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# Private Acts of 1990 Chapter 162

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Table of Contents

<b>Private Acts of 1990 Chapter 162 .....</b>	<b>3</b>
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## Private Acts of 1990 Chapter 162

**SECTION 1.** No person shall begin the construction, installation, modification or operation of any treatment works or part thereof, or any extension or addition thereto of a private wastewater or sewage treatment system in Hamblen County until such person has secured a permit from Hamblen County Commission authorizing the construction and operation of such a system.

**SECTION 2.** The provisions of this act shall apply to any private wastewater or sewage treatment facility or system which will or is designed to discharge any effluent of less than drinking water quality: (1) Into any water course which is a source of or flows into a source of drinking water for any [sic] publically or privately owned water treatment facility within Hamblen County; (2) Upon the land in Hamblen County; or (3) The discharge of sewage or household wastes on a location from which it is likely that the discharged substance will move into waters or may affect the surface and/or underground waters of Hamblen County.

**SECTION 3.** The Hamblen County Commission shall designate the county agency or officer to receive applications for permits and shall set a permit fee in reasonable amount necessary to meet the expenses of the county in processing and investigating the application. The administering agency or officer may request such information as is necessary to evaluate and examine the proposed plant, including location, designs, blueprints, technical specifications, customers or households to be served, quantity of effluent to be discharged under emergency conditions, methods of treatment, methods of disposal of liquid or solid wastes, qualifications and training of plant operators, plant ownership, liability insurance or other coverage and any other reasonable information as is necessary.

**SECTION 4.** The administering agency or officer shall make a report to the county commission on any applications containing its recommendations, including any restrictions or conditions, necessary to protect drinking water supplies within the county. Based on those recommendations, the commission shall issue or deny a permit or issue a permit with conditions.

**SECTION 5.** Actions by the County Commission may be appealed in the chancery court of the county.

**SECTION 6.** In any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

**SECTION 7.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Hamblen County before September 1, 1990. Its approval or nonapproval shall be proclaimed by the presiding officer of the Hamblen County Commission and certified by him to the Secretary of State.

**SECTION 8.** For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 7.

Passed: March 26, 1990.

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