

This instrument was prepared by:  
Please record and return to:  
Freedom Title Services, LLC  
116 Center Ct  
Clarksville, TN 37040  
(931) 647-0677 phone  
(931) 647-0678 fax

Connie E. Gannett, Register  
Montgomery County Tennessee  
Reg #: 476304 Instrument #: 1264940  
Rec'd: 18.00 Recorded  
State: 98.00 7/18/2020 at 1:30 PM  
Clerk: 1.00 in Volume  
Other: 2.00 1988  
Total: 118.00 PGS 1633-1635

18-00107

## WARRANTY DEED

FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEE, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, RIVERLAND PARTNERS, A TENNESSEE GENERAL PARTNERSHIP, and POWERS & ATKINS, LLC, HEREINAFTER CALLED GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO TENNESSEE WASTEWATER SYSTEMS, INC., HEREINAFTER CALLED THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN MONTGOMERY COUNTY, TENNESSEE, DESCRIBED AS FOLLOWS TO-WIT:

Being a parcel of land shown as Parcel 54.08 on Montgomery County Tax Map 90, Clarksville, Montgomery County, Tennessee, generally located south of Tomahawk Pointe and east of Ramblewood Drive, and more particularly described as follows:

COMMENCING at an iron pin in the easterly right-of-way of Ramblewood Drive, said point being the southwest corner of Lot 57 of Warrioto Hills, of Record in Plat Book J, Pages 427-429, R.O.M.C.T. and approximately 145 feet south of the intersection of Tomahawk Pointe and Ramblewood Drive; THENCE leaving said right-of-way, along the southern boundary of said Lot 57 S 63°52'25" E 200.69 feet to an iron pin; THENCE along the southerly boundary of open space as shown on said Warrioto Hills Plat the following calls: S 52°28'05" W 39.22 feet to an iron pin, S 37°31'55" E 636.56 feet to an iron pin, N 80°55'47" E 545.45 feet to an iron pin, N 09°04'13" W 100.00 feet to an iron pin, N 80°55'47" E 318.09 feet to an iron pin in the easterly boundary of property conveyed to Alfred E. Pace, of record in Volume 957, Page 442 R.O.M.C.T.; THENCE along said Pace boundary the following calls: S 07°01'25" W 156.11 feet to an iron pin, S 05°43'22" W 131.36 feet to an iron pin; THENCE leaving said Pace boundary, along the northerly boundary of property conveyed to CBP Properties, of Record in Volume 1696, Page 1129, R.O.M.C.T., the following calls: S 43°15'22" W 237.00 feet to an iron pin, S 45°11'44" W 424.83 feet to an iron pin, S 80°56'02" W 207.02 feet to an iron pin, N 39°45'32" W 424.85 feet to an iron pin, N 09°03'58" W 154.33 feet to an iron pin in the southerly boundary of property conveyed to Ramblewood II, LP, of Record in Volume 1061, Page 2405, R.O.M.C.T.; THENCE along the southerly and easterly boundaries of said Ramblewood II, LP property the following calls: N 80°47'46" E 139.85 feet to an iron pin, N 37°31'55" W 713.40 feet to an iron pin, N 76°23'21" W 121.75 feet to an iron pin in the easterly right-of-way of Ramblewood Drive; THENCE along said right-of-way N 26°07'35" E 85.42 feet to the point of beginning; CONTAINING 10.86 acres more or less, as shown on a survey by Billy Ray Suiter, TRLS No. 1837, of Suiter Surveying & Land Planning, P.O. Box 30271, Clarksville, TN 37040, dated October 15, 2019.

This is a portion of the same property which was conveyed unto Riverland Partners, a Tennessee General Partnership, and Powers & Atkins, LLC by deeds of record in Volume 1735, Page 2686 and Volume 1882, Page 2688, both of the Register's Office

for Montgomery County, Tennessee.

TO HAVE AND TO HOLD the said tract or parcel of land, with appurtenances, estate, title, and interest thereto belonging to said Grantee. Grantors covenant with Grantee that they are lawfully seized and possessed of said land in fee simple, possessing a good right to convey it, and that the said land is unencumbered, except for current taxes, and restrictions and easements of record.

GRANTORS further covenant and bind themselves, their successors and representatives to warrant and defend the title to the said land to Grantee, its successors, and assigns against the lawful claims of all persons whatsoever.

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness our hands this 14 day of July, 2020.

**RIVERLAND PARTNERS, A TENNESSEE GENERAL PARTNERSHIP**

BY: [Signature]  
**BRYCE A POWERS, PARTNER**

**POWERS & ATKINS, LLC**

BY: [Signature]  
**ROBERT S POWERS, MEMBER**

STATE OF TENNESSEE  
COUNTY OF MONTGOMERY

Before me, the undersigned authority, a Notary Public of the State and county mentioned, personally appeared BRYCE A POWERS with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be a partner of RIVERLAND PARTNERS, A TENNESSEE GENERAL PARTNERSHIP, the within named bargainor, a partnership, and that he, as such partner, executed the foregoing instrument for the purpose therein contained, by signing the name of the partnership by himself as partner.

DONE at offices in Clarksville, TN, on this the 14 day of July, 2020.

[Signature]  
NOTARY PUBLIC  
My commission expires: 8-16-2022



STATE OF TENNESSEE  
COUNTY OF MONTGOMERY

Before me, the undersigned authority, a Notary Public of the State and county mentioned, personally appeared ROBERT S POWERS with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be MEMBER (or other officer authorized to execute the instrument) of POWERS & ATKINS, LLC the within named bargainor, a LIMITED LIABILITY COMPANY, and that such officer, executed the

foregoing instrument for the purpose therein contained, by personally signing the name of the LIMITED LIABILITY COMPANY as MEMBER (or other authorized officer).

DONE at offices in Clarksville, TN, on this the 14 day of July, 2020.

Denise M. Pickett  
NOTARY PUBLIC

My commission expires: 8-16-2022



STATE OF TENNESSEE  
COUNTY OF MONTGOMERY

The actual consideration or value, whichever is greater, for this transfer is  
\$ 26,725.00

B3-R  
Affiant

Subscribed and sworn to before me, this the 14 day of July, 2020.

Denise M. Pickett  
NOTARY PUBLIC

My commission expires: 8-16-22



Address New Owner(s) as follows:  
TENNESSEE WASTEWATER SYSTEMS, INC.

851 AVIATION PARKWAY  
SMYRNA, TN 37167

Send Tax Bills To:  
New Owners

Map and Parcel Number(s):  
Tax Map 90, Parcel 54.08

AREA: 67.29 ACRES ±

**Snider  
Surveying  
& Land Planning**

[illegible]

CONFIDENTIALITY OF APPROVAL FOR RECORDING

**STAFFING WORKERS & SUPERVISORS**

CONVICTIONS OF CRIMES, OR CRIMINAL RECORDS  
 AND/OR ANYTHING THAT ALL EMPLOYERS AND  
 EMPLOYMENT AGENCIES HAVE BEEN REQUIRED TO DISCLOSE  
 IN ACCESSIBLE MANNER AND ACCORDING TO CITY OF  
 LOS ANGELES POLICY. THE INFORMATION CONTAINED  
 HEREIN IS FOR INFORMATION ONLY. IT IS NOT TO BE  
 USED FOR ANY OTHER PURPOSES. THE CITY OF  
 LOS ANGELES DOES NOT GUARANTEE THE ACCURACY  
 OF THE INFORMATION CONTAINED HEREIN. THE  
 INFORMATION CONTAINED HEREIN IS FOR INFORMATION  
 ONLY.

*M. J. Smith*  
 COUNTY CLERK

64-44  
BOSTON

SEARCHED INDEXED  
SERIALIZED FILED  
APR 1968  
FBI - MEMPHIS

[illegible]

Plat J Page 427

# WARRIOTO HILLS CLUSTER FINAL PLAT

SHEET 2 OF 3  
TAX MAP 101, PARCEL 25.14  
TAX MAP 90, PARCEL 54.00 (PORTION OF)  
13TH, 17TH CIVIL DISTRICT  
MONTGOMERY COUNTY, TN  
DEED REFERENCE: ORV 1735, PAGE 2686 R.O.M.C.T.  
ORV 1882, PAGE 2688 R.O.M.C.T.  
DATE: OCTOBER 15, 2019  
SCALE: 1" = 100'  
AREA: 67.29 ACRES ±



Charles E. Suter, Registered Professional Surveyor  
No. 0000000000  
Tennessee  
Effective Date: 01/01/2019  
Commission Expires: 12/31/2024  
505 487-0290

Curve Table

CURVE #	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	48.89	23.00	114.77	N89° 17' 37" W	38.47
C2	30.77	28.00	70.53	S89° 17' 37" W	28.67
C3	298.83	30.00	208.30	S17° 17' 37" W	8.65
C4	345.19	478.00	41.64	N89° 17' 37" W	332.90
C5	48.89	28.00	83.72	N89° 17' 37" W	38.59
C6	338.76	423.00	44.28	S89° 17' 37" W	302.47
C7	303.83	302.00	44.28	S89° 17' 37" W	242.83
C8	21.83	25.00	48.89	S17° 17' 37" W	20.44
C9	244.19	30.00	278.30	S89° 17' 37" W	88.87
C10	21.83	28.00	48.89	N89° 17' 37" W	20.44
C11	283.89	278.00	44.28	S89° 17' 37" W	288.49
C12	308.87	423.00	44.28	S89° 17' 37" W	302.47
C13	30.77	28.00	83.72	S89° 17' 37" W	38.59
C14	25.83	28.00	48.89	N89° 17' 37" W	20.44
C15	244.19	30.00	278.30	S89° 17' 37" W	88.87
C16	21.83	28.00	48.89	S89° 17' 37" W	20.44
C17	423.89	30.00	208.30	S17° 17' 37" W	8.65
C18	38.89	28.00	70.53	S89° 17' 37" W	28.67

WARRIOTO HILLS CLUSTER FINAL PLAT

DATE: 10/15/2019  
BY: Charles E. Suter  
TITLE: Surveyor

TOTAL ACRES: 67.29 ±  
ACRES SURVEYED: 67.29 ±  
COMMISSION: 0000000000  
EXPIRATION: 12/31/2024



Moore Design Services  
10000 Old Hickory Road  
Clarksville, TN 37041  
615-451-1111

Suter Surveying & Land Planning  
10000 Old Hickory Road  
Clarksville, TN 37041  
615-451-1111

1. I, CHARLES E. SUTER, Registered Professional Surveyor, No. 0000000000, do hereby certify that the foregoing plat is a true and correct representation of the survey as conducted by me or under my direct supervision and in accordance with the laws of the State of Tennessee.

\_\_\_\_\_  
Charles E. Suter  
Registered Professional Surveyor

2. I, \_\_\_\_\_, do hereby certify that the foregoing plat is a true and correct representation of the survey as conducted by me or under my direct supervision and in accordance with the laws of the State of Tennessee.

\_\_\_\_\_  
\_\_\_\_\_  
Registered Professional Surveyor

3. I, \_\_\_\_\_, do hereby certify that the foregoing plat is a true and correct representation of the survey as conducted by me or under my direct supervision and in accordance with the laws of the State of Tennessee.

\_\_\_\_\_  
\_\_\_\_\_  
Registered Professional Surveyor

4. I, \_\_\_\_\_, do hereby certify that the foregoing plat is a true and correct representation of the survey as conducted by me or under my direct supervision and in accordance with the laws of the State of Tennessee.

\_\_\_\_\_  
\_\_\_\_\_  
Registered Professional Surveyor

5. I, \_\_\_\_\_, do hereby certify that the foregoing plat is a true and correct representation of the survey as conducted by me or under my direct supervision and in accordance with the laws of the State of Tennessee.

\_\_\_\_\_  
\_\_\_\_\_  
Registered Professional Surveyor

6. I, \_\_\_\_\_, do hereby certify that the foregoing plat is a true and correct representation of the survey as conducted by me or under my direct supervision and in accordance with the laws of the State of Tennessee.

\_\_\_\_\_  
\_\_\_\_\_  
Registered Professional Surveyor

7. I, \_\_\_\_\_, do hereby certify that the foregoing plat is a true and correct representation of the survey as conducted by me or under my direct supervision and in accordance with the laws of the State of Tennessee.

\_\_\_\_\_  
\_\_\_\_\_  
Registered Professional Surveyor

8. I, \_\_\_\_\_, do hereby certify that the foregoing plat is a true and correct representation of the survey as conducted by me or under my direct supervision and in accordance with the laws of the State of Tennessee.

\_\_\_\_\_  
\_\_\_\_\_  
Registered Professional Surveyor

9. I, \_\_\_\_\_, do hereby certify that the foregoing plat is a true and correct representation of the survey as conducted by me or under my direct supervision and in accordance with the laws of the State of Tennessee.

\_\_\_\_\_  
\_\_\_\_\_  
Registered Professional Surveyor

10. I, \_\_\_\_\_, do hereby certify that the foregoing plat is a true and correct representation of the survey as conducted by me or under my direct supervision and in accordance with the laws of the State of Tennessee.

\_\_\_\_\_  
\_\_\_\_\_  
Registered Professional Surveyor

**WARRIOTO HILLS CLUSTER  
FINAL PLAT**

**SHEET 3 OF 3**

TAX MAP 101, PARCEL 25.14  
TAX MAP 90, PARCEL 54.00 (PORTION OF)  
13TH, 17TH CIVIL DISTRICT  
MONTGOMERY COUNTY, TN

DEED REFERENCE: ORV 1735, PAGE 2686 R.O.M.C.T.  
ORV 1802, PAGE 2688 R.O.M.C.T.



Cove Table					Overall Distance
Cave #	Min Length	Max	Min	Max	
C1	48.39	28.68	104.37	104.37	38.47
C2	38.77	28.68	70.53	104.37	38.47
C3	28.63	30.18	32.53	104.37	56.68
C4	34.39	47.08	48.66	104.37	352.94
C5	48.82	28.68	52.77	104.37	322.47
C6	33.34	47.08	48.89	104.37	31.89
C7	28.63	30.18	44.38	104.37	342.83
C8	28.68	47.08	52.77	104.37	38.47
C9	28.68	28.68	70.53	104.37	38.47
C10	31.85	48.18	48.18	104.37	38.47
C11	28.68	37.08	44.38	104.37	286.49
C12	38.87	47.08	44.38	104.37	38.47
C13	38.77	28.68	86.08	104.37	38.38
C14	38.87	28.68	48.18	104.37	38.88
C15	34.14	28.68	70.53	104.37	81.38
C16	28.68	28.68	48.87	104.37	21.47
C17	41.34	52.77	48.18	104.37	422.89
C18	58.89	28.68	28.68	104.37	422.89

[illegible]

**Suiter**  
**Surveying**  
**Land Planning**

**MOORE  
DESIGN  
SERVICES**



STATE OF TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
DIVISION OF WATER RESOURCES  
William R. Snodgrass - Tennessee Tower  
312 Rosa L. Parks Avenue, 11<sup>th</sup> Floor  
Nashville, Tennessee 37243-1102

April 11, 2019

Mr. Jeff Riden, VP & General Counsel  
Adenus Group, LLC  
e-copy: jeff.riden@adenus.com  
849 Aviation Pkwy  
Smyrna, TN 37167

**Re: State Operating Permit No. SOP-18024  
Tennessee Wastewater Systems, Inc.  
Warrioto Hills Treatment Facility  
Clarksville, Montgomery County, Tennessee**

Dear Mr. Riden:

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

Please be advised that a petition for permit appeal may be filed, pursuant to T.C.A. Section 69-3-105, subsection (i), 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 technical secretary of the Water Resources Board within thirty (30) days after public notice of the commissioner's decision to issue or deny the permit. A copy of the filing should also be sent to TDEC's Office of General Counsel.

If you have questions, please contact the Nashville Environmental Field Office at 1-888-891-TDEC; or, at this office, please contact Mr. Allen Rather at (615) 532-5819 or by E-mail at [Allen.Rather@tn.gov](mailto:Allen.Rather@tn.gov).

Sincerely,

Brad Harris, P.E.  
Manager, Land-based Systems

Enclosure

cc/ec: Land-based Systems File  
Nashville Environmental Field Office  
Mr. Billy Dranes, Operations Manager, Adenus, [billy.dranes@adenus.com](mailto:billy.dranes@adenus.com)

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

Permit No. SOP-18024

**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.  
Clarksville, Montgomery County, Tennessee

**FOR THE OPERATION OF**

STEP/STEG collection system with a recirculating media filter and fenced drip dispersal system located at latitude 36.469444 and longitude -87.371388 in Montgomery County, Tennessee to serve approximately 57 homes in the Warrioito Subdivision. The design capacity of the system is .0171 MGD and will be dispersed on approximately 4.56 acres of suitable soils.

This permit is issued as a result of the application filed on October 4, 2018, in the office of the Tennessee Division of Water Resources. This permit is contingent on the submission and department approval of construction plans, specifications and other data in accordance with rules of the department. Updated plans and specifications must be approved before any further construction activity.

**This permit shall become effective on: April 1, 2019**

**This permit shall expire on: March 31, 2019**

**Issuance date: March 29, 2019**



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for Jennifer Dodd  
Director



**A. GENERAL REQUIREMENTS**

The treatment system shall be monitored by the permittee as specified below:

<u>Parameter</u>	<u>Sample Type</u>	<u>Daily Maximum</u>	<u>Monthly Average</u>	<u>Measurement Frequency</u>
Flow *	Totalizer			Daily
BOD <sub>5</sub>	Grab	45 mg/l	N/A	Once/Year
Ammonia as N	Grab	Report	N/A	Once /Quarter

\* Report average daily flow for each calendar month.

Sampling requirements in the table above apply to effluent being discharged to the drip irrigation plots.

This permit allows the operation of a wastewater collection, treatment, and storage system with disposal of treated wastewater through approved land application areas. There shall be no discharge of wastewater to any surface waters or to any location where it is likely to enter surface waters. There shall be no discharge of wastewater to any open throat sinkhole. In addition, the drip irrigation system shall be operated in a manner preventing the creation of a health hazard or a nuisance.

The land application component shall be operated and maintained to ensure complete hydraulic infiltration within the soil profile, transmission of the effluent away from the point of application, and full utilization of the soil profile as a portion of the treatment system.

Instances of surface saturation, ponding or pooling within the land application area as a result of system operation are prohibited. Instances of surface saturation, ponding or pooling shall be promptly investigated and noted on the Monthly Operations Report. The report shall include details regarding location(s), determined cause(s), the actions taken to eliminate the issue, and the date the corrective actions were made. Any instances of surface saturation, ponding or pooling not associated with a major precipitation event not corrected within three days of discovery shall be reported to the local Environmental Field Office at that time for investigation. Surface saturation, ponding or pooling resulting in the discharge of treated wastewater into Waters of the State or to locations where it is likely to move to Waters of the State shall be immediately reported to the local Environmental Field Office, unless the discharge is separately authorized by a NPDES permit."

All drip fields shall be fenced sufficiently to prevent or impede unauthorized entry as well as to protect the facility from vandalism. Fencing shall be a minimum of four feet in height. Fencing shall be constructed of durable materials.

Gates shall be designed and constructed in a manner to prevent or impede unauthorized entry. All designs are subject to division approval. Fence shall be installed prior to beginning of operation.

All drip lines shall be buried and maintained 6 to 10 inches below the ground surface.

The site shall be inspected by the certified operator or his/her designee, at a minimum, once per fourteen days (default) OR in accordance with an operating and maintenance inspection schedule in the permit administrative file record. The default inspection frequency will apply if an operating and maintenance inspection schedule is not submitted to be a part of the permit administrative file record. The operating and maintenance inspection schedule shall at a minimum evaluate the following via onsite visits or telemetry monitoring or a combination of the two:

- the condition of the treatment facility security controls (doors, fencing, gates, etc.),
- the condition of the drip area security controls (doors, fencing, gates, etc.),
- the condition of the site signage,
- the operational status of the mechanical parts of the treatment system (pumps, filters, telemetry equipment, etc.)
- the condition of the UV bulbs (if applicable)
- the condition of the land application area including the location of any ponding
- the name of the inspector
- the description of any corrective actions

Submission of the schedule, or revisions to the schedule, may be submitted to the division electronically. The schedule shall be submitted on or before the effective date of the permit. The permittee is responsible for maintaining evidence that the schedule, or revisions, have been submitted to the division.

## **B. MONITORING PROCEDURES**

### **1. Representative Sampling**

Samples and measurements taken in compliance with the monitoring requirements specified above shall be representative of the volume and nature of the monitored discharge, and shall be taken at the following location(s):

Effluent to drip irrigation plots.

### **2. Test Procedures**

Unless otherwise noted in the permit, all pollutant parameters shall be determined according to methods prescribed in Title 40, CFR, Part 136.

## C. DEFINITIONS

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

The "*monthly average concentration*", other than for *E. coli* bacteria, is the arithmetic mean of all the composite or grab samples collected in a one-calendar month period.

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

For the purpose of this permit, "*continuous monitoring*" means collection of samples using a probe and a recorder with at least one data point per dosing cycle.

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.

"Wastewater" for the purpose of this permit means "sewage" as defined in TCA 69-3-103

## D. REPORTING

### 1. Monitoring Results

Monitoring results shall be recorded consistent with the general requirements imposed in Part A above OR in accordance with the operating and maintenance inspection schedule in the permit administrative file record 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. Monitoring results shall be reported in a format approved by the division. Operation reports and any communication regarding compliance with the conditions of this permit must be sent to:

Division of Water Resources  
Nashville Environmental Field Office  
711 R.S. Gass Boulevard  
Nashville, TN 37216

Sampling results may be submitted electronically to: [DWRWW.Report@tn.gov](mailto:DWRWW.Report@tn.gov).

The first operation report is due on the 15<sup>th</sup> of the month following the quarter containing the permit effective date. Until the construction of the treatment system is complete and the treatment system is placed into operation, operational reports shall report "monitoring not required".

## **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 Rule 0400-40-05-.07(2)(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.

## **4. Signatory Requirement**

All reports or information submitted to the commissioner shall be signed and certified by the persons identified in Rules 0400-40-05-.05(6)(a-c).

# **PART II**

## **A. GENERAL PROVISIONS**

### **1. Duty to Reapply**

The permittee is not authorized to discharge after the expiration date of this permit. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit such information and forms as are required to the Director of Water Resources (the "Director") no later than 180 days prior to the expiration date.

### **2. Right of Entry**

The permittee shall allow the Director, or authorized representatives, upon the notification of permittee and presentation of credentials:

a. To enter upon the permittee's premises where an effluent source is located or where records are required to be kept under the terms and conditions of this permit, and at reasonable times to copy these records;

b. To inspect at reasonable times any monitoring equipment or method or any collection, treatment, pollution management, or discharge facilities required under this permit; and

c. To sample at reasonable times any discharge of pollutants.

3. Availability of Reports

All reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Division of Water Resources.

4. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems (and related appurtenances) for collection and treatment which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory and process controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit. Backup continuous pH and flow monitoring equipment are not required.

The monitoring frequency stated in this permit shall not be construed as specifying a minimum level of operator attention to the facility. It is anticipated that visits to the treatment facility by the operator will occur at intervals frequent enough to assure proper operation and maintenance, but in no case less than one visit every fourteen days OR in accordance with an operating and maintenance inspection schedule in the permit administrative file record. If monitoring reports, division's 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 charge of the facility and observes the operation of the system frequently enough to ensure its proper operation and maintenance regardless of the monitoring frequency stated in the permit

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 69-3-108 (h) of 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:

a. The permittee notifies the Director of the proposed transfer at least 30 days in advance of the proposed transfer date;

b. The notice includes a written agreement between the existing and new permittees containing a specified date for transfer of permit responsibility, coverage, and liability between them; and

c. The Director, within 30 days, does not notify the current permittee and the new permittee of his intent to modify, revoke or reissue, or terminate the permit and to require that a new application be filed rather than agreeing to the transfer of the permit.

**4. Change of Mailing Address**

The permittee shall promptly provide to the Director written notice of any change of mailing address. In the absence of such notice the original address of the permittee will be assumed to be correct.

## C. NONCOMPLIANCE

### 1. Effect of Noncompliance

Any permit noncompliance constitutes a violation of applicable State laws and is grounds for enforcement action, permit termination, permit modification, or denial of permit reissuance.

### 2. Reporting of Noncompliance

#### a. 24-Hour Reporting

In the case of any noncompliance which could cause a threat to public drinking supplies, or any other discharge which could constitute a threat to human health or the environment, the required notice of non-compliance shall be provided to the appropriate Division environmental field office within 24 hours from the time the permittee becomes aware of the circumstances. (The environmental field office should be contacted for names and phone numbers of emergency response personnel.)

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 of wastewater 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.

d. 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. 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 on a quarterly basis. 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 the actions identified in this paragraph, the permittee may request a meeting with the Division of Water Resources EFO staff to petition for a waiver based on mitigating evidence.

#### 4. Upset

a. "*Upset*" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

b. An upset shall constitute an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the permittee demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- i. An upset occurred and that the permittee can identify the cause(s) of the upset;
- ii. The permitted facility was at the time being operated in a prudent and workman-like manner and in compliance with proper operation and maintenance procedures;
- iii. The permittee submitted information required under "Reporting of Noncompliance" within 24-hours of becoming aware of the upset (if this information is provided orally, a written submission must be provided within five days); and
- iv. The permittee complied with any remedial measures required under "Adverse Impact."



## 5. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to the waters of Tennessee resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge. It shall not be a defense for the permittee 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. Bypass

- a. **"Bypass"** is the intentional diversion of wastewater away from any portion of a treatment facility.
- b. Bypasses are prohibited, unless:
  - i. The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
  - ii. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup 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 preventive maintenance; and
  - iii. For anticipated bypass, the permittee submits prior notice, if possible at least ten days before the date of the bypass; or
  - iv. For unanticipated bypass, the permittee submits notice of an unanticipated bypass within 24 hours from the time that the permittee becomes aware of the bypass.
- c. A bypass that does not cause effluent limitations to be exceeded may be allowed only if the bypass is necessary for essential maintenance to assure efficient operation.
- d. "Severe property damage" when used to consider the allowance of a bypass means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

## 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.

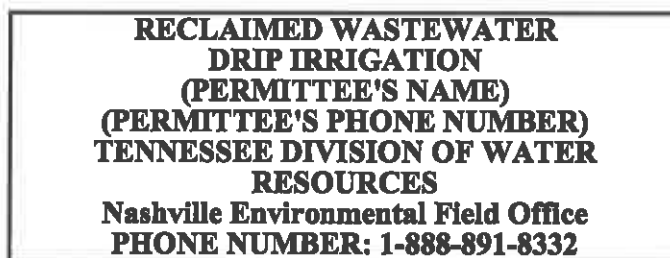
**PART III  
OTHER REQUIREMENTS**

**A. CERTIFIED OPERATOR**

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

**B. PLACEMENT OF SIGNS**

The permittee shall place a sign at the entrance to the land application area if fenced or all reasonable approaches to the land application area. 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



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. New facilities must have the signs installed upon commencing operation.

### **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 (STEP) 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 Rule 0400-48-01-.22. If the septage is transported to another POTW for disposal, the permittee shall note the amount of septage wasted in gallons and name of the facility the hauler intends to use for disposal of the septage on the monthly operation report. Sludge or any other material removed by any treatment works must be disposed of in a manner which prevents its entrance into or pollution of any surface or subsurface waters. Additionally, the disposal of such sludge or other material must be in compliance with the Tennessee Solid Waste Disposal Act, TCA 68-31-101 et seq. and Tennessee Hazardous Waste Management Act, TCA 68-46-101 et seq.

### **F. OWNERSHIP OF THE TREATMENT FACILITIES**

a. The permittee shall own the treatment facilities (and the land upon which they are constructed) including the land to be utilized for drip or spray irrigation. A perpetual easement (properly recorded) may be accepted in lieu of ownership. Evidence of ownership of the treatment facility land application site(s) and/or a copy of the perpetual easement(s) must be furnished to the division for approval prior to construction of the wastewater collection and treatment system. Signed agreements stating the intent of the existing landowner to transfer ownership may be provided to support permit issuance. Final SOP's will not be issued without establishing ownership/access rights.

b. Where the treatment facility serves private homes, condominiums, apartments, retirement homes, nursing homes, trailer parks, or any other place where the individuals being served have property ownership, rental agreements, or other agreements that would prevent their being displaced in the event of abandonment or noncompliance of the sewerage system, ownership of the treatment facilities must be by a municipality, a public utility, a wastewater authority, or a privately owned public utility (having a Certificate of Convenience and Necessity from the Tennessee Regulatory Authority), or another public agency.

Attachment 1  
STATE OF TENNESSEE  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
**DIVISION OF WATER RESOURCES-LAND BASED SYSTEMS UNIT**  
William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Avenue  
Nashville, Tennessee 37243

**MEMORANDUM**

TO: Brad Harris, P.E. Land Based Systems Unit

FROM: Allen Rather, DWR- Land Based Systems Unit

DATE: 2/11/2019

SUBJECT: LCSS/SFDS (Class V Injection) Approval  
Tennessee Wastewater Systems, Inc. – Warrioto Subdivision  
Clarksville, Montgomery County, Tennessee  
UIC File MTG 0000399 SOP-18024

The Division of Water Resources has reviewed the submittal of an Application for Authorization to Operate a Class V Underground Injection Well (Large Capacity Septic System/Subsurface Fluid Disposal System) utilizing drip dispersal for the waste water at the Warrioto Subdivision Treatment Facility located at Clarksville, Montgomery County, Tennessee. This Division approves the application dated 2/04/2019.

If at any time the Division learns that a ground water discharge system may be in violation of The Tennessee Water Quality Control Act, the Division shall:

- a. require the injector to apply for an individual permit;
- b. order the injector to take such actions including, where required, closure of the injection well as may be necessary to prevent the violation; or
- c. take enforcement action.

All groundwater discharge activities must operate in such a manner that they do not present a hazard to groundwater.

In accordance with Underground Injection Control (UIC) Rule 0400-45-06-.14 (3) "The owner of a Class V well shall be responsible for notifying the Department of change in ownership." This notification must be made to this Division within thirty (30) days of the change in ownership.

Also note that according to Underground Injection Control (UIC) Rule 0400-45-6-.14 (8)(d) "Upon completion of the well, the owner or operator must certify to the Department that the well has been completed in accordance with the approved construction plan, and must submit any

other additional information required". The certification must be submitted to the UIC Program within thirty (30) days upon the completion/closure of the Class V well.

**This Division will require a minimum of seven (7) working days advance notice before the construction on the drip system is to begin to allow for a witness from this Division to be present.**

**No drip emitters are to discharge directly into an open throat or crevice in the subsurface. All drip lines are to be installed on contour.**

Our concurrence with your approach does not imply that this procedure is exempt from future changes or restrictions in the Underground Injection Control (UIC) Regulations, or any additional requirements set forth by the Division in order to protect the groundwater of Tennessee.

A copy of this authorization must be kept on site until the development has been completed and must be made available to inspection personnel.

Should you have any questions or comments please feel free to contact me at (615) 532-5819 or [allen.rather@tn.gov](mailto:allen.rather@tn.gov).

c: file

**RATIONALE**

**Tennessee Wastewater Systems, Inc.**  
**STATE OPERATION PERMIT NO. SOP-18024**  
**Clarksville, Montgomery County, Tennessee**

**Permit Writer: Mr. Allen Rather**

**FACILITY CONTACT INFORMATION:**

Mr. Jeff Riden  
VP & General Counsel  
Phone: (615) 220-7171  
jeff.riden@adenus.com  
off Ramblewood Dr.  
Smyrna, TN 37167

**Activity Description:** Treatment of domestic wastewater via a decentralized waste water system to support construction of

**Facility location:** Latitude 36.469444 and Longitude -87.371388

**Name of the nearest stream:** No discharge allowed.

**Treatment system:** STEP/STEG collection system with a recirculating media filter and fenced drip dispersal

**Permit period:** This permit will be issued for a five year period effective from the issuance date on the title page.

**Terms & Conditions:** BOD<sub>5</sub> is a standard measure of sewage strength. The 45 mg/L daily maximum limit is the required treatment standard for domestic waste water in Tennessee. Ammonia and BOD<sub>5</sub> reporting serve to demonstrate the treatment system is meeting minimum treatment standards. Land application, versus stream discharge, enables reduced monitoring frequency for these parameters. Narrative conditions for drip disposal and septage management are proposed in support of proper system operation to prevent runoff to streams and avoidance of nuisance conditions.

**Financial Security:** Municipalities and Utility Districts are government entities exempt from the financial security requirement in TCA 69-3-122. (or) Privately-

owned public utilities provide financial security to the Public Utility Commission to comply with TCA 69-3-122.

**Annual Maintenance Fee:** An annual maintenance fee for the permit will apply after permit issue and upon receipt of an invoice. The fee is currently \$350.00 for non-discharging facilities with influent flow less than 0.075 MGD.

**Items Requisite for Operation:**

This draft permit proposes terms and conditions for planning purposes and to seek public comment on the potential water quality impacts of the proposed activity. Actual operation of the sewerage system is contingent on the following items (items may occur in any order):

- Approval of sewerage system construction plans and specifications per TCA 69-3-108(i),
- Final construction inspection and submission of O & M manual per Rule 0400-40-02-.09,
- Issuance of a Certificate of Convenience and Necessity (CCN) by the Public Utility Commission,
- Utility ownership of sewerage system assets consistent with Rule 0400-40-16-.02(8). Sewerage system assets broadly consist of those units integral to the collection, treatment and disposal of both the solid and liquid component of sewage (i.e. septic tanks and pumps, collection lines, treatment system and drip irrigation area and related appurtenances), and
- Final issue of the permit.

# WARRIOTO HILLS - MONTGOMERY COUNTY

Commission Date: 5/4/2020

57 Lots

## Treatment and Drip Land Valuation

10.7 acres (including access drive)	\$ 26,725.00
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## Collection Line Valuation

Contract price per developer's records	\$ 91,450.00
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## Treatment Plant Valuation

Cost of Treatment	\$ 256,500.00
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Land	\$ 26,725.00
Collection Lines	\$ 91,450.00
Treatment Plant	\$ 256,500.00

Total	\$ 374,675.00
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26.58% Tax Rate	\$ 99,588.62
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Tap Fee 57 Lots at \$800 per lot	\$ 45,600.00
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Total Amount at Plat	\$ 145,188.62
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JAMES MICHAEL ATKINS  
ROBERT S POWERS

RAMBLEWOOD JV  
3880 VICKERS RD  
BALMORA, TN 37142

6-12-20

Time

00:05:00

07-202/441

1030

PAY to the

Tennessee Wholesale Systems \$ 99,588.00

Ninety Nine thousand five hundred Eighty Eight ~~00~~

Hollars

THE  
FARMERS  
TRUST

FM  
BANK  
CHARTER, TN

For Warrior Hills

*Bobby Jones*

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COLUMBIA, CLARK