



Henry Walker
Direct: 615.252.2363
Fax: 615.252.6363
hwalker@babc.com

September 2, 2015

Sharla Dillon
Tennessee Regulatory Authority
502 Deaderick Street
4th Floor
Nashville, TN 37243

Re: Petition of Tennessee Wastewater Systems, Inc. for Approval of Capital Improvement
Surcharges and Financing Arrangements
Docket 14-00136

Dear Sharla:

Please file the attached (1) letter to Charles Hyatt from George Garden concerning Summit View
and (2) letter from Jeff Risdien to Joe Sanders concerning Smoky Village in the above-captioned docket.

Thanks and call me if you have any questions.

Sincerely,

BRADLEY ARANT BOULT CUMMINGS LLP

By:

A handwritten signature in dark ink, appearing to read 'Henry Walker', written over the printed name.

Henry Walker

HW/mkc
Enclosure
cc: Rachel Newton
Chuck Welch



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES

William R. Snodgrass - Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243-1102

August 28, 2015

Mr. Charles R. Hyatt
CEO
Adenus Group, LLC
e-copy: Charles.Hyatt@adenus.com
849 Aviation Parkway
Smyrna, TN 37167

Subject: **State Operating Permit No. SOP-06035**
TN Wastewater Systems - Summit View Resort
Sevierville, Sevier County, Tennessee

Dear Mr. Hyatt:

The Division received an Application for a State Operating Permit Modification (SOP 06035) as well as plans and engineering report for the expansion of the Recirculation Sand Filter wastewater treatment plant (RSF WWTP) and drip emitter land application system constituting the Summit View Treatment Facility in Sevier County, TN on July 29, 2015. Adjusted flow data was provided August 8, 2015. The existing facility is permitted to collect, treat and disperse 8,000 gallons per day of domestic wastewater but has handled existing flows with limited success and some significant failures. The permit modification requested an increase in the permit to 17,500 gpd and was accompanied by plans for an expansion to the RSF WWTP and the drip field to accommodate this increased flow. Additional information required to complete submittal reviews is discussed in order below:

1. SOP 06035 Modification Request

Supplemental influent flow data was submitted to the Division on August 8, 2015. The flows submitted for June 7-June 30 were 40% greater than corresponding MOR data submitted for the same time period. Please provide information on the hydraulic calibration of the new meter system as soon as possible to validate the significant increase.

The combination of flow uncertainty and the construction of the existing drip emitter disposal field lines without conformance to contour lines makes it difficult for the Division to the current dosing field assimilative capacity. In order for the existing disposal field to remain in service, it is required that the existing drip hose be reinstalled on contour. The hose must be installed judiciously avoiding placing the hose lowest elevations in topographical water courses.

Approximately half of the area on the detailed soils map for the newly proposed drip field utilizes Whitwell soils. Notes on the October 30, 2014, Extra High Intensity Soils Map by Kevin Davis included the following comment: "due to landscape position and depth to mottling, drainage is recommended to ensure a 12" buffer below the drip irrigation and seasonal groundwater." At the same time DWR Soil Pedon Descriptions for observation Pits 3 and 5 in the upper reaches of the Whitwell soils showed saturated clay soils at 12-23" and 8-13" respectively, indicating these soils would not be acceptable for land application unless modified by drainage structures. The Division has looked at the setbacks and the wide expanse of the Whitwell soils and believe the addition of such structures with the modifications in Table 17-1 make drainage structures minimally

effective in resolving issues with the lower soils. Removing the Whitwell soils from eligible dosing area results in the loss of ½ the new disposal area. With the loss of ½ of the additional disposal field, the total permit would be restricted to approximately 8,000 + 5000 gpd or 13,000 gpd total.

Acknowledging the urgency of these repairs and the difficulty in rehabilitating the existing field and installing the new simultaneously while the treatment facility is in operation, some accommodation must be allowed. However, in order to get any additional credit for the Whitwell soils, the dosing hoses must be installed on 2' centers, and the control panel be capable of bypassing the Whitwell soil zones and of adjusting pump run times to allow for reduction of areal application rates to the Whitwell soil area during wet weather. The Division will entertain increasing the permit to include the Whitwell soils after 2 years of demonstrated performance and an analysis of residential occupancy and flow trends.

As currently assessed, the permit will have to be limited to 13,000 gpd with provision for no further connections. Included in this assessment is anticipated increased biological and pathological testing immediately after Memorial Day, Labor Day and Thanksgiving weekends, and Christmas and New Year's holidays and visual monitoring of the dosing fields at that time. Remote monitoring of the controls must provide for the 24 hour deadline and 7 day assessment requirement for reporting and evaluating bypassing incidents at the treatment facility.

2. PLANS

The front page of the plans should include an approval signature by the Utility permit holder unless Mr. Denny is to be the responsible permit holder as well as the engineer of record for Tennessee Wastewater Systems, Inc.

Piping on the site plans must be complete, show integration of the new system with the existing, and show layout of the Arkal filters and building interior piping.

No controls or signal paths are indicated. Provide a process flow diagram (PFD) indicating the incorporation of the new system with the existing. On the PFD indicate all critical elevations (tanks and piping), design flow rates, pipe sizes, design areas and volumes as applicable, input and output from controllers from and to control and instrument elements, and output parameters to the remote monitoring system, alarms and frequency of remote data reporting. (The PFD may be included in the engineering report rather than plan set if desired.) Indicate on the site plans the dosing zones for both the new drip emitter dispersal fields and the proposed relocation of the existing drip emitter fields superimposed on the soil maps and indicating where native soils have been previously disturbed.

Indicate on the plans final grading and erosion control measures to be in place during construction and until ground cover/vegetation is re-established. Pump and tank installed elevations and tank operating levels are necessary on the drawings for calculation of pump heads in the engineering report. Plans must indicate provision to accommodate uplift of buried tanks.

3. ENGINEERING REPORT

The latest flows over the period June 7 through August 7 were reviewed. The average daily flow was 9600 gpd, the mean flow (50 percentile) was 9700 gpd; the 85th percentile flow was over 12,000 gpd and the average daily flow over the highest three days was slightly greater than 13,000 gpd. Equalization alone added to a 8000 gpd dosing field will not accommodate a 9600 gpd average flow. It is also not clear what the existing field can assimilate if properly utilized. Before the permit modification and plans approval the following must be analyzed and reported: (1) the inherent equalization capacity in the existing and proposed tankage, (2) the reconfigured dosing field assessment, and (3) the requirement for additional upstream or down equalization to provide a reasonable safety factor during periods of peak flow.

RSF Pumps: Add system curves to the pump curves for the pumps being installed indicating the minimum and maximum anticipated combined head that each pump will see at the flushing and dosing flow rates. Provide the basis for dynamic head loss calculations.

Drip Field Dosing Pumps: Provide pump curves and system curves indicating the minimum and maximum anticipated combined head that each pump will see at the flushing and dosing flow rates for the worst case and best case zones.

Discuss plant operation in the event of power or control panel loss. An abbreviated Sanitary Sewer Overflow Response Plan should be included. Overflow or bypass response time should be indicated.

You should be aware that in accordance with TDEC Rule 0400-40-05-.05 (2), your receipt of this notice does not preclude the division from later requesting additional material that subsequent to the notice of completeness is determined to be necessary for permit processing.

If you have questions, please contact the Knoxville 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@tn.gov*.

Sincerely,

A handwritten signature in black ink, appearing to read "George C. Garden". The signature is fluid and cursive, with the first name "George" being more prominent.

George C Garden, P.E. BCEE
Chief Engineer

Enclosure

cc: Permit Section File
Knoxville Environmental Field Office
Ms. Michelle Ramsey, Utilities Division, Tennessee Regulatory Authority, *michelle.ramsey@tn.gov*
Mr. Roy Denney, Chief Technical Officer, Adenus Group LLC, *roy.denney@adenus.com*



851 Aviation Parkway
Smyrna, TN 37167

September 2, 2015

Joseph Sanders
General Counsel
Tennessee Department of Environment and Conservation,
Office of General Counsel
William R. Snodgrass Tower, 2nd Floor
312 Rosa L. Parks Avenue
Nashville, TN 37243

VIA EMAIL & U.S. MAIL

RE: Tennessee Wastewater Plans Extension for Smoky Village WPC 13-0355

Dear Mr. Sanders:

The Tennessee Regulatory Authority ("TRA"), acting through Hearing Officer Kelly Cashman-Grams, has directed Tennessee Wastewater Systems, Inc. ("TSWI") to seek confirmation from the Tennessee Department of Environment and Conservation ("TDEC") as to the status of the construction plans for Smokey Village WPC 13-0355.

As you know, TWSI has been directed by TDEC to correct drainage problems at Smokey Village and that TWSI's construction plans to address those issues were approved by TDEC in December 2013. The total estimated cost of the repairs is \$159,294.60. Preliminary construction at a cost of approximately \$1,800 began in January 2014 but the remaining work cannot be done until the TRA approves financing for the project. Late last year, when TWSI requested from TDEC an extension on the time limit applicable to those plans, TWSI was told, both orally and in a confirming email, that since construction work on the site had begun, no extension was necessary. A copy of that email exchange is attached.

Today, during a pre-hearing conference at the TRA, a question was raised as to whether, despite the email exchange, the plans for Smoky Village may have expired. The Hearing Officer therefore asked TWSI to obtain clarification, in writing, from TDEC as to whether the plans have expired or are still in effect. The Hearing Officer asked that TDEC's response be filed with the TRA by the close of business on Thursday, September 3.

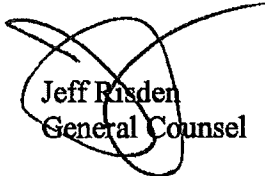
Hearing Officer Grams said that the TRA is considering convening a hearing on TWSI's request for financing on September 15, 2015 but that the TRA will not go forward with the hearing on that date unless the TRA receives written confirmation from TDEC that TDEC's previous approval of the construction plans for Smoky Village is still in effect. Therefore, please provide as soon as possible clarification as to the status of the construction plans for Smoky Village.



851 Aviation Parkway
Smyrna, TN 37167

Thank you for your consideration of this request. A copy of this request will be filed with the TRA in Docket 14-00136.

Kind regards,



Jeff Riden
General Counsel

Cc: Henry Walker
Rachel Newton
Chuck Welch
Kelly Cashman-Grams
George Bell
Patrick Parker

Jeff Ridsen

From: Roy Denney [roy.denney@adenus.com]
Sent: Monday, August 31, 2015 4:00 PM
To: Jeff Ridsen
Subject: FW: Smoky Village
Attachments: smoky village letter.pdf

From: Roy Denney [mailto:roy.denney@adenus.com]
Sent: Thursday, November 20, 2014 5:11 PM
To: brad.harris@tn.gov
Subject: Smoky Village

Brad,

We need to extend the construction permit for Smoky Village. It's under construction but some is still awaiting TRA funding approval.

Thanks,

Roy



849 Aviation Parkway
Smyrna, TN 37167

Mr. Brad Harris, PE
Manager Land Based Systems
Tennessee Department of Environment and Conservation
Division of Water Resources
Tennessee Tower
312 Rosa Parks Ave. 11th Floor
Nashville, TN 37243-1102

November 20, 2014

Subject: Smoky Village
WPC 13-0355

Brad Harris, PE:

We wish to extend the permit for construction at Smoky Village WPC 13-0355. Construction has commenced however portions of the project are still awaiting TRA approval for funding.

Kind Regards,

A handwritten signature in cursive script that reads "Roy Denney".

Roy Denney, PE

Jeff Ridsen

From: Roy Denney [roy.denney@adenus.com]
Sent: Monday, August 31, 2015 4:12 PM
To: charles.hyatt@adenus.com; Jeff Ridsen
Subject: FW: Smoky Village

From: Brad Harris [mailto:Brad.Harris@tn.gov]
Sent: Tuesday, December 2, 2014 10:43 AM
To: Roy Denney
Subject: RE: Smoky Village

Roy,

I forwarded your request to Bob last week to look at since he approved the original plans. He is out this week, but will be back on the 8th.

Brad

From: Roy Denney [mailto:roy.denney@adenus.com]
Sent: Thursday, November 20, 2014 5:11 PM
To: Brad Harris
Subject: Smoky Village

*** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - OIR-Security. ***

Brad,

We need to extend the construction permit for Smoky Village. It's under construction but some is still awaiting TRA funding approval.

Thanks,

Roy

Jeff Ridsen

From: Roy Denney [roy.denney@adenus.com]
Sent: Thursday, August 27, 2015 11:34 AM
To: Jeff Ridsen
Subject: FW: Smokey Village WPC 13-0355

From: Robert Odette [<mailto:Robert.Odette@tn.gov>]
Sent: Monday, December 15, 2014 8:20 AM
To: roy.denney@adenus.com
Subject: Smokey Village WPC 13-0355

Good Morning Roy:

This is to confirm what we spoke about via telephone this morning relative to the Smokey Village construction permit WPC 13-0355.

You has requested an extension of the permit for construction; however, since construction has commenced on portions of this project no time extension is necessary. The only time deadline is to start construction within one year of construction approval.

Hope this helps—if you need an official letter to this effect please advise.

Bob O'

Robert G. O'Dette, M.S., P.E.

Division of Water Resources
Tennessee Department of Environment and Conservation
William R. Snodgrass Tennessee Tower, 11th Floor
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