

May 31, 2007

Honorable Sara Kyle
Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

Re: Docket # 05-00117 – Grainger's Landing TDEC State Operating Permit

Dear Chairman Kyle:

As required in the TRA Rules – Docket 05-00117 dated March 29, 2006, Tennessee Wastewater Systems is providing a copy of the State of Tennessee Department of Environment operating permit for Grainger's Landing Condominiums (attached). If you have any questions regarding this permit, please give me a call.

Sincerely,



Charles Pickney, Jr.
President

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
6th Floor, L & C Annex
401 Church Street
Nashville, TN 37243-1534**

Permit No. SOP-05025

**PERMIT
For the operation of Wastewater Treatment Facilities**

In accordance with the provision of Tennessee Code Annotated section 69-3-108 and Regulations promulgated pursuant thereto:

PERMISSION IS HEREBY GRANTED TO

**Tennessee Wastewater Systems, Inc. - Grainger's Landing Condominiums
Bean Station, Grainger County, Tennessee**

FOR THE OPERATION OF

STEP/STEG collection system discharging to recirculating bed filter, UV disinfection and drip irrigation system located at latitude 36.245833 and longitude -83.429166 in Grainger County, Tennessee. The design capacity of the system is 0.014 MGD.

This permit is issued as a result of the application filed on March 28, 2005, in the office of the Tennessee Division of Water Pollution Control and in conformity with approved plans, specifications and other data submitted to the Department in support of the above application, all of which are filed with and considered as a part of this permit, together with the following named conditions and requirements.

This permit shall become effective on: October 1, 2006

This permit shall expire on: August 31, 2011

Issuance date: August 31, 2006



**Paul E. Davis
Director
Division of Water Pollution Control**

C. DEFINITIONS

The "daily maximum concentration" is a limitation on the average concentration, in milligrams per liter, of the discharge during any calendar day.

A "grab sample" is a single influent or effluent sample collected at a particular time.

A "quarter" is defined as any one of the following three-month periods: January 1 through March 31, April 1 through June 30, July 1 through September 30, and/or October 1 through December 31.

D. REPORTING

1. Monitoring Results

Monitoring results shall be recorded monthly and submitted quarterly. Submittals shall be postmarked no later than 15 days after the completion of the reporting period. A copy should be retained for the permittee's files. Operation reports and any communication regarding compliance with the conditions of this permit must be sent to:

Division of Water Pollution Control
Knoxville Field Office
2700 Middlebrook Pike, Suite 220
Knoxville, TN 37921

The first operation report is due on the 15th of the month following permit effectiveness

2. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Quarterly Operation Report. Such increased frequency shall also be indicated.

3. Falsifying Reports

Knowingly making any false statement on any report required by this permit may result in the imposition of criminal penalties as provided for in Section 69-3-115 of the Tennessee Water Quality Control Act.

E. SCHEDULE OF COMPLIANCE

Full operational level shall be attained from the effective date of this permit.

frequently enough to ensure its proper operation and maintenance regardless of the effluent monitoring frequency stated in the permit."

- b. Dilution water shall not be added to comply with effluent requirements

5. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

6. Severability

The provisions of this permit are severable. If any provision of this permit due to any circumstance, is held invalid, then the application of such provision to other circumstances and to the remainder of this permit shall not be affected thereby.

7. Other Information

If the permittee becomes aware that he failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, then he shall promptly submit such facts or information.

B. CHANGES AFFECTING THE PERMIT

1. 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.

2. Permit Modification, Revocation, or Termination

a. This permit may be modified, revoked and reissued, or terminated for cause as described in section 69-108-(F) The Tennessee Water Quality Control Act as amended.

b. The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

3. Change of Ownership

This permit may be transferred to another person by the permittee if:

b. **Scheduled Reporting**

For instances of noncompliance which are not reported under subparagraph 2.a. above, the permittee shall report the noncompliance on the Monthly Operation Report. The report shall contain all information concerning the steps taken, or planned, to reduce, eliminate, and prevent recurrence of the violation and the anticipated time the violation is expected to continue.

D. LIABILITIES

1. **Civil and Criminal Liability**

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Notwithstanding this permit, the permittee 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 wastewater to any surface or subsurface waters. Additionally, notwithstanding this Permit, it shall be the responsibility of the permittee 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.

2. **Liability Under State Law**

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 State law.



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
401 CHURCH STREET
L & C ANNEX 6TH FLOOR
NASHVILLE TN 37243-1534

October 18, 2005

Mr. Michael Hines, M.S., P.E.
Vice President
Tennessee Wastewater Systems, Inc. - Grainger's Landing Condominiums
1920 Breezy Ridge Trail
Concord, TN 37922

Subject: Notice of Complete Application and Public Notice Requirements
Permit Tracking No. SOP-05025
Tennessee Wastewater Systems, Inc. - Grainger's Landing Condominiums
Bean Station, Grainger County, Tennessee

Dear Mr. Hines:

The Division of Water Pollution Control (the division) acknowledges the receipt of a permit application in our office on March 28, 2005. Rules of the Tennessee Department of Environment and Conservation, Division of Water Pollution Control, Chapter 1200-4-5-.05 (2): *Permit Application, Issuance*, state, in part:

"The applicant will be provided notice of completeness of the application and re-submitted material within 30 days of a determination that such material constitutes a complete application. This provision does not preclude the commissioner from later requesting additional material that subsequent to the notice of completeness is determined to be necessary for permit processing."

Our review of the individual NPDES permit application showed that you have submitted all the information required for processing of the application. If your complete application was mailed to our office 180 days prior to the current permit expiration date, and the permit is not reissued by this date, discharges from the facility will be automatically authorized through administrative extension of the current permit.

Please find attached a template of a public notice you must complete and post for a period of 30 days. The notice is required for new or expanded discharges in accordance Chapter 1200-4-5-.06 (1), which states:

"For an individual application for a new or expanded discharge, the applicant shall notify the public of the application by posting a sign near the point of entrance to such facility and within view of a public road. The sign shall contain provisions as specified by the commissioner. The sign shall be of such size that is legible from the public road. Also the sign shall be maintained for at least thirty days following submittal of the application to the division."

If you have questions, please contact the division at your local Field Office at 1-888-891-TDEC; or, at this office, please contact Mr. Hari Akunuri at (615) 532-0650 or by E-mail at Hari.Akunuri@state.tn.us.

Sincerely,

Edward M. Polk, Jr., P.E.
Manager, Permit Section
Division of Water Pollution Control

P/WAT-29; Notice of Complete Application Letter SOP-05025.DOC

cc: DWPC, Permit Section & Knoxville Environmental Field Office