buffer on streams shall be twenty-five (25) feet from the top of bank on each side of the waterway or the width of the 100-year floodway, whichever is greater.
2) The aquatic buffer adjacent to delineated wetlands and springs shall extend twenty-five (25) feet perpendicular beyond the edges of the delineated wetlands and springs.

Knox County

Buffer Widths:

1) Streams = 50' from top of bank with a minimum of 25' inner zone and the remainder for an outer zone to meet the total 50' width.
2) Ponds and lakes = 25' around the perimeter with mowed dense grass.
3) Wetlands = 25' around the perimeter with undisturbed, mature, moderately dense forest.
4) Steep slopes = when greater than 15% or located within 50' of community water, one of the following shall apply: a) include an additional 25' or b) shall have a minimum of 50' with inner zone requirements.

City of Morristown

Buffer Widths:

1) Regulated streams with a floodway profile = 50' from the center of the low flow channel or width of floodway, whichever is greater.
2) Regulates streams without a floodway profile = 35' from the center of the low flow channel.

JERRY G. CUNNINGHAM

Blount County Mayor

341 Court Street, Maryville, TN 37804-5906

jcunningham@blounttn.org

Phone: (865) 273-5700

Fax: (865) 273-5705

JERRY G. CUNNINGHAM
Blount County Mayor

DAVID R. BENNETT, CPA, CGFM
Assistant County Mayor

September 11, 2008

Appeal of an Enforcement Order
TDEC-OGC
20th Floor L&C Tower
401 Church St.
Nashville, TN 37243-1548

RE: Petition to Appeal
Director's Order No. 08-0191
Blount County MS4 Phase II Permit TNS075116
Blount County, Tennessee

To Whom It May Concern:

Please be advised that we hereby give notice of our appeal of Director's Order No. 08-0191. The Director's order cites two areas where the Tennessee Department of Environment and Conservation, Division of Water Pollution Control indicated Blount County had violated. Our position is as follows:

First, it was cited that Blount County "failed to develop, implement, or enforce a program to address post construction storm water runoff management". We do not concur with this finding and are appealing the same. Blount County, in fact, had a plan in place prior to the August 12, 2008 order date and thus had met these requirements.

Second, it was cited that Blount County "failed to develop and implement a set of requirements to establish water quality buffers". We do not concur with this finding and are appealing it as well. Blount County, in fact, had developed and implemented water quality buffers prior to the August 12, 2008 order date and thus had met this requirement.

Greg Young with Bass, Berry & Sims will be the attorney handling this appeal process on behalf of Blount County. His contact information is as follows:

Gregory T. Young
Bass, Berry & Sims PLC
315 Deaderick Street, Suite 2700
Nashville, TN 37238-3001
615-742-7756

Sincerely,

Jerry G. Cunningham
Blount County Mayor

JGC.amc

BASS, BERRY & SIMS PLC
Attorneys at Law
A PROFESSIONAL LIMITED LIABILITY COMPANY

J. Andrew Goddard
PHONE: (615) 742-6224
FAX: (615) 742-2724
E-MAIL: dgoddard@bassberry.com

315 Deaderick Street, Suite 2700
Nashville, Tennessee 37238-3001
(615) 742-6200

November 3, 2008

Mayor Jerry G. Cunningham
Blount County Mayor's Office
Blount County Courthouse
341 Court Street
Maryville, Tennessee 37804-5906

Re: TDEC Storm Water and Enforcement Order

Dear Mayor Cunningham:

The following is a status report based on our meeting with representatives of the Tennessee Department of Environment Conservation – Division of Water Pollution Control and follow-up conversations I have had with counsel for TDEC:

1. TDEC will be issuing a new MS4 Storm Water General Permit in the next few months, and intends to specify in it a minimum set-back amount. TDEC is willing in an Agreed Order settling this matter to permit the County to leave its 5-foot set-back in place in the interim so long as the County accepts the set-back in the General Permit when it is issued. (The new General Permit will be required to be published for notice and comment, and if the proposed set-back is excessive the County and other affected counties and municipalities could comment in opposition to that.)

2. An easement is not required. What is required is a set-back from surface streams, with prohibitions against construction in that area absent a variance and with the authority of the County to enter that area for maintenance should the property owner fail in its obligations in this regard.

3. The set-back requirement, and all of the other requirements under the MS4 Storm Water General Permit, are only required to be effective in the urbanized portion of the County. TDEC is willing to have that be limited to that portion of the County that is in the urban growth boundaries of the various municipalities in the County. If in the future additional portions of the County become urbanized, those would need to be added at that time. After researching this further, it appears that Blount County has in fact applied for coverage only for the urbanized portions of the

County.[1] Blount County may modify the set-back resolution required under the General Permit, and any of the other measures required under the General Permit, to apply only in those areas within the urban growth boundaries of the municipalities.

4. In addition to the two programs cited in the enforcement order that require resolutions by the County (set-back and post-construction storm water management program), TDEC has identified three additional requirements under the General Permit that, according to TDEC, should have been completed before now but are not yet complete. Those are a Resolution to address priority construction activity, completion of the storm sewer mapping, and a plan to detect and address non-storm water discharges. TDEC wants to include these as additional non-compliances in the Agreed Order settling this matter and include reasonable deadlines by which each of these should be completed.

5. TDEC has not agreed to any reduction of the penalty beyond what would have been the case had the County not appealed the Initial Order. That was a penalty of $5,000 that had to be paid and a contingent penalty of $5,000 due only if actions required by the Agreed Order were not completed by the deadline stated in the Agreed Order. I have not yet raised with TDEC the possibility of off-setting a substantial portion of the $5,000 front-end penalty by a supplemental environmental project (*e.g.*, funding of a conservation project in the county), but typically TDEC is open to that.

If you have any questions, please call me. Thank you.

Sincerely,



J. Andrew Goddard

JAG:cgf

7221078.1

[1] The MS4 Storm Water General Permit states that the coverage area will be the urbanized portion of the County and any additional areas designated by the County. The current form to apply for coverage under this permit requires that a County specify what areas are to be covered. The old form, which was the one used when Blount County applied for coverage in 2003, did not have this provision, and Blount County did not specify any specific area of the County for coverage. Accordingly, only the "urbanized" portions of Blount County are covered. TDEC has concurred with this, and agrees that it would be in all parties best interests to specify what the "urbanized" areas of the County covered by the permit are, and the easiest way to do that is to specify those areas of the County within the urban growth boundaries of the municipalities in the County. This should be accomplished by filing a clarifying amendment to the application for coverage that Blount County filed in 2003.

Budget Increases/Decreases

Commission Action Needed

Fund	Amount	Budget Committee	Vote
143 Central Cafeteria (Schools)	$20,000	Recommended	4 - Yes 1- Absent
101 Gen. Fund – Circuit Court Clerk	$9753.50	Recommended	4 - Yes 1- Absent
101 Gen. Fund – Health Department	$26,206	Recommended	4 - Yes 1- Absent
101 Gen. Fund – Animal Center	$1500	Recommended	4 - Yes 1- Absent

RESOLUTION NO. 15-04-008

Sponsored by: Commissioners Jerome Moon and Mike Lewis

RESOLUTION TO AMEND CENTRAL CAFETERIA BUDGET

WHEREAS, Blount County would like to amend the Central Cafeteria Budget to appropriate funds for a hot and cold food serving line at Lanier Elementary cafeteria; and

WHEREAS, it is deemed to be in the best interest of Blount County to amend the Central Cafeteria budget as requested.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Blount County, Tennessee assembled in regular session this 16th day of April, 2015 that the Central Cafeteria Budget shall be amended as follows:

Revenue:
143-000000-471150 USDA Food Service Equipment Grant…$20,000.00

Appropriation:
143-073100-500710 Food Service Equipment……...$20,000.00

Duly authorized and approved this 16th day of April, 2015.

CERTIFICATION OF ACTION: ATTEST:

_____ _____
Commission Chairman County Clerk

Approved: _____
Vetoed: _____ _____ _____
County Mayor Date

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☐
Increase/Decrease ☑

Department: School Nutrition
Account: 143-73100

	Account Number	Description	Amount
TO			
Used with transfers			
(or)			
	143-73100-500710	Food Service Equipment	20,000.00
APPROPRIATION			
Used with inc/dec			
		Total	20,000.00

	Account Number	Description	Amount
FROM			
Used with transfers			
(or)			
	143-000000-471150	USDA Food Service Equip Grant	20,000.00
EST REVENUE			
Used with inc/dec			
		Total	20,000.00

Explanation: Establish approp. and revenue for award of $20,000 USDA food service equipment grant for Lanier Elementary. Use of funds to purchase a hot and cold serving line for use at Lanier Elementary Cafeteria.

Tracy Logan 2-4-15
Signature of Official/Department Head/Date

Signature of County Mayor/Date

"Approved By The Board Of Education" 3-26-15

All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

STATE OF TENNESSEE
DEPARTMENT OF EDUCATION
9th FLOOR, ANDREW JOHNSON TOWER
710 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37243-0375

BILL HASLAM
GOVERNOR

KEVIN S. HUFFMAN
COMMISSIONER

June 23, 2014

Mr. Robert E. Britt
Director, Blount County Schools
831 Grandview Drive
Maryville, TN 37803

Dear Mr. Britt:

The United States Department of Agriculture (USDA) has selected the State of Tennessee to receive federal funds for Equipment Assistance Grants. These funds are to provide equipment assistance to School Food Authorities (SFAs) participating in the National School Lunch Program. These funds will allow SFAs to purchase needed equipment to serve healthier school meals, meet the new nutritional standards with an emphasis on more fresh fruits and vegetables, improve food safety, and expand access.

We are pleased to inform you that **Lanier Elementary** has been awarded **$20,000.00** to purchase a **Hot & Cold Serving Line** for use in that school. If for some reason you no longer want these funds for this school and this piece of equipment, please notify us as soon as possible so that this money may be reallocated to another school.

Payments will be made on a reimbursement basis, up to the award amount, when we receive a copy of your invoice with equipment serial number and a copy of your cancelled check. Please remember that you must follow all federal, state, and local procurement laws when purchasing equipment with these grant awards. As with all Federal grant funds, equipment procured using NSLP Equipment Assistance Grant funds must be practical and allocable in order to be reasonable and permissible costs. The performance period for these grants expands over a two-year period. You must have the ability to complete the procurement and expenditure activities by Sept. 30, 2015. Independent solicitation and awards must be made for each bid. School systems cannot use a bid from another school system.

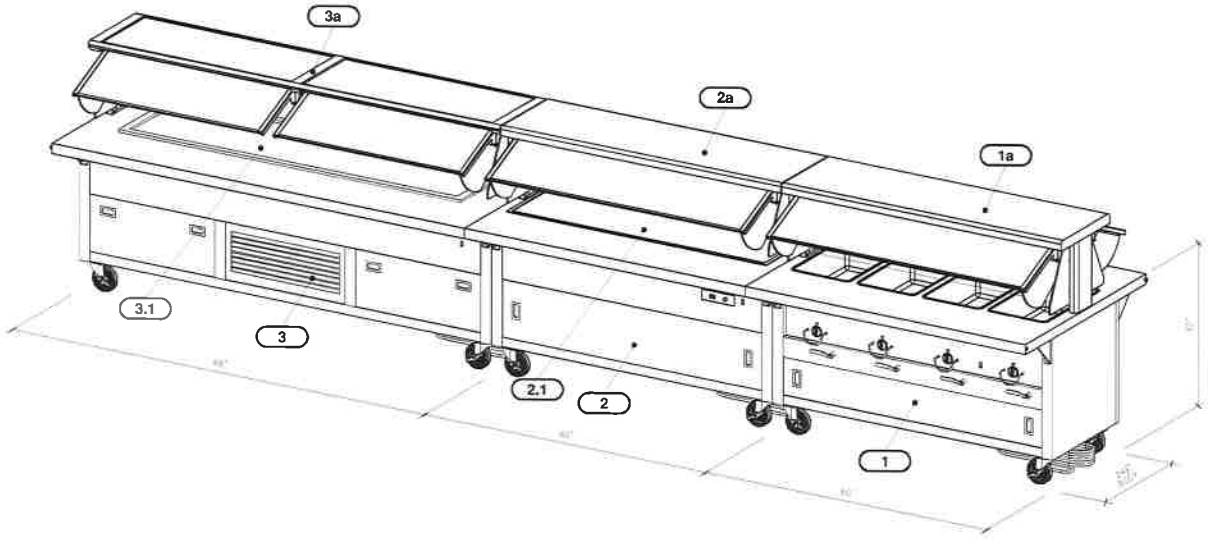
As always we look forward to working with you as we better serve the students of Tennessee. If you have any other questions, please contact me or Jasmine Taylor at 1-800-354-3663.

Sincerely,

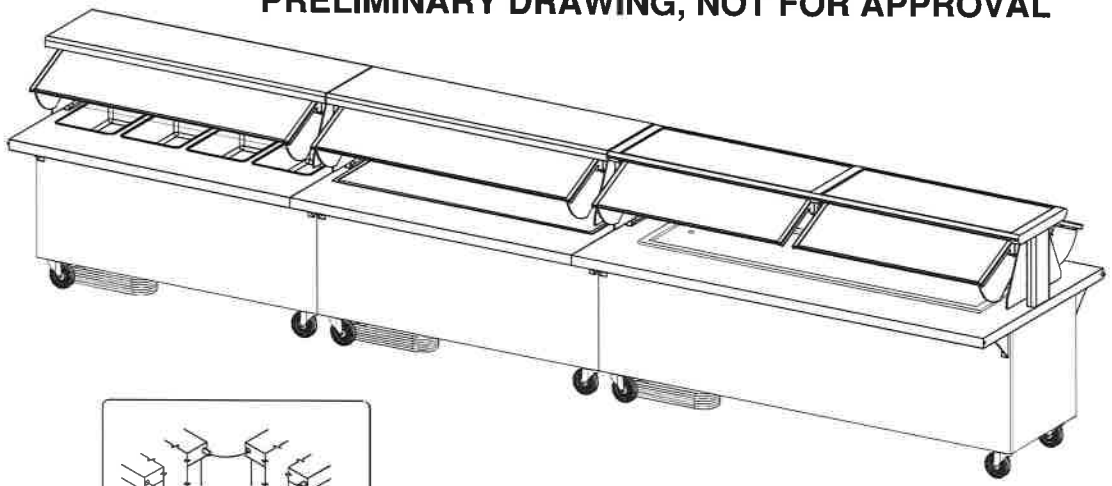
Sarah White

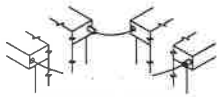
Sarah White, State Director

CC: Mike Herrmann, Executive Director
Jasmine Taylor, SN Finance
Troy Logan, School Nutrition Supervisor
Clint Hufford, School Nutrition Consultant



PRELIMINARY DRAWING, NOT FOR APPROVAL





1	3D - PERSPECTIVE
1	NOT TO SCALE

SUBMITTAL NOTES

THIS DRAWING AND THE INFORMATION AND DATA CONTAINED HEREIN ARE THE CONFIDENTIAL AND PROPRIETARY PROPERTY OF DUKE MANUFACTURING CO., AND MAY NOT BE REPRODUCED OR DISCLOSED FOR ANY PURPOSE, WITHOUT THE WRITTEN PERMISSION OF DUKE MANUFACTURING CO.

PLASTIC LAMINATE GRADE (IF HPDL) WILL BE FOR HORIZONTAL UNLESS OTHERWISE NOTED.

SOLID SURFACE TOPS & TRAY SLIDES WITH FIELD SEAMS: WHEN SPANNING MORE THAN ONE UNIT, BILL SHIP LOOSE SOLID SURFACE TOP & TRAY SLIDES SPECIFIC TO ONE UNIT SHIPS INSTALLED SOLID SURFACE TOPS & TRAY SLIDES REQUIRE A CERTIFIED INSTALLER SPECIFIC TO THE BRAND, TO SEAM THE UNITS IN THE FIELD DURING PRODUCT INSTALLATION.

EQUIPMENT SCHEDULE

Item Tag	Qty	Model Number	Origin	Description	Voltage	Amps	Watts	Shipping Weight (lbs)
1	1	5364-2SCA	FS	HOT FOOD UNIT SEALED WELLS W/ DRAINS	208	1	1.5	See Spec Sheet / NEMA L14-30P
1a	1	7536-60	FS	SELF SERVICE STYLE S.S. DISPLAY SHELVES WITH HEATED HEAT STRIP & INCAND. LIGHTS **MODIFIED TO SINGLE SHELF**	120	1	8.6	See Spec Sheet / NEMA 5-15P
2	1	200-2SC	FS	SOLID TOP UNIT	-	-	-	See Spec Sheet / NEMA L5-30P
2.1	1	SMSB-SP--	FS	HEATED GRAB-N-GO HEATED SHELF	120	1	8.6	See Spec Sheet / NEMA 5-15P
2a	1	7536D-60	FS	SELF SERVICE STYLE S.S. DISPLAY SHELVES WITH HEATED HEAT STRIP & INCAND. LIGHTS **MODIFIED TO SINGLE SHELF**	120	1	8.6	See Spec Sheet / NEMA 5-15P
3	1	201-2SSS	FS	SOLID TOP UNIT MODIFIED LENGTH	-	-	-	See Spec Sheet / NEMA 5-15P
3.1	1	FTR-SS	FS	HEATED GRAB-N-GO FROST TOP UNIT	120	1	8.6	See Spec Sheet / NEMA 5-15P
3a	1	7536D-60	FS	SELF SERVICE STYLE GLASS DISPLAY SHELVES WITH FLUORESCENT LIGHTS **MODIFIED TO SINGLE SHELF**	120	1	0.25	See Spec Sheet / NEMA 5-15P

GENERAL NOTES

AEROSERV SERVING SYSTEMS

TOPS
16 GA. STAINLESS STEEL TOPS, SATINISH ON BOTH SIDES

BODIES & INTERIORS
18 GA. FRAME SUPPORTS W/20 GA. STAINLESS STEEL ENCLOSURE CHANNELS, BODY PANELS AND INTERIOR LINERS

CASTERS
5" CASTERS WITH GRAY POLYURETHANE TIRES - ALL SWIVEL (2) WITH BRAKES

HOT FOOD DRAINS
DRAIN MANIFOLDED W/ COPPER TUBING TO BRASS WASTER VALVE. EXTRA WASTER VALVE FORWARD TO POWER HOOK FOR CONNECTION. HOSE SUPPLIED BY OTHERS.

COLD FOOD DRAINS
DRAIN EXTENSION TO QUICK VALVE W/ HOSE FOR CONNECTION. HOSE SUPPLIED BY OTHERS.

BREATHGUARDS
18 GA. STAINLESS STEEL SHELVES AND SNEEZEGUARDS W/ CLEAR GLASS PROTECTORS W/ ACRYLIC END ENCLOSURES & 18 GA. STAINLESS STEEL SHELF FRAMES & END SNEEZEGUARDS W/ CLEAR GLASS SHELVES & PROTECTORS W/ ACRYLIC END ENCLOSURES

SYMBOL LEGEND

DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL
SAMPLE RECEPTACLE	S	GFCI DUPLEX RECEPTACLE (5-15P W/ 5-20R OUT)	GFCI
EQUIPMENT TAG	XXXXXX	STANDARD 6' CORD & PLUG	
NAMEPLATE LOCATION	K	2-1/4" GROMMET LOCATION	
LAMINATE LOCATION	L	FIELD JOINT LOCATION	FJ
VIEW TAG	VIEW NUMBER / PAGE NUMBER	1 PLAN / 3/8"=1'-0"	VIEW NAME / SCALE
VIEW ARROW			VIEW NUMBER / PAGE NUMBER

"Your Solutions Partner"
DUKE MANUFACTURING COMPANY
2305 North Broadway
St. Louis, Mo. 63102
Ph (314) 231-1130
Fax (314) 231-5074

PRELIMINARY

REV.	DATE	BY
A	12/17/2014	LOH

AEROSERV
SERVING SYSTEM

DESIGNED FOR: LANIER ELEMENTARY SCHOOL
DETAILED BY: PMR, INC.
DRAWN BY: DTM
ESTIMATOR: J. SUMPTER
PURCHASE ORDER #:
SALES ORDER: N/A
DATE: 10/31/2014
DRAWING NO.: 60409
SHEET: 1 OF: 1

Estimate

02/02/2015

Project:
Lanier ES

From:
Professional Manufacturers Representatives, Inc. (PMR)
Alice Stipe
1305 Lakes Parkway, Ste 106
Lawrenceville, GA 30093
770-630-6309
770-441-3100 (Contact)

Item	Qty	Description	Budget	Budget Total
1	1 ea	**HOT FOOD SERVING COUNTER** Duke Manufacturing Model No. E304-25SS AeroServ Hot Food Unit, electric, 60"L, 24-1/2"W, 36"H, 20ga stainless steel top, (4) stainless steel sealed heat wells, drains, copper manifolds, (1) brass valve, infinite controls, 20ga stainless steel body & undershelf, 6"H stainless steel legs & adjustable feet	$7,907.82	$7,907.82
	1 ea	208v/60/1-ph, 3600 watts, 17.3 amps		
	1 ea	8 ft. cord & plug in lieu of standard cord set, specify NEMA number		
	1 ea	Electric heat well options		
	4 ea	Individual brass valves added to drains, per well		
	1 ea	Hose bib connection for customer supplied garden hose		
	1 ea	Additional rail with (4) round cutouts and drain valve handle extensions		
	1 ea	Counter top options		
	1 ea	14ga stainless steel top in lieu of standard		
	2 ea	Extend width of top for 10" tray space on each side with stainless steel fixed brackets		
	1 ea	Internal locking device, stainless steel pin & latch line up device under counter top, per unit price (on both ends)		
	1 ea	Closure panel, removable, with recessed pulls on operator side		
	1 ea	ACA-SET4-A Casters, set of 4, swivel type, all with brakes, & 5" dia. gray polyurethane tire in lieu of standard legs, this may require cord & plug option (cord & plug must be added to hot food units to meet U.L.)		
	1 ea	Special body modifications		
	1 ea	Special body height - 32" a.f.f.		
	1 ea	TS580-60 Thurmaduke™ Designer Sneeze Guard, 59-5/8"W, (2) sided self-service style, 2-tier with glass shelves, adjustable front glass, painted end panels & 1/4" acrylic end guards (NOTE: upper deck for wrapped food only) SINGLE TIER ONLY		
	1 ea	*18" WIDE STAINLESS STEEL TOP SHELF*		
	1 ea	Stainless steel frame in lieu of standard painted steel		
	1 ea	Stainless steel ends in lieu of standard painted steel		
	1 ea	Radiant heat rod & incandescent light under shelf & wired to base, 120v/60/1-ph (this may require cord & plug option)		
	1 ea	Remote switch in rail for food guard heat and lights, INFINTE SWITCH in rail to control heat		
	6 ea	Carlisle 607000C DuraPan™ Steam Table Pan Cover, full-size, solid, flat,		

Item	Qty	Description	Budget	Budget Total
		lift-off, recessed handle, dishwasher safe, 24 gauge 18/8 stainless steel, NSF		
2	1 ea	**UTILITY SERVING COUNTER** Duke Manufacturing Model No. 310-25SS AeroServ Solid Top Unit, utility counter, 60"L, 24-1/2"W, 36"H, 20ga stainless steel top, 20ga stainless steel body, stainless steel intermediate & bottom shelf, 6"H stainless steel legs & adjustable feet	$8,848.36	$8,848.36
	1 ea	Counter top options		
	1 ea	14ga stainless steel top in lieu of standard		
	2 ea	Extend width of top for 10" tray space on each side with stainless steel fixed brackets		
	1 ea	Internal locking device, stainless steel pin & latch line up device under counter top, per unit price (on both ends)		
	1 ea	Closure panel, removable, with recessed pulls on operator side		
	1 ea	ACA-SET4-A Casters, set of 4, swivel type, all with brakes, & 5" dia. gray polyurethane tire in lieu of standard legs, this may require cord & plug option (cord & plug must be added to hot food units to meet U.L.)		
	1 ea	Fabrication & electrical modifications		
	1 ea	Rectangular cutout with reinforced edges, in counter top, body panel or a shelf, counter top max. front to back is 22-1/4", & right to left is 4" less than unit length (specify cutout size & location) - ***FOR CUSTOMER SUPPLIED HATCO GRSB-54-I***		
	1 ea	Factory install customer supplied drop-in		
	1 ea	ICB - Inter-connect box with (2) 5-15R outlets with breakers, and an 8' NEMA L5-30P cord and plug		
	1 ea	Special body modifications		
	1 ea	Special body height - 32" a.f.f.		
	1 ea	TS580-60 Thurmaduke™ Designer Sneeze Guard, 59-5/8"W, (2) sided self-service style, 2-tier with glass shelves, adjustable front glass, painted end panels & 1/4" acrylic end guards (NOTE: upper deck for wrapped food only)SINGLE TIER ONLY		
	1 ea	*18" WIDE STAINLESS STEEL TOP SHELF*		
	1 ea	Stainless steel frame in lieu of standard painted steel		
	1 ea	Stainless steel ends in lieu of standard painted steel		
	1 ea	Radiant heat rod & incandescent light under shelf & wired to base, 120v/60/1-ph (this may require cord & plug option)		
	1 ea	Remote switch in rail for food guard heat and lights, INFINTE SWITCH in rail to control heat		
	1 ea	Hatco GRSB-54-I Glo-Ray® Drop In Heated Shelf with Recessed Top, 55-1/2" x 21", 1/2" deep recessed surface area, hardcoat aluminum top, control thermostat, illuminated on/off switch & mounting bracket, 1100 watts		
	1 ea	Hatco NOTE: Sale of this product must comply with Hatco's Minimum Resale Price Policy; consult order acknowledgement for details		
	1 ea	Hatco NOTE: Includes 24/7 parts & service assistance, call 800-558-0607		
	1 ea	Hatco 120v/60/1-ph, 1110W, 9.3 amps, NEMA 5-15P		
	1 ea	Hatco NOTE: Recommended for use in metallic countertop, verify that the material is suitable for temperatures up to 200 degree F		

Item	Qty	Description	Budget	Budget Total
	1 ea	Hatco GRSB-FLUSH-TSTAT Flush mount thermostatic control box with lighted power switch (Not for retrofit)		
	1 ea	Hatco BLACK Black, designer color, flush mounted bezel only (Not for retrofit)		
	1 ea	Hatco The color selected is considered custom and is NOT returnable		
3	1 ea	**UTILITY SERVING COUNTER** Duke Manufacturing Model No. 311-25SS AeroServ Solid Top Unit, utility counter, 74"L, 24-1/2"W, 36"H, 20ga stainless steel top, 20ga stainless steel body, stainless steel intermediate & bottom shelf, 6"H stainless steel legs & adjustable feet	$12,921.23	$12,921.23
	1 ea	Counter top options		
	1 ea	14ga stainless steel top in lieu of standard		
	2 ea	Extend width of top for 10" tray space on each side with stainless steel fixed brackets		
	1 ea	Louvered removable, stainless steel panel on operator side		
	1 ea	ACA-SET4-A Casters, set of 4, swivel type, all with brakes, & 5" dia. gray polyurethane tire in lieu of standard legs, this may require cord & plug option (cord & plug must be added to hot food units to meet U.L.)		
	1 ea	Fabrication & electrical modifications		
	1 ea	8 ft. cord & plug, specify NEMA number - *5-15P*		
	1 ea	Rectangular cutout with reinforced edges, in counter top, body panel or a shelf, counter top max. front to back is 22-1/4", & right to left is 4" less than unit length (specify cutout size & location) - ***FOR CUSTOMER SUPPLIED HATCO MODEL FTB-S3***		
	1 ea	Factory install customer supplied drop-in		
	1 ea	Hose bib connection for customer supplied garden hose		
	1 ea	Electric outlet in base, galvanized J-box, duplex or single receptacle & stainless steel cover, mounted inside unit & wired to a single point connection, specify NEMA number - *DUPLEX 5-15R*		
	1 ea	Special body modifications		
	1 ea	Special body height - 32" a.f.f.		
	1 ea	Special 88" o.a. body length		
	1 ea	TS580-88 Thurmaduke™ Designer Sneeze Guard, 87-5/8"W, (2) sided self-service style, 2-tier with glass shelves, adjustable front glass, painted end panels & 1/4" acrylic end guards (NOTE: upper deck for wrapped food only) SINGLE TIER ONLY		
	1 ea	*18" WIDE GLASS SHELF*		
	1 ea	Stainless steel frame in lieu of standard painted steel		
	1 ea	Stainless steel ends in lieu of standard painted steel		
	1 ea	Fluorescent light under a display shelf & wired to base, 120v/60/1-ph (this may require cord & plug option)		
	1 ea	Remote switch in rail for food guard heat and lights		
	1 ea	Cord and plug *NEMA 5-15P* to plug food guard light into base		
	1 ea	Hatco FTB-S3 Drop-In Slim Frost Top, 80-13/16"L, accommodates (3) full size sheet pans, lighted on/off rocker switch, electronic adjustable temperature control can be mounted to either side of condensing unit or remotely up to 4' from unit, 1" NPT drain, self-contained refrigeration, UL, C-UL, NSF7		

Item	Qty	Description	Budget	Budget Total
	1 ea	Hatco NOTE: Sale of this product must comply with Hatco's Minimum Resale Price Policy; consult order acknowledgement for details		
	1 ea	Hatco NOTE: Includes 24/7 parts & service assistance, call 800-558-0607		
	1 ea	Hatco One year parts and labor warranty, standard		
	1 ea	Hatco EWC Four year extended parts only warranty on the compressor (Not for retrofit)		
	1 ea	Hatco 120v/60/1-ph, 804 watts, 6.7 amps, NEMA 5-15P, standard		
	12 ea	Carlisle 2618FMTQ303 Market Tray, 25-5/8"L x 17-7/8"W, air-flow corners, metal rod reinforced fiberglass, coral, NSF		
		Total		$29,677.41

****

Thank you for allowing us the opportunity to bid on this project and your continued support of Duke Manufacturing.

****

When placing an order based on this quotation please provide quote number and job name on order

Serving Line for Lanier Elementary School; Blount County, TN.

Installation and delivery: All prices are to include delivery, uncrate and set in place with all crating material removed from the site. All units are to be cleaned and ready for use. Installation with final hook ups will be included and will include all plumbing (supply hoses as required to reach drains on each unit) and electrical hook-ups. All electrical work required for the serving line is required. This is a "Turn Key" installation. It is the Food Service Dealer's responsibility to visit the jobsite (a jobsite meeting date, location and time are found in the cover letter) and to work with the owner to verify the feasibility of installation of new equipment at any location and all electrical and installation requirements per code. All pricing does NOT include removal or disconnection of any existing equipment. The standard Industry lead time of four to six weeks from receipt of purchase order is acceptable. If the lead time is more than the six week industry standard the owner must be advised at the time of ordering and can then cancel the order if it does not meet their needs. Shorter lead times are always welcomed.

SPECIFICATIONS:

Item 1-3 The following items will have met the following specifications unless otherwise noted.

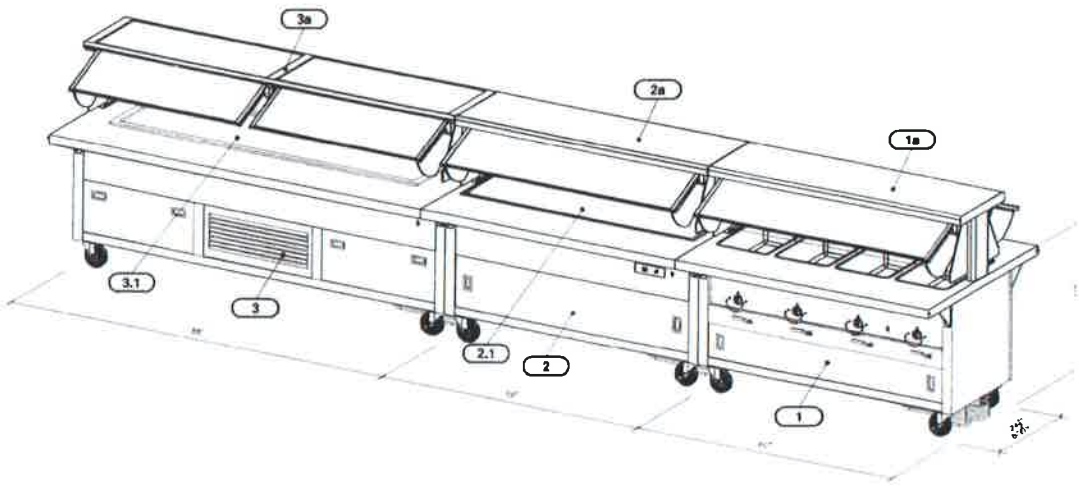
AeroServ cafeteria food service modular units constructed with 14 gauge 300 series stainless steel (S.S.) counter tops with internal locking devices, s/s pin & latch line-up device under counter top. Supply extended tops, 10", both sides on stationary brackets in lieu of tray slides, supply 2" straight turndown on all sides. Tops to be attached to the cabinet body so that no spot weld marks appear. Bodies to be stainless steel with bottom shelves with utility access holes. Hose bid connection on all drains for garden hose (by Food Service Contractor-FSC). ALL DRAIN MUST BE ACCESSABLE (moved to employee side of line). Bodies to be mounted on 5" dia. poly swivel casters, two with brakes per counter. Counter to be height of 30" AFF. Food shields consists of 18ga 300 series S.S. single over shelves, on S.S. end stanchions and ¼" thick tempered glass adjustable guards on both sides. ALL Sneeze guard tops MUST be at the same height across all counters. All counters to have closure panels on employee side. *All equipment is to be built to the standards by Duke Manufacturing Co.* ***and will have a standard two year warranty.***

Item 1: Hot Food Counter
Electric Load: 208 volt, 1 phase
Plumbing: ½" waste
Size: 60" long, 26-1/2" wide, 30" high
Duke AeroServ model numbers as follows:
One #E304-25SS - hot food unit with 14 ga S.S. top. Provide sealed heat wells with individual copper drains manifolded to individual brass valves with hose bib (Hose by FSC).
DRAIN VALVES MUST BE MOVED TO LOCATION AT EMPLOYEE SIDE OF COUNTER FOR EASE OF USE. Supply 8ft cord & plug.
One #TS580-60 double sided MODIFIED to single tier self serve food shield unit, 13" high, with MODIFIED S.S. top shelf-18" DEEP and matching stainless steel end stanchions, adjustable guard on both sides, ¼" tempered glass. Provide incandescent lights and radiant heat rods WITH INFINITE CONTROL wired to base with operation switch located in rail (apron) for ease of use.
Supply 6 each full size steam table pan lids with handles Carlisle Model 607000C.

Item 2: Solid Top Counter with Heated Shelf
Electrical Load: 120 volt,1 phase
Size 60" Long, 26 ½" wide, 30" high
Duke AeroServ model as follows:
One 310-25SS-untilty counter with 14 ga S.S. top supplied with electrical outlet in base with 8' cord and plug.
One #TS580-60 double sided MODIFIED to single tier self serve food shield unit, 13" high, with MODIFIED S.S. top shelf 18" DEEP and matching stainless steel end stanchions, adjustable guard on

both sides, ¼" tempered glass. Provide incandescent lights and radiant heat rods WITH INFINITE CONTROLS wired to base with operation switch located in rail (apron) for ease of use.
Dealer to supply Hatco GRSB-54-I drop in heated shelf to Duke manufacturing to be installed at the factory and sealed to the counter with clear silicone caulk. Dealer to supply thermostatic controls from Hatco to Duke for installation at the factory. Supply with 8' cord and plug.

Item 3: Solid Top Counter with Frost Top
Electrical Load: 120 volt,1 phase
Plumbing: ½" waste
Size 88" Long, 26 ½" wide, 30" high
Duke AeroServ model as follows:
One 311-25SS-untilty counter MODIFIED TO 88" IN LENGTH TO ACCOMADATE FTB-3S by HATCO with 14 ga S.S. top supplied with electrical outlet in base with 8' cord and plug.
One #TS580-88 double sided MODIFIED to single tier self serve food shield unit, 13" high, with MODIFIED glass top shelf 18" DEEP and matching stainless steel end stanchions, adjustable guard on both sides, ¼" tempered glass. Provide fluorescence lights wired to base with operation switch located in rail (apron) for ease of use.
Dealer to supply Hatco FTB-3S drop in frost top to Duke manufacturing to be installed at the factory and sealed to the counter with clear silicone caulk. Dealer to supply extra four year warranty for compressor from Hatco. Supply with 8' cord and plug.
Supply 12 each Carlisle Model 2618FMT 303 Black full size market trays.



PRELIMINARY DRAWING, NOT FOR APPROVAL

RESOLUTION NO. 15-04-009

Sponsored by: Commissioners Jerome Moon and Mike Lewis

RESOLUTION TO AMEND GENERAL FUND BUDGET

WHEREAS, Blount County would like to amend the General Fund Budget to appropriate funds for Data Processing Equipment for the Circuit Court Clerk; and

WHEREAS, it is deemed to be in the best interest of Blount County to amend the General Fund budget as requested.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Blount County, Tennessee assembled in regular session this 16th day of April, 2015 that the General Fund Budget shall be amended as follows:

Revenue:

101-0-489900	Data Processing Reserve Fund…….$9753.50

Appropriation:

101-053120-500709	Data Processing Equipment…….$9753.50

Duly authorized and approved this 16th day of April, 2015.

CERTIFICATION OF ACTION: ATTEST:

_____ _____

Commission Chairman County Clerk

Approved: _____

Vetoed: _____ _____ _____

County Mayor Date

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☐
Increase/Decrease ☑

Department: Circuit Court Clerk
Account: 101-53120

	Account Number	Description	Amount
TO	101-053120-500709	Data Processing Equipment	9,753.50
Used with transfers			
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	9,753.50

	Account Number	Description	Amount
FROM	101-0-489900	Data Processing Reserve Fund	9,753.50
Used with transfers			
(or)			
EST REVENUE			
Used with Inc/dec			
		Total	9,753.50

Explanation: Increase in budget from Data Processing Reserve Fund for purchase of Digital Court Recording System and Software for Juvenile Courtrooms. The Law will change in 2016 that will mandate the recording of all Juvenile hearings.

Tom Hatcher 3/30/15

Signature of Official/Department Head/Date

Signature of County Mayor/Date

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

Blount County, Tennessee
Analysis of Reserves
As of April 2, 2015

Reserve for Circuit Court Clerk's Data Processing

Balance, 7/1/14	349,272.10	
Revenues (based on budget)	65,000.00	*101-0-421900*
	30,000.00	*101-0-421900-51900*
Expenditures (based on budget):		
Current Year Expenditures	(43,760.71)	*101-053120-500709-0*
Current Year Expenditures	(5,000.00)	*101-053120-500317-0*
Current Year Expenditures	(21,500.00)	*101-053120-500334-0*
Current Year Expenditures	(4,000.00)	*101-053120-500499-0*
Current Year Outstanding Encumbrances		
Outstanding Amendments (to be voted on)	(9,753.50)	
Projected Ending Reserve, 6/30/15	360,257.89	

Adjustments to bring reserves to current:	Per Books	Per Above	Adjustment
Circuit Court Clerk Data Processing (345201)	349,272.10	360,257.89	10,985.79

Supreme Court of Tennessee

Administrative Office of the Courts
Nashville City Center, Suite 600
511 Union Street
Nashville, Tennessee 37219
615 / 741-2687 or 800 / 448-7970
FAX 615 / 741-6285

ELIZABETH A. SYKES
Director

TIM TOWNSEND
Deputy Director

MEMORANDUM

TO: **Trial Court Judges with Criminal Jurisdiction**
Official Court Reporters
Contract Court Reporters
Circuit/Criminal Court Clerks

FROM: **Connie D. Turner, Coord., Court Reporting Services**

DATE: **December 19, 2006**

RE: **Recording Equipment**

♦♦♦♦♦♦♦♦♦♦♦♦♦♦♦♦

Many of you have probably been made aware that the current recording equipment, the Sony BM-246 that is used to record criminal court proceedings will no longer be available for purchase. Therefore, in our efforts to continue to provide courtrooms with adequate recording devices, the AOC has chosen to replace the analog recorders with digital recording systems.

We have received proposals from three reputable vendors who distribute digital recording systems. After a thorough evaluation of each vendor's product, the AOC has selected BIS as the vendor to provide the digital recording equipment.

BIS is a 24-year old company that offers the fully integrated DCR (digital court recorder) software to over 2,000 customers. BIS acquired Tennyson Business Machines (TBM) in February 2006. Employees of TBM will continue as employees of BIS.

We are confident that the DCR system will provide exceptional sound quality, ease of use, and the ability to automatically store files in one location. In addition, the AOC has confidence in the dependability, promptness, and the ability of the employees of this company.

For cost effectiveness the new systems will not be installed in every county at this time. It has been determined that the digital systems will be initially placed in the following counties: Anderson, Blount, Bradley, Hamilton, Knox, Rutherford, Shelby, Sullivan, Sumner, Washington, and Williamson. These counties were selected due to the caseload that each has. The remaining counties will continue to use the Sony BM-246 until further notice. Repair and maintenance of the BM-246 will still be available through BIS. Court reporters of the perspective districts will be contacted by BIS to discuss installation and training schedules.

We believe that the move to digital recording will assist us in our efforts to stay abreast of the advancements in technology and in our efforts to provide a more efficient court system.

If you have questions or concerns regarding any of the information included within this memo, you are welcomed to contact me at the number listed above.

RESOLUTION NO. 15-04-010

Sponsored by: Commissioners Jerome Moon and Mike Lewis

RESOLUTION TO AMEND GENERAL FUND BUDGET

WHEREAS, Blount County would like to amend the General Fund Budget to appropriate funds for Flexibility in moving Part-time to Full-time with benefits for the Health Dept.; and

WHEREAS, it is deemed to be in the best interest of Blount County to amend the General Fund budget as requested.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Blount County, Tennessee assembled in regular session this 16th day of April, 2015 that the General Fund Budget shall be amended as follows:

Revenue:

101-0-463100-55111	General Govt. Grants	$26,206.00

Appropriation:

101-55110-500131-55111	Medical Personnel	$5,300.00
101-55110-500169-55111	Part-Time	$4,200.00
101-55110-500201-55111	Social Security	$600.00
101-55110-500204-55111	State Retirement	$602.00
101-55110-500212-55111	FICA-Medicare	$4,082.00
101-55110-500599-55111	Other Charges	$11,422.00
	TOTAL	$26,206.00

Duly authorized and approved this 16th day of April, 2015.

CERTIFICATION OF ACTION: ATTEST:

_____ _____

Commission Chairman County Clerk

Approved: _____

Vetoed: _____ _____ _____

County Mayor Date

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☐
Increase/Decrease ☑

Department: Health
Account: 55110 - Project 55111

	Account Number	Description	Amount
TO	55110-500131-55111	Medical Personnel	5,300.00
Used with transfers	55110-500169-55111	Part Time	4,200.00
	55110-500201-55111	Social Security	600.00
	55110-500204-55111	State Retirement	602.00
(or)	55110-500212-55111	FICA-Medicare	4,082.00
	55110-500599-55111	Other Charges	11,422.00
APPROPRIATION			
Used with inc/dec			
		Total	26,206.00

	Account Number	Description	Amount
FROM			
Used with transfers			
(or)			
EST REVENUE	101-0-463100-55111	General Government Grants	26,206.00
Used with inc/dec			
		Total	26,206.00

Explanation: Other charges - allows flexibility if any of the PT positions become full-time, benefits could increase for insurance costs - employees could changed insurance coverage.

Signature of Official/Department Head/Date — 3/17/15

Signature of County Mayor/Date

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

RESOLUTION NO. 15-04-011

Sponsored by: Commissioner Mike Lewis/Jerome Moon and Sharon Hannum

RESOLUTION TO AMEND GENERAL FUND BUDGET

WHEREAS, Blount County would like to amend the General Fund Budget to appropriate funds for funding for the Part-time Vet Technician for the Animal Center; and

WHEREAS, it is deemed to be in the best interest of Blount County to amend the General Fund budget as requested.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Blount County, Tennessee assembled in regular session this 16th day of April, 2015 that the General Fund Budget shall be amended as follows:

Revenue:

101-0-486100-5512	SMACF Donations	$1500.00

Appropriation:

101-55120-500187-5512	Overtime	$1,394.00
101-55120-500201-5512	Social Security	$86.00
101-55120-500212-5512	Medicare	$20.00
	TOTAL	$1500.00

Duly authorized and approved this 16th day of April, 2015.

CERTIFICATION OF ACTION: ATTEST:

_____ _____

Commission Chairman County Clerk

Approved: _____

Vetoed: _____ _____ _____

County Mayor Date

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☐
Increase/Decrease ☑

Department: Animal Center (SMACF)
Account: 101-55120

	Account Number	Description	Amount
TO	101-55120-500187-5512	Overtime	1,394.00
Used with transfers	101-55120-500201-5512	Social Security	86.00
	101-55120-500212-5512	Medicare	20.00
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	1,500.00

	Account Number	Description	Amount
FROM	101-0-486100-5512	Donations	1,500.00
Used with transfers			
(or)			
EST REVENUE			
Used with inc/dec			
		Total	1,500.00

Explanation: Increase in funding provided by SMACF for the part-time vet tech

3/19/15
Signature of Official/Department Head/Date

Signature of County Mayor/Date

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

Blount County, Tennessee
Grant (Contract) Worksheet

(adopted February 21, 2013)

Please provide the information below for any Grant being applied for or recently awarded.

Once completed, return the worksheet via e-mail to the Grant Accountant at accounting@blounttn.org.

Requesting Department: Blount County Sheriff's Office

Contact Persons Name, email, phone # (person applying for grant): Doug Hancock, dhancock@blounttn.org 273.5750

Reporting Persons information (if different than contact): Chief Jeff French, jfrench@bcso.com 273.5308 Lt. Randy Ailey, bcso319@gmail.com 273.5136

Name of Granting Agency: State of Tennessee, Governors Highway Safety Office

Grant Name: 2015-16 BCSO Alcohol Saturation Patrols/Roadside Sobriety Checkpoints

Is a grant application required? YES __X__ NO _____

Is this a one-time grant? YES ____ NO __X__ If no, is the grant recurring? __Yes_

Grant Funds Requested:

Are County Funds Required (Match)? If so when approved, a budget amendment for match will need to be included with this form: Not Applicable - No Matching Funds Required

Total Amount of Grant:

$ 92,050

Brief Description for Use of Grant Funds: (Equipment, Gear, Personnel, etc.)

Funding for overtime for traffic safety unit deputies and supervisors for working Saturation Patrols for DUI, speeding and aggressive driving and for overtime for working Sobriety Checkpoints. New Tablets and Body Cameras for TSU.

If the grant is in the application processes, what is the submission deadline? March 31st, 2015

Worksheet reviewed by -

Grant Accountant and/or Finance Director: _____

Date of Commission approval: _____

Please provide the remaining information once the Grant is approved.

Grant CFDA# (Catalog of Federal Domestic Assistance): To be supplied by GHSO with Grant - if awarded

Date of Grant Award: _____

Grant Period: (such as: Oct 1 - Sept 30) _____

Expiration Date of Grant, as established by the Granting Agency: _____

Anticipated Closing Date of Grant Project: _____

How will we receive the Grant Funds? (direct deposit, check, other) _____

How often will the Grant Funds be sent? (monthly, quarterly, one payment, other) _____

****** Attach Budget Amendment(s) to this form when grant approved ******

Blount County, Tennessee
Grant (Contract) Worksheet

(adopted February 21, 2013)

Please provide the information below for any Grant being applied for or recently awarded.

Once completed, return the worksheet via e-mail to the Grant Accountant at accounting@blounttn.org.

Requesting Department: Blount County Sheriff's Office

Contact Persons Name, email, phone # (person applying for grant): Doug Hancock, dhancock@blounttn.org 273.5750

Reporting Persons information (if different than contact): Chief Jeff French, jfrench@bcso.com 273.5308 Lt. Randy Ailey, bcso319@gmail.com 273.5136

Name of Granting Agency: State of Tennessee, Governors Highway Safety Office

Grant Name: 2015-16 BCSO High Visibility Campaign

Is a grant application required? YES __X__ NO _____

Is this a one-time grant? YES ____ NO __X__ If no, is the grant recurring? _Yes_

Grant Funds Requested:

Are County Funds Required (Match)? If so when approved, a budget amendment for match will need to be included with this form: Not Applicable - No Matching Funds Required

Total Amount of Grant: $ 4,986

Brief Description for Use of Grant Funds: (Equipment, Gear, Personnel, etc.)

GHSOs Law Enforcement Liaison Officers (LEL's) are the point of contact between GHSO and the Sheriff's Office. The BCSO Network Coordinator works with LEL to carry out established initiatives to reduce traffic fatalities and accidents.

If the grant is in the application processes, what is the submission deadline? March 31st, 2015

Worksheet reviewed by -

Grant Accountant and/or Finance Director: _____

Date of Commission approval: _____

Please provide the remaining information once the Grant is approved.

Grant CFDA# (Catalog of Federal Domestic Assistance): To be supplied by GHSO with Grant - if awarded

Date of Grant Award: _____

Grant Period: (such as: Oct 1 - Sept 30) _____

Expiration Date of Grant, as established by the Granting Agency: _____

Anticipated Closing Date of Grant Project: _____

How will we receive the Grant Funds? (direct deposit, check, other) _____

How often will the Grant Funds be sent? (monthly, quarterly, one payment, other) _____

****** Attach Budget Amendment(s) to this form when grant approved ******

Blount County, Tennessee
Grant (Contract) Worksheet

(adopted February 21, 2013)

Please provide the information below for any Grant being applied for or recently awarded.

Once completed, return the worksheet via e-mail to the Grant Accountant at accounting@blounttn.org.

Requesting Department: Blount County Sheriff's Office

Contact Persons Name, email, phone # (person applying for grant): Doug Hancock, dhancock@blounttn.org 273.5750

Reporting Persons information (if different than contact): Chief Jeff French, jfrench@bcso.com 273.5308 Lt. Randy Ailey, bcso319@gmail.com 273.5136

Name of Granting Agency: State of Tennessee, Governors Highway Safety Office

Grant Name: 2015-16 Motorcycle/Motorist Safety -The Dragon

Is a grant application required? YES __X__ NO _____

Is this a one-time grant? YES ____ NO __X__ If no, is the grant recurring? _Yes__

Grant Funds Requested:

Are County Funds Required (Match)? If so when approved, a budget amendment for match will need to be included with this form: Not Applicable - No Matching Funds Required

Total Amount of Grant: $ 91,448

Brief Description for Use of Grant Funds: (Equipment, Gear, Personnel, etc.)

Overtime funding for patrol division deputies, traffic safety unit deputies and supervisors for patroling The Dragon, (U.S. Highway 129) during peak motorcylist and sports car enthusiasts seasons.

If the grant is in the application processes, what is the submission deadline? March 31st, 2015

Worksheet reviewed by -

Grant Accountant and/or Finance Director: _____

Date of Commission approval: _____

Please provide the remaining information once the Grant is approved.

Grant CFDA# (Catalog of Federal Domestic Assistance): To be supplied by GHSO with Grant - if awarded

Date of Grant Award: _____

Grant Period: (such as: Oct 1 - Sept 30) _____

Expiration Date of Grant, as established by the Granting Agency: _____

Anticipated Closing Date of Grant Project: _____

How will we receive the Grant Funds? (direct deposit, check, other) _____

How often will the Grant Funds be sent? (monthly, quarterly, one payment, other) _____

****** Attach Budget Amendment(s) to this form when grant approved ******

Blount County, Tennessee
Grant (Contract) Worksheet

(adopted February 21, 2013)

Please provide the information below for any Grant being applied for or recently awarded.

Once completed, return the worksheet via e-mail to the Grant Accountant at accounting@blounttn.org.

Requesting Department: Blount County Sheriff's Office

Contact Persons Name, email, phone # (person applying for grant): Doug Hancock, dhancock@blounttn.org 273.5750

Reporting Persons information (if different than contact): Chief Jeff French, jfrench@bcso.com 273.5308 Lt. Randy Ailey, bcso319@gmail.com 273.5136

Name of Granting Agency: State of Tennessee, Governors Highway Safety Office

Grant Name: 2015-16 BCSO Network Coordinator

Is a grant application required? YES __X__ NO _____

Is this a one-time grant? YES ____ NO __X__ If no, is the grant recurring? _Yes_

Grant Funds Requested:

Are County Funds Required (Match)? If so when approved, a budget amendment for match will need to be included with this form: Not Applicable - No Matching Funds Required

Total Amount of Grant: $ 15,000

Brief Description for Use of Grant Funds: (Equipment, Gear, Personnel, etc.)

GHSOs Law Enforcement Liaison Officers (LEL's) are the point of contact between GHSO and the Sheriff's Office. The BCSO Network Coordinator works with LEL to carry out established initiatives to reduce traffic fatalities and accidents.

If the grant is in the application processes, what is the submission deadline? March 31st, 2015

Worksheet reviewed by -

Grant Accountant and/or Finance Director: _____

Date of Commission approval: _____

Please provide the remaining information once the Grant is approved.

Grant CFDA# (Catalog of Federal Domestic Assistance): To be supplied by GHSO with Grant - if awarded

Date of Grant Award: _____

Grant Period: (such as: Oct 1 - Sept 30) _____

Expiration Date of Grant, as established by the Granting Agency: _____

Anticipated Closing Date of Grant Project: _____

How will we receive the Grant Funds? (direct deposit, check, other) _____

How often will the Grant Funds be sent? (monthly, quarterly, one payment, other) _____

****** Attach Budget Amendment(s) to this form when grant approved ******

Blount County, Tennessee
Grant (Contract) Worksheet

(adopted February 21, 2013)

Please provide the information below for any Grant being applied for or recently awarded.

Once completed, return the worksheet via e-mail to the Grant Accountant at accounting@blounttn.org.

Requesting Department: Blount County Sheriff's Office

Contact Persons Name, email, phone # (person applying for grant): Doug Hancock, dhancock@blounttn.org 273.5750

Reporting Persons information (if different than contact): Chief Jeff French, jfrench@bcso.com 273.5308 Lt. Randy Ailey, bcso319@gmail.com 273.5136

Name of Granting Agency: State of Tennessee, Governors Highway Safety Office

Grant Name: 2015-16 BCSO Nighttime Seatbelt Demo Program

Is a grant application required? YES __X__ NO _____

Is this a one-time grant? YES ____ NO __X__ If no, is the grant recurring? _Yes_

Grant Funds Requested:

Are County Funds Required (Match)? If so when approved, a budget amendment for match will need to be included with this form: Not Applicable - No Matching Funds Required

Total Amount of Grant:

$ 10,000

Brief Description for Use of Grant Funds: (Equipment, Gear, Personnel, etc.)

GHSO, the CDC and the University of Tennessee are partnering with 5 East TN County Sheriff's including the BCSO for the Nighttime Seatbelt Demo Program.

If the grant is in the application processes, what is the submission deadline? March 31st, 2015

Worksheet reviewed by -

Grant Accountant and/or Finance Director: _____

Date of Commission approval: _____

Please provide the remaining information once the Grant is approved.

Grant CFDA# (Catalog of Federal Domestic Assistance): To be supplied by GHSO with Grant - if awarded

Date of Grant Award: _____

Grant Period: (such as: Oct 1 - Sept 30) _____

Expiration Date of Grant, as established by the Granting Agency: _____

Anticipated Closing Date of Grant Project: _____

How will we receive the Grant Funds? (direct deposit, check, other) _____

How often will the Grant Funds be sent? (monthly, quarterly, one payment, other) _____

****** Attach Budget Amendment(s) to this form when grant approved ******

Responses to Questions Posed at Agenda Committee Meeting

See the funding source below:

Per,

Jarrod Millsaps

Deputy Chief

Blount County Sheriff's Office

Grant Applications – *no matching funds required on the following grant requests*

Sheriff's Office – BCSO Alcohol Saturation Patrols/Roadside Sobriety Checkpoint – STATE, Governors Highway Safety Office

Sheriff's Office – BCSO High Visibility Campaign - STATE, Governors Highway Safety Office

c. Sheriff's Office – Motorcycle/Motorist Safety – The Dragon - STATE, Governors Highway Safety Office

d. Sheriff's Office – BCSO Network Coordinator - STATE, Governors Highway Safety Office

e. Sheriff's Office – BCSO Nighttime Seatbelt Demo Program - STATE, Governors Highway Safety Office

Blount County Building Commissioner

Memo

To: Blount County Planning Commission

From: Building Commissioner

CC: Other planning commissioner members and staff

Date: 2/20/2015

Re: Rezoning Request at 110 and 112 N. Spring View Road.

Background:

Mr. Gary Douglas has recently purchased the property at 110 and 112 N. Spring View Road and has requested that it be rezoned to RAC-(rural arterial commercial) from R-1- (rural district one). This property is identified on tax map 089 and parcel 109.00.

The property is approximately 2.6 acres with direct frontage on Hwy 411 South at the intersecting corner with N. Spring View Road. The property is located outside of the urban growth boundary for the City of Maryville. The RAC zone is the applicable commercial zone for this property due to its location.

This property has had a commercial history and has been taxed commercially in the past. The property has a house and a 3,200 square feet garage located on it. The garage had an automobile repair business grandfathered on it and has been used for similar uses in the past. The applicant has a storage tank business that sales accessories for storage tanks and services them. He is also looking to lease out unused portions of buildings to other businesses. These will be reviewed in accordance to section 9.10 found below.

Section 9.10 RAC – Rural Arterial Commercial District. It is the purpose and intent of this district to regulate commercial and other development of low to medium density adjacent to major four or more lane arterial roads in the county, consistent with the overall purposes of this Resolution contained in Article 3, consistent with provisions in Public Chapter

1101 of 1998 (Tennessee Code Annotated Section 6-58-101, *et seq*), and consistent with plans adopted by Blount County. It is further the policy of the County Commission that the RAC district and this section should have applicability only to land adjacent to Highway 411 South outside the Maryville urban growth boundary, and to Highway 321 – East Lamar Alexander Parkway outside the Maryville urban growth to intersection with Foothills Parkway, and that amendments to the Zoning Map should extend no more than 500 feet away from the right-of-way lines of the above delineated highways. This section does not amend the Zoning Map, nor zone nor rezone any land to RAC, but only identifies limits to location for any land that may in the future be zoned RAC.

A. Permitted Uses: General retail sales and rental of goods and merchandise; Restaurants; bed and breakfast, office of a physician, dentist, or other similar medical professional; campgrounds; Golf driving ranges, miniature golf courses, and similar uses; Kennels and veterinarian services; Miscellaneous public and semi-public facilities including post offices; Commercial greenhouses; Churches, temples and similar places of worship with accessory structures, uses and cemeteries; Golf courses; Commercial cemeteries not associated with any on-site place of worship; any use permitted or listed as permissible as a special exception in Sections 9.2.A and 9.2.B.

B. Uses permitted as special exception: Motorcycle safety training facilities.

C. Uses permitted as special exception with specific limitations: None.

D. Uses Prohibited: In the RAC – Rural Arterial Commercial District: pain management clinics. All other uses are prohibited except those uses permitted or permitted as special exception specifically above.

E. Uses Requiring Site Plan Review: All uses and customary accessory structures, except one or two single family or manufactured home dwelling on a single lot, duplex dwelling on separate lot, and customary accessory structures to such excepted uses.

F. Minimum Lot Size and Density: For residential structures as required in Section 9.2.F. For all other uses: minimum lot size shall be one (1) acre, and maximum lot coverage of all buildings shall be no more twenty five (25) percent provided that both primary and duplicate area for septic field purposes are maintained unhindered by any structure, parking, drainage or other design element of the site which may impact septic functioning.

.

G. Setback Requirements: All uses shall comply with the following setback requirements, except as otherwise provided for in Articles 3 and 5 for lots of record and nonconforming situations.

1. Front Setback: the minimum depth of the front building setback shall be 60 feet from any road right-of-way or easement line.

2. Rear Setback: the minimum building setback from the rear property line shall be 20 feet for the principal structure, and five feet for any accessory structure, provided that the

rear setback shall be 40 feet for any non residential use with a rear property line abutting a residential use lot, or abutting a lot in the S, R-1 or R-2 zone.

3. Side Setback: For any commercial use under Permitted Uses abutting another commercial use or land zoned C-Commercial or I-Industrial or RAC-Rural Arterial Commercial, the minimum building setback from the side property line shall be ten (10) feet. For any commercial use under Permitted Uses abutting a residential lot or land zoned S, R-1 or R-2, the minimum building setback from the side property line shall be 20 feet. For any special exception, the minimum building setback from the side property line shall be 20 feet, or greater as may be required by the Board of Zoning Appeals. For any residential use the minimum building setback from the side property line shall be ten (10) feet.

H. Maximum Height of Structures: Unless otherwise explicitly allowed in other articles of this Resolution, all structures shall be no greater than 35 feet higher than the highest natural grade immediately adjacent to the structure.

I. Additional Site Plan Requirements: In addition to site plan requirements in Section 7.2, site plans for any commercial use permit under this Section shall be drawn by a qualified professional, and shall include front elevation of any proposed structure.

J. Additional design requirements: All site plans shall be accompanied by a stormwater drainage plan prepared by a qualified engineer, and shall address the need for detention, if necessary, and pollution control. All uses permitted under this Section shall provide a vegetative landscape buffer, to be determined by the Planning Commission during site plan review, between the use/buildings on the commercial site, and any parcel or lot zoned other than RAC or C. Such buffering shall apply to rear lot lines of the commercial site, and also to side lot lines behind the minimum front building setback lines, except where there is an immediately adjacent residential use that would require screening within the minimum front building setback line. *All uses permitted under this Section shall provide a front building elevation that meets the design requirements in Section 7.15-C-3.* All external lighting shall be directed away from or screened from land zoned other than RAC or C, and away from any public right-of-way. Where noise is determined to be a probable off-site impact of a proposed use, a noise mitigation barrier of solid structure or earth berm, in addition to vegetative buffer, shall be designed as part of the site plan and constructed.

K. Review on change of use.

1. For any change of use to special exception use under provisions for change of use requiring Board of Zoning Appeals approval, the Board of Zoning Appeals shall have permit and review authority under provisions of these regulations.

2. For other change of use, excluding change to uses allowed in Section 9.2.A, a permit application for zoning compliance shall be submitted, to be reviewed by the Building Commissioner for conformity to requirements for the zone and any previously approved site plan. The Building Commissioner shall require information on the

application sufficient for determination of zoning compliance, and certification of zoning compliance in writing shall be considered as approval of the permit for change of use.

3. Notwithstanding subsection 2 above, upon determination by the Building Commissioner that a use will be of greater impact or will require new or changed site design elements upon change of use, the Building Commissioner shall require a new permit application and site plan to be reviewed by the Planning Commission as a new permit for that change of use.

4. All changes of use under this subsection shall require new permit application and charged fees as such.

RESOLUTION No. _____

Sponsored by Commissioners _____and _____

A RESOLUTION TO AMEND THE ZONING MAP OF BLOUNT COUNTY TENNESSEE, from R-1(Rural District 1) to RAC(Rural Arterial Commercial) for property located at 110 and 112 N. Spring View Road at the corner of US HWY 411 South and N. Spring View Road, the property is identified on tax map 089, parcel 109.00.

BE IT RESOLVED, by the Board of Commissioners of Blount County, Tennessee, in session assembled this _____, 2015:

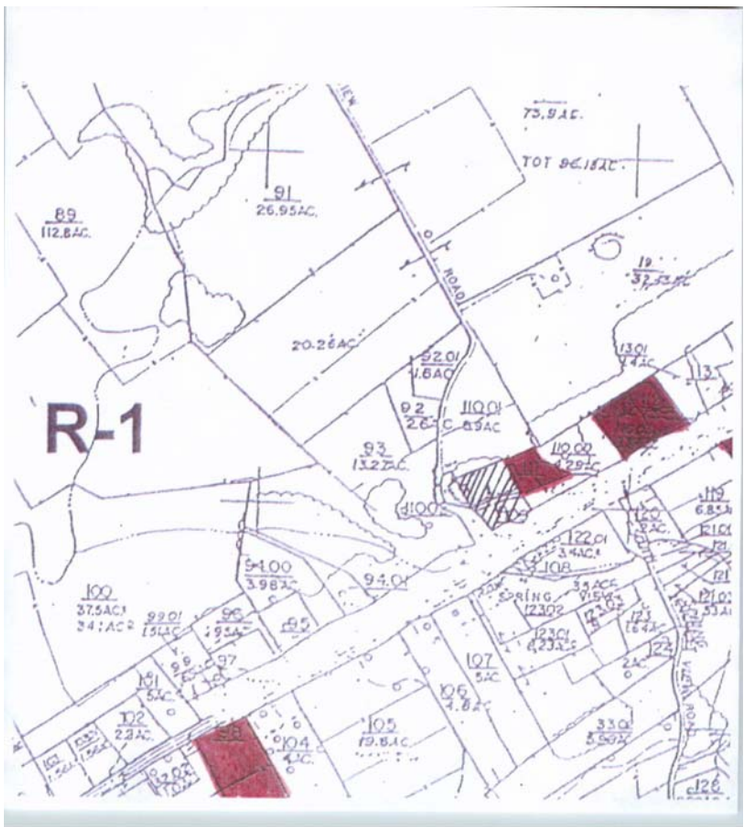
WHEREAS, the legislature of the State of Tennessee has enabled Blount County to adopt and amend zoning regulations, including a zoning map, in Tennessee Code Annotated Section 13-7-101, *et seq*., and

WHEREAS, the Board of Commissioners of Blount County, Tennessee adopted zoning regulations, including the Zoning Map of Blount County, Tennessee in Resolution 00-06-010 **A RESOLUTION ADOPTING ZONING IN BLOUNT COUNTY PURSUANT TO SECTIONS 13-7-101, *ET SEQ*., OF THE TENNESSEE CODE ANNOTATED,** and

WHEREAS, it is desired to amend the Zoning Map of Blount County, Tennessee.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF BLOUNT COUNTY, TENNESSEE, to adopt the following:

A RESOLUTION TO AMEND THE ZONING MAP OF BLOUNT COUNTY TENNESSEE, from R-1(Rural District 1) to RAC (Rural Arterial Commercial) for property located at 110 and 112 N. Spring View Road at the corner of US HWY 411 South and N. Spring View Road, the property is identified on tax map 089, parcel 109.00, shown hatched below.



BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL BE IN FORCE AND BECOME EFFECTIVE UPON ITS ADOPTION, THE PUBLIC WELFARE REQUIRING IT.

CERTIFICATION OF ACTION

_____
Commission Chairman

Approved: _____

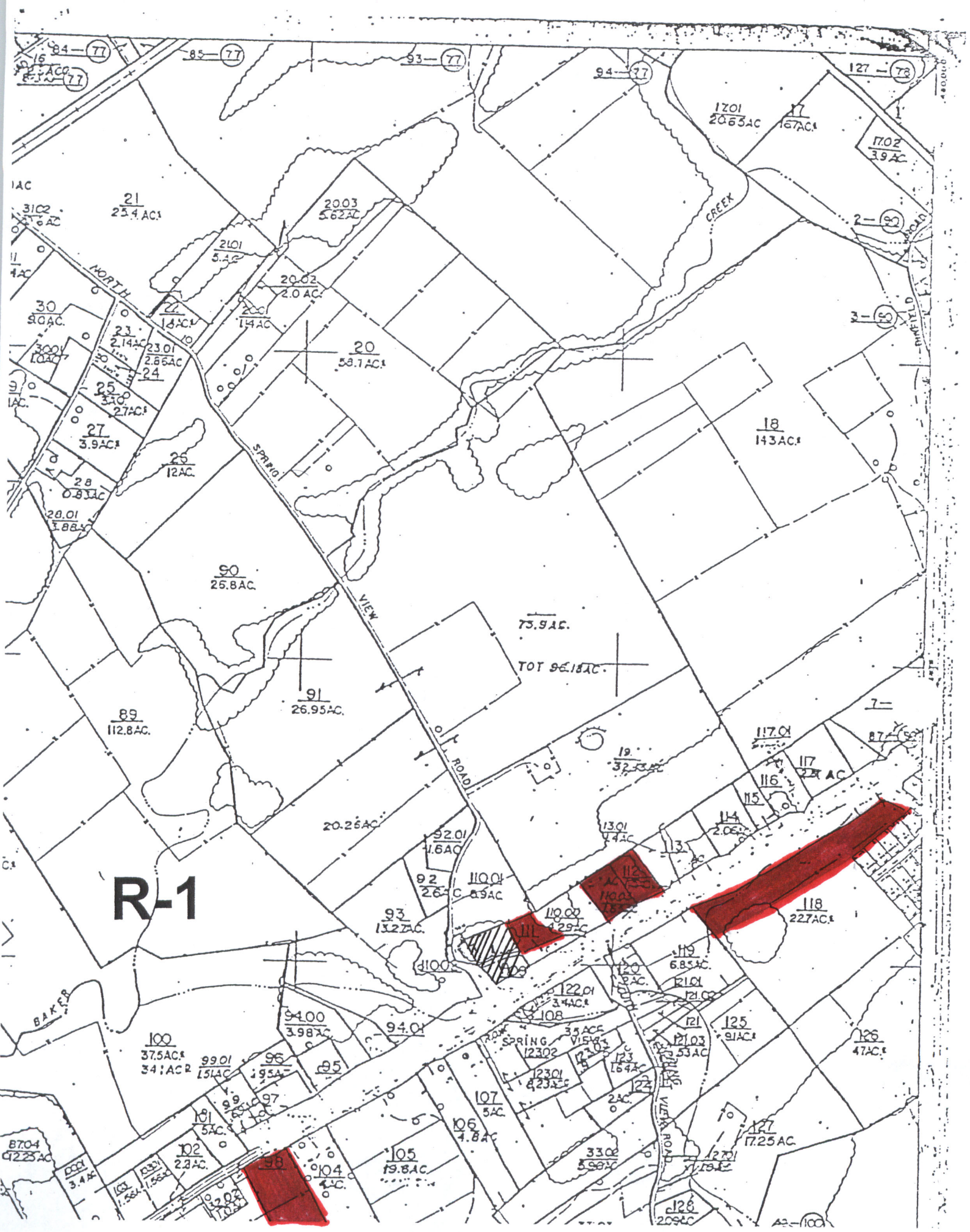
Vetoed: _____

_____
County Mayor

ATTEST

_____
County Clerk

_____
Date


R-1
SPRING VIEW ROAD
NORTH
CREEK
BAKER
SPRING VIEW ROAD
TOT 96.18AC.
73.9AC.
20.26AC.
13.27AC.
37.5AC.
34 ACRE


130
203
N SPRINGVIEW RD
122
4437
110
112
115
U S HIGHWAY 411 S

DRAFT

BLOUNT COUNTY PLANNING COMMISSION
REGULAR SESSION
THURSDAY, MARCH 12, 2015
5:30 P.M.

The Blount County Planning Commission met in special called session on Thursday, March 12, 2015, at the Courthouse. Staff was represented by: John Lamb – Director of Planning, Doug Hancock – Senior Planner, and Administrative Assistant Marlene Hodge.

Commissioners Present: Andy Allen, Brad Bowers, Shawn Carter Sr., Ron French, Jeff Headrick, Tom Hodge, Jerry Roddy, Ed Stucky – Chairman, and Clifford Walker. Commissioners Absent: David Caldwell – Vice Chairman, Geneva Harrison, and Bruce McClellan.

The minutes for the January 22, 2015, regular monthly meeting were approved. (Minutes were given to members for review prior to the meeting.)

PUBLIC HEARINGS:

Public Hearing and Possible Action Rezoning request from Rural District 1 to Rural Arterial Commercial at 110 and 112 N. Spring View Road:

The owner, Gary Douglas, requested that the property located on Tax Map 089, Parcel 109.00 be rezoned from Rural District 1 (R-1(Zone) to Rural Arterial Commercial (RAC) Zone. The property is approximately 2.6 acres with direct frontage on Hwy 411 South at the intersecting corner of N. Spring View Road. Due to its location the RAC zone is the applicable commercial zone for this parcel.

The property has a house and a 3,200 square feet garage. The garage had an automobile repair business grandfathered on it and has been used for similar uses in the past. The owner has a storage tank business that services and sales accessories for storage tanks and is looking at leasing any unused portions of the buildings to other business.

No one spoke and the public hearing was closed.

Inquiry and concerns were made regarding commercial and residential taxes. Mr. Douglas spoke and verified that the property did have a commercial use within the past year or so by the previous owner. His intentions are to turn the house into an office space, use the garage for storage, and lease the remaining office and garage space to other businesses.

Commissioner Walker made a motion to send the rezoning request to the County Commission with a favorable recommendation, seconded by Commissioner Roddy. Roll call vote was taken:

Commissioner Allen - Yes
Commissioner Bowers - Yes
Commissioner Caldwell - Absent
Commissioner Carter - No
Commissioner French - No
Commissioner Harrison - Absent
Commissioner Headrick - Yes
Commissioner Hodge - Yes
Commissioner McClellan - Absent
Commissioner Roddy - Yes
Commissioner Stucky - Yes
Commissioner Walker - Yes

Motion to send the rezoning request to the County Commission with favorable recommendation was approved with 7 yes, 2 no, and 3 absent.

SITE PLAN:

1471 West Millers Cove Road – addition of pool and pool house:

This site plan is for the addition of a pool and pool house at Blackberry Farm. The property is identified on Tax Map 082, Parcel 067.02 and is in the Planned Rural Resort District.

The pool will serve the guests at Blackberry Farm and is required to have a site plan review. The site for the pool and pool house is across West Millers Cove Road on Joe Pye Lane. Site Plan indicates that all building setback requirements will be met by the pool house. Any required permits for a septic system must be obtained through the Blount County Environmental Health Department. Additional buffering and a grading permit will not be required.

Commissioner Bowers made a motion to approve the site plan for the addition of a pool and pool house at 1471 West Millers Cove Road; seconded by Commissioner Roddy. Motion received unanimous approval.

HEARINGS:

Preliminary and Final Plats – Minor Subdivisions:

Combination of lots in Fairway Vista Subdivision off Hunter Run Road in Laurel Valley by Fairway Vistas LLC: 4 lots off a private road:

The final plat for Fairway Vista subdivision was approved at the February 2010 meeting. At that time 16 lots were approved off of the extension of Hunter's Run Road subject to outstanding items to be completed. Staff verified all outstanding items and the final plat was signed in May 2010.

All of the lots in Fairway Vista are served by an on-site sewer system that is operated by Tennessee Wastewater Systems Incorporated (TWSI) which is a public utility approved by the Tennessee Regulatory Authority. While all of the lots are

State of Tennessee Comptroller of the Treasury

Real Estate Assessment Data

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County Number: 005 **County Name:** BLOUNT **Tax Year:** 2014

Property Owner and Mailing Address

Jan 1 Owner:
MYERS CURTIS E II & JOHN R
COX
2729 HWY 411 S
MARYVILLE, TN 37801

Current Owner:
USTANX LLC
435 WESTWOOD DR
MARYVILLE, TN 37803

Property Location

Address: N SPRINGVIEW RD 110

Map: 089 **Grp:** **Ctrl Map:** 089 **Parcel:** 109.00 **PI:** **S/I:** 000

Value Information

Reappraisal Year: 2010

Land Mkt Value:	$74,500
Improvement Value:	$141,100
Total Market Appraisal:	$215,600
Assessment %:	25
Assessment:	$53,900

General Information

Class:	00 - RESIDENTIAL		
City #:	000	**City:**	
SSD1:	000	**SSD2:**	000
District:	06	**Mkt Area:**	F01
# Bldgs:	1	**# Mobile Homes:**	0
Utilities - Water / Sewer:	03 - PUBLIC / INDIVIDUAL	**Utilities - Electricity:**	01 - PUBLIC
Utilities - Gas / Gas Type:	00 - NONE	**Zoning:**	

Subdivision Data

Subdivision:

Plat Bk: **Plat Pg:** **Block:** **Lot:**

Additional Description

Building Information

Building # 1

Improvement Type:	01 - SINGLE FAMILY	**Stories:**	1
Base Area Sq. Ft.:	1,500		
Foundation:	02 - CONTINUOUS FOOTING	**Floor System:**	04 - WOOD W/ SUB FLOOR

Exterior Wall:	11 - COMMON BRICK	**Structural Frame:**	00 - NONE
Roof Framing:	02 - GABLE/HIP	**Roof Cover/Deck:**	03 - COMPOSITION SHINGLE
Cabinet/Millwork:	03 - AVERAGE	**Floor Finish:**	11 - CARPET COMBINATION
Interior Finish:	07 - DRYWALL	**Paint/Decor:**	03 - AVERAGE
Heat and A/C:	07 - HEAT & COOLING SPLIT	**Plumbing Fixtures:**	6
Bath Tile:	00 - NONE	**Electrical:**	03 - AVERAGE
Shape:	01 - RECTANGULAR DESIGN	**Quality:**	01 - AVERAGE
Act Yr Built:	1969	**Condition:**	A - AVERAGE

Building Areas:

Area: BAS **Sq Ft:** 1,500
Area: BMF **Sq Ft:** 1,500
Area: CPF **Sq Ft:** 484
Area: OPF **Sq Ft:** 176
Area: UTU **Sq Ft:** 176

Extra Features

Bldg/Card#	Type	Description	Units
1	STOOP	8X12	96
1	GARAGE UNFINISHED DETACHED	22X24	528

Sale Information

Sale Date	Price	Book	Page	Vac/Imp	Type Instrument	Qualification
04/02/2014	$300,000	2385	147	IMPROVED	WD	P
02/27/2006	$300,000	2097	1738	IMPROVED	WD	P
03/31/2000	$145,900	639	69	IMPROVED	WD	A
05/24/1996	$110,000	586	734	IMPROVED	WD	A
08/23/1958	$0	217	197			

Land Information

Deed Acres: 2.60 **Calc Acres:** 0.00 **Total Land Units:** 2.60
Land Type: 04 - IMP SITE **Soil Class:** **Units:** 2.60

[redacted] [redacted] View GIS Map for this Parcel

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Fact Sheet — State of Tennessee Home Page

State of Tennessee Comptroller of the Treasury

Real Estate Assessment Data

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County Number: 005 **County Name:** BLOUNT **Tax Year:** 2014

Property Owner and Mailing Address

Jan 1 Owner:
MYERS CURTIS E II & JOHN R
COX
2729 HWY 411 S
MARYVILLE, TN 37801

Current Owner:
USTANX LLC
435 WESTWOOD DR
MARYVILLE, TN 37803

Property Location

Address: N SPRINGVIEW RD 112

Map: 089 **Grp:** **Ctrl Map:** 089 **Parcel:** 109.00 **PI:** **S/I:** 001

Value Information

Reappraisal Year: 2010

Land Mkt Value:	$0
Improvement Value:	$66,400
Total Market Appraisal:	$66,400
Assessment %:	40
Assessment:	$26,560

General Information

Class:	08 - COMMERCIAL		
City #:	000	**City:**	
SSD1:	000	**SSD2:**	000
District:	06	**Mkt Area:**	F01
# Bldgs:	1	**# Mobile Homes:**	0
Utilities - Water / Sewer:	03 - PUBLIC / INDIVIDUAL	**Utilities - Electricity:**	01 - PUBLIC
Utilities - Gas / Gas Type:	00 - NONE	**Zoning:**	

Subdivision Data

Subdivision:

Plat Bk: **Plat Pg:** **Block:** **Lot:**

Additional Description

TROY SHIELDS MOTOR SPORTS

Building Information

Building # 1

Improvement Type:	47 -	**Stories:**	1
Base Area Sq. Ft.:	3,200		
Foundation:	02 - CONTINUOUS FOOTING	**Floor System:**	01 - SLAB ON GRADE

Exterior Wall:	19 - PREFIN METAL CRIMPED	**Structural Frame:**	00 - NONE
Roof Framing:	06 - STEEL TRUSS/PURLINS	**Roof Cover/Deck:**	13 - PREFIN METAL CRIMPED
Cabinet/Millwork:	02 - BELOW AVERAGE	**Floor Finish:**	01 - CONCRETE FINISH
Interior Finish:	01 - UNFINISHED	**Paint/Decor:**	03 - AVERAGE
Heat and A/C:	0 -	**Plumbing Fixtures:**	0
Bath Tile:	00 - NONE	**Electrical:**	03 - AVERAGE
Shape:	01 - RECTANGULAR DESIGN	**Quality:**	01 - AVERAGE
Act Yr Built:	2002	**Condition:**	A - AVERAGE

Building Areas:

Area: 47 **Sq Ft:** 3,200
Area: CLG **Sq Ft:** 3,200

Extra Features

Sale Information

Sale Date	Price	Book	Page	Vac/Imp	Type Instrument	Qualification
04/02/2014	$300,000	2385	147	IMPROVED	WD	P
02/27/2006	$300,000	2097	1738	IMPROVED	WD	P

Land Information

Deed Acres: **Calc Acres:** **Total Land Units:**

[redacted] [redacted] View GIS Map for this Parcel

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Fact Sheet — State of Tennessee Home Page

RESOLUTION NO. 15-04-006

SPONSORED BY COMMISSIONERS GRADY CASKEY AND BRAD BOWERS

A RESOLUTION BY THE BLOUNT COUNTY COMMISSION PURSUANT TO TENNESSEE CODE ANNOTATED SECTION 54-10-216 TO CLOSE AND VACATE A SECTION OF THE ROAD BED AND RIGHT-OF-WAY OF HOBERT HAYES RD, A COUNTY MAINTAINED ROAD LOCATED IN BLOUNT COUNTY, TENNESSEE

WHEREAS, the legislative body of the County has the authority, under Tennessee Code Annotated Section 54-10-216, to close existing roads and abandon right-of-ways; and

WHEREAS, Hobert Hayes Rd. is listed on the "Official County Road List" and is approximately 1,676' long with a 9'-12' wide paved road bed and 15' of right-of-way; and

WHEREAS, the Blount County Planning Commission and Highway Superintendent having received a request to abandon and close a 280' section of the existing road bed and right-of-way located at the terminus of Hobert Hayes Road, said section being completely surrounded by a single partial of property as referenced on Tax Map 039, Parcel 120.02,; and

WHEREAS, the requesting property owner is the only interested property owner and no further notice is required; and

WHEREAS, the Blount County Planning Commission on March 26, 2015, reviewed this matter, including the recommendation of the County Highway Superintendent, and based on its investigation has determined that, in its opinion, the closing of said right-of-way will not adversely affect any property owners or the present or future function of the County's roadway system, and recommends the closure of said road bed and right-of-way; and

WHEREAS, the County Commission feels the closure of the right-of-way is not detrimental to the community or to the present or future function of the County roadway system.

NOW THEREFORE, BE IT RESOLVED by the Blount County Commissioners assembled in regular session at Maryville, Tennessee, on this 16th day of April, 2015, that 280 feet of Hobert Hayes Rd. located at said roads terminus is hereby closed, that the Official County Road List be amended to show 1,396 feet as the new the length of Hobert Hayes Road to be maintained by the County, with any interest the County has in the 280 feet of right-of-way being hereby relinquished as provided by law.

BE IT FURTHER RESOLVED that although the only legal requirement of the County Commission is to adopt a resolution closing the described right-of-way, upon the request of adjacent landowner, and upon review by an attorney and a determination having been made in the attorney's opinion, the execution of a Quitclaim Deed evidencing the release and conveyance of any interest the County might have in the afore described right-of-way would not adversely affect the rights of any property owners, would further protect the County from potential liability and restore said property to the tax roll, the Blount County Mayor is hereby authorized to execute a Quitclaim Deed in favor of the applicant for the right-of-way (or the

portion thereof) hereby authorized to be closed, upon the payment of any fees and expenses involved in deeding the property to the applicant.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY, THE PUBLIC WELFARE REQUIRING IT.

Duly authorized and approved this 16th day of April, 2015.

CERTIFICATION OF ACTION **ATTEST**

_____ _____
Commission Chairman County Clerk

Approved: _____
Vetoed: _____

_____ _____
County Mayor Date

February 5, 2015

Blount County Highway Department
1227 McArthur Road
Maryville, TN. 37804

Attention: Jeff Hatcher

We are aware that where we currently have our gate on an area that is considered county road.

We are requesting that the portion of the road from the gate on back through our property be abandoned by the County and Deeded to us.

Property Location: 667 Hobert Hayes Road

Walland, TN. 37886

Please feel free to call me at 865-755-6466 should you need any additional information.

Sincerely,

Joseph A. Gugliotta, Sr

Hobert Hayes Abandonment Request



March 2, 2015

Blount Parcels

1:7,523

0 0.05 0.1 0.2 mi

0 0.1 0.2 0.4 km

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and

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RESOLUTION NO. 15-04-007

SPONSORED BY COMMISSIONERS TONA MONROE, KAREN MILLER, MIKE AKARD, AND JAMIE DALY

A RESOLUTION ASKING FEDERAL LEGISLATORS TO STOP THE EXPANSION OF EPA REGULATIONS OVER WATER AND TO REPEAL STORMWATER REGULATIONS

Whereas the stormwater rulemaking authority of the Environmental Protection Agency within Blount County Tennessee is not authorized by the Constitution of the United States and violates its true meaning and intent as given by the founders and ratifiers in the 9th and 10th amendments.

Whereas the Environmental Protection Agency is trying to expand rulemaking authority claiming jurisdiction over water under state, local and private ownership.

NOW, THEREFORE, BE IT RESOLVED by the Blount County Board of Commissioners meeting in regular session on this the 16th day of April, 2015, that United States Senators Bob Corker and Lamar Alexander are asked to sponsor companion legislation, to H.R. 594 Waters of the United States Regulatory Overreach Protection Act of 2015, in the United States Senate.

BE IT FURTHER RESOLVED that Representative John Duncan Jr., Senator Bob Corker and Senator Lamar Alexander are asked to repeal all Environmental Protection Agency stormwater regulations restoring the rights back to the people per the 9th amendment and power back to the States and to the people per the 10th amendment of the United States Constitution.

BE IT FURTHER RESOLVED that a copy of this resolution shall be mailed to Representative John Duncan Jr., Senator Bob Corker, Senator Lamar Alexander, the President of the United States Senate, the Speaker and the Clerk of the United States House of Representatives.

CERTIFICATION OF ACTION: **ATTEST:**

_____ _____

Commission Chairman County Clerk

Approved: _____

Vetoed: _____

_____ _____

County Mayor Date

I

114TH CONGRESS
1ST SESSION

H. R. 594

To preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2015

Mr. GOSAR (for himself, Mr. AMODEI, Mr. ASHFORD, Mr. BARR, Mr. BENISHEK, Mr. BLUM, Mr. BOST, Mr. BOUSTANY, Mr. BRIDENSTINE, Mr. BROOKS of Alabama, Mr. BUCSHON, Mr. BURGESS, Mr. BYRNE, Mr. COLLINS of Georgia, Mr. COOK, Mr. CRAMER, Mr. CRAWFORD, Mr. DENHAM, Mr. DENT, Mr. EMMER, Mr. FARENTHOLD, Mr. FLEMING, Mr. FLORES, Mr. FRANKS of Arizona, Mr. GIBSON, Mr. GOHMERT, Mr. GOODLATTE, Mr. GRAVES of Missouri, Mr. GRIFFITH, Mr. GROTHMAN, Mr. HARPER, Mr. HANNA, Mr. JODY B. HICE of Georgia, Mr. HILL, Mr. HUDSON, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Mr. HUNTER, Mr. HURD of Texas, Mr. HURT of Virginia, Mr. SAM JOHNSON of Texas, Mr. JOLLY, Mr. JOYCE, Mr. KELLY of Pennsylvania, Mr. KINZINGER of Illinois, Mr. LATTA, Mr. LAMALFA, Mr. LAMBORN, Mr. LONG, Mr. LUCAS, Mrs. LUMMIS, Mr. MARCHANT, Mr. MCCLINTOCK, Mr. DUNCAN of South Carolina, Mr. MCKINLEY, Mrs. MCMORRIS RODGERS, Mr. MEADOWS, Mr. NEWHOUSE, Mr. NEUGEBAUER, Mr. NUGENT, Mr. NUNES, Mr. OLSON, Mr. PEARCE, Mr. PETERSON, Mr. PITTENGER, Mr. POE of Texas, Mr. POMPEO, Mr. ROGERS of Kentucky, Mr. ROKITA, Mr. ROONEY of Florida, Mr. RYAN of Wisconsin, Mr. SALMON, Mr. SCHOCK, Mr. SENSENBRENNER, Mr. SHIMKUS, Mr. SMITH of Missouri, Mr. STEWART, Mr. STIVERS, Mr. THORNBERRY, Mr. TIBERI, Mr. TIPTON, Mr. HARDY, Mr. UPTON, Mr. VALADAO, Mr. WALBERG, Mr. WEBER of Texas, Mr. WENSTRUP, Mr. WESTERMAN, Mr. WHITFIELD, Mr. WILLIAMS, Mr. WOMACK, Mr. YOUNG of Alaska, Mr. ZINKE, Mr. WESTMORELAND, Mr. YOHO, Mr. ROE of Tennessee, Mr. STUTZMAN, Mr. CRENSHAW, Mrs. BLACKBURN, Mr. WEBSTER of Florida, Mr. PALAZZO, Mr. BABIN, Mr. FORBES, Mr. WALDEN, Mr. AMASH, Mr. SIMPSON, and Mr. PERRY) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Waters of the United States Regulatory Overreach Protection Act of 2015''.

SEC. 2. RULES AND GUIDANCE.

(a) IDENTIFICATION OF WATERS PROTECTED BY THE CLEAN WATER ACT.—

(1) IN GENERAL.—The Secretary and the Administrator are prohibited from—

(A) developing, finalizing, adopting, implementing, applying, administering, or enforcing—

(i) the proposed rule described in the notice of proposed rule published in the Federal Register entitled ''Definition of 'Waters of the United States' Under the Clean Water Act'' (79 Fed. Reg. 22188 (April 21, 2014)); or

(ii) the proposed guidance submitted to the Office of Information and Regulatory Affairs of the Office of Management

and Budget for regulatory review under Executive Order 12866, entitled ''Guidance on Identifying Waters Protected By the Clean Water Act'' and dated February 17, 2012 (referred to as ''Clean Water Protection Guidance'', Regulatory Identifier Number (RIN) 2040–ZA11, received February 21, 2012); or

(B) using the proposed rule or proposed guidance described in subparagraph (A), any successor document, or any substantially similar proposed rule or guidance, as the basis for any rulemaking or decision regarding the scope or enforcement of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

(2) USE OF RULES AND GUIDANCE.—The use of the proposed rule or proposed guidance described in paragraph (1)(A), any successor document, or any substantially similar proposed rule or guidance, as the basis for any rulemaking or decision regarding the scope or enforcement of the Federal Water Pollution Control Act shall be grounds for vacating the final rule, decision, or enforcement action.

(b) EXEMPTION FOR CERTAIN AGRICULTURAL CONSERVATION PRACTICES.—

(1) IN GENERAL.—The Secretary and the Administrator are prohibited from developing, finalizing, adopting, implementing, applying, administering, or enforcing the interpretive rule described in the notice of availability published in the Federal Register entitled ''Notice of Availability Regarding the Exemption from Permitting Under Section 404(f)(1)(A) of the Clean Water Act to Certain Agricultural Conservation Practices'' (79 Fed. Reg. 22276 (April 21, 2014)).

(2) WITHDRAWAL.—The Secretary and the Administrator shall withdraw the interpretive rule described in paragraph (1), and such interpretive rule shall have no force or effect.

(3) APPLICATION.—Section 404(f)(1)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)(1)(A)) shall be applied without regard to the interpretive rule described in paragraph (1).

SEC. 3. FEDERALISM CONSULTATION.

(a) IN GENERAL.—The Secretary and the Administrator shall jointly consult with relevant State and local officials to develop recommendations for a regulatory proposal that would, consistent with applicable rulings of the United States Supreme Court, identify—

(1) the scope of waters covered under the Federal Water Pollution Control Act; and

(2) the scope of waters not covered under such Act.

(b) CONSULTATION REQUIREMENTS.—In developing the recommendations under subsection (a), the Secretary and the Administrator shall—

(1) provide relevant State and local officials with notice and an opportunity to participate in the consultation process under subsection (a);

(2) seek to consult State and local officials that represent a broad cross-section of regional, economic, and geographic perspectives in the United States;

(3) emphasize the importance of collaboration with and among the relevant State and local officials;

(4) allow for meaningful and timely input by State and local officials;

(5) be respectful of maintaining the Federal-State partnership in implementing the Federal Water Pollution Control Act;

(6) take into consideration the input of State and local officials regarding matters involving differences in State and local geography, hydrology, cli-

mate, legal frameworks, economies, priorities, and needs;

(7) promote transparency in the consultation process under subsection (a); and

(8) explore with State and local officials whether Federal objectives under the Federal Water Pollution Control Act can be attained by means other than through a new regulatory proposal.

(c) REPORTS.—

(1) IN GENERAL.—Not later than 12 months after the date of the enactment of this Act, the Secretary and the Administrator shall publish in the Federal Register a draft report describing the recommendations developed under subsection (a).

(2) CONSENSUS REQUIREMENT.—The Secretary and the Administrator may include a recommendation in the draft report only if consensus has been reached with regard to the recommendation among the Secretary, the Administrator, and the State and local officials consulted under subsection (a).

(3) FAILURE TO REACH CONSENSUS.—If the Secretary, the Administrator, and the State and local officials consulted under subsection (a) fail to reach consensus on a regulatory proposal, the draft

report shall identify that consensus was not reached and describe—

(A) the areas and issues where consensus was reached;

(B) the areas and issues of continuing disagreement that resulted in the failure to reach consensus; and

(C) the reasons for the continuing disagreements.

(4) DURATION OF REVIEW.—The Secretary and the Administrator shall provide not fewer than 180 days for the public review and comment of the draft report.

(5) FINAL REPORT.—The Secretary and the Administrator shall, in consultation with the relevant State and local officials, address any comments received under paragraph (4) and prepare a final report describing the final results of the consultation process under subsection (a).

(d) SUBMISSION OF REPORT TO CONGRESS.—Not later than 24 months after the date of enactment of this Act, the Secretary and the Administrator shall jointly submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate and

make publicly available the final report prepared under subsection (c)(5).

SEC. 4. DEFINITIONS.

In this Act, the following definitions apply:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Army.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(3) STATE AND LOCAL OFFICIALS.—The term ''State and local officials'' means elected or professional State and local government officials or their representative regional or national organizations.

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STATE OF TENNESSEE
COUNTY OF BLOUNT

BE IT REMEMBERED that a meeting of the Agenda Committee of the Blount County Board of Commissioners was held on Tuesday, April 7, 2015 at 6:30 pm at the courthouse in Maryville, Tennessee.

Roll call was taken by Rhonda Pitts, Deputy County Clerk:

Mike Akard - present	Mike Caylor - present	Mike Lewis - present
Andy Allen - present	Thomas Cole - present	Kenneth Melton - present
Archie Archer - present	Dodd Crowe - present	Karen Miller - present
Brad Bowers - present	Jamie Daly - present	Tona Monroe - present
Shawn Carter - present	Gary Farmer - present	Jerome Moon - present
Rick Carver - present	Ron French - present	Steve Samples - present
Grady Caskey - present	Jeff Headrick - present	Tom Stinnett - present

There were 21 present and 0 absent. Chairman Samples declared a quorum to exist. The following proceedings were held to-wit:

IN RE: SETTING OF AGENDA.

Chairman Samples stated the request for a special called meeting of Blount County Commission to hold a teleconference with the Jail Study Consultant would be removed from the agenda, based on the letter received from the counsel, unless there was objection. Commissioner Monroe objected.

Commissioner French made a motion to set the agenda. Commissioner Carter seconded the motion.

Commissioner Moon made a request to add to the Consent Calendar of the April meeting the approval of the minutes March 19, 2015, and the minutes of April 7, 2015, three Zoning Public Hearings.

Commissioner Caskey made a request to remove from the agenda the "Resolution to Require Proposed Changes to Payroll Policy and/or Benefits of Employees of all Departments of Blount County Government, and Blount County Schools, be approved by the Human Resources/Insurance Committee, and/or Submitted to the Board of Commissioners for their Consent Prior to Implementation of any Proposed Changes."

A vote was taken on the motion:

Akard - yes	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - yes	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - yes
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - yes	

There were 21 voting yes, 0 voting no, 0 abstaining, and 0 absent. Chairman Samples declared the motion to have passed and the agenda set.

IN RE: MINUTES OF MARCH 3, 2015 MEETING.

Commissioner Carver made a motion to approve the minutes. Commissioner Crowe seconded the motion.

A vote was taken on the motion:

Akard - yes	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - yes	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - yes
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - yes	

There were 21 voting yes, 0 voting no, 0 abstaining, and 0 absent. Chairman Samples declared the motion to have passed.

IN RE: CONSENT CALENDAR:
MINUTES OF MARCH 19, 2015 COUNTY COMMISSION MEETING
MINUTES OF APRIL 7, 2015, 5:45 PM ZONING PUBLIC HEARING
MINUTES OF APRIL 7, 2015, 6:00 PM ZONING PUBLIC HEARING

MINUTES OF APRIL 7, 2015, 6:15 PM ZONING PUBLIC HEARING
APPROVAL OF DEPUTY SHERIFF AND NOTARY PUBLIC BONDS AND OATHS
ELECTION OF NOTARIES
APPOINTMENTS:
AD HOC COMMITTEE TO STUDY THE FEASIBILITY OF RECYCLING IN BLOUNT COUNTY,
PLANNING COMMISSION (REAPPOINTMENT) – GENEVA W. HARRISON,
SHERIFF'S MERIT BOARD (REAPPOINTMENTS) – GARY HALL AND CECIL "BUSTER" SAFFLES,
BLOUNT COUNTY LIBRARY BOARD OF TRUSTEES – DR. CATHY HAMMON,
PARKS AND RECREATION COMMISSION (REAPPOINTMENT) – NELSON RUSSELL.

Commissioner Moon made a motion to send the items to the consent calendar of the April County Commission meeting. Commissioner Carver seconded the motion.

Commissioner Farmer nominated *Grady Caskey* for the Ad hoc Committee to Study the Feasibility of Recycling in Blount County. Commissioner Moon seconded the nomination.

Commissioner Caskey nominated *Brad Bowers* for the Ad hoc Committee to Study the Feasibility of Recycling in Blount County. Commissioner Caylor seconded the nomination.

Commissioner Stinnett nominated *Tona Monroe* for the Ad hoc Committee to Study the Feasibility of Recycling in Blount County. Commissioner Carter seconded the nomination.

Commissioner Moon made a motion for nominations to cease. Commissioner Carter seconded the motion. A voice vote was taken with Chairman Samples declaring the motion passed and nominations ceased for appointments of County Commissioners.

Commissioner Monroe nominated *Brad Ansley* for the Ad hoc Committee to Study the Feasibility of Recycling in Blount County. Commissioner Moon seconded the nomination.

Commissioner Caskey nominated *Charlene DeSha* for the Ad hoc Committee to Study the Feasibility of Recycling in Blount County. Commissioner Bowers seconded the nomination.

Commissioner Bowers nominated *Dennis Silverberg* for the Ad hoc Committee to Study the Feasibility of Recycling in Blount County. Commissioner Farmer seconded the nomination.

Commissioner French nominated *Judy Clabough* for the Ad hoc Committee to Study the Feasibility of Recycling in Blount County. Commissioner Carter seconded the nomination.

Chairman Samples declared the nominations for citizen appointments closed.

A vote was taken on the motion to forward the seven nominees to the April Commission meeting:

Akard - yes	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - yes	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - yes
Bowers - abstain	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - abstain	

There were 19 voting yes, 0 voting no, 2 abstaining, and 0 absent. Chairman Samples declared the motion to have passed and the nominees move forward to the April Commission meeting.

A vote was taken on the motion to forward the consent calendar to the April Commission meeting:

Akard - yes	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - yes	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - yes
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - yes	

There were 21 voting yes, 0 voting no, 0 abstaining, and 0 absent. Chairman Samples declared the motion to have passed and the consent calendar would be moved forward to the April Commission meeting.

IN RE: REQUEST FOR A SPECIAL CALLED MEETING OF BLOUNT COUNTY COMMISSION TO HOLD A TELECONFERENCE WITH THE JAIL STUDY CONSULTANT.

Commissioner Monroe made a motion to move the request forward to the April Commission meeting. Commissioner Archer seconded the motion.

A vote was taken on the motion:

Akard - yes	Caskey - no	French - no	Moon - abstain
Allen - no	Caylor - no	Headrick - no	Samples - no
Archer - yes	Cole - yes	Lewis - no	Stinnett - yes
Bowers - no	Crowe - no	Melton - no	
Carter - yes	Daly - yes	Miller - yes	
Carver - no	Farmer - no	Monroe - yes	

There were 8 voting yes, 12 voting no, 1 abstaining, and 0 absent. Chairman Samples declared the motion to have failed.

IN RE: RESOLUTION TO AMEND CENTRAL CAFETERIA FUND - $20,000.00.

Commissioner Moon made a motion to send the resolution to the agenda of the April County Commission meeting. Commissioner Farmer seconded the motion.

A vote was taken on the motion:

Akard - yes	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - yes	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - yes
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - yes	

There were 21 voting yes, 0 voting no, 0 abstaining, and 0 absent. Chairman Samples declared the motion to have passed.

IN RE: RESOLUTION TO AMEND GENERAL COUNTY FUND - $9,753.50.

Commissioner Moon made a motion to send the resolution to the agenda of the April County Commission meeting. Commissioner Lewis seconded the motion.

A vote was taken on the motion:

Akard - yes	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - yes	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - yes
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - yes	

There were 21 voting yes, 0 voting no, 0 abstaining, and 0 absent. Chairman Samples declared the motion to have passed.

IN RE: RESOLUTION TO AMEND GENERAL COUNTY FUND - $26,206.00.

Commissioner Moon made a motion to send the resolution to the agenda of the April County Commission meeting. Commissioner Headrick seconded the motion.

A vote was taken on the motion:

Akard - yes	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - yes	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - yes
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - yes	

There were 21 voting yes, 0 voting no, 0 abstaining, and 0 absent. Chairman Samples declared the motion to have passed.

IN RE: RESOLUTION TO AMEND GENERAL COUNTY FUND - $1,500.00.

Commissioner Melton made a motion to send the resolution to the agenda of the April County Commission meeting. Commissioner Akard seconded the motion.

A vote was taken on the motion:

Akard - yes	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - yes	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - yes
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - yes	

There were 21 voting yes, 0 voting no, 0 abstaining, and 0 absent. Chairman Samples declared the motion to have passed.

IN RE: GRANT APPLICATIONS:
2015-16 BCSO ALCOHOL SATURATION PATROLS/ROADSIDE SOBRIETY CHECKPOINTS
2015-16 BCSO HIGH VISIBILITY CAMPAIGN
2015-16 MOTORCYCLE/MOTORIST SAFETY – THE DRAGON
2015-16 BCSO NETWORK COORDINATOR
2015-16 BCSO NIGHTTIME SEATBELT DEMO PROGRAM.

Commissioner Moon made a motion to send the grant applications to the agenda of the April County Commission meeting. Commissioner French seconded the motion.

A vote was taken on the motion:

Akard - yes	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - yes	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - yes
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - no	

There were 20 voting yes, 1 voting no, 0 abstaining, and 0 absent. Chairman Samples declared the motion to have passed.

IN RE: DEBT SERVICE FUND UPDATE, PENNY CALCULATION MEMO, STATE COMPTROLLER BUDGET MEMO – INFORMATION ONLY.

Chairman Samples stated with no objections the Debt Service Fund Update, Penny Calculation Memo, and State Comptroller Budget Memo would be sent to the April Commission meeting for information only.

IN RE: A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, SECTION 7.18 REGULATING CAMPGROUNDS OR RV PARKS BY CLARIFYING OR SPECIFYING THE FOLLOWING: RESPONSIBILITY FOR REQUIRED IMPROVEMENTS FOR A DECELERATION LANE; MANDATORY COMPLIANCE WITH NOISE LAWS; APPLICATION OF NON-CONFORMING (GRANDFATHER) PROVISIONS OF STATE STATUTES AND ZONING REGULATIONS; AND LIMITS OF STAY IN A CAMPGROUND OR RV PARK and
A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, SECTION 7.18 REGULATING CAMPGROUNDS OR RV PARKS, SPECIFYING THE FOLLOWING; SETTING RATIO OF CAMP WORKER CAMPSITES THAT MAY BE ALLOWED; SETTING SETBACKS FROM PERIMETER PARCEL LINES; AND SETTING DEFINED DENSITY OF CAMPSITES PER GROSS ACRE and
A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, SECTION 9.1.C DELETING ALLOWANCE FOR COMMERCIAL CAMPGROUND AND RECREATIONAL VEHICLE PARKS IN THE S-SUBURBANIZING DISTRICT.

Commissioner Caskey made a motion to send the resolution to amend the zoning resolution of Blount County, Tennessee, Section 7.18 regulating campground or RV Parks by clarifying or specifying the following: responsibility for required improvements for a deceleration lane; mandatory compliance

with noise laws; application of non-conforming (grandfather) provisions of state statutes and zoning regulations; and limits of stay in a campground or RV park to the agenda of the April County Commission meeting. Commissioner Stinnett seconded the motion.

Commissioner Moon made a motion to postpone the resolutions until the May Agenda Committee meeting. Commissioner Caylor seconded the motion.

A vote was taken on the motion to postpone:

Akard - yes	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - yes	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - yes
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - yes	

There were 21 voting yes, 0 voting no, 0 abstaining, and 0 absent. Chairman Samples declared the motion to postpone to have passed.

IN RE: SETTING OF PUBLIC HEARING - REQUEST TO REZONE PROPERTY LOCATED AT 110 AND 112 N. SPRINGVIEW ROAD FROM R-1 (RURAL DISTRICT ONE) TO RAC – (RURAL ARTERIAL COMMERCIAL) PROPERTY IDENTIFIED ON TAX MAP 089, PARCEL 109.00.

Commissioner Moon made a motion to send the item to set the public hearing for May 12, 2015, 6:00 p.m., to the agenda of the April County Commission meeting. Commissioner Bowers seconded the motion.

A vote was taken on the motion:

Akard - yes	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - yes	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - yes
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe – yes	

There were 21 voting yes, 0 voting no, 0 abstaining, and 0 absent. Chairman Samples declared the motion to have passed.

IN RE: A RESOLUTION BY THE BLOUNT COUNTY COMMISSION PURSUANT TO TENNESSEE CODE ANNOTATED SECTION 54-10-216 TO CLOSE AND VACATE A SECTION OF THE ROAD BED AND RIGHT-OF-WAY OF HOBERT HAYES ROAD, A COUNTY MAINTAINED ROAD IN BLOUNT COUNTY, TENNESSEE.

Commissioner Caskey made a motion to send the resolution to the agenda of the April County Commission meeting. Commissioner Headrick seconded the motion.

A vote was taken on the motion:

Akard - yes	Caskey - yes	French - yes	Moon - yes
Allen - yes	Caylor - yes	Headrick - yes	Samples - yes
Archer - yes	Cole - yes	Lewis - yes	Stinnett - yes
Bowers - yes	Crowe - yes	Melton - yes	
Carter - yes	Daly - yes	Miller - yes	
Carver - yes	Farmer - yes	Monroe - yes	

There were 21 voting yes, 0 voting no, 0 abstaining, and 0 absent. Chairman Samples declared the motion to have passed.

IN RE: A RESOLUTION ASKING FEDERAL LEGISLATORS TO STOP THE EXPANSION OF EPA REGULATIONS OVER WATER AND TO REPEAL STORMWATER REGULATIONS.

Commissioner Monroe made a motion to send the resolution to the agenda of the April County Commission meeting. Commissioner Akard seconded the motion. Chairman Samples stated there were 2 typographical errors in the resolution that need correction (the word “state” needs an “s” in the last line of the 3rd paragraph and the word ”to” before the word “repeal” had been omitted in the 2nd line of the 4th paragraph) and without objection, the typo changes would be made.

A vote was taken on the motion:

Akard - yes	Allen - yes	Archer - yes	Bowers - yes

Carter - yes	Crowe - abstain	Lewis - no	Samples - yes
Carver - no	Daly - yes	Melton - no	Stinnett - yes
Caskey - yes	Farmer - no	Miller - yes	
Caylor - no	French - yes	Monroe - yes	
Cole - yes	Headrick - no	Moon - abstain	

There were 13 voting yes, 6 voting no, 2 abstaining, and 0 absent. Chairman Samples declared the motion to have passed.

IN RE: ADJOURNMENT.

Chairman Samples declared the meeting to be adjourned.

STATE OF TENNESSEE
COUNTY OF BLOUNT

BE IT REMEMBERED, that a meeting of the Blount County Beer Board was held on Tuesday, April 7, 2015 at 5:00 pm at the courthouse in Maryville, Tennessee.

Roll call was taken by Rhonda Pitts, Deputy County Clerk:

Archie Archer – present	Shawn Carter - present	Ron French – present
Rick Carver - absent	Jamie Daly - present	Kenneth Melton – present
Grady Caskey – present	Gary Farmer - present	Steve Samples – absent

There were 7 present and 2 absent. Rick Carver and Steve Samples arrived after the roll was taken. The following proceedings were held to-wit:

IN RE: SETTING OF AGENDA.

Grady Caskey made a motion to set the agenda. Jamie Daly seconded the motion.
A voice vote was taken with Chairman French declaring the agenda to be set.

IN RE: APPROVAL OF MINUTES OF MARCH 19, 2015 MEETING.

Shawn Carter made a motion to approve the minutes of the March 19, 2015, Beer Board Meeting. Kenneth Melton seconded the motion. A voice vote was taken with Chairman French declaring the motion to have passed.

IN RE: PUBLIC INPUT ON ITEMS ON THE AGENDA.

Carolyn Pullias resident of Commission District 8, spoke regarding the beer permit application regarding Harbor Club, LLC, at Walland Market and Deli.

Sarah Reed, resident of Commission District 8, spoke regarding the beer permit application regarding Harbor Club, LLC, at Walland Market and Deli.

IN RE: PUBLIC HEARING FOR OFF PREMISES BEER PERMIT APPLICATION OF HARBOR CLUB, LLC, AT WALLAND MARKET AND DELI AT 5317 E. LAMAR ALEXANDER PARKWAY, WALLAND, TN.

Chairman French declared the public hearing to be open. Beer Board Attorney Craig Garrett outlined the procedure of the public hearing and administered the oath to Jeffrey Fields. Mr. Fields testified that he has filed the application for an off premises beer permit for Harbor Club, LLC, and that he is the owner and the chief manager of the business, Walland Market and Deli, and it is located at 5317 Lamar Alexander Parkway, Walland, TN; that the statistics and information in the application are true and correct; that the distances set forth in the application are correct; that he filed and paid the fee to have the Sheriff's Office to do the measurements by their GPS system; that the nearest church is the Walland United Methodist Church and that it is 2,059 feet; that the closest school is Walland Elementary School which is 1,678 feet; that there is no residential dwelling within 300 feet of the establishment.

Mr. Garrett asked for any questions from the Board.

Commissioner Daly asked if the building was a stand-alone building. Mr. Fields replied it also has the Walland Post Office. Commissioner Carter asked if people had been drinking beer on the premises. Mr. Fields said on occasion they have seen beer cans, but they were not going to allow them to drink beer in the deli or the store. Commissioner Archer asked about the previous issue with the Fire House and what has changed since that issue came up. Mr. Fields replied the survey part was previously done by an engineer from Knoxville and this was put in the survey by mistake. He said the Police Department determined it was not a public gathering place. He said they had corrected their application. Commissioner Archer asked if there were public gatherings at the Fire House several times a year. Mr. Fields said he was not aware of that. Commissioner Archer asked if there were meetings at the Fire House such as barbecues and cookouts for fund raising. Mr. Fields replied he had no idea. Commissioner Archer stated he was curious as to what changed from the last time and it sounded like the definition had changed. Mr. Fields said what changed was there was an error made by the engineer and for the sake of not being denied for ten years, they had been advised to reapply. Grady Caskey asked for a definition of place of public gathering. Craig Garrett stated he will cover this at the conclusion of the public hearing. Grady Caskey stated at the Fire Hall they have barbecues, garage sales, and it is used several times a

year for fund raisers. He said to him that is a public gathering. Commissioner Carter asked about providing security. Mr. Fields said they have cameras and he is willing to put up a sign.

Mr. Garrett asked for any questions or speakers from the audience. Craig Garrett administered the oath to Tim Martin, Pastor of Keeble's Chapel Baptist Church. Rev. Martin stated he is not for the beer permit in the community, and he said he had a book with 280 names of others that are opposed to this beer permit in their community. He said they oppose this and he was a spokesman. Craig Garrett administered the oath to Mary Lynn Lemons. Ms. Lemons spoke to the committee and said she wanted to address the issues about a public gathering place. She said they do know the Fire Hall is within less than 500 feet of the premises of the business. She said the Fire Hall had assured her they have up to six events per year. She said there are crowds there several days out of each year. She said she had learned from the website of the U.S. Post Office that all U.S. Post Offices are designated gathering places. She said one may hold public events and public meetings free of charge according to their website. She said she could also personally speak to gathering at the Chilhowee Inn at the last Election. Craig Garrett administered the oath to Dewayne Drinnen. Mr. Drinnen stated he is one of the managers for the Walland Center and they are a family owned and operated business. He said they are attempting to grow the business. He said they own the building with the Post Office. He said they had renewed the lease with the Post Office and they would like to think they are keeping the Post Office there. He said the little business is struggling and they are trying to turn it around. Commissioner Carter asked Mr. Drinnen about the signatures they have and Mr. Drinnen stated they have 300 signatures from their customers that come in requesting it, so they won't have to drive 6 miles each direction to obtain alcohol. Commissioner Carver asked if people are drinking beer outside their establishment. Mr. Drinnen stated they have not directly seen people doing it, but when they pick up the trash, a lot of it is beer cans. He said he had never seen anyone drinking on the premises. Grady Caskey asked if he was aware school buses park there and exchange students there in the afternoons. Mr. Drinnen stated they are not supposed to be allowed to exchange students on their property. Commissioner Caskey stated he thinks they are. Mary Lynn Lemons asked how much of the parking lot really belongs to the store and is not on the state property. Mr. Drinnen stated he did not have the survey and she would have to get that from the State of Tennessee. Ms. Lemons stated, it is her understanding, most of that property is public property, and not belonging to the store. She asked Mr. Drinnen if he had knowledge or had seen the school buses stop there. He said, no, he had never seen that. She said she lives across the street and she sees it every day.

IN RE: RECESS OF MEETING.

Chairman French announced it was 5:45 pm, and they were going to have to recess the meeting because there was another public hearing scheduled for 5:45 pm. He stated they would reconvene the Beer Board meeting at the end of the last of the three Zoning Public Hearings. Steve Samples made a motion that the Beer Board meeting continue until its conclusion. Kenneth Melton seconded the motion. A voice vote was taken. There were none opposed. Chairman French declared they would continue with the meeting.

IN RE: CONTINUATION OF PUBLIC HEARING

Commissioners Carter and Carver asked further questions of Mr. Drinnen regarding security and other issues. Craig Garrett asked if anyone else desired to speak in opposition of this or on behalf of this. There were no responses. Craig Garrett asked if the applicant wished to make a brief closing comment. Mr. Fields stated when they had previously applied they had asked for an on and off premises permit. But, after seeing the reaction from the community, they thought that asking for an off premises permit was a good way to compromise and to show that they are trying to work with the community. He said if people can't buy beer there, they are not only losing beer sale money, but gas money, grocery money, and cigarette money, because they go and stop somewhere else if they want beer and buy all of those things. He said those things are hurting their business and they are the main business in Walland, and they are at a marginal stay. He said they need the help. He said tourists come in and can't believe they don't sell beer. Mr. Garrett asked if anyone else in the audience had any questions. There were no responses. Craig Garrett declared the public hearing closed. Chairman French asked the Commissioners if they have any questions for the attorney. Commissioner Daly asked the attorney about the point regarding the comment concerning the U.S. Postal website concerning all Post Offices being public gathering places. Craig Gar-

rett stated he is satisfied that a post office could or could not be a place of public gathering depending on whether or not it is actually used as a place of public gathering. He said some post offices may be and some may not. Mr. Garrett explained about some of the Attorney General Opinions concerning the definition of a place of public gathering. He said under this record there is no evidence that any meetings take place at this small post office. Mr. Garrett said he did not see what has come before this board that the post office would qualify as that. He said he did not think the Walland Post Office is a place of public gathering based on the evidence he has heard today. Commissioner Archer stated he did not understand how the Fire House does not come under that explanation or that definition. Craig Garrett stated he did not see that in this evidence, but a Fire Hall could be or couldn't be. Commissioner Caskey asked if a private school would be a place of public gathering. Mr. Garrett said yes. Commissioner Samples asked if there is a distinction between a publicly held Fire Hall and a privately owned Fire Hall. Craig Garrett stated he thinks that would be private, because usually when it is on private property, it is not considered a place of public gathering. Craig Garrett stated he did not know under the evidence that was presented, whether it is public or private. Commissioner Caskey asked whether or not the members could ask for additional information. Craig Garrett said he thinks we are bound by the ordinance that sets forth the process for the application. He said he thinks the evidence has to come in from the public hearing. Chairman French asked Mr. Garrett if the applicant had met all of the requirements as stated in the Blount County Beer Laws. Craig Garrett stated he thinks the applicant has met the requirements of the statute in their application and in the testimony that they have presented. He said he has not seen evidence to the contrary presented at the public hearing, and that is his legal opinion.

Commissioner Carter made a motion to approve the beer permit. Commissioner Melton seconded the motion.

A roll call vote was taken. Commissioners Carver, Caskey, Carter, Farmer, French, Melton, and Samples voted yes, and Archer and Daly voted no. Chairman French declared the motion to have passed.

IN RE: ADJOURNMENT.

Commissioner Farmer made a motion to adjourn. Commissioner Melton seconded the motion. A voice vote was taken with Chairman French declaring the meeting to be adjourned.

Blount County Government

Budget Committee

Monday, March 9, 2015 5:30 PM
Room 430, Blount County Courthouse

Members Present: Mayor Ed Mitchell, Commissioner Jerome Moon, and Budget Committee members Tom Cole, Sharon Hannum, and Mike Lewis

Members Absent: None

Input on Items on Agenda

None

Approval of Minutes

A motion was made by Jerome Moon and seconded by Mike Lewis to approve the minutes of the February 9, 2015 meeting. The motion passed unanimously on a voice vote.

Budget Amendments

Increases/Decreases

E. 1. A. **Schools, Fund 141** – Increase of $640,000 from fund balance for installation of new roofs at Middlesettlements and Montvale Elementary Schools.

A motion was made by Jerome Moon and seconded by Mike Lewis to forward to full commission with Budget Committee recommendation to approve. The motion passed unanimously on a roll call vote. Troy Logan stated this was approved at the March 9, 2015 School Board meeting.

E. 1. B. **Schools, Fund 141** – Increase of $20,000 grant funds for food service equipment. This item was pulled due to not having had School Board approval yet. No action taken.

Discussion / Possible Action:

F. 1. Resolution for Surplus Property – A resolution declaring surplus and available for sale 7.78 acres of vacant land located at the corner of Bart Giffin Road and Huffstetler Road, Tax Map 090, Parcel No. 120.09.

A motion was made by Mike Lewis and seconded by Sharon Hannum to forward to full commission with Budget Committee recommendation to approve. The motion passed unanimously on a roll call vote.

F. 2. FY2015-16 Budget – Randy Vineyard noted that due to weather delays, the budget is not ready for presentation. It will be on the March 16, 2015 agenda. No further action taken.

Input on Items not on the Agenda

Randy Vineyard announced that Ashley Spangler, Financial Analyst, has given notice that she's accepted a position in Chattanooga. She will be with Blount County until March 27, 2015.

There being no further business to come before the Committee, the meeting was adjourned at 5:42 PM.

Susan Gennoe
Accounting Manager

Randy Vineyard
Finance Director

Blount County Government

Budget Workshop

Monday, March 16, 2015 5:30 PM
Room 430, Blount County Courthouse

Members Present: Mayor Ed Mitchell, Commissioners Jerome Moon, Tom Cole, and Mike Lewis, and Budget Committee member Sharon Hannum

Members Absent: None

Input on Items on Agenda

None

Presentations

- Industrial Development
- Soil Conservation
- Agriculture Extension
- Contributions to Other Agencies
  - Heritage Center
  - Tennessee Rehab
- County Commission
- Register of Deeds
- Trustee
- Property Assessor
- County Clerk
- Elections
- Veterans' Office
- Mayor

Input on Items not on the Agenda

None

There being no further business to come before the Committee, the meeting was adjourned at 7:16 PM.

Susan Gennoe
Accounting Manager

Ashley Spangler
Financial Analyst

Blount County Government

Budget Workshop

Monday, March 23, 2015 5:30 PM
Jury Pool Room, Blount County Justice Center

Members Present: Mayor Ed Mitchell, Commissioners Jerome Moon, Tom Cole, and Mike Lewis, and Budget Committee member Sharon Hannum

Members Absent: None

Input on Items on Agenda

None

Presentations

- Circuit Court Clerk
- Parks & Recreation
- Drug Court
- Public Defender
- General Sessions Judges
- Judicial Commissioners
- E911
- Juvenile Court
- Clerk & Master
- Sheriff's Department

Input on Items not on the Agenda

None

There being no further business to come before the Committee, the meeting was adjourned at 8:05 PM.

Susan Gennoe
Accounting Manager

Ashley Spangler
Financial Analyst

Blount County Government

Budget Workshop

Monday, March 30, 2015 5:30 PM

Sharon Lawson Room, Blount County Library

Members Present: Mayor Ed Mitchell, Commissioners Jerome Moon, Tom Cole, and Budget Committee member Sharon Hannum

Members Absent: Mike Lewis

Input on Items on Agenda

None

Presentations

- Library
- Schools
- Highway Department
- Courthouse & Jail Maintenance
- Beer Board
- Budget & Finance Committee
- Other General Administration
- Fire Prevention & Control
- Other Local Welfare Service
- Fund 101 Revenues

Input on Items not on the Agenda

None

There being no further business to come before the Committee, the meeting was adjourned at 7:05 PM.

Susan Gennoe
Accounting Manager

Angelie Shankle
Sr. Financial Analyst

BLOUNT COUNTY PLANNING COMMISSION
SPECIAL CALLED MEETING
THURSDAY, MARCH 12, 2015
5:30 P.M.

The Blount County Planning Commission met in special called session on Thursday, March 12, 2015, at the Courthouse. Staff was represented by: John Lamb – Director of Planning, Doug Hancock – Senior Planner, and Administrative Assistant Marlene Hodge.

Commissioners Present: Andy Allen, Brad Bowers, Shawn Carter Sr., Ron French, Jeff Headrick, Tom Hodge, Jerry Roddy, Ed Stucky – Chairman, and Clifford Walker. Commissioners Absent: David Caldwell – Vice Chairman, Geneva Harrison, and Bruce McClellan.

The minutes for the January 22, 2015, regular monthly meeting were approved. (Minutes were given to members for review prior to the meeting.)

PUBLIC HEARINGS:

Public Hearing and Possible Action Rezoning request from Rural District 1 to Rural Arterial Commercial at 110 and 112 N. Spring View Road:

The owner, Gary Douglas, requested that the property located on Tax Map 089, Parcel 109.00 be rezoned from Rural District 1 (R-1) Zone to Rural Arterial Commercial (RAC) Zone. The property is approximately 2.6 acres with direct frontage on Hwy 411 South at the intersecting corner of N. Spring View Road. Due to its location the RAC zone is the applicable commercial zone for this parcel.

The property has a house and a 3,200 square feet garage. The garage had an automobile repair business grandfathered on it and has been used for similar uses in the past. The owner has a storage tank business that services and sells accessories for storage tanks and is looking at leasing any unused portions of the buildings to other businesses.

No one spoke and the public hearing was closed.

Concerns were made regarding commercial and residential taxes. Mr. Douglas spoke and verified that the property did have a commercial use within the past year or so by the previous owner.

Commissioner Walker made a motion to send the rezoning request to the County Commission with a favorable recommendation, seconded by Commissioner Roddy. Roll call vote was taken:

Commissioner Allen - Yes Commissioner Bowers - Yes

Commissioner Caldwell - Absent
Commissioner Carter - No
Commissioner French - No
Commissioner Harrison - Absent
Commissioner Headrick - Yes
Commissioner Hodge - Yes
Commissioner McClellan - Absent
Commissioner Roddy - Yes
Commissioner Stucky - Yes
Commissioner Walker - Yes

Motion to send the rezoning request to the County Commission with favorable recommendation was approved with 7 yes, 2 no, and 3 absent.

SITE PLAN:

1471 West Millers Cove Road – addition of pool and pool house:

This site plan is for the addition of a pool and pool house at Blackberry Farm. The property is identified on Tax Map 082, Parcel 067.02 and is in the Planned Rural Resort District.

The pool will serve the guests at Blackberry Farm and is required to have a site plan review. The site for the pool and pool house is on Joe Pye Lane. Site Plan indicates that all building setback requirements will be met by the pool house. Any required permits for a septic system must be obtained through the Blount County Environmental Health Department. Additional buffering and a grading permit will not be required.

Commissioner Bowers made a motion to approve the site plan for the addition of a pool and pool house at 1471 West Millers Cove Road; seconded by Commissioner Roddy. Motion received unanimous approval.

HEARINGS:

Preliminary and Final Plats – Minor Subdivisions:

Combination of lots in Fairway Vista Subdivision off Hunter Run Road in Laurel Valley by Fairway Vistas LLC: 4 lots off a private road:

The final plat for Fairway Vista subdivision was approved at the February 2010 meeting. At that time 16 lots were approved off of the extension of Hunter's Run Road subject to outstanding items to be completed. Staff verified all outstanding items and the final plat was signed in May 2010.

All of the lots in Fairway Vista are served by an on-site sewer system that is operated by Tennessee Wastewater Systems Incorporated (TWSI) which is a public utility approved by the Tennessee Regulatory Authority. While all of the lots are served by sewer and are in the R-1 zone all of the lots had to be 30,000 square feet or greater.

The proposed re-plat is the combination of Lots 1 and 2 into Lot 1R, Lots 3 and 4 into Lot 3R, Lots 12 and 13 into Lot 12R, and Lots 14, 15, and 16 into Lot 14R. All of the lot combinations are greater than minimum lot sizes and the utility sewer provider (TWSI) shall sign the final plat.

None of the parcel is located in a flood plain according to the surveyor and there are no variances required by the Planning Commission or the Board of Zoning Appeals as all of the lots meet the lot size requirements.

Outstanding items to be completed:

1. Addendum to the Property Owner's Association for new lot numbers.

2. Sewer utility provider certification on final plat.

3. Signature plats.

Commissioner Hodge made a motion to approve the preliminary and final plat for the 4 lots in Fairway Vista Subdivision subject to meeting all requirements, applying identified conditions, and addressing deficiencies; seconded by Commissioner Roddy. Motion received unanimous approval.

MISCELLANEOUS ITEMS:

Kennard Property off Mt. Luke Road. Combination of Lots 59 and 60 of the Little River Light and Power Company subdivision: Variance Request to minimum lot size:

Lots 59 and 60 of the Little River Light and Power Company Subdivision were created on plat in file 12B and are lots of record. Both lots are substandard in size, as is the proposed combination of these two lots into Lot 59R with 0.43 acres or approximately 18,730 square feet. The current minimum lot size for lots in the R-1 zone with public water is 30,000 square feet outside of any area of development hindrance as provided in the subdivision regulations and in the Blount County zoning regulations.

There is no indication of septic capability on original plat. The Environmental Health Department has approved the (combined) lots for a two bedroom approval without verification of duplication capability. The Subdivision Regulations require standard lots to have septic capability for a three bedroom home and adequate duplication area. The combination of substandard lots into a lot that is still substandard, but an overall increase in lot size has been acknowledged by the Planning Commission as meeting the standard for a variance situation regardless of number of bedrooms that can be accommodated or whether duplication area has been available in the past in similar situations.

The proposed combination of these two lots of record into one substandard lot indicates variances as follows: variance to minimum lot size and variance of septic capability of the lot. Staff notes precedent in granting blanket variance to allow combination of lots with assumption that a combination would result in an improved situation.

According to the Building Commissioner there are no setback, minimum lot size or density requirements for this proposed lot combination that would require any variances from the Board of Zoning Appeals.

Commissioner Hodge made a motion to approve the variance requests to minimum lot size and septic capability of the lot combination for Lots 59 and 60 subject to staff recommendation; seconded by Commissioner Walker. Motion received unanimous approval.

ADJOURNMENT:

There being no further business to conduct, the Chairman declared the meeting adjourned.

_____
Secretary

Blount County Solid Waste Board
Meeting Minutes for April 2, 2014 Annual Meeting

The meeting was called to order by Board Chairman Greg McClain. Attending members: J.C. Franklin; Gerald Kirby; John Lamb; Sue Dawson; Jacqueline Hill; Matt Pacifico; Tom Taylor; Kenny Wiggins, proxy for Mark Johnson.

Keep Blount Beautiful (KBB) Annual Report: Presented by Charlene DeSha, KBB Coordinator. KBB enlists the services of Ameri-Corp Volunteers, the cost for the services have been $7,000 per year, with an increase next year to $8,000. The Ameri-Corp Assistant this year is Carrie Borkowski and she is doing an excellent job. KBB's community education and recycling events have reached over 283K people with 10.5 tons of materials diverted from the Landfill. Tours of the Landfill have reached over 400 students with 13 tours taking place. KBB has also been the recipient of several Keep America Beautiful awards for its ongoing solid waste and recycling education programs.

Landfill Property Acquisitions: Presented by Kenny Wiggins, City of Alcoa. The city has purchased the Davis Property, 127 Long Powers Road; the city has negotiated the purchase of 133 Long Powers Road, the Little Property; and has also negotiated the purchase of the Bain Property, 205 Long Powers Rd. These properties will be utilized as an office relocation and the Phase 7 cell expansion.

Landfill Operations: Presented by Sam Holloway, Solid Waste Manager. Daily disposal operations and site management are going smoothly with good TDEC inspection reports. Waste disposal trends continue to decrease, resulting in lower tipping fee revenues, while expenditures for daily operations, heavy equipment purchases and maintenance, TDEC permitting cost, environmental testing cost, and engineering fees, continue to escalate. Approximately 6% of the fund balance was used to provide a balanced budget for FY 2014-15. The Landfill Gas to Energy Project remains on-line.

Blount County Solid Waste Region Annual Report: Presented by Sam Holloway, Solid Waste Manager. The Blount County Solid Waste Region, following the region's ten-year solid waste plan, is providing the region's residents with a statue compliant and cost effective means of waste disposal capacity, while incorporating plan revisions as mandated by TDEC rule changes or legislative statues. Current disposal capacity is 16 years under present permitted areas and approximately 50-60 years with future expansion and permitting according to engineering estimates. The region's solid waste and recycling education programs conducted by KBB are viewed as highly successful and are an important part of the ten-year solid waste plan. Attending members voted to approve the 2013 Blount County Solid Waste Region Annual Report and submit to TDEC.

With no further business, the meeting was adjourned.

BLOUNT COUNTY EDUCATION COMMITTEE
Tuesday, March 31, 2015 - 12:00 noon
Eagleton Elementary School

MINUTES

Members Present: Ron French, Brad Bowers, Shawn Carter, Grady Caskey, Dodd Crowe, Jamie Daly, Karen Miller, and Tom Stinnett

Members Absent: Mike Akard

Others Present: Trevis Gardner, Bill Padgett, Jim Compton, Rob Britt, Troy Logan, and Buffy Wyrosdick

Chairman Ron French called the meeting to order, welcomed everyone to the meeting, and thanked Buffy Wyrosdick, Principal of Eagleton Elementary, for allowing the Education Committee to meet at the school. Chairman French introduced and welcomed the newly elected School Board member, Bill Padgett.

Roll Call
The roll was taken by Chairman Ron French. Chairman French declared there was a quorum.

Setting of the Agenda
Grady Caskey made a motion to set the agenda. Brad Bowers seconded the motion. A voice vote was taken with Chairman French declaring the motion approved and the agenda set.

Approval of March 3, 2015, Education Committee Minutes
Jamie Daly made a motion, which was seconded by Grady Caskey, to approve the minutes of the Education Committee meeting of March 3, 2015. A voice vote was taken, with Chairman French declaring the motion passed and the minutes approved.

Public Input on Items on the Agenda
There was no public input on items on the agenda.

Reports

Maintenance/Construction Projects
There was no report given.

Financial Report
The financial report was included with the Director of Schools report.

Report from Principal of Eagleton Elementary School
Buffy Wyrosdick, Principal of Eagleton Elementary School, gave an update on Eagleton Elementary School. Ms. Wyrosdick reported their enrollment is around 509 students. She said they are at 72% for free and reduced. She reported on the demographics of the school. She explained their reading intervention and math support programs. She explained their TCAP results and achievements. She said they are doing a lot of great things, such as a wrestling event to raise money for technology. She said they have two computer labs, and they are focused on securing funds for items such as ipads, tablets, etc., for the classrooms. She explained their Phonics Fundations Program. She said it had

made a significant difference in the students. She said they are trying to maximize the academic potential of every child at Eagleton. She explained their ESL program for students needing language and reading assistance. She said their kindergarten and first grade only had one student falling beneath the range for literacy skills. There was no action taken in this matter.

Report from Director of Schools

Rob Britt gave a report on the Blount County Schools budget proposal. Rob Britt stated the School Board passed the budget proposal and it had been presented to the Blount County Budget Committee. Mr. Britt explained the revenues, which included property tax, sales tax, and other revenues. He said 80% of their money is spent on salaries and employees. He said 15% of their budget is made up of operational expenditures. He said for the 2014-15 year their budget was $81.9 million, and they will spend about $81.3 million of that. He said their proposal for 2015-16 of $86.4 million is about a 5% increase over the 2014-15 year. He explained the 5 major areas of budget priorities: compensation, capital improvements, technology, textbooks, and classroom investments. He stated, in 2016 Heritage High School will be 40 years old, and William Blount will be turning 40 in 2017-18. He explained technology and textbooks are going to be one in the same and that is going rapidly. He talked about per pupil expenditures concerning the state average and performance. He said they are about $495.00 below the state average per student. He said Tennessee is the 47th in the nation per pupil expenditure. He said the two cities in the County are above the state average, and considerably above the county in per pupil expenditures. He said only Union County is ranked lower than Blount County out of 12 Counties in the region per pupil expenditures. He said in almost every single major category, the Blount County students perform above the state average. He said they are not only efficient, but they are effective. He explained about the projects with the retention ponds at some of the schools. He explained about their administrative costs concerning the Central Office. He said, according to the BEP funding formula, they have earned 14 supervisors, but they function and run the school system on 8. He said they have 37 principals and assistant principals. He said the facts and numbers say they have a very efficient operation as far as their administrative costs. Their budget request for 2015-16 is $86,404,000.00. He said that is an increase of $4,404,000.00. He said they have anticipated revenue of $84,700,000.00. He said that presents a deficit on the operation side of $1.7 million. He explained the requests concerning instructional positions, technology and textbooks investments. He explained the partnerships with manufacturing concerning apprenticeships and internships. He said there are some no choice operational costs such as utilities, liabilities, physical and occupational therapy costs, etc. The committee members gave comments and asked questions. Rob Britt explained the court case concerning the apportioning of taxes concerning split dollars. He said they are requesting that $.07 be rolled into a capital improvement fund. He stated if they leave it in Fund 141 it would be apportioned to the cities. He said by moving it into 189, it all could be used for capital. He said this had been considered by the Board of Education. The committee members discussed split dollars concerning the three school systems. Troy Logan stated he wanted to make sure the Commissioners are well informed about the school budget and know what is in it. The committee discussed maintenance of effort and raises. Troy Logan explained regarding the $0.07 and the capital improvement plan for Fund 189, concerning this leaving a $1.00 of the property tax in Fund 141. The committee discussed the certified tax rate. Troy Logan informed the members regarding a grant concerning a budget increase for a serving line for the Lanier Elementary Cafeteria, which would need Commission approval. There was no action taken in this matter.

Other

There was no other business.

The Next Meeting

Chairman French announced the next Education Committee meeting would be on May 5, 2015, at 12:00 noon at Friendsville Elementary School.

Public Input on Items Not on the Agenda

There was no public input on Items Not on the Agenda.

Adjournment

Grady Caskey made a motion, which was seconded by Tom Stinnett, to adjourn the meeting. A voice vote was taken, with Chairman French declaring the meeting adjourned. The Education Committee meeting adjourned March 31, 2015.

Human Resources/Insurance Committee Meeting Minutes
Tuesday March 31, 2015 – 5:00 P.M.
County Commission Room

Committee Members Present:

Phyllis Crisp	Tom Stinnett	Ed Mitchell	David Murrell
Mike Caylor	James Berrong		

Committee Members Absent:

Bill Dunlap	Mike Lewis	Grady Caskey	Gary Farmer

Others Present:

Jenny Morgan	Jodie King

Minutes

1.) Roll Call

2.) Election of Interim Chairman. Commissioner Jerome Moon proceeded with the election of an Interim Chairman. Phyllis Crisp made the motion to nominate Mayor Ed Mitchell as the Interim Chairman and James Berrong second the motion. A roll call vote was taken:

Tom Stinnett-approved	Mike Caylor-approved	David Murrell-approved
Phyllis Crisp-approved	James Berrong-approved	Ed Mitchell-approved

All in favor of Mayor Ed Mitchell as the Interim Chairman during the special called meeting.

2.) Public Input on items on the agenda-there was none at this time.

3.) Discussion and possible action on dental insurance rate increases effective 7/1/2015. Jenny Morgan stated initial intent was to bring before the committee an increase in the dental rates from BCBS. However, the new broker has hit the ground running and has been able to work with BCBS to put any dental rate increases on hold until January 2016. At that time, we can expect a renewal increase. CBIZ will be in attendance at our next scheduled meeting on April 21st to discuss this further.

4.) Discussion and possible action on the current status of the Health Fund. Jenny Morgan discussed that the insurance is something that we need to spend more time focusing on. It is a rapidly changing industry – we cannot set rates and then ignore the fund until the next year. There is a document included in your packet which provides the current state of the health fund. Randy Vineyard discussed the document in the packet regarding the health care fund. He explained the actual expense, which includes the reinsurance, ACA, claims and the third party administration fees. He discussed projected revenue and projected expenses for the past, present and future years, stating if we keep going the way we are our fund balance is going to be a minimal amount. He stressed we need to address healthcare and actively manage the fund.

James Berrong made the motion to refer this information to the next meeting for further discussion and Tom Stinnett second the motion. Jenny Morgan stated the broker would have new information regarding our fund and plans at the next meeting. A voice roll call was taken and all members were in favor.

5.) Discussion and possible action on Evergreen Solutions presentation. Jenny Morgan stated to the committee they have all heard a good bit about Evergreen through our past conversations. We wanted to get this in front of the committee as quickly as possible and requesting this committee will adopt a resolution to implement the recommendation for a classification/compensation system. A draft of the resolution was in the packet.

Nancy Berkley with Evergreen Solutions presented to the committee a power point presentation explaining the entire process of the Classification and Compensation Study that was completed by her firm.

Jenny Morgan stated a final resolution would be submitted to the committee at the next meeting for full recommendation and then the resolution would be sent to the Commission for final approval.

6.) Discussion and possible action on handbook policy updates. Jenny Morgan discussed each handbook policy updates to the committee:

a) Pay Periods – Classification and Compensation section, page 8 of the Employee Handbook

This update is to reflect the decision to move to bi-weekly pay periods. The handbook needs to match what we are doing.

b) Sick Leave Accrual – Leave Policies section, page 22 of the Employee Handbook

During the Kronos Product Design Workshop, it was discovered through discussion with the Kronos team, that there are other options on how we can allocate sick days to our employees. The recommendation is to change the allocation day from the 31st day of employment to the 1st of the month following the 31st day of employment and thereafter employees will receive sick days on the 1st of each month. This will allow for more accurate tracking and cleaner accounting.

c) Benefits Eligibility – Employee Benefits section, page 31 of the Employee Handbook

During the Kronos Product Design Workshop, we began to discuss how we currently administer our benefits plans. We learned that we may have opportunity for improvement in this area. We currently allow new hires to begin coverage on the 31st day of employment. Ex. Hired on 3/31/15 – coverage will begin on 4/30/15, but the employee will pay for coverage from 4/16-4/30. If we move to coverage effective the 1st of the month after the 31st day, this will allow the employee to only pay for coverage they have and will be cleaner on the accounting side.

For the benefits termination effective dates – The recommendation is that we move to terminate coverage at the end of a pay period rather than the last day worked. This also will allow for the employee to have coverage for the pay periods worked. Ex. An employee terminates on 4/6/15, we will pay for coverage through the 15th but coverage will end on 4/6/15. If we move to the recommendation, the coverage will terminate at the end of the biweekly pay period in which the employee last worked.

Mayor Ed Mitchell requested Jenny Morgan to submit the proposed changes to a labor law attorney/county attorney for a final decision before making the necessary updates to the policies.

7.) Adjournment 6:00 pm

BLOUNT COUNTY MAYOR

Ed Mitchell

341 Court Street, Maryville, TN 37804-5906

Phone: (865) 273-5700

Fax: (865) 273-5705

Email: emitchell@blounttn.org

TO: Blount County Board of Commissioners

FROM: Ed Mitchell, County Mayor

RE: Board of Equalization

DATE: March 31, 2015

For information only, I have appointed the following persons to the Board of Equalization:

Bruce J. Recktenwald, to serve the remaining term of Larry Campbell, expiring 2016
Eddie Johnson, to serve the remaining term of David Weaver, expiring April 2016

Please see the attached.

108 Jess Circle
Maryville, TN 37801

Phone: 214-564-8315
E-mail: bruce.recktenwald@sbcglobal.net

Bruce J. Recktenwald

Objective

Member of Blount Co., TN. County Board of Equalization

Experience

2010– 2013 Appraisal Review Board Ellis Co., TX

Review Board Member

- Board Chairman
- Panel Chairman
- Panel Secretary
- Board/Panel Member

1979– 2007 Internal Revenue Service Dallas, TX

Engineer Revenue Agent/Appraiser

- Senior Engineer/Appraiser auditing individuals and corporations
- Group Manager
- Expert Witness - U.S. Tax Court
- Guest Speaker
- College Recruiter to Texas Tech University - College of Engineering
- On-the-Job Instructor, Classroom and Lead Instructor
- Training Coordinator, Developed training material for Engineering Program

1975–1979 Bureau of Prisons - DOJ Dallas, TX

Regional Facilities Engineer

- Developed plans/blueprints for facilities, buildings, and systems
- Wrote specifications for facilities, buildings, and systems
- Coordinated construction activities
- EEO Counselor

1972–1974 Texas Instruments, Inc. Dallas, TX

Production Line Supervisor/Engineer

Education

1967–1971 The University of New Mexico Albuquerque, NM

- Bachelor of Science - Mechanical Engineering
- Minors - Mathematics, Political Science

1981–1993 American Institute of Real Estate Appraisers

- Nine courses relating to the valuation of real property and intangibles

Interests/Hobbies

Guitar, reading, woodworking, computers, church involvement, traveling

Related Experience

Tutor - Eastfield Jr. College, Dallas, TX and Navarro Jr. College, Waxahachie, TX, Completed Basic Instructor Training Class (BITC)

Eddie Johnson
1142 Maple Lane Greenback, TN 37742 865-856-2861

Position Applying For: Blount County Equalization Board

Experience:

- Blount County Property Assessor
  August 1990 – June 1999
- Appraised property – commercial, farmlands and residential
- Blount County Register of Deeds
  July 1999 – January 2001
- Scanned all plats to computer

Highlights:

- Assisted and advised Equalization Board
  1994, 1995 and 1996
- Served on Blount County Equalization Board
  June 2001
- Training: University of Tennessee Center for Government Training
  Assessment Law and Appraisal Fundamentals
  June 1994
- Basic Mapping
  March 1997

References:

- Available Upon Request

Blount County Debt Overview

BLOUNT COUNTY BUDGET COMMITTEE
APRIL 6TH, 2015
5:30 PM

Debt Summary

- 7 Bonds
- 5 Loans
- 2 Capital Leases

Refinancing Timeline

- October '14 – PFM presents various refunding options
- November '14 – Plan of refunding sent to Comptroller and Approved
- November '14 – Plan of refunding approved unanimously by County Commission
- December '14/January '15 – Working with PFM to prepare POS and Continuing Disclosure Document
- February '15 – Ratings Evaluations from S&P and Fitch
- March '15 – Bond Closing and Debt reissued

Debt Service Comparison

- FY '14/ '15 Debt Service
  - $15,921,657.04
  - Amount will change due to Refinancing
- Pre-Refinancing FY '15/ '16
  - $16,775,796.57
- Post-Refinancing FY '15/ '16
  - $17,832,511.69

Debt Service Comparison

- Difference FY '14/'15 to Pre-Refinancing
  - $866,023.49
  - Amount will change due to Refinancing
- Difference FY '15/'16 Pre and Post-Refi
  - $1,056,715.12
- Difference FY '14/'15 to Post-Refinancing
  - $1,910,854.65
  - Amount will change due to Refinancing

Refinancing Accomplishments

- Took advantage of low Interest Rate environment
- Lowered the county's financial risk
- Pay off principal quicker
  - Previously E-3-B had no principal payments until 2030/2031

FY14-15	Type	Principal	Principal-Ed	Interest	Interest-Ed	Fees	Total	
		a/c 82110	*a/c 82130*	*a/c 82210*	*a/c 82230*	*a/c 82310*		
Series 2004A	Bonds	625,000.00		134,710.00			759,710.00	
Series 2004B	Bonds	490,000.00		102,025.00			592,025.00	
Series 2005 GO Bonds	Bonds	1,360,000.00		340,025.00			1,700,025.00	
QSCB	Bonds	853,030.00		785,640.48		11,883.96	1,650,554.44	int corr 05.22.14
Series 2011 GO Bonds	Bonds	385,000.00		2,025,165.00			2,410,165.00	
2013Refi	Bonds	120,000.00		1,988,675.00			2,108,675.00	int per PFM scenario 2 (DB portion only) - diff on QSCB corr 05.22; corr this way b/c Int valuation is very conservative
	Line 601 total	3,833,030.00						
	Line 603 total			5,376,240.48				
Series 2010 cap out motorola	Capital Lease	281,877.00		88,306.00			370,183.00	
School energy facility upgrades	Capital Lease		216,148.00		87,079.00		303,227.00	
	Line 610 total	281,877.00	216,148.00					
	Line 611 total			88,306.00	87,079.00			
QZAB	Loan	40,499.00		-			40,499.00	Note: updated this as per correct amort sched 05.22.14; used 13-14 to est due to sinking fund int
B10A Loan	Loan	145,000.00		72,277.50			217,277.50	
B16A Loan	Loan	1,950,000.00		1,073,662.60			3,023,662.60	
B17A Loan	Loan	105,000.00		109,687.50			214,687.50	
E3B Loan	Loan	-		1,008,249.96			1,008,249.96	
B18A Loan	Loan	500,000.00		144,500.00			644,500.00	
	Line 612 total	2,740,499.00						
	Line 613 total			2,408,377.56				
	Line 699 total					575,000.00	575,000.00	use fees same as PY adjusted budget per Randy
	Line 599 - PFM, etc					15,100.00	15,100.00	
	Line 510 - Trustee Comm					295,000.00	295,000.00	
	Line 324 - PFM swap viewer					5,000.00	5,000.00	
	Total	6,855,406.00	216,148.00	7,872,924.04	87,079.00	890,100.00	15,933,541.00	
							(11,883.96)	these fees incl in line 699
							15,921,657.04	total budget request

Agrees to amounts paid
Agrees to amort schedule (PFM/Motorola,etc)
Agrees to auditor w/p schedule

Pre Refi FY15-16	Type	Principal *a/c 82110*	Principal-Ed *a/c 82130*	Interest *a/c 82210*	Interest-Ed *a/c 82230*	Fees *a/c 82310*	Total	
Series 2004A	Bonds	655,000.00		111,272.50			766,272.50	
Series 2004B	Bonds	510,000.00		84,262.50			594,262.50	
Series 2005 GO Bonds	Bonds	1,420,000.00		272,025.00			1,692,025.00	
QSCB	Bonds	853,030.00		785,640.48		11,883.96	1,650,554.44	int corr 05.22.14
Series 2011 GO Bonds	Bonds	385,000.00		2,025,165.00			2,410,165.00	
2013Refi	Bonds	120,000.00		2,709,607.00			2,829,607.00	int per PFM scenario 2 (DB portion only) - diff on QSCB corr 05.22; corr this way b/c int valuation is very conservative
	Line 601 total	3,943,030.00						
	Line 603 total			5,987,972.48				
Series 2010 cap out motorola	Capital Lease	370,182.40		65,480.23			435,662.63	
School energy facility upgrades	Capital Lease		235,399.00		75,404.00		310,803.00	
	Line 610 total	370,182.40	235,399.00					
	Line 611 total			65,480.23	75,404.00			
QZAB	Loan	40,501.00		-			40,501.00	Note: updated this as per correct amort sched 05.22.14; used 13-14 to est due to sinking fund int
B10A Loan	Loan	150,000.00		63,940.00			213,940.00	
B16A Loan	Loan	2,095,000.00		1,002,787.50			3,097,787.50	
B17A Loan	Loan	115,000.00		105,750.00			220,750.00	
E3B Loan	Loan	-		1,008,249.96			1,008,249.96	
B18A Loan	Loan	500,000.00		127,000.00			627,000.00	
	Line 612 total	2,900,501.00						
	Line 613 total			2,307,727.46				
	Line 699 total					575,000.00	575,000.00	use fees same as PY adjusted budget per Randy
	Line 599 - PFM, etc					15,100.00	15,100.00	
	Line 510 - Trustee Comm					295,000.00	295,000.00	
	Line 324 - PFM swap viewer					5,000.00	5,000.00	
	Total	7,213,713.40	235,399.00	8,361,180.17	75,404.00	890,100.00	16,787,680.53	
							(11,883.96)	these fees incl in line 699
							16,775,796.57	total budget request

Agrees to amounts paid
Agrees to amort schedule (PFM/Motorola,etc)
Agrees to auditor w/p schedule

Post Refi FY15-16	Type	Principal *a/c 82110*	Principal-Ed *a/c 82130*	Interest *a/c 82210*	Interest-Ed *a/c 82230*	Fees *a/c 82310*	Total	
2015 AB Refi	Bonds	1,285,000.00		845,435.12			2,130,435.12	
Series 2004A	Bonds	655,000.00		111,272.50			766,272.50	
Series 2004B	Bonds	510,000.00		84,262.50			594,262.50	
Series 2005 GO Bonds	Bonds	1,420,000.00		272,025.00			1,692,025.00	
QSCB	Bonds	853,030.00		720,170.44		11,883.96	1,585,084.40	int corr 05.22.14
Series 2011 GO Bonds	Bonds	385,000.00		2,025,165.00			2,410,165.00	
2013Refi	Bonds	120,000.00		2,709,607.00			2,829,607.00	int per PFM scenario 2 (DB portion only) - diff on QSCB corr 05.22; corr this way b/c int valuation is very conservative
	Line 601 total	5,228,030.00						
	Line 603 total			6,767,937.56				
Series 2010 cap out motorola	Capital Lease	370,182.40		65,480.23			435,662.63	
School energy facility upgrades	Capital Lease		235,399.00		75,404.00		310,803.00	
	Line 610 total	370,182.40	235,399.00					
	Line 611 total			65,480.23	75,404.00			
QZAB	Loan	40,501.00		-			40,501.00	Note: updated this as per correct amort sched 05.22.14; used 13-14 to est due to sinking fund int
B10A Loan	Loan	150,000.00		63,940.00			213,940.00	
B16A Loan	Loan	2,095,000.00		1,002,787.50			3,097,787.50	
B17A Loan	Loan	115,000.00		105,750.00			220,750.00	
B18A Loan	Loan	500,000.00		127,000.00			627,000.00	
	Line 612 total	2,900,501.00						
	Line 613 total			1,299,477.50				
	Line 699 total					575,000.00	575,000.00	use fees same as PY adjusted budget per Randy
	Line 599 - PFM, etc					15,100.00	15,100.00	
	Line 510 - Trustee Comm					295,000.00	295,000.00	
	Line 324 - PFM swap viewer					5,000.00	5,000.00	
	Total	8,498,713.40	235,399.00	8,132,895.29	75,404.00	890,100.00	17,844,395.65	
							(11,883.96)	these fees incl in line 699
							17,832,511.69	total budget request

Agrees to amounts paid
Agrees to amort schedule (PFM/Motorola,etc)
Agrees to auditor w/p schedule

1,056,715.12

BLOUNT COUNTY MAYOR

Ed Mitchell

341 Court Street, Maryville, TN 37804-5906

Phone: (865) 273-5700

Fax: (865) 273-5705

Email: emitchell@blounttn.org

MEMO

TO: **Blount County Budget Committee**

FROM: **Ed Mitchell, Mayor**

CC: **Scott Graves, Blount County Trustee**
Tim Helton, Blount County Property Assessor
Randy Vineyard, Finance Director
Susan Gennoe, Accounting Manager
Ashley Spangler, Financial Analyst
Troy Logan, Blount County Schools Fiscal Administrator

RE: **Penny Valuation for FY 15-16**

DATE: **March 13, 2015**

I am submitting an estimated value for what we expect the penny to generate in tax dollars for fiscal year ending June 30, 2016.

Based upon the property valuations submitted by the Blount County Property Assessor's Office and the Office of State Assessed Properties, the value of a penny should be worth approximately $317,500. This value does not take into consideration the reappraisal process; therefore is subject to change once that process is certified by the State.

STATE OF TENNESSEE
COMPTROLLER OF THE TREASURY
OFFICE OF STATE AND LOCAL FINANCE
SUITE 1600 JAMES K. POLK STATE OFFICE BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-1402
PHONE (615) 401-7872
FAX (615) 741-5986

ANNUAL BUDGET MEMO

To: Budget Contact
From: Sandra Thompson, Director of State and Local Finance
Date: March 26, 2015
Re: Fiscal Year 2016 Annual Budget Memo

Counties in Tennessee must adopt a budget appropriation resolution and file it each fiscal year with the Office of State and Local Finance ("OSLF"). Counties with debt outstanding issued pursuant to Title 9, Chapter 21 or loan agreements with a public building authority approved by OSLF issued pursuant to Title 12, Chapter 10 of the Tennessee Code Annotated must submit a budget to OSLF for approval, (T.C.A. §§ 9-21-403(c) and 12-10-109(c)). Please submit your County's budget with the required supporting documents to OSLF within 15 days of adoption.

It is the responsibility of the county and its officials to ensure compliance with specific program statutes or guidelines, and with any financing requirements prescribed by any state or federal agency as well as to meet any other financial compliance requirements established by federal, state, or local statutes or regulations. The county and its officials, by submission of their budget to OSLF, represent that their annual operating and capital budget as adopted is realistic and in compliance with all federal, state or local statutes for specific programs. **A county that submits a budget with misstated revenues, expenditures or beginning cash balances may be required to submit monthly reports to OSLF.** Budgets submitted with incomplete or missing information will not be considered as received by this Office.

A county should submit its adopted budget for approval by OSLF in a timely manner so that it may amend its tax levy or appropriations if necessary to balance its budget.

The Budget and Property Tax Levy

A county legislative body has a duty to adopt a property tax levy by the first Monday in July or as soon as possible thereafter (T.C.A. § 67-5-510). The property tax levy or the amended property tax levy must be adopted in sufficient time so that property tax notices may be sent prior to the first Monday in October (T.C.A. § 67-1-701, OAG 04-149).

Purpose for Budget Review

The purpose of our review is to determine that the budget is balanced on a cash basis, sufficient monies are appropriated to pay all annual debt service, and enterprise funds are financially sound (T.C.A. §§ 4-3-305 and 9-21-403). See Attachment A for the list of items required to be submitted.

Utility Budgets

A utility budget is reviewed to determine whether there are sufficient cash receipts to meet all cash costs of the system including debt service (principal and interest payments). A county with a water or sewer fund is required to provide a projected cash flow analysis statement and complete the Water and Wastewater Financing Board ("WWFB") Worksheet for each utility fund. We have provided a sample cash flow analysis statement and the WWFB Worksheet for your convenience (see Attachments E and F). The Division of Local Government Audit will refer a county to the WWFB if the county reports two consecutive years of negative change in net position, defaults on its debt payments, or posts a negative net position for its water or sewer fund.

Tennessee Department of Education School Budget Reporting

The Tennessee Department of Education ("TDE") requires a county with a school system to submit a complete and certified copy of the entire school budget to TDE within 30 days of the beginning of fiscal year 2016 (T.C.A. § 49-3-316(a)(2)). If the school budget is not submitted by October 1, TDE may withhold state funds (T.C.A. § 49-3-316(d)(3)). Please contact TDE for more information.

Governor's Three Star Program

To maintain eligibility for inclusion in the Governor's Three Star Program, a county must:

- Adopt an annual budget including the appropriate cash flow forecasts, and submit the budget package to OSLF by October 15; and
- Provide a copy of a reviewed and signed Fiscal Strength & Efficient Government Annual Confirmation letter to the Department of Economic and Community Development (the "ECD") that documents:
    - The date the county mayor and commission performed the annual review of the county's debt management policy with a statement that the current policy has been filed with OSLF; and
    - That a cash flow forecast will be submitted to the OSLF when the county decides to issue debt (if new debt is included in the fiscal year 2016 budget, a cash flow forecast should be submitted with the budget).

If you have questions about forming or maintaining an audit committee please contact Jim Arnette, Director of Local Government Audit (jim.arnette@cot.tn.gov, (615) 401-7841). Please refer to the ThreeStar website (http://www.tn.gov/ECD/threestar/) if you need additional information about the program and dates for required filings with ECD. Please contact ECD if you have any questions concerning this program.

Closing Notes

A county that submits a complete budget that meets the statutory requirements for approval will receive an approval letter from OSLF.

Prior to submitting the budget information package to OSLF, the county should confirm that the information in the detailed budget matches the resolution adopted by the legislative body and that the package contains physical copies of all documents along with all relevant attachments, including a ***signed and certified*** copy of the appropriation resolution and property tax levy resolution.

Submit Debt approval or report requests separately from the budget submission to avoid delay in the review of the request.

Budget Summary:

This schedule shows the government's projected cash receipts and appropriations with beginning and ending fund and cash balances. See Note below for reference when calculating beginning cash and fund balances.

Statement of Outstanding Debt :

This schedule shows the government's current year debt (notes, loan agreements, bonds, and capital leases). Information (outstanding as of the upcoming fiscal year) from lenders' payment schedules and is the same information necessary to complete the section of the budget ordinance that identifies outstanding debt and required debt service payments for the upcoming fiscal year.

Schedule of Budgeted Debt Payments:

This schedule lists all principal and interest payments to be appropriated by fund and department.

Forecasted Cash Flow Statement:

This schedule projects monthly cash flows for the general fund, general purpose school fund, enterprise funds and any fund (except capital projects funds) that has a budgeted ending cash balance of less than one month's average expenditures. Identifies cash flow needs for any funds that may have a mismatch between cash inflows and outflows.

We recommend that an actual monthly cash flow statement be performed for fiscal year 2014 using you bank reconciliations and other documents and a cash flow also be performed for fiscal year 2015 forecasting the last months of the year. Use these cash flow statements to forecast the monthly cash flows for fiscal year 2016 based on the monthly cash receipts and payments of fiscal 2014 and 2015 to project the timing of the forecast total cash receipts and cash payments for fiscal year 2016.

Water and Wastewater Financing Board Worksheet :

Demonstrates the local governments' compliance with the financial stability requirements of the WWFB and the SRF Loan covenants.

NOTE:

Beginning Cash

How much cash is available on July 1, 2016 after the payment of all fiscal year 2015 obligations.

Estimated Fund Balance

Beginning Fund Balance July 1, 2014	$
Plus: Estimated Revenues FY 2015	
Less: Estimated Appropriations FY 2015	
Estimated Ending Fund Balance June 30, 2015	$

Please send the complete budget submission package to Sandra Thompson, Director of the Office of State and Local Finance at the address on this letterhead.

If you need any assistance, you may contact the County Technical Advisory Service (CTAS), the State Department of Education-Section of Local Finance, or any member of our staff.

Office of State and Local Finance staff members:

Sandi Thompson, Director
Email: sandi.thompson@cot.tn.gov
Phone: 615-747-5380

Ron Queen, Manager
Email: ron.queen@cot.tn.gov
Phone: 615-401-7862

Steve Osborne, Senior Financial Analyst
Email: steve.osborne@cot.tn.gov
Phone: 615-747-5343

Lori Barnard, Financial Analyst
Email: lori.barnard@cot.tn.gov
Phone: 615-747-5347

Enclosures:
Attachment A – Checklists for Budgets
Attachment B – Budget Summary
Attachment C – Statement of Outstanding Debt
Attachment D – Schedule of Debt Payments
Attachment E – Cash Flow Statement
Attachment F – Water and Wastewater Financing Board Worksheet
Tax and Revenue Anticipation Notes Memorandum

ATTACHMENT A

Checklist for Budgets Requiring Approval of OSLF

1. Cover letter on the county's letterhead. (Complete contact information should be included)
2. Signed and certified copy of appropriation resolution and tax levy resolution.
3. Detailed budgets for all funds including enterprise funds and school funds (if applicable). Please include estimated beginning fund balances and cash balances for each fund at July 1.
4. Revenue forecasts for property and sales tax.
5. Budget summary schedule (Attachment B).
6. Schedule of Outstanding Debt (Attachment C).
7. Schedule of Budgeted Debt Payments (Attachment D).
8. Cash flow analysis for each enterprise fund, the general fund, the general purpose school fund and for each fund with debt outstanding or that will have debt issued in the coming budget year (Attachment E). [Include a cash flow analysis for any fund that has less than one month's average expenditures except capital projects funds.]
9. Water and Wastewater Financing Board worksheet (Attachment F).

Checklist for Budgets Required to be Filed with OSLF

1. Cover letter on the county's letterhead. (Complete contact information should be included)
2. Signed and certified copy of the appropriation resolution and tax levy resolution.
3. Budget summary schedule (Attachment B).
4. Schedule of Outstanding Debt (Attachment C).

An Excel spreadsheet including Attachments B through F is available on request from OSLF staff.

Attachment B
Budget Summary **County Name** _____
FY 2016

Appropriation Resolution

Fund						Expenditures	Transfers-Out	Appropriations	Do Total Appropriations Agree with Detail Budget?	Is Est. Ending Cash Bal. Less Than 1 Month's Avg. Exp. Or 8.33%	
General Fund						$ 653,725	$ -	$ 653,725	Yes	89.98%	
Highway Fund						281,340	-	281,340	Yes	69.58%	
Solid Waste Fund						192,400	-	192,400	Yes	36.50%	
Drug Fund						25,000	-	25,000	Yes	28.00%	
General Purpose School Fund						15,650,000	300,000	15,950,000	Yes	10.52%	
School Cafeteria Fund						1,752,000	-	1,752,000	Yes	21.43%	
School Federal Projects Fund						2,995,000	20,000	3,015,000	Yes	9.95%	
General Debt Service Fund						775,000	-	775,000	Yes	83.87%	
Water Fund						975,000	50,000	1,025,000	Yes	76.59%	
Totals						$ 23,299,465	$ 370,000	$ 23,669,465			

Detailed Budget

Fund	Beginning Fund Balance 07/01/2015	Estimated Beginning Cash 07/01/2015	Revenues	Debt Proceeds	Transfers-In	Estimated Cash Receipts	Available Funds	Expenditures	Transfers-Out	Appropriations	Receipts - Appropriations	Estimated Ending Cash 06/30/2013	Ending Fund Balance 06/30/2016
General Fund	$ 808,376	$ 575,000	$ 531,950	$ 85,000	$ 50,000	$ 666,950	$ 1,241,950	$ 653,725	$ -	$ 653,725	$ 13,225	$ 588,225	$ 821,601
Highway Fund	132,415	75,000	287,090	115,000	-	402,090	477,090	281,340	-	281,340	235,750	195,750	253,165
Solid Waste Fund	192,400	58,000	204,620	-	-	204,620	262,620	192,400	-	192,400	12,220	70,220	204,620
Drug Fund	20,000	20,000	12,000	-	-	12,000	32,000	25,000	-	25,000	(13,000)	7,000	7,000
General Purpose School Fund	2,041,621	1,885,326	15,723,000	-	20,000	15,743,000	17,628,326	15,650,000	300,000	15,950,000	(187,000)	1,678,326	1,834,621
School Cafeteria Fund	375,000	375,000	1,752,500	-	-	1,752,500	2,127,500	1,752,000	-	1,752,000	500	375,500	375,500
School Federal Projects Fund	300,000	300,000	3,015,000	-	-	3,015,000	3,315,000	2,995,000	20,000	3,015,000	-	300,000	300,000
General Debt Service Fund	650,000	650,000	475,000	-	300,000	775,000	1,425,000	775,000	-	775,000	300,000	650,000	650,000
Water Fund	6,500,000	750,000	985,000	75,000	-	1,060,000	1,810,000	975,000	50,000	1,025,000	110,000	785,000	6,535,000
Totals	$ 11,019,812	$ 4,688,326	$ 22,986,160	$ 275,000	$ 370,000	$ 23,631,160	$ 28,319,486	$ 23,299,465	$ 370,000	$ 23,669,465	$ 471,695	$ 4,650,021	$ 10,981,507

Please Note: Check that the major categories, that are the appropriations within each fund, in the appropration resolution agree with the major categories within the detailed budget.

Debt Service

	Principal	Interest	Debt Service
Fund: General Debt Service Fund			
Schedule of Outstanding Debt	$ 490,000	$ 221,000	$ 711,000
Less: Budgeted Debt Payments	490,000		
Difference:	-	221,000	711,000
Fund: Highway Fund			
Schedule of Outstanding Debt	10,000	2,000	12,000
Less: Budgeted Debt Payments	10,000	2,000	12,000
Difference:	-	-	-
Fund: Water Fund			
Schedule of Outstanding Debt	220,000	120,500	340,500
Less: Budgeted Debt Payments	220,000	120,500	340,500
Difference:	$ -	$ -	$ -

	Principal	Interest	Debt Service
Fund: General Fund			
Schedule of Outstanding Debt	$ 2,500	$ 250	$ 2,750
Less: Budgeted Debt Payments	2,500	250	2,750
Difference:	-	-	-
Fund:			-
Schedule of Outstanding Debt			-
Less: Budgeted Debt Payments			-
Difference:	-	-	-

ATTACHMENT C

County Name

Schedule of Outstanding Debt (Amounts below are for example only)

Fiscal Year 2016

	Loan Name	Authorized and Unissued	Amount Outstanding at 06/30/15	Payment Fund	FY 2016 Debt Service Payments Principal	Interest	Total Debt Service
Notes	Land Purchase Notes Series 2010	$ -	$ 100,000	General Debt Service Fund	$ 10,000	$ 5,000	$ 15,000
	Truck Notes Series 2008	-	50,000	General Debt Service Fund	10,000	2,000	12,000
	Road Improvement Notes Series 2011	-	50,000	Highway Fund	10,000	2,000	12,000
	School Improvement Notes Series 2012	-	100,000	General Debt Service Fund	20,000	4,000	24,000
	TOTAL NOTES:	$ -	$ 2,090,000		$ 50,000	$ 13,000	$ 63,000
Loan Agreements	TMBF School Loan Agreement Series 2013	$ -	$ 4,500,000	General Debt Service Fund	$ 300,000	$ 180,000	$ 480,000
		-	-		-	-	-
	TOTAL LOAN AGREEMENTS:	$ -	$ 2,250,000		$ 500,000	$ 90,000	$ 240,000
GO Bonds	GO Refunding Bonds Series 2002	$ -	$ 750,000	General Debt Service Fund	$ 150,000	$ 30,000	$ 180,000
	TOTAL GO BONDS:	$ -	$ 750,000		$ 150,000	$ 30,000	$ 180,000
Tax and Revenue Bonds	Sewer Tax and Revenue Bonds Series 2010	$ -	$ 3,000,000	Water Fund	$ 210,000	$ 120,000	$ 320,000
	TOTAL TAX AND REVENUE BONDS:	$ -	$ 3,000,000		$ 210,000	$ 120,000	$ 320,000
Revenue Bonds		$ -	$ -		$ -	$ -	$ -
	TOTAL REVENUE BONDS:	$ -	$ -		$ -	$ -	$ -
Capital Leases	Primary Government	$ -	$ 2,500	General Fund	$ 2,500	$ 250	$ 2,750
	School	-	-				
	Enterprise Funds	-	10,000	Water Fund	10,000	500	$ 10,500
	TOTAL CAPITAL LEASES:		$ 12,500		$ 12,500	$ 750	$ 13,250

Debt Service By Fund

	Principal	Interest	Total Debt Service		
General Fund	$ 2,500	$ 250	$ **2,750**		
General Debt Service Fund	490,000	221,000	**711,000**		
Highway Fund	10,000	2,000	**12,000**		
Water Fund	220,000	120,500	**340,500**	940000	1,280,500
Total	$ **612,500**	$ **293,750**	$ **1,063,500**		

ATTACHMENT D
County Name
Schedule of Budgeted Debt Payments
FY 2016

Fund		Principal	Interest
General Fund			
Capital Lease Principal		$ 2,500	
Capital Lease Interest			250
	General Fund Total	$ 2,500	$ 250
General Debt Service Fund			
General			
Series 2002 Bonds Principal		$ 150,000	
Series 2002 Bonds Principal			30,000
Note Principal		10,000	
Note Interest			2,000
	Subtotal	$ 160,000	$ 32,000
Education			
Note Principal		$ 10,000	
Note Interest			5,000
Note Principal		20,000	
Note Interest			4,000
TMBF Variable Rate Loan 2013 Principal		300,000	
TMBF Variable Rate Loan 2013 Interest			180,000
	Subtotal	$ 330,000	$ 189,000
	General Debt Service Fund Total	$ 490,000	$ 221,000
Highway Fund			
Public Works Department			
Note Principal		$ 10,000	
Note Interest			2,000
	Highway Fund Total	$ 10,000	$ 2,000
Water Fund			
Water & Sewer Department			
Capital Lease Principal		$ 10,000	
Capital Lease Interest			500
Tax and Revenue Bonds 2010 Principal		210,000	
Tax and Revenue Bonds 2010 Interest			120,000
	Water & Sewer Fund Total	$ 220,000	$ 120,500

Attachment E

Cash Flow Statement
FY 2016

County Name _____

Water Fund	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	June	Total
Cash Receipts	$ 217,491	$ 184,030	$ 167,300	$ 133,840	$ 117,110	$ 83,650	$ 83,650	$ 83,650	$ 117,110	$ 133,840	$ 150,570	$ 200,760	$ 1,673,004
Loan Proceeds													-
Total Cash Inflows	217,491	184,030	167,300	133,840	117,110	83,650	83,650	83,650	117,110	133,840	150,570	200,760	1,673,004
Beg Cash Bal	750,000	758,876	789,922	787,923	742,938	766,602	764,714	762,826	760,577	770,333	806,820	807,222	750,000
Available Cash	967,491	942,906	957,223	921,763	860,048	850,253	848,365	846,477	877,687	904,174	957,391	1,007,982	2,423,004
Cash Payments	208,615	152,984	169,300	153,825	93,446	85,538	85,538	85,900	107,353	97,353	125,169	166,892	1,531,913
Debt Service												50,000	50,000
Transfers Out (PILOT, etc)				25,000							25,000		50,000
Total Cash Outflows	208,615	152,984	169,300	178,825	93,446	85,538	85,538	85,900	107,353	97,353	150,169	216,892	1,631,913
End Bal	758,876	789,922	787,923	742,938	766,602	764,714	762,826	760,577	770,333	806,820	807,222	791,091	791,091
Cash Inflows - Outflows	$ 8,876	$ 31,046	$ (2,000)	$ (44,985)	$ 23,664	$ (1,888)	$ (1,888)	$ (2,250)	$ 9,757	$ 36,487	$ 402	$ (16,131)	$ 41,091

General Fund	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	June	Total
Cash Receipts	$ 58,491	$ 38,994	$ 58,491	$ 155,976	$ 194,970	$ 311,952	$ 350,947	$ 389,941	$ 136,479	$ 116,982	$ 77,988	$ 58,491	$ 1,949,703
Loan Proceeds													-
Total Cash Inflows	58,491	38,994	58,491	155,976	194,970	311,952	350,947	389,941	136,479	116,982	77,988	58,491	1,949,703
Beg Cash Bal	575,000	573,859	559,603	558,194	552,909	594,629	697,967	833,555	998,196	1,022,107	1,041,736	954,555	575,000
Available Cash	633,491	612,853	618,094	714,170	747,880	906,581	1,048,913	1,223,496	1,134,675	1,139,089	1,119,724	1,013,046	2,524,703
Cash Payments	59,632	53,250	59,900	121,261	153,251	208,615	215,358	225,300	112,568	97,353	125,169	52,300	1,483,957
Debt Service													-
Transfers Out (PILOT, etc)				40,000							40,000		80,000
Total Cash Outflows	59,632	53,250	59,900	161,261	153,251	208,615	215,358	225,300	112,568	97,353	165,169	52,300	1,563,957
End Bal	573,859	559,603	558,194	552,909	594,629	697,967	833,555	998,196	1,022,107	1,041,736	954,555	960,746	960,746
Cash Inflows - Outflows	$ (1,141)	$ (14,256)	$ (1,409)	$ (5,285)	$ 41,719	$ 103,338	$ 135,589	$ 164,641	$ 23,911	$ 19,629	$ (87,181)	$ 6,191	$ 385,746

General Purpose School Fund	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	June	Total
Cash Receipts	$ 259,237	$ 353,505	$ 164,969	$ 117,835	$ 212,103	$ 212,103	$ 235,670	$ 259,237	$ 117,835	$ 94,268	$ 94,268	$ 235,670	$ 2,356,700
Loan Proceeds													-
Total Cash Inflows	259,237	353,505	164,969	117,835	212,103	212,103	235,670	259,237	117,835	94,268	94,268	235,670	2,356,700
Beg Cash Bal	2,150,069	2,215,782	2,353,963	2,343,682	2,300,256	2,359,108	2,362,596	2,382,908	2,416,845	2,422,112	2,419,027	2,348,126	2,150,069
Available Cash	2,409,306	2,569,287	2,518,932	2,461,517	2,512,359	2,571,211	2,598,266	2,642,145	2,534,680	2,516,380	2,513,295	2,583,796	4,506,769
Cash Payments	193,524	215,324	175,250	121,261	153,251	208,615	215,358	225,300	112,568	97,353	125,169	201,350	2,044,323
Debt Service													-
Transfers Out (PILOT, etc)				40,000							40,000		80,000
Total Cash Outflows	193,524	215,324	175,250	161,261	153,251	208,615	215,358	225,300	112,568	97,353	165,169	201,350	2,124,323
End Bal	2,215,782	2,353,963	2,343,682	2,300,256	2,359,108	2,362,596	2,382,908	2,416,845	2,422,112	2,419,027	2,348,126	2,382,446	2,382,446
Cash Inflows - Outflows	$ 65,713	$ 138,181	$ (10,281)	$ (43,426)	$ 58,852	$ 3,488	$ 20,312	$ 33,937	$ 5,267	$ (3,085)	$ (70,901)	$ 34,320	$ 232,377

Attachment F

FY 2016

County Name: _____

Water and Wastewater Financing Board Work Sheet

	Circle Yes or No	
1. Has the municipality defaulted on any loan payments? If yes, please detail on a separate sheet of paper.	*Yes*	*No*
2. Has the municipality violated any loan covenants? If yes, please detail on a separate sheet of paper.	*Yes*	*No*

3. Change in Net Position

	Actual FY 2014	Estimated FY 2015	Projected FY2016
Operating Revenues	$ 1,000,000	$ 1,100,000	$ 1,150,000
Operating Expenses excluding Depreciation	750,000	800,000	825,000
Operating Income Before Depreciation	$ 250,000	$ 300,000	$ 325,000
Less: Depreciation	100,000	110,000	115,000
Operating Income	$ 150,000	$ 190,000	$ 210,000
Nonoperating Income	2,500	3,500	5,000
Nonoperating (Expense)	(11,000)	(9,900)	(12,000)
Income before Contributions	$ 141,500	$ 183,600	$ 203,000
Contributions	100,000	-	200,000
Change in Net Position	$ 241,500	$ 183,600	$ 403,000
Beginning Net Position	2,150,000	2,391,500	2,575,100
Ending Net Position	$ 2,391,500	$ 2,575,100	$ 2,978,100

A utility with a negative change in net position for two consecutive years will fall under the authority of the WWFB.

Does the FY 2016 budget produce a negative change in Net Position?	*Yes*	*No*
Do you project a negative change in Net Position for FY 2015?	*Yes*	*No*
Was there a negative change in Net Position in FY 2014?	*Yes*	*No*
Is Net Position negative?	*Yes*	*No*

4. SRF Loan Sufficient Revenue Analysis (to be completed by municipalities with outstanding SRF loans)

	Actual FY 2014	Estimated FY 2015	Projected FY2016
Operating Revenues	$ 1,000,000	$ 1,100,000	$ 1,150,000
Nonoperating Income	2,500	3,500	5,000
Revenues	$ 1,002,500	$ 1,103,500	$ 1,155,000
Less: Operating Expenses inc. Depreciation	850,000	910,000	940,000
Income before Nonoperating Expenses	$ 152,500	$ 193,500	$ 215,000
Less: Annual Debt Service	100,000	110,000	125,000
This should be greater than or equal $0.	$ 52,500	$ 83,500	$ 90,000

STATE OF TENNESSEE
COMPTROLLER OF THE TREASURY
OFFICE OF STATE AND LOCAL FINANCE
SUITE 1600 JAMES K. POLK STATE OFFICE BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-1402
PHONE (615) 401-7872
FAX (615) 741-5986

TRAN MEMO

To: Chief Financial Officer
From: Sandra Thompson, Director
Date: March 26, 2015
Re: **TAX AND REVENUE ANTICIPATION NOTES**

Tax and Revenue Anticipation Notes (TRANs) are a form of debt used to provide cash to pay for operating expenses of the current fiscal year until revenues are received. The TRANs must repaid by June 30 of the fiscal year in which the borrowing was executed. The lender of TRANs may be a bank, a security sold in the capital markets, a private placement, or an interfund loan.

Counties seeking approval to issue TRANs should submit:

- a letter requesting approval, signed by the Chief Executive Officer;
- an approved certified tax anticipation note resolution with the form of the note or appropriation resolution with TRAN section;
- a monthly cash flow analysis for fiscal year 2014 for each fund requesting a TRAN; and
- an adopted fiscal year 2015 budget with the required supporting schedules for budget, or a statement from its Chief Executive Officer that confirms the county is operating under a legally authorized continuation budget and certifies the county met the cash-basis balanced budget requirement during fiscal year 2015.

If the County plans to issue TRANs as an interfund loan, it must also include a cash flow analysis for the lending fund to demonstrate that the fund has sufficient cash to make the loan without creating a cash deficit for itself.

Please contact OSLF to obtain an Excel template for cash flow analysis and a model TRAN resolution and form in Word format.

Office of State and Local Finance staff members:

Sandi Thompson, Director
Email: sandi.thompson@cot.tn.gov
Phone: 615-747-5369

Lori Barnard, Financial Analyst
Email: lori.barnard@cot.tn.gov
Phone: 615-747-5347

Ron Queen, Manager
Email: ron.queen@cot.tn.gov
Phone: 615-401-7862

Steve Osborne, Senior Financial Analyst
Email: steve.osborne@cot.tn.gov
Phone: 615-747-5343

The maximum amount of TRANs OSLF can approve is equal to the largest monthly fund cash deficit plus 5% of total annual cash payments from the fund. If there is no projected cash deficit, the maximum TRANs that can be approved is an amount equal to 5% of total annual cash payments less the lowest monthly fund cash balance.

Blount County, Tennessee (BCTN)
Blount County Animal Center (BCAC)
(865) 980-6244 animalshelter@blounttn.org/

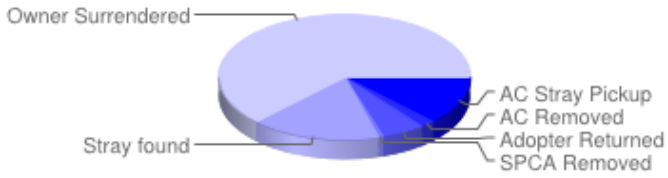
Quarter Summaries
From 2015-1-01 to 2015-03-31

Processed In:

Cats:

AC Stray Pickup: **20** 11%
AC Removed: **3** 2%
Adopter Returned: **9** 5%
SPCA Removed: **1** 1%
Stray found: **27** 15%
Owner Surrendered: **116** 66%

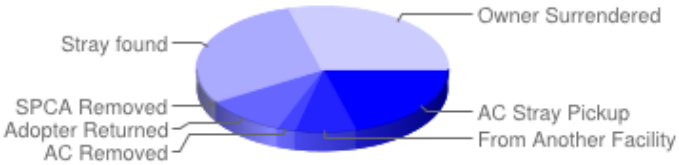
Cats processed in during period: **176**



Dogs:

AC Stray Pickup: **71** 17%
From Another Facility: **27** 6%
AC Removed: **8** 2%
Adopter Returned: **35** 8%
SPCA Removed: **1** 0%
Stray found: **110** 26%
Owner Surrendered: **175** 41%

Dogs processed in during period: **427**
Animals processed in during period: **603**

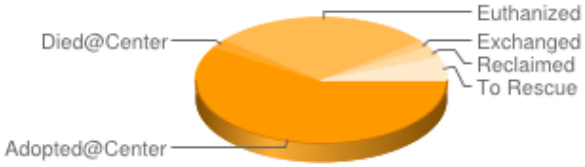


Processed Out:

Cats:

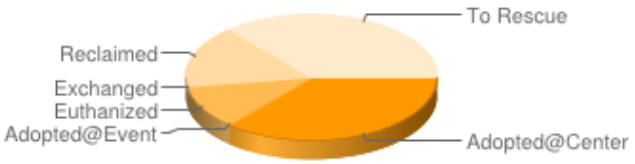
Adopted@Center: **123** 64% $4,370
Died@Center: **4** 2%
Euthanized: **48** 25%
B:1, F:25, M:18, OR:4
Exchanged: **3** 2%
Reclaimed: **5** 3% $70
To Rescue: **10** 5%

Cats processed out during period: **193** $4,440



Dogs:

Adopted@Center: **194** 52% $14,180
Adopted@Event: **1** 0% $25
Euthanized: **30** 8%
A:16, M:7, OR:7
Exchanged: **1** 0%
Reclaimed: **44** 12% $1,290
To Rescue: **104** 28% $4,515



BCTN Animal Shelter Ops 1.0.493©2013

Dogs processed out during period: **374** $20,010
Animals processed out during period: **567** $24,450

Euthanization Codes: A=Aggressive, B=Behavior, F=Feral, M=Medical, OR=Owner Request, S=Space

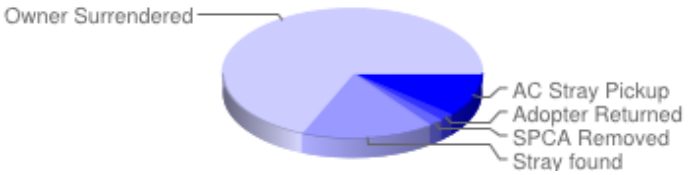
Blount County, Tennessee (BCTN)
Blount County Animal Center (BCAC)
(865) 980-6244 animalshelter@blounttn.org/

Month Summaries
From 2015-03-01 to 2015-03-31

Processed In:

Cats:

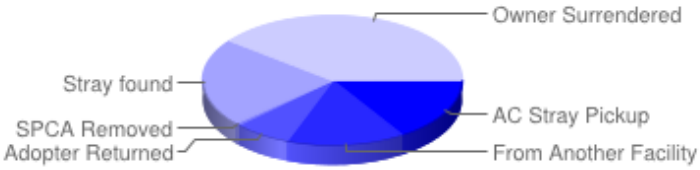
AC Stray Pickup: **6** 11%
Adopter Returned: **1** 2%
SPCA Removed: **1** 2%
Stray found: **9** 17%
Owner Surrendered: **37** 69%



Cats processed in during period: **54**

Dogs:

AC Stray Pickup: **29** 16%
From Another Facility: **27** 15%
Adopter Returned: **13** 7%
SPCA Removed: **1** 1%
Stray found: **40** 22%
Owner Surrendered: **72** 40%



Dogs processed in during period: **182**
Animals processed in during period: **236**

Processed Out:

Cats:

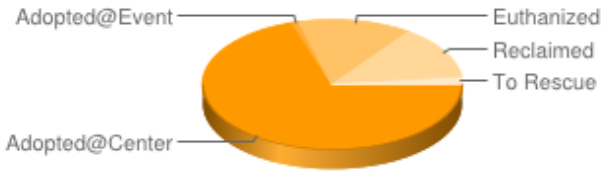
Adopted@Center: **33** 72% $1,065
Euthanized: **13** 28%
F:5, M:7, OR:1



Cats processed out during period: **46** $1,065

Dogs:

Adopted@Center: **84** 70% $5,760
Adopted@Event: **1** 1% $25
Euthanized: **17** 14%
A:10, M:5, OR:2
Reclaimed: **16** 13% $515
To Rescue: **2** 2%



Dogs processed out during period: **120** $6,300
Animals processed out during period: **166** $7,365

Euthanization Codes: A=Aggressive, B=Behavior, F=Feral, M=Medical, OR=Owner Request, S=Space

BCTN Animal Shelter Ops 1.0.493©2013

Memorandum

To: Blount County Commission

From: John Herron

Date: April 14, 2015

Subject: Kronos project status

As promised during the November 20, 2014 County Commission meeting, the Payroll/HR System project team is pleased to provide this update to the Commissions on the status of the project:

SUMMARY PROJECT STATUS: The project is on budget; The Product Design Documents were reviewed and signed off on. The team is in the process of assigning job codes and position codes to all employees. The security tree, department tree, fund/account tree, and the location trees have been defined and sent to Kronos. Work is beginning on the HR launch spreadsheets.

PROJECT ACTIVITY:

March – April

- *Security and reporting trees – Defined and sent to Kronos*
- *Product Design Documents – Kronos gathered information during the Product Design Workshop(PDW) and produced the Product Design Documents(PDD). The HR/PR, Accruals, and Timekeeper PDDs were reviewed and revisions were made to the documents as a result of the reviews.*
- Job and Positions Codes – The General County with the exception of the Sheriff's Department have had job codes and position codes defined. The Schools and Sheriff's Departments are in the process of assigning the codes.
- *HR Launch Spreadsheets. Work has begun on transferring the gathered information to the spreadsheets.*
- *Meetings*:

March 10, 2015	Project Team Meeting
March 13, 2015	Project Team Meeting
March 17, 2015	Project Team Meeting
March 19, 2015	Project Team Meeting
March 24, 2015	Conference Call with Kronos and non-school team members to review Timekeeper PDD
March 24, 2014	Conference Call with Kronos and school team members to review Timekeeper PDD
March 26, 2015	Conference Call with Kronos to review Accruals PDD
March 30, 2015	Project Team Meeting to review HR/PR PDD
March 31, 2015	Conference Call with Kronos to review HR/PR PDD
March 31, 2015	Weekly status call with Kronos
April 2, 2015	Project Team Meeting to review revisions to PDDs
April 7, 2015	Project Team Meeting to review revisions to PDDs
April 7, 2015	Weekly status call with Kronos
April 10, 2015	Conference Call with Kronos to review HR launch spreadsheets

PROJECT EXPENSES: Payment of 1,220.00 for Hotel Bill for PDW was paid on March 24, 2015. Invoice for $78,706.20 for assess phase was paid on April 8, 2015. KRONOS invoice for $1343.59 for Kronos travel expenses for the PDW was paid on April 9, 2015.

Blount County Trustee
Scott Graves

Trustee's Monthly Report

March 2015

Contents

Section I Property Tax Collections Report

Section II Report of Property Tax Paid Under Protest

Section III Trustee's Investment Portfolio

Section IV Trustee's Interest Earned Report

Section V Trustee's Commission Report

PROPERTYTAX Tax Account Breakdown

	Tax Year	Region	Account	Credits	Section
1	2014	BLOUNT	40110	5,511,910.00	
2	2014	BLOUNT	40140	16,522.31	
3	2014	BLOUNT	40125	137,068.75	
4				**5,665,501.06**	**SUB TOTAL**
5	2014	BLOUNT STATE RELIEF	40110	12,890.00	
6				**12,890.00**	**SUB TOTAL**
7				**5,678,391.06**	**2014 TOTAL**
8	2013	BLOUNT	40140	81,311.38	
9	2013	BLOUNT	40120	433,077.20	
10	2013	BLOUNT	40125	1,382.07	
11	2013	BLOUNT	40110	16,905.00	
12				**532,675.65**	**2013 TOTAL**
13	2012	BLOUNT	40120	3,671.00	
14	2012	BLOUNT	40140	269.00	
15				**3,940.00**	**2012 TOTAL**
16	2011	BLOUNT	40120	5,906.00	
17	2011	BLOUNT	40140	159.00	
18				**6,065.00**	**2011 TOTAL**
19	2010	BLOUNT	40120	2,620.00	
20	2010	BLOUNT	40140	40.00	
21				**2,660.00**	**2010 TOTAL**
22			**GRAND TOTAL**	**6,223,731.71**	

Blount County Trustee
Scott Graves

Property Tax Paid Under Protest

FY 2014 - 2015

Month Paid	Tax Year	Name Listed	Receipt #	Parcel ID	Property Description
July	2014	NONE TO REPORT			
August	2014	NONE TO REPORT			
September	2014	NONE TO REPORT			
October	2014	LITTLE HUGH H & CARLTON G.	38820	004/092.02	HINKLE RD.
October	2014	LITTLE HUGH H & CARLTON G.	38821	004/092.03	827 HINKLE RD.
November	2014	NONE TO REPORT			
December	2014	NONE TO REPORT			
January	2015	NONE TO REPORT			
February	2015	NONE TO REPORT			
March	2015	NONE TO REPORT			
April					
May					
June					

Blount County Trustee
Scott Graves

Trustee's Investment Portfolio

March 31, 2015

BANK NAME	MAIN ACCOUNT	Interest Rate	TAX PAY ACCOUNTS	Interest Rate	CERTIFICATES OF DEPOSIT	Interest Rate	Maturity Date
BB & T			$10,200.88	0.01%			
CBBC			$3,121,163.59	0.50%			
Capital Bank			$0.00	0.10%			
First National			$199,444.09	0.20%			
First State			$8,229,790.67	0.41%			
First Tennessee	$47,467,129.54	0.10%	$15,403.22	0.05%	$550,000.00	0.85%	2-10-16
Foothills *			$207,402.36	0.35%	$485,402.97	0.75%	8-24-16
Home Federal			$406,198.69	0.35%			
Regions			$10,200.45	0.00%			
Renasant *			$135,909.74	0.02%			
SunTrust			$184,789.85	0.10%			
TnBank			$179,893.02	0.15%			
United Community			$131,720.97	0.10%			
US Bank			$181,022.50	0.15%			
Account Totals →	$47,467,129.54		$13,013,140.03		$1,035,402.97		

OTHER INVESTMENTS			
Local Government Investment Pool (State)			
$171,762.29	0.01%		
LGIP-DOT (Hwy Dept.)			
$0.00	0.00%		
LGIP TOTAL			
$171,762.29			
U.S. Bonds			
TYPE/BANK	AMOUNT	YTM	Date
BOND TOTAL	$0.00		
LGIP+BONDS			
$171,762.29			

GRAND TOTAL

$61,687,434.83

* FDIC only - all other banks are members of the State Collateral Pool

**Cd held jointly with State Commissioner of Commerce & Insurance (W.C.)

Blount County Trustee
Scott Graves

Interest Earned Report

March 2015

Date	Financial Institution	Account	Interest
03/06/15	BB&T	Money Market	$6.23
03/06/15	CBBC	Money Market	$779.44
03/06/15	Capital Bank	Money Market	$0.00
03/09/15	First National	Money Market	$33.87
03/09/15	First State	Money Market	$2,865.70
03/10/15	First Tennessee	Money Market	$44.32
03/10/15	First Tennessee (W.C.)	CD	$147.67
03/10/15	Foothills Bank & Trust	Money Market	$59.68
03/10/15	Foothills Bank & Tr (Childrens Home)	CD	$283.08
03/10/15	Home Federal	Money Market	$111.94
03/13/15	LGIP (State)	Investment Pool	$19.16
03/13/15	First Tennessee	Main Account	$4,312.57
03/13/15	First Tennessee	Clearing Account	$52.51
03/13/15	First Tennessee	Payroll Account	$72.52
03/13/15	First Tennessee	Medical/Dental	$24.58
03/13/15	First Tennessee	General Liability	$6.38
03/13/15	First Tennessee	Worker's Comp.	$6.42
03/20/15	Renasant	Money Market	$2.88
03/27/15	SunTrust	Money Market	$15.70
03/27/15	TnBank	Money Market	$23.66
03/27/15	US Bank	Money Market	$22.96
03/27/15	United Community	Money Market	$11.55

TOTAL INTEREST EARNED THIS MONTH **$8,902.82**

FISCAL YEAR TO DATE INTEREST EARNED **$68,064.48**

Blount County Trustee
Account Analysis of Posted Transactions
All Modules All Payments
7/1/2014 to 6/30/2015
Month is not Closed

101-45610 TRUSTEE

Jrnl	Date	Rcpt/Ck	Trns	User	Description	Debit	Credit	Balance
					Starting Balance			$ 0.00
C	7/31/2014		102989	KC	JULY COMMISSIONS	$ 0.00	$ 68,821.25	$ 68,821.25
C	8/31/2014		104605	KC	AUGUST COMMISSION	$ 0.00	$ 63,424.93	$ 132,246.18
C	9/30/2014		120210	KC	SEPTEMBER COMMISSIONS	$ 0.00	$ 161,730.30	$ 293,976.48
C	10/31/2014		183685	KC	OCTOBER COMMISSIONS	$ 0.00	$ 910,423.65	$ 1,204,400.13
C	11/28/2014		189132	KC	NOVEMBER COMMISSIONS	$ 0.00	$ 143,344.17	$ 1,347,744.30
C	12/31/2014		191703	KC	DECEMBER COMMISSIONS	$ 0.00	$ 109,416.51	$ 1,457,160.81
C	1/30/2015		194229	KC	JANUARY COMMISSIONS	$ 0.00	$ 92,189.34	$ 1,549,350.15
C	2/27/2015		200472	KC	FEBRUARY COMMISSIONS	$ 0.00	$ 173,574.48	$ 1,722,924.63
C	3/31/2015		203103	KC	MARCH COMMISSIONS	$ 0.00	$ 169,772.40	$ 1,892,697.03
					Period Balance	**$ 0.00**	**$ 1,892,697.03**	**$ 1,892,697.03**
					Fiscal Year To Date	**$ 0.00**	**$ 1,892,697.03**	**$ 1,892,697.03**

BLOUNT MEMORIAL HOSPITAL
Maryville, Tennessee

REPORT TO BLOUNT COUNTY COMMISSION – APRIL 2015

I. INTRODUCTION:

This report to the Blount County Commission is to provide you information on Hospital activities, services, and progress over the past three months. This report addresses items, which I hope are of interest to you, regarding Hospital operations and activities including Statistical and Financial Reports and other Hospital projects and services. Please let me know if you have questions or need clarifications on this report or any other Hospital activities.

II. STASTICAL REPORTS: (Please see the attached Statistical Report.)

Overall, February 2015 was a below budget month both statistically and financially for the Hospital.

Admissions for the month of February were 958 versus a budget of 939, which is 2.0% above budget and 10.6% above prior year.

Patient days were 4,804, or 11.2% above budget of 4,320 and 13.3% above last year.

The length of stay for February was 5.01 days, which was above budget of 4.60 and above prior year of 4.82.

For the first eight months of this fiscal year, the Hospital has had 7,454 admissions versus a budget of 7,850, which is 5.0% below budget and 0.8% below prior year.

Patient days for the first eight months of this fiscal year have been 34,539, which was 4.4% below budget, and 4.0% below prior year.

Our average length of stay for the year is 4.65 days, which was above budget of 4.60 days and below prior year of 4.79 days.

III. FINANCIAL REPORT: (Please see the attached Financial Report.)

Financially, February 2015 saw gross patient revenues of $62,645,000, which was $2,201,000 or 3.4% below budget and 2.3% above prior year.

Net patient revenues of $14,675,000 were $461,000, or 3.0% below budget and 1.3% below prior year. Total operating revenues of $17,834,000 were $757,000, or 4.1% below budget and 0.5% below prior year.
Expenses were $18,100,000, which was $612,000 or 3.3% below budget and 1.2%

above prior year. For the month, operating loss of $266,000 was $145,000 below budget, and bottom line income for the month of $775,000, was $482,000, or 164.5% above budget.

For the year, gross patient revenues were $517,860,000, which was $4,967,000, or 1.0% below budget. Net patient revenues were $125,589,000, or 1.5% below budget. Total operating revenues were $152,467,000, or 1.8% below budget. Total expenses were $153,339,000 or $1,526,000 below budget.

For the year, excess of revenues over expenses was a loss of $492,000, which is $4,244,000, or 113.1% below budget.

Salaries, benefits, and contract salaries as a percent of total operating revenue for the year were 59.54% compared to budget of 58.90% and prior year of 61.02%.

Through February 2015, operating loss of $872,000 compares to 2014 operating loss year-to-date of $3,282,000, and bottom line loss of $492,000 was $3,444,000 less than prior year levels.

Significant balance sheet changes for the month were decreases in gross accounts receivable of $10,441,000. During the month total property and equipment increased by $1,020,000.

The balance of the investment portfolio is $108,580,342 which is an increase of $1,033,000 over prior month.

IV. OTHER HOSPITAL MATTERS:

Align MD - Emergency Department Physician Staffing: In an effort to improve our Emergency Department, last April, the Hospital contracted with a new emergency physician staffing service, Align MD. We also hired a new Emergency Department Director, Kelly Jackson, and MSN, RN. I am pleased to report that since these changes, we have improved our efficiency, expedited the care of the patients, and improved our customer service. We have reduced the number of patients who leave our Emergency Department without being seen from 10% to less than 1%. Our average time for patients to see a provider has decreased from over 45 minutes to 27 minutes, and the average Emergency Department visit for patients who are discharged home, fell from three and a half hours to just over two hours. We are proud of the progress we have made and are committed to work towards continual improvement.

Annual Legislative Luncheon: Our Annual Legislative Luncheon with our State Legislators was held Friday, January 9, at the Hospital. Senator Overbey and Representative Swann attended and I met with Representative Ramsey at a later

date. Topics discussed included TennCare and Budget Concerns, including proposed rate cuts, hospital assessment, and Medicaid expansion (Insure Tennessee); an update on closing Lakeshore Mental Health Institute; and Certificate of Need.

Insure Tennessee: As you are aware, the Tennessee Senate blocked the vote on Insure Tennessee, Governor Haslam's proposed alternative to Medicaid expansion. Insure Tennessee was widely supported by the Tennessee Hospital Association, the Hospital Alliance of Tennessee, the Chamber of Commerce, and most political leaders in the State. We will continue to advocate for Insure Tennessee.

Charity Care: Blount Memorial Hospital is committed to serving the people of Blount County. Historically, we have shared our annual Community Benefits Report with you, but beginning with this report, we will give an account of the amount of charity care the Hospital gave during the period of the financial statements we provide with this quarterly report. During the months of December 2014, January 2015, and February 2015, Blount Memorial's financial assistance program provided $10,496,048 of charity care to patients with a primary residence in Blount County at the time service was rendered. Our mission is to improve the health and quality of life in the community we serve.

CareChex: A division of Comparion Medical Analytics, CareChex is one of the nation's largest privately-held healthcare information services companies that provide clinical, financial, and patient satisfaction findings to consumers, providers, and purchasers of U.S. medical care. Blount Memorial Hospital was recently notified by CareChex that the Hospital has won multiple awards in two categories: Medical Excellence and Patient Safety. First, in the Medical Excellence category, we have been recognized as being in the top 10 percent in the nation, region, state and No. 1 in the market for Gall Bladder Removal. Additionally in this category, we are top 10 percent in the nation for Orthopedic Care and top 10 percent in the region for Pneumonia Care. In the Patient Safety category, we were again top 10 percent in the nation, region, state and No. 1 in the market for Gall Bladder Removal, top 10 percent in the nation, region and state for Cardiac Care, and top 10 percent in the nation and region for Pneumonia Care. Unlike other publicly available quality ratings, CareChex provides a composite evaluation of all components of medical quality including process of care, outcomes of care, and patient experiences.

Cancer Center Annual Report: Attached with this report is an electronic version of our Cancer Center Annual Report for 2014. This report is a requirement for commendation for our American College of Surgeons' Commission on Cancer accreditation process. It includes a review of tumor registry data, a site-specific cancer study compiled by Dr. Albert Petty, Radiation oncologist and Cancer Center Medical Director, and information about our cancer care program. This

report is distributed annually to our medical staff.

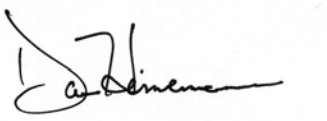
Maryville Surgical Center Update: The Hospital built the Maryville Surgical Center (MSC) building in 1999 and leased the facility to Maryville Surgical Center, a joint venture between a group of physicians and Blount Memorial Hospital. Due to financial strains caused by reimbursement cuts specific to surgery centers, the Board of Directors of the MSC contacted the Hospital with an offer for the Hospital to purchase the practice. Blount Memorial Hospital, Inc. acquired the Maryville Surgical Center on January 15, 2015, and re-opened it as part of Blount Memorial Hospital's outpatient surgery service on January 16, 2015. All employees of MSC transitioned to employment at Blount Memorial Hospital. We anticipate the volume of cases will increase with the addition of ophthalmologists, a plastic surgeon, and other specialists who will be added to those practicing at the Outpatient Center.

High Dose Rate (HDR) Brachytherapy: The Hospital has added High Dose Brachytherapy (HDR), a new Radiation Oncology service that replaced our low dose rate (LDR) Cesium - 137 option. HDR can be used to treat gynecological, lung, esophageal, skin, breast, prostate, and certain head-and-neck cancers.

V. Conclusion:

Should you have questions or be in need of additional information regarding this report, do not hesitate to contact me. My office phone number is: 977-5533, and my office e-mail is: dheinema@bmnet.com. Please feel free to contact me at any time if I can be of service.

Best regards,



Don Heinemann
Chief Executive Officer

kcj
Attachments

BLOUNT MEMORIAL HOSPITAL
KEY STATISTICS
FEBRUARY 2015

	MONTH					YEAR TO DATE				
	Actual 02/28/15	Budget 02/28/15	% Variance	Actual 02/28/14	% Variance	Actual 02/28/15	Budget 02/28/15	% Variance	Actual 02/28/14	% Variance
Admissions	958	939	2.0%	866	10.6%	7,454	7,850	-5.0%	7,516	-0.8%
Discharges:										
Private Insurance	221			213	3.8%	1,856			1,929	-3.8%
Medicare	356			320	11.3%	2,626			2,555	2.8%
Self-Pay	48			43	11.6%	417			571	-27.0%
TennCare	100			83	20.5%	703			744	-5.5%
Medicare/HMO	234			221	5.9%	1,828			1,707	7.1%
Total	959	939	2.1%	880	9.0%	7,430	7,850	-5.4%	7,506	-1.0%
Observation Patients	388					3,110				
Patient Days	4,804	4,320	11.2%	4,241	13.3%	34,539	36,120	-4.4%	35,961	-4.0%
Transitional Care Days	1,475	1,960	-24.7%	2,056	-28.3%	14,787	17,010	-13.1%	17,058	-13.3%
Total Days	6,279	6,280	0.0%	6,297	-0.3%	49,326	53,130	-7.2%	53,019	-7.0%
Observation Days	461	503	-8.3%	507	-9.0%	3,847	3,925	-2.0%	3,913	-1.7%
Average Inpatients Per Day	224	224	0.0%	225	-0.4%	203	219	-7.3%	218	-6.9%
Average Total Patients Per Day	241	242	-0.4%	243	-0.8%	219	235	-6.8%	234	-6.4%
Average Acute Length of Stay	5.01	4.60	8.9%	4.82	3.9%	4.65	4.60	1.1%	4.79	-2.9%
Case Mix Index	1.36			1.36		1.38			1.31	
Medicare Case Mix Index	1.60			1.58		1.57			1.56	
Births	53	60	-11.7%	62	-14.5%	490	501	-2.2%	500	-2.0%
Total Nursery Days	86	96	-10.4%	113	-23.9%	778	800	-2.8%	811	-4.1%
Outpatient Visits	14,534	18,747	-22.5%	17,416	-16.5%	144,028	146,202	-1.5%	147,057	-2.1%
Outpatient Clinic Ancillary	6,341	7,242	-12.4%	7,045	-10.0%	61,855	57,936	6.8%	56,811	8.9%
Emergency Room Visits	4,264	4,481	-4.8%	3,910	9.1%	35,973	34,948	2.9%	33,673	6.8%
Surgical Cases I/P	194	217	-10.6%	189	2.6%	1,647	1,813	-9.2%	1,724	-4.5%
Surgical Cases O/P	489	315	55.2%	295	65.8%	2,910	2,454	18.6%	2,425	20.0%
Total	683	532	28.4%	484	41.1%	4,557	4,267	6.8%	4,149	9.8%
Lab Tests I/P	31,682	30,227	4.8%	31,356	1.0%	234,633	252,672	-7.1%	250,596	-6.4%
Lab Tests O/P	53,771	66,218	-18.8%	64,272	-16.3%	513,071	516,407	-0.6%	521,848	-1.7%
Total	85,453	96,445	-11.4%	95,628	-10.6%	747,704	769,079	-2.8%	772,444	-3.2%
Radiology Exams I/P	3,489	3,169	10.1%	3,174	9.9%	25,932	26,488	-2.1%	26,058	-0.5%
Radiology Exams O/P	8,799	10,665	-17.5%	9,869	-10.8%	80,197	79,098	1.4%	78,029	2.8%
Total	12,288	13,834	-11.2%	13,043	-5.8%	106,129	105,586	0.5%	104,087	2.0%
Pharmacy Line Items	135,625	124,429	9.0%	130,614	3.8%	1,018,633	1,040,116	-2.1%	1,044,519	-2.5%
Clinic Visits:										
ETMG	9,130	10,200	-10.5%	8,875	2.9%	78,877	82,000	-3.8%	73,056	8.0%
BMPG	3,636	4,638	-21.6%	4,592	-20.8%	36,895	38,499	-4.2%	37,504	-1.6%
Care Today	3,165	3,210	-1.4%	3,163	0.1%	30,687	27,972	9.7%	27,559	11.4%

BLOUNT MEMORIAL HOSPITAL
KEY STATISTICS
FEBRUARY 2015

	MONTH					YEAR TO DATE				
	Actual 02/28/15	Budget 02/28/15	% Variance	Actual 02/28/14	% Variance	Actual 02/28/15	Budget 02/28/15	% Variance	Actual 02/28/14	% Variance
O.R. Utilization										
Bariatric	5			10	-50.0%	95			210	-54.8%
ENT	39			50	-22.0%	381			372	2.4%
General Surgery	205			147	39.5%	1,570			1,485	5.7%
GYN	50			62	-19.4%	482			459	5.0%
Neurology	2			0	0.0%	2			0	0.0%
Orthopedic	216			101	113.9%	1,007			826	21.9%
Plastic	15			15	0.0%	131			68	92.6%
Thoracic	22			14	57.1%	107			58	84.5%
Urology	42			53	-20.8%	439			439	0.0%
Vascular	16			16	0.0%	128			147	-12.9%
Other	71			16	343.8%	215			85	152.9%
Total	683			484	41.1%	4,557			4,149	9.8%
Special Proc/Cath Lab	237	168	41.1%	214	10.7%	1,694	1,408	20.3%	1,387	22.1%
Radiation Oncology	1,511	1,692	-10.7%	1,958	-22.8%	11,933	13,194	-9.6%	13,643	-12.5%
GI Lab	289	260	11.2%	241	19.9%	2,617	2,027	29.1%	1,920	36.3%
MRI	607	676	-10.2%	640	-5.2%	5,718	5,270	8.5%	5,084	12.5%
Mammograms	887	1,237	-28.3%	1,164	-23.8%	9,679	9,650	0.3%	9,710	-0.3%
RT Treatments	18,045	17,367	3.9%	18,346	-1.6%	131,441	145,175	-9.5%	149,555	-12.1%
Cardiology	2,823	2,724	3.6%	2,718	3.9%	22,770	22,769	0.0%	22,388	1.7%
Vascular Lab	470	561	-16.2%	527	-10.8%	4,576	4,376	4.6%	4,405	3.9%
Cardio/Pulm Rehab	1,870	2,501	-25.2%	2,151	-13.1%	22,291	19,505	14.3%	18,374	21.3%
Rehab Services I/P	4,467	4,871	-8.3%	4,692	-4.8%	37,822	40,717	-7.1%	39,911	-5.2%
Rehab Services O/P	17,002	20,087	-15.4%	18,832	-9.7%	170,034	156,649	8.5%	165,527	2.7%
Total	21,469	24,958	-14.0%	23,524	-8.7%	207,856	197,366	5.3%	205,438	1.2%
Home Health Episodes	210	162	29.6%	322	-34.8%	1,683	1,265	33.0%	1,439	17.0%
Hospice Days	1,067	1,359	-21.5%	1,248	-14.5%	10,760	10,599	1.5%	10,606	1.5%
EHRC Outpatient Visits	1,002	1,254	-20.1%	1,109	-9.6%	10,475	9,779	7.1%	8,404	24.6%
Occupational Health:										
Springbrook	478	445	7.4%	467	2.4%	4,307	3,466	24.3%	3,463	24.4%
Tellico	236	193	22.3%	211	11.8%	1,903	1,504	26.5%	1,531	24.3%
MorningView Village										
Independent	28			30		29			29	
Assisted Living	38			43		42			43	
Dementia/Alzheimers	18			18		17			18	
	84	88	-4.5%	91	-7.7%	88	88	0.0%	90	-2.2%
Springbrook Memberships	3,017	3,055	-1.2%	3,082	-2.1%	2,964	3,055	-3.0%	3,057	-3.0%
TCC Average Daily Census	53	70	-24.3%	73	-27.4%	61	70	-12.9%	70	-12.9%

BLOUNT MEMORIAL HOSPITAL
STATEMENT OF REVENUES AND EXPENSES vs. BUDGET
FEBRUARY 2015

(In Thousands)

	MONTH				YEAR TO DATE			
	Actual	Budget	Variance	%	Actual	Budget	Variance	%
Gross Revenues:								
Inpatient	$31,765	$30,539	$1,226	4.0%	$240,207	$255,281	-$15,074	-5.9%
Outpatient	30,880	34,307	-3,427	-10.0%	277,653	267,546	10,107	3.8%
Gross Patient Revenues	62,645	64,846	-2,201	-3.4%	517,860	522,827	-4,967	-1.0%
Total Adjustments	47,970	49,710	-1,740	-3.5%	392,271	395,268	-2,997	-0.8%
Net Patient Revenues	14,675	15,136	-461	-3.0%	125,589	127,559	-1,970	-1.5%
Other Revenues	3,159	3,455	-296	-8.6%	26,878	27,641	-763	-2.8%
Total Operating Revenues	17,834	18,591	-757	-4.1%	152,467	155,200	-2,733	-1.8%
Expenses:								
Salaries and Wages	8,705	8,587	118	1.4%	73,498	73,257	241	0.3%
Employee Benefits	2,033	2,141	-108	-5.0%	16,723	17,493	-770	-4.4%
Contract Salaries	47	83	-36	-43.4%	551	668	-117	-17.5%
Professional Fees	485	433	52	12.0%	3,076	3,462	-386	-11.1%
Patient Supplies	2,413	2,965	-552	-18.6%	23,517	23,720	-203	-0.9%
Purchased Maintenance	702	783	-81	-10.3%	6,124	6,268	-144	-2.3%
Outside Services	594	586	8	1.4%	4,676	4,689	-13	-0.3%
Equipment Rental	233	233	0	0.0%	1,830	1,883	-53	-2.8%
Utilities	374	423	-49	-11.6%	3,330	3,385	-55	-1.6%
Marketing	67	86	-19	-22.1%	550	683	-133	-19.5%
Depreciation	1,436	1,403	33	2.4%	11,295	11,226	69	0.6%
Interest	187	205	-18	-8.8%	1,471	1,637	-166	-10.1%
Other Expenses	824	784	40	5.1%	6,698	6,494	204	3.1%
Total Expenses	18,100	18,712	-612	-3.3%	153,339	154,865	-1,526	-1.0%
Operating Income	-266	-121	-145	-119.8%	-872	335	-1,207	-360.3%
Non-Operating Income:								
Investment Income	1,041	387	654	169.0%	33	3,051	-3,018	-98.9%
Contributions & Other	0	27	-27	-100.0%	347	366	-19	-5.2%
Excess of Revenues over Expenses	$775	$293	$482	164.5%	-$492	$3,752	-$4,244	-113.1%
Operating Margin	-1.49%	-0.65%			-0.57%	0.22%		
Total Margin	4.35%	1.58%			-0.32%	2.42%		
Compensation Ratio	60.47%	58.15%			59.54%	58.90%		
Supply Expense Ratio	13.53%	15.95%			15.42%	15.28%		
FTE per AOB	4.58				4.64			

BLOUNT MEMORIAL HOSPITAL
STATEMENT OF REVENUES AND EXPENSES vs. PRIOR YEAR
FEBRUARY 2015

(In Thousands)

	MONTH				YEAR TO DATE			
	Feb 15	Feb 14	Variance	%	Feb 15	Feb 14	Variance	%
Gross Revenues:								
Inpatient	$31,765	$29,042	$2,723	9.4%	$240,207	$243,401	-$3,194	-1.3%
Outpatient	30,880	32,224	-1,344	-4.2%	277,653	251,363	26,290	10.5%
Gross Patient Revenues	62,645	61,266	1,379	2.3%	517,860	494,764	23,096	4.7%
Total Adjustments	47,970	46,402	1,568	3.4%	392,271	374,314	17,957	4.8%
Net Patient Revenues	14,675	14,864	-189	-1.3%	125,589	120,450	5,139	4.3%
Other Revenues	3,159	3,066	93	3.0%	26,878	25,341	1,537	6.1%
Total Operating Revenues	17,834	17,930	-96	-0.5%	152,467	145,791	6,676	4.6%
Expenses:								
Salaries and Wages	8,705	7,914	791	10.0%	73,498	69,677	3,821	5.5%
Employee Benefits	2,033	2,207	-174	-7.9%	16,723	16,884	-161	-1.0%
Contract Salaries	47	257	-210	-81.7%	551	2,395	-1,844	-77.0%
Professional Fees	485	215	270	125.6%	3,076	2,494	582	23.3%
Patient Supplies	2,413	2,660	-247	-9.3%	23,517	22,177	1,340	6.0%
Purchased Maintenance	702	859	-157	-18.3%	6,124	6,416	-292	-4.6%
Outside Services	594	544	50	9.2%	4,676	4,270	406	9.5%
Equipment Rental	233	283	-50	-17.7%	1,830	1,989	-159	-8.0%
Utilities	374	427	-53	-12.4%	3,330	3,291	39	1.2%
Marketing	67	81	-14	-17.3%	550	544	6	1.1%
Depreciation	1,436	1,325	111	8.4%	11,295	10,525	770	7.3%
Interest	187	246	-59	-24.0%	1,471	1,824	-353	-19.4%
Other Expenses	824	862	-38	-4.4%	6,698	6,587	111	1.7%
Total Expenses	18,100	17,880	220	1.2%	153,339	149,073	4,266	2.9%
Operating Income	-266	50	-316	-632.0%	-872	-3,282	2,410	73.4%
Non-Operating Income:								
Investment Income	1,041	2,010	-969	-48.2%	33	5,054	-5,021	-99.3%
Contributions & Other	0	-51	51	-100.0%	347	1,180	-833	-70.6%
Excess of Revenues over Expenses	$775	$2,009	-$1,234	-61.4%	-$492	$2,952	-$3,444	-116.7%
Operating Margin	-1.49%	0.28%			-0.57%	-2.25%		
Total Margin	4.35%	11.20%			-0.32%	2.02%		
Compensation Ratio	60.47%	57.88%			59.54%	61.02%		
Supply Expense Ratio	13.53%	14.84%			15.42%	15.21%		
FTE per AOB	4.58				4.64			

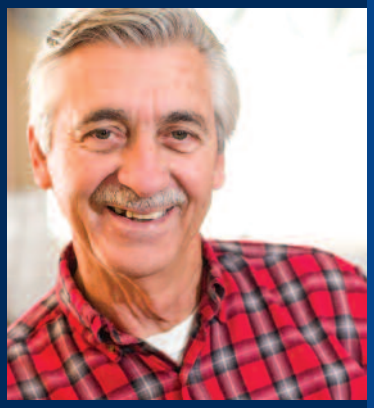
BLOUNT MEMORIAL HOSPITAL
BALANCE SHEET
FEBRUARY 2015

	Feb 15	Jan 15	Jun 14	Variance
ASSETS				
CURRENT ASSETS				
Cash	$1,695,793	$1,396,916	$7,433,277	-$5,737,484
Accounts Receivable	95,985,893	106,427,074	102,270,166	-6,284,273
Less Allowances for Doubtful Accounts	71,838,219	79,937,720	78,992,391	-7,154,172
	24,147,674	26,489,354	23,277,775	869,899
Inventories	4,150,401	4,062,054	3,169,304	981,097
Prepaid Expenses	2,802,348	2,765,576	2,577,949	224,399
TOTAL CURRENT ASSETS	32,796,216	34,713,900	36,458,305	-3,662,089
PROPERTY AND EQUIPMENT				
Property, Plant and Equipment	309,697,767	303,918,840	302,147,379	7,550,388
Less Allowances for Depreciation	187,565,984	186,214,591	178,511,811	9,054,173
	122,131,783	117,704,249	123,635,568	-1,503,785
Assets Under Construction	4,894,964	8,302,729	1,068,924	3,826,040
TOTAL PROPERTY AND EQUIPMENT	127,026,747	126,006,978	124,704,492	2,322,255
MINORITY INTEREST INVESTMENT	2,040,000	2,040,000	2,040,000	0
OTHER NON-CURRENT ASSETS	5,859,093	5,932,612	6,232,789	-373,696
ACCUMULATED DECREASE IN FAIR VALUE OF INTEREST RATE SWAPS	10,405,050	10,405,050	10,405,050	0
ASSETS LIMITED AS TO USE				
By Board for capital improvements	108,344,667	107,296,934	107,972,044	372,623
Accrued Interest Receivable	183,235	217,073	281,304	-98,069
Other investments--held by trustee	75,027	75,027	91,005	-15,978
Foundation investments	1,647,602	1,647,602	1,564,220	83,382
TOTAL ASSETS LIMITED AS TO USE	110,250,531	109,236,636	109,908,573	341,958
	$288,377,637	$288,335,176	$289,749,209	-$1,371,572
LIABILITIES AND FUND BALANCE				
CURRENT LIABILITIES				
Trade Accounts Payable	$4,698,445	$5,533,537	$3,286,600	$1,411,845
Accrued Expenses	12,723,622	12,740,851	14,390,642	-1,667,020
Estimated Third Party Payor Settlements	942,898	760,488	831,176	111,722
Interest Payable	227,774	289,915	166,416	61,358
Current Portion of Long-Term Debt	3,941,779	3,941,778	4,172,438	-230,659
TOTAL CURRENT LIABILITIES	22,534,518	23,266,569	22,847,272	-312,754
LONG-TERM DEBT	85,474,184	85,474,184	86,040,962	-566,778
INTEREST RATE SWAP LIABILITY	10,405,050	10,405,050	10,405,050	0
FUND BALANCE	169,963,885	169,189,373	170,455,925	-492,040
	$288,377,637	$288,335,176	$289,749,209	-$1,371,572

WE'RE IN THIS TOGETHER

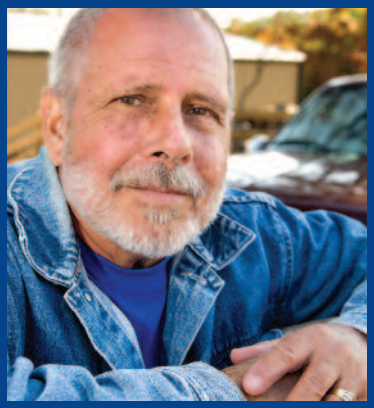
Comprehensive cancer services from diagnosis through recovery













PATIENT- AND FAMILY-CENTERED RESOURCES

The four-story, 80,000-square-foot Cancer Center is located on the hospital's main campus, making it easy for patients and their family members to address a variety of health needs in a single visit. Patient- and family-centered resources available through the Cancer Center include:

- comprehensive support services such as rehabilitation, spiritual care and nutrition consults
- advanced imaging, biopsy and treatment technologies
- M.E.N.D. *(Mobilize, Educate, Normalize and Detect)* post-cancer and lymphedema rehabilitation program
- a non-denominational chapel open 24 hours-a-day, seven days-a-week
- the Perfect Fit full-service specialty shop offering post-mastectomy and lymphedema accessories, supplies and adaptive clothing
- a dedicated oncology social worker
- a medical library
- patient and family support groups and education programs including a Managing Your Cancer class for newly diagnosed patients
- cancer-related physician specialists
- a certified oncology dietitian for inpatient and outpatient needs
- a certified nurse navigator for breast cancer patients



VISION

A COMMUNITY WHERE ALL INDIVIDUALS

REACH THEIR HIGHEST POTENTIAL FOR HEALTH.

MISSION

TO CONTINUOUSLY IMPROVE THE HEALTH AND WELL-BEING

OF OUR ENTIRE COMMUNITY AND TO WORK IN PARTNERSHIP WITH OTHERS

WHO SHARE THE CORE VALUES OF BLOUNT MEMORIAL HOSPITAL.

HOSPITALITY • EXCELLENCE • ADVOCACY • LEADERSHIP • STEWARDSHIP

We expect excellence in cancer care. You should, too.

Where would you go for cancer treatment?

At the Blount Memorial Cancer Center, we understand that question is one few people consider unless they are diagnosed with cancer. That's because knowing where to turn for the most-advanced cancer diagnostic tests, the latest cancer treatments and comprehensive cancer support rarely matters until it's what matters most.

This annual report provides an overview of the exceptional cancer care delivered at the Cancer Center every day. Included are four survivor stories of cancer patients who were diagnosed and treated at Blount Memorial. Their experiences help illustrate who we are and what we do.

From diagnosis through recovery, we expect excellence in every aspect of the care we provide at the Cancer Center. You should expect the same. Even if you never require cancer care, you can take comfort in knowing that your local cancer center has the expertise, resources and leading-edge technologies needed to diagnose, treat and survive cancer.

That really matters, particularly when it matters most.

For more information about cancer care at Blount Memorial, visit www.blountmemorial.org or call the Cancer Center at 865-980-5025.



"At Blount Memorial, we benchmark ourselves against other programs and exceed state and national standards here for breast and colorectal cancers. We are proud of our patient outcomes and the care that we provide to our patients. I can honestly say that people with cancer can't get any better care anywhere else."

DR. MELISSA TREKELL
Blount Memorial surgeon and Cancer Center liaison to the American College of Surgeons Commission on Cancer



"For our patients and anyone who might require cancer treatment in the future, this accreditation ensures that Blount Memorial has a formal, organized program for cancer care."

DR. ALBERT PETTY
radiation oncologist
and Cancer Center medical director

THE YEAR IN REVIEW

A message from the medical director

Thank you for your interest in the Blount Memorial Cancer Center. We are committed to offering our community the highest-quality cancer care, and, as part of this mission, we are continually upgrading, enhancing and expanding our services. I'd like to take a moment to share a few of our most notable updates from the past year. Additional details about the topics I'll address are included in this annual report and online at www.blountmemorial.org.

One of the major goals achieved in 2014 was the successful completion of the American College of Surgeons Commission on Cancer *(CoC)* accreditation process. The cancer program at Blount Memorial has been accredited since 1993, and every three years our accreditation needs to be renewed. If any needs are identified during the review, we put processes in place to make the necessary improvements.

I am pleased to report that we passed our accreditation renewal without any deficiencies, which is pretty remarkable for any center. This was a notable accomplishment for everyone here at the Cancer Center. More importantly, for our patients and anyone who might require cancer treatment in the future, this accreditation ensures that Blount Memorial has a formal, organized program for cancer care.

We also fully implemented our nurse navigator program, beginning with breast cancer patients in October 2014. Longtime Blount Memorial staff member and registered nurse Denia Lash, who is well-known and well-respected in the community, spent several months developing this program and is serving as our nurse navigator. She visited numerous hospitals across the country as part of her research, and is implementing many of their best practices here. You can learn more about the nurse navigator program on page 6.

As part of the nurse navigator process, the Cancer Center will be developing survivorship care plans for patients. This written document, developed under the direction of the CoC, is given to patients when they complete treatment. The document is a detailed summary of a patient's cancer experience including the type of cancer, stage and treatment. Along with the summary, patients will be given follow-up guidelines and instructions, creating a road map for what happens after treatment ends. The patient's primary care physician will receive a copy as well to help ensure he or she understands the specific issues an individual patient may face. As with the navigator program, these survivorship plans first will be developed for breast cancer patients, and then will be expanded to a number of other tumor sites, such as lung and prostate cancers.

Another component of the nurse navigator program I would like to mention is the Equicare software, which is integrated with the Cancer Center's electronic information system. Equicare gives patients the option of using a patient portal to safely and securely access their medical information online. This is a convenient option that will start with our breast cancer patients and, eventually, will be available to the majority of our patients.

I also want to update you on the early lung cancer screening program we introduced in November 2013. This active program has been remarkably successful thanks, in large



part, to our ability to offer the screenings at a significant discount and our efforts to promote awareness of the screenings in the community. Currently, lung cancer screenings are not covered by insurance or Medicare. There is an ongoing effort in Washington to cover these screenings in the near future since early detection offers the best chances for successful outcomes.

Our screening program has identified a couple of patients with lung cancer, and both underwent treatment. In addition, a significant number of abnormal findings were detected on other patient scans. We are actively monitoring these patients, and are taking additional scans to see if biopsies are warranted.

In closing, I would like to call your attention to the Cancer Study on pages 25 through 27. Every year we choose a particular tumor site, and do a study to look at our statistics and survival rate. This year we focused on thyroid cancer, which is a cancer that is increasing significantly in the United States. We found that most Cancer Center patients with thyroid cancer are diagnosed at an early stage, and that their five-year survival rate is about 95 percent, which is very good.

The lung cancer screenings and the thyroid cancer study reaffirm the most important cancer information we can share: early detection produces the best-possible outcomes. Get regular preventive screenings, talk to your physician if you notice any unusual signs or symptoms, and go for any follow-up testing or treatment recommended by your health care provider. We continue to make remarkable advances in cancer treatment, but diagnosing cancer in its earliest, most-treatable stage remains the key to long-term survival.

Sincerely,

Albert Petty MD

DR. ALBERT PETTY

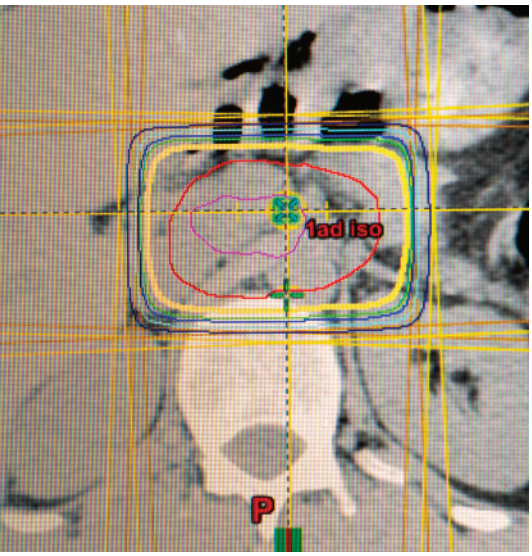
radiation oncologist and Cancer Center medical director

BLOUNT MEMORIAL SURGEON SELECTED FOR NATIONAL COMMITTEE

Blount Memorial Hospital plastic and reconstructive surgeon Dr. Matthew Becker has been selected for a national committee on breast reconstruction by the American Society of Plastic Surgeons *(ASPS)*.

The ASPS' Breast Reconstruction Work Group will tackle a variety of issues related to breast reconstruction including reviewing data to establish quality measures, evaluating standards of care and best practices, and exploring billing and coding systems. Becker was one of 10 ASPS members selected to serve on the committee from a pool of applicants from across the country.

(Above left to right): Dr. Matthew Becker and surgeon Dr. Julie Ann Corcoran)



WHAT'S A CLINICAL TRIAL?

Clinical trials are research studies involving people. Through clinical trials, researchers can determine whether new treatments are safe, effective and better than current treatments. Most cancer treatments used today are the results of past clinical trials. Cancer clinical trials, in particular, are designed to test new ways to:

- treat cancer
- detect and diagnose cancer
- prevent cancer
- manage cancer symptoms or treatment side effects

Trials are available for all stages of cancer, and all trials have a plan, called a protocol. The protocol includes information about:

- reasons for doing the trial
- eligibility requirements to join the trial
- the number of people needed for the trial
- any drugs that will be given, how they will be administered, the dose and frequency
- medical tests that will be done and how often
- information that will be collected about trial participants

SOURCE:
National Cancer Institute
at the National Institutes of Health

SPOTLIGHT ON 2014: ENHANCED AND EXPANDED SERVICES

Advanced Technologies & Treatments

SBRT TARGETS EARLY LUNG CANCER

The Cancer Center's SBRT *(Stereotactic Body Radiation Therapy)* program grew significantly in 2014. SBRT, which delivers a greater combined dose of radiation over the course of far fewer treatments, is reserved for small lung cancers in patients who are not candidates for surgery.

With conventional therapy, radiation is delivered in relatively small, daily doses over the course of several weeks. In contrast, the targeted SBRT therapy only takes a week with patients receiving three to five concentrated doses of radiation to a small area of the lung.

"Often, patients with small tumors in the lung have other health problems, which prevent them from having surgery," says Cancer Center medical director and radiation oncologist Dr. Albert Petty. "SBRT can be used in place of surgery, and the shorter course of treatment—one week compared to the six or seven weeks required with conventional radiation therapy—makes it a little easier for patients and their families."

Only patients with small tumors confined to the lung *(away from the middle part of the chest)* may be candidates for SBRT. Anyone who has been diagnosed with early lung cancer should discuss all available options with his or her radiation oncologist.

CLINICAL TRIALS

Over the past year, Blount Memorial began ramping up its clinical trials program. In 2013, the Cancer Center's radiation oncology department was accepted to participate in the RTOG *(Radiation Therapy Oncology Group)*. Comprised of radiation oncology centers throughout the country, this large national study group conducts major clinical investigations, trials and research for different types of cancer. Clinical trials typically are offered to patients with tumors where there still are major questions about the best treatment.

Blount Memorial is participating with the RTOG in conjunction with Thompson Oncology Group. This partnership will enable the Cancer Center to increase its participation in clinical trials in 2015 and beyond. Having access to clinical trials can be particularly beneficial for patients with difficult-to-treat tumors. In addition, clinical trials help the Cancer Center's oncologists learn about the best treatments for specific types of cancers.

PERSONALIZED CARE

Patient Navigator

Registered nurse Denia Lash, who served as director of Blount Memorial Business Health for nearly 30 years, brings a wealth of health care and organizational expertise to her role as the Cancer Center's patient navigator. The Blount County resident and active community volunteer is a friendly, reassuring presence for the newly diagnosed lung and breast cancer patients served through the navigator program.

As nurse navigator, Lash plays an integral role in the Cancer Center. Her role includes:

- one-on-one consultations with patients and families
- assisting patients through each phase of diagnosis and treatment
- coordinating individualized care for each patient
- ensuring timely access of scheduled appointments
- offering emotional and educational support to patients and their families
- working as part of Blount Memorial's multidisciplinary cancer care team
- educating patients about individual cancer diagnosis and treatment options
- helping patients make informed decisions about treatment and care
- advocating for patients throughout treatment
- assisting with recovery and rehabilitation plans

In addition, Lash provides patients with a survivorship care plan when they complete their treatment. The plan also is sent to each patient's primary care doctor, ensuring that the physician has a thorough understanding of the patient's diagnosis, treatment, progress and prognosis.





Oncology-Certified Social Worker

Social worker Deborah Nichols returned to the Cancer Center in 2014 to provide essential psychosocial support services to radiation oncology and outpatient infusion patients. Nichols, an oncology-certified social worker, helps patients deal with the emotional, family and practical problems that can occur in dealing with a chronic illness such as cancer.

Patients referred to the Cancer Center for treatment receive a psychosocial assessment to identify any individual and family needs. Based on the results of this screening, Nichols can answer questions, offer emotional and educational support, identify available community resources and provide limited notary services related to advance directive documents.

Oncology social work services are tailored to meet a patient's specific situation. Some patients and families require little or no help, while others may have complex needs. Services range from guiding patients through the process of telling their children about the cancer diagnosis to helping arrange transportation to and from the Cancer Center for treatment.



SUPPORT SERVICES

Lymphedema Prevention

Free program helps prevent post-cancer surgery lymph congestion.

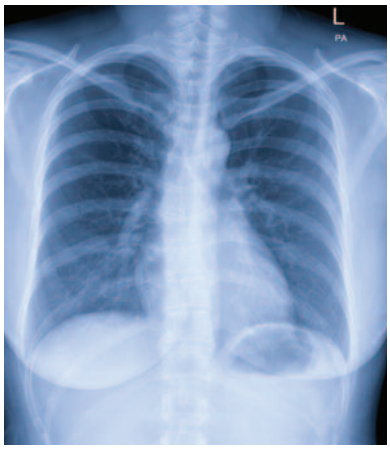
In 2014, Blount Memorial Total Rehabilitation's M.E.N.D. *(Mobilize, Educate, Normalize and Detect)* **program expanded its free L-Dex testing services.** The simple, painless L-Dex *(lymphedema index)* test measures how much lymph fluid is present before surgery in a patient's affected side *(where surgery will be performed)* compared to his or her other arm. Having this pre-surgery measurement *(called the L-Dex Index number)* can help cancer survivors plan ahead for a safe, healthy recovery.

Fluid levels are measured by passing a harmless, low-strength electrical signal from the L-Dex device through each arm. The whole procedure takes only minutes to complete, and the results are used to help detect any post-surgical lymph fluid build up. Identifying increased fluid levels in the soft tissues of the arm or chest before any swelling is noticed can help prevent pain, skin tightness and reduced range of motion associated with lymphedema.

Any cancer surgery to remove harmful tissue may require the removal of lymph nodes, increasing the chance that the flow of lymph could be interrupted. A five-year study by the National Institutes of Health *(NIH)* showed that early intervention helped most patients whose post-surgery L-Dex levels rose remain free of lymph congestion for five years.

LOOKING AHEAD

EBUS *Endobronchial Ultrasound*



In 2015, the Cancer Center is scheduled to begin offering EBUS *(Endobronchial Ultrasound)*, a relatively new procedure used in the diagnosis of lung cancer, infections and other diseases causing enlarged lymph nodes in the chest. No incision is needed for this minimally invasive procedure, which allows physicians to obtain tissue or fluid samples from deep in the lungs and surrounding lymph nodes without major surgery.

The samples can be used for diagnosing and staging lung and esophageal cancers, detecting infections and identifying inflammatory diseases that affect the lungs such as sarcoidosis or other cancers like lymphoma. Pathologists can process and examine biopsy samples as they are obtained, and patients recover quickly, generally going home the same day.

PREVENTION FIRST AT BLOUNT MEMORIAL

Colonoscopies Save Lives

Early colorectal (colon and rectal) cancer is called a "silent" disease because, often, there are no warning signs. According to the American Society for Gastrointestinal Endoscopy (ASGE), about 60 percent of colorectal cancer patients do not seek treatment until their cancer is in an advanced stage, significantly reducing their chances for survival.

Colonoscopies can detect precancerous lesions before they ever have the chance to turn into cancer and can detect early stage cancer before any symptoms are noticed. The ASGE reports that 90 percent of people whose colorectal cancer is found at an early stage are living five years after the diagnosis.

Since colon cancer is the third-leading cause of cancer death in the United States, promoting awareness of the importance of colonoscopies has the potential to save thousands of lives each year, says Blount Memorial gastroenterologist Dr. William Lyles. The American Cancer Society estimates that more than 136,000 Americans will be diagnosed with colon cancer in 2014, and more than 50,000 will die from the disease.

WHAT TO LOOK FOR

In addition to having regular screenings, the National Cancer Institute recommends watching for these possible warning signs of colon cancer or another colorectal problem:

- having diarrhea or constipation
- feeling that your bowel does not empty completely
- finding blood *(either bright red or very dark)* in your stool
- finding your stools are narrower than usual
- frequently having gas pains or cramps, or feeling full or bloated
- losing weight with no known reason
- feeling very tired all the time
- having nausea or vomiting

If you notice any of the symptoms listed above, see your health care provider.

"Increased colon cancer screenings have led to a drop off in rates of colon cancer nationwide," Lyles explains. "Currently, about 55 percent of people who should be getting screened for colon cancer are doing so. Our goal is to get that number up to 80 percent of eligible people screened by 2018."

People with no family history of colon cancer or colon polyps should have a colonoscopy every 10 years beginning at age 50. Those at increased risk for colon cancer due to family history or other factors, such as a personal history of inflammatory bowel disease, should begin colorectal cancer screenings before age 50 and/or be screened more often.

To schedule an appointment with a Blount Memorial gastroenterologist *for a colonoscopy or to learn more about the colorectal screening tests available at Blount Memorial, call Smoky Mountain Gastroenterology at 865-980-5060 or Blount Gastroenterology Associates at 865-983-0073.*



"Increased colon cancer screenings have led to a drop off in rates of colon cancer nationwide," Lyles explains. "Currently, about 55 percent of people who should be getting screened for colon cancer are doing so. Our goal is to get that number up to 80 percent of eligible people screened by 2018."

DR. WILLIAM LYLES
Blount Memorial gastroenterologist

BREAST CANCER SURVIVOR

When Caroline Fontinell went to see her gynecologist for a routine checkup in November 2013, breast cancer was a topic she never anticipated discussing.



CAROLINE FONTINELL

AGE: 31

HOMETOWN: MARYVILLE

DIAGNOSIS: BREAST CANCER

"I had no family history of breast cancer and I was only 30—too young to have a mammogram," says the mother of five. "My doctor was the one who discovered a lump in my left breast, and the biopsy revealed it was cancer."

In a matter of days, Fontinell went from not thinking about breast cancer to focusing full-time on what she needed to do to become a survivor. As if that weren't enough on one person's plate, Fontinell also was determined to stay upbeat and active for her children who ranged in age from 3 to 16 at the time of her diagnosis.

Fontinell credits Blount Memorial surgeon Dr. Melissa Trekell with spelling out exactly what challenges she was facing and what needed to be done. Trekell presented Fontinell with several options to remove the malignant tumor, and empowered her with the information and confidence to make the final decision.

"It is so overwhelming to be diagnosed with breast cancer at age 30 and have all these difficult decisions to make quickly," she adds. "Dr. Trekell was fabulous. She was very straightforward and no-nonsense. I appreciated how she detailed everything that I needed to know to make my decision."

Fontinell ultimately chose to have a bilateral mastectomy and breast reconstruction. Because her tumor was so large, her doctors recommended radiation treatment to ensure the cancer hadn't spread into her chest wall. So, every day for more than a month, Fontinell made the short drive from her Maryville home to the Cancer Center for treatment, often with her 3-year-old and 5-year-old in tow.

Her children played a major role in Fontinell's choice of procedure, she says. Although a more conservative approach was an option, having both breasts removed instead offered Fontinell the opportunity to reduce her future risk for the disease.

"I want to be here for my kids, and I didn't want to live my life always worrying about whether the cancer would reappear in my right breast," Fontinell adds. "I am at peace with that decision."

Fontinell says that the active life she was determined to preserve also contributed to her recovery.

She explains, "I think a lot of the reason my recovery went so well is that I have a wonderful support system. My friends and family didn't let me get depressed or feel sorry for myself, and the staff at the Cancer Center was phenomenal. I cannot say enough about the employees here. They would play with my kids for the 10 minutes I was having treatment, and always had little treats for them. Knowing that my kids were safe, happy and occupied made everything so much easier. I honestly believe that a lot of cancer recovery is your mindset, and I had so many people helping me stay positive."

Now, the woman who technically was about 10 years too young to warrant a mammogram when she was diagnosed with cancer is committed to having yearly mammograms and clinical breast exams. She encourages all women, particularly those under age 40, to be just as vigilant about their breast health.

"I don't wish what I went through on anyone," says Fontinell. "Young women can and do get breast cancer. It's important to understand the risk and get checked." ◆



BREAST CANCER MYTHS & FACTS

MYTH: Men and women with no family history of breast cancer are not at risk for the disease.

FACT: Eighty percent of women diagnosed with breast cancer have no family history.

MYTH: Young, healthy women who exercise and don't smoke can't get breast cancer.

Fact: Breast cancer can happen to anyone. That is why all women need to have mammograms.

MYTH: No one needs an annual mammogram.

FACT: The American Cancer Society and the Society of Breast Imaging are among the governing bodies recommending annual screening mammograms for women age 40 and older without breast symptoms. Women in this category should continue yearly mammograms for as long as they are in good health.

MYTH: Breast cancer isn't a young person's disease.

FACT: A monthly self breast exam is an important routine to start in one's 20s since lumps often are the symptom that alert women under age 40 that something is wrong. Many women—including those without symptoms—choose to get a baseline screening mammogram at 35.

MYTH: Several years of problem-free mammograms means screenings aren't necessary anymore.

FACT: A woman's risk of breast cancer increases with age. That's why women age 40 and over should continue yearly mammograms as long as they are in good health.

BREAST CANCER CARE AT BLOUNT MEMORIAL

Blount Memorial's comprehensive breast cancer services include:
Board-certified radiologists; medical and radiation oncologists; and surgeons; including a plastic surgeon specializing in post-mastectomy reconstruction

A dedicated Breast Health Center offering advanced diagnostics to help detect cancer in the earliest, most-treatable stages

Leading-edge treatment planning and technologies

Specialized lymphedema rehabilitation for breast cancer patients

Support services, including a medical library, education classes for newly diagnosed patients and their families, and a mastectomy boutique offering:

full breast prostheses and partial shapers

lymphedema items, including compression products and garments

mastectomy bras, post-operative camisoles and specialty wear

mastectomy swimsuits

specialty gifts

wigs and headwear, including hats, scarves and turbans

unisex soft T-shirts, shower shirts and cancer awareness shirts



BREAST CANCER SURVIVOR

Male breast cancer makes up less than 1 percent of all breast cancers, which is one big reason why men rarely consider themselves at risk for the disease. Blount County resident Jerry Troyer admits that he was one of those men until he was diagnosed with breast cancer in 2013.

"I think a lot of men probably ignore breast cancer symptoms that shouldn't be ignored. By the time they go see a doctor, the cancer may have metastasized to their pancreas or liver," Troyer adds. "My own breast cancer journey started last year when, during a regular skin cancer check, my dermatologist noticed a lump under my left nipple and saw that the nipple was inverted."

Blount Memorial dermatologist Dr. Patrick Burkhart was concerned about Troyer's breast abnormalities, and recommended he follow up with Blount Memorial family medicine physician Dr. Jonathan Greene. Troyer already had an annual physical scheduled with Greene, and it was during that exam that Greene referred Troyer to Blount Memorial surgeon Dr. Julie Ann Corcoran who performs specialized surgical procedures, including surgery to remove breast tumors.

"When Dr. Corcoran saw me, she was concerned, and she acted immediately to schedule me for every conceivable breast cancer test," says Troyer. "Within about an hour, I had a mammogram, ultrasound and needle biopsy. Monday of the following week, I had a PET scan, chest X-ray, EKG and surgical biopsy. After all those results were in, I met with Blount Memorial oncologist Dr. Matthew McCarty. I guess that is when it sunk in that I had male breast cancer."

Troyer says that he is "extremely thankful" that his dermatologist, primary care physician and surgeon acted so quickly when they noticed something was wrong. As it turned out, Troyer's type of cancer was aggressive, so diagnosing it early proved key to his survival. He underwent six chemotherapy treatments at the Cancer Center over the course of 21 weeks, as well as a total mastectomy of the left breast.

Serving as daily reminders of Troyer's breast cancer journey are the six-inch scar across his chest and the "chemo fence" he built during treatment.

"I have a seven-acre property that I had just started to fence when I was diagnosed with cancer," Troyer explains. "I told myself that my fence project was going to be my cancer therapy. On those days when I felt too weak to work on it, I would force myself to do it. I wasn't going to let cancer dictate my life. I wanted to live, and I went into this with the attitude that I was going to beat cancer. I was going to win."

Troyer has completed his cancer treatment and 990 feet of fence. He is cancer-free, and celebrates each new day with his wife Joyce by walking at least two miles. The couple walked together in the 2014 Komen Race for the Cure in Knoxville, a tradition Troyer intends to continue for "as long as I can walk," he says.

Adds Troyer, "I know that cancer will always be on my mind, but now maybe I can help bring male breast cancer awareness to men who thought that it was just a women's disease. At the Race for the Cure, it's important for people to see a bald guy in a pink survivor's shirt among all those women. It lets people know, yes, men can have breast cancer, and yes, I am here. I survived." ◆



JERRY TROYER

AGE: 65

HOMETOWN: BLOUNT COUNTY

DIAGNOSIS: BREAST CANCER

PROSTATE CANCER SURVIVOR

Since Kenneth Roper had friends and relatives who had been treated for colon cancer, he knew the importance of getting a colonoscopy at age 50. Getting screened for prostate cancer was a different story.



KENNETH ROPER

AGE: 66

HOMETOWN: BLOUNT COUNTY

DIAGNOSIS: PROSTATE CANCER

Roper never had a PSA *(prostate-specific antigen)* blood test until it was required as part of a wellness exam he had at age 65 with Blount Memorial family medicine physician Dr. Neal Atchley. Even then, Roper says he wasn't concerned about prostate cancer because he hadn't experienced any worrisome symptoms.

"I was quite unaware of how prostate cancer can sneak up on you," Roper says. "I didn't pay a lot of attention to information about prostate cancer or PSA scores before because it didn't affect me. Once I found out I had stage IV prostate cancer, I became very aware."

Blount Memorial urologist Dr. Kevin Art informed Roper that his PSA level was 20.3, while a normal level is 4.0. Roper was diagnosed with cancer in July 2013, and by mid-August, was having surgery to remove his prostate. Although Roper hadn't experienced any symptoms, the surgery revealed that the cancer had spread outside the prostate gland and was moving up the urethra toward the bladder.

Adds Roper, "Dr. Art was extremely helpful in explaining everything that was going on with the prostate, and my oncologists, Dr. (*Albert)* Petty and Dr. (*Daniel)* Green at the Cancer Center recommended radiation following surgery. I was lucky they found it and treated it so quickly. Dr. Petty told me, 'Once a year I have a miracle patient. This year, it's you. You were an onion skin-thickness away from bone cancer.'"

Roper underwent 39 weekly radiation sessions at the Cancer Center, Following each Wednesday treatment, Petty or Green would sit with Roper, and ask him if he had any questions or concerns. It was during one of these after-treatment meetings that Roper was diagnosed with another symptomless, potentially life-threatening, condition—high blood pressure.

"I am a firm believer now that you should prevent before you have to cure," Roper says. "Get an annual physical and, if you're a man, get your prostate checked. Don't be ignorant of what can happen. I had no symptoms, and until Dr. Art told me I had an enlarged prostate, I didn't realize there was a problem. Don't wait for symptoms because, by then, it might be too late." ◆

PROSTATE CANCER SCREENING GUIDELINES

Early prostate cancer often causes no symptoms. It is found most frequently by a prostate-specific antigen (PSA) blood test and the digital rectal exam *(DRE)*. The greatest benefit of prostate cancer screening appears to be in men ages 55 to 69, according to the 2014 guidelines from the American Urological Association *(AUA)*.

The AUA also recommends screenings for African American men ages 40 and older, all men ages 40 years and older with a family history of prostate cancer, and some men ages 70 years and older if they are in otherwise excellent health.



BRACHYTHERAPY

At Blount Memorial Hospital, patients with early-stage prostate cancer may be candidates for low-dose, radioactive seed implantation therapy, also called brachytherapy. This outpatient treatment, performed by radiation oncologist Dr. Daniel Green, effectively targets cancer cells without damaging the surrounding healthy tissue, and produces fewer side effects than standard therapies.

Potential candidates for prostate seed therapy include men who have been diagnosed with prostate cancer and either do not want surgery or aren't candidates for surgery. Patients with very large prostate glands or whose pelvic bones obstruct portions of the gland typically are not suitable candidates for seed implantation.

Each patient's treatment is customized to fit his specific situation. The following is an overview of the seed implantation process.

---

1 Radioactive seeds are inserted through needles into the prostate gland. The number of seeds implanted depends on the size of the prostate.

2 After the procedure, X-rays are taken to document the position of the seeds.

3 The entire procedure takes approximately 90 minutes, and the total time spent at the hospital on procedure day is generally five to six hours.

4 About one month after the procedure, a CT *(computed tomography)* scan of the prostate gland is taken to verify that the seed placement was adequate and to calculate the radiation dosage each area of the gland will receive.

5 Prostate Specific Antigen *(PSA)* blood tests are taken during follow-up visits. The first test usually is conducted three months after the procedure. Additional testing takes place every three to six months. It may take 12-36 months for PSA levels to drop to their lowest point.



LUNG CANCER SURVIVOR

MICHAEL SHERWOOD

AGE: 52

HOMETOWN: BLOUNT COUNTY

DIAGNOSIS: LUNG CANCER



Michael Sherwood has chronic obstructive pulmonary disease (COPD), so he knows all too well what it is like to have trouble breathing. So, when Sherwood started experiencing what he describes as "something hanging" in his throat, he initially chalked up the symptoms to the COPD.

"My wife Jama convinced me to go to Blount Memorial and have it checked out," Sherwood says. "Since I have COPD, they wanted to take a look at my lungs, and that is how they found the cancer."

Blount Memorial thoracic surgeon Dr. Jason Budde performed a bronchoscopy in the Blount Memorial endoscopy lab to examine Sherwood's lungs. By inserting a bronchoscope *(a long, narrow fiberoptic, lighted tube)* through Sherwood's nose and mouth, Budde was able to see the interior passageways of the lower respiratory tract. This close-up, real-time look at the larynx *(voice box)*, trachea *(windpipe)*, bronchi *(large airways to the lungs)* and bronchioles *(smaller branches of the bronchi)* enabled Budde to identify the tumor.

Sherwood underwent six weeks of radiation at the Cancer Center, and now is cancer-free. Since many of the symptoms of lung cancer and COPD are the same, he says he feels fortunate that his cancer was detected at an early, treatable stage.

"Even if you have COPD, and especially if you are a smoker like me, it's important to go to the doctor to get checked out when you feel like something is wrong," Sherwood adds. "I was really dragging, and now I can breathe a little easier and it seems like I have more energy. I really can tell the difference." ◆

Early Lung Cancer Screenings for Heavy Smokers

Commission on Cancer Best Practice offered at Blount Memorial

Lung cancer is the leading cause of cancer for both men and women, with more than 156,000 patients dying from lung cancer each year in the United States, a figure that is greater than the mortality rates of breast, prostate, and colon cancer combined. In addition, lung cancer is the leading cancer killer of women, taking more lives than breast and every gynecological cancer combined.

When lung cancer is detected and treated while still confined to the lungs, the five-year survival rate is more than 50 percent *(meaning five in 10 people diagnosed with the disease will live at least five years after being diagnosed)*. Since early lung cancer typically produces no symptoms, most cases aren't diagnosed until the cancer is more advanced.

That is why Blount Memorial is actively promoting its early lung cancer screening program for current and former heavy smokers. This low-dose spiral computed tomography *(CT)* scan can identify small lung cancers in the earliest, most-treatable stages.

Lung cancer screenings are self-pay *(no insurance or Medicare accepted)*, and available to adults aged 55-74 who:

are current heavy smokers with a smoking history of 30 years
(either one pack per day for 30 years or two packs per day for 15 years)

are former heavy smokers who have quit smoking within the last 15 years

have no previous diagnosis of lung cancer, pulmonary nodules or related symptoms such as shortness of breath, unusual or persistent chest or back pain, and coughing up blood

have not undergone a chest CT within the last 18 months

have a written order from a physician or other health care provider

Screenings are conducted at Blount Memorial Hospital and at East Tennessee Medical Group. For more information or to schedule a screening, call the Blount Memorial radiology department at 865-981-2288 or East Tennessee Medical Group at 865-984-3864.

"The idea we're promoting is that lung cancer needs to be screened just like other cancers—colon cancer, breast cancer, prostate cancer, etc. And the facts back it up. Thirty percent of the scans we've done have required some kind of follow-up, and we've had three cancers successfully treated as a result."

DR. JASON BUDDE
thoracic surgeon



Healthy Focus

New quarterly community health luncheon event includes cancer prevention, diagnosis and treatment information.

In 2014, Blount Memorial introduced the Healthy Focus quarterly health education luncheon series. This free event includes lunch and a Blount Memorial physician panel discussion.

One fall edition presented timely information about women's health care, including breast, colon and gynecologic cancers. The second highlighted specialized cancer care services available to seniors at Blount Memorial. While people of any age can have cancer, those age 65 and older are at increased risk of being diagnosed with the disease. According to the American Cancer Society, approximately 60 percent of cancer diagnoses and 70 percent of cancer mortality occurs in patients over the age of 65.

Physician panelists answered audience questions and shared updates about cancer prevention, diagnosis and treatment for aging adults.











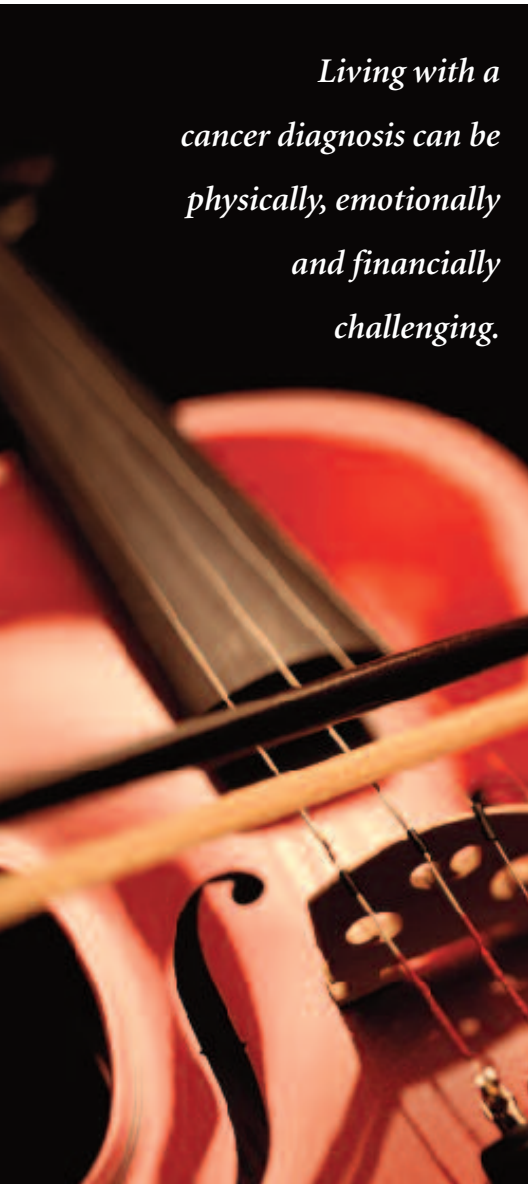








To help ease some of the financial burdens faced by our neighbors who have cancer, the Blount Memorial Foundation offers a variety of cancer-related giving opportunities and funds. During 2014, these funds were used to provide assistance to cancer patients being treated at Blount Memorial.



Blount Memorial Foundation

Supporting survival by assisting cancer patients

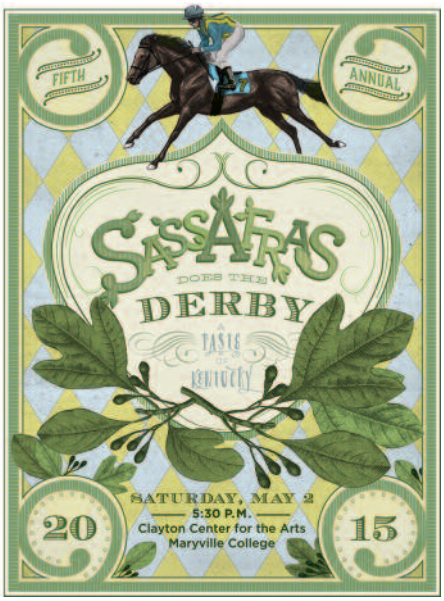
CANCER CENTER PATIENT RESOURCE FUND

The Blount Memorial Foundation's Patient Resource Fund serves cancer patients and their families who are struggling with finances during their diagnosis and treatment. Funds are used to purchase gas and grocery vouchers, provide financial assistance with medications and utility bills, and cover other basic expenses to help maintain quality of life. Donations from individuals, businesses, foundations and hospital employees, as well as proceeds from various Foundation-sponsored events, help support the fund and other Foundation programs.

BREAST CANCER PATIENT RESOURCE FUND

Women diagnosed with breast cancer face tremendous physical, emotional and financial challenges. While each of these factors can be overwhelming, it is the financial burden that can cause undue stress at a time when the patient needs to focus on hope, health and healing.

To help ease this burden, eligible Blount County breast cancer patients can apply for financial assistance. Patients who live outside of Blount County, but who are receiving treatment here, also are eligible to apply. Breast cancer patients who may be eligible to receive assistance should call the Blount Memorial Foundation at 865-977-5727.



SAVE THE DATE

Sassafras Does the Derby: A Taste of Kentucky
A Blount Memorial Foundation benefit event
Saturday, May 2, 5:30 p.m.
Clayton Center for the Arts, Maryville College

Make plans to attend Blount Memorial Foundation's signature spring gala. The 2015 edition includes the traditional Derby watching, plus some favorite Kentucky tastes and traditions from Churchill Downs. All Sassafras Does the Derby proceeds benefit the Cancer Center Patient Resource Fund, serving cancer patients and their families who are struggling with finances during diagnosis and treatment.



Community Outreach
at Blount Memorial

The Cancer Center promotes prevention, awareness and survival through cancer education, screenings and support.

CAREGIVER SUPPORT GROUP
Blount Memorial Senior Services hosts a support group for any adult who is caring for another adult. For more information or to register, call 865-977-5744.

FREE ABBREVIATED SMOKING CESSATION CLASS
Quitting smoking improves health and reduces the risk for premature death. Smokers can get the tools they need to become successful quitters at this free smoking cessation class. For more information or to register, call 865-980-4811.

LIFESTORIES
Cancer patients, survivors and their families are invited to preserve their memories through scrapbooking at this monthly art therapy program. All supplies are furnished. Participants only are required to bring the photos they would like to use. A light lunch is provided. For more information or to register, call 865-977-5534.

LOOK GOOD, FEEL BETTER
This national program helps women who are cancer patients restore their appearance and self-image. Women currently receiving chemotherapy or radiation therapy at any hospital are invited to attend one session free of charge. A light lunch is provided. For more information or to register, call the Cancer Center at 865-977-5534.

LUNCH AND LEARN/EVENING SEMINARS
Free cancer-related health education programs are offered to the community throughout the year. For more information or to register, call 865-980-5038.

STAY CONNECTED
For Cancer Center announcements and news, and cancer prevention and screening information, check out Blount Memorial's Facebook page *(Facebook.com/blountmemorial)* and Twitter feed *(@Blount_Memorial)*.



COMMUNITY OUTREACH BY THE NUMBERS

COMMUNITY EVENTS

Sun Safety Events
561 attendees

Healthy Focus Luncheon and physician panel
225 participants

Susan G. Komen for Cure screening, diagnostic mammograms financial help for breast cancer patients
$32,000 donated

25th Annual Golf Classic, Holiday Tree of Lights, Sassafras Ball financial assistance for cancer patients' screening, diagnostic mammograms and financial help for breast cancer patients
$85,000 donated

Snacks for radiation oncology patients
$1,200 donated

EDUCATION/SUPPORT GROUPS

LifeStories
68 participants

Look Good, Feel Better
53 participants

Caregiver Coffee & Conversation
327 participants

HEALTH FAIRS AND HEALTH SCREENINGS

Skin Cancer Screening
54 participants

Lung Cancer Screening
215 participants

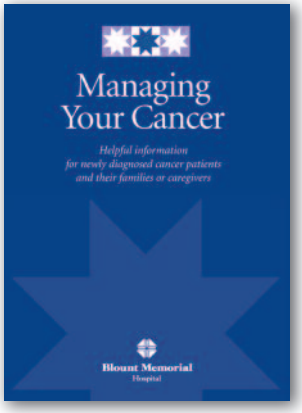
Health Fairs
604 attendees

Mammograms in the Moonlight
119 participants

Community Outreach *continued*

MANAGING YOUR CANCER

This free, informative class is designed for newly diagnosed cancer patients and their families or caregivers. The class covers a wide-ranging overview of each patient's diagnosis, treatment and available ancillary support services. Topics may include:



- chemotherapy and its side effects
- radiation therapy
- nutrition
- psycho-social and financial issues
- lymphedema, exercise and fatigue management
- appearance *(such as specialty clothing, wigs and accessories)*
- managing side effects
- palliative care

For more information or to register, call 865-273-4004 or 865-980-4819.

SUN SAFETY

The Cancer Center offers three free, fun and educational children's sun safety programs: Sunscreen Safari *(pre-K through grade 2)*, Surf Riders *(grades 3-5)* and Shade Brigade *(grades 6-8)*. Blount Memorial radiation oncology staff members present the programs at local schools, churches, day care centers and other meeting locations. Every child who participates receives free sun protection supplies along with age-appropriate sun safety information. For more information about or to schedule a program, call the radiation oncology department at 865-977-5534.





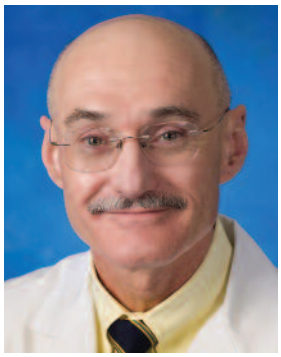
CANCER REGISTRY AND STUDY

Monitoring progress to improve outcomes

The Blount Memorial Cancer Center maintains a confidential database of all patients who have received cancer treatment at Blount Memorial. Names are entered upon diagnosis, treatment regimens and outcomes, and progress is monitored throughout the rest of their lives. The registry offers patients an easily accessible review of their treatment plan, and helps ensure the best quality of care and survival results.

Each year, Cancer Center medical director and radiation oncologist Dr. Albert Petty leads a survival study of a specific tumor site based on the patient outcomes documented in the cancer registry. These studies provide valuable information, which physicians can use to assess the center's diagnostic and treatment tools and techniques. In 2014, the survival study focused on thyroid cancer patients. A brief synopsis of the results appears on pages 25 through 27.

ONCOLOGY COMMITTEE PHYSICIAN MEMBERS • 2014



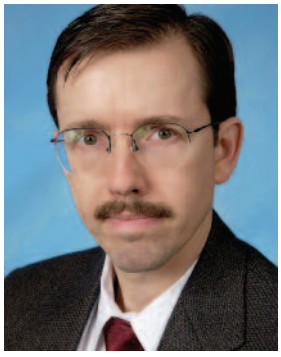
Albert Petty, MD
chairman, radiation oncology,
Cancer Center medical director



Eric Schrock, MD
medical oncology



John Niethammer, MD
radiology



Michael Teague, MD
pathology



Melissa Trekell, MD
Commission on Cancer liaison and surgery



Matthew McCarty, MD
medical oncology

NON-PHYSICIAN MEMBERS

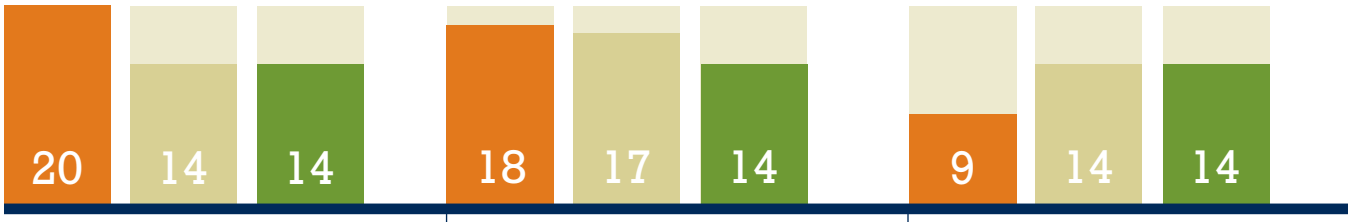
Cynthia Albright
Quality improvement coordinator
Jane Andrews
Foundation and community outreach
Angela Boles
Cancer conference coordinator
Tonya Davis-Myers
Cancer registry data
Emily Feeback
Palliative care
Jenna Murphy
Nursing/clinical research coordinator
Jane Nelson
Administration
Deborah NIchols
Social work/psychosocial services

AD HOC MEMBERS

Koki Best
Breast Health Center
Jennie Bounds
Public relations and marketing
Randy Carr
Radiation oncology
Crystal Crye
Nursing
Sonya Douglas
Food and nutrition services
Andi Heinemann
Lymphedema/rehabilitation
Hannah Johnson
Inpatient case management
Kristi Marsh
Lymphedema/rehabilitation
Ted Mashburn
Radiology
Michelle McPherson
Thoracic services
Hope Mitchell
American Cancer Society
Dr. Harold Naramore
Chief medical officer
Aubrey Waddell
Pharmacy
Mark Wyatt
Physicist radiation oncology

MOST COMMONLY TREATED CANCERS

Incidence Rates[1], Screening Guidelines and Warning Signs



BREAST CANCER

Breast cancer is the most common non-skin cancer in the United States and the second-leading cause of cancer-related death in American women. Women can help detect breast cancer in its earliest, most-treatable stages by following three steps:

1. Get a yearly mammogram beginning at age 40 and continuing for as long as they are in good health.
2. Have a clinical breast exam every three years in their 20s and 30s and every year from age 40 on.
3. Perform a monthly breast self-exam, and report any breast changes to their health care provider.

Symptoms may include:

- a change in how the breast or nipple feels
- a lump or thickening in or near the breast or in the underarm area
- nipple tenderness
- a change in how the breast or nipple looks
- a change in the size or shape of the breast
- a nipple turned inward into the breast
- scaly, red or swollen skin on the breast, areola or nipple that may have ridges or pitting so that it looks like the skin of an orange
- fluid discharge from the nipple

LUNG CANCER

More people in the United States die each year from lung cancer than from colon, breast and prostate cancers combined. Cigarette smoking is the leading cause of the disease, however, genetic and environmental factors also may play a role. While early lung cancer often does not cause symptoms, the conditions listed below could indicate cancer or another serious health problem. **Tell your doctor if you experience:**

- a cough that gets worse or does not go away
- breathing trouble, such as shortness of breath
- constant chest pain
- coughing up blood
- a hoarse voice
- frequent lung infections, such as pneumonia
- feeling very tired all the time
- weight loss with no known cause

PROSTATE CANCER

Prostate cancer is the second-leading cause of cancer death for men in the United States. If detected early, however, minimally invasive options usually can treat the cancer and restore body function. Early prostate cancer typically causes no symptoms. To help protect their prostate health, men should follow three steps:

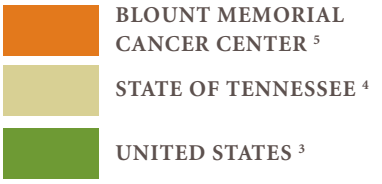
1. Schedule an annual physical exam with a health care provider.
2. At age 40 and older, ask their doctors about the benefits and risks of having a prostate-specific antigen *(PSA)* blood test and digital rectal exam *(DRE)* to screen for prostate cancer.
3. **Watch for potential warning signs, including:**

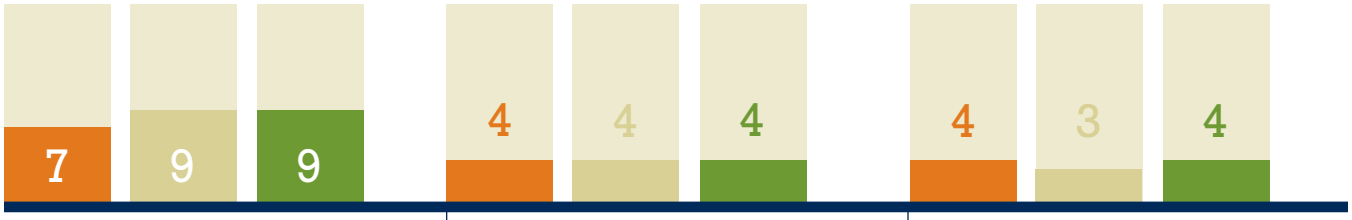
- difficulty urinating
- decreased force in the stream of urine
- blood in the urine
- blood in the semen
- swelling in the legs
- discomfort in the pelvic area
- bone pain

Sources: National Institutes of Health, National Cancer Institute and the American Cancer Society
1 Information from the 2013 Blount Memorial Tumor Registry Data.
2 Blount Memorial's prostate cancer incidence may be lower due to many patients being diagnosed and treated in physician offices.

COMPARING CANCER INCIDENCE RATES

The charts below show the incidence rates (in percent) of the six most commonly diagnosed cancers during 2013 and compares those rates between the Blount Memorial Cancer Center and those of other hospitals in the state of Tennessee and nationally.





COLORECTAL CANCER

Colorectal cancer is the third-leading cause of cancer death in both men and women in the United States, yet it is preventable and highly treatable when detected early. Routine screenings combined with healthy eating and lifestyle habits help save lives. Beginning at age 50, both men and women should get screened for colorectal cancers following one of these testing schedules:*

- Flexible sigmoidoscopy every five years
- Colonoscopy every 10 years
- Double-contrast barium enema every five years
- CT colonography *(virtual colonoscopy)* every five years

Symptoms may include:

- having diarrhea or constipation
- feeling that your bowel does not empty completely
- finding blood *(either bright red or very dark)* in your stool
- finding your stools are narrower than usual
- frequently having gas pains or cramps, or feeling full or bloated
- losing weight with no known reason
- feeling very tired all the time
- having nausea or vomiting

* *Your physician may recommend earlier and/or more frequent screenings.*

BLADDER CANCER

More than nine out of 10 Americans with bladder cancer have a type called transitional cell cancer, which begins in the inner lining of the bladder *(the organ that stores urine)*. In 2012, about 56,000 men and 18,000 women *(most over age 70)* were diagnosed with bladder cancer in the United States. **Signs of bladder cancer can include:**

- blood in the urine *(which may make the urine look rusty or darker red)*
- experiencing an urgent need to empty the bladder
- having to empty the bladder more often than before
- feeling the need to empty the bladder without results
- straining to empty the bladder
- pain when urinating

If you experience any of these symptoms, see your health care provider for timely diagnosis and treatment. The underlying cause could be bladder cancer, infection or another health problem.

KIDNEY CANCER

Kidney cancer is relatively rare, representing about 4 percent of all cancers. The most common kidney cancer is renal cell carcinoma *(RCC)*. About nine out of 10 kidney cancers are some type of RCC. There are few early stage symptoms, so RCC commonly is not detected until the tumor has grown fairly large. **Symptoms to watch for include:**

- painless urination of blood
- a hard lump or a thickening or bulging under the skin
- back or flank pain or pressure
- unexplained weight loss
- anemia
- fever

Of every 100 cancers in the kidney, about five to 10 are transitional cell carcinomas *(TCCs)*. TCCs start outside the kidney in the lining of the renal pelvis *(where the urine goes before it enters the ureter)*. Signs and symptoms of TCC include blood in the urine and, sometimes, back pain.

3 Percent is based on a total of 1,596,670 new cancer diagnoses for the United States in 2013.
4 Percent is based on a total of 34,750 new cancer diagnoses for the state of Tennessee in 2013.
5 Percent is based on a total of 579 new cancer diagnoses for the Blount Memorial Cancer Center in 2013.

CANCER STUDY:

Thyroid Cancer
at Blount Memorial

Thyroid cancer is uncommon, with a lifetime risk of about 1 percent of the nation's population. However, there has been a more than two-fold increase in the incidence of thyroid cancer over the last several decades, and thyroid cancer is the most rapidly increasing malignancy in the United States for both men and women. It is estimated that there will be more than 60,000 new cases of thyroid cancer diagnosed in the United States this year, with approximately 1,900 deaths related to thyroid cancer. This study was undertaken to review the experience with thyroid cancer at Blount Memorial Hospital and to compare the results to a national database.

MATERIALS AND METHODS

The tumor registry of Blount Memorial Hospital was reviewed for the years 2003 – 2006. A total of 60 patients were identified with thyroid cancer who had a part or all of their treatment at Blount Memorial. The patient records were then analyzed for demographic information regarding age, race, sex, pathology, stage, treatment, and five-year survival. The stage for each patient was determined using the sixth edition of the American Joint Commission on Cancer TNM classification. The observed five-year survival was calculated using the life table method. These results then were compared to the National Cancer Database *(NCDB)* benchmark report on thyroid cancer.

RESULTS

There were a total of 60 patients with thyroid cancer diagnosed over the six years of this study, for an average of 10 per year. There is a strong female predominance with 75 percent of the patients being female *(see Table1)*. The majority of patients were middle-aged, although the youngest patients were in their twenties and the oldest in their eighties *(Table 2)*. Only a small minority was non-Caucasian *(Table 3)*. The most-common type of thyroid cancer seen was papillary *(Table 4)*. Almost three-quarters of the patients had Stage I cancer at the time of diagnosis *(Table 5)*. Treatment for thyroid cancer generally consists of surgery, radioactive iodine and hormone therapy in the form of super physiologic doses of thyroid hormone replacement therapy. Treatment by stage is shown in Table 6, with most patients receiving all three modalities. Overall five-year survival *(Table 7)* is excellent at 95 percent; even patients with stage IV disease have a 75 percent five-year survival.

DISCUSSION

The incidence of thyroid cancer has more than doubled over the last few decades but overall mortality from thyroid cancer has been stable since 1975. This increased incidence therefore has been attributed mainly to earlier detection of subclinical disease. Most patients do well with current treatments of surgery, radioactive iodine, and thyroid hormone replacement. However, there are small subsets of patients with thyroid cancer who have more-aggressive disease and a more-guarded prognosis; adverse factors include older age, lack of tumor differentiation, higher stage, and the presence of lymph node or distant metastasis. These patients require highly-individualized treatment tailored to the risk of their disease. A welcome development has been the increased availability of new targeted therapies for treatment of differentiated and medullary thyroid cancer. Anaplastic thyroid cancer fortunately is rare, but remains one of the most aggressive of all malignancies, and improved therapies are necessary to improve the prognosis.

This review of the experience with thyroid cancer at Blount Memorial Hospital demonstrates excellent correlation with the results in the National Cancer Database. The patients treated here are substantially the same when compared to the national experience in regard to demographics, staging, treatment and survival. It is reassuring that the majority of patients with thyroid cancer treated at Blount Memorial likely will be diagnosed with a favorable stage of disease, and attain a five-year survival of approximately 95 percent.

TABLE 1 GENDER OF THYROID CANCER PATIENTS

AGE	BMH (%)	NCDB (%)
MALE	23	25
FEMALE	77	75

TABLE 2 AGE DISTRIBUTION OF THYROID CANCER PATIENTS

AGE	BMH (%)	NCDB (%)
UNDER 20	0	1.75
20-29	6.66	8.40
30-39	13.33	17.16
40-49	21.66	22.98
50-59	26.66	22.19
60-69	21.66	15.20
70-79	10.00	8.97
80-89	1.66	3.10
90+	0	0.25

TABLE 3 RACE OF THYROID CANCER PATIENTS

RACE	BMH (%)	NCDB (%)
WHITE	97	78
BLACK	3	7
HISPANIC	0	8
OTHER	0	8

TABLE 4 HISTOLOGY OF THYROID CANCER

HISTOLOGY	BMH (%)	NCDB (%)
PAPILLARY	40	54
FOLLICULAR	8	5
FOLLICULAR VARIANT OF PAPILLARY	40	24
PAPILLARY MICROCARCINOMA	6	5
OTHER	6	12

TABLE 5 STAGING OF THYROID CANCER

STAGE	BMH (%)	NCDB (%)
0	0	0
I	72	61
II	7	11
III	15	12
IV	7	7
UNKNOWN	0	10

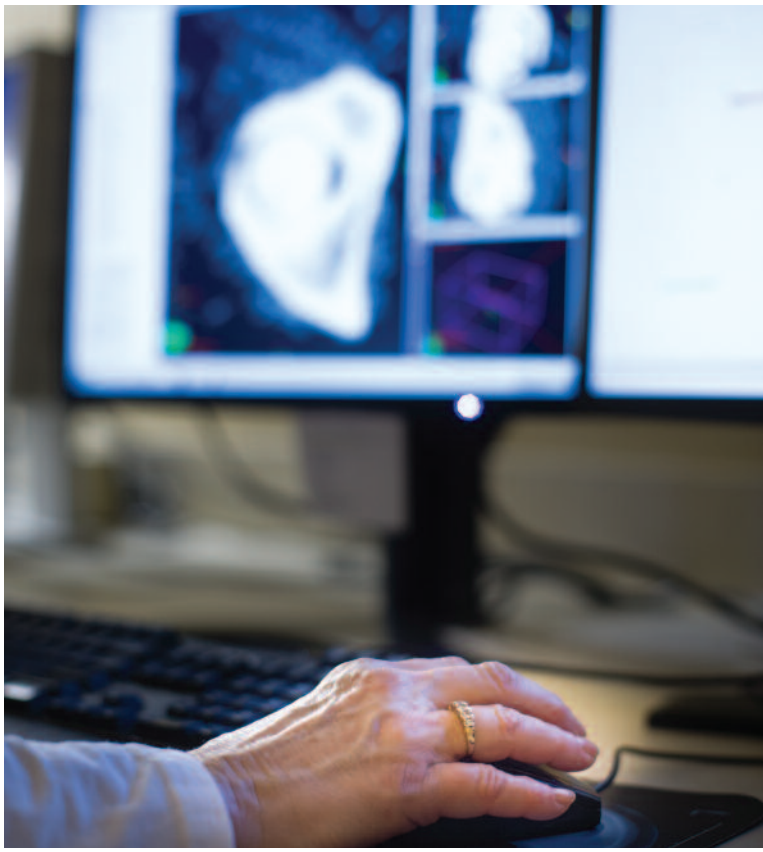
TABLE 6 TREATMENT OF THYROID CANCER / STAGE I

TREATMENT	BMH (%)	NCDB (%)
SURGERY/HORMONE	44	17
SURGERY/RADIATION/ HORMONE	35	23
SURGERY	19	36
SURGERY/RADIATION	2	20
OTHER	0	3
NONE	0	1

TABLE 7 TREATMENT OF THYROID CANCER TREATMENT OF THYROID CANCER / STAGE II

TREATMENT	BMH (%)	NCDB (%)
SURGERY	0	30
SURGERY/HORMONE	25	9
SURGERY/RADIATION	0	28
SURGERY/RADIATION HORMONE	75	27
OTHER	0	4
NONE	0	2

All data provided by the National Cancer Database.



TREATMENT OF THYROID CANCER

TABLE 8 TREATMENT OF THYROID CANCER / STAGE III

TREATMENT	BMH (%)	NCDB (%)
SURGERY	0	23
SURGERY/RADIATION	0	29
SURGERY/HORMONE	0	9
SURGERY/RADIATION HORMONE	100	35
OTHER	0	7
NONE	0	1

TREATMENT OF THYROID CANCER

TABLE 9 TREATMENT OF THYROID CANCER / STAGE IV

TREATMENT	BMH (%)	NCDB (%)
SURGERY	25	17
DRUG/HORMONE	0	6
SURGERY/RADIATION	0	24
SURGERY/RADIATION HORMONE	75	27
OTHER	0	18
NONE	0	8

FIVE-YEAR OBSERVED SURVIVAL

TABLE 10 FOR THYROID CANCER PATIENTS

STAGE	BMH (%)	NCDB (%)
I	98	98
II	100	96
III	89	93
IV	75	60
OVERALL	95	94

All data provided by the National Cancer Database.



DR. MELISSA TREKELL
surgeon

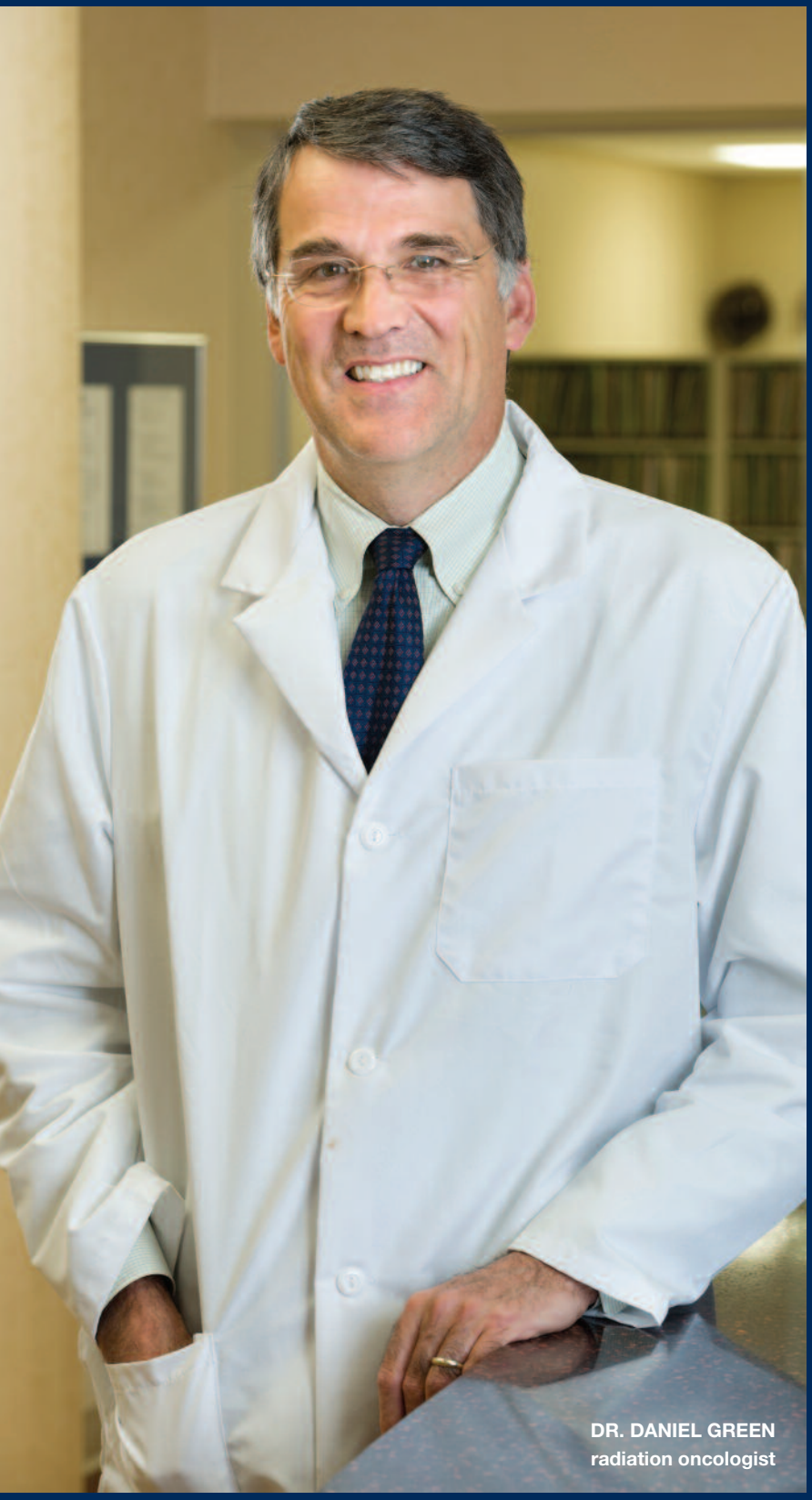


2013 BLOUNT MEMORIAL NEW CANCER DIAGNOSES

SITE NAME	NBR CASES	[%]	STG 0	[%]	STG I	[%]	STG II	[%]
BASE OF TONGUE	3	1	0	0	0	0	0	0
OTHER PARTS OF TONGUE	5	1	0	0	2	40	0	0
FLOOR OF MOUTH	1	0	0	0	1	100	0	0
OTHER/UNSPECIFIED PARTS OF MOUTH	1	0	0	0	0	0	0	0
PAROTID GLAND	1	0	0	0	0	0	0	0
TONSIL	4	1	0	0	0	0	1	25
OROPHARYNX	1	0	0	0	0	0	0	0
OTHER ORAL CAVITY	1	0	0	0	0	0	0	0
ESOPHAGUS	5	1	0	0	1	20	2	40
STOMACH	8	1	0	0	2	25	2	25
COLON	29	5	1	3	5	17	6	21
RECTOSIGMOID JUNCTION	4	1	0	0	0	0	1	25
RECTUM	7	1	0	0	2	29	2	29
ANUS & ANAL CANAL	3	1	0	0	1	33	1	33
LIVER & BILE DUCTS	9	2	0	0	0	0	2	22
GALLBLADDER	1	0	0	0	0	0	0	0
OTHER BILIARY TRACT	3	1	0	0	0	0	3	100
PANCREAS	19	3	0	0	2	11	6	32
NASAL CAVITY AND MIDDLE EAR	1	0	0	0	0	0	1	100
LARYNX	9	2	0	0	1	11	0	0
BRONCHUS & LUNG	98	18	1	1	18	18	4	4
THYMUS	1	0	0	0	0	0	0	0
HEART MEDIASTINUM PLEURA	1	0	0	0	0	0	0	0
BLOOD & BONE MARROW	28	5	0	0	0	0	0	0
SKIN	21	4	0	0	12	57	2	10
CONNECTIVE SUBCUTANEOUS *other soft tissue*	2	0	0	0	0	0	1	50
BREAST	112	20	18	16	45	40	28	25
VULVA	4	1	2	50	0	0	0	0
VAGINA	2	0	1	50	0	0	1	50
CERVIX UTERI	3	1	0	0	1	33	0	0
CORPUS UTERI	7	1	0	0	5	71	0	0
OVARY	13	2	0	0	1	8	0	0
PENIS	1	0	0	0	0	0	0	0
PROSTATE GLAND	48	9	0	0	8	17	31	65
TESTIS	1	0	0	0	1	100	0	0
KIDNEY	20	4	0	0	10	50	1	5
KIDNEY, RENAL PELVIS	1	0	0	0	0	0	0	0
URINARY BLADDER	24	4	11	46	8	33	3	13
MENINGES	1	0	0	0	0	0	0	0
BRAIN	3	1	0	0	0	0	0	0
OTHER NERVOUS SYSTEM	1	0	0	0	0	0	0	0
THYROID GLAND	8	1	0	0	4	50	2	25
LYMPH NODES	20	4	0	0	4	20	4	20
UNK PRIMARY	16	3	0	0	0	0	0	0
OVERALL TOTAL CASES	551	100	34	6	134	24	104	19

2013 BLOUNT MEMORIAL NEW CANCER DIAGNOSES *continued*

SITE NAME	STG III	[%]	STG IV	[%]	STG UNK	[%]	N/A	[%]
BASE OF TONGUE	2	67	1	33	0	0	0	0
OTHER PARTS OF TONGUE	0	0	3	60	0	0	0	0
FLOOR OF MOUTH	0	0	0	0	0	0	0	0
OTHER/UNSPECIFIED PARTS OF MOUTH	0	0	1	100	0	0	0	0
PAROTID GLAND	0	0	1	100	0	0	0	0
TONSIL	1	25	2	50	0	0	0	0
OROPHARYNX	0	0	1	100	0	0	0	0
OTHER ORAL CAVITY	0	0	0	0	0	0	1	100
ESOPHAGUS	0	0	1	20	1	20	0	0
STOMACH	2	25	1	13	1	13	0	0
COLON	8	28	8	28	1	3	0	0
RECTOSIGMOID JUNCTION	0	0	2	50	1	25	0	0
RECTUM	1	14	1	14	1	14	0	0
ANUS & ANAL CANAL	1	33	0	0	0	0	0	0
LIVER & BILE DUCTS	5	56	2	22	0	0	0	0
GALLBLADDER	0	0	1	100	0	0	0	0
OTHER BILIARY TRACT	0	0	0	0	0	0	0	0
PANCREAS	2	11	9	47	0	0	0	0
NASAL CAVITY AND MIDDLE EAR	0	0	0	0	0	0	0	0
LARYNX	1	11	6	67	1	11	0	0
BRONCHUS & LUNG	29	30	45	46	1	1	0	0
THYMUS	0	0	0	0	0	0	1	100
HEART MEDIASTINUM PLEURA	0	0	1	100	0	0	0	0
BLOOD & BONE MARROW	0	0	0	0	0	0	28	100
SKIN	0	0	0	0	7	33	0	0
CONNECTIVE SUBCUTANEOUS *other soft tissue*	0	0	0	0	1	50	0	0
BREAST	15	13	2	2	4	4	0	0
VULVA	0	0	0	0	2	50	0	0
VAGINA	0	0	0	0	0	0	0	0
CERVIX UTERI	1	33	0	0	1	33	0	0
CORPUS UTERI	0	0	1	14	1	14	0	0
OVARY	6	46	5	38	1	8	0	0
PENIS	0	0	0	0	1	100	0	0
PROSTATE GLAND	7	15	1	2	1	2	0	0
TESTIS	0	0	0	0	0	0	0	0
KIDNEY	0	0	7	35	2	10	0	0
KIDNEY, RENAL PELVIS	0	0	0	0	1	100	0	0
URINARY BLADDER	1	4	0	0	1	4	0	0
MENINGES	0	0	0	0	0	0	1	100
BRAIN	0	0	0	0	0	0	3	100
OTHER NERVOUS SYSTEM	0	0	0	0	0	0	1	100
THYROID GLAND	1	13	0	0	1	13	0	0
LYMPH NODES	1	5	11	55	0	0	0	0
UNK PRIMARY	0	0	0	0	0	0	16	100
OVERALL TOTAL CASES	84	15	113	21	31	6	51	9



DR. DANIEL GREEN
radiation oncologist

BLOUNT MEMORIAL CANCER CENTER

907 East Lamar Alexander Parkway, Maryville, TN 37804
865-980-5025
www.blountmemorial.org

BUDGET INCREASE/DECREASE FOR YEAR THROUGH MARCH 31, 2015

FUND	PROJ	CC/OBJ	DESCRIPTION	AMOUNT	JE NUMBER
101			UPDATE APPRO-FISCAL YEAR 14-15		00000540
		051100	COUNTY COMMISSION	189,479.00+	
		051210	BOARD OF EQUALIZATION	2,999.00+	
		051220	BEER BOARD	200.00+	
		051230	BUDGET & FINANCE COMMITTEE	400.00+	
		051300	COUNTY MAYOR/EXECUTIVE OFFICE	221,132.00+	
		051310	PERSONNEL	118,430.00+	
		051500	ELECTION COMMISSION	609,368.00+	
		051600	REGISTER OF DEEDS	582,359.00+	
		051710	DEVELOPMENT	636,677.00+	
		051720	PLANNING	218,524.00+	
		051800	COUNTY BUILDINGS	1,463,525.00+	
		051900	OTHER GENERAL ADMINISTRATION	1,858,992.00+	
		051910	PRESERVATION OF RECORDS	115,375.00+	
		051920	RISK MANAGEMENT	225,068.00+	
		052100	ACCOUNTING & BUDGETING	721,665.00+	
		052200	PURCHASING	282,734.00+	
		052300	PROPERTY ASSESSORS OFFICE	855,036.00+	
		052310	REAPPRAISAL PROGRAM	244,382.00+	
		052400	COUNTY TRUSTEES OFFICE	467,308.00+	
		052500	COUNTY CLERKS OFFICE	1,052,434.00+	
		052600	DATA PROCESSING	579,601.00+	
		053110	CIRCUIT COURT JUDGE	111,205.00+	
		053120	CIRCUIT COURT CLERK	1,984,558.00+	
		053310	GENERAL SESSIONS JUDGE	1,008,164.00+	
		053500	JUVENILE COURT	458,608.00+	
		053610	OFFICE OF PUBLIC DEFENDER	55,093.00+	
		053700	JUDICIAL COMMISSIONERS	214,912.00+	
		053900	OTHER ADMINISTRATION OF JUSTICE	488,672.00+	
		053910	PROBATION SERVICES	606,563.00+	
		053930	VICTIM ASSISTANCE PROGRAMS	80,800.00+	
		054110	SHERIFFS DEPARTMENT	10,568,639.00+	
		054160	ADMIN OF SEXUAL OFFENDER REGISTRY	6,000.00+	
		054210	JAIL	7,416,928.00+	
		054220	WORKHOUSE	12,261.00+	
		054240	JUVENILE SERVICES	1,450,932.00+	
		054260	**** UNKNOWN ****	430,000.00+	
		054310	FIRE PREVENTION & CONTROL	23,250.00+	
		054410	CIVIL DEFENSE	144,674.00+	
		054490	OTHER EMERGENCY MANAGEMENT	302,133.00+	
		055110	LOCAL HEALTH CENTER	535,946.00+	
		055120	RABIES/ANIMAL CONTROL	342,931.00+	
		055590	OTHER LOCAL WELFARE SERVICE	98,668.00+	
		056700	PARKS & FAIR BOARDS	653,585.00+	
		057100	AGRICULTURAL EXTENSION SERVICE	163,496.00+	
		057500	SOIL CONSERVATION	119,418.00+	
		058120	INDUSTRIAL DEVELOPMENT	848,021.00+	

BUDGET INCREASE/DECREASE FOR YEAR THROUGH MARCH 31, 2015

FUND	PROJ	CC/OBJ	DESCRIPTION	AMOUNT	JE NUMBER
		058300	VETERANS SERVICES	173,038.00+	
		058500	CONTRIBUTIONS TO OTHER AGENCIES	112,240.00+	
		064000	LITTER AND TRASH COLLECT	83,192.00+	
		091110	GENERAL ADMINISTRATION PROJECTS	37,000.00+	
		091130	PUBLIC SAFETY PROJECTS	1,003,273.00+	
		099100	TRANSFERS OUT	1,567,839.00+	
		401100	CURRENT PROPERTY TAX	20,608,300.00+	
		401150	DISCOUNT ON PROPERTY TAXES	317,000.00-	
		401200	TRUSTEE'S COLLECTIONS-PRIOR YEAR	620,000.00+	
		401250	TRUSTEE'S COLLECTIONS - BANKRUPTCY	20,000.00+	
		401300	CIRCUIT CLERK/CLK & MASTER COLLEC-PR	195,000.00+	
		401400	INTEREST & PENALTY	125,000.00+	
		401500	PICK-UP TAXES	85,000.00+	
		401630	PAYMENTS IN LIEU OF TAXES-OTHER	958,000.00+	
		402200	HOTEL MOTEL TAX	611,043.00+	
		402503	LITIGATION TAX EQUITY DIVISION	21,000.00+	
		402504	LITIGATION TAX-CIRCUIT COURT	2,200.00+	
		402505	LITIGATION TAX-SESSIONS COURT	234,000.00+	
		402506	LITIGATION TAX-CHANCERY COURT	4,225.00+	
		402507	LITIGATION TAX -C&M GEN SESS DOMESTI	31,350.00+	
		402681	LITITGATION TAX - COURTROOM SECURITY	125,000.00+	
		402682	LITIGATION TAX- COURTROOM SECURITY C	10,000.00+	
		402700	BUSINESS TAX	500,000.00+	
		402750	MIXED DRINK TAX	88,000.00+	
		403200	BANK EXCISE TAX	34,000.00+	
		403300	WHOLESALE BEER TAX	226,347.00+	
		403500	INTERSTATE TELECOMMUNICATIONS TAX	6,411.00+	
		411400	CABLE TV FRANCHISE	520,000.00+	
		415200	BUILDING PERMITS	226,500.00+	
		415201	BUILDING PERMIT - CLEANUP FEES	2,000.00+	
		415900	OTHER PERMITS - STORMWATER FEES	2,000.00+	
		415901	OTHER PERMITS -ADULT ESTABLISHMENT L	315.00+	
		421200	CIRCUIT COURT- OFFICERS COSTS - EQUI	5,800.00+	
		421900	DATA ENTRY FEE - CIRCUIT COURT	65,000.00+	
		422101	CRIMINAL COURT - FINES CIRCUIT COURT	10,000.00+	
		422200	CRIMINAL COURT -OFFICERS COST CIRUIT	32,000.00+	
		422920	VICTIMS ASSISTANCE ASSESSMENTS	5,800.00+	
		423101	GENERAL SESSIONS FINES	46,000.00+	
		423105	GEN SESSION FEES OFFICERS TRAINING	13,000.00+	
		423106	DUI LITTER PICK UP OPTION	8,000.00+	
		423201	OFFICERS COST-SESSIONS COURT	300,000.00+	
		423202	OFFICERS COST-DOMESTIC RELATIONS	7,900.00+	
		423203	OFFICERS COST- SHERIFF INFO TECH	20,000.00+	
		423300	GAME & FISH FINES-SESSIONS COURT	600.00+	
		423500	JAIL FEES-SESSIONS COURT	33,000.00+	
		423601	PUBLIC DEFENDER FEES	60,000.00+	
		423910	COURTROOM SECURITY FEE	15,000.00+	
		423920	VICTIMS ASSISTANCE ASSESSMENTS	75,000.00+	

BUDGET INCREASE/DECREASE FOR YEAR THROUGH MARCH 31, 2015

FUND	PROJ	CC/OBJ	DESCRIPTION	AMOUNT	JE NUMBER
		424101	JUVENILE COURT FINES	7,500.00+	
		424410	DRUG COURT FEES	2,405.00+	
		425200	OFFICERS COST-CHANCERY COURT	4,798.00+	
		429900	OTHER FINES, FORFEITURES, AND PENALT	500.00+	
		431901	GENERAL SERVICE CHARGES FIELD LINE T	89,250.00+	
		431902	GENERAL SERVICE CHARGES RECORDS CKS/	20,000.00+	
		431905	GENERAL SERVICE CHARGES PLANNING	15,750.00+	
		431906	GENERAL SERVICE CHARGES SUBDIVISION	2,000.00+	
		433500	FEES COPIER	3,000.00+	
		433700	FEES TELEPHONE COMMISSIONS	70,000.00+	
		433920	FEES DATA PROCESSING-REGISTER	45,000.00+	
		433930	FEES PROBATION	657,245.00+	
		433950	FEES SEX OFFENDER REGISTRY	8,000.00+	
		433960	FEES DATA PROCESSING CLERK AND MASTE	3,544.00+	
		433961	FEES COUNTY CLERK COMPUTER	9,710.00+	
		441100	RECURRING ITEMS INVESTMENT INCOME	40,500.00+	
		441200	RECURRING ITEMS LEASE RENTALS	4,800.00+	
		441310	RECURRING ITEMS COMMISSARY SALES	430,000.00+	
		441400	RECURRING ITEMS SALE OF MAPS	200.00+	
		441450	SALE OF RECYCLE MATERIALS	1,500.00+	
		445300	NONRECURRING ITEMS SALE OF EQUIPMENT	5,000.00+	
		445600	NONRECURRING ITEMS DAMAGES RECOVER-I	500.00+	
		449900	OTHER LOCAL REVENUES	5,000.00+	
		449901	NONRECURRING ITEMS RECORDS MGMT.COPI	600.00+	
		449902	NONRECURRING ITEMS ANIMAL SHELTER FE	100,000.00+	
		449903	OTHER LOCAL REVENUES CERTIFICATION F	50.00+	
		449904	OTHER LOCAL REVENUES MISCELLANEOUS	100.00+	
		449905	OTHER LOCAL REVENUES COURT COST CIRC	48,000.00+	
		449906	OTHER LOCAL REVENUES COURT COSTS GEN	4,500.00+	
		449907	OTHER LOCAL REVENUES FEES-DATA PROCE	100.00+	
		449909	OTHER LOCAL REVENUES TELEPHONE RE-PA	2,200.00+	
		455101	EXCESS FEES COUNTY CLERK	1,658,845.00+	
		455102	EXCESS FEES COUNTY CLERK INTEREST	387.00+	
		455201	EXCESS FEES CIRCUIT COURT CLERK FEES	400,000.00+	
		455401	EXCESS FEES GENERAL SESSIONS CLERK F	1,650,000.00+	
		455501	EXCESS FEES CLERK & MASTER FEES	400,000.00+	
		455502	EXCESS FEES CLERK & MASTER INTEREST	216.00+	
		455801	EXCESS FEES REGISTER OF DEEDS FEES	600,000.00+	
		455802	EXCESS FEES REGISTEER OF DEEDS INTER	80.00+	
		455803	EXCESS FEES REGISTER OF DEEDS 2.4% I	60,000.00+	
		455901	EXCESS FEES SHERIFF'S FEES	32,000.00+	
		456101	EXCESS FEES TRUSTEE FEES	1,950,000.00+	
		461101	GEN.GOVENMT.GRANTS COMM.ON CHILD & Y	9,000.00+	
		463100	HEALTH DEPARTMENT PROGRAMS	69,960.00+	
		464300	PUBLIC WORKS GRANTS - LITTER PROGRAM	55,000.00+	
		468200	OTHER STATE REVENUES - INCOME TAX	550,000.00+	
		468300	BEER TAX	19,000.00+	
		468400	ALCOHOLIC BEVERAGE TAX	120,000.00+	

BUDGET INCREASE/DECREASE FOR YEAR THROUGH MARCH 31, 2015

FUND	PROJ	CC/OBJ	DESCRIPTION	AMOUNT	JE NUMBER
		468500	MIXED DRINK TAX	88,000.00+	
		469150	CONTRACTED PRISONER BOARD	1,540,000.00+	
		469600	REGISTRAR'S SALARY SUPPLEMENT	15,164.00+	
		469800	OTHER STATE GRANTS	98,668.00+	
		469900	OTHER STATE REVENUES	16,000.00+	
		475900	OTHER FEDERAL THROUGH STATE	50,000.00+	
		477150	TAX CREDIT BOND REBATE	668,319.00+	
		479900	OTHER DIRECT FEDERAL REVENUE	1,500,000.00+	
		481100	PRISONER BOARD	1,500.00+	
		481400	CONTRACTED SERVICES	42,500.00+	
		481401	CITY OF MARYVILLE	41,405.00+	
		481403	CITY OF ALCOA	29,671.00+	
		486100	DONATIONS	10,000.00+	
		489900	OTHER	3,091,846.00+	
		498000	OPERATING TRANSFERS	219,889.00+	
101			DATAMAX PRINTER & SUPPLIES		14000806
		052500	COUNTY CLERKS OFFICE	10,000.00+	
		489900	OTHER	10,000.00+	
101			INCR TO FND PUR OF NEW P/R & H/R SYS		14000813
		091110	GENERAL ADMINISTRATION PROJECTS	1,361,506.00+	
		489900	OTHER	1,361,506.00+	
101			RENOVATION OF RECORDS STOR AT OP CTR		14002077
		091150	SOCIAL, CULTURAL AND RECREATION PROJ	119,100.00+	
		479900	OTHER DIRECT FEDERAL REVENUE	119,100.00+	
101			NEW DATA ENTRY CLRK & DEPUTY ASSESSR		14002080
		052310	REAPPRAISAL PROGRAM	104,300.00+	
		489900	OTHER	104,300.00+	
101			FUNDS TRANS TO COVER MIX DRINK TAX		14003186
		051900	OTHER GENERAL ADMINISTRATION	68,752.00+	
		489900	OTHER	68,752.00+	
101			PURCHASE REPLACEMENT PC EQUIPMENT		14004854
		053120	CIRCUIT COURT CLERK	30,500.00+	
		489900	OTHER	30,500.00+	
101			COMMERCIAL WASHER/DRYER		14007032
		055120	RABIES/ANIMAL CONTROL	6,000.00-	
		091140	PUBLIC HEALTH AND WELFARE PROJECTS	12,000.00+	
		489900	OTHER	6,000.00+	
101	00128		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		053200	CRIMINAL COURT	215,728.00+	
		402505	LIT TAX - CIRCUIT - SESSIONS COURT	48,500.00+	

BUDGET INCREASE/DECREASE FOR YEAR THROUGH MARCH 31, 2015

FUND	PROJ	CC/OBJ	DESCRIPTION	AMOUNT	JE NUMBER
		421410	DRUG COURT FEES	23,000.00+	
		421801	DUI EXCESS - CIRCUIT COURT	2,000.00+	
		423801	DUI EXCESS - SESSIONS FINES	22,000.00+	
		439908	PARTICIPANT CONTRIBUTIONS	2,000.00+	
		469800	OTHER STATE GRANTS	70,000.00+	
101	00410		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		053400	CHANCERY COURT	4,216.00+	
101	00420		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		053400	CHANCERY COURT	457,048.00+	
101	05512		SMACF FUNDING FOR CERTAIN EXPS		14007031
		055120	RABIES/ANIMAL CONTROL	86,015.00+	
		486100	DONATIONS	86,015.00+	
101	51900		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		051900	OTHER GENERAL ADMINISTRATION	1,285,000.00+	
		421900	DATA ENTRY FEE - CIRCUIT COURT	30,000.00+	
		422200	CRIMINAL COURT -OFFICERS COST -CIRCU	38,000.00+	
		423201	OFFICERS COST-SESSIONS COURT	200,000.00+	
		423203	OFFICERS COST-SHERIFF INFO TECH	27,000.00+	
		423910	COURTROOM SECURITY	40,000.00+	
		455201	EXCESS FEES CIRCUIT COURT CLERK FEES	200,000.00+	
		455401	EXCESS FEES GENERAL SESSIONS FEES	750,000.00+	
101	54410		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		054410	CIVIL DEFENSE	6,800.00+	
101	54411		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		054410	CIVIL DEFENSE	9,000.00+	
101	54454		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		054410	CIVIL DEFENSE	57,000.00+	
101	54455		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		054410	CIVIL DEFENSE	46,350.00+	
101	54456		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		054410	CIVIL DEFENSE	28,530.00+	
101	55111		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		055110	LOCAL HEALTH CENTER	906,394.00+	
		463100	GENERAL GOVERNMENT GRANTS HEALTH DEP	906,300.00+	
101			FUND TOTALS		
101			EXPENDITURE TOTAL	46,349,966.00+	
101			REVENUE TOTAL	46,349,966.00+	

BUDGET INCREASE/DECREASE FOR YEAR THROUGH MARCH 31, 2015

FUND	PROJ	CC/OBJ	DESCRIPTION	AMOUNT	JE NUMBER
112			UPDATE APPRO-FISCAL YEAR 14-15		00000540
		051800	COUNTY BUILDINGS	185,300.00+	
		402603	COUNTY CLERK	200.00+	
		402605	CHANCERY COURT	120.00+	
		402606	COURT-EQUITY DIVISION	415.00+	
		402608	LITIGATION TAX	375.00+	
		402609	LITIGATION TAX - C&M - DOMESTIC	350.00+	
		402661	GENERAL SESSIONS	165,000.00+	
		402662	CIRCUIT COURT	12,500.00+	
		489900	OTHER - USE OF RESERVE	6,340.00+	
112			FUND TOTALS		
112			EXPENDITURE TOTAL	185,300.00+	
112			REVENUE TOTAL	185,300.00+	
112		058400	OTHER CHARGES	8,438.00+	
112		402603	LIT. TAX LAW LIBRARY-EQUITY DIVISION	475.00+	
112		402604	LIT. TAX LAW LIBRARY, CIRCUIT COURT	580.00+	
112		402605	LIT.TAX-LAW LIBRARY SESSIONS COURT	7,858.00+	
112		402606	LIT. TAX LAW LIBRARY - CHANCERY COUR	100.00+	
112		402607	LIT. TAX LAW LIBRARY - DOMESTIC RELA	300.00+	
112		402608	LITIGATION TAX	500.00+	
114			FUND TOTALS		
114			EXPENDITURE TOTAL	8,438.00+	
114			REVENUE TOTAL	9,813.00+	
114		051800	COUNTY BUILDINGS	209,314.00+	
114		056500	LIBRARIES	1,774,543.00+	
114		056900	OTHER SOCIAL CULTURAL & RECREATIONAL	118,613.00+	
114		091110	GENERAL ADMINISTRATION PROJECTS	33,500.00+	
114		431900	OTHER GENERAL SERVICE CHARGES	5,500.00+	
114		433500	COPY FEES	22,000.00+	
114		433600	LIBRARY FEES	75,567.00+	
114		441100	INTEREST EARNED	2,548.00+	
114		441460	E RATE FUNDING	5,000.00+	
114		445700	CONTRIBUTIONS & GIFTS	1,000.00+	
114		449901	OTHER LOCAL REVENUES	20,000.00+	
114		449904	OTHER LOCAL REVENUES-RESALE ITEMS	1,000.00+	
114		449908	OTHER LOCAL REVENUES-CAFE	65,000.00+	
114		449909	OTHER LOCAL REVENUES-MEETING ROOM RE	26,283.00+	
114		461900	OTHER GENERAL GOVERNMENT GRANTS	3,000.00+	
114		481401	CITY OF MARYVILLE	719,616.00+	
114		481403	CITY OF ALCOA	179,905.00+	
114		486100	DONATIONS	10,000.00+	
114		489900	OTHER	100,031.00+	
114		498002	TRANSFERS IN-BLOUNT COUNTY	899,520.00+	
115			PURCHASE PROPERTY AT 205 N CUSICK		14002078
		091110	GENERAL ADMINISTRATION PROJECTS	400,000.00+	

FUND	PROJ	CC/OBJ	DESCRIPTION	AMOUNT	JE NUMBER
		489900	OTHER	400,000.00+	
115			FUND TOTALS		
115			EXPENDITURE TOTAL	2,535,970.00+	
115			REVENUE TOTAL	2,535,970.00+	
122			UPDATE APPRO-FISCAL YEAR 14-15		00000540
		054110	SHERIFFS DEPARTMENT	101,500.00+	
		054150	DRUG ENFORCEMENT	102,000.00+	
		421400	DRUG CONTROL FINES - CIRCUIT COURT	2,625.00+	
		423400	DRUG CONTROL FINES - SESSIONS COURT	13,000.00+	
		433700	TELEPHONE COMMISSIONS	53,000.00+	
		441100	RECURRING ITEMS - INVESTMENT INCOME	1,200.00+	
		477000	ASSET FORFEITURE FUNDS	75,000.00+	
		489900	OTHER	58,675.00+	
122			FUND TOTALS		
122			EXPENDITURE TOTAL	203,500.00+	
122			REVENUE TOTAL	203,500.00+	
122		061000	ADMINISTRATION	706,000.00+	
122		062000	HIGHWAY & BRIDGE MAINTENANCE	3,837,400.00+	
122		063100	OPERATION & MAINTENANCE OF EQUIPMENT	1,000,000.00+	
122		065000	OTHER CHARGES-ENGINEERING DEPT.	384,000.00+	
122		401620	PAYMENTS IN LIEU OF TAXES-LOCAL UTIL	185,000.00+	
122		402100	LOCAL OPTION SALES TAX	2,553,800.00+	
122		402800	MINERAL SEVERANCE TAX	30,000.00+	
122		415900	OTHER PERMITS	200,000.00+	
122		441100	INVESTMENT INCOME	4,000.00+	
122		441300	SALE OF MATERIALS & SUPPLIES	200.00+	
122		441450	SALE OF RECYCLED MATERIALS	2,400.00+	
122		445300	SALE OF EQUIPMENT	7,000.00+	
122		464201	STATE AID PROGRAM	375,000.00+	
122		469200	GASOLINE & MOTOR FUEL TAX	2,475,000.00+	
122		469300	PETROLEUM SPECIAL TAX	86,000.00+	
122		479900	OTHER DIRECT FED REVENUE	9,000.00+	
131			HEAVY EQUIP TO REPLACE OLD & UNSAFE		14002079
		062000	HIGHWAY & BRIDGE MAINTENANCE	350,000.00+	
		489900	OTHER	350,000.00+	
131			FUNDS TRANS TO COVER MIXED DRINK TAX		14003187
		061000	ADMINISTRATION	21,835.00+	
		489900	OTHER	21,835.00+	
131			COMPLETE ST AID BRIDGE PROJ		14005748
		062000	HIGHWAY & BRIDGE MAINTENANCE	1,200,000.00+	
		489900	OTHER	1,200,000.00+	
131			FUND TOTALS		
131			EXPENDITURE TOTAL	7,499,235.00+	
131			REVENUE TOTAL	7,499,235.00+	

BUDGET INCREASE/DECREASE FOR YEAR THROUGH MARCH 31, 2015

FUND	PROJ	CC/OBJ	DESCRIPTION	AMOUNT	JE NUMBER
141			UPDATE APPRO-FISCAL YEAR 14-15		00000540
		071100	REGULAR INSTRUCTION PROGRAM	40,485,000.00+	
		071200	SPECIAL EDUCATION PROGRAM	7,796,000.00+	
		071300	VOCATIONAL EDUCATION PROGRAM	3,403,400.00+	
		071600	ADULT EDUCATION PROGRAM	225,300.00+	
		071900	OTHER	1,280,000.00+	
		072110	ATTENDANCE	120,700.00+	
		072120	HEALTH SERVICES	830,940.00+	
		072130	OTHER STUDENT SUPPORT	1,836,700.00+	
		072210	REGULAR INSTRUCTION PROGRAM	1,854,300.00+	
		072220	SPECIAL EDUCATION PROGRAM	482,000.00+	
		072230	VOCATIONAL EDUCATION PROGRAM	87,400.00+	
		072260	ADULT PROGRAMS	121,300.00+	
		072290	OTHER PROGRAMS	54,400.00+	
		072310	BOARD OF EDUCATION	1,787,200.00+	
		072320	DIRECTOR OF SCHOOLS	574,000.00+	
		072410	OFFICE OF THE PRINCIPAL	5,722,100.00+	
		072510	FISCAL SERVICES	208,400.00+	
		072610	OPERATION OF PLANT	7,485,000.00+	
		072620	MAINTENANCE OF PLANT	1,710,960.00+	
		072710	TRANSPORTATION	3,863,300.00+	
		072810	CENTRAL AND OTHER	786,900.00+	
		073400	EARLY CHILDHOOD EDUCATION	655,400.00+	
		076100	REGULAR CAPITAL OUTLAY	190,000.00+	
		082330	EDUCATION DEBT SERVICE CONTRIBUTION	303,300.00+	
		401100	CURRENT PROPERTY TAX	20,465,000.00+	
		401150	DISCOUNT ON PROPERTY TAXES	304,000.00-	
		401200	TRUSTEE'S COLLECTIONS-PRIOR YEAR	425,000.00+	
		401250	TRUSTEE'S COLLECTIONS - BANKRUPTCY	18,000.00+	
		401300	CIRCUIT COURT/CLERK & MASTER COLLECT	175,000.00+	
		401400	INTEREST & PENALTY	100,000.00+	
		401610	PAYMENTS IN LIEU OF TAXES-TVA	13,000.00+	
		401620	PAYMENTS IN LIEU OF TAXES-LOCAL UTIL	170,000.00+	
		401630	IN LIEU OF TAXES	7,000.00+	
		402100	LOCAL OPTION SALES TAX	11,275,000.00+	
		402700	BUSINESS TAX	450,000.00+	
		402750	MIXED DRINK TAX	65,000.00+	
		403500	INTERSTATE TELECOMMUNICATION TAX	5,000.00+	
		411100	MARRIAGE LICENSES	5,000.00+	
		435420	INSTRUCTIONAL SERVICES CONTRACT	42,500.00+	
		441100	INTEREST EARNED	15,000.00+	
		441200	LEASE/RENTALS	13,000.00+	
		441460	REFUND OF TELECOMMUNICATIONS/INTERNE	50,000.00+	
		445300	SALE OF EQUIPMENT	10,000.00+	
		445600	DAMAGES RECOVER-INDIVIDUALS	10,000.00+	
		445700	CONTRIBUTIONS & GIFTS	86,000.00+	
		449900	OTHER LOCAL REVENUES	117,000.00+	

FUND	PROJ	CC/OBJ	DESCRIPTION	AMOUNT	JE NUMBER
		465110	BASIC EDUCATION	44,787,000.00+	
		465150	PRESCHOOL LOTTERY GRANT	597,000.00+	
		465900	OTHER STATE EDUCATION FUNDS	206,500.00+	
		466100	CAREER LADDER PROGRAM	350,000.00+	
		466120	CAREER LADDER EXTENDED CONTRACT	88,000.00+	
		468510	STATE REVENUE SHARING-TVA	1,400,000.00+	
		469800	OTHER STATE GRANTS	100,000.00+	
		471200	ADULT BASIC EDUCATION 84.002	206,000.00+	
		471430	EDUCATION OF THE HANDICAPPED ACT 84.	238,000.00+	
		476400	ROTC REIMBURSEMENT	130,000.00+	
		489900	FUND BALANCE	519,000.00+	
		498004	OPERATING TRANSFERS - INDIRECT COSTS	30,000.00+	
141			ESTABLISH ST OF TN ENERGY EFFICENT		14000807
		076100	REGULAR CAPITAL OUTLAY	47,531.00+	
		469800	OTHER STATE GRANTS	47,531.00+	
141			NEW ROOF FOR MIDDLESETTLEMENT/MONTVA		14007663
		076100	REGULAR CAPITAL OUTLAY	88,840.00+	
		489900	FUND BALANCE	88,840.00+	
141			INCR FOR NEW ROOF AT MIDDLE & MONTVA		14009953
		076100	REGULAR CAPITAL OUTLAY	640,000.00+	
		489900	FUND BALANCE	640,000.00+	
141			FUND TOTALS		
141			EXPENDITURE TOTAL	82,640,371.00+	
141			REVENUE TOTAL	82,640,371.00+	
142	11501		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		071100	REGULAR INSTRUCTION PROGRAM	2,051,654.00+	
		072130	OTHER STUDENT SUPPORT	24,947.00+	
		072210	REGULAR INSTRUCTION PROGRAM	354,162.00+	
		099100	TRANSFERS OUT	202,156.00+	
		471410	TITLE I	2,632,919.00+	
142	11501		ADJUST FY15 BDGT TO ALIGN W/GRANT		14007652
		071100	REGULAR INSTRUCTION PROGRAM	67,297.52-	
		072130	OTHER STUDENT SUPPORT	20,947.00-	
		072210	REGULAR INSTRUCTION PROGRAM	33,714.53-	
		099100	TRANSFERS OUT	188,848.87-	
		471410	TITLE I	310,807.92-	
142	11503		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		072210	REGULAR INSTRUCTION PROGRAM	184,125.00+	
		498000	CONSOLIDATED ADMIN	184,125.00+	
142	11503		ADJUST FY15 BDGT TO ALIGN W/GRANT		14007651
		072210	REGULAR INSTRUCTION PROGRAM	4,595.97+	

BUDGET INCREASE/DECREASE FOR YEAR THROUGH MARCH 31, 2015

FUND	PROJ	CC/OBJ	DESCRIPTION	AMOUNT	JE NUMBER
		099100	TRANSFERS OUT	1,281.50+	
		498000	CONSOLIDATED ADMIN	5,877.47+	
142	31501		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		071200	SPECIAL EDUCATION PROGRAM	2,128,550.00+	
		072220	SPECIAL EDUCATION PROGRAM	388,950.00+	
		072710	TRANSPORTATION	203,500.00+	
		471430	IDEA PART B	2,721,000.00+	
142	31501		AMEND IDEA PART B GRT FOR FY14-15		14003651
		071200	SPECIAL EDUCATION PROGRAM	15,742.00-	
		072220	SPECIAL EDUCATION PROGRAM	57,109.40+	
		471430	IDEA PART B	41,367.40+	
142	31502		ESTAB SPEC ED IDEA PART B DISCR GRNT		14000079
		071200	SPECIAL EDUCATION PROGRAM	74,496.00+	
		072220	SPECIAL EDUCATION PROGRAM	2,700.00+	
		471430	SPECIAL EDUCATION - IDEA PART B	77,196.00+	
142	31503		ESTAB SPEC ED IDEA PART B DISCR GRNT		14000080
		071200	SPECIAL EDUCATION PROGRAM	63,100.00+	
		072220	SPECIAL EDUCATION PROGRAM	1,500.00+	
		471430	SPECIAL EDUCATION - IDEA PART B	64,600.00+	
142	41501		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		071200	SPECIAL EDUCATION PROGRAM	100,000.00+	
		471430	IDEA PRESCHOOL	100,000.00+	
142	41501		AMEND FED IDEA PRESCHOOL GRT 14-15		14003650
		071200	SPECIAL EDUCATION PROGRAM	20,261.99+	
		072220	SPECIAL EDUCATION PROGRAM	6,000.00+	
		471430	IDEA PRESCHOOL	26,261.99+	
142	41501		INCREASE FROM STATE FOR IDEA FUNDS		14009883
		071200	SPECIAL EDUCATION PROGRAM	5,447.00+	
		072220	SPECIAL EDUCATION PROGRAM	4,000.00+	
		471430	IDEA PRESCHOOL	9,447.00+	
142	51404		STATE AWARD GRANT FOR 14-15 ARRA		14000103
		072210	REGULAR INSTRUCTION PROGRAM	87,794.62+	
		473110	RACE TO THE TOP - ARRA	87,794.62+	
142	51404		AMEND BUDGET BASED ON STATE GRANT		14003781
		072210	REGULAR INSTRUCTION PROGRAM	4,740.91-	
		473110	RACE TO THE TOP - ARRA	4,740.91-	
142	51502		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		072210	REGULAR INSTRUCTION PROGRAM	147,000.00+	

FUND	PROJ	CC/OBJ	DESCRIPTION	AMOUNT	JE NUMBER
		473110	RACE TO THE TOP	147,000.00+	
142	51502		ESTAB RTTT YR 5 GRANT BUDGET		14003695
		072210	REGULAR INSTRUCTION PROGRAM	29,836.00+	
		473110	RACE TO THE TOP	29,836.00+	
142	51502		ESTAB RTTT YR 5 GRANT AMEND #1		14004846
		072210	REGULAR INSTRUCTION PROGRAM	1,612.75+	
		473110	RACE TO THE TOP	1,612.75+	
142	61501		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		071300	VOCATIONAL EDUCATION PROGRAM	134,000.00+	
		072130	OTHER STUDENT SUPPORT	25,700.00+	
		072230	VOCATIONAL EDUCATION PROGRAM	1,600.00+	
		471310	CARL PERKINS	161,300.00+	
142	61501		AMENDED FEDERAL C.PERKINS GRANT		14000628
		071300	VOCATIONAL EDUCATION PROGRAM	802.00+	
		072130	OTHER STUDENT SUPPORT	4,300.00+	
		072230	VOCATIONAL EDUCATION PROGRAM	1,000.00+	
		471310	CARL PERKINS	6,102.00+	
142	61501		AMEND CARL PERKINS GRANT-FOCUS GRANT		14004845
		071300	VOCATIONAL EDUCATION PROGRAM	2,500.00+	
		471310	CARL PERKINS	2,500.00+	
142	71501		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		071100	REGULAR INSTRUCTION PROGRAM	396,046.00+	
		072210	REGULAR INSTRUCTION PROGRAM	32,093.00+	
		099100	TRANSFERS OUT	600.00+	
		471890	TITLE II	428,739.00+	
142	71501		ADJUST FY15 BDGT TO ALIGN W/GRANT		14007650
		071100	REGULAR INSTRUCTION PROGRAM	56,964.00-	
		072210	REGULAR INSTRUCTION PROGRAM	68,503.49+	
		099100	TRANSFERS OUT	600.00-	
		471890	TITLE II	10,939.49+	
142	81501		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		071300	VOCATIONAL EDUCATION PROGRAM	91,020.00+	
		475906	VOCATIONAL TRANSITION TO WORK	91,020.00+	
142	81501		AMEND ST VOC TRANS TO WORK GRANT-FIN		14004847
		071300	VOCATIONAL EDUCATION PROGRAM	7,580.00+	
		475906	VOCATIONAL TRANSITION TO WORK	7,580.00+	
142	91501		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		071100	REGULAR INSTRUCTION PROGRAM	12,008.00+	

BUDGET INCREASE/DECREASE FOR YEAR THROUGH MARCH 31, 2015

FUND	PROJ	CC/OBJ	DESCRIPTION	AMOUNT	JE NUMBER
		072210	REGULAR INSTRUCTION PROGRAM	8,731.00+	
		099100	TRANSFERS OUT	600.00+	
		471460	TITLE III	21,339.00+	
142	91501		ADJUST FY15 BDGT TO ALIGN W/GRANT		14007649
		071100	REGULAR INSTRUCTION PROGRAM	3,753.50+	
		072210	REGULAR INSTRUCTION PROGRAM	1,531.00-	
		099100	TRANSFERS OUT	600.00-	
		471460	TITLE III	1,622.50+	
142			FUND TOTALS		
142			EXPENDITURE TOTAL	6,544,630.39+	
142			REVENUE TOTAL	6,544,630.39+	
143			UPDATE APPRO-FISCAL YEAR 14-15		00000540
		073100	FOOD SERVICE	5,793,000.00+	
		435700	RECEIPTS FROM INDIVIDUAL SCHOOLS	1,996,000.00+	
		441100	INTEREST EARNED	3,000.00+	
		465200	SCHOOL FOOD SERVICE	52,000.00+	
		471110	USDA SCHOOL LUNCH PROGRAM	2,325,000.00+	
		471120	USDA COMMODITIES-SECTION 11 LUNCH	300,000.00+	
		471130	BREAKFAST PROGRAM	911,000.00+	
		489900	OTHER	206,000.00+	
143			ESTAB APP FOR USDA FOOD SERV AWARD		14009954
		073100	FOOD SERVICE	20,000.00+	
		471150		20,000.00+	
143			FUND TOTALS		
143			EXPENDITURE TOTAL	5,813,000.00+	
143			REVENUE TOTAL	5,813,000.00+	
146			UPDATE APPRO-FISCAL YEAR 14-15		00000540
		073300	COMMUNITY SERVICES	1,628,000.00+	
		435810	COMMUNITY SERVICE FEES-CHILDREN	1,328,000.00+	
		441100	INTEREST EARNED	1,000.00+	
		449901	OTHER LOCAL REVENUES	4,000.00+	
		465901	OTHER STATE EDUCATION FUNDS-CHILD CA	118,000.00+	
		465915	COORDINATED SCHOOL HEALTH-ARRA ESP F	45,000.00+	
		489900	OTHER	132,000.00+	
146			FUND TOTALS		
146			EXPENDITURE TOTAL	1,628,000.00+	
146			REVENUE TOTAL	1,628,000.00+	
146		082110	GENERAL GOVERNMENT PRINCIPAL	6,840,832.00+	
146		082130	DEBT SERVICE - EDUCATION	216,148.00+	
146		082210	GENERAL GOVERNMENT INTEREST	7,887,499.00+	
146		082230	EDUCATION INTEREST	87,079.00+	

BUDGET INCREASE/DECREASE FOR YEAR THROUGH MARCH 31, 2015

FUND	PROJ	CC/OBJ	DESCRIPTION	AMOUNT	JE NUMBER
146		082310	GENERAL GOVERNMENT OTHER	890,100.00+	
146		401100	CURRENT PROPERTY TAX	13,117,100.00+	
146		401150	DISCOUNT ON PROPERTY TAXES	190,000.00-	
146		401200	TRUSTEE'S COLLECTIONS - PRIOR YEARS	330,000.00+	
146		401250	TRUSTEE'S COLLECTIONS - BANKRUPTCY	10,000.00+	
146		401300	CIR.CLRK/CLK&MASTER COLLECTIONS PR.Y	120,000.00+	
146		401400	INTEREST & PENALTY	63,000.00+	
146		401500	PICK UP TAXES	17,500.00+	
146		401620	PAYMENTS IN LIEU OF TAXES-LOCAL UTIL	115,000.00+	
146		402100	LOCAL OPTION SALES TAX	600,000.00+	
146		402700	BUSINESS TAX	310,000.00+	
146		441100	INVESTMENT INCOME	55,000.00+	
146		441200	LEASE/RENTALS	38,000.00+	
146		445400	SALE OF PROPERTY-RACE TRACK	25,000.00+	
146		481300	CONTRIBUTIONS	468,422.00+	
146		481401	CITY OF MARYVILLE	144,977.00+	
146		481403	CITY OF ALCOA	103,160.00+	
146		498000	TRANSFERS IN	668,318.00+	
151			FUND TOTALS		
151			EXPENDITURE TOTAL	15,921,658.00+	
151			REVENUE TOTAL	15,995,477.00+	
151		068000	CAPITAL OUTLAY	240,000.00+	
151		411400	CABLE TV FRANCHISE FEE	240,000.00+	
176			FUND TOTALS		
176			EXPENDITURE TOTAL	240,000.00+	
176			REVENUE TOTAL	240,000.00+	
189	11128		TRANS SCHLS UNDESIGNATED CAP TO PROJ		14000808
		091300	EDUCATION CAPITAL PROJECTS	177,045.00+	
		498000	OPERATING TRANSFERS	177,045.00+	
189			FUND TOTALS		
189			EXPENDITURE TOTAL	177,045.00+	
189			REVENUE TOTAL	177,045.00+	
191			UPDATE APPRO-FISCAL YEAR 14-15		00000540
		058900	MISCELLANEOUS	4,000.00+	
		441100	INTEREST EARNED	600.00+	
		441101	INVESTMENT INCOME	3,600.00+	
191			FUND TOTALS		
191			EXPENDITURE TOTAL	4,000.00+	
191			REVENUE TOTAL	4,200.00+	
191		058900	MISCELLANEOUS	1,097,586.00+	
191		431010	SELF-INSURANCE PREMIUMS	1,171,253.00+	
191		441100	INTEREST EARNED	300.00+	

BUDGET INCREASE/DECREASE FOR YEAR THROUGH MARCH 31, 2015

FUND	PROJ	CC/OBJ	DESCRIPTION	AMOUNT	JE NUMBER
191		497000	INSURANCE RECOVERY	250.00+	
263			FUND TOTALS		
263			EXPENDITURE TOTAL	1,097,586.00+	
263			REVENUE TOTAL	1,171,803.00+	
263		058600	EMPLOYEE BENEFITS	20,321,420.00+	
263		431010	SELF-INSURANCE PREMIUMS	9,300,000.00+	
263		431020	OTHER EMPLOYEE BENEFITS	9,000,000.00+	
263		441100	INTEREST EARNED	12,000.00+	
263		441600	RETIREES INSURANCE PMTS	630,000.00+	
263		441610	COBRA INSURANCE PAYMENTS	50,000.00+	
264			FUND TOTALS		
264			EXPENDITURE TOTAL	20,321,420.00+	
264			REVENUE TOTAL	18,992,000.00+	
264		058600	EMPLOYEE BENEFITS	852,302.00+	
264		431010	SELF-INSURANCE PREMIUMS	1,100,071.00+	
264		441100	INTEREST EARNED	400.00+	
266			FUND TOTALS		
266			EXPENDITURE TOTAL	852,302.00+	
266			REVENUE TOTAL	1,100,471.00+	
266		058700	PAYMENTS TO CITIES	14,777,000.00+	
266		402101	CITY OF MARYVILLE	7,350,000.00+	
266		402103	CITY OF ALCOA	6,750,000.00+	
266		402105	CITY OF FRIENDSVILLE	97,000.00+	
266		402106	CITY OF ROCKFORD	105,000.00+	
266		402107	CITY OF TOWNSEND	270,000.00+	
266		402108	CITY OF LOUISVILLE	205,000.00+	
351			FUND TOTALS		
351			EXPENDITURE TOTAL	14,777,000.00+	
351			REVENUE TOTAL	14,777,000.00+	
351		058700	PAYMENTS TO CITIES	5,425,500.00+	
351		401100	CURRENT PROPERTY TAX	3,429,000.00+	
351		401150	DISCOUNT ON PROPERTY TAXES	40,000.00-	
351		401200	TRUSTEES COLLECT-PRIOR YR	45,580.00+	
351		401250	TRUSTEE'S COLLECTIONS - BANKRUPTCY	4,000.00+	
351		401300	CIRCUIT CLK/CLK & MSTR COLL PRIOR YR	14,000.00+	
351		401400	INTEREST AND PENALTY	18,000.00+	
351		401500	PICK-UP TAXES	4,900.00+	
351		401620	PMTS-LIEU-TAXES-LOC UTIL	27,000.00+	
351		401630	IN LIEU OF TAXES	1,300.00+	
351		402100	LOCAL OPTION SALES TAX	1,846,000.00+	
351		402700	BUSINESS TAX	63,000.00+	
351		402750	MIXED DRINK TAX	11,000.00+	
351		403500	INTERSTATE TELECOMMUNICATION TAX	750.00+	
351		411100	MARRIAGE LICENSES	900.00+	

FUND	PROJ	CC/OBJ	DESCRIPTION	AMOUNT	JE NUMBER
351		449906	OTHER LOCAL REVENUE-HELPING SCHOOLS	70.00+	
355			FUND TOTALS		
355			EXPENDITURE TOTAL	5,425,500.00+	
355			REVENUE TOTAL	5,425,500.00+	
355		058700	PAYMENTS TO CITIES	15,275,770.00+	
355		401100	CURRENT PROPERTY TAX	9,641,700.00+	
355		401150	DISCOUNT ON PROPERTY TAXES	120,000.00-	
355		401200	TRUSTEES COLLECT-PRIOR YR	255,000.00+	
355		401250	TRUSTEE'S COLLECTIONS - BANKRUPTCY	8,000.00+	
355		401300	CIRCUIT CLK/CLK & MSTR COLL - PRIOR	65,000.00+	
355		401400	INTEREST AND PENALTY	43,000.00+	
355		401500	PICK-UP TAXES	12,300.00+	
355		401620	PMTS-LIEU-TAXES-LOC UTIL	76,000.00+	
355		402100	LOCAL OPTION SALES TAX	5,100,000.00+	
355		402700	BUSINESS TAX	160,000.00+	
355		402750	MIXED DRINK TAX	30,000.00+	
355		403500	INTERSTATE TELECOMMUNICATION TAX	2,300.00+	
355		411100	MARRIAGE LICENSES	2,250.00+	
355		449906	OTHER LOCAL REVENUE-HELPING SCHOOLS	220.00+	
356			FUND TOTALS		
356			EXPENDITURE TOTAL	15,275,770.00+	
356			REVENUE TOTAL	15,275,770.00+	
356		054150	DRUG ENFORCEMENT	158,100.00+	
356		091130	PUBLIC SAFETY PROJECTS	82,150.00+	
356		428100	FINES - METH CLEANUP	5,000.00+	
356		428101	FINES-GENERAL SESSION	39,000.00+	
356		428102	FINES-CIRCUIT	65,000.00+	
356		428651	FORFEITURES	65,000.00+	
356		441100	INTEREST EARNED	10,000.00+	
356		445401	SALE OF VEHICLES	8,500.00+	
356		481309	CONTRIBUTIONS - BLOUNT COUNTY	23,750.00+	
363			MONEY REC FROM TBI FOR REPAIR TO VEH		14001275
		054150	DRUG ENFORCEMENT	1,122.82+	
		497000	INSURANCE RECOVERY	1,122.82+	
363	00113		UPDATE APPRO-FISCAL YEAR 14-15		00000540
		054150	DRUG ENFORCEMENT	5,000.00+	
363	00214		JAG GRANT MONEY APPROVED AFTER BDGT		14008222
		054150	DRUG ENFORCEMENT	1,350.00+	
		462200	DRUG CONTROL GRANTS	1,350.00+	
363	00214		CORRECT A/C # PER CKNOUFF		14010388
		091130	PUBLIC SAFETY PROJECTS	31,499.00+	
		462200	DRUG CONTROL GRANTS	31,499.00+	

FUND	PROJ	CC/OBJ	DESCRIPTION	AMOUNT	JE NUMBER
363			FUND TOTALS		
363			EXPENDITURE TOTAL	279,221.82+	
363			REVENUE TOTAL	250,221.82+	
364			UPDATE APPRO-FISCAL YEAR 14-15		00000540
		053600	DISTRICT ATTORNEY GENERAL	18,950.00+	
		421600	DIST ATTY GENERAL FEES	1,100.00+	
		423600	DISTRICT ATTY GENERAL FEES	16,850.00+	
		441100	INTEREST EARNED	1,000.00+	
364			FOR PYMT TO TN ATTORNEYS CONFERENCE		14008796
		053600	DISTRICT ATTORNEY GENERAL	40,100.00+	
		489900	OTHER	40,100.00+	
364			FUND TOTALS		
364			EXPENDITURE TOTAL	59,050.00+	
364			REVENUE TOTAL	59,050.00+	
365			UPDATE APPRO-FISCAL YEAR 14-15		00000540
		058110	TOURISM	1,425,766.00+	
		402200	HOTEL/MOTEL TAX	1,425,766.00+	
365			FUND TOTALS		
365			EXPENDITURE TOTAL	1,425,766.00+	
365			REVENUE TOTAL	1,425,766.00+	

Desc	Fund	CC_Desc	Date	EXP
AFFINITY INSURANCE SERVICE,INC.	101	SHERIFFS DEPARTMENT	10/13/2014	108.00
AFFINITY INSURANCE SERVICE,INC.	Fund Total			108.00
Vendor Total				108.00
CELLEO PARTNERSHIP	101	SHERIFFS DEPARTMENT	3/30/2015	100.00
CELLEO PARTNERSHIP	Fund Total			100.00
Vendor Total				100.00
CRAIG GARRETT	101	OTHER GENERAL ADMINISTRATION	9/10/2014	17570.00
CRAIG GARRETT	101	OTHER GENERAL ADMINISTRATION	11/6/2014	9660.00
CRAIG GARRETT	101	OTHER GENERAL ADMINISTRATION	12/18/2014	9520.00
CRAIG GARRETT	101	OTHER GENERAL ADMINISTRATION	3/26/2015	11060.00
CRAIG GARRETT	Fund Total			47810.00
CRAIG GARRETT	263	MISCELLANEOUS	10/29/2014	192.50
CRAIG GARRETT	263	MISCELLANEOUS	12/19/2014	87.50
CRAIG GARRETT	263	MISCELLANEOUS	12/19/2014	-87.50
CRAIG GARRETT	263	MISCELLANEOUS	12/19/2014	87.50
CRAIG GARRETT	263	MISCELLANEOUS	3/26/2015	2957.50
CRAIG GARRETT	Fund Total			3237.50
Vendor Total				51047.50
GODDARD & GAMBLE, ATT.	101	COUNTY TRUSTEES OFFICE	10/9/2014	725.00
GODDARD & GAMBLE, ATT.	101	COUNTY TRUSTEES OFFICE	1/13/2015	225.00
GODDARD & GAMBLE, ATT.	101	OTHER GENERAL ADMINISTRATION	12/4/2014	150.00
GODDARD & GAMBLE, ATT.	Fund Total			1100.00
GODDARD & GAMBLE, ATT.	141	BOARD OF EDUCATION	7/15/2014	3687.50
GODDARD & GAMBLE, ATT.	141	BOARD OF EDUCATION	10/21/2014	8825.00
GODDARD & GAMBLE, ATT.	141	BOARD OF EDUCATION	10/21/2014	-8825.00
GODDARD & GAMBLE, ATT.	141	BOARD OF EDUCATION	10/21/2014	8820.00
GODDARD & GAMBLE, ATT.	141	BOARD OF EDUCATION	2/23/2015	16312.50
GODDARD & GAMBLE, ATT.	Fund Total			28820.00
Vendor Total				29920.00
LEWIS THOMASON KING KRIEG & WALDRO	141	BOARD OF EDUCATION	8/20/2014	480.00
LEWIS THOMASON KING KRIEG & WALDRO	141	BOARD OF EDUCATION	12/16/2014	1185.00
LEWIS THOMASON KING KRIEG & WALDRO	Fund Total			1665.00
Vendor Total				1665.00
MELINDA BAIRD JACOBS ESQUIRE	141	BOARD OF EDUCATION	8/13/2014	50.00
MELINDA BAIRD JACOBS ESQUIRE	Fund Total			50.00
Vendor Total				50.00
REVERSE EXPEN ACCRUALS	141	BOARD OF EDUCATION	7/1/2014	-3687.50
REVERSE EXPEN ACCRUALS	Fund Total			-3687.50
Vendor Total				-3687.50
SANDRA T. HOLLIFIELD	101	SHERIFFS DEPARTMENT	7/23/2014	240.00

Desc	Fund	CC_Desc	Date	EXP
SANDRA T. HOLLIFIELD	101	SHERIFFS DEPARTMENT	9/10/2014	80.25
SANDRA T. HOLLIFIELD	101	SHERIFFS DEPARTMENT	12/17/2014	34.50
SANDRA T. HOLLIFIELD	Fund Total			354.75
Vendor Total				354.75
THOMPSON & CHILDRESS COURT REPORT	141	BOARD OF EDUCATION	3/11/2015	762.75
THOMPSON & CHILDRESS COURT REPORT	Fund Total			762.75
Vendor Total				762.75
WIMBERLY LAWSON WRIGHT DAVES & JO	141	BOARD OF EDUCATION	9/3/2014	357.80
WIMBERLY LAWSON WRIGHT DAVES & JO	141	BOARD OF EDUCATION	9/24/2014	51.00
WIMBERLY LAWSON WRIGHT DAVES & JO	141	BOARD OF EDUCATION	10/29/2014	150.00
WIMBERLY LAWSON WRIGHT DAVES & JO	141	BOARD OF EDUCATION	12/2/2014	75.00
WIMBERLY LAWSON WRIGHT DAVES & JO	Fund Total			633.80
WIMBERLY LAWSON WRIGHT DAVES & JO	263	MISCELLANEOUS	8/7/2014	130.00
WIMBERLY LAWSON WRIGHT DAVES & JO	263	MISCELLANEOUS	9/9/2014	182.00
WIMBERLY LAWSON WRIGHT DAVES & JO	263	MISCELLANEOUS	10/29/2014	104.00
WIMBERLY LAWSON WRIGHT DAVES & JO	263	MISCELLANEOUS	12/3/2014	220.00
WIMBERLY LAWSON WRIGHT DAVES & JO	263	MISCELLANEOUS	1/29/2015	52.00
WIMBERLY LAWSON WRIGHT DAVES & JO	263	MISCELLANEOUS	2/25/2015	432.00
WIMBERLY LAWSON WRIGHT DAVES & JO	Fund Total			1120.00
Vendor Total				1753.80
Summary				82074.30

14010416

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: Office of Public Defender
Account: 101-53610

	Account Number	Description	Amount
TO	101-53610-500330	Lease	1,700.00
Used with transfers			
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	1,700.00

	Account Number	Description	Amount
FROM	101-53610-500399	Other Contracted Services	1,700.00
Used with transfers			
(or)			
EST REVENUE			
Used with inc/dec			
		Total	1,700.00

Explanation: To cover the remainder of the calendar year©s lease payments.

Mark Graves 3-24-15 MG
Signature of Official/Department Head/Date

Signature of County Mayor/Date 4-2-15
03.31.15

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

14010412

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: Accounting
Account: 52100

	Account Number	Description	Amount
TO	101-052100-500599-0	Other charges	500.00
Used with transfers			
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	500.00

	Account Number	Description	Amount
FROM	101-052100-500356-0	Tuition	500.00
Used with transfers			
(or)			
EST REVENUE			
Used with Inc/dec			
		Total	500.00

Explanation: To cover meals for budget hearings as needed.

Signature of Official/Department Head/Date

Signature of County Mayor/Date 3-27-15

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

14010415
Sat

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: Federal Projects
Account: 142-99100

	Account Number	Description	Amount
TO			
Used with transfers	142-99100-590-11501	Transfers to Other Funds	13,307.13
	142-99100-590-11503	Transfers to Other Funds	1,281.50
(or)			
APPROPRIATION			
Used with Inc/dec			
		Total	14,588.63

	Account Number	Description	Amount	
FROM				
Used with transfers	142-99100-504-11501	Indirect Costs	13,307.13	✓
	142-99100-504-11503	Indirect Costs	1,281.50	✓
(or)				
EST REVENUE				
Used with inc/dec				
		Total	14,588.63	

Explanation: Correct appropriations object code.

Troy Logan 3-23-15
Signature of Official/Department Head/Date

3-27-15
Signature of County Mayor/Date

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

POSTED

14010413

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: GPSF
Account: 141-72810

	Account Number	Description	Amount
TO			
Used with transfers	141-72810-411	Data Processing Supplies	5,000.00
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	5,000.00

	Account Number	Description	Amount
FROM			
Used with transfers	141-72810-709	Data Processing Equipment	5,000.00
(or)			
EST REVENUE			
Used with inc/dec			
		Total	5,000.00

Explanation: Transfer funds to purchase additional technology supplies that cost less than $500.

Judy Logan 3-17-15
Signature of Official/Department Head/Date

3-27-15
Signature of County Mayor/Date

"Approved By The Board Of Education" 3-26-15

All requests are due to finance by 4:00 pm on the Tuesday before the Budget Committee Meeting.

POSTED

140411

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: GPSF
Account: 141-72620

	Account Number	Description	Amount
TO			
Used with transfers	141-72620-717	Maintenance Equipment	700.00
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	700.00

	Account Number	Description	Amount
FROM			
Used with transfers	141-72620-499	Other Supplies & Materials	700.00
(or)			
EST REVENUE			
Used with inc/dec			
		Total	700.00

Explanation: Transfer funds for circuit test equipment that cost in excess of $500.

Judy Logan 2-25-15
Signature of Official/Department Head/Date

Signature of County Mayor/Date 3-27-15

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

"Approved By The Board Of Education" 3-26-15

POSTED

14010410

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: County Clerk
Account: 052500

	Account Number	Description	Amount
TO	101-052500-500338	Maint & Repair Svc - Vehicle	436.00
Used with transfers			
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	436.00

	Account Number	Description	Amount
FROM	101-052500-500435	Office Supplies	436.00
Used with transfers			
(or)			
EST REVENUE			
Used with inc/dec			
		Total	436.00

Explanation: Tires for vehicle.

Margaret M Flynn 03-31-15
Signature of Official/Department Head/Date

Signature of County Mayor/Date 4-2-15 3-31-15

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

POSTED

Blount County Government
Budget Amendment Request
FY 13-14

14010409

Type of Amendment:
Transfer [x]
Increase/Decrease [ ]

Blount County Sheriff's Office

	Account Number	Description	Amount
TO	101-054210-500716-0	Law Enforcement Equipment	84,000.00
Used with transfers			
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	84,000.00

	Account Number	Description	Amount
FROM	101-054210-500164-0	Attendants	84,000.00
Used with transfers			
(or)			
EST REVENUE			
Used with inc/dec			
		Total	84,000.00

Explanation: To place money in needed accounts.

Signature of Department Head/Date

Signature of County Mayor/Date 3-27-13

*All requests are due to Budget Manager's Office by noon on the Tuesday before the Budget Committee Meeting.

POSTED 4/01/14

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: GPSF
Account: 141-72620

	Account Number	Description	Amount
TO			
Used with transfers	141-72620-707	Building Improvements	10,000.00
	141-72620-712	Heating and Air Conditioning	40,000.00
	141-72620-720	Plant Operation Equipment	10,000.00
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	60,000.00

	Account Number	Description	Amount
FROM			
Used with transfers	141-72620-335	Maintenance & Repair - Buildings	10,000.00
	141-72620-336	Maintenance & Repair - Equipment	10,000.00
	141-72620-499	Materials & Supplies	40,000.00
(or)			
EST REVENUE			
Used with inc/dec			
		Total	60,000.00

Explanation: Transfer funds to proper account for purchase fixed (capital) assets that cost in excess of $500.

Troy Logan 3-17-15
Signature of Official/Department Head/Date

3-27-15
Signature of County Mayor/Date

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

"Approved By The Board Of Education" 3-20-15

14010388
Adj
03.27.15

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☐
Increase/Decrease ☑

Department: Drug Task Force
Account: 363-091150

	Account Number	Description	Amount
TO			
Used with transfers			
	Corrected a/c # per		
(or)	CK 03.30.15		
	091130		
APPROPRIATION	363-091150-500336-00214	Maint & Repair Equip	31,499.00
Used with inc/dec			
		Total	31,499.00

	Account Number	Description	Amount
FROM			
Used with transfers			
(or)			
EST REVENUE	363-0-462200-00214	JAG Grant	31,499.00
Used with inc/dec			
		Total	31,499.00

363-281001 −
363-141000 +

Explanation: JAG Grant money that was not approved until after the budget was done.

3/27/2015
Signature of Official/Department Head/Date

4-2-15
Signature of County Mayor/Date

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

14000387
SBO
03.27.15

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: Drug Task Force
Account: 363-091150

	Account Number	Description	Amount
TO	363-054150-500336-00214	Maint & Repair Equipment	5,751.00
Used with transfers	091130		
(or)	Corrected-H pc OK 03.30.15		
APPROPRIATION			
Used with inc/dec			
		Total	5,751.00

	Account Number	Description	Amount
FROM	363-054150-500140-0	Salary Supplements	3,000.00
Used with transfers	363-054150-500506-0	Liability Insurance	2,751.00
(or)			
EST REVENUE			
Used with inc/dec			
		Total	5,751.00

Explanation: JAG Grant for maintenance and repair of surveillance platform

3/27/2015
Signature of Official/Department Head/Date

4-2-15
Signature of County Mayor/Date

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

POSTED

14010392

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: hwy
Account: 131-062000

	Account Number	Description	Amount
TO	131-062000-500440-0	pipe	7,000.00
Used with transfers			
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	7,000.00

	Account Number	Description	Amount
FROM	131-062000-500459-0	drainage materials	7,000.00
Used with transfers			
(or)			
EST REVENUE			
Used with inc/dec			
		Total	7,000.00

Explanation: to clear planned tiling project

Bill Dinlap 3/31/15
Signature of Official/Department Head/Date

Signature of County Mayor/Date 4-2-15

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

POSTED

Blount County Government
Budget Amendment Request
FY 14-15

1400995/

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: Judicial Commissioners
Account: 101-53700

	Account Number	Description	Amount
TO	101-53700-500162	Clerical Personnel	6,000.00
Used with transfers			
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	6,000.00

	Account Number	Description	Amount
FROM	101-53120-500162	Clerical Personnel	6,000.00
Used with transfers			
(or)			
EST REVENUE			
Used with inc/dec			
		Total	6,000.00

Explanation: Transfer from Circuit Court to Judicial Commissioners to cover salary expenses for the remainder of the year due to transferring employees from one account to another during the year.

Mary Millsaps 1/29/15
Signature of Official/Department Head/Date

Signature of County Mayor/Date 3-23-15

Budget Committee
Date 3/19/15 vote
☑ Approved 5 yea ___nay ___pass
___ Recommended for commission consideration ___yea ___nay ___pass
___ Declined ___yea ___nay ___pass
___ Tabled ___yea ___nay ___pass
___ Deferred ___yea ___nay ___pass

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting

POSTED

14009950

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: Juvenile Court
Account: 101-53500

	Account Number	Description	Amount
TO	101-053500-500356	Tuition	105.00
Used with transfers			
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	105.00

	Account Number	Description	Amount
FROM	101-053500-500320	Dues & Memberships	105.00
Used with transfers			
(or)			
EST REVENUE			
Used with inc/dec			
		Total	105.00

Explanation: Request from Judge Foster for Youth Service Officer to attend a class

Tom Hatcher 3/19/15 MS — Signature of Official/Department Head/Date

Ed Mitchell 3-23-15 — Signature of County Mayor/Date

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

POSTED
14009952

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: Federal Projects
Account: 142-xxxxx-51404

	Account Number	Description	Amount
TO			
Used with transfers	142-072210-429-51404	Instructional Supplies	2,000.00
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	2,000.00

	Account Number	Description	Amount
FROM			
Used with transfers	142-072210-709-51404	Data Processing Equipment	2,000.00
(or)			
EST REVENUE			
Used with inc/dec			
		Total	2,000.00

Explanation: Transfer funds to correct object code to acquire items with cost less than 500.

Troy Logan 3-20-15
Signature of Official/Department Head/Date

Signature of County Mayor/Date 3-24-15

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

POSTED
14009862

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: Federal Projects
Account: 142-xxxxx-31503

	Account Number	Description	Amount
TO			
Used with transfers	142-71200-725-31503	Special Education Equipment	473.68
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	473.68

	Account Number	Description	Amount
FROM			
Used with transfers	142-72220-524-31503	In-service PD	473.68
(or)			
EST REVENUE			
Used with inc/dec			
		Total	473.68

Explanation: Transfer funds to final expense remaining grant funds.

Troy Logan 3-17-15
Signature of Official/Department Head/Date

3-15-15
Signature of County Mayor/Date

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

POSTED

14009882

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: Federal Projects
Account: 142-xxxxx-31501

	Account Number	Description	Amount
TO			
Used with transfers	142-72220-205-31501	Employee Insurance - Dependent	6,500.00
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	6,500.00

	Account Number	Description	Amount
FROM			
Used with transfers	142-72220-124-31501	Psychology Personnel	6,500.00
(or)			
EST REVENUE			
Used with inc/dec			
		Total	6,500.00

Explanation: Transfer funds for higher number than planned of employees to elect for dependent insurance coverage.

Troy Logan 3-18-15 TMS
Signature of Official/Department Head/Date

3-19-15
Signature of County Mayor/Date

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

POSTED

14009884

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: Blount County
Account: 101-53200

	Account Number	Description	Amount
TO	101-53200-500499-00128	Other Supplies & Materials	2,500.00
Used with transfers			
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	2,500.00

	Account Number	Description	Amount
FROM	101-53200-500355-00128	Travel	2,500.00
Used with transfers			
(or)			
EST REVENUE			
Used with inc/dec			
		Total	2,500.00

Explanation: We need to transfer money left in Travel to purchase drug screens and collection cups.

3/19/15 3-19-15

Signature of Official/Department Head/Date Signature of County Mayor/Date

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

POSTED

Blount County Government
Budget Amendment Request
FY 14-15

14009865

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: PARKS / ANIMAL CONTROL
Account: 101-55120

	Account Number	Description	Amount
TO	101-55120-500499	OTHER SUPPLIES/MTLS	1500.00
Used with transfers			
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	1500.00

	Account Number	Description	Amount
FROM	101-55120-500399	OTHER CONTRACTED SVCS	1500.00
Used with transfers			
(or)			
EST REVENUE			
Used with inc/dec			
		Total	1500.00

Explanation: TRANSFER TO OTHER SUPPLIES/MTLS FOR CLEANING SUPPLIES

B Rafford 3/15/15
Signature of Official/Department Head/Date

Signature of County Mayor/Date 3-17-15

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

POSTED

14009864

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☐
Increase/Decrease ☒

Department: CTE-Perkins Basic
Account: 142-61501

	Account Number	Description	Amount
TO	142-072130-500355-61501	Travel	10,000.00
Used with transfers			
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	10,000.00

	Account Number	Description	Amount
FROM	142-072130-500524-61501	Professional Development	10,000.00
Used with transfers			
(or)			
EST REVENUE			
Used with inc/dec			
		Total	-10,000.00

Explanation: Align budget with State grant for FY 15

Tracy Logan 2-11-15
Signature of Official/Department Head/Date

Signature of County Mayor/Date 3-17-15

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

POSTED

14009782

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: Rabies / Animal Control
Account: 101-55120

	Account Number	Description	Amount
TO	101=55120-500109-5512	Part Time Personnel	3,330.00
Used with transfers	101-55120-500201-5512	Social Security	198.00
	101-55120-500212-5512	Medicare	54.00
(or)			
APPROPRIATION			
Used with Inc/dec			
		Total	3,582.00

	Account Number	Description	Amount
FROM	101-55120-500354-5512	Transportation	~~3,600.00~~
Used with transfers			3582.00
(or)			
EST REVENUE			
Used with inc/dec			3582.00
		Total	~~3,600.00~~

Explanation: ESTABLISH LINE ITEMS TO PAY TRANSPORTATION DRIVERS

Charles B Rafford 3/10/15 jws
Signature of Official/Department Head/Date

3-12-15
Signature of County Mayor/Date

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

POSTED

14009767

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: Rabies / Animal Control
Account: 101-55120

	Account Number	Description	Amount
TO	101-55120-500399-05512	Other Contracted Services	1,000.00
Used with transfers			
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	1,000.00

	Account Number	Description	Amount
FROM	101-55120-500599-05512	Other Charges	1,000.00
Used with transfers			
(or)			
EST REVENUE			
Used with inc/dec			
		Total	1,000.00

Explanation: Transfer from SMACF line item Other Charges to SMACF line item Other Contracted Services for anticipated services.

Charles B. Daffard 3/5/15
Signature of Official/Department Head/Date

Signature of County Mayor/Date

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

POSTED

140097766

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: Health Department (DGA)
Account: 101-55110-55111

	Account Number	Description	Amount
TO	101-55110-500212-55111	Medicare	3,500.00
Used with transfers			
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	3,500.00

	Account Number	Description	Amount
FROM	101-55110-500205-55111	Dependent Insurance	3,500.00
Used with transfers			
(or)			
EST REVENUE			
Used with inc/dec			
		Total	3,500.00

Explanation: Transfer to cover medicare expenses for the remainder of the year

03/06/15
Signature of Official/Department Head/Date

Signature of County Mayor/Date

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

POSTED

14009291

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: Circuit Court Clerk
Account: 101-53120

	Account Number	Description	Amount
TO	101-53120-500320	Dues and Memberships	250.00
Used with transfers	101-53120-500355	Travel	1,500.00
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	1,750.00

	Account Number	Description	Amount
FROM	101-53120-500356	Tuition	1,750.00
Used with transfers			
(or)			
EST REVENUE			
Used with inc/dec			
		Total	1,750.00

Explanation: Membership and travel fees for County Officials Association, State Court Clerk, Juvenile and Judicial Conferences.

Mary Millsaps 3/2/15
Signature of Official/Department Head/Date

Signature of County Mayor/Date

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

POSTED

14009290

Blount County Government
Budget Amendment Request
FY 14-15

Type of Amendment:
Transfer ☑
Increase/Decrease ☐

Department: Mayor
Account: 051300

	Account Number	Description	Amount
TO	101-51300-500204	State Retirement	1,035.00
Used with transfers			
(or)			
APPROPRIATION			
Used with inc/dec			
		Total	1,035.00

	Account Number	Description	Amount
FROM	101-51300-500201	Social Security	400.00
Used with transfers	101-51300-500355	Travel	250.00
	101-51300-500161	Secretary	200.00
	101-51300-500599	Other Charges	185.00
(or)			
EST REVENUE			
Used with inc/dec			
		Total	1,035.00

Explanation: Transer to cover remaining expenses in retirement line

Signature of Official/Department Head/Date

Signature of County Mayor/Date

*All requests are due to Financial Analyst's Office by noon on the Tuesday before the Budget Committee Meeting.

RECEIVED

14009292

Blount County Government
Budget Amendment Request
FY 14-15

TYPE OF AMENDMENT:

Transfer	X
Increase/Decrease	

Department: County Trustee

Account: 52400

	Account Number	Description	Amount
TO	101-052400-500355-0	Travel	$275
Used with Transfers			
(or)			
APPROPRIATION			
Used with Incr/Decr			
			$275

	Account Number	Description	Amount
FROM	101-052400-500356-0	Tuition	$275
Used with Transfers			
(or)			
EST. REVENUE			
Used with Incr/Decr			
			$275

Explanation: This transfer will correct a shortage in this operating account.

Signature of Official/Department Head — 3/3/15 — Date

AMS

Signature of County Mayor — Date

* All requests are due to Budget Manager's Office by noon on the Tuesday before the Budget Committee Meeting.

Distribution Salary Percent

data for 3-15

Fund	CC	Description	Appropriation	Expended to Date	Calc Annual Exp	Variance	Budget to Date	Spent to Date
101	51100	COUNTY COMMISSION	147,131.00	110,449.34	147,265.79	-134.79	75%	75%
101	51210	BOARD OF EQUALIZATION	2,600.00	0.00	0.00	2,600.00	75%	0%
101	51300	COUNTY MAYOR/EXECUTIVE OFFICE	177,685.00	133,235.63	177,647.50	37.50	75%	75%
101	51310	PERSONNEL	108,933.00	75,840.22	101,120.29	7,812.71	75%	70%
101	51500	ELECTION COMMISSION	434,710.00	301,567.03	402,089.37	32,620.63	75%	69%
101	51600	REGISTER OF DEEDS	377,563.00	270,337.25	360,449.67	17,113.33	75%	72%
101	51710	DEVELOPMENT	343,660.00	209,987.07	279,982.76	63,677.24	75%	61%
101	51720	PLANNING	156,093.00	116,755.02	155,673.36	419.64	75%	75%
101	51800	COUNTY BUILDINGS	264,505.00	166,757.79	222,343.72	42,161.28	75%	63%
101	51910	PRESERVATION OF RECORDS	66,995.00	48,768.30	65,024.40	1,970.60	75%	73%
101	51920	RISK MANAGEMENT	95,000.00	71,737.30	95,649.74	-649.74	75%	76%
101	52100	ACCOUNTING & BUDGETING	522,108.00	365,687.51	487,583.35	34,524.65	75%	70%
101	52200	PURCHASING	245,403.00	172,104.81	229,473.08	15,929.92	75%	70%
101	52300	PROPERTY ASSESSORS OFFICE	535,602.00	395,660.23	527,546.98	8,055.02	75%	74%
101	52310	REAPPRAISAL PROGRAM	221,436.00	144,981.05	193,308.07	28,127.93	75%	65%
101	52400	COUNTY TRUSTEES OFFICE	317,398.00	229,628.46	306,171.28	11,226.72	75%	72%
101	52500	COUNTY CLERKS OFFICE	690,899.00	513,299.49	684,399.32	6,499.68	75%	74%
101	52600	DATA PROCESSING	377,171.00	250,268.14	333,690.85	43,480.15	75%	66%
101	53110	CIRCUIT COURT JUDGE	76,388.00	13,803.94	18,405.25	57,982.75	75%	18%
101	53120	CIRCUIT COURT CLERK	1,321,249.00	943,470.41	1,257,960.55	63,288.45	75%	71%
101	53200	CRIMINAL COURT	138,407.00	103,792.51	138,390.01	16.99	75%	75%
101	53310	GENERAL SESSIONS JUDGE	760,444.00	568,869.23	758,492.31	1,951.69	75%	75%
101	53400	CHANCERY COURT	312,837.00	224,310.94	299,081.25	13,755.75	75%	72%
101	53500	JUVENILE COURT	304,534.00	218,839.32	291,785.76	12,748.24	75%	72%

101	53610	OFFICE OF PUBLIC DEFENDER	28,800.00	21,600.00	28,800.00	0.00	75%	75%
101	53700	JUDICIAL COMMISSIONERS	157,248.00	116,701.30	155,601.73	1,646.27	75%	74%
101	53900	OTHER ADMINISTRATION OF JUSTICE	337,456.00	231,698.57	308,931.43	28,524.57	75%	69%
101	53910	PROBATION SERVICES	382,902.00	266,043.85	354,725.13	28,176.87	75%	69%
101	54110	SHERIFFS DEPARTMENT	6,376,535.00	4,655,564.58	6,207,419.44	169,115.56	75%	73%
101	54210	JAIL	4,014,800.00	2,750,344.40	3,667,125.88	347,674.12	75%	69%
101	54220	WORKHOUSE	9,820.00	8,837.64	11,783.52	-1,963.52	75%	90%
101	54240	JUVENILE SERVICES	942,681.00	584,520.05	779,360.07	163,320.93	75%	62%
101	54410	CIVIL DEFENSE	111,377.00	44,545.62	59,394.16	51,982.84	75%	40%
101	55110	LOCAL HEALTH CENTER	782,422.00	561,528.69	748,704.92	33,717.08	75%	72%
101	55120	RABIES/ANIMAL CONTROL	214,561.00	155,738.67	207,651.56	6,909.44	75%	73%
101	57500	SOIL CONSERVATION	89,127.00	66,327.30	88,436.40	690.60	75%	74%
101	58300	VETERANS SERVICES	114,475.00	85,855.68	114,474.24	0.76	75%	75%
101	64000	LITTER AND TRASH COLLECT	32,967.00	25,013.50	33,351.33	-384.33	75%	76%
101		GENERAL GOVERNMENT	21,593,922.00	15,224,470.84	20,299,294.47	1,294,627.53	75%	71%
115	51800	COUNTY BUILDINGS	122,174.32	79,637.09	106,182.78	15,991.54	75%	65%
115	56500	LIBRARIES	905,746.20	658,181.35	877,575.13	28,171.07	75%	73%
115	56900	OTHER SOCIAL CULTURAL & RECREATIONAL	54,770.00	42,763.31	57,017.75	-2,247.75	75%	78%
115		PUBLIC LIBRARY	1,082,690.52	780,581.75	1,040,775.66	41,914.86	75%	72%
131	61000	ADMINISTRATION	327,941.06	243,936.20	325,248.27	2,692.79	75%	74%
131	62000	HIGHWAY & BRIDGE MAINTENANCE	1,381,588.00	966,028.83	1,288,038.44	93,549.56	75%	70%
131	63100	OPERATION & MAINTENANCE OF EQUIPMENT	349,766.00	249,485.64	332,647.52	17,118.48	75%	71%
131	65000	OTHER CHARGES-ENGINEERING DEPT.	235,247.00	138,482.51	184,643.34	50,603.66	75%	59%
131		HIGHWAY/PUBLIC WORKS FUND	2,294,542.06	1,597,933.18	2,130,577.57	163,964.49	75%	70%
141	71100	REGULAR INSTRUCTION PROGRAM	29,279,900.00	19,380,679.30	29,156,598.14	123,301.86	66%	66%
141	71200	SPECIAL EDUCATION PROGRAM	5,554,000.00	3,498,318.79	5,299,976.88	254,023.12	66%	63%
141	71300	VOCATIONAL EDUCATION PROGRAM	2,480,000.00	1,645,217.64	2,467,826.46	12,173.54	67%	66%
141	71600	ADULT EDUCATION PROGRAM	176,300.00	114,004.00	171,260.70	5,039.30	66%	65%
141	72110	ATTENDANCE	85,400.00	28,641.45	45,826.32	39,573.68	68%	34%
141	72120	HEALTH SERVICES	614,200.00	382,739.20	598,945.85	15,254.15	64%	62%
141	72130	OTHER STUDENT SUPPORT	1,307,800.00	838,029.56	1,255,673.54	52,126.46	67%	64%

141	72210	REGULAR INSTRUCTION PROGRAM	1,381,600.00	946,438.00	1,383,916.68	-2,316.68	68%	69%
141	72220	SPECIAL EDUCATION PROGRAM	331,000.00	249,387.12	374,080.68	-43,080.68	67%	75%
141	72230	VOCATIONAL EDUCATION PROGRAM	63,300.00	34,571.70	55,314.72	7,985.28	64%	55%
141	72260	ADULT PROGRAMS	81,000.00	52,621.04	80,586.48	413.52	65%	65%
141	72290	OTHER PROGRAMS	0.00	0.00	0.00	0.00	N/A	N/A
141	72310	BOARD OF EDUCATION	128,600.00	73,461.88	106,059.49	22,540.51	69%	57%
141	72320	DIRECTOR OF SCHOOLS	409,700.00	304,903.36	406,537.81	3,162.19	75%	74%
141	72410	OFFICE OF THE PRINCIPAL	4,028,800.00	2,615,816.74	3,998,304.17	30,495.83	65%	65%
141	72510	FISCAL SERVICES	155,400.00	90,244.03	120,325.37	35,074.63	75%	58%
141	72610	OPERATION OF PLANT	2,324,000.00	1,693,450.71	2,257,934.28	66,065.72	75%	73%
141	72620	MAINTENANCE OF PLANT	664,800.00	439,462.42	585,949.89	78,850.11	75%	66%
141	72710	TRANSPORTATION	81,100.00	73,833.85	105,555.76	-24,455.76	71%	91%
141	72810	CENTRAL AND OTHER	224,900.00	168,517.80	224,690.40	209.60	75%	75%
141	73400	EARLY CHILDHOOD EDUCATION	427,300.00	275,050.36	417,599.32	9,700.68	66%	64%
141		GENERAL PURPOSE SCHOOL	49,799,100.00	32,905,388.95	49,112,962.94	686,137.06	67%	66%
142	71100	REGULAR INSTRUCTION PROGRAM	1,779,774.37	1,003,412.64	1,605,460.22	174,314.15	63%	56%
142	71200	SPECIAL EDUCATION PROGRAM	1,448,758.00	899,071.31	1,438,514.10	10,243.90	62%	62%
142	71300	VOCATIONAL EDUCATION PROGRAM	68,600.00	44,767.68	71,628.29	-3,028.29	62%	65%
142	72210	REGULAR INSTRUCTION PROGRAM	471,618.77	319,306.31	510,890.10	-39,271.33	62%	68%
142	72220	SPECIAL EDUCATION PROGRAM	315,500.00	206,681.87	330,691.00	-15,191.00	62%	66%
142		SCHOOL FEDERAL PROJECTS	4,084,251.14	2,473,239.81	3,957,183.71	127,067.43	62%	61%
143	73100	FOOD SERVICE	2,092,200.00	1,319,178.60	2,092,971.79	-771.79	63%	63%
143		CENTRAL CAFETERIA	2,092,200.00	1,319,178.60	2,092,971.79	-771.79	63%	63%
146	73300	COMMUNITY SERVICES	1,133,700.00	668,703.94	1,047,095.34	86,604.66	65%	59%
146		EXT. DAY CARE PROGRAM	1,133,700.00	668,703.94	1,047,095.34	86,604.66	65%	59%

Blount County Government

Memo

To: Blount County Legislative Body

From: Mayor Ed Mitchell

Re: Monthly Financial Report

Per T.C.A. § 5-12-111 (a), (b) (1),(2),(3),(c) (1),(2)

I have enclosed the monthly financial report for your review. I have been informed by the Director of Accounts and Budgets that at this point in time, there are no material adjustment to appropriations that should be made to keep the County budget in balance on normal individual line items.

REPORT 280-101 FUND ACCOUNTING SYSTEM

R E V E N U E C O M P A R I S O N R E P O R T

ACTUAL COLLECTIONS TO ESTIMATED REVENUE FOR FISCAL YEAR
THRU THE MONTH OF MARCH 2015

FND	C.C.	OBJECT	PROJ	ACCOUNT TITLE	COLLECTIONS TO DATE THIS YEAR	ESTIM REVENUE THIS YEAR	BALANCE	PERCENT COLLECTED
101	00000	40110	00000	CURRENT PROPERTY TAX	19,002,020.82	20,608,300.00	1,606,279.18	92.20
101	00000	40115	00000	DISCOUNT ON PROPERTY TAXES	313,259.72-	317,000.00-	3,740.28-	98.82
101	00000	40120	00000	TRUSTEE'S COLLECTIONS-PRIOR YEAR	429,824.71	620,000.00	190,175.29	69.32
101	00000	40125	00000	TRUSTEE'S COLLECTIONS - BANKRUPTCY	118,267.53	150,000.00	31,732.47	78.84
101	00000	40130	00000	CIRCUIT CLERK/CLK & MASTER COLLEC-PRIOR YR	117,215.67	195,000.00	77,784.33	60.11
101	00000	40140	00000	INTEREST & PENALTY	58,870.38	125,000.00	66,129.62	47.09
101	00000	40150	00000	PICK-UP TAXES	0.00	85,000.00	85,000.00	0.00
101	00000	40163	00000	PAYMENTS IN LIEU OF TAXES-OTHER	534,184.23	958,000.00	423,815.77	55.76
101	00000	40220	00000	HOTEL MOTEL TAX	385,071.33	611,043.00	225,971.67	63.01
101	00000	40250	00000	LITIGATION TAX EQUITY DIVISION	13,396.00	21,000.00	7,604.00	63.79
101	00000	40250	00000	LITIGATION TAX-CIRCUIT COURT	1,373.69	2,200.00	826.31	62.44
101	00000	40250	00000	LITIGATION TAX-SESSIONS COURT	153,641.52	234,000.00	80,358.48	65.65
101	00000	40250	00128	LIT TAX - CIRCUIT - SESSIONS COURT	33,566.52	48,500.00	14,933.48	69.20
101	00000	40250	00000	LITIGATION TAX-CHANCERY COURT	2,915.60	4,225.00	1,309.40	69.00
101	00000	40250	00000	LITIGATION TAX -C&M GEN SESS DOMESTIC RELA	18,789.43	31,350.00	12,560.57	59.93
101	00000	40268	00000	LITITGATION TAX - COURTROOM SECURITY GENER	78,119.87	125,000.00	46,880.13	62.49
101	00000	40268	00000	LITIGATION TAX- COURTROOM SECURITY CIRCUIT	7,262.54	10,000.00	2,737.46	72.62
101	00000	40270	00000	BUSINESS TAX	107,597.93	500,000.00	392,402.07	21.51
101	00000	40275	00000	MIXED DRINK TAX	73,518.44	88,000.00	14,481.56	83.54
101	00000	40320	00000	BANK EXCISE TAX	102,276.43	34,000.00	68,276.43-	300.81
101	00000	40330	00000	WHOLESALE BEER TAX	131,226.67	226,347.00	95,120.33	57.97
101	00000	40350	00000	INTERSTATE TELECOMMUNICATIONS TAX	4,790.95	6,411.00	1,620.05	74.73
				**********LOCAL TAXES**********	21,060,670.54	24,366,376.00	3,305,705.46	86.43
101	00000	41140	00000	CABLE TV FRANCHISE	333,378.21	520,000.00	186,621.79	64.11
101	00000	41520	00000	BUILDING PERMITS	214,874.00	226,500.00	11,626.00	94.86
101	00000	41520	00000	BUILDING PERMIT - CLEANUP FEES	0.00	2,000.00	2,000.00	0.00
101	00000	41590	00000	OTHER PERMITS - STORMWATER FEES	980.00	2,000.00	1,020.00	49.00
101	00000	41590	00000	OTHER PERMITS -ADULT ESTABLISHMENT LIC&EMP	0.00	315.00	315.00	0.00
				**********LICENSES AND PERMITS**********	549,232.21	750,815.00	201,582.79	73.15
101	00000	42120	00000	CIRCUIT COURT- OFFICERS COSTS - EQUITY CST	3,053.16	5,800.00	2,746.84	52.64
101	00000	42141	00128	DRUG COURT FEES	14,501.01	23,000.00	8,498.99	63.04
101	00000	42180	00128	DUI EXCESS - CIRCUIT COURT	1,454.21	2,000.00	545.79	72.71
101	00000	42190	00000	DATA ENTRY FEE - CIRCUIT COURT	43,254.82	65,000.00	21,745.18	66.54
101	00000	42190	51900	DATA ENTRY FEE - CIRCUIT COURT	16,629.25	30,000.00	13,370.75	55.43
101	00000	42210	00000	CRIMINAL COURT - FINES CIRCUIT COURT	8,406.55	10,000.00	1,593.45	84.06
101	00000	42220	00000	CRIMINAL COURT -OFFICERS COST CIRUIT COURT	23,458.02	32,000.00	8,541.98	73.30
101	00000	42220	51900	CRIMINAL COURT -OFFICERS COST -CIRCUIT	9,712.00	38,000.00	28,288.00	25.55
101	00000	42292	00000	VICTIMS ASSISTANCE ASSESSMENTS	5,837.27	5,800.00	37.27-	100.64
101	00000	42310	00000	GENERAL SESSIONS FINES	21,093.41	46,000.00	24,906.59	45.85

R E V E N U E C O M P A R I S O N R E P O R T

ACTUAL COLLECTIONS TO ESTIMATED REVENUE FOR FISCAL YEAR
THRU THE MONTH OF MARCH 2015

FND	C.C.	OBJECT	PROJ	ACCOUNT TITLE	COLLECTIONS TO DATE THIS YEAR	ESTIM REVENUE THIS YEAR	BALANCE	PERCENT COLLECTED
101	00000	42310	00000	GEN SESSION FEES OFFICERS TRAINING	13,129.95	13,000.00	129.95-	100.99
101	00000	42310	00000	DUI LITTER PICK UP OPTION	6,539.00	8,000.00	1,461.00	81.73
101	00000	42320	00000	OFFICERS COST-SESSIONS COURT	158,051.69	300,000.00	141,948.31	52.68
101	00000	42320	51900	OFFICERS COST-SESSIONS COURT	181,691.00	200,000.00	18,309.00	90.84
101	00000	42320	00000	OFFICERS COST-DOMESTIC RELATIONS	2,746.99	7,900.00	5,153.01	34.77
101	00000	42320	00000	OFFICERS COST- SHERIFF INFO TECH	16,091.19	20,000.00	3,908.81	80.45
101	00000	42320	51900	OFFICERS COST-SHERIFF INFO TECH	9,337.00	27,000.00	17,663.00	34.58
101	00000	42330	00000	GAME & FISH FINES-SESSIONS COURT	982.62	1,000.00	17.38	98.26
101	00000	42350	00000	JAIL FEES-SESSIONS COURT	24,508.34	33,000.00	8,491.66	74.26
101	00000	42360	00000	PUBLIC DEFENDER FEES	33,593.93	60,000.00	26,406.07	55.98
101	00000	42380	00128	DUI EXCESS - SESSIONS FINES	9,141.16	22,000.00	12,858.84	41.55
101	00000	42391	00000	COURTROOM SECURITY FEE	14,800.63	15,000.00	199.37	98.67
101	00000	42391	51900	COURTROOM SECURITY	6,421.00	40,000.00	33,579.00	16.05
101	00000	42392	00000	VICTIMS ASSISTANCE ASSESSMENTS	33,797.82	75,000.00	41,202.18	45.06
101	00000	42410	00000	JUVENILE COURT FINES	5,450.37	7,500.00	2,049.63	72.67
101	00000	42441	00000	DRUG COURT FEES	1,025.05	2,405.00	1,379.95	42.62
101	00000	42520	00000	OFFICERS COST-CHANCERY COURT	3,541.26	4,798.00	1,256.74	73.80
101	00000	42990	00000	OTHER FINES, FORFEITURES, AND PENALTIES	0.00	500.00	500.00	0.00
				*****FINES, FORFEITURES AND PENALTIES*****	668,248.70	1,094,703.00	426,454.30	61.04
101	00000	43190	00000	GENERAL SERVICE CHARGES FIELD LINE TESTING	74,925.00	89,250.00	14,325.00	83.94
101	00000	43190	00000	GENERAL SERVICE CHARGES RECORDS CKS/FINGER	7,028.00	20,000.00	12,972.00	35.14
101	00000	43190	00000	GENERAL SERVICE CHARGES PLANNING	11,750.00	15,750.00	4,000.00	74.60
101	00000	43190	00000	GENERAL SERVICE CHARGES SUBDIVISION PLATS	1,720.00	2,000.00	280.00	86.00
101	00000	43350	00000	FEES COPIER	2,843.60	3,000.00	156.40	94.78
101	00000	43370	00000	FEES TELEPHONE COMMISSIONS	42,040.83	70,000.00	27,959.17	60.05
101	00000	43392	00000	FEES DATA PROCESSING-REGISTER	25,182.00	45,000.00	19,818.00	55.96
101	00000	43393	00000	FEES PROBATION	423,982.92	657,245.00	233,262.08	64.50
101	00000	43395	00000	FEES SEX OFFENDER REGISTRY	7,650.00	8,000.00	350.00	95.62
101	00000	43396	00000	FEES DATA PROCESSING CLERK AND MASTER	3,581.00	3,544.00	37.00-	101.04
101	00000	43396	00000	FEES COUNTY CLERK COMPUTER	3,077.00	9,710.00	6,633.00	31.68
101	00000	43990	00128	PARTICIPANT CONTRIBUTIONS	2,008.79	2,000.00	8.79-	100.43
				*******CHARGES FOR CURRENT SERVICES*******	605,789.14	925,499.00	319,709.86	65.45
101	00000	44110	00000	RECURRING ITEMS INVESTMENT INCOME	13,110.12	40,500.00	27,389.88	32.37
101	00000	44110	00128	INTEREST EARNED	0.63	5.00	4.37	12.60
101	00000	44120	00000	RECURRING ITEMS LEASE RENTALS	1,526.00	4,800.00	3,274.00	31.79
101	00000	44131	00000	RECURRING ITEMS COMMISSARY SALES	75,495.38	430,000.00	354,504.62	17.55
101	00000	44140	00000	RECURRING ITEMS SALE OF MAPS	97.00	200.00	103.00	48.50
101	00000	44140	00000	RECURRING ITEMS SPECIALTY MAPS	159.27	0.00	159.27-	*******
101	00000	44145	00000	SALE OF RECYCLE MATERIALS	6,027.00	10,000.00	3,973.00	60.27

REPORT 280-101 FUND ACCOUNTING SYSTEM

R E V E N U E C O M P A R I S O N R E P O R T

ACTUAL COLLECTIONS TO ESTIMATED REVENUE FOR FISCAL YEAR
THRU THE MONTH OF MARCH 2015

FND	C.C.	OBJECT	PROJ	ACCOUNT TITLE	COLLECTIONS TO DATE THIS YEAR	ESTIM REVENUE THIS YEAR	BALANCE	PERCENT COLLECTED
101	00000	44170	00000	RECURRING ITEMS MISCELLANEOUS ITEMS	9,712.43	12,000.00	2,287.57	80.93
101	00000	44530	00000	NONRECURRING ITEMS SALE OF EQUIPMENT	1,582.16	5,000.00	3,417.84	31.64
101	00000	44540	00000	NONRECURRING ITEMS SALE OF PROPERTY	22,469.00	30,000.00	7,531.00	74.89
101	00000	44560	00000	NONRECURRING ITEMS DAMAGES RECOVER-INDIVID	439.99	500.00	60.01	87.99
101	00000	44570	00000	NONRECURRING ITEMS CONTRIBUTION AND GIFTS	140.09	200.00	59.91	70.04
101	00000	44990	00000	OTHER LOCAL REVENUES	165.66	5,000.00	4,834.34	3.31
101	00000	44990	00000	NONRECURRING ITEMS RECORDS MGMT.COPIER FEE	680.00	600.00	80.00-	113.33
101	00000	44990	00000	NONRECURRING ITEMS ANIMAL SHELTER FEES	74,159.00	100,000.00	25,841.00	74.15
101	00000	44990	00000	OTHER LOCAL REVENUES CERTIFICATION FEE FOR	53.50	50.00	3.50-	107.00
101	00000	44990	00000	OTHER LOCAL REVENUES MISCELLANEOUS	350.00	100.00	250.00-	350.00
101	00000	44990	00000	OTHER LOCAL REVENUES COURT COST CIRCUIT CT	26,791.10	48,000.00	21,208.90	55.81
101	00000	44990	51900	INDIGENT BILLING REFUND	1,677.88	0.00	1,677.88-	*******
101	00000	44990	00000	OTHER LOCAL REVENUES COURT COSTS GEN.SESS	3,635.11	4,500.00	864.89	80.78
101	00000	44990	00000	OTHER LOCAL REVENUES FEES-DATA PROCESSING	357.77	300.00	57.77-	119.25
101	00000	44990	00000	OTHER LOCAL REVENUES TELEPHONE RE-PAYMENT	2,157.29	2,200.00	42.71	98.05
				**********OTHER LOCAL REVENUES**********	240,786.38	693,955.00	453,168.62	34.69
101	00000	45510	00000	EXCESS FEES COUNTY CLERK	823,628.41	1,658,845.00	835,216.59	49.65
101	00000	45510	00000	EXCESS FEES COUNTY CLERK INTEREST	232.31	387.00	154.69	60.02
101	00000	45520	00000	EXCESS FEES CIRCUIT COURT CLERK FEES	264,651.82	400,000.00	135,348.18	66.16
101	00000	45520	51900	EXCESS FEES CIRCUIT COURT CLERK FEES	68,033.69	200,000.00	131,966.31	34.01
101	00000	45540	00000	EXCESS FEES GENERAL SESSIONS CLERK FEES	998,952.45	1,650,000.00	651,047.55	60.54
101	00000	45540	51900	EXCESS FEES GENERAL SESSIONS FEES	281,495.90	750,000.00	468,504.10	37.53
101	00000	45550	00000	EXCESS FEES CLERK & MASTER FEES	275,290.08	400,000.00	124,709.92	68.82
101	00000	45550	00000	EXCESS FEES CLERK & MASTER INTEREST	97.53	216.00	118.47	45.15
101	00000	45580	00000	EXCESS FEES REGISTER OF DEEDS FEES	332,865.95	600,000.00	267,134.05	55.47
101	00000	45580	00000	EXCESS FEES REGISTEER OF DEEDS INTEREST	73.36	80.00	6.64	91.70
101	00000	45580	00000	EXCESS FEES REGISTER OF DEEDS 2.4% INT.	47,323.59	60,000.00	12,676.41	78.87
101	00000	45590	00000	EXCESS FEES SHERIFF'S FEES	42,290.09	32,000.00	10,290.09-	132.15
101	00000	45610	00000	EXCESS FEES TRUSTEE	1,722,924.63	1,950,000.00	227,075.37	88.35
				FEES RECEIVED FROM COUNTY OFFICIALS*	4,857,859.81	7,701,528.00	2,843,668.19	63.07
101	00000	46110	00000	GEN.GOVENMT.GRANTS COMM.ON CHILD & YOUTH	0.00	9,000.00	9,000.00	0.00
101	00000	46310	00000	HEALTH DEPARTMENT PROGRAMS	897.87	69,960.00	69,062.13	1.28
101	00000	46310	55111	GENERAL GOVERNMENT GRANTS HEALTH DEPT.PROG	410,468.80	906,300.00	495,831.20	45.29
101	00000	46430	00000	PUBLIC WORKS GRANTS - LITTER PROGRAM	35,948.84	55,000.00	19,051.16	65.36
101	00000	46820	00000	OTHER STATE REVENUES - INCOME TAX	0.00	550,000.00	550,000.00	0.00
101	00000	46830	00000	BEER TAX	9,698.13	19,000.00	9,301.87	51.04
101	00000	46835	00000	VEHICLE CERTIFICATION OF TITLE FEES	12,306.35	25,000.00	12,693.65	49.22
101	00000	46840	00000	ALCOHOLIC BEVERAGE TAX	88,892.37	120,000.00	31,107.63	74.07
101	00000	46850	00000	MIXED DRINK TAX	0.00	88,000.00	88,000.00	0.00

R E V E N U E C O M P A R I S O N R E P O R T

ACTUAL COLLECTIONS TO ESTIMATED REVENUE FOR FISCAL YEAR
THRU THE MONTH OF MARCH 2015

FND	C.C.	OBJECT	PROJ	ACCOUNT TITLE	COLLECTIONS TO DATE THIS YEAR	ESTIM REVENUE THIS YEAR	BALANCE	PERCENT COLLECTED
101	00000	46915	00000	CONTRACTED PRISONER BOARD	1,263,624.00	1,540,000.00	276,376.00	82.05
101	00000	46960	00000	REGISTRAR'S SALARY SUPPLEMENT	7,582.00	15,164.00	7,582.00	50.00
101	00000	46980	00000	OTHER STATE GRANTS	61,517.35	98,668.00	37,150.65	62.34
101	00000	46980	00128	OTHER STATE GRANTS	50,899.28	70,000.00	19,100.72	72.71
101	00000	46990	00000	OTHER STATE REVENUES	19,481.17	16,000.00	3,481.17-	121.75
				**********STATE OF TENNESSEE**********	1,961,316.16	3,582,092.00	1,620,775.84	54.75
101	00000	47590	00000	OTHER FEDERAL THROUGH STATE	179,141.66	300,000.00	120,858.34	59.71
101	00000	47590	54456	OTHER FEDERAL THROUGH STATE EMA	6,500.00	6,500.00	0.00	100.00
101	00000	47590	54457	OTHER FEDERAL-STATE	57,500.00	0.00	57,500.00-	*******
101	00000	47715	00000	TAX CREDIT BOND REBATE	334,159.06	668,319.00	334,159.94	49.99
101	00000	47990	00000	OTHER DIRECT FEDERAL REVENUE	1,359,708.35	1,619,100.00	259,391.65	83.97
				**********FEDERAL GOVERNMENT**********	1,937,009.07	2,593,919.00	656,909.93	74.67
101	00000	48110	00000	PRISONER BOARD	4,800.00	3,000.00	1,800.00-	160.00
101	00000	48140	00000	CONTRACTED SERVICES	38,885.00	42,500.00	3,615.00	91.49
101	00000	48140	00000	CITY OF MARYVILLE	0.00	41,405.00	41,405.00	0.00
101	00000	48140	00000	CONTRACTED SERVICES - CITY ELECTION FUND	7,250.00	5,800.00	1,450.00-	125.00
101	00000	48140	00000	CITY OF ALCOA	0.00	29,671.00	29,671.00	0.00
101	00000	48610	00000	DONATIONS	9,597.31	10,000.00	402.69	95.97
101	00000	48610	05512	DONATIONS	69,700.00	86,015.00	16,315.00	81.03
101	00000	48990	00000	OTHER	0.00	4,202,799.00	4,202,799.00	0.00
				OTHER GOVERNMENTS AND CITIZENS GROUPS*	130,232.31	4,421,190.00	4,290,957.69	2.94
101	00000	49800	00000	OPERATING TRANSFERS	219,889.00	219,889.00	0.00	100.00
				*******OTHER SOURCES (NON-REVENUE)********	219,889.00	219,889.00	0.00	100.00
				FUND TOTAL	32,231,033.32	46,349,966.00	14,118,932.68	69.53
112	00000	40260	00000	COUNTY CLERK	0.00	200.00	200.00	0.00
112	00000	40260	00000	CHANCERY COURT	68.82	120.00	51.18	57.35
112	00000	40260	00000	COURT-EQUITY DIVISION	316.20	415.00	98.80	76.19
112	00000	40260	00000	LITIGATION TAX	291.09	375.00	83.91	77.62
112	00000	40260	00000	LITIGATION TAX - C&M - DOMESTIC	163.69	350.00	186.31	46.76
112	00000	40266	00000	GENERAL SESSIONS	102,671.37	165,000.00	62,328.63	62.22
112	00000	40266	00000	CIRCUIT COURT	8,482.67	12,500.00	4,017.33	67.86
				**********LOCAL TAXES**********	111,993.84	178,960.00	66,966.16	62.58
112	00000	48990	00000	OTHER - USE OF RESERVE	0.00	6,340.00	6,340.00	0.00
				OTHER GOVERNMENTS AND CITIZENS GROUPS*	0.00	6,340.00	6,340.00	0.00

R E V E N U E C O M P A R I S O N R E P O R T

ACTUAL COLLECTIONS TO ESTIMATED REVENUE FOR FISCAL YEAR
THRU THE MONTH OF MARCH 2015

FND	C.C.	OBJECT	PROJ	ACCOUNT TITLE	COLLECTIONS TO DATE THIS YEAR	ESTIM REVENUE THIS YEAR	BALANCE	PERCENT COLLECTED
				FUND TOTAL	111,993.84	185,300.00	73,306.16	60.43
114	00000	40260	00000	LIT. TAX LAW LIBRARY-EQUITY DIVISION	316.20	475.00	158.80	66.56
114	00000	40260	00000	LIT. TAX LAW LIBRARY, CIRCUIT COURT	382.32	580.00	197.68	65.91
114	00000	40260	00000	LIT.TAX-LAW LIBRARY SESSIONS COURT	4,332.15	7,858.00	3,525.85	55.13
114	00000	40260	00000	LIT. TAX LAW LIBRARY - CHANCERY COURT	68.82	100.00	31.18	68.82
114	00000	40260	00000	LIT. TAX LAW LIBRARY - DOMESTIC RELATIONS	163.69	300.00	136.31	54.56
114	00000	40260	00000	LITIGATION TAX	291.09	500.00	208.91	58.21
				**********LOCAL TAXES**********	5,554.27	9,813.00	4,258.73	56.60
				FUND TOTAL	5,554.27	9,813.00	4,258.73	56.60
115	00000	43190	00000	OTHER GENERAL SERVICE CHARGES	0.00	5,500.00	5,500.00	0.00
115	00000	43350	00000	COPY FEES	15,901.08	22,000.00	6,098.92	72.27
115	00000	43360	00000	LIBRARY FEES	47,665.80	75,567.00	27,901.20	63.07
				*******CHARGES FOR CURRENT SERVICES*******	63,566.88	103,067.00	39,500.12	61.67
115	00000	44110	00000	INTEREST EARNED	957.27	2,548.00	1,590.73	37.56
115	00000	44146	00000	E RATE FUNDING	0.00	5,000.00	5,000.00	0.00
115	00000	44570	00000	CONTRIBUTIONS & GIFTS	1,594.00	1,000.00	594.00-	159.40
115	00000	44990	00000	OTHER LOCAL REVENUES	11,869.55	20,000.00	8,130.45	59.34
115	00000	44990	00000	OTHER LOCAL REVENUES-RESALE ITEMS	1,042.28	1,000.00	42.28-	104.22
115	00000	44990	00000	OTHER LOCAL REVENUES-CAFE	41,908.12	65,000.00	23,091.88	64.47
115	00000	44990	00000	OTHER LOCAL REVENUES-MEETING ROOM RENTAL	16,542.50	26,283.00	9,740.50	62.93
				**********OTHER LOCAL REVENUES**********	73,913.72	120,831.00	46,917.28	61.17
115	00000	46190	00000	OTHER GENERAL GOVERNMENT GRANTS	0.00	3,000.00	3,000.00	0.00
				**********STATE OF TENNESSEE**********	0.00	3,000.00	3,000.00	0.00
115	00000	48130	00000	CONTRIBUTIONS - CITY OF MARYVILLE	179,904.00	0.00	179,904.00-	*******
115	00000	48140	00000	CITY OF MARYVILLE	359,808.00	719,616.00	359,808.00	50.00
115	00000	48140	00000	CITY OF ALCOA	138,446.25	179,905.00	41,458.75	76.95
115	00000	48610	00000	DONATIONS	0.00	10,000.00	10,000.00	0.00
115	00000	48990	00000	OTHER	0.00	500,031.00	500,031.00	0.00
				OTHER GOVERNMENTS AND CITIZENS GROUPS*	678,158.25	1,409,552.00	731,393.75	48.11
115	00000	49800	00000	TRANSFERS IN-BLOUNT COUNTY	674,640.00	899,520.00	224,880.00	75.00
				*******OTHER SOURCES (NON-REVENUE)********	674,640.00	899,520.00	224,880.00	75.00

R E V E N U E C O M P A R I S O N R E P O R T

ACTUAL COLLECTIONS TO ESTIMATED REVENUE FOR FISCAL YEAR
THRU THE MONTH OF MARCH 2015

FND	C.C.	OBJECT	PROJ	ACCOUNT TITLE	COLLECTIONS TO DATE THIS YEAR	ESTIM REVENUE THIS YEAR	BALANCE	PERCENT COLLECTED
				FUND TOTAL	1,490,278.85	2,535,970.00	1,045,691.15	58.76
122	00000	42140	00000	DRUG CONTROL FINES - CIRCUIT COURT	852.62	2,625.00	1,772.38	32.48
122	00000	42340	00000	DRUG CONTROL FINES - SESSIONS COURT	8,199.91	13,000.00	4,800.09	63.07
122	00000	42910	00000	PROCEEDS FR CONFISCATED PROPERTY	13,071.11	25,000.00	11,928.89	52.28
				*****FINES, FORFEITURES AND PENALTIES*****	22,123.64	40,625.00	18,501.36	54.45
122	00000	43370	00000	TELEPHONE COMMISSIONS	42,040.79	53,000.00	10,959.21	79.32
				*******CHARGES FOR CURRENT SERVICES*******	42,040.79	53,000.00	10,959.21	79.32
122	00000	44110	00000	RECURRING ITEMS - INVESTMENT INCOME	1,941.30	1,200.00	741.30-	161.77
				**********OTHER LOCAL REVENUES**********	1,941.30	1,200.00	741.30-	161.77
122	00000	47700	00000	ASSET FORFEITURE FUNDS	9,109.33	75,000.00	65,890.67	12.14
				***********FEDERAL GOVERNMENT***********	9,109.33	75,000.00	65,890.67	12.14
122	00000	48990	00000	OTHER	0.00	33,675.00	33,675.00	0.00
				OTHER GOVERNMENTS AND CITIZENS GROUPS*	0.00	33,675.00	33,675.00	0.00
				FUND TOTAL	75,215.06	203,500.00	128,284.94	36.96
131	00000	40162	00000	PAYMENTS IN LIEU OF TAXES-LOCAL UTILITIES	0.00	185,000.00	185,000.00	0.00
131	00000	40210	00000	LOCAL OPTION SALES TAX	1,527,953.40	2,683,800.00	1,155,846.60	56.93
131	00000	40280	00000	MINERAL SEVERANCE TAX	30,843.09	30,000.00	843.09-	102.81
				**********LOCAL TAXES**********	1,558,796.49	2,898,800.00	1,340,003.51	53.77
131	00000	41590	00000	OTHER PERMITS	63,530.48	200,000.00	136,469.52	31.76
				**********LICENSES AND PERMITS**********	63,530.48	200,000.00	136,469.52	31.76
131	00000	44110	00000	INVESTMENT INCOME	2,695.95	4,000.00	1,304.05	67.39
131	00000	44130	00000	SALE OF MATERIALS & SUPPLIES	1,456.30	200.00	1,256.30-	728.15
131	00000	44145	00000	SALE OF RECYCLED MATERIALS	10,139.50	2,400.00	7,739.50-	422.47
131	00000	44530	00000	SALE OF EQUIPMENT	28,979.06	7,000.00	21,979.06-	413.98
131	00000	44560	00000	DAMAGES RECOVERED	150.00	0.00	150.00-	*******
				**********OTHER LOCAL REVENUES**********	43,420.81	13,600.00	29,820.81-	319.27
131	00000	46420	00000	STATE AID PROGRAM	427,054.99	375,000.00	52,054.99-	113.88
131	00000	46920	00000	GASOLINE & MOTOR FUEL TAX	1,496,736.50	2,475,000.00	978,263.50	60.47
131	00000	46930	00000	PETROLEUM SPECIAL TAX	51,775.01	86,000.00	34,224.99	60.20

REPORT 280-101 FUND ACCOUNTING SYSTEM

R E V E N U E C O M P A R I S O N R E P O R T

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FND	C.C.	OBJECT	PROJ	ACCOUNT TITLE	COLLECTIONS TO DATE THIS YEAR	ESTIM REVENUE THIS YEAR	BALANCE	PERCENT COLLECTED
131	00000	46990	00000	OTHER STATE REVENUES	90,585.32	0.00	90,585.32-	*******
				**********STATE OF TENNESSEE**********	2,066,151.82	2,936,000.00	869,848.18	70.37
131	00000	47990	00000	OTHER DIRECT FED REVENUE	0.00	9,000.00	9,000.00	0.00
				**********FEDERAL GOVERNMENT**********	0.00	9,000.00	9,000.00	0.00
131	00000	48990	00000	OTHER	0.00	1,441,835.00	1,441,835.00	0.00
				OTHER GOVERNMENTS AND CITIZENS GROUPS*	0.00	1,441,835.00	1,441,835.00	0.00
131	00000	49700	00000	INSURANCE RECOVERY	1,543.14	0.00	1,543.14-	*******
				*******OTHER SOURCES (NON-REVENUE)********	1,543.14	0.00	1,543.14-	0.00
				FUND TOTAL	3,733,442.74	7,499,235.00	3,765,792.26	49.78
141	00000	40110	00000	CURRENT PROPERTY TAX	18,880,941.99	20,465,000.00	1,584,058.01	92.25
141	00000	40115	00000	DISCOUNT ON PROPERTY TAXES	311,439.81-	304,000.00-	7,439.81	102.44
141	00000	40120	00000	TRUSTEE'S COLLECTIONS-PRIOR YEAR	425,731.22	425,000.00	731.22-	100.17
141	00000	40125	00000	TRUSTEE'S COLLECTIONS - BANKRUPTCY	110,804.78	18,000.00	92,804.78-	615.58
141	00000	40130	00000	CIRCUIT COURT/CLERK & MASTER COLLECT - PY	116,475.66	175,000.00	58,524.34	66.55
141	00000	40140	00000	INTEREST & PENALTY	58,684.06	100,000.00	41,315.94	58.68
141	00000	40161	00000	PAYMENTS IN LIEU OF TAXES-TVA	8,852.38	13,000.00	4,147.62	68.09
141	00000	40162	00000	PAYMENTS IN LIEU OF TAXES-LOCAL UTILITIES	0.00	170,000.00	170,000.00	0.00
141	00000	40163	00000	IN LIEU OF TAXES	93.67	7,000.00	6,906.33	1.33
141	00000	40210	00000	LOCAL OPTION SALES TAX	6,882,365.90	11,275,000.00	4,392,634.10	61.04
141	00000	40270	00000	BUSINESS TAX	106,918.65	450,000.00	343,081.35	23.75
141	00000	40275	00000	MIXED DRINK TAX	73,518.43	65,000.00	8,518.43-	113.10
141	00000	40350	00000	INTERSTATE TELECOMMUNICATION TAX	4,385.39	5,000.00	614.61	87.70
				**********LOCAL TAXES**********	26,357,332.32	32,864,000.00	6,506,667.68	80.20
141	00000	41110	00000	MARRIAGE LICENSES	3,470.41	5,000.00	1,529.59	69.40
				**********LICENSES AND PERMITS**********	3,470.41	5,000.00	1,529.59	69.40
141	00000	43542	00000	INSTRUCTIONAL SERVICES CONTRACT	0.00	42,500.00	42,500.00	0.00
				*******CHARGES FOR CURRENT SERVICES*******	0.00	42,500.00	42,500.00	0.00
141	00000	44110	00000	INTEREST EARNED	11,645.50	15,000.00	3,354.50	77.63
141	00000	44120	00000	LEASE/RENTALS	11,100.00	13,000.00	1,900.00	85.38
141	00000	44146	00000	REFUND OF TELECOMMUNICATIONS/INTERNET	67,144.24	50,000.00	17,144.24-	134.28
141	00000	44530	00000	SALE OF EQUIPMENT	0.00	10,000.00	10,000.00	0.00
141	00000	44560	00000	DAMAGES RECOVER-INDIVIDUALS	36.00	10,000.00	9,964.00	0.36

R E V E N U E C O M P A R I S O N R E P O R T

ACTUAL COLLECTIONS TO ESTIMATED REVENUE FOR FISCAL YEAR
THRU THE MONTH OF MARCH 2015

FND	C.C.	OBJECT	PROJ	ACCOUNT TITLE	COLLECTIONS TO DATE THIS YEAR	ESTIM REVENUE THIS YEAR	BALANCE	PERCENT COLLECTED
141	00000	44570	00000	CONTRIBUTIONS & GIFTS	81,573.66	148,000.00	66,426.34	55.11
141	00000	44990	00000	OTHER LOCAL REVENUES	64,433.50	117,000.00	52,566.50	55.07
				**********OTHER LOCAL REVENUES**********	235,932.90	363,000.00	127,067.10	64.99
141	00000	46511	00000	BASIC EDUCATION	35,829,600.00	44,787,000.00	8,957,400.00	80.00
141	00000	46515	00000	PRESCHOOL LOTTERY GRANT	0.00	597,000.00	597,000.00	0.00
141	00000	46590	00000	OTHER STATE EDUCATION FUNDS	220.00	206,500.00	206,280.00	0.10
141	00000	46610	00000	CAREER LADDER PROGRAM	159,362.36	350,000.00	190,637.64	45.53
141	00000	46612	00000	CAREER LADDER EXTENDED CONTRACT	39,147.50	88,000.00	48,852.50	44.48
141	00000	46851	00000	STATE REVENUE SHARING-TVA	733,752.44	1,400,000.00	666,247.56	52.41
141	00000	46980	00000	OTHER STATE GRANTS	48,321.93	147,531.00	99,209.07	32.75
				**********STATE OF TENNESSEE**********	36,810,404.23	47,576,031.00	10,765,626.77	77.37
141	00000	47120	00000	ADULT BASIC EDUCATION 84.002	81,194.86	206,000.00	124,805.14	39.41
141	00000	47143	00000	EDUCATION OF THE HANDICAPPED ACT 84.027	126,313.56	238,000.00	111,686.44	53.07
141	00000	47640	00000	ROTC REIMBURSEMENT	63,533.12	130,000.00	66,466.88	48.87
				**********FEDERAL GOVERNMENT**********	271,041.54	574,000.00	302,958.46	47.21
141	00000	48990	00000	FUND BALANCE	0.00	1,185,840.00	1,185,840.00	0.00
				OTHER GOVERNMENTS AND CITIZENS GROUPS*	0.00	1,185,840.00	1,185,840.00	0.00
141	00000	49800	00000	OPERATING TRANSFERS - INDIRECT COSTS	0.00	30,000.00	30,000.00	0.00
				*******OTHER SOURCES (NON-REVENUE)********	0.00	30,000.00	30,000.00	0.00
				FUND TOTAL	63,678,181.40	82,640,371.00	18,962,189.60	77.05
142	00000	47131	61501	CARL PERKINS	100,135.91	169,902.00	69,766.09	58.93
142	00000	47141	11501	TITLE I	1,386,330.42	2,322,111.08	935,780.66	59.70
142	00000	47141	11503	CONSOL ADMIN 2014/2015	126,489.56	0.00	126,489.56-	*******
142	00000	47143	31501	IDEA PART B	1,445,579.93	2,762,367.40	1,316,787.47	52.33
142	00000	47143	31502	SPECIAL EDUCATION - IDEA PART B	77,196.00	77,196.00	0.00	100.00
142	00000	47143	31503	SPECIAL EDUCATION - IDEA PART B	64,600.00	64,600.00	0.00	100.00
142	00000	47143	41401		4,655.47-	0.00	4,655.47	*******
142	00000	47143	41501	IDEA PRESCHOOL	61,329.40	135,708.99	74,379.59	45.19
142	00000	47146	91501	TITLE III	8,840.85	22,961.50	14,120.65	38.50
142	00000	47189	71501	TITLE II	7,146.30	439,678.49	432,532.19	1.62
142	00000	47311	51404	RACE TO THE TOP - ARRA	47,802.66	83,053.71	35,251.05	57.55
142	00000	47311	51502	RACE TO THE TOP	70,334.39	178,448.75	108,114.36	39.41
142	00000	47590	81501	VOCATIONAL TRANSITION TO WORK	25,454.31	98,600.00	73,145.69	25.81
				**********FEDERAL GOVERNMENT**********	3,416,584.26	6,354,627.92	2,938,043.66	53.76

R E V E N U E C O M P A R I S O N R E P O R T

ACTUAL COLLECTIONS TO ESTIMATED REVENUE FOR FISCAL YEAR
THRU THE MONTH OF MARCH 2015

FND	C.C.	OBJECT	PROJ	ACCOUNT TITLE	COLLECTIONS TO DATE THIS YEAR	ESTIM REVENUE THIS YEAR	BALANCE	PERCENT COLLECTED
142	00000	49800	11503	CONSOLIDATED ADMIN	0.00	190,002.47	190,002.47	0.00
				*******OTHER SOURCES (NON-REVENUE)********	0.00	190,002.47	190,002.47	0.00
				FUND TOTAL	3,416,584.26	6,544,630.39	3,128,046.13	52.20
143	00000	43570	00000	RECEIPTS FROM INDIVIDUAL SCHOOLS	1,410,058.35	1,996,000.00	585,941.65	70.64
				*******CHARGES FOR CURRENT SERVICES*******	1,410,058.35	1,996,000.00	585,941.65	70.64
143	00000	44110	00000	INTEREST EARNED	535.41	3,000.00	2,464.59	17.84
				**********OTHER LOCAL REVENUES**********	535.41	3,000.00	2,464.59	17.84
143	00000	46520	00000	SCHOOL FOOD SERVICE	50,087.52	52,000.00	1,912.48	96.32
				**********STATE OF TENNESSEE**********	50,087.52	52,000.00	1,912.48	96.32
143	00000	47111	00000	USDA SCHOOL LUNCH PROGRAM	1,264,827.52	2,325,000.00	1,060,172.48	54.40
143	00000	47112	00000	USDA COMMODITIES-SECTION 11 LUNCH	0.00	300,000.00	300,000.00	0.00
143	00000	47113	00000	BREAKFAST PROGRAM	495,175.80	911,000.00	415,824.20	54.35
143	00000	47114	00000	USDA-OTHER	9,800.48	0.00	9,800.48-	*******
143	00000	47115	00000		0.00	20,000.00	20,000.00	0.00
				**********FEDERAL GOVERNMENT**********	1,769,803.80	3,556,000.00	1,786,196.20	49.76
143	00000	48990	00000	OTHER	0.00	206,000.00	206,000.00	0.00
				OTHER GOVERNMENTS AND CITIZENS GROUPS*	0.00	206,000.00	206,000.00	0.00
				FUND TOTAL	3,230,485.08	5,813,000.00	2,582,514.92	55.57
146	00000	43581	00000	COMMUNITY SERVICE FEES-CHILDREN	825,288.18	1,328,000.00	502,711.82	62.14
				*******CHARGES FOR CURRENT SERVICES*******	825,288.18	1,328,000.00	502,711.82	62.14
146	00000	44110	00000	INTEREST EARNED	290.75	1,000.00	709.25	29.07
146	00000	44990	00000	OTHER LOCAL REVENUES	3,600.00	4,000.00	400.00	90.00
				**********OTHER LOCAL REVENUES**********	3,890.75	5,000.00	1,109.25	77.81
146	00000	46590	00000	OTHER STATE EDUCATION	28,449.90	45,000.00	16,550.10	63.22
146	00000	46590	00000	OTHER STATE EDUCATION FUNDS-CHILD CARE DHS	54,503.60	118,000.00	63,496.40	46.18
				**********STATE OF TENNESSEE**********	82,953.50	163,000.00	80,046.50	50.89
146	00000	48990	00000	OTHER	0.00	132,000.00	132,000.00	0.00
				OTHER GOVERNMENTS AND CITIZENS GROUPS*	0.00	132,000.00	132,000.00	0.00

R E V E N U E C O M P A R I S O N R E P O R T

ACTUAL COLLECTIONS TO ESTIMATED REVENUE FOR FISCAL YEAR
THRU THE MONTH OF MARCH 2015

FND	C.C.	OBJECT	PROJ	ACCOUNT TITLE	COLLECTIONS TO DATE THIS YEAR	ESTIM REVENUE THIS YEAR	BALANCE	PERCENT COLLECTED
				FUND TOTAL	912,132.43	1,628,000.00	715,867.57	56.02
151	00000	40110	00000	CURRENT PROPERTY TAX	12,090,822.98	13,117,100.00	1,026,277.02	92.17
151	00000	40115	00000	DISCOUNT ON PROPERTY TAXES	199,402.16-	190,000.00-	9,402.16	104.94
151	00000	40120	00000	TRUSTEE'S COLLECTIONS - PRIOR YEARS	273,105.14	330,000.00	56,894.86	82.75
151	00000	40125	00000	TRUSTEE'S COLLECTIONS - BANKRUPTCY	73,385.68	10,000.00	63,385.68-	733.85
151	00000	40130	00000	CIR.CLRK/CLK&MASTER COLLECTIONS PR.YEAR	74,591.40	120,000.00	45,408.60	62.15
151	00000	40140	00000	INTEREST & PENALTY	38,611.88	63,000.00	24,388.12	61.28
151	00000	40150	00000	PICK UP TAXES	0.00	17,500.00	17,500.00	0.00
151	00000	40162	00000	PAYMENTS IN LIEU OF TAXES-LOCAL UTILITIES	0.00	115,000.00	115,000.00	0.00
151	00000	40163	00000	INDUSTRIAL DEVELOPMENT BOARD	152.87	0.00	152.87-	*******
151	00000	40210	00000	LOCAL OPTION SALES TAX	339,545.21	600,000.00	260,454.79	56.59
151	00000	40270	00000	BUSINESS TAX	68,471.06	310,000.00	241,528.94	22.08
				**********LOCAL TAXES**********	12,759,284.06	14,492,600.00	1,733,315.94	88.03
151	00000	44110	00000	INVESTMENT INCOME	124,467.11	55,000.00	69,467.11-	226.30
151	00000	44120	00000	LEASE/RENTALS	38,000.00	38,000.00	0.00	100.00
151	00000	44540	00000	SALE OF PROPERTY-RACE TRACK	25,000.00	25,000.00	0.00	100.00
				**********OTHER LOCAL REVENUES**********	187,467.11	118,000.00	69,467.11-	158.87
151	00000	48130	00000	CONTRIBUTIONS	352,832.00	468,422.00	115,590.00	75.32
151	00000	48140	00000	CITY OF MARYVILLE	113,133.37	144,977.00	31,843.63	78.03
151	00000	48140	00000	CITY OF ALCOA	92,544.11	103,160.00	10,615.89	89.70
				OTHER GOVERNMENTS AND CITIZENS GROUPS*	558,509.48	716,559.00	158,049.52	77.94
151	00000	49800	00000	TRANSFERS IN	334,159.06	668,318.00	334,158.94	50.00
				*******OTHER SOURCES (NON-REVENUE)********	334,159.06	668,318.00	334,158.94	50.00
				FUND TOTAL	13,839,419.71	15,995,477.00	2,156,057.29	86.52
176	00000	41140	00000	CABLE TV FRANCHISE FEE	240,000.00	240,000.00	0.00	100.00
				**********LICENSES AND PERMITS**********	240,000.00	240,000.00	0.00	100.00
				FUND TOTAL	240,000.00	240,000.00	0.00	100.00
189	00000	49800	11128	OPERATING TRANSFERS	0.00	177,045.00	177,045.00	0.00
				*******OTHER SOURCES (NON-REVENUE)********	0.00	177,045.00	177,045.00	0.00

R E V E N U E C O M P A R I S O N R E P O R T

ACTUAL COLLECTIONS TO ESTIMATED REVENUE FOR FISCAL YEAR
THRU THE MONTH OF MARCH 2015

FND	C.C.	OBJECT	PROJ	ACCOUNT TITLE	COLLECTIONS TO DATE THIS YEAR	ESTIM REVENUE THIS YEAR	BALANCE	PERCENT COLLECTED
				FUND TOTAL	0.00	177,045.00	177,045.00	0.00
191	00000	44110	00000	INTEREST EARNED	2,477.00	600.00	1,877.00-	412.83
191	00000	44110	00000	INVESTMENT INCOME	0.00	3,600.00	3,600.00	0.00
				**********OTHER LOCAL REVENUES**********	2,477.00	4,200.00	1,723.00	58.97
				FUND TOTAL	2,477.00	4,200.00	1,723.00	58.97
263	00000	43101	00000	SELF-INSURANCE PREMIUMS	1,051,000.00	1,171,253.00	120,253.00	89.73
				*******CHARGES FOR CURRENT SERVICES*******	1,051,000.00	1,171,253.00	120,253.00	89.73
263	00000	44110	00000	INTEREST EARNED	1,634.45	300.00	1,334.45-	544.81
				**********OTHER LOCAL REVENUES**********	1,634.45	300.00	1,334.45-	544.81
263	00000	49700	00000	INSURANCE RECOVERY	1,982.00	250.00	1,732.00-	792.80
				*******OTHER SOURCES (NON-REVENUE)********	1,982.00	250.00	1,732.00-	792.80
				FUND TOTAL	1,054,616.45	1,171,803.00	117,186.55	89.99
264	00000	43101	00000	SELF-INSURANCE PREMIUMS	5,821,786.99	9,300,000.00	3,478,213.01	62.59
264	00000	43102	00000	OTHER EMPLOYEE BENEFITS	6,043,593.02	9,000,000.00	2,956,406.98	67.15
				*******CHARGES FOR CURRENT SERVICES*******	11,865,380.01	18,300,000.00	6,434,619.99	64.83
264	00000	44110	00000	INTEREST EARNED	6,047.60	12,000.00	5,952.40	50.39
264	00000	44160	00000	RETIREES INSURANCE PMTS	829,361.34	630,000.00	199,361.34-	131.64
264	00000	44161	00000	COBRA INSURANCE PAYMENTS	23,813.81	50,000.00	26,186.19	47.62
				**********OTHER LOCAL REVENUES**********	859,222.75	692,000.00	167,222.75-	124.16
				FUND TOTAL	12,724,602.76	18,992,000.00	6,267,397.24	66.99
266	00000	43101	00000	SELF-INSURANCE PREMIUMS	923,720.39	1,100,071.00	176,350.61	83.96
				*******CHARGES FOR CURRENT SERVICES*******	923,720.39	1,100,071.00	176,350.61	83.96
266	00000	44110	00000	INTEREST EARNED	382.23	400.00	17.77	95.55
				**********OTHER LOCAL REVENUES**********	382.23	400.00	17.77	95.55
266	00000	49700	00000	INSURANCE RECOVERY	145.23	0.00	145.23-	*******

R E V E N U E C O M P A R I S O N R E P O R T

ACTUAL COLLECTIONS TO ESTIMATED REVENUE FOR FISCAL YEAR
THRU THE MONTH OF MARCH 2015

FND	C.C.	OBJECT	PROJ	ACCOUNT TITLE	COLLECTIONS TO DATE THIS YEAR	ESTIM REVENUE THIS YEAR	BALANCE	PERCENT COLLECTED
				*******OTHER SOURCES (NON-REVENUE)********	145.23	0.00	145.23-	0.00
				FUND TOTAL	924,247.85	1,100,471.00	176,223.15	83.98
336	00000	48990	00000	OTHER-TAX TRUST FUND	2,178.02	0.00	2,178.02-	*******
				OTHER GOVERNMENTS AND CITIZENS GROUPS*	2,178.02	0.00	2,178.02-	0.00
				FUND TOTAL	2,178.02	0.00	2,178.02-	*******
351	00000	40210	00000	CITY OF MARYVILLE	5,629,103.66	7,350,000.00	1,720,896.34	76.58
351	00000	40210	00000	CITY OF ALCOA	5,723,934.26	6,750,000.00	1,026,065.74	84.79
351	00000	40210	00000	CITY OF FRIENDSVILLE	60,762.65	97,000.00	36,237.35	62.64
351	00000	40210	00000	CITY OF ROCKFORD	160,584.88	105,000.00	55,584.88-	152.93
351	00000	40210	00000	CITY OF TOWNSEND	284,910.73	270,000.00	14,910.73-	105.52
351	00000	40210	00000	CITY OF LOUISVILLE	137,761.91	205,000.00	67,238.09	67.20
				**********LOCAL TAXES**********	11,997,058.09	14,777,000.00	2,779,941.91	81.18
				FUND TOTAL	11,997,058.09	14,777,000.00	2,779,941.91	81.18
355	00000	40110	00000	CURRENT PROPERTY TAX	3,139,274.08	3,429,000.00	289,725.92	91.55
355	00000	40115	00000	DISCOUNT ON PROPERTY TAXES	51,629.46-	40,000.00-	11,629.46	129.07
355	00000	40120	00000	TRUSTEES COLLECT-PRIOR YR	70,593.24	45,580.00	25,013.24-	154.87
355	00000	40125	00000	TRUSTEE'S COLLECTIONS - BANKRUPTCY	18,249.77	4,000.00	14,249.77-	456.24
355	00000	40130	00000	CIRCUIT CLK/CLK & MSTR COLL PRIOR YR	19,318.36	14,000.00	5,318.36-	137.98
355	00000	40140	00000	INTEREST AND PENALTY	9,698.29	18,000.00	8,301.71	53.87
355	00000	40150	00000	PICK-UP TAXES	0.00	4,900.00	4,900.00	0.00
355	00000	40162	00000	PMTS-LIEU-TAXES-LOC UTIL	29,852.50	27,000.00	2,852.50-	110.56
355	00000	40163	00000	IN LIEU OF TAXES	1,677.75	1,300.00	377.75-	129.05
355	00000	40210	00000	LOCAL OPTION SALES TAX	1,459,308.53	1,846,000.00	386,691.47	79.05
355	00000	40270	00000	BUSINESS TAX	19,840.90	63,000.00	43,159.10	31.49
355	00000	40275	00000	MIXED DRINK TAX	2,102.06	11,000.00	8,897.94	19.10
355	00000	40350	00000	INTERSTATE TELECOMMUNICATION TAX	922.62	750.00	172.62-	123.01
				**********LOCAL TAXES**********	4,719,208.64	5,424,530.00	705,321.36	86.99
355	00000	41110	00000	MARRIAGE LICENSES	677.05	900.00	222.95	75.22
				**********LICENSES AND PERMITS**********	677.05	900.00	222.95	75.22
355	00000	44570	00000	CONTRIBUTIONS & GIFTS	8,368.52	0.00	8,368.52-	*******

R E V E N U E C O M P A R I S O N R E P O R T

ACTUAL COLLECTIONS TO ESTIMATED REVENUE FOR FISCAL YEAR
THRU THE MONTH OF MARCH 2015

FND	C.C.	OBJECT	PROJ	ACCOUNT TITLE	COLLECTIONS TO DATE THIS YEAR	ESTIM REVENUE THIS YEAR	BALANCE	PERCENT COLLECTED
355	00000	44990	00000	OTHER LOCAL REVENUES	69.10	70.00	0.90	98.71
				**********OTHER LOCAL REVENUES**********	8,437.62	70.00	8,367.62-	53.74
355	00000	46990	00000	OTHER STATE REVENUES-ALCOA TIRE TAX	63,461.79	0.00	63,461.79-	*******
				**********STATE OF TENNESSEE**********	63,461.79	0.00	63,461.79-	0.00
				FUND TOTAL	4,791,785.10	5,425,500.00	633,714.90	88.31
356	00000	40110	00000	CURRENT PROPERTY TAX	8,813,754.97	9,641,700.00	827,945.03	91.41
356	00000	40115	00000	DISCOUNT ON PROPERTY TAXES	144,967.45-	120,000.00-	24,967.45	120.80
356	00000	40120	00000	TRUSTEES COLLECT-PRIOR YR	198,169.39	255,000.00	56,830.61	77.71
356	00000	40125	00000	TRUSTEE'S COLLECTIONS - BANKRUPTCY	51,102.79	8,000.00	43,102.79-	638.78
356	00000	40130	00000	CIRCUIT CLK/CLK & MSTR COLL - PRIOR YEAR	54,237.50	65,000.00	10,762.50	83.44
356	00000	40140	00000	INTEREST AND PENALTY	27,195.65	43,000.00	15,804.35	63.24
356	00000	40150	00000	PICK-UP TAXES	0.00	12,300.00	12,300.00	0.00
356	00000	40162	00000	PMTS-LIEU-TAXES-LOC UTIL	83,814.91	76,000.00	7,814.91-	110.28
356	00000	40163	00000	IN LIEU OF TAXES	4,710.45	0.00	4,710.45-	*******
356	00000	40210	00000	LOCAL OPTION SALES TAX	4,097,125.97	5,100,000.00	1,002,874.03	80.33
356	00000	40270	00000	BUSINESS TAX	55,704.55	160,000.00	104,295.45	34.81
356	00000	40275	00000	MIXED DRINK TAX	5,901.70	30,000.00	24,098.30	19.67
356	00000	40350	00000	INTERSTATE TELECOMMUNICATION TAX	2,590.36	2,300.00	290.36-	112.62
				**********LOCAL TAXES**********	13,249,340.79	15,273,300.00	2,023,959.21	86.74
356	00000	41110	00000	MARRIAGE LICENSES	1,901.15	2,250.00	348.85	84.49
				**********LICENSES AND PERMITS**********	1,901.15	2,250.00	348.85	84.49
356	00000	44570	00000	CONTRIBUTIONS & GIFTS	20,603.63	0.00	20,603.63-	*******
356	00000	44990	00000	OTHER LOCAL REVENUES	138.06	220.00	81.94	62.75
				**********OTHER LOCAL REVENUES**********	20,741.69	220.00	20,521.69-	428.04
				FUND TOTAL	13,271,983.63	15,275,770.00	2,003,786.37	86.88
363	00000	42810	00000	FINES - METH CLEANUP	4,307.30	5,000.00	692.70	86.14
363	00000	42810	00000	FINES-GENERAL SESSION	18,374.78	39,000.00	20,625.22	47.11
363	00000	42810	00000	FINES-CIRCUIT	62,937.27	65,000.00	2,062.73	96.82
363	00000	42865	00000	FORFEITURES	24,344.73	65,000.00	40,655.27	37.45
				*****FINES, FORFEITURES AND PENALTIES*****	109,964.08	174,000.00	64,035.92	63.19
363	00000	43350	00000	COPY FEES	48.52	0.00	48.52-	*******

R E V E N U E C O M P A R I S O N R E P O R T

ACTUAL COLLECTIONS TO ESTIMATED REVENUE FOR FISCAL YEAR
THRU THE MONTH OF MARCH 2015

FND	C.C.	OBJECT	PROJ	ACCOUNT TITLE	COLLECTIONS TO DATE THIS YEAR	ESTIM REVENUE THIS YEAR	BALANCE	PERCENT COLLECTED
				*******CHARGES FOR CURRENT SERVICES*******	48.52	0.00	48.52-	0.00
363	00000	44110	00000	INTEREST EARNED	1,665.12	10,000.00	8,334.88	16.65
363	00000	44540	00000	SALE OF VEHICLES	5,374.93	8,500.00	3,125.07	63.23
				**********OTHER LOCAL REVENUES**********	7,040.05	18,500.00	11,459.95	38.05
363	00000	46220	00214	DRUG CONTROL GRANTS	0.00	32,849.00	32,849.00	0.00
				**********STATE OF TENNESSEE**********	0.00	32,849.00	32,849.00	0.00
363	00000	47700	00000	ASSET FORFEITURE FUNDS-DEPT OF JUSTICE	1,188.82	0.00	1,188.82-	*******
				**********FEDERAL GOVERNMENT**********	1,188.82	0.00	1,188.82-	0.00
363	00000	48130	00000	CONTRIBUTIONS - BLOUNT COUNTY	23,750.00	23,750.00	0.00	100.00
				OTHER GOVERNMENTS AND CITIZENS GROUPS*	23,750.00	23,750.00	0.00	100.00
363	00000	49700	00000	INSURANCE RECOVERY	1,122.82	1,122.82	0.00	100.00
				*******OTHER SOURCES (NON-REVENUE)*******	1,122.82	1,122.82	0.00	100.00
				FUND TOTAL	143,114.29	250,221.82	107,107.53	57.19
364	00000	42160	00000	DIST ATTY GENERAL FEES	0.00	1,100.00	1,100.00	0.00
364	00000	42360	00000	DISTRICT ATTY GENERAL FEES	14,613.12	16,850.00	2,236.88	86.72
				*****FINES, FORFEITURES AND PENALTIES*****	14,613.12	17,950.00	3,336.88	81.41
364	00000	44110	00000	INTEREST EARNED	224.40	1,000.00	775.60	22.44
				**********OTHER LOCAL REVENUES**********	224.40	1,000.00	775.60	22.44
364	00000	48990	00000	OTHER	0.00	40,100.00	40,100.00	0.00
				OTHER GOVERNMENTS AND CITIZENS GROUPS*	0.00	40,100.00	40,100.00	0.00
				FUND TOTAL	14,837.52	59,050.00	44,212.48	25.12
365	00000	40220	00000	HOTEL/MOTEL TAX	1,051,567.31	1,425,766.00	374,198.69	73.75
				**********LOCAL TAXES**********	1,051,567.31	1,425,766.00	374,198.69	73.75
				FUND TOTAL	1,051,567.31	1,425,766.00	374,198.69	73.75
				TOTAL ALL FUNDS	168,942,788.98	228,304,089.21	59,361,300.23	73.99

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 51100: COUNTY COMMISSION

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
118	SECRETARY TO THE BOARD OF COMM	42,515.00	0.00	31,747.68	3,527.52	10,767.32	32,747.68
168	TEMPORARY	2,556.00	0.00	2,156.66	139.73	399.34	1,822.54
191	BOARD & COMMITTEE MEMBERS FEES	102,060.00	0.00	76,545.00	8,505.00	25,515.00	76,342.50
OJ TOT	**********PERSONAL SERVICES*	147,131.00	0.00	110,449.34	12,172.25	36,681.66	110,912.72
201	SOCIAL SECURITY	9,122.00	0.00	6,575.79	736.92	2,546.21	6,635.02
204	STATE RETIREMENT	4,830.00	0.00	3,606.48	400.72	1,223.52	3,716.92
205	EMPLOYEE INSURANCE	6,600.00	0.00	4,950.00	550.00	1,650.00	4,950.00
206	EMPLOYEE INSURANCE-LIFE	114.00	0.00	85.14	9.46	28.86	84.92
207	EMPLOYEE INSURANCE-HEALTH	5,100.00	0.00	3,825.00	425.00	1,275.00	3,825.00
208	EMPLOYEE INSURANCE-DENTAL	296.00	0.00	211.59	23.51	84.41	221.94
210	UNEMPLOYMENT COMPENSATION	92.00	0.00	11.76	0.00	80.24	10.93
212	EMPLOYER MEDICARE LIABILITY	2,133.00	0.00	1,581.82	174.48	551.18	1,587.82
OJ TOT	**********EMPLOYEE BENEFITS*	28,287.00	0.00	20,847.58	2,320.09	7,439.42	21,032.55
302	ADVERTISING	50.00	0.00	0.00	0.00	50.00	0.00
320	DUES & MEMBERSHIPS	2,200.00	0.00	2,200.00	0.00	0.00	2,200.00
330	LEASE PAYMENTS	1,200.00	452.20	730.82	90.44	16.98	846.81
332	LEGAL NOTICES - REC & COURT CO	3,670.00	1,457.15	2,211.50	122.85	1.35	969.15
349	PRINTING-STATIONERY & FORMS	393.00	18.00	312.00	0.00	63.00	0.00
355	TRAVEL	4,200.00	1,771.90	2,125.18	1,075.10	302.92	3,139.28
356	TUITION	1,060.00	150.00	900.00	0.00	10.00	675.00
OJ TOT	**********CONTRACTED SERVICES	12,773.00	3,849.25	8,479.50	1,288.39	444.25	7,830.24
411	DATA PROCESSING SUP	100.00	0.00	4.05	4.05	95.95	0.00
414	DUPLICATING SUPPLIES	226.00	0.00	108.20	21.76	117.80	40.92
435	OFFICE SUPPLIES	265.00	0.00	314.75	0.19	136.46	68.00
499	OTHER SUPPLIES & MATERIALS	153.00	100.00	82.60	0.00	53.00	101.47
OJ TOT	**********SUPPLIES & MATERIAL	744.00	100.00	509.60	26.00	403.21	210.39
513	WORKERS' COMPENSATION	544.00	0.00	544.00	544.00	0.00	221.00
OJ TOT	**********OTHER CHARGES***	544.00	0.00	544.00	544.00	0.00	221.00
CC TOT	COUNTY COMMISSION	189,479.00	3,949.25	140,830.02	16,350.73	44,968.54	140,206.90

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 51210: BOARD OF EQUALIZATION

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
191	BOARD & COMMITTEE MEMBERS FEES	2,600.00	0.00	0.00	0.00	2,600.00	0.00
OJ TOT	**********PERSONAL SERVICES*	2,600.00	0.00	0.00	0.00	2,600.00	0.00
201	SOCIAL SECURITY	161.00	0.00	0.00	0.00	161.00	0.00
212	EMPLOYER MEDICARE LIABILITY	38.00	0.00	0.00	0.00	38.00	0.00
OJ TOT	**********EMPLOYEE BENEFITS*	199.00	0.00	0.00	0.00	199.00	0.00
499	OTHER SUPPLIES & MATERIALS	190.00	0.00	0.00	0.00	190.00	0.00
OJ TOT	**********SUPPLIES & MATERIAL	190.00	0.00	0.00	0.00	190.00	0.00
513	WORKERS' COMPENSATION	10.00	0.00	10.00	10.00	0.00	4.00
OJ TOT	**********OTHER CHARGES***	10.00	0.00	10.00	10.00	0.00	4.00
CC TOT	BOARD OF EQUALIZATION	2,999.00	0.00	10.00	10.00	2,989.00	4.00

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 51220: BEER BOARD

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
332	LEGAL NOTICES-REC & COURT COST	200.00	0.00	200.00	0.00	0.00	172.90
OJ TOT	**********CONTRACTED SERVICES	200.00	0.00	200.00	0.00	0.00	172.90
CC TOT	BEER BOARD	200.00	0.00	200.00	0.00	0.00	172.90

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 51230: BUDGET & FINANCE COMMITTEE

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
332	LEGAL NOTICES	400.00	400.00	0.00	0.00	0.00	0.00
OJ TOT	**********CONTRACTED SERVICES	400.00	400.00	0.00	0.00	0.00	0.00
CC TOT	BUDGET & FINANCE COMMITTEE	400.00	400.00	0.00	0.00	0.00	0.00

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 51300: COUNTY MAYOR/EXECUTIVE OFFICE

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
101	COUNTY OFFICAL/ADMINISTRATIVE	123,727.00	0.00	92,795.22	10,310.58	30,931.78	81,609.30
103	ASSISTANT	9,358.00	0.00	7,018.60	779.82	2,339.40	7,005.48
161	SECRETARY	44,600.00	0.00	33,421.81	3,713.61	11,178.19	34,591.32
OJ TOT	**********PERSONAL SERVICES*	177,685.00	0.00	133,235.63	14,804.01	44,449.37	123,206.10
201	SOCIAL SECURITY	10,629.00	0.00	7,926.67	880.78	2,702.33	7,329.32
204	STATE RETIREMENT	6,124.00	0.00	4,592.23	510.47	1,531.77	4,721.43
205	EMPLOYEE INSURANCE	9,900.00	0.00	6,357.48	1,073.29	3,542.52	4,885.17
206	EMPLOYEE INSURANCE-LIFE	251.00	0.00	182.88	20.33	68.12	184.73
207	EMPLOYEE INSURANCE-HEALTH	7,650.00	0.00	4,912.64	829.36	2,737.36	3,534.74
208	EMPLOYEE INSURANCE-DENTAL	592.00	0.00	390.83	43.45	201.17	419.56
210	UNEMPLOYMENT COMPENSATION	72.00	0.00	0.00	0.00	72.00	0.02
212	EMPLOYER MEDICARE LIABILITY	2,580.00	0.00	1,853.87	205.98	726.13	1,714.05
OJ TOT	**********EMPLOYEE BENEFITS*	37,798.00	0.00	26,216.60	3,563.66	11,581.40	22,789.02
320	DUES & MEMBERSHIPS	150.00	0.00	150.00	0.00	0.00	166.67
355	TRAVEL	750.00	368.74	131.26	0.00	250.00	0.00
356	TUITION	500.00	0.00	100.00	0.00	400.00	0.00
OJ TOT	**********CONTRACTED SERVICES	1,400.00	368.74	381.26	0.00	650.00	166.67
425	GASOLINE	1,000.00	530.30	469.70	30.69	0.00	432.02
435	OFFICE SUPPLIES	950.00	237.68	1,651.40	262.32	450.00	44.99
437	PERIODICALS	175.00	0.00	101.24	0.00	73.76	95.14
499	OTHER SUPPLIES & MATERIALS	150.00	0.00	50.00	0.00	100.00	141.45
OJ TOT	**********SUPPLIES & MATERIAL	2,275.00	767.98	2,272.34	293.01	623.76	713.60
513	WORKERS COMPENSATION INSURANCE	659.00	0.00	659.00	659.00	0.00	237.00
599	OTHER CHARGES	1,315.00	250.00	920.27	565.21	144.73	1,328.28
OJ TOT	**********OTHER CHARGES***	1,974.00	250.00	1,579.27	1,224.21	144.73	1,565.28
CC TOT	COUNTY MAYOR/EXECUTIVE OFFICE	221,132.00	1,386.72	163,685.10	19,884.89	57,449.26	148,440.67

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 51310: PERSONNEL

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	54,000.00	0.00	36,468.12	5,000.00	17,531.88	0.00
162	CLERICAL	48,933.00	0.00	36,512.10	4,056.90	12,420.90	37,512.10
169	PART TIME PERSONNEL	6,000.00	0.00	2,860.00	630.00	3,140.00	0.00
OJ TOT	**********PERSONAL SERVICES*	108,933.00	0.00	75,840.22	9,686.90	33,092.78	37,512.10
201	SOCIAL SECURITY	6,754.00	0.00	4,405.07	560.74	2,348.93	2,179.94
204	STATE RETIREMENT	12,375.00	0.00	5,035.41	1,028.86	7,339.59	4,257.64
205	EMPLOYEE INSURANCE - DEPENDENT	12,441.00	0.00	8,556.65	1,100.00	3,884.35	4,950.00
206	EMPLOYEE INSURANCE-LIFE	264.00	0.00	174.84	21.78	89.16	97.02
207	EMPLOYEE INSURANCE-HEALTH	10,030.00	0.00	6,611.96	850.00	3,418.04	3,825.00
208	EMPLOYEE INSURANCE-DENTAL	592.00	0.00	377.92	47.02	214.08	221.94
210	UNEMPLOYMENT COMPENSATION	144.00	0.00	83.84	0.00	60.16	0.00
212	FICA-MEDICARE	1,580.00	0.00	1,030.33	131.16	549.67	509.80
OJ TOT	**********EMPLOYEE BENEFITS*	44,180.00	0.00	26,276.02	3,739.56	17,903.98	16,041.34
320	DUES & MEMBERSHIPS	232.00	0.00	232.00	0.00	0.00	0.00
330	LEASE PAYMENTS	1,400.00	526.62	558.66	93.18	314.72	0.00
355	TRAVEL	38.00	0.00	35.99	0.00	2.01	0.00
356	TUITION	409.00	0.00	398.00	0.00	11.00	0.00
OJ TOT	**********CONTRACTED SERVICES	2,079.00	526.62	1,224.65	93.18	327.73	0.00
435	OFFICE SUPPLIES	664.00	16.21	481.92	0.00	165.87	16.96
OJ TOT	**********SUPPLIES & MATERIAL	664.00	16.21	481.92	0.00	165.87	16.96
513	WORKER'S COMPENSATION	403.00	0.00	403.00	403.00	0.00	173.00
OJ TOT	**********OTHER CHARGES***	403.00	0.00	403.00	403.00	0.00	173.00
CC TOT	PERSONNEL	156,259.00	542.83	104,225.81	13,922.64	51,490.36	53,743.40

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 51500: ELECTION COMMISSION

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
101	COUNTY OFFICIAL/ADMINISTRATIVE	73,038.00	0.00	52,710.38	1,480.77	20,327.62	52,992.72
162	CLERICAL PERSONNEL	86,500.00	0.00	46,887.65	4,958.32	39,612.35	47,161.17
166	CUSTODIAL PERSONNEL	2,000.00	0.00	975.00	0.00	1,025.00	100.00
168	TEMPORARY PERSONNEL	70,692.00	0.00	29,855.50	525.00	40,836.50	4,554.25
187	OVERTIME *IA*	5,480.00	0.00	0.00	0.00	5,480.00	0.00
189	OTHER SALARIES & WAGES	16,000.00	0.00	16,000.00	0.00	0.00	8,000.00
192	ELECTION COMMISSION	27,000.00	0.00	20,500.00	1,600.00	6,500.00	15,650.00
193	ELECTION WORKERS	140,000.00	0.00	120,863.50	0.00	19,136.50	10,297.75
196	IN-SERVICE TRAINING	14,000.00	0.00	13,775.00	0.00	225.00	480.00
OJ TOT	**********PERSONAL SERVICES*	434,710.00	0.00	301,567.03	8,564.09	133,142.97	139,235.89
201	SOCIAL SECURITY	19,326.00	0.00	11,777.69	515.98	7,548.31	7,841.61
204	STATE RETIREMENT	18,123.00	0.00	10,143.21	563.28	7,979.79	11,367.57
205	EMPLOYEE INSURANCE	13,200.00	0.00	4,950.00	550.00	8,250.00	4,950.00
206	EMPLOYEE INSURANCE-LIFE	370.00	0.00	197.78	13.42	172.22	219.34
207	EMPLOYEE INSURANCE-HEALTH	20,400.00	0.00	10,625.00	850.00	9,775.00	11,475.00
208	EMPLOYEE INSURANCE-DENTAL	1,184.00	0.00	587.75	47.02	596.25	665.82
210	UNEMPLOYMENT COMPENSATION	3,712.00	0.00	429.49	0.00	3,282.51	136.74
212	EMPLOYER MEDICARE LIABILITY	4,520.00	0.00	2,820.23	120.73	1,699.77	1,895.13
OJ TOT	**********EMPLOYEE BENEFITS*	80,835.00	0.00	41,531.15	2,660.43	39,303.85	38,551.21
320	DUES & MEMBERSHIPS	425.00	0.00	250.00	0.00	175.00	262.00
330	LEASE PAYMENTS	1,699.00	260.25	922.77	90.44	515.98	846.81
332	LEGAL NOTICES, RECORDING & COU	20,500.00	0.00	18,166.60	0.00	2,333.40	2,772.00
349	PRINTING, STATIONERY & FORMS	5,695.00	1,300.00	1,713.22	0.00	2,767.90	695.00
351	RENTALS	1,100.00	0.00	1,000.00	0.00	100.00	0.00
355	TRAVEL	5,200.00	250.00	2,244.58	0.00	2,705.42	1,020.78
356	TUITION	2,800.00	0.00	600.00	0.00	2,200.00	340.00
399	OTHER CONTRACTED SERVICES	43,155.00	1,601.83	27,873.17	8,835.37	13,680.00	22,233.75
OJ TOT	**********CONTRACTED SERVICES	80,574.00	3,412.08	52,770.34	8,925.81	24,477.70	28,170.34
435	OFFICE SUPPLIES	8,000.00	542.05	1,732.27	50.13	6,025.47	2,562.31
OJ TOT	**********SUPPLIES & MATERIAL	8,000.00	542.05	1,732.27	50.13	6,025.47	2,562.31
513	WORKERS COMPENSATION INSURANCE	1,593.00	0.00	1,593.00	1,593.00	0.00	594.00
OJ TOT	**********OTHER CHARGES***	1,593.00	0.00	1,593.00	1,593.00	0.00	594.00
709	DATA PROCESSING EQUIPMENT	1,540.00	0.00	0.00	0.00	1,540.00	1,001.55
711	FURNITURE & FIXTURES	2,116.00	0.00	0.00	0.00	2,116.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	3,656.00	0.00	0.00	0.00	3,656.00	1,001.55
CC TOT	ELECTION COMMISSION	609,368.00	3,954.13	399,193.79	21,793.46	206,605.99	210,115.30

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 51600: REGISTER OF DEEDS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
101	COUNTY OFFICIAL/ADMINISTRATIVE	81,153.00	0.00	60,864.84	6,762.76	20,288.16	58,881.06
162	CLERICAL PERSONNEL	293,910.00	0.00	209,136.41	21,982.76	84,773.59	225,212.84
169	PART TIME PERSONNEL	2,500.00	0.00	336.00	96.00	2,164.00	0.00
OJ TOT	**********PERSONAL SERVICES*	377,563.00	0.00	270,337.25	28,841.52	107,225.75	284,093.90
201	SOCIAL SECURITY	23,408.00	0.00	16,218.93	1,722.50	7,189.07	17,124.39
204	STATE RETIREMENT	42,891.00	0.00	30,202.11	3,265.46	12,688.89	31,756.22
205	EMPLOYEE INSURANCE	19,800.00	0.00	9,900.00	1,100.00	9,900.00	16,500.00
206	EMPLOYEE INSURANCE-LIFE	936.00	0.00	650.98	70.18	285.02	681.78
207	EMPLOYEE INSURANCE-HEALTH	45,900.00	0.00	31,875.00	3,400.00	14,025.00	34,425.00
208	EMPLOYEE INSURANCE-DENTAL	2,663.00	0.00	1,763.25	188.08	899.75	1,997.46
210	UNEMPLOYMENT COMPENSATION	576.00	0.00	0.00	0.00	576.00	0.00
212	EMPLOYER MEDICARE LIABILITY	5,475.00	0.00	3,798.99	404.23	1,676.01	4,004.78
OJ TOT	**********EMPLOYEE BENEFITS*	141,649.00	0.00	94,409.26	10,150.45	47,239.74	106,489.63
302	ADVERTISING	100.00	0.00	0.00	0.00	100.00	0.00
320	DUES & MEMBERSHIPS	1,100.00	0.00	150.00	0.00	950.00	166.66
330	LEASE PAYMENTS	5,500.00	1,538.53	1,772.62	219.79	2,188.85	3,297.42
337	MAINT & REPAIR SERVICES-OFFICE	850.00	125.00	375.00	0.00	350.00	394.14
349	PRINTING, STATIONERY & FORMS	1,000.00	0.00	0.00	0.00	1,000.00	130.00
355	TRAVEL	2,200.00	461.30	1,205.33	0.00	533.37	1,347.45
356	TUITION	500.00	0.00	275.00	0.00	225.00	225.00
399	OTHER CONTRACTED SERVICES	36,000.00	1,228.98	30,946.02	1,057.13	4,725.00	33,834.99
OJ TOT	**********CONTRACTED SERVICES	47,250.00	3,353.81	34,723.97	1,276.92	10,072.22	39,395.66
411	DATA PROCESSING SUPPLIES	1,000.00	0.00	0.00	0.00	1,000.00	0.00
435	OFFICE SUPPLIES	2,000.00	0.00	1,807.58	12.24	192.42	688.30
499	OTHER SUPPLIES & MATERIALS	1,000.00	150.00	74.14	0.00	850.00	298.92
OJ TOT	**********SUPPLIES & MATERIAL	4,000.00	150.00	1,881.72	12.24	2,042.42	987.22
513	WORKERS COMPENSATION INSURANCE	1,397.00	0.00	1,397.00	1,397.00	0.00	556.00
599	OTHER CHARGES	500.00	0.00	0.00	0.00	500.00	0.00
OJ TOT	**********OTHER CHARGES***	1,897.00	0.00	1,397.00	1,397.00	500.00	556.00
709	DATA PROCESSING EQUIPMENT	10,000.00	0.00	0.00	0.00	10,000.00	906.62
OJ TOT	**********CAPITAL OUTLAY**	10,000.00	0.00	0.00	0.00	10,000.00	906.62
CC TOT	REGISTER OF DEEDS	582,359.00	3,503.81	402,749.20	41,678.13	177,080.13	432,429.03

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 51710: DEVELOPMENT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
103	ASSISTANTS	0.00	0.00	0.00	0.00	0.00	3,000.00
105	SUPERVISOR/DIRECTOR	68,000.00	0.00	50,999.94	5,666.66	17,000.06	46,999.99
161	SECRETARY	32,000.00	0.00	23,753.78	2,666.66	8,246.22	24,999.94
189	OTHER SALARIES & WAGES	243,660.00	0.00	135,233.35	12,982.66	108,426.65	189,744.95
OJ TOT	**********PERSONAL SERVICES*	343,660.00	0.00	209,987.07	21,315.98	133,672.93	264,744.88
201	SOCIAL SECURITY	21,307.00	0.00	12,563.57	1,283.67	8,743.43	15,819.38
204	STATE RETIREMENT	39,040.00	0.00	23,277.78	2,429.01	15,762.22	30,105.42
205	EMPLOYEE INSURANCE	33,000.00	0.00	16,802.32	1,658.57	16,197.68	24,750.00
206	EMPLOYEE INSURANCE-LIFE	831.00	0.00	485.84	49.88	345.16	613.80
207	EMPLOYEE INSURANCE-HEALTH	30,600.00	0.00	16,808.62	1,706.63	13,791.38	22,950.00
208	EMPLOYEE INSURANCE-DENTAL	1,776.00	0.00	941.49	94.37	834.51	1,331.64
210	UNEMPLOYMENT COMPENSATION	504.00	0.00	40.80	0.00	463.20	0.00
212	MEDICARE	4,983.00	0.00	2,938.24	300.21	2,044.76	3,699.58
OJ TOT	**********EMPLOYEE BENEFITS*	132,041.00	0.00	73,858.66	7,522.34	58,182.34	99,269.82
302	ADVERTISING	910.00	0.00	400.00	0.00	510.00	400.00
307	COMMUNICATION	4,720.00	0.00	1,440.59	136.00	3,279.41	816.00
320	DUES & MEMBERSHIPS	6,790.00	225.00	4,095.00	25.00	2,470.00	4,220.00
321	ENGINEERING SERVICES	34,000.00	0.00	0.00	0.00	34,000.00	0.00
330	LEASE PAYMENTS	5,600.00	542.64	807.03	192.45	4,250.33	1,035.81
332	LEGAL NOTICES	6,025.00	2,059.72	940.28	127.40	3,433.60	336.70
337	MAINTENANCE & REPAIR-OFFICE EQ	650.00	0.00	0.00	0.00	650.00	0.00
338	MAINT. & REPAIR SERVICES-VEHIC	7,750.00	1,775.92	2,904.08	22.99	3,070.00	1,821.43
348	POSTAL CHARGES	375.00	0.00	0.00	0.00	375.00	0.00
349	PRINTING, STATIONERY & FORMS	4,250.00	0.00	956.63	0.00	4,250.00	1,983.85
355	TRAVEL	16,100.00	0.00	2,390.89	36.66	19,027.44	3,195.53
356	TUITION	3,125.00	0.00	568.00	0.00	2,557.00	750.00
399	OTHER CONTRACTED SERVICES	18,233.00	350.00	2,748.00	2,000.00	16,135.00	3,880.00
OJ TOT	**********CONTRACTED SERVICES	108,528.00	4,953.28	17,250.50	2,540.50	94,007.78	18,439.32
410	CUSTODIAL SUPPLIES	900.00	0.00	0.00	0.00	900.00	0.00
414	DUPLICATING SUPPLIES	1,650.00	0.00	0.00	0.00	1,650.00	0.00
425	GASOLINE	14,675.00	7,162.60	5,678.53	255.57	2,675.00	7,583.29
429	INSTRUCTIONAL SUPPLIES & MATER	1,825.00	0.00	0.00	0.00	1,825.00	0.00
435	OFFICE SUPPLIES	8,300.00	2,119.34	1,392.97	326.01	5,200.00	3,908.31
451	UNIFORMS	725.00	220.01	79.99	0.00	425.00	359.98
499	OTHER SUPPLIES & MATERIALS	4,075.00	0.00	66.39	0.00	4,008.61	203.51
OJ TOT	**********SUPPLIES & MATERIAL	32,150.00	9,501.95	7,217.88	581.58	16,683.61	12,055.09
513	WORKERS COMPENSATION INSURANCE	1,272.00	0.00	1,272.00	1,272.00	0.00	515.00
599	OTHER CHARGES	10,005.00	500.00	779.28	0.00	8,725.72	950.00
OJ TOT	**********OTHER CHARGES***	11,277.00	500.00	2,051.28	1,272.00	8,725.72	1,465.00
708	COMMUNICATION EQUIPMENT	1,246.00	0.00	0.00	0.00	1,246.00	27.81
709	DATA PROCESSING	1,100.00	0.00	0.00	0.00	1,100.00	0.00
711	FURNITURE & FIXTURES	2,125.00	0.00	0.00	0.00	2,125.00	0.00

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 51710: DEVELOPMENT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
719	OFFICE EQUIPMENT	1,300.00	0.00	0.00	0.00	1,300.00	0.00
735	FIELD EQUIPMENT	3,250.00	0.00	0.00	0.00	3,250.00	3,865.25
OJ TOT	**********CAPITAL OUTLAY**	9,021.00	0.00	0.00	0.00	9,021.00	3,893.06
CC TOT	DEVELOPMENT	636,677.00	14,955.23	310,365.39	33,232.40	320,293.38	399,867.17

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 51720: PLANNING

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
103	ASSISTANT	50,528.00	0.00	37,581.12	4,175.68	12,946.88	38,581.12
105	SUPERVISOR/DIRECTOR	70,086.00	0.00	52,564.32	5,840.48	17,521.68	53,564.32
161	SECRETARY	35,479.00	0.00	26,609.58	2,956.62	8,869.42	27,609.58
OJ TOT	**********PERSONAL SERVICES*	156,093.00	0.00	116,755.02	12,972.78	39,337.98	119,755.02
201	SOCIAL SECURITY	9,678.00	0.00	6,997.93	771.53	2,680.07	7,195.29
204	STATE RETIREMENT	17,732.00	0.00	13,263.67	1,473.75	4,468.33	13,592.33
205	EMPLOYEE INSURANCE	6,600.00	0.00	4,950.00	550.00	1,650.00	4,950.00
206	EMPLOYEE INSURANCE-LIFE	359.00	0.00	251.55	27.95	107.45	251.35
207	EMPLOYEE INSURANCE-HEALTH	15,300.00	0.00	10,790.71	1,198.97	4,509.29	10,801.47
208	EMPLOYEE INSURANCE-DENTAL	888.00	0.00	596.88	66.32	291.12	626.10
210	UNEMPLOYMENT COMPENSATION	216.00	0.00	0.00	0.00	216.00	0.00
212	EMPLOYER MEDICARE LIABILITY	2,263.00	0.00	1,636.64	180.44	626.36	1,682.65
OJ TOT	**********EMPLOYEE BENEFITS*	53,036.00	0.00	38,487.38	4,268.96	14,548.62	39,099.19
308	CONSULTANT	500.00	0.00	0.00	0.00	500.00	0.00
320	DUES & MEMBERSHIPS	1,788.00	0.00	1,788.00	0.00	0.00	1,973.00
330	LEASE PAYMENTS	2,310.00	275.62	1,185.39	417.24	848.99	1,749.24
332	LEGAL NOTICES	1,350.00	753.95	596.05	91.00	694.80	414.05
338	MAINT & REPAIR SERV-VEHICLE	300.00	0.00	0.00	0.00	300.00	0.00
349	PRINTING, STATIONERY & FORMS	80.00	0.00	0.00	0.00	80.00	0.00
355	TRAVEL	1,250.00	0.00	559.77	20.68	767.22	732.73
356	TUITION	200.00	0.00	0.00	0.00	200.00	0.00
OJ TOT	**********CONTRACTED SERVICES	7,778.00	1,029.57	4,129.21	528.92	3,391.01	4,869.02
425	GASOLINE	500.00	233.46	356.37	24.95	0.00	374.52
432	LIBRARY BOOKS	240.00	0.00	0.00	0.00	240.00	0.00
435	OFFICE SUPPLIES	300.00	48.47	218.57	0.00	32.96	17.37
499	OTHER SUPPLIES & MATERIALS	0.00	0.00	0.00	0.00	0.00	70.00
OJ TOT	**********SUPPLIES & MATERIAL	1,040.00	281.93	574.94	24.95	272.96	461.89
513	WORKERS COMPENSATION INSURANCE	577.00	0.00	577.00	577.00	0.00	234.00
OJ TOT	**********OTHER CHARGES***	577.00	0.00	577.00	577.00	0.00	234.00
CC TOT	PLANNING	218,524.00	1,311.50	160,523.55	18,372.61	57,550.57	164,419.12

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 51800: COUNTY BUILDINGS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	25,000.00	0.00	18,958.27	2,500.00	6,041.73	48,752.03
161	SECRETARY	0.00	0.00	0.00	0.00	0.00	20,421.46
166	CUSTODIAL PERSONNEL	118,505.00	0.00	82,205.34	10,317.42	36,299.66	123,175.42
167	MAINTENANCE PERSONNEL	80,000.00	0.00	58,045.37	6,499.85	21,954.63	61,684.56
169	PART-TIME PERSONNEL	35,000.00	0.00	5,814.47	471.50	29,185.53	27,673.55
187	OVERTIME PAY	6,000.00	0.00	1,734.34	108.19	4,265.66	787.68
OJ TOT	**********PERSONAL SERVICES*	264,505.00	0.00	166,757.79	19,896.96	97,747.21	282,494.70
201	SOCIAL SECURITY	17,526.00	0.00	10,005.93	1,182.63	7,520.07	17,052.39
204	STATE RETIREMENT	27,491.00	0.00	13,113.47	1,652.79	14,377.53	27,364.59
205	EMPLOYEE INSURANCE	26,400.00	0.00	10,642.33	1,892.50	15,757.67	14,025.00
206	EMPLOYEE INSURANCE-LIFE	639.00	0.00	390.56	48.22	248.44	609.62
207	EMPLOYEE INSURANCE-HEALTH	40,800.00	0.00	26,286.16	3,162.38	14,513.84	38,675.00
208	EMPLOYEE INSURANCE-DENTAL	2,959.00	0.00	1,349.32	151.43	1,609.68	2,392.02
210	UNEMPLOYMENT COMPENSATION	792.00	0.00	172.18	0.00	619.82	175.98
212	EMPLOYER MEDICARE LIABILITY	4,105.00	0.00	2,335.38	276.58	1,769.62	3,987.99
OJ TOT	**********EMPLOYEE BENEFITS*	120,712.00	0.00	64,295.33	8,366.53	56,416.67	104,282.59
307	COMMUNICATION	650.00	0.00	534.15	74.05	115.85	4,941.75
321	ENGINEERING SERVICES	3,000.00	0.00	3,000.00	0.00	0.00	0.00
334	MAINTENANCE AGREEMENTS	40,474.00	10,319.87	29,832.83	2,482.34	531.30	32,711.91
335	MAINT. & REPAIR SERVICES-BUILD	44,253.00	3,079.61	30,152.15	1,246.13	11,557.67	39,026.98
336	MAINT. & REPAIR SERVICES-EQUIP	39,648.00	14,064.85	19,974.97	3,176.43	5,655.34	29,812.29
337	REPAIRS & MAINT. - OFFICE EQUI	581.00	0.00	0.00	0.00	581.00	83.98
338	MAINT & REPAIR SERV-VEHICLE	2,000.00	0.00	356.28	0.00	1,643.72	128.15
347	PEST CONTROL	3,830.00	900.00	900.00	150.00	2,030.00	0.00
361	PERMITS	2,180.00	295.00	1,105.00	0.00	780.00	880.00
OJ TOT	**********CONTRACTED SERVICES	136,616.00	28,659.33	85,855.38	7,128.95	22,894.88	107,585.06
410	CUSTODIAL SUPPLIES	41,584.00	12,005.94	18,063.86	4,687.59	11,514.20	29,994.80
425	GASOLINE	5,346.00	907.61	2,383.12	186.08	2,346.00	3,815.89
434	NATURAL GAS	115,538.00	0.00	65,029.43	15,459.89	50,508.57	61,130.65
435	OFFICE SUPPLIES	510.00	510.00	0.00	0.00	0.00	384.06
451	UNIFORMS	2,704.00	2,000.00	330.59	0.00	645.58	986.88
452	UTILITIES	630,747.00	0.00	405,240.34	53,143.53	225,506.66	421,524.62
499	OTHER SUPPLIES & MATERIALS	964.00	0.00	0.00	0.00	964.00	1,333.86
OJ TOT	**********SUPPLIES & MATERIAL	797,393.00	15,423.55	491,047.34	73,477.09	291,485.01	519,170.76
513	WORKERS COMPENSATION INSURANCE	1,048.00	0.00	1,048.00	1,048.00	0.00	560.00
OJ TOT	**********OTHER CHARGES***	1,048.00	0.00	1,048.00	1,048.00	0.00	560.00
707	BUILDING IMPROVEMENTS	7,107.00	0.00	0.00	0.00	7,107.00	4,749.00
709	DATA PROCESSING EQUIPMENT	0.00	0.00	729.99	0.00	0.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	7,107.00	0.00	729.99	0.00	7,107.00	4,749.00
CC TOT	COUNTY BUILDINGS	1,327,381.00	44,082.88	809,733.83	109,917.53	475,650.77	1,018,842.11

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 51900: OTHER GENERAL ADMINISTRATION

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
211	RETIREE INS	169,125.00	0.00	136,476.50	15,896.37	32,648.50	94,131.52
OJ TOT	**********EMPLOYEE BENEFITS*	169,125.00	0.00	136,476.50	15,896.37	32,648.50	94,131.52
305	AUDIT SERVICES	38,000.00	0.00	0.00	0.00	38,000.00	0.00
307	COMMUNICATION	145,000.00	0.00	104,160.95	11,287.84	40,839.05	105,206.34
316	CONTRIBUTIONS	68,752.00	0.00	68,752.00	0.00	0.00	0.00
331	LEGAL SERVICES	65,000.00	0.00	47,960.00	11,060.00	17,040.00	51,597.00
332	LEGAL NOTICES/OTHER CHARGES	1,285,550.00	0.00	591,642.36	16,244.64	693,907.64	481,065.42
341	PAUPER BURIALS	5,000.00	0.00	2,600.00	0.00	2,400.00	3,675.00
348	POSTAL CHARGES	166,000.00	0.00	101,618.82	6,518.31	64,381.18	115,067.54
399	OTHER CONTRACTED SERVICES	211,226.00	4,375.00	145,675.75	12,425.00	61,175.25	169,925.84
OJ TOT	**********CONTRACTED SERVICES	1,984,528.00	4,375.00	1,062,409.88	57,535.79	917,743.12	926,537.14
435	OFFICE SUPPLIES	1,000.00	162.55	814.47	33.53-	22.98	756.49
OJ TOT	**********SUPPLIES & MATERIAL	1,000.00	162.55	814.47	33.53-	22.98	756.49
506	LIABILITY INSURANCE	510,000.00	0.00	510,000.00	510,000.00	0.00	682,345.00
510	TRUSTEES COMMISSION	530,000.00	0.00	439,971.84	0.00	90,028.16	440,716.22
599	OTHER CHARGES	18,091.00	2,400.00	9,136.23	24.00	8,954.77	11,195.78
OJ TOT	**********OTHER CHARGES***	1,058,091.00	2,400.00	959,108.07	510,024.00	98,982.93	1,134,257.00
CC TOT	OTHER GENERAL ADMINISTRATION	3,212,744.00	6,937.55	2,158,808.92	583,422.63	1,049,397.53	2,155,682.15

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 51910: PRESERVATION OF RECORDS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	41,624.00	0.00	31,218.30	3,468.70	10,405.70	32,218.30
189	OTHER SALARIES & WAGES	25,371.00	0.00	17,550.00	1,950.00	7,821.00	19,946.84
OJ TOT	**********PERSONAL SERVICES*	66,995.00	0.00	48,768.30	5,418.70	18,226.70	52,165.14
201	SOCIAL SECURITY	4,154.00	0.00	2,906.10	322.54	1,247.90	3,052.43
204	RETIREMENT	7,610.00	0.00	4,986.24	615.56	2,623.76	5,920.72
205	EMPLOYEE INSURANCE - DEPENDENT	13,200.00	0.00	4,950.00	550.00	8,250.00	9,625.00
206	EMPLOYEE INSURANCE - LIFE	180.00	0.00	130.68	14.52	49.32	134.42
207	EMPLOYEE INSURANCE - HEALTH	10,200.00	0.00	7,650.00	850.00	2,550.00	7,437.50
208	EMPLOYEE INSURANCE - DENTAL	592.00	0.00	423.18	47.02	168.82	443.88
210	UNEMPLOYMENT	144.00	0.00	23.04	0.00	120.96	0.00
212	MEDICARE	972.00	0.00	679.50	75.42	292.50	713.77
OJ TOT	**********EMPLOYEE BENEFITS*	37,052.00	0.00	21,748.74	2,475.06	15,303.26	27,327.72
307	COMMUNICATIONS	1,730.00	0.00	1,244.48	269.42	485.52	1,233.15
320	DUES & MEMBERSHIPS	20.00	0.00	20.00	0.00	0.00	20.00
330	LEASE PAYMENTS	750.00	311.85	433.42	62.37	4.73	473.60
355	TRAVEL	395.00	0.00	357.30	0.00	37.70	230.55
356	TUITION	100.00	0.00	100.00	0.00	0.00	70.00
399	OTHER CONTRACTED SERVICES	700.00	100.00	600.00	0.00	0.00	660.00
OJ TOT	**********CONTRACTED SERVICES	3,695.00	411.85	2,755.20	331.79	527.95	2,687.30
411	DATA PROCESSING	0.00	0.00	0.00	0.00	0.00	54.06
414	DUPLICATING	50.00	0.00	0.00	0.00	50.00	0.00
425	GASOLINE	400.00	200.00	86.82	34.00	126.99	80.86
435	OFFICE SUPPLIES	485.00	0.00	413.83	76.08	75.16	167.70
452	UTILITIES	6,000.00	6,000.00	0.00	0.00	0.00	2,000.00
499	OTHER SUPPLIES & MATERIALS	450.00	60.01	122.56	39.99	350.00	21.83
OJ TOT	**********SUPPLIES & MATERIAL	7,385.00	6,260.01	623.21	150.07	602.15	2,324.45
513	WORKERS' COMPENSATION	248.00	0.00	248.00	248.00	0.00	100.00
OJ TOT	**********OTHER CHARGES***	248.00	0.00	248.00	248.00	0.00	100.00
CC TOT	PRESERVATION OF RECORDS	115,375.00	6,671.86	74,143.45	8,623.62	34,660.06	84,604.61

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 51920: RISK MANAGEMENT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	50,000.00	0.00	36,393.68	3,791.66	13,606.32	47,494.18
162	CLERICAL	0.00	0.00	0.00	0.00	0.00	30,760.30
189	OTHER SALARIES & WAGES	45,000.00	0.00	35,343.62	3,306.70	9,656.38	33,249.88
OJ TOT	**********PERSONAL SERVICES*	95,000.00	0.00	71,737.30	7,098.36	23,262.70	111,504.36
201	SOCIAL SECURITY	5,890.00	0.00	4,194.66	417.51	1,695.34	6,533.31
204	STATE RETIREMENT	10,792.00	0.00	8,263.48	821.35	2,528.52	12,770.63
205	EMPLOYEE INSURANCE	13,200.00	0.00	5,799.38	556.40	7,400.62	13,200.00
206	EMPLOYEE INSURANCE-LIFE	251.00	0.00	190.62	19.04	60.38	263.34
207	EMPLOYEE INSURANCE-HEALTH	10,200.00	0.00	8,306.35	854.95	1,893.65	11,475.00
208	EMPLOYEE INSURANCE-DENTAL	592.00	0.00	469.45	47.27	122.55	665.82
210	UNEMPLOYMENT COMPENSATION	144.00	0.00	0.00	0.00	144.00	0.00
212	FICA-MEDICARE	1,378.00	0.00	980.98	97.65	397.02	1,527.91
OJ TOT	**********EMPLOYEE BENEFITS*	42,447.00	0.00	28,204.92	2,814.17	14,242.08	46,436.01
307	COMMUNICATION	300.00	0.00	299.99	299.99	0.01	399.98
320	DUES & MEMBERSHIPS	500.00	0.00	0.00	0.00	500.00	0.00
330	LEASE PAYMENTS	2,500.00	451.14	1,213.86	94.56	847.46	1,392.69
338	MAINT & REPAIR SERV-VEHICLE	3,500.00	0.00	2,041.47	2,000.00	3,458.53	0.00
349	PRINTING, STATIONARY & FORMS	500.00	52.00	163.00	0.00	285.00	0.00
355	TRAVEL	2,500.00	528.20	1,322.35	0.00	1,095.18	0.00
356	TUITION	2,500.00	0.00	599.00	0.00	1,901.00	0.00
399	OTHER CONTRACTED SERVICES	500.00	0.00	98.78	0.00	401.22	610.00
OJ TOT	**********CONTRACTED SERVICES	12,800.00	1,031.34	5,738.45	2,394.55	8,488.40	2,402.67
425	GASOLINE	4,500.00	1,650.32	2,021.57	123.59	1,000.00	2,201.69
435	OFFICE SUPPLIES	1,500.00	0.00	865.30	0.00	811.56	739.03
OJ TOT	**********SUPPLIES & MATERIAL	6,000.00	1,650.32	2,886.87	123.59	1,811.56	2,940.72
513	WORKER'S COMPENSATION	352.00	0.00	352.00	352.00	0.00	218.00
OJ TOT	**********OTHER CHARGES***	352.00	0.00	352.00	352.00	0.00	218.00
709	DATA PROCESSING EQUIPMENT	1,200.00	0.00	0.00	0.00	1,200.00	0.00
711	FURNITURE & FIXTURES	1,500.00	0.00	1,230.67	0.00	269.33	79.56
OJ TOT	**********CAPITAL OUTLAY**	2,700.00	0.00	1,230.67	0.00	1,469.33	79.56
CC TOT	RISK MANAGEMENT	159,299.00	2,681.66	110,150.21	12,782.67	49,274.07	163,581.32

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 52100: ACCOUNTING & BUDGETING

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	81,153.00	0.00	60,864.44	6,762.74	20,288.56	58,751.75
119	ACCOUNTANTS/BOOKKEEPERS	349,325.00	0.00	252,804.97	30,040.95	96,520.03	254,411.95
162	CLERICAL PERSONNEL	61,630.00	0.00	44,408.21	4,934.17	17,221.79	44,238.76
169	PART-TIME PERSONNEL	12,000.00	0.00	7,609.89	1,059.00	4,390.11	5,192.23
187	OVERTIME PAY	2,000.00	0.00	0.00	0.00	2,000.00	0.00
189	OTHER SALARIES & WAGES	16,000.00	0.00	0.00	0.00	16,000.00	0.00
OJ TOT	**********PERSONAL SERVICES*	522,108.00	0.00	365,687.51	42,796.86	156,420.49	362,594.69
201	SOCIAL SECURITY	31,626.00	0.00	21,719.06	2,567.42	9,906.94	21,813.34
204	STATE RETIREMENT	55,984.00	0.00	37,149.43	4,544.78	18,834.57	36,777.95
205	EMPLOYEE INSURANCE	26,400.00	0.00	18,942.52	2,226.71	7,457.48	14,914.83
206	EMPLOYEE INSURANCE-LIFE	1,142.00	0.00	817.02	90.77	324.98	786.57
207	EMPLOYEE INSURANCE-HEALTH	45,900.00	0.00	31,212.36	3,420.64	14,687.64	30,890.26
208	EMPLOYEE INSURANCE-DENTAL	2,663.00	0.00	1,631.03	191.65	1,031.97	1,799.84
210	UNEMPLOYMENT COMPENSATION	666.00	0.00	89.43	0.00	576.57	44.11
212	EMPLOYER MEDICARE LIABILITY	7,398.00	0.00	5,128.22	600.48	2,269.78	5,116.00
OJ TOT	**********EMPLOYEE BENEFITS*	171,779.00	0.00	116,689.07	13,642.45	55,089.93	112,142.90
320	DUES & MEMBERSHIPS	1,500.00	0.00	1,089.45	630.00	410.55	976.67
330	LEASE PAYMENTS	4,205.00	956.32	1,943.11	239.08	1,305.57	3,153.51
349	PRINTING, STATIONERY & FORMS	2,000.00	55.00	819.98	366.98	1,125.02	566.92
355	TRAVEL	4,000.00	502.74	2,734.98	131.33	808.28	894.65
356	TUITION	10,650.00	0.00	1,544.00	315.00	9,106.00	1,560.00
OJ TOT	**********CONTRACTED SERVICES	22,355.00	1,514.06	8,131.52	1,682.39	12,755.42	7,151.75
425	GASOLINE	1,500.00	358.36	90.27	0.00	1,300.00	123.25
435	OFFICE SUPPLIES	1,200.00	0.00	286.45	30.88	913.55	620.01
OJ TOT	**********SUPPLIES & MATERIAL	2,700.00	358.36	376.72	30.88	2,213.55	743.26
513	WORKERS COMPENSATION INSURANCE	1,823.00	0.00	1,823.00	1,823.00	0.00	729.00
599	OTHER CHARGES	900.00	638.00	400.00	0.00	138.00-	779.27
OJ TOT	**********OTHER CHARGES***	2,723.00	638.00	2,223.00	1,823.00	138.00-	1,508.27
CC TOT	ACCOUNTING & BUDGETING	721,665.00	2,510.42	493,107.82	59,975.58	226,341.39	484,140.87

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 52200: PURCHASING

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR / DIRECTOR	67,000.00	0.00	48,406.32	5,583.34	18,593.68	40,187.62
122	PERSONNEL	178,403.00	0.00	123,698.49	14,508.86	54,704.51	95,015.24
OJ TOT	**********PERSONAL SERVICES*	245,403.00	0.00	172,104.81	20,092.20	73,298.19	135,202.86
201	SOCIAL SECURITY	15,215.00	0.00	9,750.32	1,143.97	5,464.68	7,694.29
204	STATE RETIREMENT	27,878.00	0.00	19,551.11	2,282.48	8,326.89	15,345.55
205	EMPLOYEE INSURANCE	33,000.00	0.00	24,968.97	2,743.60	8,031.03	19,800.00
206	EMPLOYEE INSURANCE-LIFE	602.00	0.00	419.06	48.94	182.94	342.32
207	EMPLOYEE INSURANCE-HEALTH	30,600.00	0.00	22,269.19	2,545.05	8,330.81	19,125.00
208	EMPLOYEE INSURANCE-DENTAL	1,776.00	0.00	1,221.51	140.81	554.49	1,109.70
210	UNEMPLOYMENT COMPENSATION	432.00	0.00	0.00	0.00	432.00	0.00
212	EMPLOYER MEDICARE LIABILITY	3,559.00	0.00	2,280.33	267.55	1,278.67	1,799.46
OJ TOT	**********EMPLOYEE BENEFITS*	113,062.00	0.00	80,460.49	9,172.40	32,601.51	65,216.32
320	DUES & MEMBERSHIPS	475.00	0.00	460.00	0.00	15.00	315.00
330	LEASE PAYMENTS	1,240.00	359.01	775.25	97.56	105.74	1,035.81
332	LEGAL NOTICES	2,800.00	0.00	1,733.55	263.90	1,066.45	887.25
337	MAINT. & REPAIR SERVICES-OFFIC	285.00	0.00	262.67	0.00	22.33	247.92
349	PRINTING, STATIONERY & FORMS	500.00	0.00	0.00	0.00	500.00	680.00
355	TRAVEL	1,500.00	390.08	849.12	400.83	260.80	652.78
356	TUITION	1,100.00	0.00	965.00	965.00	135.00	18.00
OJ TOT	**********CONTRACTED SERVICES	7,900.00	749.09	5,045.59	1,727.29	2,105.32	3,836.76
435	OFFICE SUPPLIES	1,050.00	0.00	470.04	164.42	579.96	276.43
OJ TOT	**********SUPPLIES & MATERIAL	1,050.00	0.00	470.04	164.42	579.96	276.43
513	WORKERS COMPENSATION INSURANCE	908.00	0.00	908.00	908.00	0.00	267.00
OJ TOT	**********OTHER CHARGES***	908.00	0.00	908.00	908.00	0.00	267.00
CC TOT	PURCHASING	368,323.00	749.09	258,988.93	32,064.31	108,584.98	204,799.37

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 52300: PROPERTY ASSESSORS OFFICE

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
101	COUNTY OFFICIAL/ADMINISTRATIVE	81,153.00	0.00	60,864.84	6,762.76	20,288.16	58,881.06
103	ASSISTANTS	352,123.00	0.00	256,920.95	28,512.30	95,202.05	275,568.34
162	CLERICAL PERSONNEL	102,326.00	0.00	77,874.44	8,593.91	24,451.56	79,745.00
OJ TOT	**********PERSONAL SERVICES*	535,602.00	0.00	395,660.23	43,868.97	139,941.77	414,194.40
201	SOCIAL SECURITY	33,207.00	0.00	23,335.33	2,592.30	9,871.67	24,615.42
204	STATE RETIREMENT	60,844.00	0.00	44,147.58	4,983.51	16,696.42	45,181.07
205	EMPLOYEE INSURANCE	39,600.00	0.00	29,975.00	3,300.00	9,625.00	33,550.00
206	EMPLOYEE INSURANCE-LIFE	1,359.00	0.00	972.62	108.24	386.38	1,007.16
207	EMPLOYEE INSURANCE-HEALTH	56,100.00	0.00	41,862.50	4,675.00	14,237.50	42,500.00
208	EMPLOYEE INSURANCE-DENTAL	3,255.00	0.00	2,327.49	258.61	927.51	2,441.34
210	UNEMPLOYMENT COMPENSATION	720.00	0.00	117.54	0.00	602.46	64.98
212	EMPLOYER MEDICARE LIABILITY	7,767.00	0.00	5,457.43	606.22	2,309.57	5,756.84
OJ TOT	**********EMPLOYEE BENEFITS*	202,852.00	0.00	148,195.49	16,523.88	54,656.51	155,116.81
317	DATA PROCESSING SERVICES	37,000.00	0.00	35,683.00	0.00	1,317.00	35,719.00
320	DUES & MEMBERSHIPS	4,400.00	0.00	3,125.00	0.00	1,425.00	2,704.17
330	LEASE PAYMENTS	4,000.00	720.60	1,391.98	170.86	1,887.42	2,636.80
331	LEGAL FEES	1,000.00	0.00	0.00	0.00	1,000.00	0.00
337	MAINT & REPAIR SERVICES-OFFICE	1,000.00	0.00	0.00	0.00	1,000.00	300.00
338	MAINTENANCE & REPAIR - VEHICLE	3,000.00	258.25	827.20	0.00	1,914.55	1,257.88
349	PRINTING, STATIONERY & FORMS	3,000.00	1,354.00	537.00	0.00	1,109.00	435.00
355	TRAVEL	2,000.00	0.00	10.00	10.00	1,990.00	1,610.20
356	TUITION	1,000.00	300.00	0.00	0.00	700.00	300.00
OJ TOT	**********CONTRACTED SERVICES	56,400.00	2,632.85	41,574.18	180.86	12,342.97	44,963.05
411	DATA PROCESSING SUPPLIES	3,200.00	0.00	795.96	0.00	2,404.04	1,554.40
414	DUPLICATING SUPPLIES	2,000.00	0.00	645.48	0.00	1,354.52	471.60
425	GASOLINE	4,000.00	824.37	1,297.82	117.75	2,000.00	2,001.44
435	OFFICE SUPPLIES	1,500.00	90.00	515.94	0.00	948.36	931.98
499	OTHER SUPPLIES & MATERIALS	1,000.00	0.00	711.29	0.00	288.71	737.75
OJ TOT	**********SUPPLIES & MATERIAL	11,700.00	914.37	3,966.49	117.75	6,995.63	5,697.17
513	WORKERS COMPENSATION INSURANCE	1,982.00	0.00	1,982.00	1,982.00	0.00	756.00
599	OTHER CHARGES	38,000.00	9,680.00	27,676.40	614.20	1,068.03	35,455.05
OJ TOT	**********OTHER CHARGES***	39,982.00	9,680.00	29,658.40	2,596.20	1,068.03	36,211.05
707	BUILDING IMPROVEMENTS	500.00	0.00	0.00	0.00	500.00	0.00
709	DATA PROCESSING EQUIPMENT	7,000.00	0.00	3,325.00	0.00	3,675.00	0.00
711	FURNITURE & FIXTURES	500.00	0.00	0.00	0.00	580.01	0.00
719	OFFICE EQUIPMENT	500.00	0.00	0.00	0.00	500.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	8,500.00	0.00	3,325.00	0.00	5,255.01	0.00
CC TOT	PROPERTY ASSESSORS OFFICE	855,036.00	13,227.22	622,379.79	63,287.66	220,259.92	656,182.48

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 52310: REAPPRAISAL PROGRAM

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
103	ASSISTANTS	155,257.00	0.00	102,613.53	12,439.28	52,643.47	63,687.44
162	CLERICAL PERSONNEL	66,179.00	0.00	42,367.52	5,661.18	23,811.48	26,635.24
OJ TOT	**********PERSONAL SERVICES*	221,436.00	0.00	144,981.05	18,100.46	76,454.95	90,322.68
201	SOCIAL SECURITY	13,729.00	0.00	8,280.91	1,031.37	5,448.09	5,292.24
204	STATE RETIREMENT	25,155.00	0.00	14,788.84	1,904.67	10,366.16	10,251.66
205	EMPLOYEE INSURANCE	33,000.00	0.00	25,606.52	3,300.00	7,393.48	14,850.00
206	EMPLOYEE INSURANCE-LIFE	419.00	0.00	375.80	48.18	43.20	233.20
207	EMPLOYEE INSURANCE-HEALTH	25,500.00	0.00	19,786.86	2,550.00	5,713.14	11,475.00
208	EMPLOYEE INSURANCE-DENTAL	1,480.00	0.00	1,084.16	141.06	395.84	665.82
210	UNEMPLOYMENT COMPENSATION	432.00	0.00	65.03	0.00	366.97	0.00
212	EMPLOYER MEDICARE LIABILITY	3,212.00	0.00	1,936.78	241.22	1,275.22	1,237.74
OJ TOT	**********EMPLOYEE BENEFITS*	102,927.00	0.00	71,924.90	9,216.50	31,002.10	44,005.66
317	DATA PROCESSING SERVICES	17,000.00	0.00	0.00	0.00	17,000.00	0.00
320	DUES & MEMBERSHIPS	200.00	0.00	0.00	0.00	200.00	0.00
337	MAINT & REPAIR SERV-OFC EQU	300.00	0.00	0.00	0.00	300.00	0.00
355	TRAVEL	1,300.00	0.00	100.00	0.00	1,200.00	0.00
356	TUITION	200.00	0.00	0.00	0.00	200.00	0.00
399	OTHER CONTRACTED SERVICES	2,500.00	0.00	0.00	0.00	2,500.00	0.00
OJ TOT	**********CONTRACTED SERVICES	21,500.00	0.00	100.00	0.00	21,400.00	0.00
425	GASOLINE	500.00	0.00	0.00	0.00	500.00	0.00
435	OFFICE SUPPLIES	300.00	0.00	291.91	0.00	8.09	317.73
499	OTHER SUPPLIES & MATERIALS	200.00	0.00	164.13	39.50	35.87	120.09
OJ TOT	**********SUPPLIES & MATERIAL	1,000.00	0.00	456.04	39.50	543.96	437.82
513	WORKERS COMPENSATION INSURANCE	819.00	0.00	819.00	819.00	0.00	258.00
OJ TOT	**********OTHER CHARGES***	819.00	0.00	819.00	819.00	0.00	258.00
709	DATA PROCESSING EQUIPMENT	500.00	0.00	0.00	0.00	500.00	0.00
711	FURNITURE & FIXTURES	500.00	0.00	0.00	0.00	500.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	1,000.00	0.00	0.00	0.00	1,000.00	0.00
CC TOT	REAPPRAISAL PROGRAM	348,682.00	0.00	218,280.99	28,175.46	130,401.01	135,024.16

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 52400: COUNTY TRUSTEES OFFICE

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
101	COUNTY OFFICIAL/ADMINISTRATIVE	81,153.00	0.00	60,864.84	6,762.76	20,288.16	58,881.06
162	CLERICAL PERSONNEL	231,661.00	0.00	166,074.87	18,583.32	65,586.13	171,774.23
168	TEMPORARY PERSONNEL	4,584.00	0.00	2,688.75	180.00-	1,895.25	3,170.63
OJ TOT	**********PERSONAL SERVICES*	317,398.00	0.00	229,628.46	25,166.08	87,769.54	233,825.92
201	SOCIAL SECURITY	19,678.00	0.00	13,620.85	1,492.35	6,057.15	13,916.65
204	STATE RETIREMENT	34,058.00	0.00	25,780.41	2,879.33	8,277.59	25,976.58
205	EMPLOYEE INSURANCE	26,400.00	0.00	19,250.00	2,200.00	7,150.00	19,800.00
206	EMPLOYEE INSURANCE-LIFE	725.00	0.00	531.33	59.35	193.67	534.38
207	EMPLOYEE INSURANCE-HEALTH	30,600.00	0.00	26,987.50	2,975.00	3,612.50	23,800.00
208	EMPLOYEE INSURANCE-DENTAL	1,776.00	0.00	1,258.11	138.61	517.89	1,331.64
210	UNEMPLOYMENT COMPENSATION	577.00	0.00	18.00	0.00	559.00	31.26
212	EMPLOYER MEDICARE LIABILITY	4,602.00	0.00	3,185.40	349.01	1,416.60	3,281.08
OJ TOT	**********EMPLOYEE BENEFITS*	118,416.00	0.00	90,631.60	10,093.65	27,784.40	88,671.59
320	DUES & MEMBERSHIPS	1,185.00	166.00	984.00	0.00	35.00	990.66
330	LEASE PAYMENTS	1,315.00	477.41	707.59	197.50	130.00	1,035.81
331	LEGAL SERVICES	3,000.00	0.00	950.00	0.00	2,050.00	2,475.00
332	LEGAL NOTICES RECORDING& COURT	350.00	0.00	158.00	0.00	192.00	144.00
334	MAINTENANCE AGREEMENTS	9,100.00	0.00	9,100.00	0.00	0.00	0.00
337	MAINT. & REPAIR SERVICES-OFFIC	100.00	0.00	0.00	0.00	100.00	0.00
349	PRINTING, STATIONERY & FORMS	1,250.00	0.00	392.00	0.00	858.00	456.00
355	TRAVEL	1,025.00	0.00	883.48	251.43	141.52	352.49
356	TUITION	975.00	0.00	897.16	200.00	77.84	175.00
399	OTHER CONTRACTED SERVICES	9,300.00	0.00	8,621.34	0.00	678.66	120.00
OJ TOT	**********CONTRACTED SERVICES	27,600.00	643.41	22,693.57	648.93	4,263.02	5,748.96
414	DUPLICATING SUPPLIES	525.00	0.00	513.74	0.00	11.26	496.54
435	OFFICE SUPPLIES	1,700.00	15.91	840.13	158.52	843.96	1,253.13
499	OTHER SUPPLIES & MATERIALS	495.00	0.00	198.83	0.00	399.36	71.35
OJ TOT	**********SUPPLIES & MATERIAL	2,720.00	15.91	1,552.70	158.52	1,254.58	1,821.02
513	WORKERS COMPENSATION INSURANCE	1,174.00	0.00	1,174.00	1,174.00	0.00	472.00
OJ TOT	**********OTHER CHARGES***	1,174.00	0.00	1,174.00	1,174.00	0.00	472.00
CC TOT	COUNTY TRUSTEES OFFICE	467,308.00	659.32	345,680.33	37,241.18	121,071.54	330,539.49

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 52500: COUNTY CLERKS OFFICE

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
101	COUNTY OFFICIAL/ADMINISTRATIVE	81,153.00	0.00	60,864.84	6,762.76	20,288.16	58,881.06
162	CLERICAL PERSONNEL	579,746.00	0.00	426,241.74	24,457.62	153,504.26	438,838.09
169	PART TIME PERSONNEL	30,000.00	0.00	26,192.91	2,520.36	3,807.09	35,770.67
OJ TOT	**********PERSONAL SERVICES*	690,899.00	0.00	513,299.49	33,740.74	177,599.51	533,489.82
201	SOCIAL SECURITY	42,835.00	0.00	29,771.34	1,942.02	13,063.66	31,291.08
204	STATE RETIREMENT	75,078.00	0.00	54,979.87	6,064.38	20,098.13	56,426.56
205	EMPLOYEE INSURANCE	79,200.00	0.00	53,043.48	2,475.00	26,156.52	56,375.00
206	EMPLOYEE INSURANCE-LIFE	1,673.00	0.00	1,228.22	77.44	444.78	1,199.66
207	EMPLOYEE INSURANCE-HEALTH	95,000.00	0.00	63,938.14	2,762.50	31,061.86	68,000.00
208	EMPLOYEE INSURANCE-DENTAL	5,623.00	0.00	3,547.31	141.06	2,075.69	3,625.02
210	UNEMPLOYMENT COMPENSATION	1,512.00	0.00	243.23	0.00	1,268.77	160.77
212	EMPLOYER MEDICARE LIABILITY	10,018.00	0.00	6,962.77	454.18	3,055.23	7,318.03
OJ TOT	**********EMPLOYEE BENEFITS*	310,939.00	0.00	213,714.36	13,916.58	97,224.64	224,396.12
300	CONTRACTED SERVICES	0.00	0.00	0.00	0.00	0.00	950.00
320	DUES & MEMBERSHIPS	1,100.00	574.00	350.00	0.00	176.00	366.67
330	LEASE PAYMENTS	6,312.00	3,180.50	2,670.20	215.70	461.30	4,984.00
334	MAINTENANCE AGREEMENT	13,901.00	0.00	13,900.70	0.00	0.30	13,900.70
338	MAINT & REPAIR SERV-VEHICLE	354.37	132.67	192.84	0.00	28.86	0.00
349	PRINTING, STATIONERY & FORMS	914.34	0.00	914.34	0.00	0.00	365.56
355	TRAVEL	850.00	0.00	42.30	0.00	807.70	221.81
356	TUITION	150.00	0.00	150.00	0.00	0.00	0.00
399	OTHER CONTRACTED SERVICES	200.00	100.00	100.00	0.00	0.00	0.00
OJ TOT	**********CONTRACTED SERVICES	23,781.71	3,987.17	18,320.38	215.70	1,474.16	20,788.74
411	DATA PROCESSING SUP	0.00	0.00	0.00	0.00	0.00	1,983.65
414	DUPLICATING SUPPLIES	0.00	0.00	0.00	0.00	0.00	5,219.12
425	GASOLINE	3,000.00	2,200.93	799.07	34.57	0.00	990.98
435	OFFICE SUPPLIES	18,646.29	638.57	7,815.57	1,645.84	10,192.15	3,286.20
437	PERIODICALS	650.00	0.00	600.00	0.00	50.00	600.00
OJ TOT	**********SUPPLIES & MATERIAL	22,296.29	2,839.50	9,214.64	1,680.41	10,242.15	12,079.95
508	PREMIUMS ON CORPORATE SURETY B	62.00	0.00	62.00	50.00	0.00	124.00
513	WORKERS COMPENSATION INSURANCE	2,556.00	0.00	2,556.00	2,556.00	0.00	1,033.00
OJ TOT	**********OTHER CHARGES***	2,618.00	0.00	2,618.00	2,606.00	0.00	1,157.00
707	BUILDING IMPROVEMENTS	1,900.00	0.00	1,700.00	0.00	200.00	0.00
709	DATA PROCESSING EQUIPMENT	10,000.00	1,220.00	2,333.00	0.00	6,447.00	4,788.00
OJ TOT	**********CAPITAL OUTLAY**	11,900.00	1,220.00	4,033.00	0.00	6,647.00	4,788.00
CC TOT	COUNTY CLERKS OFFICE	1,062,434.00	8,046.67	761,199.87	52,159.43	293,187.46	796,699.63

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 52600: DATA PROCESSING

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	88,120.00	0.00	65,480.94	7,275.66	22,639.06	66,480.94
121	DATA PROCESSING PERSONNEL	289,051.00	0.00	184,787.20	22,697.55	104,263.80	210,384.97
OJ TOT	**********PERSONAL SERVICES*	377,171.00	0.00	250,268.14	29,973.21	126,902.86	276,865.91
201	SOCIAL SECURITY	23,384.00	0.00	14,797.06	1,803.12	8,586.94	16,668.89
204	STATE RETIREMENT	42,846.00	0.00	27,221.40	3,024.60	15,624.60	30,469.01
205	EMPLOYEE INSURANCE	13,200.00	0.00	9,900.00	1,100.00	3,300.00	9,900.00
206	EMPLOYEE INSURANCE-LIFE	914.00	0.00	530.64	58.96	383.36	591.14
207	EMPLOYEE INSURANCE-HEALTH	40,800.00	0.00	22,950.00	2,550.00	17,850.00	25,500.00
208	EMPLOYEE INSURANCE-DENTAL	2,367.00	0.00	1,269.54	141.06	1,097.46	1,479.60
210	UNEMPLOYMENT COMPENSATION	576.00	0.00	24.73	0.00	551.27	0.00
212	EMPLOYER MEDICARE LIABILITY	5,469.00	0.00	3,551.37	425.50	1,917.63	3,958.09
OJ TOT	**********EMPLOYEE BENEFITS*	129,556.00	0.00	80,244.74	9,103.24	49,311.26	88,566.73
317	DATA PROCESSING SERVICES	3,000.00	0.00	2,463.37	177.86	536.63	2,359.83
336	MAINT. & REPAIR SERVICES-EQUIP	23,200.00	0.00	5,860.00	0.00	23,200.00	14,764.49
349	PRINTING, STATIONERY & FORMS	6,079.00	1,188.75	4,621.93	1,145.08	1,734.83	4,490.72
355	TRAVEL	750.00	0.00	286.23	29.61	463.77	0.00
356	TUITION	10,000.00	0.00	0.00	0.00	10,000.00	0.00
399	OTHER CONTRACTED SERVICES	2,000.00	173.43	1,063.13	245.89	763.44	8,935.44
OJ TOT	**********CONTRACTED SERVICES	45,029.00	1,362.18	14,294.66	1,598.44	36,698.67	30,550.48
411	DATA PROCESSING SUP	11,050.00	0.00	2,247.36	199.50	8,818.44	4,989.97
417	EQUIPMENT PARTS-LIGHT	14,400.00	2,756.70	9,925.05	363.66	3,375.17	7,417.18
435	OFFICE SUPPLIES	400.00	0.00	119.84	9.05	280.16	157.84
OJ TOT	**********SUPPLIES & MATERIAL	25,850.00	2,756.70	12,292.25	572.21	12,473.77	12,564.99
513	WORKERS COMPENSATION INSURANCE	1,395.00	0.00	1,395.00	1,395.00	0.00	551.00
OJ TOT	**********OTHER CHARGES***	1,395.00	0.00	1,395.00	1,395.00	0.00	551.00
709	DATA PROCESSING EQUIPMENT	600.00	0.00	4,654.43	0.00	42.48	22,180.17
OJ TOT	**********CAPITAL OUTLAY**	600.00	0.00	4,654.43	0.00	42.48	22,180.17
CC TOT	DATA PROCESSING	579,601.00	4,118.88	363,149.22	42,642.10	225,429.04	431,279.28

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 53110: CIRCUIT COURT JUDGE

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
162	CLERICAL PERSONNEL	22,088.00	0.00	0.00	0.00	22,088.00	0.00
194	JURY & WITNESS FEES	54,300.00	0.00	13,803.94	630.00	40,496.06	13,190.00
OJ TOT	**********PERSONAL SERVICES*	76,388.00	0.00	13,803.94	630.00	62,584.06	13,190.00
201	SOCIAL SECURITY	1,369.00	0.00	0.00	0.00	1,369.00	0.00
204	STATE RETIREMENT	2,509.00	0.00	0.00	0.00	2,509.00	0.00
206	LIFE INSURANCE	61.00	0.00	0.00	0.00	61.00	0.00
210	UNEMPLOYMENT	72.00	0.00	0.00	0.00	72.00	0.00
212	EMPLOYER MEDICARE LIABILITY	320.00	0.00	0.00	0.00	320.00	0.00
OJ TOT	**********EMPLOYEE BENEFITS*	4,331.00	0.00	0.00	0.00	4,331.00	0.00
330	LEASE PAYMENTS	1,104.00	191.30	559.30	62.55	353.40	828.00
334	MAINTENANCE AGREEMENTS	1,230.00	0.00	0.00	0.00	1,230.00	0.00
337	MAINT. & REPAIR SERVICES-OFFIC	250.00	0.00	0.00	0.00	250.00	0.00
349	PRINTING, STATIONERY & FORMS	9,000.00	297.00	3,228.00	270.00	5,475.00	2,003.00
399	OTHER CONTRACTED SERVICES	13,156.36	1,220.53	2,215.64	12.48	10,220.19	2,436.08
OJ TOT	**********CONTRACTED SERVICES	24,740.36	1,708.83	6,002.94	345.03	17,528.59	5,267.08
414	DUPLICATING SUPPLIES	100.00	0.00	0.00	0.00	100.00	0.00
432	LIBRARY BOOKS	119.00	0.00	119.00	0.00	0.00	119.00
435	OFFICE SUPPLIES	250.00	0.00	150.00	0.00	100.00	0.00
499	OTHER SUPPLIES & MATERIALS	4,500.00	1,087.75	1,936.52	70.02	1,635.00	2,951.97
OJ TOT	**********SUPPLIES & MATERIAL	4,969.00	1,087.75	2,205.52	70.02	1,835.00	3,070.97
513	WORKMAN'S COMPENSATION INSURAN	82.00	0.00	82.00	82.00	0.00	0.00
OJ TOT	**********OTHER CHARGES***	82.00	0.00	82.00	82.00	0.00	0.00
707	BUILDING IMPROVEMENTS	0.00	0.00	0.00	0.00	0.00	3,248.00
711	FURNITURE & FIXTURES	0.00	0.00	0.00	0.00	0.00	600.00
719	OFFICE EQUIPMENT	694.64	0.00	694.64	0.00	0.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	694.64	0.00	694.64	0.00	0.00	3,848.00
CC TOT	CIRCUIT COURT JUDGE	111,205.00	2,796.58	22,789.04	1,127.05	86,278.65	25,376.05

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 53120: CIRCUIT COURT CLERK

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
101	COUNTY OFFICIAL/ADMINISTRATIVE	89,269.00	0.00	66,951.72	7,439.08	22,317.28	58,878.00
162	CLERICAL PERSONNEL	1,223,983.00	0.00	868,532.45	97,599.61	355,450.55	875,593.86
187	OVERTIME/VACATION RELIEF	7,997.00	0.00	7,986.24	0.00	10.76	4,612.76
OJ TOT	**********PERSONAL SERVICES*	1,321,249.00	0.00	943,470.41	105,038.69	377,778.59	939,084.62
201	SOCIAL SECURITY	82,290.00	0.00	56,080.78	6,263.67	26,209.22	55,735.65
204	STATE RETIREMENT	144,755.00	0.00	96,924.06	10,955.72	47,830.94	95,689.43
205	EMPLOYEE INSURANCE	79,200.00	0.00	50,875.00	4,950.00	28,325.00	58,025.00
206	EMPLOYEE INSURANCE-LIFE	3,361.00	0.00	2,301.64	254.10	1,059.36	2,195.60
207	EMPLOYEE INSURANCE-HEALTH	198,900.00	0.00	144,287.50	15,725.00	54,612.50	128,562.50
208	EMPLOYEE INSURANCE-DENTAL	11,541.00	0.00	7,358.63	799.34	4,182.37	7,542.96
210	UNEMPLOYMENT COMPENSATION	3,384.00	0.00	270.73	0.00	3,113.27	338.51
212	EMPLOYER MEDICARE LIABILITY	19,245.00	0.00	13,128.37	1,464.94	6,116.63	13,166.83
OJ TOT	**********EMPLOYEE BENEFITS*	542,676.00	0.00	371,226.71	40,412.77	171,449.29	361,256.48
306	BANK CHARGES	200.00	84.18	0.00	0.00	115.82	73.73
307	COMMUNICATION	200.00	0.00	0.00	0.00	200.00	0.00
317	DATA PROCESSING SERVICES	5,000.00	0.00	3,047.50	0.00	1,952.50	26,777.50
320	DUES & MEMBERSHIPS	1,750.00	0.00	474.00	212.00	1,276.00	910.00
330	LEASE PAYMENTS	5,995.00	1,614.01	3,800.72	595.32	580.27	4,492.89
331	LEGAL SERVICES	500.00	0.00	0.00	0.00	500.00	0.00
334	MAINTENANCE AGREEMENTS	55,977.00	0.00	22,143.75	0.00	33,833.25	14,903.22
337	MAINT. & REPAIR SERVICES-OFFIC	500.00	0.00	70.49	0.00	429.51	94.16
338	MAINT & REPAIR SERV-VEHICLE	500.00	0.00	0.00	0.00	500.00	0.00
349	PRINTING, STATIONERY & FORMS	20,000.00	3,114.10	7,843.68	237.45	10,638.22	9,224.16
355	TRAVEL	8,500.00	1,917.00	5,662.03	514.31	920.97	4,376.97
356	TUITION	4,250.00	0.00	3,402.00	160.00	848.00	2,093.00
399	OTHER CONTRACTED SERVICES	6,609.00	1,212.03	2,176.10	202.01	3,362.91	2,413.50
OJ TOT	**********CONTRACTED SERVICES	109,981.00	7,941.32	48,620.27	1,921.09	55,157.45	65,359.13
411	DATA PROCESSING SUPPLIES	5,500.00	875.71	1,747.59	56.99	3,176.15	3,602.54
414	DUPLICATING SERVICES	4,000.00	761.95	2,255.14	188.16	1,400.00	2,122.89
425	Fuel Charge	2,500.00	979.88	1,388.37	82.11	279.99	1,629.24
432	LIBRARY BOOKS	1,500.00	21.69	1,438.65	0.00	39.66	1,478.46
435	OFFICE SUPPLIES	4,000.00	203.76	1,796.24	0.00	2,000.00	4,178.50
499	OTHER SUPPLIES & MATERIALS	8,741.00	860.13	7,122.12	559.80	1,262.65	6,017.82
OJ TOT	**********SUPPLIES & MATERIAL	26,241.00	3,703.12	15,748.11	887.06	8,158.45	19,029.45
513	WORKERS COMPENSATION INSURANCE	4,911.00	0.00	4,911.00	4,911.00	0.00	1,890.00
OJ TOT	**********OTHER CHARGES***	4,911.00	0.00	4,911.00	4,911.00	0.00	1,890.00
707	BUILDING IMPROVEMENTS	0.00	0.00	0.00	0.00	0.00	8,825.00
709	DATA PROCESSING EQUIPMENT	4,000.00	808.99	41,125.67	0.00	1,826.05	33,304.22
OJ TOT	**********CAPITAL OUTLAY**	4,000.00	808.99	41,125.67	0.00	1,826.05	42,129.22
CC TOT	CIRCUIT COURT CLERK	2,009,058.00	12,453.43	1,425,102.17	153,170.61	614,369.83	1,428,748.90

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 53200: CRIMINAL COURT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	43,481.00	0.00	32,598.72	3,622.08	10,882.28	1,000.00
111	PROBATION OFFICER(S)	69,300.00	0.00	51,975.01	5,775.00	17,324.99	2,000.00
161	SECRETARY(S)	25,626.00	0.00	19,218.78	2,135.42	6,407.22	1,000.00
OJ TOT	**********PERSONAL SERVICES*	138,407.00	0.00	103,792.51	11,532.50	34,614.49	4,000.00
201	SOCIAL SECURITY	8,582.00	0.00	6,305.22	700.58	2,276.78	248.00
204	STATE RETIREMENT	15,722.00	0.00	11,790.72	1,310.08	3,931.28	454.00
205	DEPENDENT INSURANCE	6,600.00	0.00	4,950.00	550.00	1,650.00	0.00
206	LIFE INSURANCE	373.00	0.00	279.18	31.02	93.82	0.00
207	MEDICAL INSURANCE	15,300.00	0.00	11,475.00	1,275.00	3,825.00	0.00
208	DENTAL INSURANCE	592.00	0.00	634.77	70.53	42.77-	0.00
210	UNEMPLOYMENT COMPENSATION	288.00	0.00	0.00	0.00	288.00	0.00
212	EMPLOYER MEDICARE	2,007.00	0.00	1,474.74	163.86	532.26	58.00
OJ TOT	**********EMPLOYEE BENEFITS*	49,464.00	0.00	36,909.63	4,101.07	12,554.37	760.00
307	COMMUNICATION	1,700.00	0.00	1,207.51	321.97	492.49	0.00
320	DUES AND MEMBERSHIPS	700.00	0.00	0.00	0.00	700.00	0.00
330	OPERATING LEASE PAYMENTS	450.00	373.45	74.69	74.69	1.86	0.00
355	TRAVEL	2,050.00	0.00	1,322.96	0.00	727.04	0.00
356	TUITION	2,000.00	0.00	244.00	0.00	1,756.00	0.00
OJ TOT	**********CONTRACTED SERVICES	6,900.00	373.45	2,849.16	396.66	3,677.39	0.00
429	INSTRUCTIONAL SUPPLIES & MATER	2,500.00	0.00	1,975.00	0.00	2,450.00	0.00
435	OFFICE SUPPLIES	1,250.00	10.41	668.44	72.07	687.35	0.00
499	OTHER SUPPLIES & MATERIALS	16,000.00	0.00	13,499.03	0.00	2,500.97	0.00
OJ TOT	**********SUPPLIES & MATERIAL	19,750.00	10.41	16,142.47	72.07	5,638.32	0.00
510	TRUSTEE'S COMMISSION	1,000.00	0.00	60.19	0.00	939.81	0.00
513	WORKERS' COMPENSATION INSURANC	207.00	0.00	207.00	207.00	0.00	0.00
OJ TOT	**********OTHER CHARGES***	1,207.00	0.00	267.19	207.00	939.81	0.00
CC TOT	CRIMINAL COURT	215,728.00	383.86	159,960.96	16,309.30	57,424.38	4,760.00

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 53310: GENERAL SESSIONS JUDGE

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
102	JUDGES	635,183.00	0.00	476,387.28	52,931.92	158,795.72	469,347.12
161	SECRETARIES	115,661.00	0.00	85,881.95	9,638.40	29,779.05	86,950.15
189	OTHER SALARIES & WAGES	9,600.00	0.00	6,600.00	1,200.00	3,000.00	3,300.00
OJ TOT	**********PERSONAL SERVICES*	760,444.00	0.00	568,869.23	63,770.32	191,574.77	559,597.27
201	SOCIAL SECURITY	47,147.00	0.00	27,165.18	3,771.90	19,981.82	24,210.12
204	STATE RETIREMENT	85,296.00	0.00	63,873.47	7,107.96	21,422.53	63,139.59
205	EMPLOYEE INSURANCE	26,400.00	0.00	18,150.00	2,200.00	8,250.00	18,150.00
206	EMPLOYEE INSURANCE-LIFE	852.00	0.00	613.58	69.74	238.42	617.54
207	EMPLOYEE INSURANCE-HEALTH	35,700.00	0.00	26,350.00	2,975.00	9,350.00	26,775.00
208	EMPLOYEE INSURANCE-DENTAL	2,071.00	0.00	1,246.03	141.06	824.97	1,331.64
210	UNEMPLOYMENT COMPENSATION	576.00	0.00	0.00	0.00	576.00	0.00
212	EMPLOYER MEDICARE LIABILITY	11,026.00	0.00	8,029.06	899.58	2,996.94	7,940.09
OJ TOT	**********EMPLOYEE BENEFITS*	209,068.00	0.00	145,427.32	17,165.24	63,640.68	142,163.98
320	DUES & MEMBERSHIPS	2,865.00	0.00	1,514.00	170.00	1,351.00	490.00
330	LEASE PAYMENTS	1,500.00	224.68	625.32	69.48	650.00	828.00
337	MAINT & REPAIR SERVICES-OFFICE	1,000.00	0.00	0.00	0.00	1,000.00	146.16
349	PRINTING, STATIONERY & FORMS	2,000.00	0.00	0.00	0.00	2,000.00	794.00
355	TRAVEL	6,500.00	0.00	5,907.67	276.62	592.33	3,905.71
356	TUITION	1,250.00	0.00	860.00	0.00	390.00	860.00
399	OTHER CONTRACTED SERVICES	11,101.00	0.00	234.40	20.00	10,866.60	763.90
OJ TOT	**********CONTRACTED SERVICES	26,216.00	224.68	9,141.39	536.10	16,849.93	7,787.77
432	LIBRARY BOOKS	2,600.00	0.00	1,745.76	0.00	870.53	1,786.80
435	OFFICE SUPPLIES	2,200.00	63.12	536.88	174.03	1,600.00	259.19
499	OTHER SUPPLIES & MATERIALS	4,000.00	612.94	1,183.12	109.08	2,441.10	765.52
OJ TOT	**********SUPPLIES & MATERIAL	8,800.00	676.06	3,465.76	283.11	4,911.63	2,811.51
513	WORKERS COMPENSATION INSURANCE	2,814.00	0.00	2,814.00	2,814.00	0.00	1,126.00
599	OTHER CHARGES	400.00	230.00	366.32	0.00	132.83	62.91
OJ TOT	**********OTHER CHARGES***	3,214.00	230.00	3,180.32	2,814.00	132.83	1,188.91
711	FURNITURE & FIXTURES	422.00	13.46	1,979.84	0.00	422.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	422.00	13.46	1,979.84	0.00	422.00	0.00
CC TOT	GENERAL SESSIONS JUDGE	1,008,164.00	1,144.20	732,063.86	84,568.77	277,531.84	713,549.44

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 53400: CHANCERY COURT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
101	COUNTY OFFICIAL/ADMINISTRATIVE	81,153.00	0.00	60,864.84	6,762.76	20,288.16	56,286.00
162	CLERICAL PERSONNEL	231,684.00	0.00	163,446.10	42,336.85	68,237.90	194,847.82
OJ TOT	**********PERSONAL SERVICES*	312,837.00	0.00	224,310.94	49,099.61	88,526.06	251,133.82
201	SOCIAL SECURITY	19,395.00	0.00	13,121.07	2,897.99	6,273.93	14,970.98
204	STATE RETIREMENT	35,538.00	0.00	22,275.28	2,823.24	13,262.72	28,390.02
205	EMPLOYEE INSURANCE	19,800.00	0.00	10,450.00	4,675.00	9,350.00	14,300.00
206	EMPLOYEE INSURANCE-LIFE	762.00	0.00	528.22	119.68	233.78	583.88
207	EMPLOYEE INSURANCE-HEALTH	40,800.00	0.00	29,325.00	7,862.50	11,475.00	31,025.00
208	EMPLOYEE INSURANCE-DENTAL	2,367.00	0.00	1,645.70	446.69	721.30	1,775.52
210	UNEMPLOYMENT COMPENSATION	576.00	0.00	0.00	0.00	576.00	0.00
212	EMPLOYER MEDICARE LIABILITY	4,536.00	0.00	3,124.55	677.72	1,411.45	3,501.26
OJ TOT	**********EMPLOYEE BENEFITS*	123,774.00	0.00	80,469.82	19,502.82	43,304.18	94,546.66
320	DUES & MEMBERSHIPS	944.00	0.00	944.00	120.00	0.00	860.67
330	LEASE PAYMENTS	4,200.00	1,634.92	1,995.88	244.49	569.20	3,136.31
331	LEGAL SERVICES	200.00	0.00	0.00	0.00	200.00	181.97
332	LEGAL NOTICE-REC-COURT CST	716.00	0.00	0.00	0.00	716.00	0.00
337	MAINTENANCE & REPAIR - OFFICE	280.00	0.00	0.00	0.00	280.00	45.00
349	PRINTING, STATIONERY & FORMS	8,036.00	238.50	5,241.42	0.00	3,714.16	6,041.90
355	TRAVEL	350.00	0.00	255.97	166.59	94.03	139.77
OJ TOT	**********CONTRACTED SERVICES	14,726.00	1,873.42	8,437.27	531.08	5,573.39	10,405.62
414	DUPLICATING SUPPLIES	950.00	0.00	0.00	0.00	950.00	320.00
435	OFFICE SUPPLIES	7,245.00	473.34	5,672.57	15.68	1,325.65	2,412.63
499	OTHER SUPPLIES & MATERIALS	475.00	150.00	175.00	0.00	150.00	370.95
OJ TOT	**********SUPPLIES & MATERIAL	8,670.00	623.34	5,847.57	15.68	2,425.65	3,103.58
508	PREMIUMS ON CORPORATE SURETY B	100.00	0.00	0.00	0.00	100.00	0.00
513	WORKERS COMPENSATION INSURANCE	1,157.00	0.00	1,157.00	1,157.00	0.00	499.00
OJ TOT	**********OTHER CHARGES***	1,257.00	0.00	1,157.00	1,157.00	100.00	499.00
CC TOT	CHANCERY COURT	461,264.00	2,496.76	320,222.60	70,306.19	139,929.28	359,688.68

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 53500: JUVENILE COURT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
112	YOUTH SERVICE OFFICERS	198,278.00	0.00	148,199.40	16,466.60	50,078.60	153,199.41
161	SECRETARY	26,286.00	0.00	19,714.86	2,190.54	6,571.14	20,714.86
168	TEMPORARY PERSONNEL	12,000.00	0.00	0.00	0.00	12,000.00	4,800.00
189	OTHER SALARIES & WAGES	67,970.00	0.00	50,925.06	5,658.34	17,044.94	48,146.08
OJ TOT	**********PERSONAL SERVICES*	304,534.00	0.00	218,839.32	24,315.48	85,694.68	226,860.35
201	SOCIAL SECURITY	18,881.00	0.00	13,082.21	1,449.52	5,798.79	13,417.57
204	STATE RETIREMENT	33,231.00	0.00	24,859.98	2,762.22	8,371.02	21,350.29
205	EMPLOYEE INSURANCE	19,800.00	0.00	14,850.00	1,650.00	4,950.00	14,850.00
206	EMPLOYEE INSURANCE-LIFE	740.00	0.00	542.52	60.28	197.48	531.08
207	EMPLOYEE INSURANCE-HEALTH	35,700.00	0.00	26,775.00	2,975.00	8,925.00	26,350.00
208	EMPLOYEE INSURANCE-DENTAL	2,071.00	0.00	1,481.13	164.57	589.87	1,528.92
210	UNEMPLOYMENT COMPENSATION	504.00	0.00	0.00	0.00	504.00	72.00
212	EMPLOYER MEDICARE LIABILITY	4,416.00	0.00	3,059.48	338.98	1,356.52	3,207.59
OJ TOT	**********EMPLOYEE BENEFITS*	115,343.00	0.00	84,650.32	9,400.57	30,692.68	81,307.45
320	DUES & MEMBERSHIPS	1,200.00	0.00	775.00	0.00	425.00	385.00
322	DRUG TESTING	2,000.00	377.50	682.50	12.50	1,000.00	616.04
330	LEASE PAYMENTS	4,310.00	980.11	2,199.78	314.65	1,130.11	3,168.81
340	MEDICAL & DENTAL	5,132.00	0.00	1,950.00	0.00	3,182.00	2,925.00
349	PRINTING-STATIONERY & FORMS	6,500.00	4,253.00	2,204.00	0.00	600.00	3,841.00
355	TRAVEL	6,000.00	170.34	4,330.84	98.57	1,498.82	1,879.95
356	TUITION	2,105.00	0.00	2,105.00	135.00	0.00	630.00
399	OTHER CONTRACTED SERVICES	5,058.00	442.40	861.60	129.40	3,754.00	1,105.60
OJ TOT	**********CONTRACTED SERVICES	32,305.00	6,223.35	15,108.72	690.12	11,589.93	14,551.40
432	LIBRARY BOOKS	600.00	0.00	527.54	0.00	72.46	500.00
435	OFFICE SUPPLIES	1,200.00	249.97	976.57	150.28	27.41	554.31
499	OTHER SUPPLIES & MATERIALS	1,000.00	0.00	925.91	250.00	74.09	1,184.15
OJ TOT	**********SUPPLIES & MATERIAL	2,800.00	249.97	2,430.02	400.28	173.96	2,238.46
513	WORKERS COMPENSATION INSURANCE	1,126.00	0.00	1,126.00	1,126.00	0.00	456.00
599	OTHER CHARGES	2,500.00	488.77	911.23	360.00	1,100.00	1,865.20
OJ TOT	**********OTHER CHARGES***	3,626.00	488.77	2,037.23	1,486.00	1,100.00	2,321.20
711	FURNITURE & FIXTURES	0.00	0.00	0.00	0.00	0.00	200.00
OJ TOT	**********CAPITAL OUTLAY**	0.00	0.00	0.00	0.00	0.00	200.00
CC TOT	JUVENILE COURT	458,608.00	6,962.09	323,065.61	36,292.45	129,251.25	327,478.86

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 53610: OFFICE OF PUBLIC DEFENDER

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
162	CLERICAL PERSONNEL	28,800.00	0.00	21,600.00	2,400.00	7,200.00	21,850.00
OJ TOT	**********PERSONAL SERVICES*	28,800.00	0.00	21,600.00	2,400.00	7,200.00	21,850.00
201	SOCIAL SECURITY	1,786.00	0.00	1,339.20	148.80	446.80	1,354.70
210	UNEMPLOYMENT COMPENSATION	144.00	0.00	62.40	0.00	81.60	43.20
212	FICA-MEDICARE	418.00	0.00	295.97	34.82	122.03	316.98
OJ TOT	**********EMPLOYEE BENEFITS*	2,348.00	0.00	1,697.57	183.62	650.43	1,714.88
330	LEASE PAYMENTS	15,600.00	1,800.00	13,800.00	2,800.00	0.00	13,000.00
399	OTHER CONTRACTED SERVICES	8,238.00	0.00	6,477.48	0.00	1,760.52	7,876.08
OJ TOT	**********CONTRACTED SERVICES	23,838.00	1,800.00	20,277.48	2,800.00	1,760.52	20,876.08
513	WORKERS' COMPENSATION INS	107.00	0.00	107.00	107.00	0.00	43.00
OJ TOT	**********OTHER CHARGES***	107.00	0.00	107.00	107.00	0.00	43.00
CC TOT	OFFICE OF PUBLIC DEFENDER	55,093.00	1,800.00	43,682.05	5,490.62	9,610.95	44,483.96

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 53700: JUDICIAL COMMISSIONERS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
162	CLERICAL PERSONNEL	157,248.00	0.00	116,701.30	12,538.06	40,546.70	132,955.17
OJ TOT	**********PERSONAL SERVICES*	157,248.00	0.00	116,701.30	12,538.06	40,546.70	132,955.17
201	SOCIAL SECURITY	9,377.00	0.00	6,486.40	704.68	2,890.60	8,047.97
204	STATE RETIREMENT	17,182.00	0.00	10,072.70	951.36	7,109.30	15,118.48
205	EMPLOYEE INSURANCE	6,600.00	0.00	4,950.00	550.00	1,650.00	7,700.00
206	EMPLOYEE INSURANCE-LIFE	412.00	0.00	257.40	27.94	154.60	333.30
207	EMPLOYEE INSURANCE-HEALTH	25,500.00	0.00	17,000.00	2,125.00	8,500.00	21,250.00
208	EMPLOYEE INSURANCE-DENTAL	1,480.00	0.00	940.40	117.55	539.60	1,236.00
210	UNEMPLOYMENT COMPENSATION	360.00	0.00	71.06	0.00	288.94	4.47
212	FICA-MEDICARE	2,193.00	0.00	1,636.02	177.85	556.98	1,882.13
OJ TOT	**********EMPLOYEE BENEFITS*	63,104.00	0.00	41,413.98	4,654.38	21,690.02	55,572.35
513	WORKERS' COMPENSATION INS	560.00	0.00	560.00	560.00	0.00	244.00
OJ TOT	**********OTHER CHARGES***	560.00	0.00	560.00	560.00	0.00	244.00
CC TOT	JUDICIAL COMMISSIONERS	220,912.00	0.00	158,675.28	17,752.44	62,236.72	188,771.52

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 53900: OTHER ADMINISTRATION OF JUSTICE

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
109	CAPTAINS	58,773.00	0.00	23,718.42	0.00	35,054.58	48,934.59
110	LIEUTENANTS	48,347.00	0.00	27,423.20	3,320.88	20,923.80	12,955.60
164	ATTENDANTS	224,059.00	0.00	178,113.18	20,124.46	45,945.82	167,272.80
186	LONGEVITY PAY	6,277.00	0.00	2,443.77	0.00	3,833.23	4,227.74
OJ TOT	**********PERSONAL SERVICES*	337,456.00	0.00	231,698.57	23,445.34	105,757.43	233,390.73
201	SOCIAL SECURITY	20,923.00	0.00	13,789.70	1,390.31	7,133.30	14,031.27
204	STATE RETIREMENT	44,378.00	0.00	32,364.96	3,236.74	12,013.04	33,500.53
205	EMPLOYEE INSURANCE - DEPENDENT	26,400.00	0.00	14,255.25	1,640.79	12,144.75	15,442.48
206	EMPLOYEE INS LIFE	868.00	0.00	603.02	61.74	264.98	575.65
207	EMPLOYEE INS HEALTH	40,800.00	0.00	28,297.01	2,943.95	12,502.99	27,903.38
208	EMPLOYEE INS- DENTAL	2,368.00	0.00	1,584.17	161.13	783.83	1,676.34
210	UNEMPLOYMENT	576.00	0.00	0.00	0.00	576.00	0.00
212	EMPLOYER MEDICARE	4,893.00	0.00	3,224.94	325.13	1,668.06	3,281.42
OJ TOT	**********EMPLOYEE BENEFITS*	141,206.00	0.00	94,119.05	9,759.79	47,086.95	96,411.07
399	OTHER CONTRACTED SERVICES	1,000.00	750.00	0.00	0.00	250.00	0.00
OJ TOT	**********CONTRACTED SERVICES	1,000.00	750.00	0.00	0.00	250.00	0.00
513	WORKER'S COMPENSATION INSURANC	9,010.00	0.00	9,010.00	9,010.00	0.00	8,402.00
OJ TOT	**********OTHER CHARGES***	9,010.00	0.00	9,010.00	9,010.00	0.00	8,402.00
CC TOT	OTHER ADMINISTRATION OF JUSTIC	488,672.00	750.00	334,827.62	42,215.13	153,094.38	338,203.80

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 53910: PROBATION SERVICES

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	ADMINISTRATOR	65,000.00	0.00	43,833.28	5,000.00	21,166.72	43,187.50
111	PROBATION OFFICER	243,412.00	0.00	176,345.31	19,737.14	67,066.69	152,700.89
119	BOOKKEEPER	32,848.00	0.00	24,449.94	2,716.66	8,398.06	24,669.92
161	RECEPTIONIST	25,000.00	0.00	17,708.39	2,083.34	7,291.61	21,045.10
187	OVERTIME PAY	4,775.00	0.00	706.93	0.00	4,068.07	0.00
189	OTHER SALARIES & WAGES	11,867.00	0.00	3,000.00	300.00	8,867.00	4,050.00
OJ TOT	**********PERSONAL SERVICES*	382,902.00	0.00	266,043.85	29,837.14	116,858.15	245,653.41
201	SOCIAL SECURITY	24,065.00	0.00	15,895.13	1,781.89	8,169.87	14,868.80
204	STATE RETIREMENT	41,608.00	0.00	27,155.12	2,849.92	14,452.88	24,765.57
205	EMPLOYEE INSURANCE-DEPENDENT	18,425.00	0.00	11,825.00	1,100.00	6,600.00	6,600.00
206	EMPLOYEE INSURANCE-LIFE	946.00	0.00	668.55	69.57	277.45	596.42
207	EMPLOYEE INSURANCE-HEALTH	51,000.00	0.00	33,362.50	3,400.00	17,637.50	27,625.00
208	EMPLOYEE INSURANCE-DENTAL	2,959.00	0.00	1,892.23	190.53	1,066.77	1,898.82
210	UNEMPLOYMENT	792.00	0.00	160.66	0.00	631.34	86.36
212	EMPLOYER MEDICARE LIABILITY	5,628.00	0.00	3,730.36	416.71	1,897.64	3,477.41
OJ TOT	**********EMPLOYEE BENEFITS*	145,423.00	0.00	94,689.55	9,808.62	50,733.45	79,918.38
307	COMMUNICATIONS	5,363.88	1,421.16	3,532.73	343.90	746.48	940.73
320	DUES AND MEMBERSHIPS	1,500.00	275.00	670.00	0.00	555.00	800.00
330	LEASE PAYMENTS	1,000.00	143.27	563.23	74.69	293.50	1,035.81
349	PRINTING, STATIONER, & FORMS	2,200.00	0.00	1,880.00	150.00	320.00	1,340.00
355	TRAVEL	3,500.00	0.00	1,028.24	101.52-	2,471.76	432.19
356	TUITION	3,236.12	0.00	825.00	325.00	2,411.12	650.00
399	OTHER CONTRACTED SERVICES	50,000.00	25,310.40	21,389.60	3,391.40	3,300.00	16,031.68
OJ TOT	**********CONTRACTED SERVICES	66,800.00	27,149.83	29,888.80	4,183.47	10,097.86	21,230.41
413	DRUGS & MEDICAL SUPPLIES-DRUG	2,500.00	741.42	1,175.58	1,060.08	615.00	1,220.49
435	OFFICE SUPPLIES	3,500.00	146.34	1,835.63	376.32	1,518.03	2,388.99
499	OTHER SUPPLIES AND MATERIALS	4,000.00	35.00	3,183.70	15.00	781.30	7,222.04
OJ TOT	**********SUPPLIES & MATERIAL	10,000.00	922.76	6,194.91	1,451.40	2,914.33	10,831.52
513	WORKERS COMP INSURANCE	1,438.00	0.00	1,438.00	1,438.00	0.00	563.00
OJ TOT	**********OTHER CHARGES***	1,438.00	0.00	1,438.00	1,438.00	0.00	563.00
708	COMMUNICATION EQUIPMENT	0.00	0.00	0.00	0.00	0.00	1,679.94
709	COMPUTER EQUIPMENT	0.00	0.00	0.00	0.00	0.00	1,804.34
711	FURNITURE	0.00	0.00	0.00	0.00	0.00	1,488.00
OJ TOT	**********CAPITAL OUTLAY**	0.00	0.00	0.00	0.00	0.00	4,972.28
CC TOT	PROBATION SERVICES	606,563.00	28,072.59	398,255.11	46,718.63	180,603.79	363,169.00

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 53930: VICTIM ASSISTANCE PROGRAMS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
316	CONTRIBUTIONS - HAVEN HOUSE/CH	80,800.00	0.00	30,154.30	0.00	50,645.70	31,597.84
OJ TOT	**********CONTRACTED SERVICES	80,800.00	0.00	30,154.30	0.00	50,645.70	31,597.84
CC TOT	VICTIM ASSISTANCE PROGRAMS	80,800.00	0.00	30,154.30	0.00	50,645.70	31,597.84

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 54110: SHERIFFS DEPARTMENT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
101	COUNTY OFFICIAL/ADMINISTRATIVE	98,196.00	0.00	70,701.12	7,855.68	27,494.88	62,178.30
103	ASSISTANT	112,708.00	0.00	87,236.64	9,692.96	25,471.36	88,768.60
105	SUPERVISOR/DIRECTOR	332,523.00	0.00	184,938.58	29,251.12	147,584.42	184,714.29
106	DEPUTIES	3,620,183.00	0.00	2,698,866.56	303,477.35	921,316.44	2,760,117.15
107	DETECTIVES	343,706.00	0.00	226,367.97	22,325.01	117,338.03	251,095.10
108	INVESTIGATORS	36,078.00	0.00	20,480.34	0.00	15,597.66	23,545.00
109	CAPTAINS	219,320.00	0.00	158,413.87	16,112.10	60,906.13	172,989.76
110	LIEUTENANT	264,196.00	0.00	190,756.17	19,315.53	73,439.83	196,532.32
115	SERGEANTS	414,994.00	0.00	290,906.27	34,513.07	124,087.73	302,016.98
142	MECHANICS	37,880.00	0.00	28,526.22	3,169.58	9,353.78	29,526.22
162	CLERICAL PERSONNEL	194,850.00	0.00	131,489.74	14,498.86	63,360.26	152,718.73
164	ATTENDENTS	190,431.00	0.00	134,862.94	14,811.78	55,568.06	145,312.16
186	LONGEVITY PAY	64,354.00	0.00	44,837.96	63.62	19,516.04	48,066.29
187	OVERTIME	430,000.00	0.00	378,990.20	21,475.91	51,009.80	257,542.62
189	OTHER SALARIES & WAGES	17,116.00	0.00	8,190.00	910.00	8,926.00	8,878.93
OJ TOT	**********PERSONAL SERVICES*	6,376,535.00	0.00	4,655,564.58	497,472.57	1,720,970.42	4,684,002.45
201	SOCIAL SECURITY	395,346.00	0.00	274,164.39	29,294.18	121,181.61	280,807.06
204	STATE RETIREMENT	876,213.00	0.00	651,605.24	69,426.09	224,607.76	659,033.13
205	EMPLOYEE INSURANCE	547,800.00	0.00	419,065.59	44,157.90	128,734.41	434,210.11
206	EMPLOYEE INSURANCE-LIFE	15,761.00	0.00	10,747.90	1,189.35	5,013.10	10,885.78
207	EMPLOYEE INSURANCE-HEALTH	734,400.00	0.00	555,464.11	60,976.32	178,935.89	557,094.08
208	EMPLOYEE INSURANCE-DENTAL	42,613.00	0.00	30,207.50	3,285.79	12,405.50	32,070.69
210	UNEMPLOYMENT COMPENSATION	11,160.00	0.00	361.76	0.00	10,798.24	520.49
212	EMPLOYER MEDICARE LIABILITY	92,459.00	0.00	64,275.84	6,863.72	28,183.16	65,820.48
OJ TOT	**********EMPLOYEE BENEFITS*	2,715,752.00	0.00	2,005,892.33	215,193.35	709,859.67	2,040,441.82
307	COMMUNICATION	21,900.00	7,958.37	13,645.57	959.70	1,370.55	17,091.16
309	CONTRACTS WITH GOVERNMENT AGEN	1,000.00	0.00	1,000.00	0.00	0.00	0.00
320	DUES & MEMBERSHIPS	3,500.00	611.00	2,584.00	375.00	305.00	5,052.66
322	EVALUATION & TESTING	13,000.00	3,827.00	8,652.00	744.00	521.00	6,676.00
330	LEASE PAYMENTS	20,000.00	6,473.00	13,527.00	3,006.00	0.00	12,024.00
331	LEGAL SERVICES	2,500.00	1,545.25	562.75	100.00	392.00	1,692.00
333	LICENSES	9,500.00	4,822.08	1,473.67	162.16	3,204.25	4,276.95
334	MAINTENANCE AGREEMENTS	71,500.00	12,563.19	58,451.50	959.90	516.87	68,741.84
336	MAINT & REPAIR SERVICES-EQUIPM	46,550.00	9,007.57	34,642.34	1,940.52	3,099.43	21,822.43
337	MAINT. & REPAIR SERVICES-OFFIC	500.00	0.00	0.00	0.00	500.00	0.00
338	MAINT. & REPAIR SERVICES-VEHIC	42,700.00	8,378.56	34,032.89	2,450.00	779.30	23,682.18
339	MATCHING SHARE-JUDICIAL TASK F	23,750.00	0.00	23,750.00	0.00	0.00	23,750.00
340	TEST & EXAMINATIONS	0.00	0.00	300.00	0.00	300.00-	0.00
349	PRINTING, STATIONERY & FORMS	12,800.00	758.00	10,724.10	1,916.00	1,317.90	10,064.66
354	TRANS-OTHER THAN STUDENTS	0.00	0.00	0.00	0.00	0.00	841.12
355	TRAVEL	61,000.00	18,093.22	38,035.12	1,154.67	5,356.55	25,951.23
356	TUITION	73,000.00	4,292.00	23,100.99	4,345.00	45,607.01	26,716.49
399	OTHER CONTRACTED SERVICES	17,100.00	2,611.29	14,334.11	461.67	154.60	10,614.68
OJ TOT	**********CONTRACTED SERVICES	420,300.00	80,940.53	278,816.04	18,574.62	62,824.46	258,997.40

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 54110: SHERIFFS DEPARTMENT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
406	AMMUNITION	50,000.00	32,386.50	10,119.86	0.00	12,936.14	21,478.96
411	DATA PROCESSING SUP	23,000.00	3,729.28	17,892.52	3,010.27	1,720.10	17,480.23
414	DUPLICATING SUPPLIES	2,000.00	0.00	2,000.00	0.00	0.00	2,000.00
415	ELECTRICITY	10,000.00	0.00	6,863.25	989.66	3,136.75	7,565.15
418	EQUIPMENT & MACHINERY PARTS	3,000.00	783.28	2,196.72	0.00	20.00	2,548.83
424	GARAGE SUPPLIES	1,800.00	839.18	832.42	38.43	128.40	1,381.15
425	GASOLINE	550,000.00	228,831.55	312,509.52	49,939.01	8,658.93	380,828.06
431	LAW ENFORCEMENT SUPPLIES	40,000.00	10,936.14	19,108.32	3,523.31	10,506.00	28,548.27
433	LUBRICANTS	4,500.00	1,490.00	3,010.00	0.00	0.00	2,580.00
435	OFFICE SUPPLIES	15,550.00	2,622.00	12,214.88	2,161.80	1,568.22	11,843.53
446	SMALL TOOLS	500.00	500.00	0.00	0.00	0.00	0.00
450	TIRES & TUBES	35,000.00	3,880.75	26,119.25	2,155.40	5,000.00	23,638.04
451	UNIFORMS	104,250.00	6,015.13	127,991.38	3,091.20	5,258.49	54,034.25
453	VEHICLE PARTS	40,000.00	2,608.27	35,457.71	2,470.13	1,940.42	35,793.17
499	OTHER SUPPLIES & MATERIALS	0.00	0.00	0.00	0.00	0.00	116.61
OJ TOT	**********SUPPLIES & MATERIAL	879,600.00	294,622.08	576,315.83	67,379.21	50,873.45	589,836.25
513	WORKERS COMPENSATION INSURANCE	170,252.00	0.00	170,252.00	170,252.00	0.00	158,479.00
599	OTHER CHARGES	0.00	0.00	0.00	0.00	0.00	578.75
OJ TOT	**********OTHER CHARGES***	170,252.00	0.00	170,252.00	170,252.00	0.00	159,057.75
709	DATA PROCESSING EQUIPMENT	2,200.00	0.00	1,436.42	0.00	763.58	0.00
711	FURNITURE & FIXTURES	0.00	0.00	0.00	0.00	0.00	1,069.00
716	LAW ENFORCEMENT EQUIPMENT	2,800.00	756.81	1,100.00	0.00	943.19	0.00
790	OTHER EQUIPMENT	1,200.00	529.99	569.92	0.00	100.09	1,138.49
799	OTHER CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	629.00
OJ TOT	**********CAPITAL OUTLAY**	6,200.00	1,286.80	3,106.34	0.00	1,806.86	2,836.49
CC TOT	SHERIFFS DEPARTMENT	10,568,639.00	376,849.41	7,689,947.12	968,871.75	2,546,334.86	7,735,172.16

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 54160: ADMIN OF SEXUAL OFFENDER REGISTRY

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
599	OTHER CHARGES	6,000.00	4,000.00	2,550.00	800.00	0.00	2,150.00
OJ TOT	**********OTHER CHARGES***	6,000.00	4,000.00	2,550.00	800.00	0.00	2,150.00
CC TOT	ADMIN OF SEXUAL OFFENDER REGIS	6,000.00	4,000.00	2,550.00	800.00	0.00	2,150.00

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 54210: JAIL

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
103	ASSISTANT - PURCHASING/PROPERT	48,340.00	0.00	32,864.40	3,651.60	15,475.60	29,368.53
105	SUPERVISOR	50,756.00	0.00	25,419.90	3,169.58	25,336.10	29,526.22
109	CAPTAIN	61,711.00	0.00	46,283.94	5,142.66	15,427.06	21,570.64
110	LIEUTENANTS	147,895.00	0.00	98,152.92	10,905.88	49,742.08	100,181.04
115	SERGEANTS	131,840.00	0.00	80,930.88	8,992.32	50,909.12	82,161.98
120	COMPUTER PROGRAMMERS	222,289.00	0.00	179,734.68	19,970.52	42,554.32	155,848.92
160	GUARDS	138,986.00	0.00	96,537.18	10,835.90	42,448.82	97,086.46
162	CLERICAL PERSONNEL	186,300.00	0.00	137,081.70	15,231.30	49,218.30	141,489.34
164	ATTENDANTS	2,545,064.00	0.00	1,793,233.50	206,797.89	751,830.50	1,787,236.29
165	CAFETERIA PERSONNEL	78,168.00	0.00	51,288.77	3,422.88	26,879.23	62,028.84
169	PART-TIME PERSONNEL	175,133.00	0.00	94,404.92	8,696.93	80,728.08	113,433.76
186	LONGEVITY PAY	25,000.00	0.00	15,284.84	0.00	9,715.16	19,674.49
187	OVERTIME PAY	165,000.00	0.00	97,926.77	16,318.10	67,073.23	133,997.35
196	IN-SERVICE TRAINING	38,318.00	0.00	1,200.00	0.00	37,118.00	0.00
OJ TOT	**********PERSONAL SERVICES*	4,014,800.00	0.00	2,750,344.40	313,135.56	1,264,455.60	2,773,603.86
201	SOCIAL SECURITY	248,917.00	0.00	161,224.55	18,366.04	87,692.45	164,828.49
204	STATE RETIREMENT	412,409.00	0.00	307,903.20	34,106.95	104,505.80	302,797.05
205	EMPLOYEE INSURANCE	323,400.00	0.00	254,349.78	27,843.83	69,050.22	253,287.09
206	EMPLOYEE INSURANCE-LIFE	9,789.00	0.00	6,676.58	754.70	3,112.42	6,358.25
207	EMPLOYEE INSURANCE-HEALTH	586,500.00	0.00	386,223.67	43,752.30	200,276.33	375,373.99
208	EMPLOYEE INSURANCE-DENTAL	34,031.00	0.00	20,763.03	2,374.87	13,267.97	21,060.26
210	UNEMPLOYMENT COMPENSATION	9,072.00	0.00	769.86	0.00	8,302.14	894.87
212	EMPLOYER MEDICARE LIABILITY	58,214.00	0.00	37,921.93	4,316.34	20,292.07	38,726.00
OJ TOT	**********EMPLOYEE BENEFITS*	1,682,332.00	0.00	1,175,832.60	131,515.03	506,499.40	1,163,326.00
312	CONTRACTS W/PRIVATE AGCY	27,300.00	4,125.00	23,055.00	2,295.00	320.00	16,595.64
320	DUES & MEMBERSHIPS	1,000.00	300.00	200.00	0.00	500.00	999.00
322	EVALUATION & TESTING	1,000.00	0.00	0.00	0.00	1,000.00	715.00
334	MAINTENANCE AGREEMENTS	15,000.00	0.00	14,000.00	0.00	1,000.00	15,000.00
335	MAINT & REPAIR SERVICES-BUILDI	900.00	0.00	203.58	0.00	696.42	3,855.01
336	MAINT & REPAIR SERV-EQUIPMENT	30,000.00	8,934.42	6,715.53	1,092.33	15,360.00	9,116.21
340	MEDICAL & DENTAL SERVICES	830,000.00	100,730.26	792,139.06	85,255.08	3.00	686,572.85
349	PRINTING-STATIONERY & FORMS	10,000.00	1,035.00	7,311.00	385.00	1,654.00	3,360.80
355	TRAVEL	19,700.00	3,198.40	10,012.51	2,036.50	6,489.09	9,423.75
356	TUITION	10,400.00	0.00	4,925.00	800.00	5,475.00	2,394.00
399	OTHER CONTRACTED SERVICES	3,000.00	2,720.00	202.00	202.00	103.00	375.00
OJ TOT	**********CONTRACTED SERVICES	948,300.00	121,043.08	858,763.68	92,065.91	32,600.51	748,407.26
410	CUSTODIAL SUPPLIES	74,500.00	6,397.73	55,090.71	13,517.39	13,295.05	46,343.84
411	DATA PROCESSING SUPPLIES	11,800.00	3,115.08	5,283.92	1,901.09	3,401.33	7,892.89
421	FOOD PREPARATION SUPPLIES	32,000.00	4,928.84	18,678.55	1,816.96	8,392.61	24,688.78
422	FOOD SUPPLIES	430,000.00	82,263.23	433,685.72	49,590.89	85,948.95-	411,561.24
441	PRISONERS CLOTHING	20,000.00	4,995.42	10,004.58	108.96	5,000.00	8,966.47
451	UNIFORMS	26,500.00	8,179.73	11,216.38	69.88	7,103.89	24,614.36
499	OTHER SUPPLIES & MATERIALS	57,000.00	8,322.12	37,153.37	4,373.33	12,011.15	33,501.02
OJ TOT	**********SUPPLIES & MATERIAL	651,800.00	118,202.15	571,113.23	71,378.50	36,744.92-	557,568.60

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 54210: JAIL

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
513	WORKERS COMPENSATION INSURANCE	107,196.00	0.00	107,196.00	107,196.00	0.00	99,971.00
OJ TOT	**********OTHER CHARGES***	107,196.00	0.00	107,196.00	107,196.00	0.00	99,971.00
710	FOOD SERVICE EQUIPMENT	3,500.00	726.50	2,490.00	0.00	283.50	3,291.00
716	LAW ENFORCEMENT EQUIPMENT	4,000.00	0.00	3,564.00	0.00	436.00	4,200.00
790	OTHER EQUIPMENT	5,000.00	0.00	4,801.08	0.00	198.92	2,887.01
OJ TOT	**********CAPITAL OUTLAY**	12,500.00	726.50	10,855.08	0.00	918.42	10,378.01
CC TOT	JAIL	7,416,928.00	239,971.73	5,474,104.99	715,291.00	1,767,729.01	5,353,254.73

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 54220: WORKHOUSE

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
101	OFFICIAL	9,820.00	0.00	8,837.64	981.96	982.36	7,772.40
OJ TOT	**********PERSONAL SERVICES*	9,820.00	0.00	8,837.64	981.96	982.36	7,772.40
201	SOCIAL SECURITY	609.00	0.00	528.88	58.70	80.12	464.10
204	RETIREMENT	1,428.00	0.00	1,313.28	145.92	114.72	1,154.16
206	EMPLOYEE INSURANCE - LIFE *IA*	0.00	0.00	0.00	0.00	0.00	9.90
207	EMPLOYEE INSURANCE - HEALT*IA*	0.00	0.00	0.00	0.00	0.00	127.50
212	EMPLOYER MEDICARE	142.00	0.00	123.63	13.72	18.37	108.49
OJ TOT	**********EMPLOYEE BENEFITS*	2,179.00	0.00	1,965.79	218.34	213.21	1,864.15
513	WORKERS' COMPENSATION	262.00	0.00	262.00	262.00	0.00	215.00
OJ TOT	**********OTHER CHARGES***	262.00	0.00	262.00	262.00	0.00	215.00
CC TOT	WORKHOUSE	12,261.00	0.00	11,065.43	1,462.30	1,195.57	9,851.55

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 54240: JUVENILE SERVICES

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
109	CAPTAIN	64,797.00	0.00	0.00	0.00	64,797.00	28,284.63
110	LIEUTENANT	58,774.00	0.00	29,887.92	3,320.88	28,886.08	30,887.92
115	SERGEANTS	103,396.00	0.00	73,209.06	8,134.34	30,186.94	75,368.22
131	MEDICAL PERSONNEL	23,752.00	0.00	1,645.39	0.01	22,106.61	1,075.52
160	TRANSPORT GUARDS	89,040.00	0.00	59,436.72	5,010.00	29,603.28	67,251.50
164	ATTENDANTS	542,887.00	0.00	385,107.26	42,627.04	157,779.74	375,594.47
169	PART TIME PERSONNEL	12,916.00	0.00	0.00	0.00	12,916.00	957.32
187	OVERTIME PAY	11,410.00	0.00	11,151.92	0.00	258.08	11,191.06
189	SALARY SUPPLEMENTS	35,709.00	0.00	24,081.78	3,482.42	11,627.22	22,667.89
OJ TOT	**********PERSONAL SERVICES*	942,681.00	0.00	584,520.05	62,574.69	358,160.95	613,278.53
201	SOCIAL SECURITY	58,446.00	0.00	34,580.43	3,698.17	23,865.57	36,765.79
204	STATE RETIREMENT	102,537.00	0.00	67,507.40	7,539.90	35,029.60	70,302.54
205	EMPLOYEE INSURANCE	99,000.00	0.00	50,855.11	5,589.98	48,144.89	53,744.46
206	EMPLOYEE INSURANCE-LIFE	2,332.00	0.00	1,492.82	156.10	839.18	1,517.70
207	EMPLOYEE INSURANCE-HEALTH	132,600.00	0.00	91,615.93	9,728.58	40,984.07	88,258.03
208	EMPLOYEE INSURANCE-DENTAL	7,694.00	0.00	4,538.53	449.22	3,155.47	4,825.26
210	UNEMPLOYMENT COMPENSATION	2,160.00	0.00	98.04	0.00	2,061.96	88.79
212	EMPLOYER MEDICARE LIABILITY	13,668.00	0.00	8,087.44	864.90	5,580.56	8,598.31
OJ TOT	**********EMPLOYEE BENEFITS*	418,437.00	0.00	258,775.70	28,026.85	159,661.30	264,100.88
334	MAINTENANCE AGREEMENTS	10,000.00	0.00	8,995.00	0.00	1,005.00	6,905.00
340	MEDICAL & DENTAL SERVICE	2,500.00	2,500.00	0.00	0.00	0.00	0.00
349	PRINTING, STATIONERY & FORMS	2,000.00	0.00	0.00	0.00	2,000.00	0.00
355	TRAVEL	7,000.00	0.00	2,171.28	366.95	4,828.72	687.75
356	TUITION	8,000.00	0.00	1,495.00	0.00	6,505.00	20.00
399	OTHER CONTRACTED SERVICES	6,000.00	2,546.40	153.60	0.00	3,300.00	369.83
OJ TOT	**********CONTRACTED SERVICES	35,500.00	5,046.40	12,814.88	366.95	17,638.72	7,982.58
429	EDUCATIONAL SUPPLIES	3,000.00	821.47	1,678.53	378.53	1,800.00	0.00
435	OFFICE SUPPLIES	3,000.00	0.00	0.00	0.00	3,000.00	2,915.00
441	CLOTHING-RESIDENTS	5,000.00	3,200.00	0.00	0.00	1,800.00	0.00
451	UNIFORMS	9,000.00	12.50	7,269.50	0.00	9,000.00	3,705.80
499	OTHER SUPPLIES & MATERIALS	9,145.00	2,691.90	6,027.24	975.60	425.86	6,572.18
OJ TOT	**********SUPPLIES & MATERIAL	29,145.00	6,725.87	14,975.27	1,354.13	16,025.86	13,192.98
513	WORKERS COMPENSATION INSURANCE	25,169.00	0.00	25,169.00	25,169.00	0.00	23,443.00
OJ TOT	**********OTHER CHARGES***	25,169.00	0.00	25,169.00	25,169.00	0.00	23,443.00
790	OTHER EQUIPMENT	0.00	3,041.36	0.00	0.00	0.00	2,495.00
OJ TOT	**********CAPITAL OUTLAY**	0.00	3,041.36	0.00	0.00	0.00	2,495.00
CC TOT	JUVENILE SERVICES	1,450,932.00	14,813.63	896,254.90	117,491.62	551,486.83	924,492.97

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 54260:

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
499	OTHER SUPPLIES & MATERIALS	430,000.00	0.00	66,292.11	0.00	363,707.89	267,653.57
OJ TOT	**********SUPPLIES & MATERIAL	430,000.00	0.00	66,292.11	0.00	363,707.89	267,653.57
CC TOT		430,000.00	0.00	66,292.11	0.00	363,707.89	267,653.57

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 54310: FIRE PREVENTION & CONTROL

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
312	CONTRACTS WITH PRIVATE AGENCIE	23,250.00	0.00	23,250.00	0.00	0.00	19,500.00
OJ TOT	**********CONTRACTED SERVICES	23,250.00	0.00	23,250.00	0.00	0.00	19,500.00
CC TOT	FIRE PREVENTION & CONTROL	23,250.00	0.00	23,250.00	0.00	0.00	19,500.00

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 54410: CIVIL DEFENSE

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	57,050.00	0.00	41,038.52	4,583.34	16,011.48	19,338.89
162	CLERICAL PERSONNEL	46,057.00	0.00	211.54	0.00	45,845.46	34,017.58
169	PART TIME PERSONNEL	8,270.00	0.00	3,295.56	360.00	4,974.44	0.00
OJ TOT	**********PERSONAL SERVICES*	111,377.00	0.00	44,545.62	4,943.34	66,831.38	53,356.47
201	SOCIAL SECURITY	6,906.00	0.00	2,814.97	302.97	4,091.03	3,246.32
204	STATE RETIREMENT	11,713.00	0.00	4,685.94	520.66	7,027.06	6,055.86
205	EMPLOYEE INSURANCE	6,600.00	0.00	0.00	0.00	6,600.00	1,925.00
206	EMPLOYEE INSURANCE-LIFE	249.00	0.00	105.38	11.00	143.62	132.88
207	EMPLOYEE INSURANCE-HEALTH	10,200.00	0.00	4,037.50	425.00	6,162.50	5,525.00
208	EMPLOYEE INSURANCE-DENTAL	592.00	0.00	235.10	23.51	356.90	320.58
210	UNEMPLOYMENT COMPENSATION	210.00	0.00	33.05	0.00	176.95	0.00
212	FICA-MEDICARE	1,615.00	0.00	658.43	70.86	956.57	759.24
OJ TOT	**********EMPLOYEE BENEFITS*	38,085.00	0.00	12,570.37	1,354.00	25,514.63	17,964.88
330	LEASE PAYMENTS	700.00	0.00	0.00	0.00	700.00	690.54
338	MAINT & REPAIR SERV-VEHICLE	1,000.00	0.00	0.00	0.00	1,000.00	566.10
348	POSTAL CHARGES	100.00	0.00	0.00	0.00	100.00	0.00
399	OTHER CONTRACTED SERVICES	77,380.00	1,281.39	5,042.08	1,500.00	74,978.78	36,382.88
OJ TOT	**********CONTRACTED SERVICES	79,180.00	1,281.39	5,042.08	1,500.00	76,778.78	37,639.52
425	GASOLINE	6,300.00	403.91	395.94	0.00	5,566.67	998.94
435	OFFICE SUPPLIES	0.00	0.00	22.31	0.00	22.31-	0.00
OJ TOT	**********SUPPLIES & MATERIAL	6,300.00	403.91	418.25	0.00	5,544.36	998.94
513	WORKERS' COMPENSATION INS	412.00	0.00	412.00	412.00	0.00	155.00
OJ TOT	**********OTHER CHARGES***	412.00	0.00	412.00	412.00	0.00	155.00
716	LAW ENFORCEMENT EQUIPMENT	57,000.00	0.00	1,300.00	0.00	55,700.00	824.64
OJ TOT	**********CAPITAL OUTLAY**	57,000.00	0.00	1,300.00	0.00	55,700.00	824.64
CC TOT	CIVIL DEFENSE	292,354.00	1,685.30	64,288.32	8,209.34	230,369.15	110,939.45

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 54490: OTHER EMERGENCY MANAGEMENT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
309	CONTRACTS WITH GOVT AGENCIES	302,133.00	0.00	226,599.00	0.00	75,534.00	226,599.00
OJ TOT	**********CONTRACTED SERVICES	302,133.00	0.00	226,599.00	0.00	75,534.00	226,599.00
CC TOT	OTHER EMERGENCY MANAGEMENT	302,133.00	0.00	226,599.00	0.00	75,534.00	226,599.00

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 55110: LOCAL HEALTH CENTER

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
131	MEDICAL PERSONNEL	529,000.00	0.00	383,056.00	44,081.00	145,944.00	369,490.17
162	CLERICAL PERSONNEL	92,502.00	0.00	59,215.82	7,537.39	33,286.18	73,676.49
166	CUSTODIAN	47,320.00	0.00	31,428.21	3,360.20	15,891.79	32,636.32
169	PART TIME	113,600.00	0.00	87,828.66	9,155.18	25,771.34	78,558.19
OJ TOT	**********PERSONAL SERVICES*	782,422.00	0.00	561,528.69	64,133.77	220,893.31	554,361.17
201	SOCIAL SECURITY	48,518.00	0.00	32,273.23	3,711.31	16,244.77	32,149.75
204	STATE RETIREMENT	75,978.00	0.00	50,716.40	5,561.72	25,261.60	52,934.04
205	EMPLOYEE INSURANCE	117,500.00	0.00	61,600.00	6,600.00	55,900.00	64,150.00
206	EMPLOYEE INSURANCE-LIFE	1,585.00	0.00	1,156.32	135.52	428.68	1,124.86
207	EMPLOYEE INSURANCE-HEALTH	116,600.00	0.00	75,225.00	8,925.00	41,375.00	76,500.00
208	EMPLOYEE INSURANCE-DENTAL	6,876.00	0.00	3,691.07	446.69	3,184.93	4,167.54
210	UNEMPLOYMENT COMPENSATION	5,448.00	0.00	265.26	0.00	5,182.74	253.24
212	FICA-MEDICARE	10,900.00	0.00	7,651.65	875.46	3,248.35	7,627.26
OJ TOT	**********EMPLOYEE BENEFITS*	383,405.00	0.00	232,578.93	26,255.70	150,826.07	238,906.69
307	COMMUNICATION	26,125.00	0.00	22,188.98	3,013.64	3,936.02	17,901.20
309	CONTRACTS W/GOVT AGENCIES	96,810.00	145.00	105.00	0.00	96,560.00	59,497.50
335	MAINTENANCE & REPAIR - BLDG	4,575.00	2,167.16	2,123.43	0.00	284.41	1,487.28
336	MAINTENANCE & REPAIR - EQUIPME	792.00	297.00	495.00	0.00	0.00	200.00
347	PEST CONTROL	522.00	93.00	279.00	62.00	150.00	279.00
355	TRAVEL	9,880.00	150.00	3,361.44	40.89	6,728.56	2,355.17
399	OTHER CONTRACTED SERVICES	3,615.50	1,316.41	2,229.69	579.53	69.40	2,336.04
OJ TOT	**********CONTRACTED SERVICES	142,319.50	4,168.57	30,782.54	3,696.06	107,728.39	84,056.19
410	CUSTODIAL SUPPLIES	2,090.00	600.71	1,489.29	166.28	0.00	1,540.72
415	ELECTRICITY	0.00	0.00	0.00	0.00	0.00	37,390.22
435	OFFICE SUPPLIES	1,177.00	18.63	981.37	0.00	177.00	819.65
452	UTILITIES	53,703.50	0.00	33,266.99	5,785.83	20,436.51	0.00
499	OTHER SUPPLIES & MATERIALS	0.00	9.58	653.87	0.00	0.00	0.00
OJ TOT	**********SUPPLIES & MATERIAL	56,970.50	628.92	36,391.52	5,952.11	20,613.51	39,750.59
513	WORKERS' COMPENSATION INS	2,863.00	0.00	2,863.00	2,863.00	0.00	1,062.00
599	OTHER CHARGES	74,360.00	2,104.00	25,793.00	1,143.00	72,506.00	980.00
OJ TOT	**********OTHER CHARGES***	77,223.00	2,104.00	28,656.00	4,006.00	72,506.00	2,042.00
CC TOT	LOCAL HEALTH CENTER	1,442,340.00	6,901.49	889,937.68	104,043.64	572,567.28	919,116.64

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 55120: RABIES/ANIMAL CONTROL

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR	52,500.00	0.00	39,375.00	4,375.00	13,125.00	38,499.94
131	MEDICAL PERSONNEL	36,431.00	0.00	18,268.47	6,075.35	18,162.53	0.00
169	PART TIME PERSONNEL	3,330.00	0.00	370.00	370.00	2,960.00	3,872.50
187	OVERTIME	15,000.00	0.00	10,451.45	1,328.31	4,548.55	6,461.19
189	OTHER SALARIES & WAGES	107,300.00	0.00	87,273.75	10,196.55	20,026.25	74,465.21
OJ TOT	**********PERSONAL SERVICES*	214,561.00	0.00	155,738.67	22,345.21	58,822.33	123,298.84
201	SOCIAL SECURITY	12,369.00	0.00	9,211.01	1,332.34	3,157.99	7,385.29
204	STATE RETIREMENT	21,980.00	0.00	13,206.33	1,544.92	8,773.67	8,085.12
205	EMPLOYEE INSURANCE	23,100.00	0.00	14,850.00	1,650.00	8,250.00	11,275.00
206	LIFE INSURANCE	458.00	0.00	313.50	45.10	144.50	241.56
207	HEALTH INSURANCE	30,600.00	0.00	19,975.00	2,550.00	10,625.00	15,300.00
208	DENTAL INSURANCE	1,776.00	0.00	1,199.01	164.57	576.99	887.76
210	UNEMPLOYMENT	490.00	0.00	15.20	0.00	474.80	157.53
212	MEDICARE	2,823.00	0.00	2,142.89	311.60	680.11	1,727.17
OJ TOT	**********EMPLOYEE BENEFITS*	93,596.00	0.00	60,912.94	7,598.53	32,683.06	45,059.43
320	DUES & MEMBERSHIPS	500.00	0.00	200.00	0.00	300.00	450.00
333	LICENSES	1,000.00	0.00	0.00	0.00	1,000.00	980.00
335	MAINT & REPAIR SERV - BUILDING	2,000.00	0.00	115.53	0.00	1,884.47	0.00
338	MAINTENANCE AND REPAIR - VECHI	3,900.00	0.00	1,688.50	0.00	2,211.50	102.38
354	TRANSPORTATION	618.00	75.00	0.00	0.00	543.00	0.00
355	TRAVEL	4,200.00	800.65	2,224.99	699.35	1,174.36	0.00
356	TUITION	1,700.00	0.00	725.00	725.00	975.00	0.00
399	OTHER CONTRACTED SERVICES	28,000.00	5,025.65	7,679.71	2,116.27	15,815.21	18,989.06
OJ TOT	**********CONTRACTED SERVICES	41,918.00	5,901.30	12,633.73	3,540.62	23,903.54	20,521.44
401	ANIMAL FOOD AND SUPPLIES	8,000.00	229.58	1,520.42	221.80	6,250.00	5,072.43
413	DRUGS AND MEDICAL SUPPLIES	33,390.00	6,337.49	21,559.86	3,165.82	5,492.65	5,902.70
425	GASOLINE	12,700.00	3,402.45	6,803.39	1,129.82	3,130.95	4,289.18
435	OFFICE SUPPLIES	6,000.00	0.00	147.75	0.00	5,852.25	2,230.37
451	UNIFORMS	2,500.00	400.51	279.44	0.00	1,950.00	4,137.48
452	UTILITIES	5,500.00	0.00	3,274.07	714.12	2,225.93	3,896.58
499	OTHER SUPPLIES AND MATERIALS	16,069.00	3,878.95	8,411.00	1,641.14	3,779.05	4,409.89
OJ TOT	**********SUPPLIES & MATERIAL	84,159.00	14,248.98	41,995.93	6,872.70	28,680.83	29,938.63
513	WORKERS COMPENSATION	707.00	0.00	707.00	707.00	0.00	240.00
599	OTHER CHARGES	500.00	0.00	0.00	0.00	500.00	5,679.56
OJ TOT	**********OTHER CHARGES***	1,207.00	0.00	707.00	707.00	500.00	5,919.56
732	BUILDING PURCHASES	0.00	0.00	0.00	0.00	0.00	2,400.00
790	OTHER EQUIPMENT	6,000.00	0.00	194.50	194.50	5,805.50	690.00
OJ TOT	**********CAPITAL OUTLAY**	6,000.00	0.00	194.50	194.50	5,805.50	3,090.00
CC TOT	RABIES/ANIMAL CONTROL	441,441.00	20,150.28	272,182.77	41,258.56	150,395.26	227,827.90

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 55590: OTHER LOCAL WELFARE SERVICE

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
312	CONTRACTS W/PRIVATE AGCY	98,668.00	0.00	56,436.26	6,896.54	42,231.74	39,014.75
OJ TOT	**********CONTRACTED SERVICES	98,668.00	0.00	56,436.26	6,896.54	42,231.74	39,014.75
CC TOT	OTHER LOCAL WELFARE SERVICE	98,668.00	0.00	56,436.26	6,896.54	42,231.74	39,014.75

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 56700: PARKS & FAIR BOARDS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
309	CONTRACTS W/GOVT AGENCIES	653,585.00	0.00	653,585.00	163,394.00	0.00	653,585.00
OJ TOT	**********CONTRACTED SERVICES	653,585.00	0.00	653,585.00	163,394.00	0.00	653,585.00
CC TOT	PARKS & FAIR BOARDS	653,585.00	0.00	653,585.00	163,394.00	0.00	653,585.00

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 57100: AGRICULTURAL EXTENSION SERVICE

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
307	COMMUNICATION	3,900.00	0.00	2,770.75	308.52	1,129.25	3,258.44
309	CONTRACTS W/GOVT AGENCIES	157,566.00	0.00	70,473.68	0.00	87,092.32	64,103.86
330	LEASE PAYMENTS	1,130.00	123.03	868.16	90.44	138.81	846.81
337	MAINT & REPAIR SERV-OFC EQU	100.00	0.00	0.00	0.00	100.00	0.00
OJ TOT	**********CONTRACTED SERVICES	162,696.00	123.03	74,112.59	398.96	88,460.38	68,209.11
719	OFFICE EQUIPMENT	800.00	0.00	600.00	600.00	200.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	800.00	0.00	600.00	600.00	200.00	0.00
CC TOT	AGRICULTURAL EXTENSION SERVICE	163,496.00	123.03	74,712.59	998.96	88,660.38	68,209.11

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 57500: SOIL CONSERVATION

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR	48,205.00	0.00	35,965.26	3,996.14	12,239.74	36,965.26
162	CLERICAL PERSONNEL	40,922.00	0.00	30,362.04	3,373.56	10,559.96	31,362.04
OJ TOT	**********PERSONAL SERVICES*	89,127.00	0.00	66,327.30	7,369.70	22,799.70	68,327.30
201	SOCIAL SECURITY	5,526.00	0.00	4,078.08	452.76	1,447.92	4,222.30
204	STATE RETIREMENT	10,125.00	0.00	7,534.80	837.20	2,590.20	7,755.14
206	EMPLOYEE INSURANCE-LIFE	237.00	0.00	176.22	19.58	60.78	176.00
207	EMPLOYEE INSURANCE-HEALTH	10,200.00	0.00	7,650.00	850.00	2,550.00	7,650.00
208	EMPLOYEE INSURANCE-DENTAL	592.00	0.00	423.18	47.02	168.82	443.88
210	UNEMPLOYMENT COMPENSATION	144.00	0.00	0.00	0.00	144.00	0.00
212	EMPLOYER MEDICARE LIABILITY	1,292.00	0.00	953.82	105.90	338.18	987.50
OJ TOT	**********EMPLOYEE BENEFITS*	28,116.00	0.00	20,816.10	2,312.46	7,299.90	21,234.82
307	COMMUNICATION	720.00	0.00	395.51	49.60	324.49	704.51
348	POSTAL	300.00	0.00	299.92	0.00	0.08	199.92
355	TRAVEL	376.00	0.00	157.88	0.00	218.12	264.75
OJ TOT	**********CONTRACTED SERVICES	1,396.00	0.00	853.31	49.60	542.69	1,169.18
435	OFFICE SUPPLIES	450.00	7.48	575.11	192.52	161.53	16.23
OJ TOT	**********SUPPLIES & MATERIAL	450.00	7.48	575.11	192.52	161.53	16.23
513	WORKERS COMPENSATION INSURANCE	329.00	0.00	329.00	329.00	0.00	133.00
OJ TOT	**********OTHER CHARGES***	329.00	0.00	329.00	329.00	0.00	133.00
CC TOT	SOIL CONSERVATION	119,418.00	7.48	88,900.82	10,253.28	30,803.82	90,880.53

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 58120: INDUSTRIAL DEVELOPMENT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
364	CONTRACTS FOR DEVELOPMENT	848,021.00	0.00	740,778.25	0.00	107,242.75	738,478.25
OJ TOT	**********CONTRACTED SERVICES	848,021.00	0.00	740,778.25	0.00	107,242.75	738,478.25
CC TOT	INDUSTRIAL DEVELOPMENT	848,021.00	0.00	740,778.25	0.00	107,242.75	738,478.25

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 58300: VETERANS SERVICES

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	50,000.00	0.00	37,499.94	4,166.66	12,500.06	36,749.94
162	CLERICAL PERSONNEL	64,475.00	0.00	48,355.74	5,372.86	16,119.26	50,355.74
OJ TOT	**********PERSONAL SERVICES*	114,475.00	0.00	85,855.68	9,539.52	28,619.32	87,105.68
201	SOCIAL SECURITY	7,097.00	0.00	4,957.12	548.87	2,139.88	5,117.97
204	STATE RETIREMENT	13,004.00	0.00	9,787.64	1,083.69	3,216.36	9,945.39
205	EMPLOYEE INSURANCE	13,200.00	0.00	9,872.68	1,091.43	3,327.32	9,900.00
206	EMPLOYEE INSURANCE-LIFE	307.00	0.00	227.18	25.14	79.82	223.30
207	EMPLOYEE INSURANCE-HEALTH	15,300.00	0.00	11,453.88	1,268.37	3,846.12	11,475.00
208	EMPLOYEE INSURANCE-DENTAL	888.00	0.00	633.68	70.20	254.32	665.82
210	UNEMPLOYMENT COMPENSATION	216.00	0.00	0.00	0.00	216.00	0.00
212	EMPLOYER MEDICARE LIABILITY	1,660.00	0.00	1,159.20	128.35	500.80	1,196.82
OJ TOT	**********EMPLOYEE BENEFITS*	51,672.00	0.00	38,091.38	4,216.05	13,580.62	38,524.30
320	DUES & MEMBERSHIPS	62.00	0.00	62.00	0.00	0.00	50.00
330	OPERATING & LEASE PAYMENTS	1,382.00	373.45	793.41	74.69	330.23	1,035.81
332	LEGAL NOTICE-REC-COURT CST	81.90	0.00	81.90	0.00	0.00	40.95
334	MAINT. AGREEMENT	1,197.00	0.00	1,197.00	0.00	0.00	1,197.00
349	PRINTING-STATIONERY & FORMS	182.00	0.00	170.00	170.00	12.00	224.00
355	TRAVEL	1,407.00	0.00	704.89	0.00	702.11	1,407.42
356	TUITION	100.00	0.00	100.00	0.00	0.00	0.00
OJ TOT	**********CONTRACTED SERVICES	4,411.90	373.45	3,109.20	244.69	1,044.34	3,955.18
414	DUPLICATING SUPPLIES	77.00	0.00	809.47	0.00	0.00	164.00
425	GASOLINE	1,299.00	224.94	766.65	45.89	307.41	906.77
435	OFFICE SUPPLIES	629.10	0.00	543.77	101.48	108.56	434.39
OJ TOT	**********SUPPLIES & MATERIAL	2,005.10	224.94	2,119.89	147.37	415.97	1,505.16
508	PREMIUM ON CORPORATE SURETY BO	50.00	0.00	50.00	0.00	0.00	0.00
513	WORKERS COMPENSATION INSURANCE	424.00	0.00	424.00	424.00	0.00	172.00
OJ TOT	**********OTHER CHARGES***	474.00	0.00	474.00	424.00	0.00	172.00
719	OFFICE EQUIPMENT	0.00	0.00	1,699.99	0.00	0.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	0.00	0.00	1,699.99	0.00	0.00	0.00
CC TOT	VETERANS SERVICES	173,038.00	598.39	131,350.14	14,571.63	43,660.25	131,262.32

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 58500: CONTRIBUTIONS TO OTHER AGENCIES

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
316	CONTRIBUTIONS	112,240.00	0.00	93,990.00	9,810.00	18,250.00	84,180.00
OJ TOT	**********CONTRACTED SERVICES	112,240.00	0.00	93,990.00	9,810.00	18,250.00	84,180.00
CC TOT	CONTRIBUTIONS TO OTHER AGENCIE	112,240.00	0.00	93,990.00	9,810.00	18,250.00	84,180.00

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 64000: LITTER AND TRASH COLLECT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
164	ATTENDANTS	32,717.00	0.00	24,763.50	2,751.50	7,953.50	25,763.50
186	LONGEVITY PAY	250.00	0.00	250.00	0.00	0.00	250.00
OJ TOT	**********PERSONAL SERVICES*	32,967.00	0.00	25,013.50	2,751.50	7,953.50	26,013.50
201	SOCIAL SECURITY	2,044.00	0.00	1,441.19	158.24	602.81	1,525.73
204	STATE RETIREMENT	3,717.00	0.00	2,841.61	312.58	875.39	2,952.58
205	EMPLOYEE INSURANCE	6,600.00	0.00	4,881.94	550.00	1,718.06	4,790.86
206	EMPLOYEE INSURANCE-LIFE	87.00	0.00	65.47	7.48	21.53	62.77
207	EMPLOYEE INSURANCE-HEALTH	5,100.00	0.00	3,772.41	425.00	1,327.59	3,579.05
208	EMPLOYEE INSURANCE-DENTAL	296.00	0.00	205.77	23.51	90.23	207.67
210	UNEMPLOYMENT COMPENSATION	72.00	0.00	0.00	0.00	72.00	0.00
212	EMPLOYER MEDICARE LIABILITY	478.00	0.00	336.99	37.00	141.01	356.78
OJ TOT	**********EMPLOYEE BENEFITS*	18,394.00	0.00	13,545.38	1,513.81	4,848.62	13,475.44
309	CONTRACTS W/GOVT AGENCIES	3,200.00	0.00	3,200.00	155.92	0.00	3,052.14
333	LICENSES	50.00	0.00	0.00	0.00	50.00	0.00
399	OTHER CONTRACTED SERVICES	24,900.00	9,797.22	14,802.78	2,202.78	1,434.94	14,400.00
OJ TOT	**********CONTRACTED SERVICES	28,150.00	9,797.22	18,002.78	2,358.70	1,484.94	17,452.14
450	TIRES & TUBES	300.00	0.00	0.00	0.00	300.00	0.00
499	OTHER SUPPLIES & MATERIALS	2,500.00	1,452.66	1,047.34	536.44	0.00	1,400.66
OJ TOT	**********SUPPLIES & MATERIAL	2,800.00	1,452.66	1,047.34	536.44	300.00	1,400.66
513	WORKMANS COMPENSATION INS	881.00	0.00	881.00	881.00	0.00	821.00
OJ TOT	**********OTHER CHARGES***	881.00	0.00	881.00	881.00	0.00	821.00
CC TOT	LITTER AND TRASH COLLECT	83,192.00	11,249.88	58,490.00	8,041.45	14,587.06	59,162.74

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 91110: GENERAL ADMINISTRATION PROJECTS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
709	DATA PROCESSING EQUIPMENT	37,000.00	0.00	15,551.98	0.00	35,758.02	9,100.00
799	OTHER CAPITAL OUTLAY	1,421,506.00	467,467.25	820,216.52	11,845.10	133,822.23	0.00
OJ TOT	**********CAPITAL OUTLAY**	1,458,506.00	467,467.25	835,768.50	11,845.10	169,580.25	9,100.00
CC TOT	GENERAL ADMINISTRATION PROJECT	1,458,506.00	467,467.25	835,768.50	11,845.10	169,580.25	9,100.00

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 91130: PUBLIC SAFETY PROJECTS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
708	SHERIFF COMMUNICATIONS EQUIPME	313,273.00	10,022.77	140,729.76	0.00	165,171.28	171,968.92
718	MOTOR VEHICLES	690,000.00	479,747.26	117,052.54	505.94	199,939.26	271,294.48
OJ TOT	**********CAPITAL OUTLAY**	1,003,273.00	489,770.03	257,782.30	505.94	365,110.54	443,263.40
CC TOT	PUBLIC SAFETY PROJECTS	1,003,273.00	489,770.03	257,782.30	505.94	365,110.54	443,263.40

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 91140: PUBLIC HEALTH AND WELFARE PROJECTS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
707	PUBLIC HEALTH & WELFARE PROJEC	0.00	0.00	88,421.23	0.00	0.00	0.00
790	OTHER EQUIPMENT	12,000.00	0.00	11,992.00	0.00	8.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	12,000.00	0.00	100,413.23	0.00	8.00	0.00
CC TOT	PUBLIC HEALTH AND WELFARE PROJ	12,000.00	0.00	100,413.23	0.00	8.00	0.00

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 91150: SOCIAL, CULTURAL AND RECREATION PROJECTS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
707	BUILDING IMPROVEMENTS	59,100.00	1,417.63	28,200.78	10,032.26	29,481.59	0.00
790	OTHER EQUIPMENT	60,000.00	0.00	0.00	0.00	60,000.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	119,100.00	1,417.63	28,200.78	10,032.26	89,481.59	0.00
CC TOT	SOCIAL, CULTURAL AND RECREATIO	119,100.00	1,417.63	28,200.78	10,032.26	89,481.59	0.00

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 91190: OTHER GENERAL GOVERNMENT PROJECTS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
707	BUILDING IMPROVEMENTS	0.00	0.00	0.00	0.00	0.00	9,925.00
718	MOTOR VEHICLES	0.00	0.00	0.00	0.00	0.00	18,091.00
OJ TOT	**********CAPITAL OUTLAY**	0.00	0.00	0.00	0.00	0.00	28,016.00
CC TOT	OTHER GENERAL GOVERNMENT PROJE	0.00	0.00	0.00	0.00	0.00	28,016.00

REPORT 240-100 FUND 101: GENERAL GOVERNMENT

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 99100: TRANSFERS OUT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
590	TRANSFERS TO OTHER FUNDS	1,567,839.00	0.00	1,008,799.06	224,880.00	559,039.94	1,003,397.79
OJ TOT	**********OTHER CHARGES***	1,567,839.00	0.00	1,008,799.06	224,880.00	559,039.94	1,003,397.79
CC TOT	TRANSFERS OUT	1,567,839.00	0.00	1,008,799.06	224,880.00	559,039.94	1,003,397.79
FD TOT	GENERAL GOVERNMENT	46,349,966.00	1,811,554.06	31,591,884.07	4,088,145.59	13,401,637.94	30,981,709.87

REPORT 240-100 FUND 112: COURTHOUSE & JAIL MAINT FUND

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 51800: COUNTY BUILDINGS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
321	ENGINEERING SERVICES	3,700.00	0.00	3,700.00	0.00	3,700.00	0.00
336	MAINTENANCE & REPAIR - EQUIPME	10,551.25	0.00	10,551.25	0.00	0.00	0.00
OJ TOT	**********CONTRACTED SERVICES	14,251.25	0.00	14,251.25	0.00	3,700.00	0.00
510	TRUSTEES COMMISSION	1,600.00	0.00	1,147.51	0.00	452.49	990.64
OJ TOT	**********OTHER CHARGES***	1,600.00	0.00	1,147.51	0.00	452.49	990.64
707	BUILDING IMPROVEMENTS	169,448.75	42,642.00	190,101.57	0.00	101,871.75	4,752.00
OJ TOT	**********CAPITAL OUTLAY**	169,448.75	42,642.00	190,101.57	0.00	101,871.75	4,752.00
CC TOT	COUNTY BUILDINGS	185,300.00	42,642.00	205,500.33	0.00	106,024.24	5,742.64
FD TOT	COURTHOUSE & JAIL MAINT FUND	185,300.00	42,642.00	205,500.33	0.00	106,024.24	5,742.64

REPORT 240-100 FUND 114: LAW LIBRARY

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 58400: OTHER CHARGES

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
399	OTHER CONTRACTED SERVICES	8,300.00	2,736.00	6,142.00	684.00	92.00	4,108.00
OJ TOT	**********CONTRACTED SERVICES	8,300.00	2,736.00	6,142.00	684.00	92.00	4,108.00
510	TRUSTEE'S COMMISSION	138.00	0.00	56.84	0.00	81.16	20.00
OJ TOT	**********OTHER CHARGES***	138.00	0.00	56.84	0.00	81.16	20.00
CC TOT	OTHER CHARGES	8,438.00	2,736.00	6,198.84	684.00	173.16	4,128.00
FD TOT	LAW LIBRARY	8,438.00	2,736.00	6,198.84	684.00	173.16	4,128.00

REPORT 240-100 FUND 115: PUBLIC LIBRARY

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 51800: COUNTY BUILDINGS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	3,725.00	0.00	0.01	0.00	3,724.99	2,721.56
166	CUSTODIAL PERSONNEL	52,053.32	0.00	35,900.34	3,577.30	16,152.98	31,622.82
167	MAINTENANCE PERSONNEL	46,960.00	0.00	34,409.34	3,535.38	12,550.66	20,673.52
169	PART TIME PERSONNEL	19,436.00	0.00	9,327.40	949.40	10,108.60	7,621.58
OJ TOT	**********PERSONAL SERVICES*	122,174.32	0.00	79,637.09	8,062.08	42,537.23	62,639.48
201	SOCIAL SECURITY	8,071.00	0.00	4,731.02	481.19	3,339.98	3,718.49
204	STATE RETIREMENT	321.00	0.00	185.91	21.34	135.09	4,275.66
205	EMPLOYEE INSURANCE	13,200.00	0.00	4,675.00	550.00	8,525.00	8,250.00
206	EMPLOYEE INSURANCE - LIFE	288.00	0.00	163.68	20.46	124.32	167.42
207	EMPLOYEE INSURANCE - MEDICAL	15,300.00	0.00	10,837.50	1,275.00	4,462.50	12,750.00
208	EMPLOYEE INSURANCE - DENTAL	888.00	0.00	634.77	70.53	253.23	739.80
210	UNEMPLOYMENT COMPENSATION	389.00	0.00	42.46	0.00	346.54	89.80
212	EMPLOYER MEDICARE	1,888.00	0.00	1,107.13	112.53	780.87	869.66
OJ TOT	**********EMPLOYEE BENEFITS*	40,345.00	0.00	22,377.47	2,531.05	17,967.53	30,860.83
335	MAINT & REP SERV-BLDGS	25,000.00	4,075.19	12,253.41	310.17	12,317.78	8,186.10
336	MAINT. & REPAIR SVCS.-EQUIPMEN	10,000.00	1,500.00	4,953.19	470.14	4,661.48	3,671.02
OJ TOT	**********CONTRACTED SERVICES	35,000.00	5,575.19	17,206.60	780.31	16,979.26	11,857.12
499	OTHER SUPPLIES & MATERIALS	3,595.00	0.00	1,608.56	47.92	1,986.44	0.00
OJ TOT	**********SUPPLIES & MATERIAL	3,595.00	0.00	1,608.56	47.92	1,986.44	0.00
513	WORKERS' COMPENSATION INS	194.00	0.00	194.00	194.00	0.00	163.00
OJ TOT	**********OTHER CHARGES***	194.00	0.00	194.00	194.00	0.00	163.00
717	MAINTENANCE EQUIPMENT	0.00	0.00	0.00	0.00	0.00	1,598.32
OJ TOT	**********CAPITAL OUTLAY**	0.00	0.00	0.00	0.00	0.00	1,598.32
CC TOT	COUNTY BUILDINGS	201,308.32	5,575.19	121,023.72	11,615.36	79,470.46	107,118.75

REPORT 240-100 FUND 115: PUBLIC LIBRARY

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 56500: LIBRARIES

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
101	COUNTY OFFICIAL/ADMINISTRATIVE	77,000.00	0.00	55,519.32	5,769.24	21,480.68	73,552.81
105	SUPERVISOR/DIRECTOR	310,000.00	0.00	229,367.04	22,569.16	80,632.96	225,473.57
169	PART-TIME PERSONNEL	290,607.00	0.00	205,150.62	22,026.37	85,456.38	158,332.88
189	OTHER SALARIES & WAGES	228,139.20	0.00	168,144.37	17,141.38	59,994.83	148,325.78
OJ TOT	**********PERSONAL SERVICES*	905,746.20	0.00	658,181.35	67,506.15	247,564.85	605,685.04
201	SOCIAL SECURITY	55,664.00	0.00	39,638.97	4,009.88	16,025.03	36,343.42
204	STATE RETIREMENT	1,858.00	0.00	669.19	136.40	1,188.81	42,677.05
205	EMPLOYEE INSURANCE - DEPENDENT	42,309.80	0.00	30,800.00	3,850.00	11,509.80	41,800.00
206	EMPLOYEE INSURANCE - LIFE	1,564.00	0.00	1,024.78	124.96	539.22	1,124.42
207	EMPLOYEE INSURANCE - HEALTH	89,250.00	0.00	65,450.00	7,650.00	23,800.00	65,237.50
208	EMPLOYEE INSURANCE - DENTAL	5,031.00	0.00	3,832.13	423.18	1,198.87	3,797.64
210	UNEMPLOYMENT COMPENSATION	3,240.00	0.00	1,029.04	0.00	2,210.96	819.77
211	RETIREE BENEFITS	8,005.68	0.00	5,003.55	1,000.71	3,002.13	0.00
212	EMPLOYER MEDICARE	13,019.00	0.00	9,348.09	947.93	3,670.91	8,499.72
OJ TOT	**********EMPLOYEE BENEFITS*	219,941.48	0.00	156,795.75	18,143.06	63,145.73	200,299.52
306	BANK CHARGES	3,850.00	0.00	2,589.72	618.02	1,260.28	0.00
307	COMMUNICATION	7,032.00	0.00	3,291.18	48.07	3,740.82	4,514.69
317	DATA PROCESSING SERVICES	31,000.00	6,550.00	19,372.55	947.55	5,077.45	14,187.00
318	DEBT COLLECTION SERVICES	5,000.00	2,426.00	1,074.00	0.00	1,500.00	1,449.90
320	DUES AND MEMBERSHIPS	2,000.00	350.00	860.00	0.00	790.00	0.00
330	LEASE PAYMENTS	11,000.00	2,485.23	5,562.84	836.71	2,951.93	5,246.69
333	LICENSES	38,000.00	0.00	24,542.95	7,474.95	13,457.05	0.00
334	MAINTENANCE AGREEMENTS	14,000.00	2,286.50	9,667.50	1,215.50	2,046.00	8,065.50
347	PEST CONTROL	800.00	180.00	540.00	60.00	80.00	536.00
348	POSTAL CHARGES	2,000.00	0.00	908.91	72.80	1,091.09	851.01
355	TRAVEL	3,000.00	0.00	862.17	118.32	2,413.11	510.27
356	TUITION	3,000.00	0.00	99.00	0.00	2,901.00	0.00
361	PERMITS	750.00	0.00	0.00	0.00	750.00	0.00
399	OTHER CONTRACTED SERVICES	8,067.00	2,921.20	2,006.00	0.00	3,139.80	6,282.01
OJ TOT	**********CONTRACTED SERVICES	129,499.00	17,198.93	71,376.82	11,391.92	41,198.53	41,643.07
410	CUSTODIAL SUPPLIES	16,500.00	3,187.49	11,812.51	2,356.63	1,500.00	13,882.61
411	DATA PROCESSING SUPPLIES	4,000.00	1,675.16	2,274.84	1,148.91	50.00	3,364.24
432	LIBRARY BOOKS	197,000.00	26,502.58	129,677.50	7,701.97	40,882.94	168,916.06
435	OFFICE SUPPLIES	17,648.00	1,765.79	6,351.47	440.24	9,592.15	6,520.74
437	PERIODICALS	28,200.00	13,100.55	6,095.09	134.97	11,167.42	1,639.08
452	UTILITIES	205,000.00	0.00	155,424.44	20,971.91	49,575.56	138,444.45
499	OTHER SUPPLIES & MATERIALS	2,500.00	66.86	784.06	0.00	1,649.08	648.03
OJ TOT	**********SUPPLIES & MATERIAL	470,848.00	46,298.43	312,419.91	32,754.63	114,417.15	333,415.21
506	GEN LIAB INSURANCE	42,445.00	0.00	27,000.00	27,000.00	15,445.00	27,000.00
510	TRUSTEE'S COMMISSION	1,400.00	0.00	523.10	0.00	876.90	589.70
513	WORKER'S COMPENSATION INSURANC	1,711.00	0.00	1,347.00	1,347.00	364.00	1,286.00
OJ TOT	**********OTHER CHARGES***	45,556.00	0.00	28,870.10	28,347.00	16,685.90	28,875.70

REPORT 240-100 FUND 115: PUBLIC LIBRARY

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 56500: LIBRARIES

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
709	DATA PROCESSING EQUIPMENT	10,958.00	0.00	10,957.76	1,240.00	0.24	8,198.40
OJ TOT	**********CAPITAL OUTLAY**	10,958.00	0.00	10,957.76	1,240.00	0.24	8,198.40
CC TOT	LIBRARIES	1,782,548.68	63,497.36	1,238,601.69	159,382.76	483,012.40	1,218,116.94

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 56900: OTHER SOCIAL CULTURAL & RECREATIONAL

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	25,000.00	0.00	18,446.21	1,846.16	6,553.79	16,052.94
169	PART TIME PERSONNEL	29,770.00	0.00	24,317.10	2,161.42	5,452.90	14,854.29
OJ TOT	**********PERSONAL SERVICES*	54,770.00	0.00	42,763.31	4,007.58	12,006.69	30,907.23
201	SOCIAL SECURITY	3,396.00	0.00	2,314.17	237.13	1,081.83	1,836.46
204	STATE RETIREMENT	75.00	0.00	58.39	5.54	16.61	528.36
205	EMPLOYEE INSURANCE	6,600.00	0.00	4,675.00	550.00	1,925.00	4,400.00
206	EMPLOYEE INSURANCE-LIFE	66.00	0.00	42.24	5.28	23.76	42.24
207	EMPLOYEE INSURANCE-HEALTH	5,100.00	0.00	3,612.50	425.00	1,487.50	3,400.00
208	EMPLOYEE INSURANCE-DENTAL	296.00	0.00	211.59	23.51	84.41	197.28
210	UNEMPLOYMENT COMPENSATION	432.00	0.00	141.57	0.00	290.43	158.67
212	FICA-MEDICARE	795.00	0.00	541.19	55.45	253.81	429.48
OJ TOT	**********EMPLOYEE BENEFITS*	16,760.00	0.00	11,596.65	1,301.91	5,163.35	10,992.49
421	FOOD PREPARATION SUPPLIES	1,577.58	662.30	440.53	240.00	474.75	710.57
422	FOOD SUPPLIES	40,000.00	6,465.26	23,824.47	2,840.04	10,020.66	21,674.35
499	OTHER SUPPLIES & MATERIALS	0.00	0.00	6.37	0.00	6.37-	96.83
OJ TOT	**********SUPPLIES & MATERIAL	41,577.58	7,127.56	24,271.37	3,080.04	10,489.04	22,481.75
513	WORKERS' COMPENSATION INS	83.00	0.00	83.00	83.00	0.00	66.00
OJ TOT	**********OTHER CHARGES***	83.00	0.00	83.00	83.00	0.00	66.00
710	FOOD SERVICE EQUIPMENT	5,422.42	0.00	5,241.00	0.00	181.42	0.00
OJ TOT	**********CAPITAL OUTLAY**	5,422.42	0.00	5,241.00	0.00	181.42	0.00
CC TOT	OTHER SOCIAL CULTURAL & RECREA	118,613.00	7,127.56	83,955.33	8,472.53	27,840.50	64,447.47

REPORT 240-100 FUND 115: PUBLIC LIBRARY

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 91110: GENERAL ADMINISTRATION PROJECTS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
707	BUILDING IMPROVEMENTS	22,200.00	0.00	0.00	0.00	22,200.00	0.00
717	MAINTENANCE EQUIPMENT	8,500.00	0.00	3,552.41	0.00	4,947.59	8,182.64
732	BUILDING PURCHASES	402,800.00	2,234.35	401,948.65	1.00-	1,383.00-	0.00
OJ TOT	**********CAPITAL OUTLAY**	433,500.00	2,234.35	405,501.06	1.00-	25,764.59	8,182.64
CC TOT	GENERAL ADMINISTRATION PROJECT	433,500.00	2,234.35	405,501.06	1.00-	25,764.59	8,182.64
FD TOT	PUBLIC LIBRARY	2,535,970.00	78,434.46	1,849,081.80	179,469.65	616,087.95	1,397,865.80

REPORT 240-100 FUND 122: DRUG CONTROL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 54110: SHERIFFS DEPARTMENT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
399	OTHER CONTRACTED SERVICES	9,500.00	890.00	8,504.58	1,275.00	105.42	6,771.74
OJ TOT	**********CONTRACTED SERVICES	9,500.00	890.00	8,504.58	1,275.00	105.42	6,771.74
401	ANIMAL FOOD & SUPPLIES	10,000.00	2,191.38	7,646.71	2,701.90	161.91	8,791.24
499	OTHER SUPPLIES & MATERIALS	32,000.00	7,039.12	5,671.60	1,881.53	19,692.18	29,891.94
OJ TOT	**********SUPPLIES & MATERIAL	42,000.00	9,230.50	13,318.31	4,583.43	19,854.09	38,683.18
510	TRUSTEE'S COMMISSION	2,000.00	0.00	749.04	0.00	1,250.96	977.46
599	OTHER CHARGES	3,000.00	0.00	3,000.00	0.00	0.00	0.00
OJ TOT	**********OTHER CHARGES***	5,000.00	0.00	3,749.04	0.00	1,250.96	977.46
716	LAW ENFORCEMENT EQUIPMENT	45,000.00	3,356.52	28,214.00	10,215.00	13,429.48	40,472.09
OJ TOT	**********CAPITAL OUTLAY**	45,000.00	3,356.52	28,214.00	10,215.00	13,429.48	40,472.09
CC TOT	SHERIFFS DEPARTMENT	101,500.00	13,477.02	53,785.93	16,073.43	34,639.95	86,904.47

REPORT 240-100 FUND 122: DRUG CONTROL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 54150: DRUG ENFORCEMENT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
399	OTHER CONTRACTED SERVICES	10,000.00	0.00	10,000.00	0.00	0.00	0.00
OJ TOT	**********CONTRACTED SERVICES	10,000.00	0.00	10,000.00	0.00	0.00	0.00
401	ANIMAL FOOD & SUPPLIES	10,000.00	0.00	0.00	0.00	10,000.00	0.00
499	OTHER SUPPLIES AND MATERIALS	30,000.00	5,448.00	0.00	0.00	24,552.00	0.00
OJ TOT	**********SUPPLIES & MATERIAL	40,000.00	5,448.00	0.00	0.00	34,552.00	0.00
510	TRUSTEE COMMISSION	2,000.00	0.00	0.00	0.00	2,000.00	0.00
OJ TOT	**********OTHER CHARGES***	2,000.00	0.00	0.00	0.00	2,000.00	0.00
716	LAW ENFORCEMENT EQUIPMENT	50,000.00	0.00	7,270.34	882.33	45,409.66	27,429.92
OJ TOT	**********CAPITAL OUTLAY**	50,000.00	0.00	7,270.34	882.33	45,409.66	27,429.92
CC TOT	DRUG ENFORCEMENT	102,000.00	5,448.00	17,270.34	882.33	81,961.66	27,429.92
FD TOT	DRUG CONTROL	203,500.00	18,925.02	71,056.27	16,955.76	116,601.61	114,334.39

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 53200: CRIMINAL COURT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	0.00	0.00	0.00	0.00	0.00	32,598.72
111	PROBATION OFFICER	0.00	0.00	0.00	0.00	0.00	51,975.00
161	SECRETARIES	0.00	0.00	0.00	0.00	0.00	19,218.78
OJ TOT	**********PERSONAL SERVICES*	0.00	0.00	0.00	0.00	0.00	103,792.50
201	SOCIAL SECURITY	0.00	0.00	0.00	0.00	0.00	6,339.24
204	STATE RETIREMENT	0.00	0.00	0.00	0.00	0.00	11,780.46
205	EMPLOYEE INSURANCE	0.00	0.00	0.00	0.00	0.00	4,950.00
206	EMPLOYEE INSURANCE - LIFE	0.00	0.00	0.00	0.00	0.00	279.18
207	EMPLOYEE INSURANCE - HEALTH	0.00	0.00	0.00	0.00	0.00	11,475.00
208	EMPLOYEE INSURANCE - DENTAL	0.00	0.00	0.00	0.00	0.00	665.82
212	EMPLOYER MEDICARE	0.00	0.00	0.00	0.00	0.00	1,482.66
OJ TOT	**********EMPLOYEE BENEFITS*	0.00	0.00	0.00	0.00	0.00	36,972.36
307	COMMUNICATION	0.00	0.00	0.00	0.00	0.00	932.36
320	DUES & MEMBERSHIPS	0.00	0.00	0.00	0.00	0.00	700.00
355	TRAVEL	0.00	0.00	0.00	0.00	0.00	2,987.37
356	TUITION	0.00	0.00	0.00	0.00	0.00	760.00
399	OTHER CONTRACTED SERVICES	0.00	0.00	0.00	0.00	0.00	900.00
OJ TOT	**********CONTRACTED SERVICES	0.00	0.00	0.00	0.00	0.00	6,279.73
429	INSTRUCTIONAL SUPPLIES	0.00	0.00	0.00	0.00	0.00	1,696.33
435	OFFICE SUPPLIES	0.00	0.00	0.00	0.00	0.00	934.37
499	OTHER SUPPLIES & MATERIALS	0.00	0.00	0.00	0.00	0.00	9,184.34
OJ TOT	**********SUPPLIES & MATERIAL	0.00	0.00	0.00	0.00	0.00	11,815.04
510	TRUSTEES COMMISSION	0.00	0.00	0.00	0.00	0.00	479.85
513	WORKERS' COMPENSATION	0.00	0.00	0.00	0.00	0.00	206.00
OJ TOT	**********OTHER CHARGES***	0.00	0.00	0.00	0.00	0.00	685.85
CC TOT	CRIMINAL COURT	0.00	0.00	0.00	0.00	0.00	159,545.48
FD TOT	DRUG COURT	0.00	0.00	0.00	0.00	0.00	159,545.48

REPORT 240-100 FUND 131: HIGHWAY/PUBLIC WORKS FUND

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 61000: ADMINISTRATION

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
101	COUNTY OFFICIAL/ADMINISTRATIVE	98,197.06	0.00	75,536.20	7,553.62	22,660.86	66,430.00
103	ASSISTANT	73,523.00	0.00	54,855.17	5,076.92	18,667.83	53,155.92
105	SUPERVISOR/DIRECTOR	66,271.00	0.00	47,880.02	5,073.38	18,390.98	46,793.21
119	ACCT/BOOKKEEPER	89,950.00	0.00	65,664.81	6,702.29	24,285.19	59,817.58
189	OTHER SALARIES & WAGES	0.00	0.00	0.00	0.00	0.00	38,807.50
OJ TOT	**********PERSONAL SERVICES*	327,941.06	0.00	243,936.20	24,406.21	84,004.86	265,004.21
201	SOCIAL SECURITY	20,120.00	0.00	14,548.14	1,484.84	5,571.86	15,958.65
204	STATE RETIREMENT	36,129.94	0.00	24,549.70	2,195.82	11,580.24	29,226.66
205	EMPLOYEE INSURANCE	26,400.00	0.00	12,400.84	1,100.00	13,999.16	18,700.00
206	EMPLOYEE INSURANCE - LIFE	700.00	0.00	369.60	51.26	330.40	539.66
207	EMPLOYEE INSURANCE - HEALTH	25,500.00	0.00	14,500.98	1,700.00	10,999.02	22,947.54
208	EMPLOYEE INSURANCE - DENTAL	1,480.00	0.00	987.42	117.55	492.58	1,306.84
210	UNEMPLOYMENT COMPENSATION	180.00	0.00	26.85	0.00	153.15	3.84
212	SOCIAL SECURITY - MEDICARE	4,750.00	0.00	3,402.45	347.28	1,347.55	3,732.21
OJ TOT	**********EMPLOYEE BENEFITS*	115,259.94	0.00	70,785.98	6,996.75	44,473.96	92,415.40
307	COMMUNICATION	12,150.00	2,224.94	5,252.28	421.41	4,672.78	5,458.95
316	CONTRIBUTIONS	21,835.00	0.00	21,835.00	0.00	0.00	0.00
320	DUES & MEMBERSHIPS	5,200.00	200.00	4,980.00	0.00	20.00	4,206.78
334	MAINT. AGREEMENT	10,000.00	3,084.20	5,936.58	672.48	1,084.22	4,758.28
348	POSTAL CHARGES	100.00	0.00	0.00	0.00	100.00	300.00
355	TRAVEL	1,550.00	400.00	703.56	166.51	446.44	326.08
356	TUITION	3,800.00	1,491.05	2,271.95	0.00	37.00	686.85
OJ TOT	**********CONTRACTED SERVICES	54,635.00	7,400.19	40,979.37	1,260.40	6,360.44	15,736.94
410	CUSTODIAL SUPPLIES	1,000.00	500.00	304.78	9.00	195.22	1,554.73
413	DRUGS AND MEDICAL SUPPLIES	200.00	0.00	196.30	0.00	3.70	98.35
415	ELECTRICITY	4,849.00	0.00	3,086.92	273.24	1,762.08	2,811.16
435	OFFICE SUPPLIES	9,250.00	1,455.60	4,385.39	639.82	3,409.01	3,054.08
OJ TOT	**********SUPPLIES & MATERIAL	15,299.00	1,955.60	7,973.39	922.06	5,370.01	7,518.32
506	LIABILITY INSURANCE	106,000.00	0.00	106,000.00	106,000.00	0.00	128,041.00
508	PREMIUMS ON CORPORATE SURETY B	800.00	0.00	0.00	0.00	800.00	0.00
510	TRUSTEE'S COMMISSION	62,000.00	0.00	41,624.37	0.00	20,375.63	45,970.74
513	WORKERS COMPENSATION INSURANCE	11,400.00	0.00	11,400.00	11,400.00	0.00	4,359.00
515	LIABILITY CLAIMS	9,500.00	0.00	632.00	0.00	8,868.00	0.00
OJ TOT	**********OTHER CHARGES***	189,700.00	0.00	159,656.37	117,400.00	30,043.63	178,370.74
707	BUILDING IMPROVEMENTS	3,000.00	2,141.27	0.00	0.00	858.73	16,098.65
719	OFFICE EQUIPMENT	0.00	0.00	0.00	0.00	0.00	1,982.35
799	OTHER CAPITAL OUTLAY	22,000.00	1,212.14	6,267.09	0.00	14,520.77	0.00
OJ TOT	**********CAPITAL OUTLAY**	25,000.00	3,353.41	6,267.09	0.00	15,379.50	18,081.00
CC TOT	ADMINISTRATION	727,835.00	12,709.20	529,598.40	150,985.42	185,632.40	577,126.61

REPORT 240-100 FUND 131: HIGHWAY/PUBLIC WORKS FUND

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 62000: HIGHWAY & BRIDGE MAINTENANCE

OBJECT	ACCOUNT TITLE	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	0.00	0.00	0.00	0.00	0.00	46,793.20
140	SALARY SUPPLEMENTS	16,672.00	0.00	12,235.20	1,223.52	4,436.80	0.00
141	FOREMEN	165,066.00	0.00	119,309.50	12,622.62	45,756.50	116,422.45
143	EQUIPMENT OPERATORS	157,296.00	0.00	103,522.01	10,694.97	53,773.99	220,693.30
144	EQUIP OPERATORS-HEAVY	137,059.00	0.00	99,578.53	9,710.40	37,480.47	113,122.08
145	EQUIP OPERATORS-LIGHT	185,789.00	0.00	123,838.19	11,137.61	61,950.81	103,112.44
147	TRUCK DRIVERS	407,256.00	0.00	288,318.19	28,849.10	118,937.81	288,988.12
187	OVERTIME	25,000.00	0.00	19,743.05	4,849.68	5,256.95	13,540.76
189	OTHER SALARIES & WAGES	287,450.00	0.00	199,484.16	20,686.42	87,965.84	175,856.10
OJ TOT	**********PERSONAL SERVICES*	1,381,588.00	0.00	966,028.83	99,774.32	415,559.17	1,078,528.45
201	SOCIAL SECURITY	87,000.00	0.00	57,669.85	5,933.39	29,330.15	64,407.87
204	STATE RETIREMENT	158,263.00	0.00	105,025.16	11,139.25	53,237.84	118,676.15
205	EMPLOYEE INSURANCE	126,500.00	0.00	83,901.95	9,350.00	42,598.05	117,155.59
206	EMPLOYEE INSURANCE - LIFE	3,700.00	0.00	2,179.54	263.12	1,520.46	2,918.96
207	EMPLOYEE INSURANCE - HEALTH	180,200.00	0.00	124,984.34	14,025.00	55,215.66	152,161.51
208	EMPLOYEE INSURANCE - DENTAL	10,500.00	0.00	7,217.63	752.32	3,282.37	8,859.36
210	UNEMPLOYMENT COMPENSATION	1,300.00	0.00	135.00	0.00	1,165.00	30.08
211	EMPLOYEE BENEFITS RETIREES	67,790.00	0.00	45,095.95	5,553.55	22,694.05	44,895.16
212	SOCIAL SECURITY - MEDICARE	20,200.00	0.00	13,564.15	1,387.63	6,635.85	15,063.10
OJ TOT	**********EMPLOYEE BENEFITS*	655,453.00	0.00	439,773.57	48,404.26	215,679.43	524,167.78
321	ENGINEERING SERVICES	30,000.00	0.00	28,850.00	0.00	1,150.00	0.00
399	OTHER CONTRACTED SERVICES	81,000.00	13,216.94	51,332.31	4,914.43	16,450.75	152,446.84
OJ TOT	**********CONTRACTED SERVICES	111,000.00	13,216.94	80,182.31	4,914.43	17,600.75	152,446.84
404	ASPHALT-HOT MIX	645,000.00	72,994.60	572,005.40	2,662.62	0.00	772,282.81
405	ASPHALT-LIQUID	50,000.00	10,846.96	39,153.04	0.00	0.00	40,869.41
408	CONCRETE	15,000.00	3,992.00	5,154.31	1,008.00	5,853.69	4,973.57
409	CRUSHED STONE	95,000.00	20,059.83	63,706.11	18,750.81	16,386.22	66,366.19
420	FERTILIZER, LIME & SEED	500.00	0.00	0.00	0.00	500.00	0.00
426	GENERAL CONSTRUCTION MATERIALS	8,587.00	3,862.11	4,097.39	1,211.09	627.50	0.00
436	OTHER ROAD MATERIALS	5,000.00	0.00	1,114.15	0.00	3,885.85	6,330.86
440	PIPE-METAL	97,000.00	17,409.74	79,590.26	0.00	0.00	65,401.71
444	SALT	80,000.00	3,788.03	74,316.66	30,397.29	1,895.31	35,722.05
447	STRUCTURAL STEEL	12,000.00	2,765.33	7,443.42	0.00	1,791.25	4,395.60
451	UNIFORMS	9,800.00	686.50	8,613.29	60.00	500.21	6,605.94
459	DRAINAGE MATERIALS	3,000.00	0.00	3,000.00	0.00	0.00	0.00
468	CHEMICALS	10,000.00	0.00	4,524.50	0.00	5,475.50	9,191.00
499	OTHER SUPPLIES & MATERIALS	0.00	0.00	0.00	0.00	0.00	1,784.16
OJ TOT	**********SUPPLIES & MATERIAL	1,030,887.00	136,405.10	862,718.53	54,089.81	36,915.53	1,013,923.30
513	WORKERS'COMPENSATION	48,472.00	0.00	48,472.00	48,472.00	0.00	18,403.00
OJ TOT	**********OTHER CHARGES***	48,472.00	0.00	48,472.00	48,472.00	0.00	18,403.00
714	HIGHWAY EQUIPMENT	360,000.00	3,700.00	280,148.68	13,843.06	76,859.46	7,828.00
723	RIGHT-OF-WAY	200,000.00	0.00	0.00	0.00	200,000.00	0.00

REPORT 240-100 FUND 131: HIGHWAY/PUBLIC WORKS FUND

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 62000: HIGHWAY & BRIDGE MAINTENANCE

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
726	STATE AID PROJECTS	1,600,000.00	0.00	448,916.96	0.00	1,151,083.04	674,986.40
OJ TOT	**********CAPITAL OUTLAY**	2,160,000.00	3,700.00	729,065.64	13,843.06	1,427,942.50	682,814.40
CC TOT	HIGHWAY & BRIDGE MAINTENANCE	5,387,400.00	153,322.04	3,126,240.88	269,497.88	2,113,697.38	3,470,283.77

REPORT 240-100 FUND 131: HIGHWAY/PUBLIC WORKS FUND

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 63100: OPERATION & MAINTENANCE OF EQUIPMENT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
140	SALARY SUPPLEMENTS	5,402.00	0.00	3,772.52	407.84	1,629.48	0.00
141	FOREMEN	54,999.00	0.00	40,817.85	0.00	14,181.15	38,807.39
142	MECHANICS	289,365.00	0.00	204,895.27	21,293.23	84,469.73	209,310.72
OJ TOT	**********PERSONAL SERVICES*	349,766.00	0.00	249,485.64	21,701.07	100,280.36	248,118.11
201	SOCIAL SECURITY	22,000.00	0.00	14,889.51	1,285.17	7,110.49	14,783.56
204	STATE RETIREMENT	40,000.00	0.00	26,861.31	2,299.18	13,138.69	28,161.44
205	EMPLOYEE INSURANCE	33,000.00	0.00	22,262.77	2,200.00	10,737.23	29,150.00
206	EMPLOYEE INSURANCE - LIFE	921.00	0.00	553.30	57.42	367.70	664.62
207	EMPLOYEE INSURANCE - HEALTH	40,800.00	0.00	26,534.29	2,550.00	14,265.71	30,600.00
208	EMPLOYEE INSURANCE - DENTAL	2,368.00	0.00	1,575.17	141.06	792.83	1,786.16
210	UNEMPLOYMENT COMPENSATION	288.00	0.00	0.00	0.00	288.00	0.00
211	RETIREE	41,490.00	0.00	28,618.18	3,903.55	12,871.82	24,495.68
212	SOCIAL SECURITY - MEDICARE	5,100.00	0.00	3,482.15	300.55	1,617.85	3,457.57
OJ TOT	**********EMPLOYEE BENEFITS*	185,967.00	0.00	124,776.68	12,736.93	61,190.32	133,099.03
412	DIESEL FUEL	130,000.00	24,563.91	75,436.09	11,683.25	30,000.00	86,895.63
418	EQUIPT. & MACHINERY PARTS	114,000.00	11,284.25	81,812.88	7,400.59	22,541.34	76,755.54
424	GARAGE SUPPLIES	0.00	0.00	0.00	0.00	0.00	3,140.63
425	GASOLINE	105,000.00	61,489.39	38,510.61	3,214.41	5,000.00	53,498.24
433	LUBRICANTS	8,000.00	1,100.00	3,599.90	525.00	3,300.10	7,366.43
440	PIPE-METAL	4,000.00	0.00	1,329.92	0.00	2,670.08	0.00
442	PROPANE GAS	3,000.00	986.04	1,996.26	56.98	17.70	2,015.56
446	SMALL TOOLS	3,000.00	557.17	2,442.83	0.00	0.00	0.00
450	TIRES & TUBES	35,000.00	1,444.00	18,861.29	1,022.60	14,694.71	36,497.82
451	UNIFORMS	10,400.00	2,070.69	4,357.11	666.28	3,972.20	3,062.85
OJ TOT	**********SUPPLIES & MATERIAL	412,400.00	103,495.45	228,346.89	24,569.11	82,196.13	269,232.70
513	WORKERS' COMPENSATION	12,168.00	0.00	12,168.00	12,168.00	0.00	4,118.00
OJ TOT	**********OTHER CHARGES***	12,168.00	0.00	12,168.00	12,168.00	0.00	4,118.00
707	BUILDING IMPROVEMENTS	24,699.00	0.00	22,060.43	1,322.15	2,638.57	0.00
717	MAINTENANCE EQUIPMENT	15,000.00	0.00	14,204.27	0.00	795.73	3,133.14
OJ TOT	**********CAPITAL OUTLAY**	39,699.00	0.00	36,264.70	1,322.15	3,434.30	3,133.14
CC TOT	OPERATION & MAINTENANCE OF EQU	1,000,000.00	103,495.45	651,041.91	72,497.26	247,101.11	657,700.98

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 65000: OTHER CHARGES-ENGINEERING DEPT.

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	66,272.00	0.00	47,880.03	5,073.38	18,391.97	46,793.20
141	FOREMEN	50,931.00	0.00	5,361.55	0.00	45,569.45	17,667.62
187	OVERTIME PAY	1,400.00	0.00	915.39	337.51	484.61	502.72
189	OTHER SALARIES & WAGES	116,644.00	0.00	84,325.54	8,915.22	32,318.46	53,011.83
OJ TOT	**********PERSONAL SERVICES*	235,247.00	0.00	138,482.51	14,326.11	96,764.49	117,975.37
201	SOCIAL SECURITY	15,000.00	0.00	8,210.31	843.57	6,789.69	7,105.14
204	STATE RETIREMENT	27,000.00	0.00	15,731.74	1,627.46	11,268.26	13,416.93
205	DEPENDENT INSURANCE	19,800.00	0.00	13,159.44	1,650.00	6,640.56	9,619.41
206	LIFE INSURANCE	579.00	0.00	378.40	47.74	200.60	304.48
207	MEDICAL INSURANCE	25,500.00	0.00	17,367.89	2,125.00	8,132.11	13,590.95
208	DENTAL INSURANCE	1,480.00	0.00	1,034.38	117.55	445.62	788.59
210	UNEMPLOYMENT COMPENSATION	180.00	0.00	6.56	0.00	173.44	0.00
212	EMPLOYER MEDICARE	3,500.00	0.00	1,920.24	197.31	1,579.76	1,661.71
OJ TOT	**********EMPLOYEE BENEFITS*	93,039.00	0.00	57,808.96	6,608.63	35,230.04	46,487.21
356	TUITION	0.00	0.00	0.00	0.00	0.00	750.00
OJ TOT	**********CONTRACTED SERVICES	0.00	0.00	0.00	0.00	0.00	750.00
410	CUSTODIAL SUPPLIES	64.84	0.00	64.84	0.00	0.00	60.00
426	GENERAL CONSTRUCTION MATERIALS	918.92	92.03	826.89	0.00	0.00	0.00
443	ROAD SIGNS	44,967.74	180.77	38,426.55	5.74	6,360.42	18,509.35
446	SMALL TOOLS	1,062.50	0.00	1,915.45	0.00	0.00	891.12
OJ TOT	**********SUPPLIES & MATERIAL	47,014.00	272.80	41,233.73	5.74	6,360.42	19,460.47
513	WORKERS COMPENSATION	8,200.00	0.00	8,200.00	8,200.00	0.00	2,356.00
OJ TOT	**********OTHER CHARGES***	8,200.00	0.00	8,200.00	8,200.00	0.00	2,356.00
709	DATA PROCESSING EQUIPMENT	0.00	0.00	0.00	0.00	0.00	695.70
790	OTHER EQUIPMENT	500.00	200.88	299.12	0.00	0.00	988.02
OJ TOT	**********CAPITAL OUTLAY**	500.00	200.88	299.12	0.00	0.00	1,683.72
CC TOT	OTHER CHARGES-ENGINEERING DEPT	384,000.00	473.68	246,024.32	29,140.48	138,354.95	188,712.77

REPORT 240-100 FUND 131: HIGHWAY/PUBLIC WORKS FUND

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 68000: CAPITAL OUTLAY

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
327	FREIGHT EXPENSES	0.00	0.00	0.00	0.00	0.00	2,379.00
OJ TOT	**********CONTRACTED SERVICES	0.00	0.00	0.00	0.00	0.00	2,379.00
714	HIGHWAY EQUIPMENT	0.00	0.00	0.00	0.00	0.00	281,123.19
799	OTHER CAPITAL OUTLAY	0.00	0.00	20,572.50	0.00	0.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	0.00	0.00	20,572.50	0.00	0.00	281,123.19
CC TOT	CAPITAL OUTLAY	0.00	0.00	20,572.50	0.00	0.00	283,502.19
FD TOT	HIGHWAY/PUBLIC WORKS FUND	7,499,235.00	270,000.37	4,573,478.01	522,121.04	2,684,785.84	5,177,326.32

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 71100: REGULAR INSTRUCTION PROGRAM

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
116	TEACHERS	26,521,900.00	0.00	17,661,934.37	2,192,809.84	8,859,965.63	17,619,294.84
117	CAREER LADDER PROGRAM	230,000.00	0.00	105,012.50	0.00	124,987.50	115,595.00
127	CAREER LADDER EXTENDED CONTRAC	65,000.00	0.00	0.00	0.00	65,000.00	0.00
140	SALARY SUPPLEMENTS	440,000.00	0.00	282,017.83	37,150.66	157,982.17	264,247.97
163	AIDES	1,373,000.00	0.00	869,791.89	116,634.22	503,208.11	718,295.19
187	OVERTIME	10,000.00	0.00	0.00	0.00	10,000.00	0.00
189	OTHER SALARIES & WAGES	40,000.00	0.00	8,400.00	0.00	31,600.00	0.00
195	SUBSTITUTE TEACHERS	350,000.00	0.00	290,960.48	33,817.31	59,039.52	285,047.61
198	NON-CERTIFIED SUBSTITUTE TEACH	250,000.00	0.00	162,562.23	17,231.68	87,437.77	148,469.09
OJ TOT	**********PERSONAL SERVICES*	29,279,900.00	0.00	19,380,679.30	2,397,643.71	9,899,220.70	19,150,949.70
201	SOCIAL SECURITY	1,790,000.00	0.00	1,143,751.90	141,373.50	646,248.10	1,138,133.43
204	STATE RETIREMENT	2,504,000.00	0.00	1,648,361.59	203,773.93	855,638.41	1,603,390.57
205	EMPLOYEE INSURANCE	2,222,500.00	0.00	1,443,062.31	180,936.24	779,437.69	1,475,740.35
206	EMPLOYEE INSURANCE-LIFE	72,000.00	0.00	45,247.64	5,665.88	26,752.36	44,255.82
207	EMPLOYEE INSURANCE-HEALTH	2,842,000.00	0.00	1,877,833.58	233,623.23	964,166.42	1,844,450.96
208	EMPLOYEE INSURANCE-DENTAL	163,500.00	0.00	101,947.16	12,672.53	61,552.84	106,683.38
211	LOCAL RETIREMENT	0.00	0.00	0.00	0.00	0.00	345.40
212	EMPLOYER MEDICARE LIABILITY	422,000.00	0.00	269,773.78	33,344.90	152,226.22	268,433.25
OJ TOT	**********EMPLOYEE BENEFITS*	10,016,000.00	0.00	6,529,977.96	811,390.21	3,486,022.04	6,481,433.16
349	PRINTING	5,000.00	0.00	2,540.24	0.00	4,710.50	384.72
OJ TOT	**********CONTRACTED SERVICES	5,000.00	0.00	2,540.24	0.00	4,710.50	384.72
429	INSTRUCTIONAL SUPPLIES	302,000.00	2,455.81	290,568.92	0.00	8,975.27	252,461.25
449	TEXTBOOKS	625,000.00	0.00	598,962.51	0.00	27,994.04	68,595.48
OJ TOT	**********SUPPLIES & MATERIAL	927,000.00	2,455.81	889,531.43	0.00	36,969.31	321,056.73
CC TOT	REGULAR INSTRUCTION PROGRAM	40,227,900.00	2,455.81	26,802,728.93	3,209,033.92	13,426,922.55	25,953,824.31

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 71200: SPECIAL EDUCATION PROGRAM

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
116	TEACHERS	4,565,000.00	0.00	2,959,331.80	368,174.36	1,605,668.20	2,972,625.39
117	CAREER LADDER PROGRAM	40,000.00	0.00	14,000.00	0.00	26,000.00	16,000.00
127	CAREER LADDER EXTENDED CONTRAC	5,000.00	0.00	0.00	0.00	5,000.00	0.00
163	AIDES	944,000.00	0.00	524,986.99	70,368.91	419,013.01	551,625.35
OJ TOT	**********PERSONAL SERVICES*	5,554,000.00	0.00	3,498,318.79	438,543.27	2,055,681.21	3,540,250.74
201	SOCIAL SECURITY	337,000.00	0.00	205,294.18	25,733.23	131,705.82	209,708.44
204	STATE RETIREMENT	465,000.00	0.00	294,765.10	37,300.15	170,234.90	294,049.02
205	EMPLOYEE INSURANCE	433,000.00	0.00	272,403.95	34,256.77	160,596.05	278,932.56
206	EMPLOYEE INSURANCE-LIFE	13,500.00	0.00	7,947.39	994.18	5,552.61	7,974.26
207	EMPLOYEE INSURANCE-HEALTH	594,000.00	0.00	380,420.97	48,769.26	213,579.03	386,347.25
208	EMPLOYEE INSURANCE-DENTAL	37,500.00	0.00	20,113.29	2,533.26	17,386.71	21,679.89
212	EMPLOYER MEDICARE LIABILITY	79,000.00	0.00	48,485.39	6,076.23	30,514.61	49,417.14
OJ TOT	**********EMPLOYEE BENEFITS*	1,959,000.00	0.00	1,229,430.27	155,663.08	729,569.73	1,248,108.56
310	CONTRACTS W/OTHER PUBLIC AG	8,000.00	0.00	0.00	0.00	8,000.00	346.16
312	CONTRACTS W/PRIVATE AGCY	32,000.00	0.00	3,828.50	0.00	30,150.00	8,111.78
336	MAINT & REPAIR - EQUIPMENT	1,000.00	0.00	0.00	0.00	1,000.00	189.13
399	OTHER CONTRACTED SERVICES	260,000.00	71,966.53	177,145.36	41,865.25	10,888.11	164,314.68
OJ TOT	**********CONTRACTED SERVICES	301,000.00	71,966.53	180,973.86	41,865.25	50,038.11	172,961.75
429	INSTRUCTIONAL SUPPLIES	65,000.00	2,001.41	62,223.93	12,093.33	774.66	48,414.06
499	OTHER SUPPLIES AND MATERIALS	1,000.00	0.00	0.00	0.00	1,000.00	0.00
OJ TOT	**********SUPPLIES & MATERIAL	66,000.00	2,001.41	62,223.93	12,093.33	1,774.66	48,414.06
725	SPECIAL EDUCATION EQUIP	15,000.00	0.00	15,000.00	0.00	0.00	10,377.00
OJ TOT	**********CAPITAL OUTLAY**	15,000.00	0.00	15,000.00	0.00	0.00	10,377.00
CC TOT	SPECIAL EDUCATION PROGRAM	7,895,000.00	73,967.94	4,985,946.85	648,164.93	2,837,063.71	5,020,112.11

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 71300: VOCATIONAL EDUCATION PROGRAM

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
116	TEACHERS	2,455,000.00	0.00	1,637,717.64	204,100.28	817,282.36	1,639,008.80
117	CAREER LADDER PROGRAM	20,000.00	0.00	7,500.00	0.00	12,500.00	7,500.00
127	CAREER LADDER EXTENDED CONTRAC	5,000.00	0.00	0.00	0.00	5,000.00	0.00
OJ TOT	**********PERSONAL SERVICES*	2,480,000.00	0.00	1,645,217.64	204,100.28	834,782.36	1,646,508.80
201	SOCIAL SECURITY	152,000.00	0.00	97,323.77	12,057.72	54,676.23	97,982.89
204	STATE RETIREMENT	222,000.00	0.00	147,558.62	18,305.28	74,441.38	144,753.94
205	EMPLOYEE INSURANCE	207,000.00	0.00	122,409.09	15,263.94	84,590.91	129,427.56
206	EMPLOYEE INSURANCE-LIFE	6,200.00	0.00	4,041.84	504.46	2,158.16	3,988.16
207	EMPLOYEE INSURANCE-HEALTH	251,800.00	0.00	160,157.22	20,119.26	91,642.78	157,677.22
208	EMPLOYEE INSURANCE-DENTAL	14,700.00	0.00	8,817.97	1,089.43	5,882.03	9,325.83
211	RETIREES BENEFITS	0.00	0.00	0.00	0.00	0.00	2.20
212	EMPLOYER MEDICARE LIABILITY	35,700.00	0.00	22,760.93	2,819.92	12,939.07	22,915.67
OJ TOT	**********EMPLOYEE BENEFITS*	889,400.00	0.00	563,069.44	70,160.01	326,330.56	566,073.47
336	MAINT & REPAIR - EQUIPMENT	4,000.00	2,310.00	1,161.10	0.00	528.90	1,048.29
OJ TOT	**********CONTRACTED SERVICES	4,000.00	2,310.00	1,161.10	0.00	528.90	1,048.29
429	INSTRUCTIONAL SUPPLIES	45,000.00	11,481.85	28,550.40	8,688.33	6,642.75	30,967.83
499	OTHER SUPPLIES & MATERIALS	2,000.00	0.00	1,675.00	0.00	2,000.00	0.00
OJ TOT	**********SUPPLIES & MATERIAL	47,000.00	11,481.85	30,225.40	8,688.33	8,642.75	30,967.83
506	LIABILITY INS	1,000.00	0.00	600.00	0.00	400.00	600.00
OJ TOT	**********OTHER CHARGES***	1,000.00	0.00	600.00	0.00	400.00	600.00
730	VOCATIONAL INSTRUCTION EQUI	4,000.00	0.00	1,066.00	0.00	2,934.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	4,000.00	0.00	1,066.00	0.00	2,934.00	0.00
CC TOT	VOCATIONAL EDUCATION PROGRAM	3,425,400.00	13,791.85	2,241,339.58	282,948.62	1,173,618.57	2,245,198.39

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 71600: ADULT EDUCATION PROGRAM

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
116	TEACHERS	127,000.00	0.00	111,457.00	12,772.64	15,543.00	100,932.00
133	PARAPROFESSIONALS	14,000.00	0.00	2,547.00	178.00	11,453.00	7,206.50
138	INSTRUCTIONAL COMPUTER PERSONN	35,300.00	0.00	0.00	0.00	35,300.00	0.00
OJ TOT	**********PERSONAL SERVICES*	176,300.00	0.00	114,004.00	12,950.64	62,296.00	108,138.50
201	FICA-REGULAR	10,900.00	0.00	6,165.00	734.15	4,735.00	6,343.16
204	STATE RETIREMENT	8,400.00	0.00	5,796.45	748.46	2,603.55	5,470.04
205	EMPLOYEE INSURANCE-DEPENDENT C	6,700.00	0.00	4,400.00	550.00	2,300.00	4,400.00
206	EMPLOYEE INSURANCE-LIFE	300.00	0.00	152.90	19.80	147.10	144.76
207	EMPLOYEE INSURANCE-HEALTH	10,300.00	0.00	6,800.00	850.00	3,500.00	6,800.00
208	EMPLOYEE INSURANCE-DENTAL	600.00	0.00	376.16	47.02	223.84	394.56
212	FICA-MEDICARE	2,600.00	0.00	1,615.32	183.21	984.68	1,542.21
OJ TOT	**********EMPLOYEE BENEFITS*	39,800.00	0.00	25,305.83	3,132.64	14,494.17	25,094.73
429	INSTR. SUPPLIES AND MATERIALS	10,000.00	3,680.10	2,755.48	1,344.38	4,007.19	681.20
OJ TOT	**********SUPPLIES & MATERIAL	10,000.00	3,680.10	2,755.48	1,344.38	4,007.19	681.20
709	DATA PROCESSING EQUIPMENT	1,200.00	0.00	0.00	0.00	1,200.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	1,200.00	0.00	0.00	0.00	1,200.00	0.00
CC TOT	ADULT EDUCATION PROGRAM	227,300.00	3,680.10	142,065.31	17,427.66	81,997.36	133,914.43

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 71900: OTHER

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
211	RETIREE BENEFITS	1,280,000.00	0.00	567,000.85	69,033.56	712,999.15	786,264.00
OJ TOT	**********EMPLOYEE BENEFITS*	1,280,000.00	0.00	567,000.85	69,033.56	712,999.15	786,264.00
CC TOT	OTHER	1,280,000.00	0.00	567,000.85	69,033.56	712,999.15	786,264.00

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72110: ATTENDANCE

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	39,500.00	0.00	0.00	0.00	39,500.00	38,187.48
162	CLERICAL PERSONNEL	45,900.00	0.00	28,641.45	3,818.86	17,258.55	27,341.40
OJ TOT	**********PERSONAL SERVICES*	85,400.00	0.00	28,641.45	3,818.86	56,758.55	65,528.88
201	SOCIAL SECURITY	5,300.00	0.00	1,576.98	216.36	3,723.02	3,851.69
204	STATE RETIREMENT	8,800.00	0.00	3,254.36	433.84	5,545.64	6,494.26
205	EMPLOYEE INSURANCE	6,700.00	0.00	4,400.00	550.00	2,300.00	4,400.00
206	EMPLOYEE INSURANCE-LIFE	200.00	0.00	77.09	10.34	122.91	133.00
207	EMPLOYEE INSURANCE-HEALTH	12,900.00	0.00	6,411.92	801.49	6,488.08	9,185.64
208	EMPLOYEE INSURANCE-DENTAL	800.00	0.00	338.59	41.65	461.41	500.96
212	EMPLOYER MEDICARE LIABILITY	1,300.00	0.00	368.77	50.60	931.23	900.90
OJ TOT	**********EMPLOYEE BENEFITS*	36,000.00	0.00	16,427.71	2,104.28	19,572.29	25,466.45
CC TOT	ATTENDANCE	121,400.00	0.00	45,069.16	5,923.14	76,330.84	90,995.33

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72120: HEALTH SERVICES

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
131	MEDICAL PERSONNEL	537,000.00	0.00	332,350.95	44,248.30	204,649.05	319,929.36
161	SECRETARIES	16,100.00	0.00	9,701.85	1,293.58	6,398.15	7,657.59
189	OTHER SALARIES & WAGES	61,100.00	0.00	40,686.40	5,085.80	20,413.60	39,466.08
OJ TOT	**********PERSONAL SERVICES*	614,200.00	0.00	382,739.20	50,627.68	231,460.80	367,053.03
201	SOCIAL SECURITY	38,400.00	0.00	22,627.60	3,026.64	15,772.40	21,808.44
204	STATE RETIREMENT	43,200.00	0.00	24,962.01	3,554.38	18,237.99	24,993.81
205	EMPLOYEE INSURANCE	30,000.00	0.00	16,500.00	2,200.00	13,500.00	20,075.00
206	EMPLOYEE INS - LIFE	940.00	0.00	551.98	76.78	388.02	541.86
207	EMPLOYEE INSURANCE-HEALTH	37,800.00	0.00	23,800.00	2,975.00	14,000.00	25,925.00
208	EMPLOYEE INS - DENTAL	2,700.00	0.00	1,504.64	188.08	1,195.36	1,578.24
212	FICA-MEDICARE	9,000.00	0.00	5,291.70	707.81	3,708.30	5,100.50
OJ TOT	**********EMPLOYEE BENEFITS*	162,040.00	0.00	95,237.93	12,728.69	66,802.07	100,022.85
320	DUES & MEMBERSHIPS	600.00	0.00	275.50	0.00	324.50	275.50
349	PRINTING-STATIONERY & FORMS	500.00	174.17	0.00	0.00	325.83	0.00
355	TRAVEL	3,000.00	820.00	1,298.05	0.00	881.95	804.70
399	OTHER CONTRACTED SERVICES	3,000.00	2,000.00	0.00	0.00	1,000.00	0.00
OJ TOT	**********CONTRACTED SERVICES	7,100.00	2,994.17	1,573.55	0.00	2,532.28	1,080.20
413	DRUGS & MEDICAL SUPPLIES	22,500.00	1,366.64	10,207.96	25.88	11,408.65	14,214.85
429	INSTRUCTIONAL SUPPLIES	21,000.00	1,875.98	17,709.47	313.16	1,414.55	23,869.91
OJ TOT	**********SUPPLIES & MATERIAL	43,500.00	3,242.62	27,917.43	339.04	12,823.20	38,084.76
524	IN SERVICE/STAFF DEVELOPMENT	4,100.00	0.00	0.00	0.00	4,100.00	0.00
OJ TOT	**********OTHER CHARGES***	4,100.00	0.00	0.00	0.00	4,100.00	0.00
735	HEALTH EQUIPMENT	0.00	0.00	1,538.00	0.00	0.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	0.00	0.00	1,538.00	0.00	0.00	0.00
CC TOT	HEALTH SERVICES	830,940.00	6,236.79	509,006.11	63,695.41	317,718.35	506,240.84

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72130: OTHER STUDENT SUPPORT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
123	GUIDANCE PERSONNEL	1,216,500.00	0.00	781,251.84	97,656.48	435,248.16	777,894.60
130	SOCIAL WORKERS	39,300.00	0.00	26,152.16	3,269.02	13,147.84	25,162.72
161	SECRETARY	52,000.00	0.00	30,345.56	4,021.40	21,654.44	31,396.22
189	OTHER SALARIES & WAGES	0.00	0.00	280.00	0.00	280.00-	0.00
OJ TOT	**********PERSONAL SERVICES*	1,307,800.00	0.00	838,029.56	104,946.90	469,770.44	834,453.54
201	SOCIAL SECURITY	80,100.00	0.00	49,920.78	6,247.83	30,179.22	50,042.49
204	STATE RETIREMENT	118,500.00	0.00	75,207.91	9,399.94	43,292.09	73,938.26
205	EMPLOYEE INSURANCE	86,000.00	0.00	57,712.68	7,140.04	28,287.32	53,322.17
206	EMPLOYEE INSURANCE-LIFE	3,400.00	0.00	2,016.70	250.80	1,383.30	2,035.10
207	EMPLOYEE INSURANCE-HEALTH	118,000.00	0.00	74,903.49	9,342.30	43,096.51	81,767.32
208	EMPLOYEE INSURANCE-DENTAL	7,800.00	0.00	4,296.85	517.22	3,503.15	4,898.13
212	EMPLOYER MEDICARE LIABILITY	18,300.00	0.00	11,674.98	1,461.15	6,625.02	11,706.62
OJ TOT	**********EMPLOYEE BENEFITS*	432,100.00	0.00	275,733.39	34,359.28	156,366.61	277,710.09
322	EVALUATION & TESTING	38,000.00	5,951.80	29,451.70	6,422.00	3,655.00	18,748.10
355	TRAVEL	1,200.00	711.31	0.00	0.00	488.69	888.27
399	OTHER CONTRACTED SERVICES	101,000.00	0.00	100,996.00	0.00	4.00	0.00
OJ TOT	**********CONTRACTED SERVICES	140,200.00	6,663.11	130,447.70	6,422.00	4,147.69	19,636.37
429	INSTRUCTIONAL SUPPLIES	200.00	0.00	31.50	0.00	188.00	0.00
435	OFFICE SUPPLIES	400.00	0.00	0.00	0.00	400.00	0.00
499	OTHER SUPPLIES & MATERIALS	4,000.00	0.00	4,375.50	0.00	0.00	4,280.00
OJ TOT	**********SUPPLIES & MATERIAL	4,600.00	0.00	4,407.00	0.00	588.00	4,280.00
524	IN SERVICE/STAFF DEVELOPMENT	500.00	0.00	600.00	0.00	500.00	0.00
OJ TOT	**********OTHER CHARGES***	500.00	0.00	600.00	0.00	500.00	0.00
709	DATA PROCESSING EQUIPMENT	0.00	0.00	0.00	0.00	0.00	42,496.00
OJ TOT	**********CAPITAL OUTLAY**	0.00	0.00	0.00	0.00	0.00	42,496.00
CC TOT	OTHER STUDENT SUPPORT	1,885,200.00	6,663.11	1,249,217.65	145,728.18	631,372.74	1,178,576.00

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72210: REGULAR INSTRUCTION PROGRAM

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	179,300.00	0.00	148,981.71	22,023.24	30,318.29	136,164.24
129	LIBRARIANS	1,115,000.00	0.00	731,996.05	91,581.74	383,003.95	710,813.02
161	SECRETARYS	87,300.00	0.00	65,460.24	7,273.36	21,839.76	64,477.44
163	LIBRARY ASSISTANTS	0.00	0.00	0.00	0.00	0.00	108,378.79
OJ TOT	**********PERSONAL SERVICES*	1,381,600.00	0.00	946,438.00	120,878.34	435,162.00	1,019,833.49
201	SOCIAL SECURITY	85,000.00	0.00	54,850.31	7,067.36	30,149.69	59,441.01
204	STATE RETIREMENT	123,000.00	0.00	83,912.76	10,882.90	39,087.24	83,675.16
205	EMPLOYEE INSURANCE	63,000.00	0.00	41,380.54	5,500.00	21,619.46	54,871.02
206	EMPLOYEE INSURANCE-LIFE	3,500.00	0.00	2,007.18	265.76	1,492.82	2,057.24
207	EMPLOYEE INSURANCE-HEALTH	118,000.00	0.00	83,818.81	11,040.66	34,181.19	92,849.57
208	EMPLOYEE INSURANCE-DENTAL	7,200.00	0.00	4,647.71	610.74	2,552.29	5,465.55
212	EMPLOYER MEDICARE LIABILITY	19,800.00	0.00	13,132.75	1,686.02	6,667.25	14,215.64
OJ TOT	**********EMPLOYEE BENEFITS*	419,500.00	0.00	283,750.06	37,053.44	135,749.94	312,575.19
309	CONTRACTS W/GOVT AGENCIES	40,000.00	14,850.00	11,572.00	312.00	13,578.00	5,328.00
355	TRAVEL	10,000.00	0.00	7,125.97	516.47	3,699.74	5,202.48
356	TUITION	1,000.00	0.00	0.00	0.00	1,000.00	430.00
OJ TOT	**********CONTRACTED SERVICES	51,000.00	14,850.00	18,697.97	828.47	18,277.74	10,960.48
499	OTHER SUPPLIES & MATERIALS	1,000.00	0.00	348.00	0.00	1,000.00	0.00
OJ TOT	**********SUPPLIES & MATERIAL	1,000.00	0.00	348.00	0.00	1,000.00	0.00
524	IN SERVICE/STAFF DEVELOPMENT	24,500.00	414.00	11,729.06	1,055.22	12,356.94	1,563.47
OJ TOT	**********OTHER CHARGES***	24,500.00	414.00	11,729.06	1,055.22	12,356.94	1,563.47
CC TOT	REGULAR INSTRUCTION PROGRAM	1,877,600.00	15,264.00	1,260,963.09	159,815.47	602,546.62	1,344,932.63

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72220: SPECIAL EDUCATION PROGRAM

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
124	PSYCOLOGICAL PERSONNEL	331,000.00	0.00	249,387.12	27,606.08	81,612.88	216,252.24
OJ TOT	**********PERSONAL SERVICES*	331,000.00	0.00	249,387.12	27,606.08	81,612.88	216,252.24
201	SOCIAL SECURITY	20,200.00	0.00	12,290.15	1,594.28	7,909.85	12,823.95
204	STATE RETIREMENT	29,300.00	0.00	19,116.91	2,493.92	10,183.09	19,203.28
205	EMPLOYEE INSURANCE	30,000.00	0.00	17,331.02	2,200.00	12,668.98	17,600.00
206	EMPLOYEE INSURANCE-LIFE	900.00	0.00	603.24	65.78	296.76	517.00
207	EMPLOYEE INSURANCE-HEALTH	31,000.00	0.00	20,193.13	2,550.00	10,806.87	18,275.00
208	EMPLOYEE INSURANCE-DENTAL	1,800.00	0.00	940.91	117.55	859.09	986.40
212	EMPLOYER MEDICARE LIABILITY	4,800.00	0.00	3,423.05	372.86	1,376.95	2,999.05
OJ TOT	**********EMPLOYEE BENEFITS*	118,000.00	0.00	73,898.41	9,394.39	44,101.59	72,404.68
355	TRAVEL	16,000.00	200.00	6,830.01	417.18	8,969.99	7,321.55
399	OTHER CONTRACTED SERVICES	3,000.00	230.00	0.00	0.00	2,770.00	1,670.76
OJ TOT	**********CONTRACTED SERVICES	19,000.00	430.00	6,830.01	417.18	11,739.99	8,992.31
524	IN SERVICE/STAFF DEVELOPMENT	20,000.00	286.72	18,886.32	536.72	826.96	63.00
OJ TOT	**********OTHER CHARGES***	20,000.00	286.72	18,886.32	536.72	826.96	63.00
CC TOT	SPECIAL EDUCATION PROGRAM	488,000.00	716.72	349,001.86	37,954.37	138,281.42	297,712.23

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72230: VOCATIONAL EDUCATION PROGRAM

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	7,900.00	0.00	0.00	0.00	7,900.00	0.00
161	SECRETARYS	55,400.00	0.00	34,571.70	4,609.56	20,828.30	33,841.65
OJ TOT	**********PERSONAL SERVICES*	63,300.00	0.00	34,571.70	4,609.56	28,728.30	33,841.65
201	SOCIAL SECURITY	4,000.00	0.00	2,064.68	277.05	1,935.32	2,035.25
204	STATE RETIREMENT	7,000.00	0.00	3,928.03	523.65	3,071.97	3,841.09
205	EMPLOYEE INSURANCE	550.00	0.00	0.00	0.00	550.00	0.00
206	EMPLOYEE INSURANCE-LIFE	200.00	0.00	99.88	12.54	100.12	96.80
207	EMPLOYEE INSURANCE-HEALTH	10,700.00	0.00	6,690.15	836.32	4,009.85	6,617.23
208	EMPLOYEE INSURANCE-DENTAL	650.00	0.00	364.03	45.51	285.97	381.51
212	EMPLOYER MEDICARE LIABILITY	1,000.00	0.00	482.86	64.78	517.14	476.07
OJ TOT	**********EMPLOYEE BENEFITS*	24,100.00	0.00	13,629.63	1,759.85	10,470.37	13,447.95
CC TOT	VOCATIONAL EDUCATION PROGRAM	87,400.00	0.00	48,201.33	6,369.41	39,198.67	47,289.60

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72260: ADULT PROGRAMS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	55,500.00	0.00	36,071.84	4,508.98	19,428.16	36,146.84
162	CLERICAL PERSONNEL	25,500.00	0.00	16,549.20	2,206.56	8,950.80	14,408.25
OJ TOT	**********PERSONAL SERVICES*	81,000.00	0.00	52,621.04	6,715.54	28,378.96	50,555.09
201	SOCIAL SECURITY	4,900.00	0.00	3,093.39	398.46	1,806.61	2,980.35
204	STATE RETIREMENT	4,900.00	0.00	3,398.99	572.88	1,501.01	3,104.20
205	EMPLOYEE INSURANCE	6,700.00	0.00	4,400.00	550.00	2,300.00	4,400.00
206	EMPLOYEE INSURANCE-LIFE	200.00	0.00	113.05	14.96	86.95	85.43
207	EMPLOYEE INSURANCE-HEALTH	5,200.00	0.00	6,375.00	850.00	1,175.00-	3,400.00
208	EMPLOYEE INSURANCE-DENTAL	300.00	0.00	282.12	23.51	17.88	197.28
212	FICA-MEDICARE	1,200.00	0.00	723.43	93.20	476.57	697.04
OJ TOT	**********EMPLOYEE BENEFITS*	23,400.00	0.00	18,385.98	2,503.01	5,014.02	14,864.30
399	OTHER CONTRACTED SERVICES	2,000.00	312.75	938.25	0.00	749.00	1,272.85
OJ TOT	**********CONTRACTED SERVICES	2,000.00	312.75	938.25	0.00	749.00	1,272.85
499	OTHER SUPPLIES & MATERIALS	200.00	0.00	0.00	0.00	200.00	0.00
OJ TOT	**********SUPPLIES & MATERIAL	200.00	0.00	0.00	0.00	200.00	0.00
524	IN SERVICE/STAFF DEVELOPMENT	15,000.00	0.00	10,661.56	356.12	4,338.44	7,014.16
599	OTHER CHARGES	1,000.00	0.00	0.00	0.00	1,000.00	0.00
OJ TOT	**********OTHER CHARGES***	16,000.00	0.00	10,661.56	356.12	5,338.44	7,014.16
CC TOT	ADULT PROGRAMS	122,600.00	312.75	82,606.83	9,574.67	39,680.42	73,706.40

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72290: OTHER PROGRAMS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
163	AIDES	0.00	0.00	0.00	0.00	0.00	8,402.10
OJ TOT	**********PERSONAL SERVICES*	0.00	0.00	0.00	0.00	0.00	8,402.10
201	SOCIAL SECURITY	0.00	0.00	0.00	0.00	0.00	512.04
204	STATE RETIREMENT	0.00	0.00	0.00	0.00	0.00	953.68
206	EMPLOYEE INSURANCE-LIFE	0.00	0.00	0.00	0.00	0.00	21.51
207	EMPLOYEE INSURANCE-HEALTH	0.00	0.00	0.00	0.00	0.00	3,400.00
208	EMPLOYEE INSURANCE-DENTAL	0.00	0.00	0.00	0.00	0.00	197.28
212	FICA-MEDICARE	0.00	0.00	0.00	0.00	0.00	119.78
OJ TOT	**********EMPLOYEE BENEFITS*	0.00	0.00	0.00	0.00	0.00	5,204.29
399	OTHER CONTRACTED SERVICES	40,000.00	0.00	0.00	0.00	40,000.00	0.00
OJ TOT	**********CONTRACTED SERVICES	40,000.00	0.00	0.00	0.00	40,000.00	0.00
790	OTHER EQUIPMENT	14,400.00	0.00	0.00	0.00	14,400.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	14,400.00	0.00	0.00	0.00	14,400.00	0.00
CC TOT	OTHER PROGRAMS	54,400.00	0.00	0.00	0.00	54,400.00	13,606.39

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72310: BOARD OF EDUCATION

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
189	OTHER SALARIES & WAGES	95,000.00	0.00	48,661.88	2,685.40	46,338.12	50,832.46
191	BOARD-COMMITTEE MEMBERS FEE	33,600.00	0.00	24,800.00	2,400.00	8,800.00	25,200.00
OJ TOT	**********PERSONAL SERVICES*	128,600.00	0.00	73,461.88	5,085.40	55,138.12	76,032.46
201	SOCIAL SECURITY	8,000.00	0.00	3,830.34	234.10	4,169.66	4,359.69
204	STATE RETIREMENT	8,200.00	0.00	3,807.36	242.78	4,392.64	3,656.40
205	EMPLOYEE INSURANCE - DEPENDENT	10,000.00	0.00	3,360.14	135.83	6,639.86	3,720.00
207	EMPLOYEE INSURANCE - HEALTH	10,300.00	0.00	5,403.86	276.14	4,896.14	2,231.43
208	EMPLOYEE INSURANCE - DENTAL	1,000.00	0.00	495.31	53.10	504.69	572.17
210	UNEMPLOYMENT COMPENSATION	37,000.00	0.00	14,786.22	2,433.28	22,213.78	33,517.21
212	FICA-MEDICARE	1,900.00	0.00	1,031.67	72.14	868.33	1,071.89
OJ TOT	**********EMPLOYEE BENEFITS*	76,400.00	0.00	32,714.90	3,447.37	43,685.10	49,128.79
305	AUDIT SERVICES	32,000.00	0.00	32,000.00	0.00	0.00	32,000.00
320	DUES & MEMBERSHIPS	9,200.00	129.00	8,565.00	0.00	635.00	8,812.00
331	LEGAL FEES	38,000.00	0.00	28,244.05	762.75	9,755.95	16,520.14
349	PRINTING	1,500.00	91.00	198.00	0.00	1,211.00	241.00
355	TRAVEL	5,000.00	160.00	809.25	0.00	4,030.75	2,310.17
356	TUITION	3,000.00	0.00	0.00	0.00	3,000.00	975.00
399	OTHER CONTRACTED SERVICES	16,000.00	9,153.59	6,810.41	0.00	648.00	12,353.28
OJ TOT	**********CONTRACTED SERVICES	104,700.00	9,533.59	76,626.71	762.75	19,280.70	73,211.59
499	OTHER SUPPLIES & MATERIALS	500.00	40.31	301.66	12.00	158.03	239.58
OJ TOT	**********SUPPLIES & MATERIAL	500.00	40.31	301.66	12.00	158.03	239.58
506	LIABILITY INSURANCE	408,000.00	0.00	408,000.00	408,000.00	0.00	513,648.00
510	TRUSTEES COMMISSION	679,000.00	0.00	552,384.74	0.00	126,615.26	585,693.15
513	WORKMANS COMPENSATION INS	377,000.00	0.00	377,000.00	377,000.00	0.00	170,000.00
524	In Service/Staff Development	5,000.00	125.00	467.26	0.00	4,407.74	514.99
599	OTHER CHARGES	8,000.00	76.00	1,081.10	255.83	6,842.90	64.68
OJ TOT	**********OTHER CHARGES***	1,477,000.00	201.00	1,338,933.10	785,255.83	137,865.90	1,269,920.82
CC TOT	BOARD OF EDUCATION	1,787,200.00	9,774.90	1,522,038.25	794,563.35	256,127.85	1,468,533.24

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72320: DIRECTOR OF SCHOOLS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
101	COUNTY OFFICIAL/ADMIN OFFIC	113,900.00	0.00	89,680.50	9,964.50	24,219.50	85,410.00
103	ASSISTANT	98,000.00	0.00	73,443.06	8,160.34	24,556.94	71,175.24
105	SUPERVISOR	97,300.00	0.00	72,901.62	8,100.18	24,398.38	70,733.16
117	CAREER LADDER PROGRAM	1,000.00	0.00	0.00	0.00	1,000.00	0.00
161	SECRETARYS	69,500.00	0.00	51,903.18	5,767.02	17,596.82	48,611.52
162	CLERICAL PERSONNEL	0.00	0.00	0.00	0.00	0.00	542.17-
189	OTHER SALARIES & WAGES	30,000.00	0.00	16,975.00	2,450.00	13,025.00	0.00
OJ TOT	**********PERSONAL SERVICES*	409,700.00	0.00	304,903.36	34,442.04	104,796.64	275,387.75
201	SOCIAL SECURITY	25,800.00	0.00	18,287.82	2,067.40	7,512.18	16,533.53
204	STATE RETIREMENT	38,800.00	0.00	29,235.48	3,233.02	9,564.52	27,772.65
205	EMPLOYEE INSURANCE	19,800.00	0.00	17,875.00	2,200.00	1,925.00	14,842.55
206	EMPLOYEE INSURANCE-LIFE	1,800.00	0.00	1,290.60	143.40	509.40	1,282.46
207	EMPLOYEE INSURANCE-HEALTH	25,500.00	0.00	19,938.76	2,217.00	5,561.24	17,391.48
208	EMPLOYEE INSURANCE-DENTAL	1,200.00	0.00	916.89	117.55	283.11	887.09
209	DISABILITY INSURANCE	1,500.00	0.00	229.86	25.54	1,270.14	229.86
212	EMPLOYER MEDICARE LIABILITY	6,100.00	0.00	4,301.55	483.51	1,798.45	3,918.94
OJ TOT	**********EMPLOYEE BENEFITS*	120,500.00	0.00	92,075.96	10,487.42	28,424.04	82,858.56
320	DUES & MEMBERSHIPS	5,600.00	0.00	5,507.00	195.00	93.00	5,239.00
348	POSTAL CHARGES	6,000.00	104.00	3,311.86	193.99	2,584.14	3,689.80
349	PRINTING	2,000.00	0.00	1,412.99	0.00	587.01	683.35
355	TRAVEL	3,000.00	250.00	861.14	0.00	1,888.86	1,252.64
399	OTHER CONTRACTED SERVICES	14,000.00	3,040.66	7,109.34	0.00	3,850.00	8,021.81
OJ TOT	**********CONTRACTED SERVICES	30,600.00	3,394.66	18,202.33	388.99	9,003.01	18,886.60
435	OFFICE SUPPLIES	10,000.00	782.15	5,821.02	670.97	3,827.22	5,629.53
499	OTHER SUPPLIES	1,000.00	0.00	203.92	12.96	894.19	144.00
OJ TOT	**********SUPPLIES & MATERIAL	11,000.00	782.15	6,024.94	683.93	4,721.41	5,773.53
524	In Service/Staff Development	5,000.00	85.20	414.80	0.00	4,500.00	1,771.18
599	OTHER CHARGES	2,000.00	0.00	300.00	0.00	1,700.00	324.92
OJ TOT	**********OTHER CHARGES***	7,000.00	85.20	714.80	0.00	6,200.00	2,096.10
CC TOT	DIRECTOR OF SCHOOLS	578,800.00	4,262.01	421,921.39	46,002.38	153,145.10	385,002.54

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72410: OFFICE OF THE PRINCIPAL

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
104	PRINCIPALS	1,633,000.00	0.00	1,081,266.72	135,158.34	551,733.28	1,058,517.12
119	ACCOUNTANTS/BOOKKEEPERS	62,300.00	0.00	38,872.20	5,182.96	23,427.80	37,816.35
139	ASSISTANT PRINCIPAL	1,191,500.00	0.00	788,759.39	98,564.76	402,740.61	763,601.29
161	SECRETARYS	1,142,000.00	0.00	706,918.43	93,621.24	435,081.57	697,939.92
OJ TOT	**********PERSONAL SERVICES*	4,028,800.00	0.00	2,615,816.74	332,527.30	1,412,983.26	2,557,874.68
201	SOCIAL SECURITY	246,700.00	0.00	154,686.08	19,735.33	92,013.92	152,921.41
204	STATE RETIREMENT	383,500.00	0.00	250,723.09	32,062.52	132,776.91	241,072.85
205	EMPLOYEE INSURANCE	295,000.00	0.00	195,107.68	23,970.46	99,892.32	187,453.82
206	EMPLOYEE INSURANCE-LIFE	8,400.00	0.00	5,270.52	676.94	3,129.48	5,217.58
207	EMPLOYEE INSURANCE-HEALTH	398,000.00	0.00	256,788.44	31,605.54	141,211.56	258,375.07
208	EMPLOYEE INSURANCE-DENTAL	25,000.00	0.00	14,244.76	1,765.21	10,755.24	15,122.89
212	EMPLOYER MEDICARE LIABILITY	58,000.00	0.00	36,176.07	4,615.40	21,823.93	35,763.43
OJ TOT	**********EMPLOYEE BENEFITS*	1,414,600.00	0.00	912,996.64	114,431.40	501,603.36	895,927.05
307	COMMUNICATION	294,000.00	61,780.48	185,398.19	23,135.33	47,450.00	205,562.64
320	DUES & MEMBERSHIPS	1,600.00	0.00	1,527.58	0.00	72.42	1,450.00
399	OTHER CONTRACTED SERVICES	8,000.00	192.54	611.46	0.00	7,196.00	603.00
OJ TOT	**********CONTRACTED SERVICES	303,600.00	61,973.02	187,537.23	23,135.33	54,718.42	207,615.64
499	OTHER SUPPLIES	2,000.00	0.00	271.26	0.00	1,728.74	0.00
OJ TOT	**********SUPPLIES & MATERIAL	2,000.00	0.00	271.26	0.00	1,728.74	0.00
599	OTHER CHARGES	14,600.00	521.80	14,078.20	0.00	0.00	4,786.00
OJ TOT	**********OTHER CHARGES***	14,600.00	521.80	14,078.20	0.00	0.00	4,786.00
CC TOT	OFFICE OF THE PRINCIPAL	5,763,600.00	62,494.82	3,730,700.07	470,094.03	1,971,033.78	3,666,203.37

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72510: FISCAL SERVICES

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
119	ACCOUNTANTS/BOOKKEEPERS	155,400.00	0.00	90,244.03	9,395.70	65,155.97	97,784.46
OJ TOT	**********PERSONAL SERVICES*	155,400.00	0.00	90,244.03	9,395.70	65,155.97	97,784.46
201	SOCIAL SECURITY	8,300.00	0.00	4,353.95	430.26	3,946.05	5,578.39
204	STATE RETIREMENT	15,200.00	0.00	8,600.18	852.40	6,599.82	11,098.62
205	EMPLOYEE INSURANCE - DEPENDENT	6,600.00	0.00	4,950.00	550.00	1,650.00	8,250.00
206	EMPLOYEE INSURANCE-LIFE	400.00	0.00	190.30	18.70	209.70	261.14
207	EMPLOYEE INSURANCE-HEALTH	15,300.00	0.00	8,500.00	850.00	6,800.00	11,262.50
208	EMPLOYEE INSURANCE-DENTAL	900.00	0.00	470.20	47.02	429.80	665.82
212	EMPLOYER MEDICARE LIABILITY	2,300.00	0.00	1,212.63	125.66	1,087.37	1,304.58
OJ TOT	**********EMPLOYEE BENEFITS*	49,000.00	0.00	28,277.26	2,874.04	20,722.74	38,421.05
355	TRAVEL	2,000.00	0.00	0.00	0.00	2,000.00	0.00
OJ TOT	**********CONTRACTED SERVICES	2,000.00	0.00	0.00	0.00	2,000.00	0.00
524	In-Service Professional Develo	2,000.00	0.00	0.00	0.00	2,000.00	1,998.04
OJ TOT	**********OTHER CHARGES***	2,000.00	0.00	0.00	0.00	2,000.00	1,998.04
CC TOT	FISCAL SERVICES	208,400.00	0.00	118,521.29	12,269.74	89,878.71	138,203.55

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72610: OPERATION OF PLANT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
166	CUSTODIAL PERSONNEL	2,324,000.00	0.00	1,693,450.71	189,194.56	630,549.29	1,710,306.90
OJ TOT	**********PERSONAL SERVICES*	2,324,000.00	0.00	1,693,450.71	189,194.56	630,549.29	1,710,306.90
201	SOCIAL SECURITY	144,100.00	0.00	98,049.62	10,966.40	46,050.38	100,293.80
204	STATE RETIREMENT	255,000.00	0.00	174,644.48	19,240.64	80,355.52	179,591.42
205	EMPLOYEE INSURANCE - DEPENDENT	271,000.00	0.00	188,129.60	19,525.00	82,870.40	211,606.50
206	EMPLOYEE INSURANCE-LIFE	6,200.00	0.00	4,270.42	472.12	1,929.58	4,537.82
207	EMPLOYEE INSURANCE-HEALTH	398,000.00	0.00	278,243.99	31,220.56	119,756.01	292,274.55
208	EMPLOYEE INSURANCE-DENTAL	23,500.00	0.00	15,400.93	1,714.36	8,099.07	16,783.64
212	EMPLOYER MEDICARE LIABILITY	33,700.00	0.00	23,117.67	2,590.86	10,582.33	23,538.74
OJ TOT	**********EMPLOYEE BENEFITS*	1,131,500.00	0.00	781,856.71	85,729.94	349,643.29	828,626.47
322	EVALUATION & TESTING	825.00	0.00	770.00	55.00	55.00	385.00
399	OTHER CONTRACTED SERVICES	231,675.00	73,224.33	143,048.99	10,067.33	21,401.68	127,625.66
OJ TOT	**********CONTRACTED SERVICES	232,500.00	73,224.33	143,818.99	10,122.33	21,456.68	128,010.66
410	CUSTODIAL SUPPLIES	210,000.00	18,968.07	184,725.93	16,245.82	17,501.71	145,684.62
415	ELECTRICITY	2,949,000.00	0.00	2,044,475.05	275,980.71	904,524.95	1,959,660.51
423	FUEL OIL	50,000.00	21,937.62	28,062.38	9,540.38	0.00	56,897.60
434	NATURAL GAS	239,000.00	0.00	181,209.44	10,163.61	57,790.56	186,415.74
454	WATER & SEWER	339,000.00	0.00	202,505.29	21,554.65	136,494.71	205,331.25
OJ TOT	**********SUPPLIES & MATERIAL	3,787,000.00	40,905.69	2,640,978.09	333,485.17	1,116,311.93	2,553,989.72
720	PLANT OPERATION EQUIP	10,000.00	0.00	0.00	0.00	10,000.00	1,285.90
OJ TOT	**********CAPITAL OUTLAY**	10,000.00	0.00	0.00	0.00	10,000.00	1,285.90
CC TOT	OPERATION OF PLANT	7,485,000.00	114,130.02	5,260,104.50	618,532.00	2,127,961.19	5,222,219.65

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72620: MAINTENANCE OF PLANT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	66,800.00	0.00	50,087.34	5,565.26	16,712.66	49,410.72
161	SECRETARY	37,000.00	0.00	27,675.54	3,075.06	9,324.46	26,489.88
167	MAINTENANCE PERSONNEL	561,000.00	0.00	361,699.54	43,040.31	199,300.46	392,779.23
OJ TOT	**********PERSONAL SERVICES*	664,800.00	0.00	439,462.42	51,680.63	225,337.58	468,679.83
201	SOCIAL SECURITY	41,300.00	0.00	26,120.39	3,065.10	15,179.61	28,110.29
204	STATE RETIREMENT	74,000.00	0.00	45,474.38	5,487.36	28,525.62	51,265.13
205	EMPLOYEE INSURANCE	37,000.00	0.00	30,483.12	3,850.00	6,516.88	31,350.00
206	EMPLOYEE INSURANCE-LIFE	1,800.00	0.00	1,120.24	129.80	679.76	1,203.84
207	EMPLOYEE INSURANCE-HEALTH	76,500.00	0.00	53,942.64	6,375.00	22,557.36	54,187.50
208	EMPLOYEE INSURANCE-DENTAL	4,500.00	0.00	2,982.19	352.65	1,517.81	3,156.48
212	EMPLOYER MEDICARE LIABILITY	9,700.00	0.00	6,109.22	716.84	3,590.78	6,574.35
OJ TOT	**********EMPLOYEE BENEFITS*	244,800.00	0.00	166,232.18	19,976.75	78,567.82	175,847.59
335	MAINT & REP SERV-BLDGS	40,000.00	3,305.60	23,419.33	2,009.70	15,108.84	23,244.75
336	MAINT & REPAIR SERV-EQUIP	30,000.00	4,255.00	16,935.28	1,786.85	9,908.62	17,847.66
338	MAINTENANCE - VEHICLES	17,000.00	2,716.30	10,108.62	279.58	5,426.77	8,033.83
399	OTHER CONTRACTED SERVICES	300,000.00	47,193.75	226,056.89	56,325.54	28,239.36	272,553.66
OJ TOT	**********CONTRACTED SERVICES	387,000.00	57,470.65	276,520.12	60,401.67	58,683.59	321,679.90
418	EQUIPMENT & MACHINERY PARTS	70,000.00	3,873.31	48,147.12	4,384.56	25,500.02	34,248.66
425	GASOLINE	79,000.00	42,188.49	32,811.51	2,048.66	4,000.00	36,604.20
499	OTHER SUPPLIES & MATERIALS	167,360.00	22,258.49	76,340.60	16,027.85	70,316.27	69,538.28
OJ TOT	**********SUPPLIES & MATERIAL	316,360.00	68,320.29	157,299.23	22,461.07	99,816.29	140,391.14
599	OTHER CHARGES	28,000.00	8,990.00	17,880.00	2,235.00	1,130.00	17,880.00
OJ TOT	**********OTHER CHARGES***	28,000.00	8,990.00	17,880.00	2,235.00	1,130.00	17,880.00
707	BUILDING IMPROVEMENTS	20,000.00	1,120.45	16,215.82	1,240.00	5,329.80	8,309.01
712	HEATING & AIR CONDITIONING	50,000.00	550.00	36,130.83	2,025.00	13,869.17	53,945.44
720	PLANT OPERATION EQUIP	0.00	0.00	2,276.00	0.00	0.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	70,000.00	1,670.45	54,622.65	3,265.00	19,198.97	62,254.45
CC TOT	MAINTENANCE OF PLANT	1,710,960.00	136,451.39	1,112,016.60	160,020.12	482,734.25	1,186,732.91

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72710: TRANSPORTATION

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	39,500.00	0.00	42,663.79	0.00	3,163.79-	12,729.16
162	CLERICAL PERSONNEL	41,600.00	0.00	31,170.06	3,463.34	10,429.94	30,702.06
OJ TOT	**********PERSONAL SERVICES*	81,100.00	0.00	73,833.85	3,463.34	7,266.15	43,431.22
201	SOCIAL SECURITY	5,100.00	0.00	4,509.68	210.72	590.32	2,667.58
204	STATE RETIREMENT	8,300.00	0.00	7,424.81	393.44	875.19	4,633.90
206	EMPLOYEE INSURANCE-LIFE	250.00	0.00	160.16	9.24	89.84	103.18
207	EMPLOYEE INSURANCE-HEALTH	7,700.00	0.00	6,587.50	425.00	1,112.50	4,688.77
208	EMPLOYEE INSURANCE-DENTAL	450.00	0.00	376.16	23.51	73.84	272.06
212	EMPLOYER MEDICARE LIABILITY	1,200.00	0.00	1,054.68	49.28	145.32	623.90
OJ TOT	**********EMPLOYEE BENEFITS*	23,000.00	0.00	20,112.99	1,111.19	2,887.01	12,989.39
313	CONTRACTS W/PARENTS	1,000.00	461.65	484.22	0.00	54.13	0.00
315	CONTRACTS W/VEHICLE OWNERS	3,148,000.00	2,375.00	2,417,319.37	286,879.54	728,305.63	2,386,922.73
338	MAINT & REPAIR SERV-VEHICLE	5,000.00	1,257.35	1,518.42	30.97	2,224.23	1,231.20
340	MEDICAL SERVICES	1,000.00	0.00	266.00	266.00	734.00	262.00
399	OTHER CONTRACTED SERVICES	604,000.00	0.00	623,347.00	52,396.00	19,347.00-	507,868.00
OJ TOT	**********CONTRACTED SERVICES	3,759,000.00	4,094.00	3,042,935.01	339,572.51	711,970.99	2,896,283.93
450	TIRES & TUBES	1,000.00	0.00	0.00	0.00	1,000.00	0.00
OJ TOT	**********SUPPLIES & MATERIAL	1,000.00	0.00	0.00	0.00	1,000.00	0.00
CC TOT	TRANSPORTATION	3,864,100.00	4,094.00	3,136,881.85	344,147.04	723,124.15	2,952,704.54

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72810: CENTRAL AND OTHER

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
120	COMPUTER PROGRAMMERS	141,000.00	0.00	105,678.54	11,742.06	35,321.46	102,371.04
162	CLERICAL PERSONNEL	41,600.00	0.00	31,170.06	3,463.34	10,429.94	28,954.80
189	Other Salaries and Wages	42,300.00	0.00	31,669.20	3,518.80	10,630.80	30,608.46
OJ TOT	**********PERSONAL SERVICES*	224,900.00	0.00	168,517.80	18,724.20	56,382.20	161,934.30
201	SOCIAL SECURITY	14,000.00	0.00	10,036.09	1,118.46	3,963.91	9,585.89
204	STATE RETIREMENT	25,600.00	0.00	19,143.54	2,127.06	6,456.46	18,379.44
205	EMPLOYEE INSURANCE - DEPENDENT	26,400.00	0.00	11,275.00	1,100.00	15,125.00	18,150.00
206	EMPLOYEE INSURANCE-LIFE	700.00	0.00	437.58	48.62	262.42	425.70
207	EMPLOYEE INSURANCE-HEALTH	25,500.00	0.00	19,125.00	2,125.00	6,375.00	19,125.00
208	EMPLOYEE INSURANCE-DENTAL	1,500.00	0.00	1,057.95	117.55	442.05	1,109.70
212	FICA-MEDICARE	3,300.00	0.00	2,347.27	261.60	952.73	2,241.90
OJ TOT	**********EMPLOYEE BENEFITS*	97,000.00	0.00	63,422.43	6,898.29	33,577.57	69,017.63
399	OTHER CONTRACTED SERVICES	144,270.00	3,284.00	129,570.23	78.00	11,493.77	137,196.87
OJ TOT	**********CONTRACTED SERVICES	144,270.00	3,284.00	129,570.23	78.00	11,493.77	137,196.87
411	DATA PROCESSING SUPPLIES	119,000.00	3,293.85	117,263.41	4,978.32	2,706.16	29,177.66
OJ TOT	**********SUPPLIES & MATERIAL	119,000.00	3,293.85	117,263.41	4,978.32	2,706.16	29,177.66
709	DATA PROCESSING EQUIPMENT	201,730.00	261.78	174,516.66	7,935.34	28,782.56	232,351.10
OJ TOT	**********CAPITAL OUTLAY**	201,730.00	261.78	174,516.66	7,935.34	28,782.56	232,351.10
CC TOT	CENTRAL AND OTHER	786,900.00	6,839.63	653,290.53	38,614.15	132,942.26	629,677.56

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 73300: COMMUNITY SERVICES

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
169	PART-TIME PERSONNEL	0.00	0.00	0.00	0.00	0.00	322.91
OJ TOT	**********PERSONAL SERVICES*	0.00	0.00	0.00	0.00	0.00	322.91
201	SOCIAL SECURITY	0.00	0.00	0.00	0.00	0.00	19.95
204	STATE RETIREMENT	0.00	0.00	0.00	0.00	0.00	11.86
212	EMPLOYER MEDICARE LIABILITY	0.00	0.00	0.00	0.00	0.00	4.67
OJ TOT	**********EMPLOYEE BENEFITS*	0.00	0.00	0.00	0.00	0.00	36.48
CC TOT	COMMUNITY SERVICES	0.00	0.00	0.00	0.00	0.00	359.39

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 73400: EARLY CHILDHOOD EDUCATION

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	7,700.00	0.00	0.00	0.00	7,700.00	0.00
116	TEACHERS	342,600.00	0.00	224,812.57	28,351.78	117,787.43	222,579.17
163	AIDES	77,000.00	0.00	50,237.79	6,465.28	26,762.21	45,927.16
OJ TOT	**********PERSONAL SERVICES*	427,300.00	0.00	275,050.36	34,817.06	152,249.64	268,506.33
201	SOCIAL SECURITY	26,100.00	0.00	15,812.88	1,998.92	10,287.12	15,715.11
204	STATE RETIREMENT	39,800.00	0.00	24,473.32	3,185.14	15,326.68	24,977.60
205	EMPLOYEE INSURANCE	53,900.00	0.00	38,603.09	4,950.00	15,296.91	31,301.35
206	EMPLOYEE INSURANCE-LIFE	1,200.00	0.00	695.63	87.78	504.37	673.25
207	EMPLOYEE INSURANCE-HEALTH	62,500.00	0.00	39,817.17	5,100.00	22,682.83	40,897.83
208	EMPLOYEE INSURANCE-DENTAL	3,700.00	0.00	2,244.46	282.12	1,455.54	2,361.26
212	FICA-MEDICARE	6,100.00	0.00	3,698.29	467.50	2,401.71	3,675.06
OJ TOT	**********EMPLOYEE BENEFITS*	193,300.00	0.00	125,344.84	16,071.46	67,955.16	119,601.46
399	OTHER CONTRACTED SERVICES	32,000.00	17,232.47	14,767.53	0.00	0.00	14,982.40
OJ TOT	**********CONTRACTED SERVICES	32,000.00	17,232.47	14,767.53	0.00	0.00	14,982.40
429	INSTRUCTIONAL SUPPLIES	5,000.00	0.00	2,548.75	411.41	2,451.25	3,061.21
OJ TOT	**********SUPPLIES & MATERIAL	5,000.00	0.00	2,548.75	411.41	2,451.25	3,061.21
524	IN SERVICE/STAFF DEVELOPMENT	5,000.00	0.00	3,294.76	0.00	1,705.24	2,715.70
OJ TOT	**********OTHER CHARGES***	5,000.00	0.00	3,294.76	0.00	1,705.24	2,715.70
711	FURNITURE & FIXTURES	0.00	0.00	779.00	0.00	0.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	0.00	0.00	779.00	0.00	0.00	0.00
CC TOT	EARLY CHILDHOOD EDUCATION	662,600.00	17,232.47	421,785.24	51,299.93	224,361.29	408,867.10

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 76100: REGULAR CAPITAL OUTLAY

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
399	OTHER CONTRACTED SERVICES	47,531.00	47,531.00	0.00	0.00	0.00	0.00
OJ TOT	**********CONTRACTED SERVICES	47,531.00	47,531.00	0.00	0.00	0.00	0.00
499	OTHER SUPPLIES & MATERIALS	10,000.00	0.00	6,761.80	0.00	3,238.20	17,712.53
OJ TOT	**********SUPPLIES & MATERIAL	10,000.00	0.00	6,761.80	0.00	3,238.20	17,712.53
707	BUILDING IMPROVEMENTS	728,840.00	28,400.00	60,440.00	49,779.00	640,000.00	0.00
709	DATA PROCESSING EQUIPMENT	162,228.00	12,738.00	50,302.54	0.00	99,187.46	384,567.41
712	HEATING & AIR CONDITIONING	17,772.00	0.00	17,772.00	0.00	0.00	0.00
718	MOTOR VEHICLES	0.00	0.00	0.00	0.00	0.00	2,941.56
OJ TOT	**********CAPITAL OUTLAY**	908,840.00	41,138.00	128,514.54	49,779.00	739,187.46	387,508.97
CC TOT	REGULAR CAPITAL OUTLAY	966,371.00	88,669.00	135,276.34	49,779.00	742,425.66	405,221.50

REPORT 240-100 FUND 141: GENERAL PURPOSE SCHOOL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 82330: EDUCATION DEBT SERVICE CONTRIBUTION PG

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
620	EDUCATION DEBT SERVICE CONTRIB	303,300.00	0.00	303,277.00	0.00	23.00	295,872.00
OJ TOT	**********DEBT SERVICES***	303,300.00	0.00	303,277.00	0.00	23.00	295,872.00
CC TOT	EDUCATION DEBT SERVICE CONTRIB	303,300.00	0.00	303,277.00	0.00	23.00	295,872.00
FD TOT	GENERAL PURPOSE SCHOOL	82,640,371.00	567,037.31	55,098,960.61	7,240,991.08	27,035,887.64	54,451,970.01

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 71100: REGULAR INSTRUCTION PROGRAM

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
116	TEACHERS	952,909.09	0.00	494,293.34	61,786.66	458,615.75	685,548.07
163	EDUCATIONAL ASSISTANTS	826,865.28	0.00	509,119.30	68,554.42	317,745.98	649,978.71
OJ TOT	**********PERSONAL SERVICES*	1,779,774.37	0.00	1,003,412.64	130,341.08	776,361.73	1,335,526.78
201	SOCIAL SECURITY	97,071.07	0.00	49,334.93	6,375.47	47,736.14	67,351.97
204	STATE RETIREMENT	107,920.48	0.00	54,942.84	6,953.34	52,977.64	72,281.44
205	EMPLOYEE INSURANCE - DEPENDENT	85,800.00	0.00	45,925.00	5,500.00	39,875.00	59,950.00
206	EMPLOYEE INSURANCE - LIFE	3,053.77	0.00	1,373.68	176.00	1,680.09	1,906.90
207	EMPLOYEE INSURANCE - HEALTH	137,700.00	0.00	68,000.00	8,500.00	69,700.00	89,675.00
208	EMPLOYEE INSURANCE - DENTAL	7,989.84	0.00	3,761.60	470.20	4,228.24	5,390.16
212	EMPLOYER MEDICARE LIABILITY	26,667.29	0.00	14,136.37	1,836.86	12,530.92	18,963.69
OJ TOT	**********EMPLOYEE BENEFITS*	466,202.45	0.00	237,474.42	29,811.87	228,728.03	315,519.16
429	INSTRUCTIONAL SUPPLIES	48,728.44	880.40	18,870.16	1,593.35	28,977.88	85,938.56
OJ TOT	**********SUPPLIES & MATERIAL	48,728.44	880.40	18,870.16	1,593.35	28,977.88	85,938.56
513	WORKERS' COMPENSATION	12,873.86	0.00	12,873.86	12,873.86	0.00	6,151.00
OJ TOT	**********OTHER CHARGES***	12,873.86	0.00	12,873.86	12,873.86	0.00	6,151.00
722	REGULAR INSTRUCTION EQUIPMENT	21,850.86	566.00	6,226.00	0.00	15,058.86	3,499.45
OJ TOT	**********CAPITAL OUTLAY**	21,850.86	566.00	6,226.00	0.00	15,058.86	3,499.45
CC TOT	REGULAR INSTRUCTION PROGRAM	2,329,429.98	1,446.40	1,278,857.08	174,620.16	1,049,126.50	1,746,634.95

REPORT 240-100 FUND 142: SCHOOL FEDERAL PROJECTS

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 71200: SPECIAL EDUCATION PROGRAM

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
116	TEACHERS	193,500.00	0.00	128,749.28	16,093.66	64,750.72	142,709.14
162	CLERICAL	75,600.00	0.00	47,233.80	6,297.84	28,366.20	54,508.33
163	EDUCATIONAL ASSISTANTS	1,140,958.00	0.00	697,321.51	90,368.74	443,636.49	816,347.55
171	SPEECH TEACHERS	38,700.00	0.00	25,766.72	3,220.84	12,933.28	25,388.28
OJ TOT	**********PERSONAL SERVICES*	1,448,758.00	0.00	899,071.31	115,981.08	549,686.69	1,038,953.30
201	SOCIAL SECURITY	94,250.00	0.00	53,166.69	6,874.89	41,083.31	61,226.77
204	STATE RETIREMENT	111,200.00	0.00	62,761.00	8,235.43	48,439.00	80,373.72
205	EMPLOYEE INSURANCE - DEPENDENT	138,200.00	0.00	82,500.00	9,900.00	55,700.00	105,875.00
206	EMPLOYEE INSURANCE - LIFE	2,820.00	0.00	1,631.74	202.18	1,188.26	1,871.32
207	EMPLOYEE INSURANCE - HEALTH	270,800.00	0.00	156,612.50	19,975.00	114,187.50	186,575.00
208	EMPLOYEE INSURANCE - DENTAL	16,600.00	0.00	9,051.35	1,081.46	7,548.65	11,343.60
212	EMPLOYER MEDICARE LIABILITY	22,010.00	0.00	12,434.22	1,607.81	9,575.78	14,411.91
OJ TOT	**********EMPLOYEE BENEFITS*	655,880.00	0.00	378,157.50	47,876.77	277,722.50	461,677.32
429	INSTRUCTIONAL SUPPLIES	83,223.99	2,283.66	17,062.55	2,554.63	63,887.04	9,202.96
OJ TOT	**********SUPPLIES & MATERIAL	83,223.99	2,283.66	17,062.55	2,554.63	63,887.04	9,202.96
513	WORKERS COMPENSATION	6,000.00	0.00	6,000.00	6,000.00	0.00	4,950.00
OJ TOT	**********OTHER CHARGES***	6,000.00	0.00	6,000.00	6,000.00	0.00	4,950.00
725	SPECIAL EDUCATION EQUIP	182,724.68	1,873.29	148,539.35	0.00	36,447.04	3,025.00
OJ TOT	**********CAPITAL OUTLAY**	182,724.68	1,873.29	148,539.35	0.00	36,447.04	3,025.00
CC TOT	SPECIAL EDUCATION PROGRAM	2,376,586.67	4,156.95	1,448,830.71	172,412.48	927,743.27	1,517,808.58

REPORT 240-100 FUND 142: SCHOOL FEDERAL PROJECTS

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 71300: VOCATIONAL EDUCATION PROGRAM

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
161	Secretaries	0.00	0.00	0.00	0.00	0.00	22,914.03
189	OTHER SALARIES	68,600.00	0.00	44,767.68	3,916.10	23,832.32	0.00
OJ TOT	**********PERSONAL SERVICES*	68,600.00	0.00	44,767.68	3,916.10	23,832.32	22,914.03
201	SOCIAL SECURITY	4,250.00	0.00	2,699.54	235.08	1,550.46	1,387.72
204	STATE RETIREMENT	7,780.00	0.00	3,169.29	444.86	4,610.71	2,600.76
206	EMPLOYEE INSURANCE - LIFE	185.00	0.00	120.78	10.56	64.22	61.38
207	EMPLOYEE INSURANCE - HEALTH	15,402.00	0.00	9,350.00	850.00	6,052.00	3,825.00
208	EMPLOYEE INSURANCE - DENTAL	900.00	0.00	540.73	47.02	359.27	221.94
212	EMPLOYER MEDICARE LIABILITY	1,000.00	0.00	631.38	54.98	368.62	324.48
OJ TOT	**********EMPLOYEE BENEFITS*	29,517.00	0.00	16,511.72	1,642.50	13,005.28	8,421.28
429	INSTRUCTIONAL SUPPLIES	53,252.00	3,985.35	30,377.37	3,566.88	18,889.28	38,689.16
OJ TOT	**********SUPPLIES & MATERIAL	53,252.00	3,985.35	30,377.37	3,566.88	18,889.28	38,689.16
513	WORKERS COMPENSATION	483.00	0.00	483.00	483.00	0.00	0.00
OJ TOT	**********OTHER CHARGES***	483.00	0.00	483.00	483.00	0.00	0.00
730	VOCATIONAL INSTRUCTIONAL EQUIP	84,050.00	12,435.00	71,102.31	2,303.61	769.80	45,521.66
OJ TOT	**********CAPITAL OUTLAY**	84,050.00	12,435.00	71,102.31	2,303.61	769.80	45,521.66
CC TOT	VOCATIONAL EDUCATION PROGRAM	235,902.00	16,420.35	163,242.08	11,912.09	56,496.68	115,546.13

REPORT 240-100 FUND 142: SCHOOL FEDERAL PROJECTS

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72130: OTHER STUDENT SUPPORT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
322	EVALUATION & TESTING	2,385.00	0.00	0.00	0.00	2,385.00	1,000.00
355	TRAVEL	28,000.00	9,019.88	16,011.61	850.00	2,968.51	13,832.41
OJ TOT	**********CONTRACTED SERVICES	30,385.00	9,019.88	16,011.61	850.00	5,353.51	14,832.41
499	OTHER SUPPLIES & MATERIALS	10,000.00	0.00	0.00	0.00	10,000.00	0.00
OJ TOT	**********SUPPLIES & MATERIAL	10,000.00	0.00	0.00	0.00	10,000.00	0.00
524	IN-SERVICE/STAFF DEVELOPMENT	2,000.00	576.26	813.74	75.00	610.00	255.00
599	OTHER CHARGES	24,000.00	9,850.73	13,825.18	3,856.28	324.09	15,497.68
OJ TOT	**********OTHER CHARGES***	26,000.00	10,426.99	14,638.92	3,931.28	934.09	15,752.68
CC TOT	OTHER STUDENT SUPPORT	66,385.00	19,446.87	30,650.53	4,781.28	16,287.60	30,585.09

REPORT 240-100 FUND 142: SCHOOL FEDERAL PROJECTS

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72210: REGULAR INSTRUCTION PROGRAM

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR	86,681.49	0.00	70,664.22	7,851.58	16,017.27	69,707.52
161	SECRETARY	37,814.40	0.00	28,361.88	3,151.32	9,452.52	30,826.79
189	OTHER SALARIES & WAGES	346,042.88	0.00	220,280.21	27,586.86	125,762.67	279,768.18
195	SUBSTITUTE TEACHERS	1,080.00	0.00	0.00	0.00	1,080.00	0.00
OJ TOT	**********PERSONAL SERVICES*	471,618.77	0.00	319,306.31	38,589.76	152,312.46	380,302.49
201	SOCIAL SECURITY	28,849.07	0.00	19,191.68	2,319.76	9,657.39	22,521.91
204	STATE RETIREMENT	42,514.29	0.00	28,960.88	3,486.64	13,553.41	33,364.19
205	EMPLOYEE INSURANCE - DEPENDENT	19,250.00	0.00	13,750.00	1,650.00	5,500.00	20,900.00
206	EMPLOYEE INSURANCE - LIFE	1,098.35	0.00	614.24	74.36	484.11	725.12
207	EMPLOYEE INSURANCE - HEALTH	35,275.00	0.00	24,650.00	2,975.00	10,625.00	28,262.50
208	EMPLOYEE INSURANCE - DENTAL	2,019.18	0.00	1,363.58	164.57	655.60	1,652.22
212	EMPLOYER MEDICARE LIABILITY	6,747.17	0.00	4,488.54	542.54	2,258.63	5,336.16
OJ TOT	**********EMPLOYEE BENEFITS*	135,753.06	0.00	93,018.92	11,212.87	42,734.14	112,762.10
308	CONSULTANTS	2,000.00	0.00	0.00	0.00	2,000.00	0.00
355	TRAVEL	32,971.18	0.00	4,607.87	1,436.40	28,363.31	15,824.33
399	Other Contracted Services	2,000.00	1,224.46	775.54	218.62	0.00	25,589.38
OJ TOT	**********CONTRACTED SERVICES	36,971.18	1,224.46	5,383.41	1,655.02	30,363.31	41,413.71
429	INSTRUCTIONAL SUPPLIES	48,000.00	2,296.24	44,868.83	5,613.21	834.93	0.00
499	OTHER SUPPLIES & MATERIALS	6,400.00	0.00	0.00	0.00	6,400.00	240.23
OJ TOT	**********SUPPLIES & MATERIAL	54,400.00	2,296.24	44,868.83	5,613.21	7,234.93	240.23
513	WORKERS' COMPENSATION	2,332.53	0.00	2,332.53	2,332.53	0.00	1,049.00
524	IN-SERVICE/STAFF DEVELOPMENT	129,306.64	20,275.00	28,609.54	440.00	80,422.10	19,889.10
590	TRANSFERS TO OTHER FUNDS	0.00	0.00	0.00	0.00	0.00	1,200.00
599	OTHER CHARGES	2,000.00	0.00	0.00	0.00	2,000.00	0.00
OJ TOT	**********OTHER CHARGES***	133,639.17	20,275.00	30,942.07	2,772.53	82,422.10	22,138.10
709	DATA PROCESSING EQUIPMENT	16,470.21	0.00	14,376.44	0.00	2,093.77	0.00
790	OTHER EQUIPMENT	7,000.00	0.00	2,876.00	0.00	4,124.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	23,470.21	0.00	17,252.44	0.00	6,217.77	0.00
CC TOT	REGULAR INSTRUCTION PROGRAM	855,852.39	23,795.70	510,771.98	59,843.39	321,284.71	556,856.63

REPORT 240-100 FUND 142: SCHOOL FEDERAL PROJECTS

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72220: SPECIAL EDUCATION PROGRAM

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR	83,100.00	0.00	62,240.22	6,915.58	20,859.78	63,378.32
124	PSYCHOLOGY PERSONNEL	122,500.00	0.00	62,117.21	8,230.52	60,382.79	70,478.48
161	SECRETARY	41,600.00	0.00	31,170.06	3,463.34	10,429.94	28,954.80
162	CLERICAL	68,300.00	0.00	51,154.38	5,683.82	17,145.62	49,231.10
OJ TOT	**********PERSONAL SERVICES*	315,500.00	0.00	206,681.87	24,293.26	108,818.13	212,042.70
201	SOCIAL SECURITY	19,200.00	0.00	12,509.05	1,457.00	6,690.95	13,019.72
204	STATE RETIREMENT	31,400.00	0.00	20,578.87	2,406.62	10,821.13	19,414.94
205	EMPLOYEE INSURANCE - DEPENDENT	13,700.00	0.00	9,075.00	1,100.00	4,625.00	5,500.00
206	EMPLOYEE INSURANCE - LIFE	700.00	0.00	491.26	56.98	208.74	488.18
207	EMPLOYEE INSURANCE - HEALTH	25,600.00	0.00	18,061.52	2,125.00	7,538.48	19,125.00
208	EMPLOYEE INSURANCE - DENTAL	1,800.00	0.00	1,010.93	117.55	789.07	1,109.70
212	EMPLOYER MEDICARE LIABILITY	4,650.00	0.00	2,925.60	340.76	1,724.40	3,044.90
OJ TOT	**********EMPLOYEE BENEFITS*	97,050.00	0.00	64,652.23	7,603.91	32,397.77	61,702.44
399	OTHER CONTRACTED SERVICES	2,500.00	0.00	0.00	0.00	2,500.00	0.00
OJ TOT	**********CONTRACTED SERVICES	2,500.00	0.00	0.00	0.00	2,500.00	0.00
513	WORKERS COMPENSATION	1,000.00	0.00	1,000.00	1,000.00	0.00	1,000.00
524	IN SERVICE/STAFF DEVELOPMENT	43,735.72	2,876.00	23,896.66	984.28	17,364.53	30,211.96
OJ TOT	**********OTHER CHARGES***	44,735.72	2,876.00	24,896.66	1,984.28	17,364.53	31,211.96
CC TOT	SPECIAL EDUCATION PROGRAM	459,785.72	2,876.00	296,230.76	33,881.45	161,080.43	304,957.10

REPORT 240-100 FUND 142: SCHOOL FEDERAL PROJECTS

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72230: VOCATIONAL EDUCATION PROGRAM

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
355	TRAVEL	2,500.00	300.00	941.93	126.98	1,258.07	915.88
OJ TOT	**********CONTRACTED SERVICES	2,500.00	300.00	941.93	126.98	1,258.07	915.88
524	IN SERVICE/STAFF DEVELOPMENT	100.00	0.00	100.00	0.00	0.00	100.00
OJ TOT	**********OTHER CHARGES***	100.00	0.00	100.00	0.00	0.00	100.00
CC TOT	VOCATIONAL EDUCATION PROGRAM	2,600.00	300.00	1,041.93	126.98	1,258.07	1,015.88

REPORT 240-100 FUND 142: SCHOOL FEDERAL PROJECTS

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 72710: TRANSPORTATION

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
313	CONTRACTS WITH PARENTS	3,000.00	0.00	153.72	0.00	2,846.28	0.00
399	OTHER CONTRACTED SERVICES	200,500.00	2,947.81	38,948.33	31,597.72	158,603.86	114,287.27
OJ TOT	**********CONTRACTED SERVICES	203,500.00	2,947.81	39,102.05	31,597.72	161,450.14	114,287.27
CC TOT	TRANSPORTATION	203,500.00	2,947.81	39,102.05	31,597.72	161,450.14	114,287.27

REPORT 240-100 FUND 142: SCHOOL FEDERAL PROJECTS

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 99100: TRANSFERS OUT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
504	OTHER EQUIPMENT	14,588.63	0.00	0.00	0.00	14,588.63	0.00
OJ TOT	**********OTHER CHARGES***	14,588.63	0.00	0.00	0.00	14,588.63	0.00
CC TOT	TRANSFERS OUT	14,588.63	0.00	0.00	0.00	14,588.63	0.00
FD TOT	SCHOOL FEDERAL PROJECTS	6,544,630.39	71,390.08	3,768,727.12	489,175.55	2,709,316.03	4,387,691.63

REPORT 240-100 FUND 143: CENTRAL CAFETERIA

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 73100: FOOD SERVICE

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR	50,500.00	0.00	38,408.76	4,267.64	12,091.24	33,931.26
119	ACCOUNTANTS	37,400.00	0.00	28,018.62	3,113.18	9,381.38	27,269.82
165	CAFETERIA	2,004,300.00	0.00	1,252,751.22	159,205.10	751,548.78	1,317,752.71
OJ TOT	**********PERSONAL SERVICES*	2,092,200.00	0.00	1,319,178.60	166,585.92	773,021.40	1,378,953.79
201	SOCIAL SECURITY	127,700.00	0.00	77,946.21	9,830.13	49,753.79	82,081.75
204	STATE RETIREMENT	138,100.00	0.00	83,485.06	10,883.33	54,614.94	87,786.79
205	EMPLOYEE INSURANCE	186,300.00	0.00	114,675.00	15,400.00	71,625.00	111,100.00
206	LIFE INSURANCE	3,300.00	0.00	1,969.88	268.18	1,330.12	2,220.46
207	HEALTH INSURANCE	272,300.00	0.00	163,412.50	20,825.00	108,887.50	171,275.00
208	DENTAL INSURANCE	15,900.00	0.00	8,910.29	1,057.95	6,989.71	9,888.66
210	UNEMPLOYMENT COMPENSATION	5,000.00	0.00	758.16	0.00	4,241.84	746.58
211	RETIREE BENEFITS	22,000.00	0.00	13,924.99	1,802.84	8,075.01	12,298.40
212	MEDICARE	30,200.00	0.00	18,337.42	2,304.51	11,862.58	19,352.66
OJ TOT	**********EMPLOYEE BENEFITS*	800,800.00	0.00	483,419.51	62,371.94	317,380.49	496,750.30
320	DUES & MEMBERSHIPS	5,000.00	779.75	4,268.25	1,138.00	0.00	3,930.75
336	MAINTENANCE AND REPAIR SERVICE	130,000.00	5,728.60	126,377.34	22,289.11	0.00	94,687.75
349	PRINTING	3,000.00	0.00	1,471.38	0.00	1,528.62	2,988.00
354	TRANSPORTATION OTHER THAN STUD	25,000.00	10,975.33	4,097.31	2,913.13	9,927.36	12,667.08
355	TRAVEL	8,000.00	0.00	1,887.62	363.51	6,112.38	3,887.39
399	OTHER CONTRACTED SERVICES	92,000.00	27,356.41	61,855.87	12,655.38	8,129.50	65,541.93
OJ TOT	**********CONTRACTED SERVICES	263,000.00	44,840.09	199,957.77	39,359.13	25,697.86	183,702.90
410	CUSTODIAL SUPPLIES	50,000.00	12,836.08	34,740.92	7,637.87	2,423.00	32,587.24
422	FOOD	2,060,000.00	421,501.34	1,626,481.59	252,426.95	16,454.87	1,496,230.20
435	OFFICE SUPPLIES	3,500.00	927.08	1,072.92	0.00	1,500.00	2,351.46
450	USDA - Commodities	300,000.00	0.00	0.00	0.00	300,000.00	0.00
451	UNIFORMS	4,000.00	3,752.09	247.91	0.00	0.00	8,843.04
499	OTHER SUPPLIES	95,000.00	487.97	99,679.00	13,067.53	0.00	75,587.95
OJ TOT	**********SUPPLIES & MATERIAL	2,512,500.00	439,504.56	1,762,222.34	273,132.35	320,377.87	1,615,599.89
513	WORKERS' COMPENSATION	85,500.00	0.00	85,500.00	85,500.00	0.00	43,000.00
524	IN-SERVICE/STAFF DEVELOPMENT	10,000.00	3,410.57	5,226.06	1,017.43	3,907.37	7,165.69
599	OTHER CHARGES	2,000.00	0.00	1,680.00	0.00	320.00	1,740.16
OJ TOT	**********OTHER CHARGES***	97,500.00	3,410.57	92,406.06	86,517.43	4,227.37	51,905.85
709	DATA PROCESSING EQUIPMENT	2,000.00	0.00	0.00	0.00	2,000.00	1,658.50
710	FOOD SERVICES EQUIPMENT	45,000.00	0.00	45,382.81	2,533.10	38,832.84	26,489.50
OJ TOT	**********CAPITAL OUTLAY**	47,000.00	0.00	45,382.81	2,533.10	40,832.84	28,148.00
CC TOT	FOOD SERVICE	5,813,000.00	487,755.22	3,902,567.09	630,499.87	1,481,537.83	3,755,060.73
FD TOT	CENTRAL CAFETERIA	5,813,000.00	487,755.22	3,902,567.09	630,499.87	1,481,537.83	3,755,060.73

REPORT 240-100 FUND 146: EXT. DAY CARE PROGRAM

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 73300: COMMUNITY SERVICES

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
103	ASSISTANT	71,600.00	0.00	54,446.04	6,049.56	17,153.96	52,496.10
162	CLERICAL	41,600.00	0.00	31,170.06	3,463.34	10,429.94	30,702.06
166	CUSTODIAL PERSONNEL	98,500.00	0.00	0.00	0.00	98,500.00	0.00
169	PART-TIME PERSONNEL	922,000.00	0.00	583,087.84	48,790.34	338,912.16	587,207.45
OJ TOT	**********PERSONAL SERVICES*	1,133,700.00	0.00	668,703.94	58,303.24	464,996.06	670,405.61
201	SOCIAL SECURITY	69,000.00	0.00	39,775.61	3,406.46	29,224.39	40,371.85
204	STATE RETIREMENT	63,600.00	0.00	43,794.93	4,598.93	19,805.07	42,736.81
205	EMPLOYEE INSURANCE-DEPENDENT	73,200.00	0.00	41,237.65	4,771.72	31,962.35	46,528.32
206	EMPLOYEE INSURANCE-LIFE	1,400.00	0.00	842.60	104.06	557.40	810.70
207	EMPLOYEE INSURANCE-HEALTH	82,100.00	0.00	52,292.80	6,340.24	29,807.20	52,637.16
208	EMPLOYEE INSURANCE-DENTAL	5,000.00	0.00	3,040.85	398.11	1,959.15	3,280.81
212	EMPLOYER MEDICARE LIABILITY	16,500.00	0.00	9,355.98	801.37	7,144.02	9,441.81
OJ TOT	**********EMPLOYEE BENEFITS*	310,800.00	0.00	190,340.42	20,420.89	120,459.58	195,807.46
315	CONTRACTS WITH VEHICLE OWNERS	25,000.00	0.00	7,750.50	0.00	17,249.50	7,670.00
355	TRAVEL	1,000.00	0.00	671.07	0.00	328.93	454.54
399	OTHER CONTRACTED SERVICES	40,000.00	12,750.81	18,765.82	636.00	12,264.93	24,483.13
OJ TOT	**********CONTRACTED SERVICES	66,000.00	12,750.81	27,187.39	636.00	29,843.36	32,607.67
422	FOOD SUPPLIES	67,000.00	20,496.76	45,224.27	8,547.10	4,112.67	40,306.29
429	INSTRUCTIONAL SUPPLIES	12,000.00	1,348.23	4,753.88	89.67	6,000.16	7,609.81
499	OTHER SUPPLIES	8,000.00	1,759.77	6,330.46	272.01	0.00	4,429.18
OJ TOT	**********SUPPLIES & MATERIAL	87,000.00	23,604.76	56,308.61	8,908.78	10,112.83	52,345.28
510	TRUSTEE'S COMMISSION	14,000.00	0.00	7,643.28	0.00	6,356.72	7,019.63
513	WORKERS' COMPENSATION	8,000.00	0.00	8,000.00	8,000.00	0.00	3,900.00
524	IN-SERVICE/STAFF DEVELOPMENT	500.00	0.00	100.00	0.00	400.00	0.00
599	OTHER CHARGES	4,000.00	393.12	1,106.88	0.00	2,500.00	3,324.76
OJ TOT	**********OTHER CHARGES***	26,500.00	393.12	16,850.16	8,000.00	9,256.72	14,244.39
709	DATA PROCESSING EQUIPMENT	2,000.00	0.00	1,796.00	460.00	204.00	0.00
790	OTHER EQUIPMENT	2,000.00	460.00	792.50	0.00	747.50	6,706.00
OJ TOT	**********CAPITAL OUTLAY**	4,000.00	460.00	2,588.50	460.00	951.50	6,706.00
CC TOT	COMMUNITY SERVICES	1,628,000.00	37,208.69	961,979.02	96,728.91	635,620.05	972,116.41
FD TOT	EXT. DAY CARE PROGRAM	1,628,000.00	37,208.69	961,979.02	96,728.91	635,620.05	972,116.41

REPORT 240-100 FUND 151: GENERAL DEBT SERVICE FUND

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 82110: GENERAL GOVERNMENT PRINCIPAL

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
601	PRINCIPAL ON BONDS	3,828,329.00	0.00	3,170,196.63	1,927,244.07	658,132.37	3,014,367.18
610	PRINCIPAL CAPITAL LEASE	281,877.00	0.00	281,876.88	0.00	0.12	450,535.67
612	PRINCIPAL ON LOANS	2,730,626.00	0.00	40,566.55	0.00	2,690,059.45	40,499.14
OJ TOT	**********DEBT SERVICES***	6,840,832.00	0.00	3,492,640.06	1,927,244.07	3,348,191.94	3,505,401.99
CC TOT	GENERAL GOVERNMENT PRINCIPAL	6,840,832.00	0.00	3,492,640.06	1,927,244.07	3,348,191.94	3,505,401.99

REPORT 240-100 FUND 151: GENERAL DEBT SERVICE FUND

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 82130: DEBT SERVICE - EDUCATION

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
610	PRINCIPAL ON CAPITAL LEASES	216,148.00	0.00	216,148.00	0.00	0.00	198,094.00
OJ TOT	**********DEBT SERVICES***	216,148.00	0.00	216,148.00	0.00	0.00	198,094.00
CC TOT	DEBT SERVICE - EDUCATION	216,148.00	0.00	216,148.00	0.00	0.00	198,094.00

REPORT 240-100 FUND 151: GENERAL DEBT SERVICE FUND

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 82210: GENERAL GOVERNMENT INTEREST

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
603	INTEREST ON BONDS	3,133,508.00	0.00	3,491,003.38	323,365.04	357,495.38-	2,851,725.33
611	INTEREST CAPITAL LEASE	88,306.00	0.00	88,305.52	0.00	0.48	100,552.60
613	INTEREST ON LOANS	2,408,378.00	0.00	1,297,435.48	116,614.02	1,110,942.52	2,337,837.44
699	OTHER DEBT SERVICE	2,257,307.00	0.00	525,798.70	0.00	1,731,508.30	0.00
OJ TOT	**********DEBT SERVICES***	7,887,499.00	0.00	5,402,543.08	439,979.06	2,484,955.92	5,290,115.37
CC TOT	GENERAL GOVERNMENT INTEREST	7,887,499.00	0.00	5,402,543.08	439,979.06	2,484,955.92	5,290,115.37

REPORT 240-100 FUND 151: GENERAL DEBT SERVICE FUND

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 82230: EDUCATION INTEREST

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
611	INTEREST ON CAPITAL LEASES	87,079.00	0.00	87,079.00	0.00	0.00	97,778.00
OJ TOT	**********DEBT SERVICES***	87,079.00	0.00	87,079.00	0.00	0.00	97,778.00
CC TOT	EDUCATION INTEREST	87,079.00	0.00	87,079.00	0.00	0.00	97,778.00

REPORT 240-100 FUND 151: GENERAL DEBT SERVICE FUND

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 82310: GENERAL GOVERNMENT OTHER

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
324	FINANCIAL ADVISORY SERVICES	10,000.00	10,000.00	5,000.00	0.00	0.00	0.00
OJ TOT	**********CONTRACTED SERVICES	10,000.00	10,000.00	5,000.00	0.00	0.00	0.00
510	TRUSTEE COMMISSIONS	295,000.00	0.00	255,388.67	0.00	39,611.33	271,265.64
599	OTHER CHARGES	15,100.00	11,000.00	52,152.32	46,139.10	45,039.10-	7,675.50
OJ TOT	**********OTHER CHARGES***	310,100.00	11,000.00	307,540.99	46,139.10	5,427.77-	278,941.14
606	OTHER DEBT ISSUANCE CHARGES	0.00	0.00	0.00	0.00	0.00	180,000.00
699	OTHER DEBT SERVICE	570,000.00	0.00	208,494.91	51,445.33	361,505.09	463,815.09
OJ TOT	**********DEBT SERVICES***	570,000.00	0.00	208,494.91	51,445.33	361,505.09	643,815.09
CC TOT	GENERAL GOVERNMENT OTHER	890,100.00	21,000.00	521,035.90	97,584.43	356,077.32	922,756.23

REPORT 240-100 FUND 151: GENERAL DEBT SERVICE FUND

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 99300: PAYMENTS TO REFUNDED DEBT ESCROW AGENT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
699	OTHER DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	79,800,000.00
OJ TOT	**********DEBT SERVICES***	0.00	0.00	0.00	0.00	0.00	79,800,000.00
CC TOT	PAYMENTS TO REFUNDED DEBT ESCR	0.00	0.00	0.00	0.00	0.00	79,800,000.00
FD TOT	GENERAL DEBT SERVICE FUND	15,921,658.00	21,000.00	9,719,446.04	2,464,807.56	6,189,225.18	89,814,145.59

REPORT 240-100 FUND 176: HIGHWAY CAPITAL PROJECTS

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 68000: CAPITAL OUTLAY

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
510	TRUSTEES COMMISSION	2,536.41	0.00	2,536.41	0.00	0.00	2,358.49
OJ TOT	**********OTHER CHARGES***	2,536.41	0.00	2,536.41	0.00	0.00	2,358.49
714	HIGHWAY EQUIPMENT	0.00	0.00	0.00	0.00	0.00	123,313.00
799	OTHER CAPITAL OUTLAY	237,463.59	0.00	237,463.59	0.00	0.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	237,463.59	0.00	237,463.59	0.00	0.00	123,313.00
CC TOT	CAPITAL OUTLAY	240,000.00	0.00	240,000.00	0.00	0.00	125,671.49
FD TOT	HIGHWAY CAPITAL PROJECTS	240,000.00	0.00	240,000.00	0.00	0.00	125,671.49

REPORT 240-100 FUND 177: EDUCATION CAPITAL PROJECTS

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 58807: SCHOOL CAPITAL PROJECTS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
499	OTHER SUPPLIES & MATERIALS	0.00	0.00	0.00	0.00	0.00	105.73
OJ TOT	**********SUPPLIES & MATERIAL	0.00	0.00	0.00	0.00	0.00	105.73
CC TOT	SCHOOL CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00	105.73

REPORT 240-100 FUND 177: EDUCATION CAPITAL PROJECTS

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 91300: EDUCATION CAPITAL PROJECTS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
707	BUILDING IMPROVEMENTS	0.00	0.00	0.00	0.00	0.00	23,828.20
OJ TOT	**********CAPITAL OUTLAY**	0.00	0.00	0.00	0.00	0.00	23,828.20
CC TOT	EDUCATION CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00	23,828.20
FD TOT	EDUCATION CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00	23,933.93

REPORT 240-100 FUND 189: GENERAL CONSTRUCTION PROJECTS

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 91150: SOCIAL, CULTURAL AND RECREATION PROJECTS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
599	OTHER CHARGES	0.00	0.00	0.00	0.00	0.00	66,445.34
OJ TOT	**********OTHER CHARGES***	0.00	0.00	0.00	0.00	0.00	66,445.34
CC TOT	SOCIAL, CULTURAL AND RECREATIO	0.00	0.00	0.00	0.00	0.00	66,445.34

REPORT 240-100 FUND 189: GENERAL CONSTRUCTION PROJECTS

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 91300: EDUCATION CAPITAL PROJECTS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
707	BUILDING IMPROVEMENTS	0.00	0.00	0.00	0.00	0.00	15,148.15
712	HEATING & AIR CONDITIONING	0.00	0.00	0.00	0.00	0.00	62,200.00
799	OTHER CAPITAL OUTLAY	177,045.00	0.00	177,045.00	0.00	0.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	177,045.00	0.00	177,045.00	0.00	0.00	77,348.15
CC TOT	EDUCATION CAPITAL PROJECTS	177,045.00	0.00	177,045.00	0.00	0.00	77,348.15
FD TOT	GENERAL CONSTRUCTION PROJECTS	177,045.00	0.00	177,045.00	0.00	0.00	143,793.49

REPORT 240-100 FUND 191: ENDOWMENT FUND

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 58900: MISCELLANEOUS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
358	REMITTANCE OF REVENUES COLLECT	4,000.00	0.00	0.00	0.00	4,000.00	1,243.56
OJ TOT	**********CONTRACTED SERVICES	4,000.00	0.00	0.00	0.00	4,000.00	1,243.56
CC TOT	MISCELLANEOUS	4,000.00	0.00	0.00	0.00	4,000.00	1,243.56
FD TOT	ENDOWMENT FUND	4,000.00	0.00	0.00	0.00	4,000.00	1,243.56

REPORT 240-100 FUND 263: GENERAL LIABILITY

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 58900: MISCELLANEOUS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
325	FISCAL AGENT CHARGES	15,000.00	0.00	17,960.00	0.00	2,960.00-	17,960.00
331	LEGAL FEES	2,500.00	0.00	4,357.50	2,957.50	1,857.50-	2,210.28
OJ TOT	**********CONTRACTED SERVICES	17,500.00	0.00	22,317.50	2,957.50	4,817.50-	20,170.28
502	BUILDING AND CONTENTS INS	289,807.00	0.00	289,924.00	0.00	117.00-	230,663.00
506	LIABILITY INSURANCE	256,357.00	0.00	223,007.35	1,489.35	33,349.65	235,727.20
516	SELF-INSURED CLAIMS	493,922.00	0.00	319,701.04	85,000.00	174,220.96	200,233.01
599	OTHER CHARGES	40,000.00	2,465.00	29,273.20	240.00	12,461.80	20,610.40
OJ TOT	**********OTHER CHARGES***	1,080,086.00	2,465.00	861,905.59	86,729.35	219,915.41	687,233.61
707	BUILDING IMPROVEMENTS	0.00	7,500.00	0.00	0.00	0.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	0.00	7,500.00	0.00	0.00	0.00	0.00
CC TOT	MISCELLANEOUS	1,097,586.00	9,965.00	884,223.09	89,686.85	215,097.91	707,403.89

REPORT 240-100 FUND 263: GENERAL LIABILITY

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 99100: TRANSFERS OUT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
590	TRANSFERS TO OTHER FUNDS	0.00	0.00	109,944.50	0.00	109,944.50-	109,944.50
OJ TOT	**********OTHER CHARGES***	0.00	0.00	109,944.50	0.00	109,944.50-	109,944.50
CC TOT	TRANSFERS OUT	0.00	0.00	109,944.50	0.00	109,944.50-	109,944.50
FD TOT	GENERAL LIABILITY	1,097,586.00	9,965.00	994,167.59	89,686.85	105,153.41	817,348.39

REPORT 240-100 FUND 264: EMPLOYEE BENEFIT FUND - HEALTH & LIFE

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 58600: EMPLOYEE BENEFITS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
207	EMPLOYEE INSURANCE - HEALTH	605,000.00	0.00	495,277.88	50,524.89	109,722.12	508,176.77
OJ TOT	**********EMPLOYEE BENEFITS*	605,000.00	0.00	495,277.88	50,524.89	109,722.12	508,176.77
312	CONTRACTS W/PRIVATE AGCY	320,000.00	0.00	226,050.36	26,802.33	93,949.64	223,524.16
325	FISCAL AGENT CHARGES	661,024.00	0.00	497,172.22	41,020.18	163,851.78	391,995.93
OJ TOT	**********CONTRACTED SERVICES	981,024.00	0.00	723,222.58	67,822.51	257,801.42	615,520.09
507	MEDICAL CLAIMS	18,735,396.00	0.00	12,198,393.36	1,240,003.53	6,537,002.64	12,499,000.70
530	FINES, ASSESSMENTS, AND PENALT	0.00	0.00	208,792.50	0.00	208,792.50-	0.00
OJ TOT	**********OTHER CHARGES***	18,735,396.00	0.00	12,407,185.86	1,240,003.53	6,328,210.14	12,499,000.70
CC TOT	EMPLOYEE BENEFITS	20,321,420.00	0.00	13,625,686.32	1,358,350.93	6,695,733.68	13,622,697.56
FD TOT	EMPLOYEE BENEFIT FUND - HEALTH	20,321,420.00	0.00	13,625,686.32	1,358,350.93	6,695,733.68	13,622,697.56

REPORT 240-100 FUND 266: WORKER'S COMPENSATION FUND

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 58600: EMPLOYEE BENEFITS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
325	FISCAL AGENT CHARGES	40,497.00	0.00	15,215.00	0.00	25,282.00	20,565.00
OJ TOT	**********CONTRACTED SERVICES	40,497.00	0.00	15,215.00	0.00	25,282.00	20,565.00
507	MEDICAL CLAIMS	680,020.00	0.00	452,945.45	60,000.00	227,074.55	411,107.43
513	WORKERS' COMPENSATION INS	131,785.00	0.00	120,110.82	0.00	11,674.18	110,732.00
OJ TOT	**********OTHER CHARGES***	811,805.00	0.00	573,056.27	60,000.00	238,748.73	521,839.43
CC TOT	EMPLOYEE BENEFITS	852,302.00	0.00	588,271.27	60,000.00	264,030.73	542,404.43

REPORT 240-100 FUND 266: WORKER'S COMPENSATION FUND

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 99100: TRANSFERS OUT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
590	TRANSFERS TO OTHER FUNDS	0.00	0.00	109,944.50	0.00	109,944.50-	0.00
OJ TOT	**********OTHER CHARGES***	0.00	0.00	109,944.50	0.00	109,944.50-	0.00
CC TOT	TRANSFERS OUT	0.00	0.00	109,944.50	0.00	109,944.50-	0.00
FD TOT	WORKER'S COMPENSATION FUND	852,302.00	0.00	698,215.77	60,000.00	154,086.23	542,404.43

REPORT 240-100 FUND 351: CITIES-SALES TAX

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 58700: PAYMENTS TO CITIES

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
358	REMITTANCE OF REVENUES COLLECT	14,635,000.00	0.00	10,753,125.44	0.00	3,881,874.56	11,024,748.23
OJ TOT	**********CONTRACTED SERVICES	14,635,000.00	0.00	10,753,125.44	0.00	3,881,874.56	11,024,748.23
510	TRUSTEES COMMISSION	142,000.00	0.00	108,617.41	0.00	33,382.59	111,361.06
OJ TOT	**********OTHER CHARGES***	142,000.00	0.00	108,617.41	0.00	33,382.59	111,361.06
CC TOT	PAYMENTS TO CITIES	14,777,000.00	0.00	10,861,742.85	0.00	3,915,257.15	11,136,109.29
FD TOT	CITIES-SALES TAX	14,777,000.00	0.00	10,861,742.85	0.00	3,915,257.15	11,136,109.29

REPORT 240-100 FUND 355: CITY SCHOOL ADA-NO 1

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 58700: PAYMENTS TO CITIES

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
358	REMITTANCE OF REVENUE COLLECTE	5,340,500.00	0.00	4,562,339.86	0.00	778,160.14	4,678,764.64
OJ TOT	**********CONTRACTED SERVICES	5,340,500.00	0.00	4,562,339.86	0.00	778,160.14	4,678,764.64
510	TRUSTEES COMMISSION	85,000.00	0.00	79,391.55	0.00	5,608.45	80,482.58
OJ TOT	**********OTHER CHARGES***	85,000.00	0.00	79,391.55	0.00	5,608.45	80,482.58
CC TOT	PAYMENTS TO CITIES	5,425,500.00	0.00	4,641,731.41	0.00	783,768.59	4,759,247.22
FD TOT	CITY SCHOOL ADA-NO 1	5,425,500.00	0.00	4,641,731.41	0.00	783,768.59	4,759,247.22

REPORT 240-100 FUND 356: CITY SCHOOL ADA-NO 2

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 58700: PAYMENTS TO CITIES

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
358	REMITTANCE OF REVENUE COLLECTE	15,000,770.00	0.00	12,632,458.48	0.00	2,368,311.52	13,033,225.52
OJ TOT	**********CONTRACTED SERVICES	15,000,770.00	0.00	12,632,458.48	0.00	2,368,311.52	13,033,225.52
510	TRUSTEES COMMISSION	275,000.00	0.00	221,098.24	0.00	53,901.76	225,792.84
OJ TOT	**********OTHER CHARGES***	275,000.00	0.00	221,098.24	0.00	53,901.76	225,792.84
CC TOT	PAYMENTS TO CITIES	15,275,770.00	0.00	12,853,556.72	0.00	2,422,213.28	13,259,018.36
FD TOT	CITY SCHOOL ADA-NO 2	15,275,770.00	0.00	12,853,556.72	0.00	2,422,213.28	13,259,018.36

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 54150: DRUG ENFORCEMENT

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
140	SALARY SUPPLEMENTS	32,000.00	0.00	0.00	0.00	32,000.00	0.00
OJ TOT	**********PERSONAL SERVICES*	32,000.00	0.00	0.00	0.00	32,000.00	0.00
305	AUDIT SERVICES	2,600.00	0.00	1,988.00	0.00	612.00	0.00
307	COMMUNICATION	25,000.00	0.00	16,445.90	1,672.92	8,554.10	16,160.34
319	DRUG CONTROL PAYMENTS	30,000.00	0.00	25,000.00	5,000.00	5,000.00	15,000.00
320	DUES & MEMBERSHIPS	575.00	0.00	460.00	75.00	115.00	410.00
330	LEASE PAYMENTS	0.00	0.00	0.00	0.00	0.00	182,039.66
333	LICENSES	300.00	0.00	58.50	13.00	241.50	76.00
336	MAINT & REPAIR SERV-EQUIPMENT	1,000.00	0.00	606.77	0.00	393.23	0.00
338	AUTOMOBILE REPAIR	3,122.82	0.00	1,578.42	0.00	1,544.40	379.00
348	POSTAL CHARGES	100.00	0.00	17.70	0.00	82.30	46.89
349	PRINTING-STATIONERY & FORMS	500.00	0.00	0.00	0.00	500.00	1,873.50
355	TRAVEL	12,400.00	0.00	9,457.75	0.00	2,942.25	10,375.51
356	TUITION	4,375.00	0.00	4,250.00	1,425.00	125.00	2,900.00
399	OTHER CONTRACTED SERVICES	6,100.00	477.08	5,519.52	3,043.44	103.40	5,092.70
OJ TOT	**********CONTRACTED SERVICES	86,072.82	477.08	65,382.56	11,229.36	20,213.18	234,353.60
431	LAW ENFORCEMENT SUPPLIES	3,500.00	280.48	2,008.31	0.00	1,566.66	967.97
435	OFFICE SUPPLIES	2,500.00	367.33	1,524.89	129.07	740.93	801.76
450	TIRES & TUBES	1,400.00	0.00	636.68	0.00	763.32	1,474.36
452	UTILITIES	4,000.00	0.00	3,784.64	505.94	215.36	2,953.43
453	VEHICLE PARTS	0.00	0.00	0.00	0.00	0.00	392.06
499	OTHER SUPPLIES & MATERIALS	500.00	0.00	24.31	0.00	475.69	82.73
OJ TOT	**********SUPPLIES & MATERIAL	11,900.00	647.81	7,978.83	635.01	3,761.96	6,672.31
506	LIABILITY INSURANCE	2,249.00	0.00	0.00	0.00	2,249.00	0.00
508	PREMIUMS-CORPORATE SURETY	500.00	0.00	262.50	0.00	237.50	312.50
510	TRUSTEES COMMISSION	1,500.00	0.00	868.94	0.00	631.06	1,331.95
536	HAZARDOUS WASTE CLEANUP	5,000.00	0.00	0.00	0.00	5,000.00	0.00
599	OTHER CHARGES	4,500.00	927.60	3,009.98	250.00	562.42	4,299.42
OJ TOT	**********OTHER CHARGES***	13,749.00	927.60	4,141.42	250.00	8,679.98	5,943.87
709	DATA PROCESSING EQUIPMENT	3,600.00	0.00	2,500.00	0.00	1,100.00	0.00
716	LAW ENFORCEMENT EQUIPMENT	12,500.00	0.00	3,329.07	723.07	9,170.93	2,681.05
718	MOTOR VEHICLES	0.00	0.00	0.00	0.00	0.00	732.00
OJ TOT	**********CAPITAL OUTLAY**	16,100.00	0.00	5,829.07	723.07	10,270.93	3,413.05
CC TOT	DRUG ENFORCEMENT	159,821.82	2,052.49	83,331.88	12,837.44	74,926.05	250,382.83

REPORT 240-100 FUND 363: JUDICIAL DRUG FUND

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 91130: PUBLIC SAFETY PROJECTS

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
336	MAINTENANCE & REPAIR - EQUIPME	37,250.00	37,250.00	0.00	0.00	0.00	0.00
OJ TOT	**********CONTRACTED SERVICES	37,250.00	37,250.00	0.00	0.00	0.00	0.00
708	COMMUNICATION EQUIPMENT	0.00	0.00	0.00	0.00	0.00	17,525.00
709	DATA PROCESSING EQUIPMENT	24,000.00	0.00	0.00	0.00	24,000.00	0.00
716	LAW ENFORCEMENT EQUIPMENT	24,000.00	0.00	14,385.00	0.00	24,000.00	13,680.00
718	MOTOR VEHICLES	34,150.00	0.00	1,075.38-	0.00	35,225.38	33,999.00
OJ TOT	**********CAPITAL OUTLAY**	82,150.00	0.00	13,309.62	0.00	83,225.38	65,204.00
CC TOT	PUBLIC SAFETY PROJECTS	119,400.00	37,250.00	13,309.62	0.00	83,225.38	65,204.00
FD TOT	JUDICIAL DRUG FUND	279,221.82	39,302.49	96,641.50	12,837.44	158,151.43	315,586.83

REPORT 240-100 FUND 364: DISTRICT ATTORNEY GENERAL

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 53600: DISTRICT ATTORNEY GENERAL

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
320	DUES & MEMBERSHIPS	1,250.00	0.00	0.00	0.00	1,250.00	0.00
355	TRAVEL	2,000.00	0.00	0.00	0.00	2,000.00	0.00
356	TUITION	1,500.00	0.00	0.00	0.00	1,500.00	0.00
399	OTHER CONTRACTED SERVICES	500.00	0.00	0.00	0.00	500.00	0.00
OJ TOT	**********CONTRACTED SERVICES	5,250.00	0.00	0.00	0.00	5,250.00	0.00
432	LIBRARY BOOKS	500.00	0.00	0.00	0.00	500.00	0.00
OJ TOT	**********SUPPLIES & MATERIAL	500.00	0.00	0.00	0.00	500.00	0.00
510	TRUSTEES COMMISSION	300.00	0.00	144.58	0.00	155.42	110.75
599	OTHER CHARGES	50,000.00	0.00	50,000.00	0.00	0.00	0.00
OJ TOT	**********OTHER CHARGES***	50,300.00	0.00	50,144.58	0.00	155.42	110.75
709	DATA PROCESSING EQUIPMENT	2,000.00	0.00	0.00	0.00	2,000.00	0.00
711	FURNITURE & FIXTURES	1,000.00	0.00	0.00	0.00	1,000.00	0.00
OJ TOT	**********CAPITAL OUTLAY**	3,000.00	0.00	0.00	0.00	3,000.00	0.00
CC TOT	DISTRICT ATTORNEY GENERAL	59,050.00	0.00	50,144.58	0.00	8,905.42	110.75
FD TOT	DISTRICT ATTORNEY GENERAL	59,050.00	0.00	50,144.58	0.00	8,905.42	110.75

REPORT 240-100 FUND 365: OTHER AGENCY FUND - TOURISM

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2014 TO MARCH 31, 2015

COST CENTER 58110: TOURISM

OBJECT	----------ACCOUNT TITLE----------	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	MARCH 15 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
312	CONTRACTS W/PRIVATE AGCY	1,408,766.00	0.00	1,111,985.46	0.00	296,780.54	1,094,836.16
OJ TOT	**********CONTRACTED SERVICES	1,408,766.00	0.00	1,111,985.46	0.00	296,780.54	1,094,836.16
510	TRUSTEES COMMISSION	17,000.00	0.00	11,232.19	0.00	5,767.81	11,058.94
OJ TOT	**********OTHER CHARGES***	17,000.00	0.00	11,232.19	0.00	5,767.81	11,058.94
CC TOT	TOURISM	1,425,766.00	0.00	1,123,217.65	0.00	302,548.35	1,105,895.10
FD TOT	OTHER AGENCY FUND - TOURISM	1,425,766.00	0.00	1,123,217.65	0.00	302,548.35	1,105,895.10

CC/Fund Name	Vendor Name	VCHR_NO	INVOICE_NO	Date Paid	ACCT_AMT	Check #	FUND
Agricultural Extension	CHARTER COMMUNICATIONS	11030	0343101	3/6/2015	308.52	1193644	101
Agricultural Extension	UNIVERSITY OF TENNESSEE	12102	2-A	3/27/2015	600.00	1194283	101
Chancery Court	THERMOCOPY OF TN INC	12103	163870	3/27/2015	7.65	1194279	101
Circuit Court Clerk	BLOUNT COUNTY CLERK	11050	T.TRAVIS NOTARY	3/13/2015	12.00	1193866	101
Circuit Judges	TOM HATCHER	11082	JUREY FEES	3/20/2015	180.00	1194066	101
Circuit Judges	TOM HATCHER	11083	JURY FEES	3/20/2015	270.00	1194066	101
Circuit Judges	TOM HATCHER	11084	JURY FEES	3/20/2015	180.00	1194066	101
Contributions to Other Ag	GREAT SMOKY MOUNTAIN HERITAGE CENTER	12122	4TH QTR	4/2/2015	9810.00	1194374	101
County Buildings	CITY OF MARYVILLE	11028	ATTACHED	3/6/2015	32746.50	1193646	101
County Buildings	ATMOS ENERGY	11029	ATTACHED	3/6/2015	2153.38	1193639	101
County Buildings	CITY OF MARYVILLE	11065	ATTACHED	3/13/2015	12925.47	1193879	101
County Buildings	ATMOS ENERGY	11067	ATTACHED	3/13/2015	6818.57	1193864	101
County Buildings	W W GRAINGER INC	11064	9678179483	3/13/2015	19.02	1193922	101
County Buildings	AFFORDABLE LOCKSMITH	11066	89401	3/13/2015	10.50	1193860	101
County Buildings	CITY OF ALCOA	11088	ATTACHED	3/20/2015	1709.22	1194038	101
County Buildings	ATMOS ENERGY	11086	ATTACHED	3/20/2015	6487.94	1194025	101
County Buildings	W W GRAINGER INC	11087	ATTACHED	3/20/2015	38.40	1194068	101
County Buildings	CELLCO PARTNERSHIP	11072	9741183499	3/20/2015	34.00	1194037	101
County Buildings	CITY OF ALCOA	12120	ATTACHED	3/27/2015	5256.58	1194242	101
County Buildings	CITY OF MARYVILLE	12119	ATTACHED	3/27/2015	1176.87	1194243	101
County Clerk	CATE RUSSELL INS	12123	NOTARY B.SATTERFIELD	4/2/2015	50.00	1194366	101
County Executive	BOYD'S SPORTS & MORE	11033	411032	3/6/2015	49.95	1193641	101
County Executive	SUNTRUST BANK CARD	11098	PAPA JOHNS	3/26/2015	15.26	1194182	101
County Trustee	COUNTY OFFICIALS ASSOC OF TN	11020	S.GRAVES	3/6/2015	50.00	1193648	101
Criminal Court	CELLCO PARTNERSHIP	11053	9740473494	3/13/2015	48.07	1193875	101
Debt Service	WOLD PRINTING SERVICES LTD	577798	9679	3/13/2015	300.00	51194017	151
Development	CANON SOLUTIONS AMERICA INC	11019	14634131	3/6/2015	6.08	1193643	101
Development	CELLCO PARTNERSHIP	11073	9741183499	3/20/2015	136.00	1194037	101
Development	SUNTRUST BANK CARD	11095	ETBOA DUES	3/26/2015	25.00	1194182	101
Development	CANON SOLUTIONS AMERICA INC	12106	14728520	3/27/2015	5.49	1194239	101
Drug Control	UNIVERSITY OF TENNESSEE	11012	163970	3/6/2015	1000.00	22193694	122
Drug Control	UNIVERSITY OF TENNESSEE	11012	163970	3/6/2015	2235.00	22193694	122
Drug Control	AGCENTRAL FARMERS COOPERATIVE	11023	1035165	3/6/2015	40.81	22193691	122
Drug Enforcement	CITY OF MARYVILLE	577811	373963	3/13/2015	505.94	63194021	363
Drug Enforcement	CELLCO PARTNERSHIP	11057	9740473494	3/13/2015	560.72	63194020	363
Drug Enforcement	FIFTH JUDICIAL DISTRICT DRUG	577834	INVEST FUNDS	3/20/2015	5000.00	63194145	363
Drug Enforcement	CHARTER COMMUNICATIONS	577833	8353 20 001,,,,	3/20/2015	534.20	63194144	363

CC/Fund Name	Vendor Name	VCHR_NO	INVOICE_NO	Date Paid	ACCT_AMT	Check #	FUND
Drug Enforcement	CELLCO PARTNERSHIP	11071	9741183499	3/20/2015	578.00	63194143	363
Drug Enforcement	BLOUNT COUNTY CLERK	577889	TAG RENEW	3/27/2015	13.00	63194352	363
Employee Benefits	FIRST TENNESSEE BANK	577845	TRANSFER WC	3/20/2015	60000.00	26194142	266
Employee Benefits	EAST TENNESSEE MEDICAL GROUP, PC	577835	0062	3/20/2015	23655.00	64194140	264
Employee Benefits	BLOUNT MEMORIAL HOSPITAL	577844	04031015	3/20/2015	3147.33	64194139	264
Employee Benefits	HUMANA INC	577843	172957	3/20/2015	379771.10	64194141	264
Employee Benefits	HUMANA HEALTH PLAN INC	577873	150599017	3/27/2015	41020.18	64194351	264
Employee Benefits	HM LIFE INSURANCE COMPANY	577874	4/1/25	3/27/2015	50524.89	64194350	264
Federal Projects	STAPLES CONTRACT & COMMERICAL INC	577767	3256854889,,,,	3/6/2015	125.84	42193739	142
Federal Projects	WALLAND ELEMENTARY SCHOOL	577815	REIMB BOOKS	3/13/2015	449.81	42194002	142
Federal Projects	LEANN M LAMBERT	577791	2/25/15 9 BUSES	3/24/2015	30407.00	42194180	142
Federal Projects	SUNTRUST BANK CARD	577872	HOBBY LOBBY	3/26/2015	38.68	42194187	142
General Sessions Judges	JOHNSON LAW FIRM	11021	022615	3/6/2015	20.00	1193660	101
Highway	CITY OF MARYVILLE	577772	332119	3/6/2015	32.62	31193699	131
Highway	FORT LOUDOUN ELECTRIC COOPERATIVE	577813	3108001	3/13/2015	47.13	31193946	131
Highway	KNOXVILLE UTILITIES BOARD	577799	1245100000	3/13/2015	101.60	31193947	131
Highway	CELLCO PARTNERSHIP	11062	9740473494	3/13/2015	387.41	31193944	131
Highway	CELLCO PARTNERSHIP	11070	9741183499	3/20/2015	34.00	31194081	131
Highway	SUNTRUST BANK CARD	11099	ARLAND CAR WASH	3/26/2015	9.00	31194185	131
Highway	SUNTRUST BANK CARD	12100	LOWES	3/26/2015	5.74	31194185	131
Highway	FORT LOUDOUN ELECTRIC COOPERATIVE	577896	126768	4/2/2015	36.18	31194404	131
Highway	CITY OF MARYVILLE	577895	SEE ATTACHED	4/2/2015	55.71	31194401	131
Information Technology	CHARTER COMMUNICATIONS	11069	0136828	3/13/2015	177.86	1193876	101
Information Technology	SUNTRUST BANK CARD	12101	GOOGLE INC	3/26/2015	1.99	1194182	101
Inspection & Regulation	AT&T	11016	8653792020688	3/6/2015	440.66	1193637	101
Inspection & Regulation	AT&T	11017	0305087856001	3/6/2015	33.20	1193638	101
Inspection & Regulation	CITY OF MARYVILLE	11044	ATTACHED	3/13/2015	5749.08	1193879	101
Inspection & Regulation	U S CELLULAR	11045	74185638	3/13/2015	110.22	1193920	101
Inspection & Regulation	AT&T	11080	8659832401335	3/20/2015	238.98	1194023	101
Inspection & Regulation	ATMOS ENERGY	12124	ATTACHED	4/2/2015	36.75	1194360	101
Inspection & Regulation	AT&T	12126	ATTACHED	4/2/2015	457.82	1194358	101
Inspection & Regulation	AT&T	12125	0305087856001	4/2/2015	32.56	1194359	101
Jail	JOHN ADAMS	12109	TRAVEL ADV	3/27/2015	151.60	1194257	101
Jail	COURTNEY SCHAEFER	12107	TRAVEL ADV	3/27/2015	151.60	1194244	101
Jail	JOE DUDLEY	12108	TRAVEL ADV	3/27/2015	151.60	1194256	101
Jail	UNIVERSITY OF TENNESSEE	12113	1082041	3/27/2015	202.00	1194284	101
Juvenile Services	SHERRY CASEY	12110	TRAVEL ADV	3/27/2015	151.60	1194272	101

CC/Fund Name	Vendor Name	VCHR_NO	INVOICE_NO	Date Paid	ACCT_AMT	Check #	FUND
Juvenile Services	TOM HOOD	12111	TRAVEL ADV	3/27/2015	151.60	1194282	101
MISCELLANEOUS	CATE RUSSELL INS	577763	SEE ATTACHED	3/6/2015	1489.35	26193763	263
MISCELLANEOUS	FIRST TENNESSEE BANK	577824	GEN LIABILITY	3/13/2015	85000.00	26194018	263
MISCELLANEOUS	CRAIG GARRETT	577892	RISK MGT	3/27/2015	2957.50	26194349	263
Other General Admin	WILLIAMSBURG MAILING SERVICES	11026	12091	3/6/2015	6464.46	1193681	101
Other General Admin	AT&T	11027	8659811087026	3/6/2015	410.50	1193637	101
Other General Admin	BALDWIN'S GREATER KNOXVILLE	11022	21421	3/6/2015	100.00	1193640	101
Other General Admin	ROBERT M POTTER,MD	11040	DEC/JAN	3/13/2015	300.00	1193906	101
Other General Admin	MICHAEL DALE TEAGUE	11039	DEC/JAN	3/13/2015	525.00	1193900	101
Other General Admin	BLOUNT PATHOLOGISTS PLLC	11037	FEB 2015	3/13/2015	1000.00	1193869	101
Other General Admin	BALDWIN'S GREATER KNOXVILLE	11035	21453	3/13/2015	100.00	1193865	101
Other General Admin	SAINT LOUIS UNIVERSITY	11036	T1501003	3/13/2015	625.00	1193907	101
Other General Admin	CELLCO PARTNERSHIP	11051	9740473494	3/13/2015	1602.85	1193875	101
Other General Admin	CELLCO PARTNERSHIP	11054	9740473494	3/13/2015	3992.13	1193875	101
Other General Admin	AT&T	11058	6304840	3/13/2015	90.00	1193863	101
Other General Admin	WINDSTREAM COMMUNICATION INC	11059	14088998	3/13/2015	635.52	1193925	101
Other General Admin	JAMES HOLDER VINSON	11038	DEC/JAN	3/13/2015	675.00	1193893	101
Other General Admin	AT&T	11077	ATTACHED	3/20/2015	511.50	1194023	101
Other General Admin	AT&T	11085	8659832210049	3/20/2015	323.80	1194023	101
Other General Admin	TOM HATCHER	11081	INDIGENT BILLING	3/20/2015	16244.64	1194065	101
Other General Admin	BALDWIN'S GREATER KNOXVILLE	11076	21481	3/20/2015	100.00	1194026	101
Other General Admin	CELLCO PARTNERSHIP	11074	9741183499	3/20/2015	2048.29	1194037	101
Other General Admin	AT&T	11078	06304707	3/20/2015	90.00	1194024	101
Other General Admin	WINDSTREAM COMMUNICATION INC	11079	14122179	3/20/2015	877.49	1194069	101
Other General Admin	KNOX COUNTY GOVERNMENT	11075	20150310	3/20/2015	9000.00	1194051	101
Other General Admin	CRAIG GARRETT	12116	MARCH 13	3/27/2015	11060.00	1194245	101
Other General Admin	REGISTER OF DEEDS	12117	473988	3/27/2015	24.00	1194269	101
Other General Admin	WINDSTREAM COMMUNICATION INC	12105	14137066	3/27/2015	499.61	1194288	101
Other General Admin	AT&T	12127	ATTACHED	4/2/2015	439.10	1194358	101
Other Local Welfare Servi	HELEN ROSS MCNABB CENTER INC	11092	JAN 2015	3/20/2015	6896.54	1194043	101
Parks & Fairs Boards	RECREATION & PARKS COMMISSION	12104	4TH QTR	3/27/2015	163394.00	1194268	101
Probation	SUNTRUST BANK CARD	11094	COUNTRY INNS	3/26/2015	-101.52	1194182	101
Property Reappraisal	SUNTRUST BANK CARD	11093	KROGER	3/26/2015	39.50	1194182	101
Public Library	ATMOS ENERGY	577766	3014799951	3/6/2015	2736.72	15193684	115
Public Library	GREY HOUSE PUBLISHING	577764	903871	3/6/2015	448.95	15193687	115
Public Library	BAKER & TAYLOR	577803	SEE ATTACHED	3/13/2015	1157.10	15193926	115
Public Library	WILLIAMSBURG MAILING SERVICES	577802	12093	3/13/2015	72.80	15193939	115

CC/Fund Name	Vendor Name	VCHR_NO	INVOICE_NO	Date Paid	ACCT_AMT	Check #	FUND
Public Library	CENGAGE LEARNING INC	577814	SEE ATTACHED	3/13/2015	1042.76	15193931	115
Public Library	RECORDED BOOKS INC	577804	SEE ATTACHED	3/13/2015	3706.05	15193935	115
Public Library	CELLCO PARTNERSHIP	11055	9740473494	3/13/2015	48.07	15193930	115
Public Library	CITY OF MARYVILLE	577890	341312	3/27/2015	13801.95	15194295	115
Public Library	ATMOS ENERGY	577891	3014799951	3/27/2015	4433.24	15194291	115
Purchasing	BLOUNT COUNTY PUBLISHERS LLC	11034	195573	3/13/2015	263.90	1193867	101
Purchasing	CANON SOLUTIONS AMERICA INC	11097	14728516	3/20/2015	2.74	1194034	101
Rabies & Animal Control	CITY OF ALCOA	11025	017	3/6/2015	10.50	1193645	101
Rabies & Animal Control	CHARTER COMMUNICATIONS	11024	0562397	3/6/2015	354.42	1193644	101
Rabies & Animal Control	CHARTER COMMUNICATIONS	12115	0562397	3/27/2015	349.20	1194241	101
Records Management	AT&T	11018	8653804295001	3/6/2015	136.54	1193637	101
Records Management	SUNTRUST BANK CARD	11096	EZ STOP	3/26/2015	34.00	1194182	101
Records Management	AT&T	12118	8653804295001	3/27/2015	132.88	1194237	101
Records Remodel at Ops	BREWER INGRAM FULLER ARCHITECTS INC	11090	010	3/20/2015	62.50	1194032	101
Schools	CITY OF ALCOA	577777	SEE ATTACHED	3/6/2015	10008.84	41193712	141
Schools	CITY OF ALCOA	577777	SEE ATTACHED	3/6/2015	830.44	41193712	141
Schools	CITY OF ALCOA	577779	SEE ATTACHED	3/6/2015	10274.54	41193712	141
Schools	CITY OF MARYVILLE	577775	SEE ATTACHED	3/6/2015	8039.57	41193713	141
Schools	CITY OF MARYVILLE	577775	SEE ATTACHED	3/6/2015	1884.83	41193713	141
Schools	CITY OF MARYVILLE	577775	SEE ATTACHED	3/6/2015	147.32	41193713	141
Schools	SOUTH BLOUNT UTILITY DIST	577774	7820-01070-001	3/6/2015	1263.04	41193723	141
Schools	TN DEPT OF LABOR AND WORKFORCE	577769	1ST QTR 2015	3/6/2015	1162.71	41193728	141
Schools	TUCKALEECHEE UTILITY	11032	ATTACHED	3/6/2015	947.87	41193729	141
Schools	ATMOS ENERGY	577776	SEE ATTACHED	3/6/2015	5813.80	41193707	141
Schools	UNITED PARCEL SERVICE	577778	00004RW236085	3/6/2015	36.48	41193730	141
Schools	AT&T	577768	SEE ATTACHED	3/6/2015	120.30	41193705	141
Schools	AT&T	577780	SEE ATTACHED	3/6/2015	2696.22	41193706	141
Schools	TINKER ENTERPRISES	577781	130544	3/6/2015	12.00	41193727	141
Schools	BLOUNT MEMORIAL HOSPITAL INC	577770	SEE ATTACHED	3/6/2015	266.00	41193708	141
Schools	CELLCO PARTNERSHIP	577771	9740120743	3/6/2015	291.90	41193710	141
Schools	THOMPSONGAS SMOKIES LLC	577773	52965	3/6/2015	1393.70	41193726	141
Schools	CITY OF ALCOA	577808	SEE ATTACHED	3/13/2015	73987.97	41193959	141
Schools	CITY OF ALCOA	577808	SEE ATTACHED	3/13/2015	1482.73	41193959	141
Schools	CITY DRUG COMPANY	577805	5210	3/13/2015	12.00	41193958	141
Schools	FRIENDSVILLE CITY WATER WORKS	577810	SEE ATTACHED	3/13/2015	250.11	41193967	141
Schools	WILLIAMSBURG MAILING SERVICES	577816	12092	3/13/2015	157.51	41193996	141
Schools	CITY OF MARYVILLE	577828	SEE ATTACHED	3/13/2015	8227.95	41193960	141

CC/Fund Name	Vendor Name	VCHR_NO	INVOICE_NO	Date Paid	ACCT_AMT	Check #	FUND
Schools	CITY OF MARYVILLE	577828	SEE ATTACHED	3/13/2015	648.17	41193960	141
Schools	AFFINITY INSURANCE SERVICE,INC.	577817	SEE ATTACHED	3/13/2015	217.00	41193951	141
Schools	SOUTH BLOUNT UTILITY DIST	577821	SEE ATTACHED	3/13/2015	5050.89	41193987	141
Schools	ATMOS ENERGY	577807	SEE ATTACHED	3/13/2015	5788.95	41193954	141
Schools	ATMOS ENERGY	577827	SEE ATTACHED	3/13/2015	2736.21	41193954	141
Schools	GARNER BROTHERS AUTOMOTIVE INC	577825	240170	3/13/2015	10.00	41193969	141
Schools	CHARTER COMMUNICATIONS	577819	835320002009124	3/13/2015	6.82	41193957	141
Schools	LEANN M LAMBERT	577801	ESL MILES	3/13/2015	5257.89	41193976	141
Schools	HOBBY LOBBY CREATIVE CENTER	577826	SUPPLIES	3/13/2015	1.62	41193972	141
Schools	THOMPSON & CHILDRESS COURT REPORTERS	577820	MK021515 963	3/13/2015	762.75	41193991	141
Schools	UT NATIONAL STUDENT SPEECH LANGUAGE	577822	CAREER FAIR	3/13/2015	30.00	41193995	141
Schools	SEVIER COUNTY UTILITY DISTRICT	577809	217732-113051	3/13/2015	226.74	41193986	141
Schools	RACHEL ANDERSON	577812	2/15 MILES	3/13/2015	51.70	41193983	141
Schools	THOMPSONGAS SMOKIES LLC	577823	SEE ATTACHED	3/13/2015	823.44	41193992	141
Schools	CITY OF ALCOA	577849	SEE ATTACHED	3/20/2015	11296.69	41194097	141
Schools	CITY OF ALCOA	577849	SEE ATTACHED	3/20/2015	2318.42	41194097	141
Schools	FORT LOUDOUN ELECTRIC COOPERATIVE	577831	126068	3/20/2015	1579.64	41194100	141
Schools	FORT LOUDOUN ELECTRIC COOPERATIVE	577847	126347	3/20/2015	192.97	41194100	141
Schools	SOUTH BLOUNT UTILITY DIST	577850	SEE ATTACHED	3/20/2015	1979.93	41194111	141
Schools	ATMOS ENERGY	577848	SEE ATTACHED	3/20/2015	12373.73	41194092	141
Schools	BLOUNT MEMORIAL HOSPITAL INC	577830	102681	3/20/2015	55.00	41194093	141
Schools	CELLCO PARTNERSHIP	577868	9741809875	3/20/2015	302.05	41194095	141
Schools	AT&T	577832	000006304823	3/20/2015	5292.57	41194091	141
Schools	THOMPSONGAS SMOKIES LLC	577846	58079	3/20/2015	1154.25	41194115	141
Schools	JACK D CLEMMER	577855	2/25/15 3 BUSES	3/24/2015	11587.18	41194171	141
Schools	BORING BUS SERVICE, LLC	577852	2/25/15 15 BUSES	3/24/2015	57098.79	41194168	141
Schools	REED BUS SERVICE, INC.	577859	2/25/15 5 BUSES	3/24/2015	20225.81	41194176	141
Schools	LEANN M LAMBERT	577860	01-02/15 FUEL ADJ	3/24/2015	3529.35	41194173	141
Schools	TIMOTHY D BROWN	577853	2/25/15 BUS 15	3/24/2015	4118.42	41194179	141
Schools	FINCHUM SERVICES INC	577856	2/25/15 BUS 17	3/24/2015	3475.53	41194169	141
Schools	STAR LIMOUSINE SERVICE	577795	2/25/15 BUS 61,77	3/24/2015	6306.00	41194178	141
Schools	STAR LIMOUSINE SERVICE	577861	01-02/15 FUEL ADJ	3/24/2015	784.30	41194178	141
Schools	BLAIRS BUSLINE SERIVCE LLC	577851	2/25/15 11 BUSES	3/24/2015	43664.71	41194167	141
Schools	PB&T TRANSPORTATION INC	577792	2/25/15 BUS 96,68	3/24/2015	6678.00	41194174	141
Schools	PB&T TRANSPORTATION INC	577858	2/25/15 10 BUSES	3/24/2015	34578.82	41194174	141
Schools	B JONES BUS SERVICE INC	577796	2/25/15 4 BUSES	3/24/2015	13701.00	41194166	141
Schools	B JONES BUS SERVICE INC	577863	01-02/15 FUEL ADJ	3/24/2015	1568.60	41194166	141

CC/Fund Name	Vendor Name	VCHR_NO	INVOICE_NO	Date Paid	ACCT_AMT	Check #	FUND
Schools	JOHN W CLABOUGH III	577794	2/25/15 4 BUSES	3/24/2015	13041.00	41194172	141
Schools	JOHN W CLABOUGH III	577854	2/25/15 11 BUSES	3/24/2015	37600.93	41194172	141
Schools	REBECCA WORDE	577793	2/25/15 BUS 101	3/24/2015	3397.00	41194175	141
Schools	REBECCA WORDE	577864	01-02/15 FUEL ADJ	3/24/2015	392.15	41194175	141
Schools	HUFFMAN BUS INC	577857	2/25/15 16 BUSES	3/24/2015	59820.61	41194170	141
Schools	SMITH BUS LINES INC	577797	2/25/15 3 BUSES	3/24/2015	9273.00	41194177	141
Schools	SMITH BUS LINES INC	577862	01-02/15 FUEL ADJ	3/24/2015	1176.45	41194177	141
Schools	SUNTRUST BANK CARD	577869	WALMART	3/26/2015	12.96	41194186	141
Schools	SUNTRUST BANK CARD	577870	HARDEES	3/26/2015	38.83	41194186	141
Schools	SUNTRUST BANK CARD	577871	EMBASSY STES	3/26/2015	5.72	41194186	141
Schools	SUNTRUST BANK CARD	577886	MARRIOTT	3/26/2015	-36.63	41194186	141
Schools	CITY OF ALCOA	577880	SEE ATTACHED	3/27/2015	49794.01	41194317	141
Schools	FORT LOUDOUN ELECTRIC COOPERATIVE	577882	126696,126735	3/27/2015	73247.56	41194323	141
Schools	FORT LOUDOUN ELECTRIC COOPERATIVE	577887	126821	3/27/2015	793.01	41194323	141
Schools	CITY OF MARYVILLE	577893	SEE ATTACHED	3/27/2015	2746.37	41194318	141
Schools	SEVIER COUNTY ELECTRIC SYSTEM	577883	SEE ATTACHED	3/27/2015	5648.23	41194328	141
Schools	TN DEPT OF LABOR AND WORKFORCE	577879	1ST QTR 2015	3/27/2015	1270.57	41194333	141
Schools	ATMOS ENERGY	577881	SEE ATTACHED	3/27/2015	9844.03	41194312	141
Schools	AT&T	577885	865M421955955	3/27/2015	700.74	41194311	141
Schools	THOMPSONGAS SMOKIES LLC	577884	60017	3/27/2015	1787.90	41194332	141
Schools	CITY OF ALCOA	577897	SEE ATTACHED	4/2/2015	18689.88	41194412	141
Schools	CITY OF ALCOA	577897	SEE ATTACHED	4/2/2015	690.03	41194412	141
Schools	CITY OF MARYVILLE	577898	SEE ATTACHED	4/2/2015	4199.85	41194413	141
Schools	CITY OF MARYVILLE	577898	SEE ATTACHED	4/2/2015	1033.17	41194413	141
Schools	CITY OF MARYVILLE	577898	SEE ATTACHED	4/2/2015	323.77	41194413	141
Schools	MR T'S RAPID FLOW FOOD MARKET	577894	SEE ATTACHED	4/2/2015	322.06	41194425	141
Sheriffs Department	DANIEL CHARLES STANTON	11013	ADVANCE	3/6/2015	133.80	1193649	101
Sheriffs Department	ANDREW HOWDESHELL	11014	ADVANCE	3/6/2015	133.80	1193635	101
Sheriffs Department	FORT LOUDOUN ELECTRIC COOPERATIVE	11046	125987	3/13/2015	733.75	1193887	101
Sheriffs Department	SOUTH BLOUNT UTILITY DIST	11047	ATTACHED	3/13/2015	66.87	1193910	101
Sheriffs Department	CHARTER COMMUNICATIONS	11063	0255230	3/13/2015	286.18	1193876	101
Sheriffs Department	BLOUNT MEMORIAL HOSPITAL INC	11060	101414	3/13/2015	91.00	1193868	101
Sheriffs Department	ELIZABETH COURTNEY	11049	TRAVEL ADV	3/13/2015	165.00	1193883	101
Sheriffs Department	AT&T	11061	06304741	3/13/2015	177.82	1193863	101
Sheriffs Department	HEATH HOOD	11048	TRAVEL ADV	3/13/2015	165.00	1193890	101
Sheriffs Department	SEVIER COUNTY ELECTRIC SYSTEM	12114	ATTACHED	3/27/2015	189.04	1194271	101
Sheriffs Department	CHARTER COMMUNICATIONS	12112	0255230	3/27/2015	268.53	1194241	101

CC/Fund Name	Vendor Name	VCHR_NO	INVOICE_NO	Date Paid	ACCT_AMT	Check #	FUND
Sheriffs Department	CELLCO PARTNERSHIP	12121	150054416	4/2/2015	100.00	1194367	101
Soil Conservation	CHARTER COMMUNICATIONS	11031	0346898	3/6/2015	49.60	1193644	101

CC/Fund Name	Vendor Name	VCHR_NO	INVOICE_NO	Date Paid	ACCT_AMT	Check #	FUND
Circuit Court Clerk	SUNTRUST BANK CARD	142405	HOMEWOOD SUITES,	3/26/2015	366.08	1194182	101
Circuit Court Clerk	SUNTRUST BANK CARD	142405	PILOT, DOUBLETREE,,,	3/26/2015	439.84	1194182	101
Circuit Court Clerk	SUNTRUST BANK CARD	142989	EDGEWATER	3/26/2015	83.00	1194182	101
County Commission	SUNTRUST BANK CARD	142679	HOTEL INDIGO	3/26/2015	778.10	1194182	101
County Trustee	SUNTRUST BANK CARD	143056	DOUBLETREE	3/26/2015	190.44	1194182	101
Federal Projects	HUFFMAN BUS INC	142893	1514	3/6/2015	325.00	42193734	142
Federal Projects	JOHN W CLABOUGH III	143029	2521	3/20/2015	200.00	42194122	142
Federal Projects	HUFFMAN BUS INC	142894	1524	3/20/2015	325.00	42194120	142
Federal Projects	SUNTRUST BANK CARD	142577	MARRIOTT	3/26/2015	1273.30	42194187	142
Highway	SUNTRUST BANK CARD	142657	HOTEL INDIGO	3/26/2015	166.51	31194185	131
Jail	BREVARD EXTRADITIONS INC	142408	19997	3/20/2015	400.00	1194031	101
Jail	JOHN ADAMS	12109	TRAVEL ADV	3/27/2015	151.60	1194257	101
Jail	FRANKLIN MARRIOTT COOLSPRINGS	143174	CONF	3/27/2015	1101.60	1194249	101
Jail	COURTNEY SCHAEFER	12107	TRAVEL ADV	3/27/2015	151.60	1194244	101
Jail	JOE DUDLEY	12108	TRAVEL ADV	3/27/2015	151.60	1194256	101
Juvenile Services	SHERRY CASEY	12110	TRAVEL ADV	3/27/2015	151.60	1194272	101
Juvenile Services	TOM HOOD	12111	TRAVEL ADV	3/27/2015	151.60	1194282	101
Probation	SUNTRUST BANK CARD	11094	COUNTRY INNS	3/26/2015	-101.52	1194182	101
Purchasing	SUNTRUST BANK CARD	143049	DELTA	3/26/2015	381.09	1194182	101
Rabies & Animal Control	SUNTRUST BANK CARD	142688	ILLINOIS TOLLWAY	3/26/2015	699.35	1194182	101
Schools	RACHEL ANDERSON	577812	2/15 MILES	3/13/2015	51.70	41193983	141
Sheriffs Department	LAQUINTA INN	142942	3185169957	3/6/2015	316.72	1193664	101
Sheriffs Department	DANIEL CHARLES STANTON	11013	ADVANCE	3/6/2015	133.80	1193649	101
Sheriffs Department	ANDREW HOWDESHELL	11014	ADVANCE	3/6/2015	133.80	1193635	101
Sheriffs Department	ELIZABETH COURTNEY	11049	TRAVEL ADV	3/13/2015	165.00	1193883	101
Sheriffs Department	DOUBLETREE HOTEL	143078	86175273	3/13/2015	435.75	1193882	101
Sheriffs Department	HEATH HOOD	11048	TRAVEL ADV	3/13/2015	165.00	1193890	101

CC/Fund Name	Last Name	First Name	Date Paid	TYPE	AMOUNT	FUND
Accounting & Budgeti	GENNOE	SUSAN	3/30/2015	TRAVEL REIMB NONTAX	142.13	101
Central Cafeteria	HELTON	KAREN	3/13/2015	TRAVEL REIMB NONTAX	50.85	143
Central Cafeteria	BREEDEN	SHARON	3/30/2015	TRAVEL REIMB NONTAX	25.38	143
Central Cafeteria	BREEDEN	SHARON	3/13/2015	TRAVEL REIMB NONTAX	53.58	143
Central Cafeteria	PACK	DIANA	3/30/2015	TRAVEL REIMB NONTAX	23.13	143
Central Cafeteria	WOODY	CINDY	3/30/2015	TRAVEL REIMB NONTAX	12.93	143
Central Cafeteria	WOODY	CINDY	3/13/2015	TRAVEL REIMB NONTAX	20.68	143
Central Cafeteria	GENTRY	TERESA	3/30/2015	TRAVEL REIMB NONTAX	51.25	143
Central Cafeteria	GENTRY	TERESA	3/13/2015	TRAVEL REIMB NONTAX	84.11	143
Central Cafeteria	GREGORY	DONNA	3/13/2015	TRAVEL REIMB NONTAX	16.45	143
Central Cafeteria	NEELEY	JULIE	3/13/2015	TRAVEL REIMB NONTAX	25.15	143
Central Cafeteria	HELTON	KAREN	3/13/2015	TRAVEL REIMB NONTAX	228.00	143
Chancery Court	OGLE	STEPHEN	3/13/2015	TRAVEL REIMB NONTAX	166.59	101
Circuit Court Clerk	MARTIN	DONNA	3/13/2015	TRAVEL REIMB NONTAX	15.42	101
Circuit Court Clerk	MCKENZIE	BETTY	3/30/2015	TRAVEL REIMB NONTAX	26.04	101
Circuit Court Clerk	BRYANT	LISA	3/30/2015	TRAVEL REIMB NONTAX	80.97	101
Circuit Court Clerk	WALKER	TAMRA	3/30/2015	TRAVEL REIMB NONTAX	30.60	101
Circuit Court Clerk	WALKER	TAMRA	3/13/2015	TRAVEL REIMB NONTAX	19.83	101
Circuit Judges	GALLEGOS	MICHAEL	3/30/2015	TRAVEL REIMB NONTAX	69.87	101
County Commission	CARTER SR	SHAWN	3/30/2015	TRAVEL REIMB NONTAX	99.00	101
County Commission	BOWERS	WILLIAM	3/30/2015	TRAVEL REIMB NONTAX	99.00	101
County Commission	CARVER	RICHARD	3/30/2015	TRAVEL REIMB NONTAX	99.00	101
County Trustee	GRAVES	SCOTT	3/30/2015	TRAVEL REIMB NONTAX	60.99	101
Development	MORTON	C ANDREW	3/30/2015	TRAVEL REIMB NONTAX	36.66	101
Federal Projects	KIRCHNER	CLARA	3/30/2015	TRAVEL REIMB NONTAX	354.53	142
Federal Projects	CLAYBORNE-S	AMANDA	3/13/2015	TRAVEL REIMB NONTAX	150.00	142
Federal Projects	JOYCE	SARAH	3/13/2015	TRAVEL REIMB NONTAX	36.31	142
Federal Projects	AXLEY	JENNIFER	3/30/2015	TRAVEL REIMB NONTAX	43.29	142
Federal Projects	RUSSELL	DONNA	3/30/2015	TRAVEL REIMB NONTAX	68.20	142
Federal Projects	TEFFETELLER	JUDY	3/13/2015	TRAVEL REIMB NONTAX	126.98	142
Federal Projects	JONES	MARY	3/30/2015	TRAVEL REIMB NONTAX	51.61	142
General Sessions Jud	BREWER, JR	WILLIAM	3/13/2015	TRAVEL REIMB NONTAX	78.61	101
General Sessions Jud	HEADRICK	ROBERT	3/13/2015	TRAVEL REIMB NONTAX	69.87	101
General Sessions Jud	FOSTER	KENLYN	3/13/2015	TRAVEL REIMB NONTAX	58.27	101
Information Technolo	LYLE	ALAN	3/30/2015	TRAVEL REIMB NONTAX	29.61	101

CC/Fund Name	Last Name	First Name	Date Paid	TYPE	AMOUNT	FUND
Inspection & Regulat	WANAMAKER	CASSANDRA	3/13/2015	TRAVEL REIMB NONTAX	40.89	101
Jail	SMITH	BRYAN	3/30/2015	TRAVEL REIMB NONTAX	16.00	101
Jail	BUCHANAN	JOHNATHAN	3/30/2015	TRAVEL REIMB NONTAX	16.00	101
Jail	BRAKEBILL	ANDREW	3/30/2015	TRAVEL REIMB NONTAX	35.10	101
Jail	LAWRENCE	REGINALD	3/30/2015	TRAVEL REIMB NONTAX	13.00	101
Jail	SPIRES	DUSTIN	3/30/2015	TRAVEL REIMB NONTAX	69.88	101
Juvenile Court	ELDRIDGE	MICHAEL	3/30/2015	TRAVEL REIMB NONTAX	27.00	101
Juvenile Court	ELDRIDGE	MICHAEL	3/13/2015	TRAVEL REIMB NONTAX	18.80	101
Juvenile Court	MAY	AMANDA	3/30/2015	TRAVEL REIMB NONTAX	38.20	101
Juvenile Court	CUSACK	JILL	3/13/2015	TRAVEL REIMB NONTAX	14.57	101
Juvenile Services	HOOD	TOMMY	3/30/2015	TRAVEL REIMB NONTAX	63.75	101
Planning	LAMB	JOHN	3/13/2015	TRAVEL REIMB NONTAX	20.68	101
Property Assessors	LOONEY	JOHN	3/30/2015	TRAVEL REIMB NONTAX	10.00	101
Public Library	UNDERWOOD	NANCY	3/12/2015	TRAVEL REIMB NONTAX	4.02	115
Public Library	BAKER	REBECCA	3/26/2015	TRAVEL REIMB NONTAX	114.30	115
Purchasing	BULLEN	SUSAN	3/13/2015	TRAVEL REIMB NONTAX	19.74	101
Schools	DALTON	JOHN	3/13/2015	TRAVEL REIMB NONTAX	37.22	141
Schools	MURRELL	DAVID	3/13/2015	TRAVEL REIMB NONTAX	30.78	141
Schools	MURRELL	DAVID	3/30/2015	TRAVEL REIMB NONTAX	259.50	141
Schools	FLYNN	REBECCA	3/30/2015	TRAVEL REIMB NONTAX	99.92	141
Schools	JENKINS	DEBRA	3/30/2015	TRAVEL REIMB NONTAX	34.78	141
Schools	ASPIRANTI	KATHLEEN	3/30/2015	TRAVEL REIMB NONTAX	27.03	141
Schools	LAIL	RHONDA	3/13/2015	TRAVEL REIMB NONTAX	22.42	141
Schools	REYNOLDS	FRANCINE	3/30/2015	TRAVEL REIMB NONTAX	19.27	141
Schools	WEBB	LEAH NICOLE	3/30/2015	TRAVEL REIMB NONTAX	18.85	141
Schools	HEARON	TAMMY	3/30/2015	TRAVEL REIMB NONTAX	33.18	141
Schools	GARNER	CHELSEA	3/30/2015	TRAVEL REIMB NONTAX	330.15	141
Schools	BREWER	CRYSTAL	3/13/2015	TRAVEL REIMB NONTAX	18.99	141
Schools	VITALE	GLENN	3/13/2015	TRAVEL REIMB NONTAX	32.71	141
Schools	CUNNINGHAM	BETSY	3/30/2015	TRAVEL REIMB NONTAX	19.36	141
Schools	RUBIN	ROBERTO	3/13/2015	TRAVEL REIMB NONTAX	142.83	141
Schools	JOHNSON	THOMAS	3/13/2015	TRAVEL REIMB NONTAX	160.55	141
Schools	LARSON	THOMAS	3/13/2015	TRAVEL REIMB NONTAX	74.03	141
Schools	CASH	TAMMY	3/13/2015	TRAVEL REIMB NONTAX	43.19	141
Schools	ELROD	SUSAN	3/13/2015	TRAVEL REIMB NONTAX	33.84	141

CC/Fund Name	Last Name	First Name	Date Paid	TYPE	AMOUNT	FUND
Schools	LEE	SUSAN	3/30/2015	TRAVEL REIMB NONTAX	47.38	141
Schools	VANCE	AMANDA	3/13/2015	TRAVEL REIMB NONTAX	37.65	141
Schools	CASH	TAMMY	3/30/2015	TRAVEL REIMB NONTAX	67.09	141
Schools	ELROD	SUSAN	3/30/2015	TRAVEL REIMB NONTAX	94.08	141
Sheriffs Department	HAMILTON	GARY	3/13/2015	TRAVEL REIMB NONTAX	36.10	101
Sheriffs Department	SERATT	MICHAEL	3/30/2015	TRAVEL REIMB NONTAX	89.25	101
Sheriffs Department	DAVIS	DOUGLAS	3/30/2015	TRAVEL REIMB NONTAX	109.50	101
Sheriffs Department	AILEY	RANDALL	3/13/2015	TRAVEL REIMB NONTAX	63.75	101