

SUPERIOR WASTEWATER SYSTEMS

Providing Superior Wastewater Service to Tennessee

RECEIVED

September 30, 2020

OCT 02 2020

TN PUBLIC UTILITY COMMISSION
DOCKET OFFICE

Mr. David Foster, Director
Utilities Division
Tennessee Public Utilities Commission
502 Deaderick Street, 4th Floor
Nashville, TN 37243

Re: Commission Order Dated April 8, 2020 – Docket # 19-00043, Superior Wastewater Systems

Dear Mr. Foster:

On April 8, 2020, the Commission approved a CCN amendment for Superior Wastewater Systems for the Hill and Roberts Parcels, contingent upon the filing of seven (7) additional documents. Additionally, the order required a status of each of the items within 6 months of the date of the order (October 8, 2020) as well as the status of providing wastewater to the Hill and Roberts Parcels.

As of September 30, 2020, the concept plan of the Hill and Roberts property has yet to be approved by the Williamson County Planning commission. Below is the status of each of the required documents.

| Required Document | Status as of September 30, 2020 |
|---|--|
| 1. All final signed contract(s) between Superior Wastewater Systems, LLC and NADG/WDG Acquisition Corporation and/or any party contributing to the buildout/expansion of the wastewater system servicing the Hill and Roberts parcels | Confidentially tendered to TPUC Today, September 30, 2020 |
| 2. A copy of the final signed plat from Williamson County showing Superior Wastewater Systems, LLC as the Wastewater Utility of record | Williamson County Planning must still approve concept plans and preliminary plats before a final plat can be signed. These final plats will be tendered when they exist. |
| 3. A copy of the final State Operating Permit issued by the Tennessee Department of Environment and Conservation | Tendered today, September 30 is the current SOP, as it changes we will tender to TPUC. |

| | |
|---|--|
| 4. "As-built" plans for the Sewer System and the Collection System capable of providing wastewater service for a total of 632 equivalent Dwelling Units, certified as being inspected by Superior Wastewater Systems, LLC | Superior Wastewater has asked the wastewater engineer to provide an electronic copy of all construction copies of every construction element we have that has been built. While we have hard copies (on Hand) that can be reviewed at any time to make copies or scan. These large voluminous construction drawings to scan into hard copies would be cost prohibitive. We expect these electronic copies no later than October 2 nd |
| 5. A final detailed cost itemization of the complete wastewater system transferred from the Developer to Superior | This cannot be tendered until construction begins and is complete. |
| 6. A copy of the Surety from NADG/WDG confirming the Utility as the beneficiary to insure complete construction of the system | Before NADG/WDG has its first final plat signed by Superior Wastewater NADG/WDG will provide a performance bond to Williamson County that will insure the completion of the system. Superior will Tender to TPUC when available |
| 7. A copy of the registered deed and registered easements for the additional land to be deeded to Superior for the additional drip field(s) prior to any new customer being provided service on any of the properties of JP Properties, LLC, the Hill parcel, and the Roberts parcel, as provided in the SOP-03032 documentation found in this docket | Deeds Tendered to TPUC today, September 30, 2020. Superior Wastewater has no written easements for collection or transfer lines. These easements are recorded on each of many final plates signed by Superior Wastewater. They are marked on the plat as "PUDE" these large easements are for sewer. Electric and water have their own separate easements also identified on the final plats. No new customers have been added to use the new drip fields. That deed will be recorded on or before October 30 th this year. After site plans and preliminary plats are approved. |

Please contact me if you have any questions regarding the above items.

Sincerely,



John Powell
President & General Manager



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

May 14, 2019

Mr. John Powell
Managing Member
Superior Wastewater Systems
e-copy: john-powell@comcast.net
PO Box 40
Arrington, TN 37014

Subject: **Draft of Modification to State Operating Permit No. SOP-03032**
Superior Wastewater Systems, LLC
College Grove, Williamson County, Tennessee

Dear Mr. Powell:

Enclosed please find a draft copy of the modified State Operating Permit No. SOP-03032 which the Division of Water Resources (the division) proposes to issue. This draft copy is furnished to you solely for your review of its provisions. No wastewater discharges are authorized by this proposed modification. The issuance of an official modified permit is contingent upon your meeting all of the requirements of the Tennessee Water Quality Control Act and the Rules and Regulations of the Tennessee Water Quality, Oil and Gas Board.

If you disagree with the provisions and requirements contained in the draft permit, you have thirty (30) days from the date of this correspondence to notify the division of your objections. If your objections cannot be resolved, you may appeal this permit upon issuance. This appeal should be filed in accordance with Section 69-3-110 of the Tennessee Code Annotated.

If you have questions, please contact the Nashville Environmental Field Office at 1-888-891-TDEC; or, at this office, please contact Ms. Anastasia Sharp at (615) 532-1508 or by E-mail at *Anastasia.Sharp@tn.gov*.

Sincerely,

Brad C. Harris, P.E.
Manager, Land-Based Systems

Enclosure

cc: Permit File
Nashville Environmental Field Office
Ms. Patsy Fulton, Utility Rate Specialist, Tennessee Regulatory Authority, *Patsy.Fulton@tn.gov*
Ms. Linda Sullivan, Engineer, Civil Infrastructure Associates, LLC, *lsullivan@cia-engineers.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-03032

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

Superior Wastewater Systems, LLC
College Grove, Williamson County, Tennessee

FOR THE OPERATION OF

Septic tanks, effluent collection system, recirculating sand filter, Orenco Advantex media filters UV disinfection and drip irrigation system located at latitude 35.87006 and longitude -86.69482 in Williamson County, Tennessee to serve approximately 631 homes in the Kings Chapel and High Point Hill subdivisions. The design capacity of the system is .1908 MGD.

This permit is issued as a result of the application filed on April 15, 2019, 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:

This permit shall expire on:

Issuance date:

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 ₅ | 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

I. 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.

The first operation report is due on the 15th of the month following the quarter containing the permit effective date.

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.

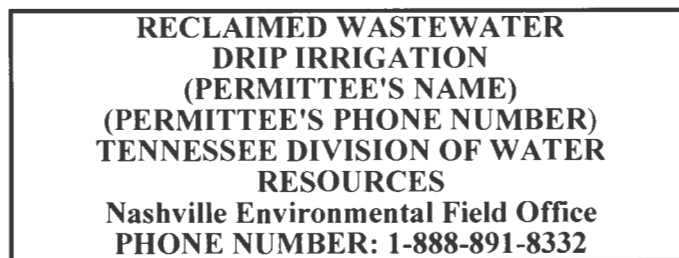
PART III OTHER REQUIREMENTS

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



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 Public Utility Commission or another public agency).

Attachment I
STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES-WATER SUPPLY BRANCH
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue
Nashville, Tennessee 37243

MEMORANDUM

TO: Hari Akunuri, WPC-CO

FROM: Allen Rather, DWS- Ground Water Management Section

DATE: 9/16/2013

SUBJECT: LCSS/SFDS (Class V Injection) Approval
King's Chapel Capacity, LLC
Arrington, Williamson County, Tennessee
UIC File WIL 0000057 SOP-03032

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 conventional disposal for the waste water at the King's Chapel Capacity located at Arrington, Williamson County, Tennessee. This Division approves the application dated 6/08/2013.

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.

King's Chapel Capacity, LLC shall also conduct a monthly visual inspection of the complete drip field looking for any signs of failure.

In accordance with Underground Injection Control (UIC) Rule 1200-4-6-.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 1200-4-6-.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.

c: file



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

April 18, 2019

Mr. John Powell
Managing Member
Superior Wastewater Systems, LLC
e-copy: john-powell@comcast.net
PO Box 40
Arrington, TN 37014

Subject: **Notice of Complete Application and Public Notice Requirements**
Permit No. SOP-03032
Superior Wastewater Systems, LLC – Kings Chapel WWTP
College Grove, Williamson County, Tennessee

Dear Mr. Powell:

The Division of Water Resources (the division) acknowledges the receipt of a permit application in our office on April 15, 2019. Our review of the SOP permit application showed that you have submitted all the information required to initiate processing of the application. You are advised that this notice of complete application does not imply that the application will be approved or that a permit will be issued. Also, in accordance with rules of the Tennessee Department of Environment and Conservation, Division of Water Resources, Chapter 0400-40-5-.05 (2):

“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.”

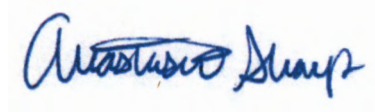
Since this is an application to modify an existing permit and your complete application was mailed to our office 180 days prior to the current permit expiration date, and the permit is not reissued by this date, discharges from the facility will be automatically authorized through administrative extension of the current permit.

If this is an application for an expanded discharge, please find attached a template of a public notice you must complete and post for a period of 30 days. This is required in accordance with Chapter 0400-40-5-.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 Nashville Environmental Field Office at 1-888-891-TDEC; or, at this office, please contact Ms. Anastasia Sharp at (615) 532-1508 or by E-mail at Anastasia.Sharp@tn.gov.

Sincerely,

A handwritten signature in blue ink that reads "Anastasia Sharp". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Anastasia Sharp, E.I.
Land-Based Systems

cc: Permit File
Nashville Environmental Field Office
Ms. Patsy Fulton, Utility Rate Specialist, Tennessee Regulatory Authority, Patsy.Fulton@tn.gov
Ms. Linda Sullivan, Engineer, Civil Infrastructure Associates, LLC, lsullivan@cia-engineers.com

PUBLIC NOTICE OF APPLICATION FOR PERMIT TO DISCHARGE/ DISPOSE OF WASTEWATER

Applicant Name and Address: _____

Permit Tracking Number: _____

Date this Notice was Posted: _____

Wastewater Source, Treatment, and Discharge/Disposal Description: _____

Discharge/Disposal is to/near the following stream: _____

TO WHOM IT MAY CONCERN: The application described above has been submitted for wastewater facility operation and discharge/disposal permit pursuant to The Tennessee Water Quality Act of 1977, TCA 69-3-108. The purpose of this notice is to advise all concerned of the proposal for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact of the activities upon the respective water resources. The decision whether to issue or deny will in part be based upon that evaluation.

Persons wishing to comment on or object to the issuance of a proposed permit are invited to submit comments in writing to the address listed below. The applicant's name and permit number should be referenced. Written statements received on or before the date of expiration of the comment period will become part of the record and will be considered in the determination.

Interested persons may also request in writing that the Division hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the person requesting and the reasons why a hearing is warranted. When there is sufficient public interest, the director shall hold a hearing in accordance with Rule 0400-40-5-.06 (12).

After consideration of comments submitted during the public comment period, the hearing record, if any, and the requirements of federal and State law, the director of the Division will make a determination regarding the final action on the permit. Permit applications, supporting documentation, and related comments are available for review and/or copying.

**Division of Water Resources
William R. Snodgrass - Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243-1102**

Instructions for the Public Notice of Application Sign

This sample Public Notice Sign is being provided for you to use. A Public Notice of Application sign must be displayed for a period of 30 days minimum. The purpose of the sign is to notify the public of its opportunity to comment, object, or to request a public hearing on the proposed permit action.

Pursuant to T.C.A. Rules, Chapter 0400-40-5-.06 (1) and (10), effective July 23, 2004, applicants for new or expanded discharges must notify the public by posting a sign near the point of the proposed facility entrance within view of a public road. The size must be of such size as to be legible from the public road.

It is recognized that it is impracticable print all of the required sign wording at a size that it can be read from the carriage way. Thus, to meet the intent of the rule, only the words "PUBLIC NOTICE" and "APPLICATION TO DISCHARGE/ DISPOSE OF WASTEWATER" must be readable from the carriage way. The remainder of the wording must be legible from the shoulder of the roadway.

Applicants should maintain some proof of sign posting and their compliance with the 30-day minimum posting period. Examples of proof could be dated photographs of the posted sign, an affidavit prepared by a witness of the posted sign, or confirmation by Division field staff.

Please be advised that in addition to this public notice of application, the Division will issue a Public Notice at the time a draft permit is proposed. Persons receiving this mailing include, but are not limited to, the applicant, governmental agencies with jurisdictions over the facility, federal and state agencies with jurisdiction over fish and wildlife resources and historic preservation, and interested persons having asked to be included on the public notice list.

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

**MR. JOHN POWELL
SUPERIOR WASTEWATER SYSTEMS
MANAGING MEMBER
PO BOX 40
ARRINGTON, TN 37014**

Land Title

PREPARED BY AND RETURN TO:

M. Todd Jackson, Attorney

3326 Aspen Grove Drive, Ste. 400

Franklin, TN 37067

Ph. (615) 778-9828 Fax (615) 778-3134

Register Return to:
 Land Title South, Inc.
 3326 Aspen Grove Dr
 Suite 400
 Franklin, TN 37067

| ADDRESS OF NEW OWNER: | RESPONSIBLE FOR TAX PAYMENT: |
|--|------------------------------|
| King's Chapel Capacity 1165 Meadow Bridge Lane Arrington, TN 37014 | New Owner |
| TAX MAP - PARCEL NUMBERS: 109-0A-054 & 109-0A-052 | |

Quitclaim Deed

FOR AND IN CONSIDERATION of One Dollar (\$1.00) cash in hand paid, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, **Hang Rock, LLC**, has this day bargained and sold, and by these presents does hereby quitclaim and convey unto **King's Chapel Capacity**, its assigns, all of its right, title and interest in and to the following described tract of land located in Williamson County, Tennessee, and being further described as follows, to-wit:

Land in Williamson County, Tennessee, being Parcels 52 & 54, on the Final Plat of Kings Chapel Subdivision, Section One, of record in Plat Book 48, page 78, Register's Office for Williamson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description. See Attached Exhibit "A" for location of said parcels on the plat

Being part of same property conveyed to Hang Rock, LLC by Warranty Deed from Anne Chrisman Hanse, an undivided 25% interest; William K. Dwyer an undivided 25% interest; Martha Chrisman Feinstein, an undivided 12.5% interest; Patricia Thomas Chrisman an undivided 12.5% interest; Carolyn Chrisman Gilmore an undivided 15% interest and Linda E. Chrisman, an undivided 10% interest dated November 19, 2003 and recorded November 20, 2003 of record in Book 3077, page 952 Register's Office for Williamson County, Tennessee.

This property commonly known as

WITNESS MY HAND on this the 30 day of June 2014.

Hang Rock, LLC


 By John Powell, Managing Member

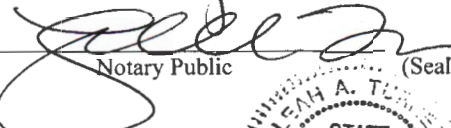
STATE OF TENNESSEE

COUNTY OF Williamson

PERSONALLY APPEARED BEFORE ME, the undersigned authority, a Notary Public in and for the State and County aforesaid, the within named bargainor, John Powell, Managing Member of Hang Rock, LLC, with whom I am personally acquainted (or proved identity with satisfactory evidence) and who acknowledged that he executed the foregoing instrument for the purposes therein contained.

WITNESS MY HAND AND OFFICIAL SEAL, this the 30 day of June 2014.

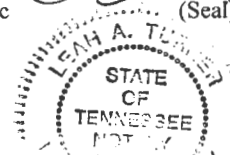
My Commission Expires
 October 30, 2016


 Notary Public (Seal)

BK: 6225 PG: 858-860
 14024650

| | |
|-------------------------|-----------------------|
| 3 PGS:AL-QUITCLAIM DEED | |
| 346888 | 07/09/2014 - 10:04 AM |
| BATCH | 346888 |
| MORTGAGE TAX | 0.00 |
| TRANSFER TAX | 0.00 |
| RECORDING FEE | 15.00 |
| ARCHIVE FEE | 0.00 |
| DP FEE | 2.00 |
| REGISTER'S FEE | 0.00 |
| TOTAL AMOUNT | 17.00 |

STATE OF TENNESSEE, WILLIAMSON COUNTY
SADIE WADE
 REGISTER OF DEEDS

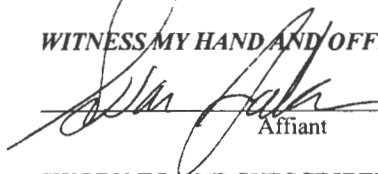


STATE OF TENNESSEE

COUNTY OF Williamson

I HEREBY SWEAR OR AFFIRM that the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$0.00.

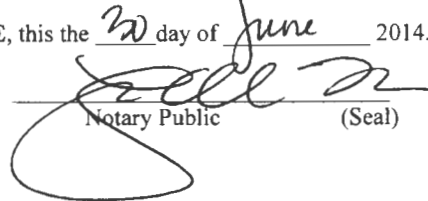
WITNESS MY HAND AND OFFICIAL SEAL, this the 30 day of June 2014.



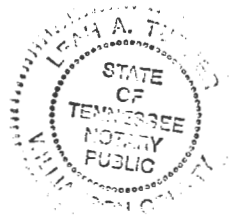
Affiant

SWORN TO AND SUBSCRIBED BEFORE ME, this the 30 day of June 2014.

My commission expires:
My Commission Expires
October 30, 2016



Notary Public (Seal)



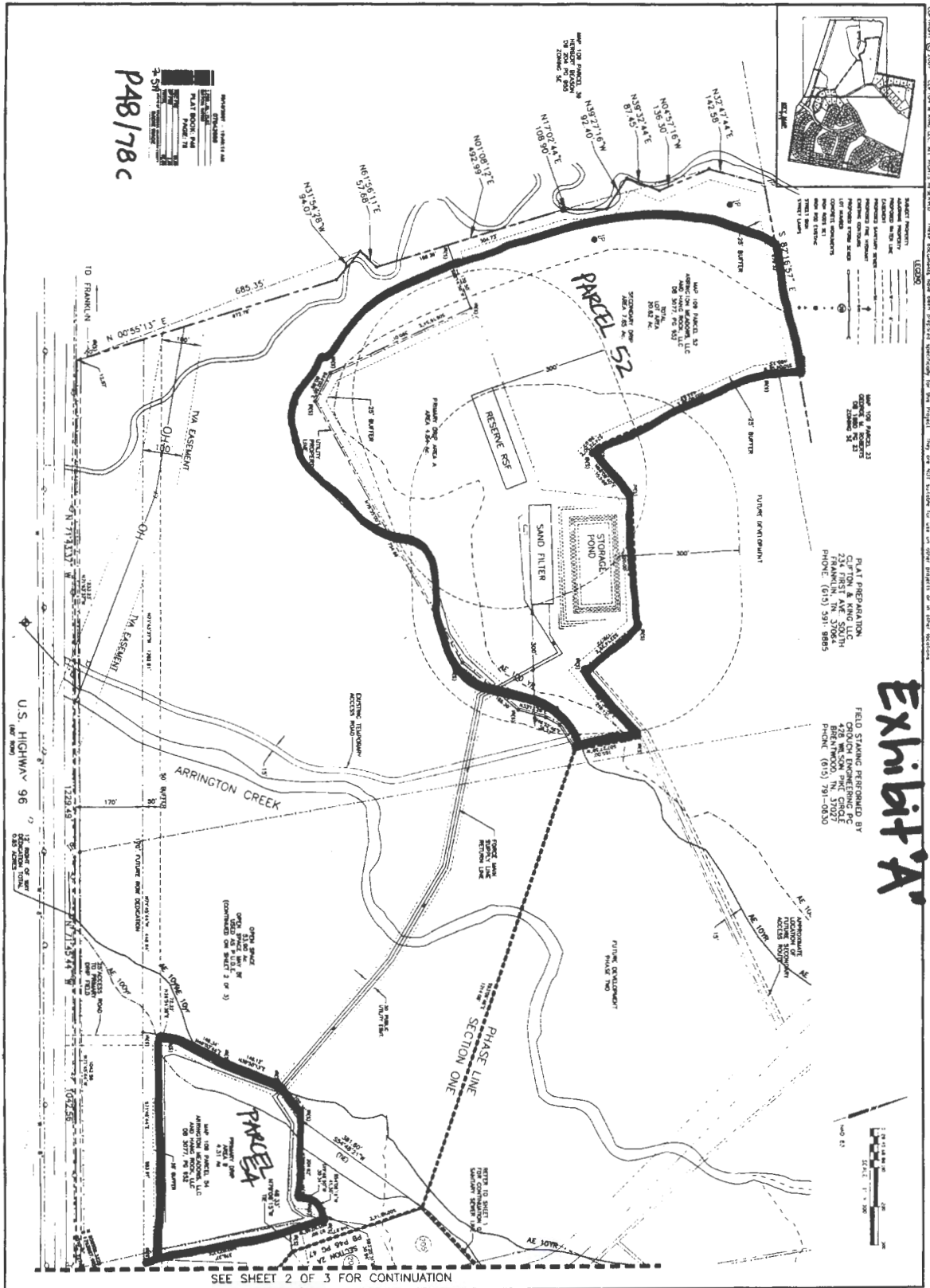


Exhibit A

CLIFTON & KING, LLC
 LAND PLANNING
 SITE ENGINEERING
 478 WILSON PIKE, GARRETTSBURG, VA 22030
 PHONE: (540) 791-0030

REVISED FINAL PLAT
KING'S CHAPEL SUBDIVISION
 SECTION ONE
 A PLANNED RESOURCE CONSERVATION DEVELOPMENT
 ARRINGTON WILLIAMSON COUNTY, TENNESSEE

CLIFTON & KING, LLC
 478 WILSON PIKE, GARRETTSBURG, VA 22030
 PHONE: (540) 791-0030

3 OF 4
 03028

SEE SHEET 2 OF 3 FOR CONTINUATION

CLIFTON & KING, LLC
 478 WILSON PIKE, GARRETTSBURG, VA 22030
 PHONE: (540) 791-0030