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Smyrna, TN 37167

T.R.A. DOCKET ROOM

August 16, 2007

Honorable Eddie Roberson  
Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

Re: Docket # 06-00198 – Providence Hills State Operating Permit

Dear Chairman Roberson:

Tennessee Wastewater Systems, Inc. is submitting the attached State Operating Permit for Providence Hills to be included in the file for Docket # 06-00198.

Sincerely,

Charles Pickney, Jr.  
President



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

November 30, 2006

Mr. Michael Hines, M.S., P.E.  
Vice President  
Tennessee Wastewater Systems, Inc.  
1920 Breezy Ridge Trail  
Concord, TN 37922

Re: State Operating Permit No. SOP-06052  
Tennessee Wastewater Systems, Inc. - Providence Hill Subdivision  
Sevierville, Sevier County, Tennessee

Dear Mr. Hines:

In accordance with the provisions of the "Tennessee Water Quality Control Act" (Tennessee Code Annotated Sections 69-3-101 through 69-3-120) the enclosed State Operating Permit is hereby issued by the Division of Water Pollution Control. The continuance and/or reissuance of this Permit is contingent upon your meeting the conditions and requirements as stated therein.

Please be advised that you have the right to appeal any of the provisions established in this State Permit, in accordance with Tennessee Code Annotated, Section 69-3-110, and the General Regulations of the Tennessee Water Quality Control Board. If you elect to appeal, you should file a petition within thirty (30) days of the receipt of this permit.

If you have questions, please contact the Division of Water Pollution Control at your local Environmental 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](mailto:Hari.Akunuri@state.tn.us).

Sincerely,

A handwritten signature in black ink, reading "Edward M. Polk Jr.", is positioned above the typed name.

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

SOP-06052  
P/WAT/SS

Enclosure

cc: Division of Water Pollution Control, Permit Section  
Division of Water Pollution Control, Knoxville Environmental Field Office  
Mr. Ron L. Graham, Tennessee Regulatory Authority, 460 James Robertson Parkway, Nashville, TN 37243

**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-06052**

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

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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. - Providence Hill Subdivision  
Sevierville, Sevier County, Tennessee**

**FOR THE OPERATION OF**

Septic tanks, effluent collection system, recirculating sand filter and 2.1 acres drip irrigation system located at latitude 35.93365555 and longitude -83.5304788 in Sevier County, Tennessee to serve 90 homes in the Providence Hill Subdivision. The design capacity of the system is 0.018 MGD.

This permit is issued as a result of the application filed on August 29, 2006, 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: January 1, 2007**

**This permit shall expire on: November 30, 2011**

**Issuance date: November 30, 2006**

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

**CN-0759**

**RDAs 2352 & 2366**

## **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 Environmental Field Office  
3711 Middlebrook Pike  
Knoxville, TN 37921-6538

The first operation report is due on the 15<sup>th</sup> 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 in 1200-4-5-.07(4)(h)2, 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.

facility by the operator will occur at intervals frequent enough to assure proper operation and maintenance, but in no case less than one visit per month. If discharge monitoring reports, WPC inspection reports, or other information indicates a problem with the facility, the permittee may be subject to enforcement action and/or the permit may be modified to include increased parameter monitoring, increased monitoring frequency or other requirements as deemed necessary by the division to correct the problem. The permittee shall ensure that the certified operator is in responsible charge of the facility and observes the operation of the system 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,

A written submission must be provided within five days of the time the permittee becomes aware of the circumstances unless this requirement is waived by the Director on a case-by-case basis. The permittee shall provide the Director with the following information:

- i. A description of the discharge and cause of noncompliance;
- ii. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
- iii. The steps being taken to reduce, eliminate, and prevent recurrence of the non complying discharge.

b. Scheduled Reporting

For instances of noncompliance which are not reported under subparagraph 2.a. above, the permittee shall report the noncompliance on the Quarterly 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.

3. Overflow

a. "**Overflow**" means the discharge to land or water of wastes from any portion of the collection, transmission, or treatment system other than through permitted outfalls.

b. Overflows are prohibited.

c. The permittee shall operate the collection system so as to avoid overflows. No new or additional flows shall be added upstream of any point in the collection system, which experiences chronic overflows (greater than 5 events per year) or would otherwise overload any portion of the system.

d. Unless there is specific enforcement action to the contrary, the permittee is relieved of this requirement after: 1) an authorized representative of the Commissioner of the Department of Environment and Conservation has approved an engineering report and construction plans and specifications prepared in accordance with accepted engineering practices for correction of the problem; 2) the correction work is underway; and 3) the cumulative, peak-design, flows potentially added from new connections and line extensions upstream of any chronic overflow point are less than or proportional to the amount of inflow and infiltration removal documented upstream of that point. The inflow and infiltration reduction must be measured by the permittee using practices that are customary in the environmental engineering field and reported in an attachment to a Monthly Operating Report submitted to the local TDEC Environmental Field Office. The data measurement period shall be sufficient to account for seasonal rainfall patterns and seasonal groundwater table elevations.

e. In the event that more than 5 overflows have occurred from a single point in the collection system for reasons that may not warrant the self-imposed moratorium or completion of

- i. The bypass is unavoidable to prevent loss of life, personal injury, or severe property damage;
  - ii. There are no feasible alternatives to bypass, such as the construction and use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass, which occurred during normal periods of equipment downtime or preventative maintenance;
  - iii. The permittee submits notice of an unanticipated bypass to the Division of Water Pollution Control in the appropriate Environmental Field Office within 24 hours of becoming aware of the bypass (if this information is provided orally, a written submission must be provided within five days). When the need for the bypass is foreseeable, prior notification shall be submitted to the director, if possible, at least 10 days before the date of the bypass.
- c. Bypasses not exceeding permit limitations are allowed **only** if the bypass is necessary for essential maintenance to assure efficient operation. All other bypasses are prohibited. Allowable bypasses not exceeding limitations are not subject to the reporting requirements of 6.b.iii, above.

#### 7. Washout

- a. For domestic wastewater plants only, a "washout" shall be defined as loss of Mixed Liquor Suspended Solids (MLSS) of 30.00% or more. This refers to the MLSS in the aeration basin(s) only. This does not include MLSS decrease due to solids wasting to the sludge disposal system. A washout can be caused by improper operation or from peak flows due to infiltration and inflow.
- b. A washout is prohibited. If a washout occurs the permittee must report the incident to the Division of Water Pollution Control in the appropriate Environmental Field Office within 24 hours by telephone. A written submission must be provided within five days. The washout must be noted on the discharge monitoring report. Each day of a washout is a separate violation.

#### 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.

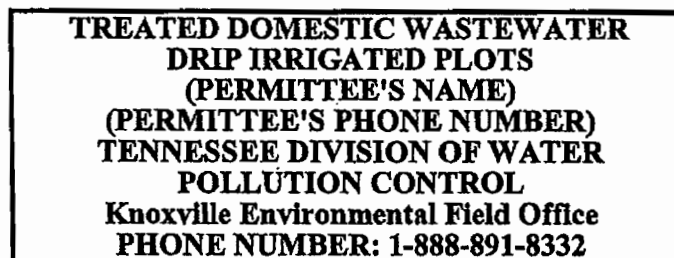
### **PART III OTHER REQUIREMENTS**

#### **A. CERTIFIED OPERATOR**

The waste treatment facilities shall be operated under the supervision of a Biological Natural System operator and the collection system operated under the supervision of a Grade I Collection System certified operator in accordance with the Water Environmental Health Act of 1984.

#### **B. PLACEMENT OF SIGNS**

The permittee shall place a sign at all approaches to the drip irrigation lot. The sign should be clearly visible to the public. The minimum sign size should be two feet by two feet (2' x 2') with one inch (1") letters. The sign should be made of durable material and have a white background with black letters.



No later than sixty (60) days from the effective date of the permit, the permittee shall have the above sign(s) on display in the location specified.

#### **C. ADDITION OF WASTE LOADS**

The permittee may not add wasteloads to the existing treatment system without the knowledge and approval of the division.

#### **D. SEPTIC TANK OPERATION**

The proper operation of this treatment system depends, largely, on the efficient use of the septic tank. The solids that accumulate in the tank shall be removed at a frequency that is sufficient to insure that the treatment plant will comply with the discharge requirements of this permit.

#### **E. SEPTAGE MANAGEMENT PRACTICES**

The permittee must comply with the provisions of 40 CFR Part 503. If the septage is transported to another POTW for disposal, the permittee shall note the amount of septage wasted in gallons,





**RECEIVED** 849 Aviation Parkway  
Smyrna, TN 37167

JUN 21 2007

June 19, 2007

**TN REGULATORY AUTHORITY  
UTILITIES DIVISION**

Mrs. Darlene Standley, Chief  
Utilities Division  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

Re: Tennessee Department of Environment and Conservation ("TDEC") Permits.

Dear Mrs. Standley:

In response to your letter of June 7, 2007, Tennessee Wastewater Systems, Inc. provides the following information:

Blue Sky Bay	Docket No. 07-00024	Pending
Emerald Pointe	Docket No. 05-00204	Pending
Fentress Area- Highlands	Docket No. 05-00162	Pending
Fentress Area- Clarkrange	Docket No. 05-00162	Pending
Parrott's Bay	Docket No. 06-00077	Pending
Highway 50 Subway	Docket No. 05-00077	Project cancelled
Keene's Island	Docket No. 06-00021	Pending
Majestic Mountain Resort	Docket No. 05-00070	Project Cancelled
Mountain Folks Community	Docket No. 06-00276	Pending
Happy Creek	Docket No. 06-00104	(see attached)
Piney Bay	Docket No. 06-00275	Pending
Providence Hills	Docket No. 06-00198	(see attached)
Richland Creek	Docket No. 06-00179	(see attached)
Settlers Ridge	Docket No. 06-00081	(see attached)
Smoky Village Subdivision	Docket No. 05-00145	(see attached)
Steve Jones Subdivision	Docket No. 05-00116	Project on hold
Tennessee State Wears Valley	Docket No. 05-00042	Project cancelled
Villages at Norris Lake	Docket No. 06-00277	Pending
Sharondel	Docket No. 06-00204	Pending

Sincerely,

Charles Pickney, Jr.  
President