



21-00060

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

Davy Crockett Tower, 9th Floor
500 James Robertson Parkway
Nashville, Tennessee 37243

October 18, 2024

Electronically Filed in TPUC Docket
Room on October 21, 2024 at 9:08 a.m.

Mr. Josiah Cox
President

e-copy: jcox@cswrgroup.com

Central States Water Resources (CSWR)

1630 Des Peres Rd., Suite 140

Des Peres, MO 63131

Subject: **NPDES Permit No. TN0062073**
Limestone Water Utility Operating Company, LLC
Chapel Hill, Marshall County, Tennessee

Dear Mr. Cox:

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 NPDES Permit. The continuance and/or reissuance of this NPDES 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 Quality, Oil and Gas 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.

TDEC has activated an email address to accept appeals electronically. If you wish to file an appeal, you may do so by emailing the appeal and any attachments to TDEC.Appeals@tn.gov. If you file an appeal electronically, you do not have to send a paper copy. Electronic filing is encouraged, but not required.

If you have questions, please contact the Columbia EFO at 1-888-891-TDEC; or, at this office, please contact Ms. Priyaa Dhasarathy at (615) 913-0076 or by E-mail at Priyaa.Dhasarathy@tn.gov.

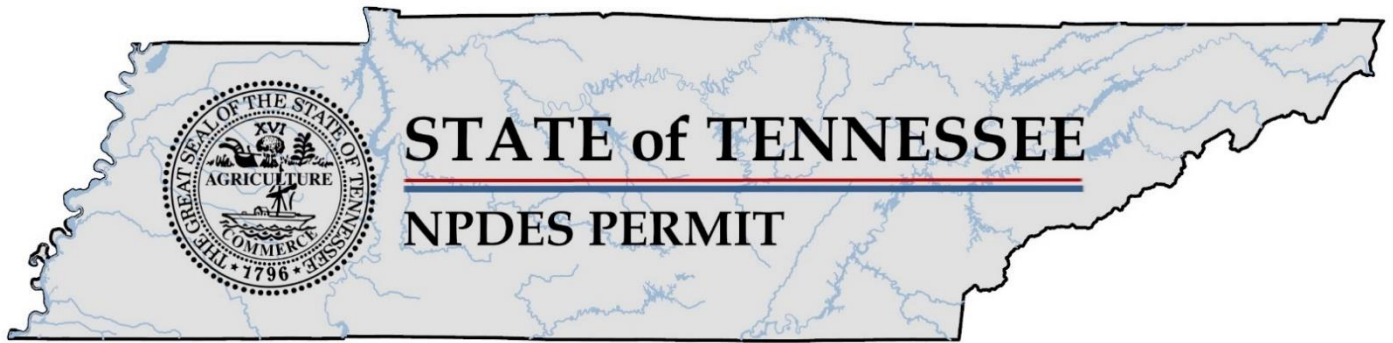
Sincerely,



Vojin Janjić
Manager, Water-Based Systems

Enclosure

cc: Permit File
Columbia Environmental Field Office (EFO)
Mr. Cole McCormick, Tennessee Public Utility Commission (TPUC), cole.mccormick@tn.gov
Ms. Mandy Sappington, Compliance Manager, CSWR, msappington@cswrgroup.com
Mr. Mark Butler, Client Manager, Clearwater Solutions, mark.butler@clearwatersol.com



**Authorization to Discharge Under the
National Pollutant Discharge Elimination System (NPDES)
Permit Number TN0062073**

Issued by
**Department of Environment and Conservation
Division of Water Resources
Davy Crockett Tower, 9th Floor
500 James Robertson Parkway
Nashville, Tennessee 37243**

Under authority of the Tennessee Water Quality Control Act of 1977 (T.C.A. 69-3-101 et seq.) and the delegation of authority from the United States Environmental Protection Agency under the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251, et seq.)

Permittee: **Limestone Water Utility Operating Company, LLC
Chapel Woods Subdivision STP**

is authorized to discharge: treated municipal wastewater from Outfall 001
from a facility located at: Highway 99, Chapel Hill, Marshall County, Tennessee
to receiving waters named: Duck River at mile 177.5

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective on: **November 1, 2024**

This permit shall expire on: **October 31, 2029**

Issuance date: **October 18, 2024**



for April Grippo
Director

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PART 1

1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1.1. NUMERIC AND NARRATIVE EFFLUENT LIMITATIONS

1.1.1. Numeric Limitations

Limestone Water Utility Operating Company, LLC is authorized to discharge treated domestic wastewater from Outfall 001 to Duck River at mile 177.5. Discharge from Outfall 001 shall be limited and monitored by the permittee as specified below:

Outfall : 001 - Effluent (All Year)							
Code	Parameter	Qualifier	Value	Unit	Sample Type	Monitoring Frequency	Statistical Base
00300	Oxygen, dissolved (DO)	>=	1.0	mg/L	Grab	5 / Week	Daily Minimum
00400	pH	>=	6.0	SU	Grab	2 / Week	Daily Minimum
		<=	9.0	SU			Daily Maximum
00530	Total Suspended Solids (TSS)	<=	45	mg/L	Grab	Monthly	Daily Maximum
		<=	30	mg/L			Monthly Average
00545	Settleable Solids	<=	1.0	mL/L	Grab	2 / Week	Daily Maximum
50050	Flow	Report	-	MGD	Instantaneous	5 / Week	Daily Maximum
		Report	-	MGD			Monthly Average
50060	Chlorine, total residual (TRC)*	<=	2.0*	mg/L	Grab	2 / Week*	Daily Maximum
51040	<i>E. coli</i>	<=	410	#/100mL	Grab	Monthly	Daily Maximum
		<=	126	#/100mL			Monthly Average
00310	BOD, 5-day, 20 C	<=	45	mg/L	Grab	Monthly	Daily Maximum
		<=	30	mg/L			Monthly Average

Notes:

Unless elsewhere specified, summer months are May through October; winter months are November through April.

See **Part 1.2.3** for test procedures.

The permittee may collect more samples than specified as the monitoring frequency in the permit. Samples may not be collected at intervals of less than 12 hours. For the purpose of determining the geometric mean, individual samples having an *E. coli* group concentration of less than 1 per 100 mL shall be considered as having a concentration of 1 per 100 mL. In addition, the concentration of the *E. coli* group in any individual sample shall not exceed a specified maximum amount.



*This facility disinfects with chlorine when the ultraviolet disinfecting system is out of service. Total residual chlorine (TRC) monitoring shall be applicable when chlorine, bromine, or any other oxidants are added. The acceptable methods for analysis of TRC are any methods specified in Title 40 CFR § 136 as amended, so long as the requirements of Tennessee Rule [0400-40-03.05\(8\)](#) are met. The method detection limit (MDL) for TRC shall not exceed 0.05 mg/l unless the permittee demonstrates that its MDL is higher. The permittee shall retain the documentation that justifies the MDL and have it available for review upon request. In cases where the permit limit is less than the MDL, the reporting of TRC at less than the MDL shall be interpreted to constitute compliance with the permit.

1.1.2. Narrative Conditions

Due Date	Narrative Requirement
90 days from permit effective date	The permittee shall sign up for electronic reporting of Discharge Monitoring Reports using NetDMR within 90 days of the permit effective date. See Section 1.3.1. of the permit for more information.

The authorized discharge shall not:

- Result in distinctly visible solids, scum, foam, oily slick, or the formation of slimes, bottom deposits, or sludge banks of such size or character as may be detrimental to fish and aquatic life.
- Result in total suspended solids, turbidity, or color in such amounts or character that will result in any objectionable appearance to the receiving water, considering the nature and location of the water.
- Contain pollutants in quantities that will be hazardous or otherwise detrimental to humans, livestock, wildlife, plant life, or fish and aquatic life in the receiving stream.

Sludge or any other material removed by any treatment works must be disposed of in a manner that prevents its entrance into or pollution of any surface or subsurface waters.

1.2. MONITORING PROCEDURES

1.2.1. Representative Sampling

Samples and measurements taken in compliance with the monitoring requirements specified herein shall be representative of the volume and nature of the monitored discharge and shall be taken at the nearest accessible point after treatment and prior to mixing with uncontaminated stormwater runoff or the receiving stream. Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the



accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed and calibrated by a qualified source at least once every 12 months¹, and maintained to ensure that the accuracy of the measurements is consistent with accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of plus or minus 10% from the true discharge rates throughout the range of expected discharge volumes.

1.2.2. Sampling Frequency

The permittee should report "No Discharge" on Discharge Monitoring Reports (DMRs) only if a permitted outfall does not discharge at any time during the monitoring period. If the outfall discharges effluent at any time during the monitoring period, the permittee must provide at least one sampling result from the effluent of that outfall.

If the required monitoring frequency is once per month or 1/month, the monitoring period is one month. If the discharge occurs during only one day in that period, the permittee must sample on that day and report the results of analyses accordingly.

1.2.3. Test Procedures

- a) Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304 (h) of the Clean Water Act (the "Act"), as amended, under which such procedures may be required.
- b) Unless otherwise noted in the permit, all pollutant parameters shall be determined using sufficiently sensitive methods in Title 40 CFR § 136, as amended, and promulgated pursuant to Section 304 (h) of the Act. The chosen methods must be sufficiently sensitive as required in state rule 0400-40-03-.05(8).
- c) If the ML for all methods available in accordance with 40 CFR § 136 are above the stated permit limit or applicable water quality criteria for that parameter, then the method with the lowest ML shall be used.
- d) Where the analytical results are below the method detection limit (MDL), the permittee shall report the actual laboratory MDL and ML values. See **Section 1.3.5.** for instructions regarding reporting less than detection.

¹ The Division expects for permittees to meet EPA's guidance on proper operation and maintenance of flow measurement devices, as stated in the [NPDES Compliance Inspection Manual](#).



- e) When there is no analytical method that has been approved under 40 CFR §136 or required under 40 CFR chapter I, subchapter N or O, and a specific method is not otherwise required by the Director, the permittee may use any suitable method but shall provide a description of the method. When selecting a suitable method, factors such as a method's precision, accuracy, or resolution must be considered when assessing the performance of the method.

1.2.4. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a) The date, exact place, and time of sampling or measurements;
- b) The individual(s) who performed the sampling or measurements;
- c) The date analyses were performed;
- d) The individual(s) who performed the analyses;
- e) The laboratory where the analyses were performed;
- f) The analytical techniques or methods used; and
- g) The results of such analyses.

1.2.5. Records Retention

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.

1.3. REPORTING

1.3.1. Monitoring Results

Monitoring results shall be recorded and submitted monthly using Monthly Operational Reports (MORs). The permittee shall continue using MORs and will also be required to submit Discharge Monitoring Reports (DMRs) using EPA's



[NetDMR](#) website for electronic reporting. The permittee must sign up for NetDMR within 90 days of the permit effective date. See Section 1.6 for more information.

See below for more specific information for MOR and NetDMR reporting requirements:

MOR Reporting:

Monitoring results shall be recorded monthly and submitted monthly using Monthly Operational Reports (MORs). MORs shall be submitted by the 15th day of the month following data collection and shall be submitted by one of the following methods, presented below in order of preference:

- 1) Using [MyTDEC Forms](#), if available.
- 2) Submitting both a signed and certified copy in pdf format, uploaded as an attachment to NetDMR, *and* a copy of the native format spreadsheet file emailed to DWRWW.Report@tn.gov and to the Columbia EFO:

Chattanooga	TDEC.Chattanooga.EFO@tn.gov
Columbia	TDEC.Columbia.EFO@tn.gov
Cookeville	TDEC.Cookeville.EFO@tn.gov
Jackson	TDEC.Jackson@tn.gov
Johnson City	TDEC.JohnsonCity.EFO@tn.gov
Knoxville	TDEC.KEFO.DWRPermits@tn.gov
Memphis	TDEC.Memphis.EFO@tn.gov
Nashville	DWR.NEFO@tn.gov

- 3) Submitting signed and certified forms to the EFO at the following address:

*STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES
Columbia Environmental Field Office
1421 Hampshire Pike
Columbia, Tennessee 38401*

Monthly Operation Reports must be signed and certified by a responsible corporate officer, as defined at 40 CFR 122.22, or a general partner or proprietor, or a principal municipal executive officer or ranking elected officer, or a duly authorized representative. Such authorization must be submitted in



writing and must explain the duties and responsibilities of the authorized representative.

In the event that electronic reporting is unavailable, the permittee shall comply with reporting conditions provided in **Section 1.6**.

DMR Reporting using NetDMR:

The first DMR is due on the 15th of the month following permit effectiveness using EPA's [NetDMR](#) website. Subsequent DMRs shall be submitted through NetDMR no later than 15 days after the completion of the reporting period. In compliance with the Federal NPDES Electronic Reporting Rule, DMRs may not be submitted via email under any circumstances.

Discharge Monitoring Reports and any other information or report must be signed and certified by a responsible corporate officer as defined in Tennessee Rules, Chapter [0400-40-05-.07\(2\)\(i\)](#), a general partner or proprietor, a principal municipal executive officer or ranking elected official, or his or her duly authorized representative. Such authorization must be submitted in writing and must explain the duties and responsibilities of the authorized representative.

In the event that electronic reporting is unavailable, the permittee shall comply with reporting conditions provided in **Section 1.6**.

For more information about NetDMR electronic reporting and how to sign up, visit the Division's website [here](#).

1.3.2. Additional Monitoring by Permittee

If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR § 136, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the MOR or other reporting form specified by the Commissioner. Such increased frequency shall also be indicated.

1.3.3. Falsifying Results and/or Reports

Knowingly making any false statement on any report required by this permit or falsifying any result may result in the imposition of criminal penalties as provided for in Section 309 of the Federal Water Pollution Control Act, as amended, and in § 69-3-115 of the Tennessee Water Quality Control Act.



1.3.4. Upset and Bypass Reporting

1.3.4.1. Event Report Requirements

For the purpose of this section, “events” are known as instances of unpermitted discharges, upsets and bypasses. These events shall be reported through [MyTDEC Forms](#) according to the following conditions:

- a) Events that are not a threat to human health and the environment shall be reported using MyTDEC Forms no later than 15 days following the completion of the DMR or MOR reporting period.
- b) Events that could cause a threat to human health or the environment, as defined in **Section 2.3.1.a.**, shall be reported using MyTDEC Forms no later than 5 days after becoming aware of the non-compliance.

In both cases, the event report must contain the following:

- i. Start date;
- ii. Estimated duration in hours;
- iii. Estimated volume in gallons;
- iv. Type of event;
- v. Type of structure;
- vi. Types of human health and environmental impacts;
- vii. Location (i.e. latitude and longitude);
- viii. The name of receiving water (if applicable);
- ix. Description of the cause; and
- x. The steps being taken to correct, reduce, eliminate, and prevent recurrence of the noncompliance;

In the event that MyTDEC Forms is not functioning, the permittee shall comply with reporting conditions provided in **Section 1.6.**

1.3.5. Reporting Less Than Detection; Reporting Significant Figures

For the purpose of evaluating compliance with the permit limits established herein, where certain limits are below the minimum level (ML) of 40 CFR § 136 approved analytical methods, compliance will be demonstrated when a non-detect result is obtained using the most sensitive method available. The results of non-detect analyses, in this case, shall be reported as Below Detection Limit (BDL) or “NODI = B” in NetDMR. Reporting examples are provided below.

Reporting Example 1: If the permit limit is 0.02 mg/L with a method detection limit (MDL) of 0.05 mg/L and no detection is shown, the permittee must report



“BDL” or “NODI = B” on DMRs in NetDMR. Whenever “BDL” or “NODI = B” is reported, the actual MDL must be reported in the DMR comments or in an attachment submitted in NetDMR.

Reporting Example 2: If the permit limit is 0.02 mg/L with an MDL of 0.05 mg/L and detection is shown, the actual detected value must be reported.

Reporting Example 3: If the permit limit is 0.02 mg/L with an MDL of 0.01 mg/L and no detection is shown, the permittee must report less than MDL (<0.01 mg/L in this case).

For purposes of calculating monthly averages, zero may be assigned for values less than the MDL, the numeric value of the MDL may be assigned for values between the MDL and the ML. If the average value is less than the MDL, the permittee must report “less than {numeric value of the MDL}” and if the average value is less than the ML, the permittee must report “less than {numeric value of the ML}.” If a value is equal to or greater than the ML, the permittee must report and use the actual value. The resulting average value must be compared to the compliance level, the ML, in assessing compliance.

Reported results are to correspond to the number of significant figures (decimal places) set forth in the permit conditions. The permittee shall round values, if allowed by the method of sample analysis, using a uniform rounding convention adopted by the permittee.

1.4. REOPENER CLAUSE

This permit shall be modified, or alternatively revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 307(a)(2), and 405(d)(2)(D) of the Clean Water Act, as amended, if the effluent standard, limitation, or sludge disposal requirement so issued or approved:

- a) Contains different conditions or is otherwise more stringent than any condition in the permit; or
- b) Controls any pollutant or disposal method not addressed in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.



1.5. SCHEDULE OF COMPLIANCE

Full compliance and operational levels shall be attained from the effective date of this permit.

1.6. ELECTRONIC REPORTING

This permit requires the submission of forms developed by the Director in order for a person to comply with certain requirements, including, but not limited to, making reports, submitting monitoring results, and applying for permits. The Director may make these forms available electronically and, if submitted electronically, then that electronic submission shall comply with the requirements of Chapter [0400-01-40](#). Electronic submission is required when available unless waived by the Commissioner in accordance with 40 CFR § 127.15.

In the event of large-scale emergencies and/or prolonged electronic reporting system outages, an episodic electronic reporting waiver may be granted by the Commissioner in accordance with 40 CFR § 127.15. A request for a deadline extension or episodic electronic reporting waiver should be submitted to DWRWater.Compliance@tn.gov, in compliance with the Federal NPDES Electronic Reporting Rule.

If an episodic electronic reporting waiver is granted, reports with wet-ink original signatures shall be mailed to the following address:

*DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES
COMPLIANCE & ENFORCEMENT UNIT
Davy Crockett Tower, 9th Floor
500 James Robertson Parkway
Nashville, Tennessee 37243*

For purposes of determining compliance with this permit, data provided to the Division electronically is legally equivalent to data submitted on signed and certified forms. A copy must be retained for the permittee's files.



PART 2

2. GENERAL PERMIT REQUIREMENTS

2.1. GENERAL PROVISIONS

2.1.1. Duty to Comply

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Water Quality Control Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

2.1.2. 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 Division Director no later than 180 days prior to the expiration date. Such forms shall be properly signed and certified.

2.1.3. Proper Operation and Maintenance

- a) 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.
- b) Dilution water shall not be added to comply with effluent requirements to achieve BCT, BPT, BAT, or other technology based effluent limitations such as those established in Tennessee Rule [0400-40-05-.09](#).

2.1.4. Duty to Provide Information

The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.



2.1.5. Right of Entry

The permittee shall allow the Director, the Regional Administrator of the U.S. Environmental Protection Agency, or their authorized representatives, upon the presentation of credentials, to:

- a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records shall be kept under the conditions of this permit;
- b) Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this permit;
- c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d) Sample or monitor at reasonable times for the purposes of assuring permit compliance or as otherwise authorized by the Director.

2.1.6. Availability of Reports

Except for data determined to be confidential under Section 308 of the Federal Water Pollution Control Act, as amended, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the Division's offices or via the Department's [dataviewer webpage](#). As required by the Federal Act, effluent data shall not be considered confidential.

2.1.7. Treatment Facility Failure (Industrial Sources)

The permittee, in order to maintain compliance with this permit, shall control production, all discharges, or both, upon reduction, loss, or failure of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in such situations as the reduction, loss, or failure of the primary source of power.

2.1.8. 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.



2.1.9. 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.

2.1.10. Other Information

If the permittee becomes aware of failure to submit any relevant facts in a permit application, or of submission of incorrect information in a permit application or in any report to the Director, then the permittee shall promptly submit such facts or information.

2.2. CHANGES AFFECTING THE PERMIT

2.2.1. 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. Notice is required only when:

- a) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source as defined in Rule [0400-40-05-.02](#);
- b) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit nor to notification requirements under 40 CFR § 122.42(a)(1); or
- c) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices.

2.2.2. Permit Modification, Revocation, or Termination

- a) This permit may be modified, revoked and reissued, or terminated for cause as described in 40 CFR § 122.62 and § 122.64, Federal Register, Volume 49, No. 188 (Wednesday, September 26, 1984), as amended. Causes for such permit action include but are not limited to the following:
 - i. Violation of any terms or conditions of the permit;
 - ii. Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts; and
 - iii. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.



- 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.
- c) If any applicable effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established for any toxic pollutant under Section 307(a) of the Federal Water Pollution Control Act, as amended, the Director shall modify or revoke and reissue the permit to conform to the prohibition or to the effluent standard, providing that the effluent standard is more stringent than the limitation in the permit for the toxic pollutant. The permittee shall comply with these effluent standards or prohibitions within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified or revoked and reissued to incorporate the requirement.
- d) The filing of a request by the permittee for a modification, revocation, reissuance, termination, or notification of planned changes or anticipated noncompliance does not halt any permit condition.

2.2.3. Change of Ownership

Except as provided in Tennessee Rule Chapter [0400-40-05-.06\(5\)](#)(a) or (b), this permit may be transferred to another party (provided there are neither modifications to the facility or its operations, nor any other changes which might affect permit limits and conditions contained in the permit) 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 permittee shall provide the following information to the Director in their formal notice of intent to transfer ownership:
 - i. The permit number of the subject permit;
 - ii. The effective date of the proposed transfer;
 - iii. The name, address, and contact information of the transferor;
 - iv. The name, address, and contact information of the transferee;



- v. The names of the responsible parties for both the transferor and transferee;
- vi. A statement that the transferee assumes responsibility for the subject permit;
- vii. A statement that the transferor relinquishes responsibility for the subject permit;
- viii. The signatures of the responsible parties for both the transferor and transferee pursuant to the signatory requirements of subparagraph (i) of Rule [0400-40-05-.07\(2\)](#); and
- ix. A statement regarding any proposed modifications to the facility, its operations, or any other changes, which might affect the permit, limits and conditions contained in the permit.

2.2.4. 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.

2.3. NONCOMPLIANCE

2.3.1. 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 Division of Water Resources in the appropriate EFO within 24 hours from the time the permittee becomes aware of the circumstances. The EFO should be contacted for names and phone numbers of the environmental response team.

A written submission must be provided via [MyTDEC Forms](#)², if available, within five days of the time the permittee becomes aware of the circumstances unless the Director on a case-by-case basis waives this requirement. The permittee shall provide the Director with the following information:

- i. A description of the discharge and cause of noncompliance;

² If this particular form is not available in MyTDEC Forms, please submit the report per Section 1.3.1.



- 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 noncomplying discharge.

b) **Scheduled Reporting:**

For instances of noncompliance which do not cause a threat to public drinking supplies, or any other discharge which could constitute a threat to human health or the environment, the permittee shall report the noncompliance on the MOR. 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.

2.3.2. Upset

- a) *"Upset"* means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based effluent limitations due to 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".



2.3.3. 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.

2.3.4. Bypass

- a) *"Bypass"* means the intentional diversion of waste streams from any portion of a treatment facility. *"Severe property damage"* means substantial physical damage to property, damage to the treatment facilities which would cause 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.
- b) Bypasses are prohibited unless all the following conditions are met:
 - i. The bypass is unavoidable to prevent loss of life, personal injury, or severe property damage;
 - ii. There are no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - iii. For anticipated bypass, the permittee submits prior notice, if possible at least ten days before the date of the bypass, or 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) Bypasses that do not cause effluent limitations to be exceeded may be allowed only if the bypass is necessary for essential maintenance to assure efficient operation and are not subject to the reporting requirements of part b) iii. above.



2.3.5. Washout

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

2.4. LIABILITIES

2.4.1. Civil and Criminal Liability

Except as provided in permit conditions for "*Bypass*" (**Section 2.3.4**) and "*Upset*" (**Section 2.3.2**), 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.

2.4.2. 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 or the Federal Water Pollution Control Act, as amended.



PART 3

3. PERMIT SPECIFIC REQUIREMENTS

3.1. CERTIFIED OPERATOR

The waste treatment facilities shall be operated under the supervision of a certified wastewater treatment operator in accordance with the Water Environmental Health Act of 1984.

3.2. SLUDGE MANAGEMENT PRACTICES

The permittee must comply with the provisions of 40 CFR § 503. If the sludge is transported to another POTW for disposal, the permittee shall note on the MOR the amount of sludge wasted in gallons, percent (%) solids of sludge wasted, and the name of the facility to which the sludge was taken.

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 ensure that the treatment plant will comply with the discharge requirements of this permit.

3.3. PLACEMENT OF SIGNS

Within 60 days of the effective date of this permit, the permittee shall place and maintain a sign at each outfall and any overflow/release point in the collection system or the nearest publicly accessible location. For the purposes of this requirement, any point that has had a total of 5 or more overflows plus releases in the previous 12 months must be so posted. The sign(s) should be clearly visible to the public from the bank and the receiving stream. The *minimum* sign size should be two feet by two feet (2' x 2') with one-inch (1") letters. The sign should be made of durable material and have a white background with black letters.

The sign(s) are to provide notice to the public as to the nature of the discharge and, in the case of the permitted outfalls, that the discharge is regulated by the Tennessee Department of Environment and Conservation, Division of Water Resources. The following are given as examples of the minimal amount of information that must be included on the signs:



NPDES Permitted Domestic Outfall:

TREATED DOMESTIC WASTEWATER
Limestone Water Utility Operating Company, LLC
Chapel Woods Subdivision STP
(314) 736-4672
NPDES Permit NO. TN0062073
TENNESSEE DIVISION OF WATER RESOURCES
1-888-891-8332 ENVIRONMENTAL FIELD OFFICE - Columbia

3.4. ADDITION OF WASTELOADS

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



PART 4

4. DEFINITIONS AND ACRONYMS

4.1. DEFINITIONS

For the purposes of this permit, ***annually*** is defined as a monitoring frequency of once every 12 months beginning with the effective date of this permit, so long as the following set of measurements for a given 12 month period are made approximately 12 months subsequent to that time.

A ***bypass*** is defined as the intentional diversion of waste streams from any portion of a treatment facility.

A ***calendar day*** is defined as the 24-hour period from midnight to midnight or any other 24-hour period that reasonably approximates the midnight to midnight time period.

A ***composite sample*** is a combination of not less than 8 influent or effluent portions, of at least 100 mL, collected over a 24-hour period. Under certain circumstances a lesser time period may be allowed, but in no case less than 8 hours.

The ***daily maximum amount*** is a limitation, measured in units of weight per time (e.g. pounds per day), on the total amount of any pollutant in the discharge during any calendar day.

The ***daily maximum concentration*** is a limitation on the average concentration in units of mass per volume (e.g. milligrams per liter) of the discharge during any calendar day. When a proportional-to-flow composite sampling device is used, the daily maximum concentration is the concentration of that 24-hour composite; when other sampling means are used, the daily maximum concentration is the arithmetic mean of the concentrations of equal volume samples collected during any calendar day or sampling period.

Degradation means the alteration of the properties of waters by the addition of pollutants, withdrawal of water, or removal of habitat, except those alterations of a short duration.

De Minimis is degradation of a small magnitude, as provided in this paragraph:

- (a) Discharges and withdrawals:



1. Subject to the limitation in part 3 of this subparagraph, a single discharge other than those from new domestic wastewater sources will be considered de minimis if it uses less than five percent of the available assimilative capacity for the substance being discharged.
 2. Subject to the limitation in part 3 of this subparagraph, a single water withdrawal will be considered de minimis if it removes less than five percent of the 7Q10 flow of the stream.
 3. If more than one activity described in part 1 or 2 of this subparagraph has been authorized in a segment and the total of the authorized and proposed impacts uses no more than 10% of the assimilative capacity, or 7Q10 low flow, they are presumed to be de minimis. Where the total of the authorized and proposed impacts uses 10% of the assimilative capacity, or 7Q10 low flow, additional degradation may only be treated as de minimis if the Division finds on a scientific basis that the additional degradation has an insignificant effect on the resource.
- (b) Habitat alterations authorized by an Aquatic Resource Alteration Permit (ARAP) are de minimis if the Division finds that the impacts, individually and cumulatively, are offset by impact minimization and/or in-system mitigation, provided however, in Outstanding National Resource Waters (ONRWs) the mitigation must occur within the ONRW.

Discharge or ***discharge of a pollutant*** refers to the addition of pollutants to waters from a source.

The ***geometric mean*** of any set of values is the n^{th} root of the product of the individual values where “n” is equal to the number of individual values. The geometric mean is equivalent to the antilog of the arithmetic mean of the logarithms of the individual values. For the purposes of calculating the geometric mean, values of zero (0) shall be considered to be one (1).

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

The ***instantaneous maximum concentration*** is a limitation on the maximum concentration, in units of mass per volume (e.g. milligrams per liter), of any pollutant contained in the wastewater discharge determined from a grab sample taken from the discharge at any point in time.

The ***instantaneous minimum concentration*** is the minimum allowable concentration, in units of mass per volume (e.g. milligrams per liter), of a pollutant parameter contained in the wastewater discharge determined from a grab sample taken from the discharge at any point in time.



The **monthly average amount** is the arithmetic mean of all the measured daily discharges by weight during the calendar month when the measurements were made.

The **monthly average concentration**, a limitation on the discharge concentration in units of mass per volume, of any pollutant, other than bacteria, is the arithmetic mean of all the composite or grab samples collected in a one calendar-month period.

A **one-week period** (or **calendar-week**) is defined as the period from Sunday through Saturday. For weekly average reporting purposes, a calendar week that contains a change of month shall be considered part of the latter month.

Pollutant means sewage, industrial wastes, or other wastes.

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.

A **rainfall event** is defined as any occurrence of rain preceded by 10 hours without precipitation that results in an accumulation of 0.01 inches or more. Instances of rainfall occurring within 10 hours of each other will be considered a single rainfall event.

A **rationale** (or **fact sheet**) is a document that is prepared when drafting an NPDES permit or permit action. It provides the technical, regulatory and administrative basis for an agency's permit decision.

The term **semi-annually**, for the purposes of this permit, means the same as once every 6 months. Measurements of the limited effluent parameters may be made any time during a 6 month period beginning from the effective date of this permit, so long as the second set of measurements for a given 12 month period are made approximately 6 months subsequent to that time, if feasible.

Sewage means water-carried waste or discharges from human beings or animals, from residences, public or private buildings, or industrial establishments, or boats, together with such other wastes and ground, surface, storm, or other water as may be present.

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.

Sewerage system means the conduits, sewers, and all devices and appurtenances by means of which sewage and other waste is collected, pumped, treated, or disposed.

Sludge or **sewage sludge** is solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment processes; and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works.

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.

The term **washout** is applicable to domestic wastewater activated sludge plants and is defined as loss of mixed liquor suspended solids (MLSS) of 30.00% or more from the aeration basin(s).

Waters means any and all water, public or private, on or beneath the surface of the ground, which are contained within, flow through, or border upon Tennessee or any portion thereof, except those bodies of water confined to and retained within the limits of private property in single ownership which do not combine or effect a junction with natural surface or underground waters.

The **weekly average amount** is the sum of all the measured daily discharges by weight divided by the number of days during the calendar week when the measurements were made.

The **weekly average concentration** is the highest arithmetic mean of all the composite samples collected in a one-week period in a month.



4.2. ACRONYMS AND ABBREVIATIONS

1Q10 –	1-day minimum, 10-year recurrence interval
30Q5 –	30-day minimum, 5-year recurrence interval
7Q10 –	7-day minimum, 10-year recurrence interval
BAT –	best available technology economically achievable
BCT –	best conventional pollutant control technology
BDL –	below detection limit
BOD ₅ –	five-day biochemical oxygen demand
BPT –	best practicable control technology currently available
CBOD ₅ –	five-day carbonaceous biochemical oxygen demand
CEI –	compliance evaluation inspection
CFR –	code of federal regulations
CFU –	colony forming units
CSO –	combined sewer overflow
DMR –	discharge monitoring report
D.O. –	dissolved oxygen
<i>E. coli</i> –	<i>Escherichia coli</i>
EPA –	Environmental Protection Agency
EFO –	environmental field office
GPM –	gallons per minute
LB (lb) –	pound
MDL –	method detection limit
MGD –	million gallons per day
mg/L –	milligrams per liter
ML –	minimum level of quantification
mL –	milliliter
MLSS –	mixed liquor suspended solids
MOR –	monthly operating report
NPDES –	national pollutant discharge elimination system
PL –	permit limit
POTW –	publicly owned treatment works
SSO –	sanitary sewer overflow
STP –	sewage treatment plant
TBEL –	technology-based effluent limit
TCA –	Tennessee code annotated
TDEC –	Tennessee Department of Environment and Conservation
TIE/TRE –	toxicity identification evaluation/toxicity reduction evaluation
TMDL –	total maximum daily load
TRC –	total residual chlorine
TSS –	total suspended solids
WQBEL –	water quality-based effluent limit



4.3. RESOURCES, HYPERLINKS, AND WEB PAGES

Electronic Code of Federal Regulations (eCFR), Title 40 (40 CFR § 1 through § 1099)

<https://www.ecfr.gov/cgi-bin/text-idx?SID=75202eb5d09974cab585afeea981220b&mc=true&tpl=/ecfrbrowse/Title40/40chapter1.tpl>

Electronic Reporting (NetDMR) Waiver Request

https://www.tn.gov/content/dam/tn/environment/water/documents/wr_ereporting_waiver.pdf

NetDMR Login

<https://cdxnodengn.epa.gov/net-netdmr/>

NetDMR, MyTDEC Forms, & Electronic Reporting Information

<https://www.tn.gov/environment/program-areas/wr-water-resources/netdmr-and-electronic-reporting.html>

NPDES Compliance Inspection Manual (EPA)

<https://www.epa.gov/sites/production/files/2017-01/documents/npdesinspect.pdf>

NPDES Electronic Reporting Rule

<https://www.federalregister.gov/documents/2015/10/22/2015-24954/national-pollutant-discharge-elimination-system-npdes-electronic-reporting-rule>

Rules of the TN Department of Environment and Conservation, Chapter 0400-40

<https://publications.tnsosfiles.com/rules/0400/0400-40/0400-40.htm>

TDEC Water Quality Rules, Reports, and Publications

<https://www.tn.gov/environment/program-areas/wr-water-resources/water-quality/water-quality-reports---publications.html>

Technical Support Document for Water Quality-based Toxics Control (EPA)

<https://www3.epa.gov/npdes/pubs/owm0264.pdf>

Tennessee Water Resources Data and Map Viewers

<https://www.tn.gov/environment/program-areas/wr-water-resources/water-quality/water-resources-data-map-viewers.html>

USGS StreamStats

https://www.usgs.gov/mission-areas/water-resources/science/streamstats-streamflow-statistics-and-spatial-analysis-tools?qt-science_center_objects=0#qt-science_center_objects

USGS SWToolbox

<https://www.usgs.gov/software/swtoolbox-software-information>

RATIONALE

**Limestone Water Utility Operating Company, LLC
Chapel Woods Subdivision STP
NPDES Permit No. TN0062073
Permit Writer: Priyaa Dhasarathy**

1. PERMIT STATUS & PUBLIC PARTICIPATION

Permit Type:	Domestic
Previous Issuance Date:	January 31, 2023
Previous Expiration Date:	September 30, 2024
Previous Effective Date:	February 1, 2023

As provided under Rule 0400-40-05-.06, this permit allows 30 days for public comment on the proposed permit. The 30-day public comment period begins the date this permit is placed on public notice. The public notice document for this permit can be found at the Division's [Water Notices and Hearings website](#) under "Permit Public Notices".

Public Notice Date:	September 10, 2024
Comment Period Ends:	October 10, 2024

Those wishing to make a formal comment on the proposed permit may submit comments electronically to Water.Permits@tn.gov, or by mail to:

*Division of Water Resources - Water Based Systems Unit
Davy Crockett Tower, 9th Floor
500 James Robertson Parkway
Nashville, TN 37243*

The public may also request a public hearing on a proposed permit by submitting such a request in writing during the public comment period specified above. The request should indicate the interest of the party filing it and the reasons why a hearing is warranted. A request for public hearing should be submitted as soon as practicable to the addresses provided above. Questions regarding the draft permit may be directed to 1-888-891-TDEC.

1. DISCHARGER INFORMATION

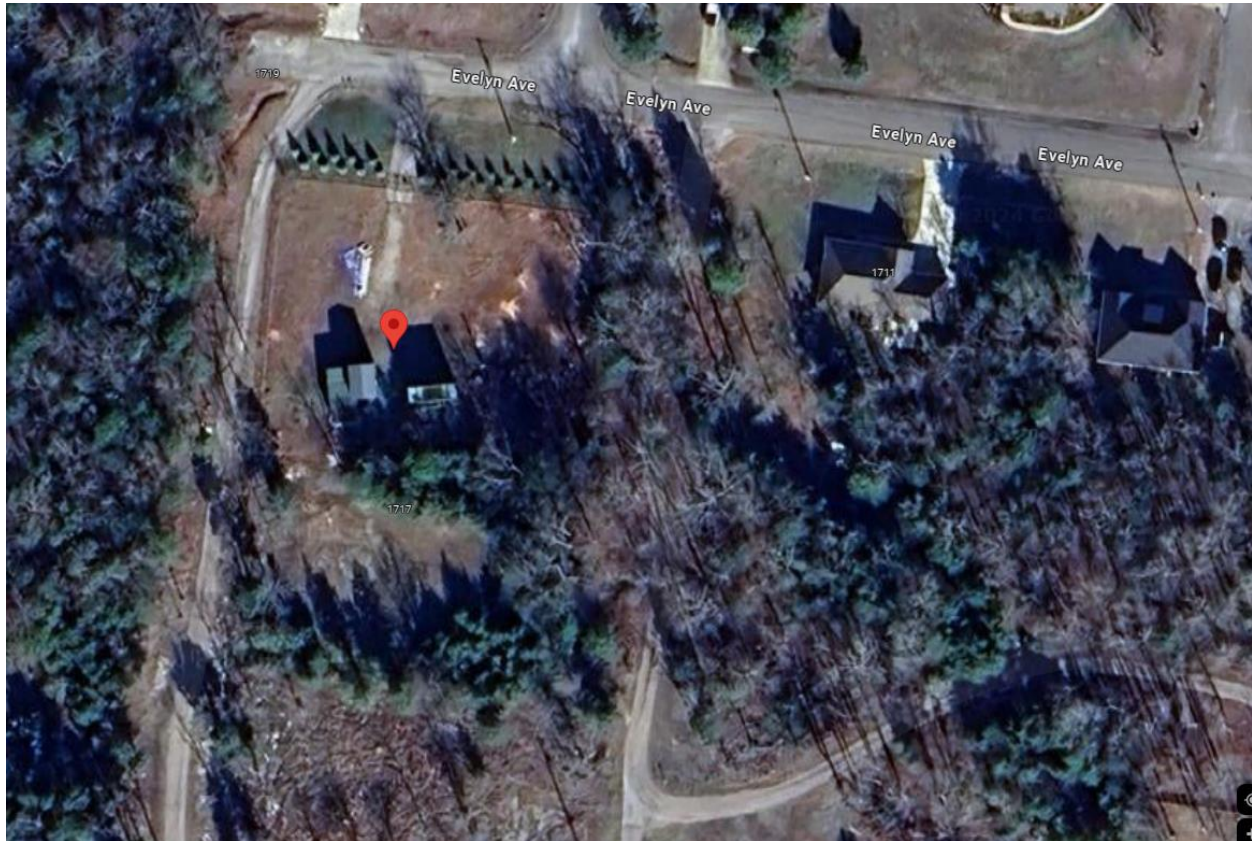
Permittee Name:	Limestone Water Utility Operating Company, LLC
Project Name:	Chapel Woods Subdivision STP
Location:	Highway 99, Chapel Hill, Marshall County, Tennessee
Design Flow:	0.05 MGD Septic tank effluent gravity collection, an anaerobic up flow reactor with the nitrification tower. Disinfection is by UV radiation and chlorination with dechlorination. Solids are returned to the anaerobic reactor, periodic transfer to POTW for disposal
Treatment Description:	
Certified Operator Grades:	STP: I; Date Rated: N/A. Rating Defined by Rule
Discharge Type:	Domestic

2. RECEIVING STREAM INFORMATION

Receiving Waterbody:	Duck River at mile 177.5			
Watershed Group:	Duck-Upper			
Hydrocode:	06040002			
Low Flow:	7Q10 = 79.64 MGD (147.98 CFS)			
Low Flow Reference:	Hydrologic Toolbox, Gage Station 03599240			
Stream Designated Uses:	<i>Domestic Water Supply</i>	<i>Industrial</i>	<i>Fish & Aquatic Life</i>	<i>Recreation</i>
	X	X	X	X
	<i>Livestock & Wildlife</i>	<i>Irrigation</i>	<i>Navigation</i>	<i>Trout</i>
	X	X		

In this permit, USGS Gage Station 03599240 provides sufficient data to characterize the low flow of the receiving stream. Gage data was analyzed with Hydrologic Toolbox and used to calculate the 7Q10 above.

In this permit, the 7Q10 flow is used instead of the 1Q10 because, at the point of discharge, the receiving stream is a significant distance downstream from the dam (Normandy Reservoir). The 7Q10 flow calculation is sufficient to show that the dilution ratio of the low river flow to treatment plant design flow is greater than 500:1, so that technology-based effluent limits apply.



FACILITY DISCHARGES AND RECEIVING WATERS

OUTFALL 001

LONGITUDE	LATITUDE

FLOW (MGD)	DISCHARGE SOURCE
0.0500	Domestic wastewater
0.0500	TOTAL DISCHARGE

**RECEIVING STREAM
DISCHARGE ROUTE**

Duck river at mile 177.5

STREAM LOW FLOW (CFS) *	7Q10	1Q10	30Q5
	147.98		175.47
(MGD)	79.64	0.00	113.41

STREAM USE CLASSIFICATIONS (WATER QUALITY)

FISH & AQUATIC LIFE	RECREATIO	IRRIGATION	LIVESTOCK & WILDLIFE	DOMESTIC WATER SUPPLY
X	X	X	X	X
INDUSTRIAL	NAVIGATION			
X				

Treatment: Septic tank Effluent Gravity Collection, Anaerobic Upflow reactor,, UV disinfection, chlorination and dechlorination

* Reference: Hydrologic Tool box US Gage station 03599240

3. PERMIT TERM REVIEW & PERMIT HISTORY

Permit Type:	Domestic
Issuance Date:	31-JAN-23
Expiration Date:	30-SEP-24
Effective Date:	01-FEB-23

See below for previous permit limits:

PARAMETER	Units	MONTHLY AVERAGE CONCENTRATION	DAILY MAXIMUM CONCENTRATION
BOD ₅ (<i>summer</i>)	mg/L	30	45
Total Suspended Solids	mg/L	30	45
Dissolved Oxygen	mg/L	1.0 (daily minimum)	
Total Residual Chlorine*	mg/L		2.0
<i>E. coli</i>	MPN/100 mL	126	487
Settleable Solids	mL/L		1.0
pH	SU	6.0 - 9.0	
Flow (MGD):	MGD	Report	Report

During the previous permit term, Division personnel from the Columbia Environmental Field Office performed a Compliance Evaluation Inspection (CEI) of the permittee's facility. The CEI was performed by Mr. Gary Horne on September 21, 2023, and the permittee was found to be in compliance. The inspection report described the treatment plant was well maintained.

Abbreviated timeline for this activity:

08/17/87	TDEC (S. Fishel) approved the sewer system construction drawings as WPN 87-0972 as Walnut Hills Dev in the Caney Creek Utility District;
06/30/08	TDEC continued reissue of this NPDES permit under the site name of Chapel Woods STP;
07/01/13	TDEC issued the permit in the name of the owner, Chapel Woods Homeowner's Association;

10/13/13	Connelly Group, Inc., a for-profit corporation whose principal address is 481 Opossum Ln, Bunnell, FL, 32110, c/o Phillip Edward Zimmerle, purchased the lot containing the STP (Map 025, Parcel 088.00) as well as undeveloped lots in the subdivision;
10/24/13	TDEC issued a Notice of Violation, pursuant to a compliance evaluation inspection on 09/26/13, for submitted MORs unsigned, identified equipment that was not functioning and/or in need of repair, and cited the permittee for not complying with failing to maintain a O & M fund, a reserve fund, a financial security, a financial audit and updated association members;
11/16/16	The Chapel Woods HOA entered into an Agreement and Indemnity Agreement with the Marshall County Board of Public Utilities enabling discontinue of water service to HOA customers who become delinquent on charges for sewer service;
12/11/17	HOA returned back to active business filing status with the Tennessee Secretary of State, # 745123;
01/19/18	The EFO-Columbia field verified, with the permittee, that a dye trace of the outfall line did not result in dye trace measurements but nonetheless demonstrated, via a tap into the outfall line at the river, that the outfall line is connected to the effluent pump station;
01/25/18	Connelly Group transferred ownership of the lot with the STP to the HOA via warranty deed;
02/02/18	Hand-delivered a certificate of deposit in the amount of \$20,000.00 as financial security;
03/29/18	Submitted a complete application for permit renewal

10/12/2022	The ownership of Chapel Woods Subdivision changed to Limestone Water Utility Operating Company, LLC from Chapel Woods Homeowner's Association.
01/31/23	DWR advised the Division of Financial Responsibility to return the \$20,000 financial security since Limestone Operating Company provides financial security to the TN. Public Utility Commission.

4. PROPOSED EFFLUENT LIMITS & RATIONALE

The conditions under which this permit was previously issued have changed.

The units for *E. coli* have been standardized to number per 100 mL (#/100 mL). Previously, the Division used either MPN/100 mL or CFU/100 mL. The identification of one of these two units indirectly created a requirement for a specific type of testing methodology. By utilizing #/100 mL unit, permittees are provided the flexibility to select the 40 CFR § 136 method that is most suitable for their operations. The limit value (number) will remain the same as the limit units are functionally equivalent. Moreover, the daily maximum limit for *E. coli* has been changed to 410 #/100 mL as a result of updated water quality criteria in Rule 0400-40-03-.03 for the protection of the recreation designated use.

4.1. CONVENTIONAL PARAMETERS

4.1.1. BOD₅

For this facility, the monthly average and daily maximum BOD₅ limits of 30 mg/L and 45 mg/L, respectively, are technology-based effluent limits for conventional secondary treatment plants (Rule [0400-40-05-.09\(1\)\(a\)](#)).

4.1.2. Settleable Solids

According to Rule [0400-40-05-.09\(1\)\(a\)](#), the concentration of settleable solids shall not exceed 1.0 mL/L.

4.1.3. Total Suspended Solids

Total Suspended Solids (TSS) is a general indicator of the quality of a wastewater and will be limited in this permit. The monthly average and daily maximum TSS

limits of 30 mg/L and 45 mg/L are technology-based effluent limits for conventional secondary treatment plants (Rule [0400-40-05-.09\(1\)\(a\)](#)).

4.2. FLOW

Monitoring of flow quantifies the load of pollutants to the stream. Flow shall be reported in million gallons per day (MGD) and monitored at the time of sample collection.

4.3. PH

According to the State of Tennessee Water Quality Standards (Chapter [0400-40-03.03\(3\)\(b\)](#)), the pH for the protection of Fish and Aquatic Life shall not fluctuate more than 1.0 unit over a period of 24 hours and shall not be outside the following ranges: 6.0 – 9.0 standard units (SU) in wadeable streams and 6.5 – 9.0 SU in larger rivers, lakes, reservoirs, and wetlands.

4.4. CHLORINATION

Chlorination is used to disinfect the wastewater in order to protect the receiving stream from pathogens. The total residual chlorine (TRC) limit is derived using the mass balance formula and the EPA acute instream protection value of 0.019 mg/L for fish and aquatic life. Applying this formula yields the following calculation for the TRC daily maximum limit:

$$\frac{0.019 (Q_d + Q_s)}{Q_d} = \text{Limit (mg/L)} = \frac{0.019(.05 + 79.64)}{.05} = 30.28 \text{ mg/L}$$

Where:

0.019 mg/L	=	acute instream protection value
79.64	=	Q _s – 7Q ₁₀ flow of receiving stream (MGD)
.05	=	Q _d – design flow of STP (MGD)

Similarly, the chronic instream protection value of 0.011 mg/L for fish and aquatic life is applied to the mass balance formula to determine the monthly average limit for TRC. Previous permits do not contain rationale for omitting this limit and may have utilized the belief that chlorine's reactivity with other compounds will ensure it does not remain in solution long enough to result in chronic exposure to fish and aquatic life. The best way to reflect that chronic exposure to harmful levels of chlorine is not occurring is reporting successful operation of the de-chlorination technology in compliance with the monthly average limit. This added limit does not entail additional sampling but rather calculation of a monthly average value

based on the sampling results in consideration of the method detection level of the test method.

$$\frac{0.011 (Qd + Qs)}{Qd} = \text{Limit (mg/L)} = \frac{0.011(.05 + 79.64)}{.05} = 17.53 \text{ mg/L}$$

When water quality is not the limiting factor due to the large dilution afforded by the receiving stream, an effluent concentration of 2.0 mg/L shall not be exceeded as an operational control of treatment facilities.

The above calculation shows that the effluent limit of 2.0 mg/L, based on good operational practices, is more stringent than the calculated water quality-based effluent limit. Therefore, the 2.0 mg/L limit applies for daily maximum limits.

4.5. AMMONIA (NH₃-N) TOXICITY

To assess ammonia toxicity impacts, the state utilizes Tennessee Rules, Chapter [0400-40-03-.03-3\(3\)\(j\)](#), dated September 11, 2019, to derive allowable instream protection values protective of chronic and acute exposures to a continuous discharge. A mass balance equation with the treatment facility, stream flows, and these allowable values determines the monthly average and daily maximum permit limits.

The temperature used in calculations is determined based on measured ambient instream temperature or is estimated according to Tennessee's Three Grand Divisions as follows: East (winter 15°C, summer 25°C), Middle (winter 17°C, summer 27°C), and West (winter 20°C, summer 30°C). A pH value of 7.5 is used.

Using temperature and pH values, the criterion continuous concentration (CCC) and criterion maximum concentration (CMC) values are calculated using the following equations:

$$CCC = 0.8876 * \left(\frac{0.0278}{1 + 10^{7.688 - pH}} + \frac{1.1994}{1 + 10^{pH - 7.688}} \right) * (2.126 * 10^{0.028 * (20 - MAX(T, 7))})$$

and

$$CMC = MIN \left\{ \left(\frac{0.275}{1 + 10^{7.204 - pH}} + \frac{39.0}{1 + 10^{pH - 7.204}} \right), \left(0.7249 * \left(\frac{0.0114}{1 + 10^{7.204 - pH}} + \frac{1.6181}{1 + 10^{pH - 7.204}} \right) * (23.12 * 10^{0.036 * (20 - T)}) \right) \right\}$$

The determined CCC and CMC values are then used in the mass balance equation as follows:

$$CCC = \frac{Q_s C_s + Q_{STP} C_{STP}}{Q_s + Q_{STP}} \quad \text{or} \quad C_{STP} = \frac{CCC(Q_s + Q_{STP}) - (Q_s C_s)}{Q_{STP}}$$

where:

CCC	=	Criteria continuous concentration (mg/L)
Q _s	=	7Q10 flow of receiving stream (MGD)
Q _{STP}	=	Design flow of STP (MGD)
C _s	=	Assumed/Measured instream NH ₃ (mg/L)
C _{STP}	=	Allowable STP discharge of NH ₃ (mg/L)

See below for calculations:

CCC Calculation: Chronic Limits			
Winter		Summer	
Temp (°C)=	17	Temp (°C)=	27
pH=	7.5	pH=	7.5
MAX Expression	17.0000	MAX Expression	27.0000
Winter CCC=	1.69	Summer CCC=	0.89
CCC - Continuous Chronic Criterion Allowable instream NH3 concentration [mg/l]			
$CCC = 0.8876 \times \left(\frac{0.0278}{1 + 10^{7.688 - pH}} + \frac{1.1994}{1 + 10^{pH - 7.688}} \right) \times (2.126 \times 10^{0.028 \times (20 - MAX(T, 7))})$			
where:	79.64	Critical Low Flow [MGD] (7Q10 value)	
	0.03	Background Ammonia Concentration [mg/L]*	
	0.05	WwTP Design Flow or long-term average flow [MGD]	
$Effluent\ Concentration = \frac{CCC \times ([Background\ Ammonia\ Concentration] + [Design\ Flow]) - ([Critical\ Low\ Flow] \times [Background\ Ammonia\ Concentration])}{Design\ Flow}$			
Therefore, the Allowable Effluent Concentrations and corresponding Amounts in winter and summer are:			
Winter		Summer	
2647.07	Concentration [mg/L]	1366.494	Concentration [mg/L]
1103.8	Amount [lb/day]	569.8	Amount [lb/day]
* In the absence of measured data, an assumed background concentration of 0.1 mg/L is used based on an Agreed Wasteload Allocation Modeling Methodology between the EPA and State of TN			

CMC Calculation: Acute Limits			
Winter Temp (°C)= 17 pH= 7.5 MAX Expression 17.0000 Winter CMC= 11.84	Summer Temp (°C)= 27 pH= 7.5 MAX Expression 27.0000 Summer CMC= 5.17		
CMC – Continuous Maximum Criterion Allowable instream NH3 concentration [mg/l]			
$CMC = MIN \left(\frac{0.275}{1 + 10^{7.204 - pH}} + \frac{39.0}{1 + 10^{pH - 7.204}} \right),$ $0.7249 \times \left(\frac{0.0114}{1 + 10^{7.204 - pH}} + \frac{1.6181}{1 + 10^{pH - 7.204}} \right) \times (23.12 \times 10^{0.036 \times (20 - T)})$			
where: 79.64 Critical Low Flow [MGD] (7Q10 value) 0.03 Background Ammonia Concentration [mg/L] 0.05 WWTTP Design Flow or long-term average flow [MGD]			
Effluent Concentration = $\frac{CCC \times ([Background Ammonia Concentration] + [Design Flow]) - ([Critical Low Flow] \times [Background Ammonia Concentration])}{Design Flow}$			
Therefore, the Allowable Effluent Concentrations and corresponding Amounts in winter and summer are:			
Winter 18829.43 Concentration [mg/L] 7851.9 Amount [lb/day]		Summer 8192.420 Concentration [mg/L] 3416.2 Amount [lb/day]	
* In the absence of measured data, an assumed background concentration of 0.1 mg/L is used based on an Agreed Wasteload Allocation Modeling Methodology between the EPA and State of TN			

Based on the ammonia values in the application submitted by the permittee and the above calculated NH3-N concentration limits based on the new critical low flow of the stream, the facility has no reasonable potential to create toxic conditions in the stream due to ammonia. Hence, The Division is not including ammonia limits at this time.

4.6. TOTAL NITROGEN AND TOTAL PHOSPHORUS

The Division is not including nutrient monitoring and reporting at this time in association with its state-wide nutrient reduction effort. For small domestic systems who may apply using Form 2E (facilities which do not discharge process wastewater), the Division will generally make a conservative estimate and not require effluent monitoring and reporting. However, effluent characterization may be requested pursuant to T.C.A. § 69-3-107(10) by the Division during the permit term or included in a permit action with site-specific rationale for its inclusion.

In coordination with the NRF and in recognition that meeting nutrient limits may require changes in plant operations, the Division has created the Tennessee Plant Optimization Program (TNPOP), which is a free program created to provide technical assistance and other resources to participating wastewater treatment plants. TNPOP can help wastewater treatment plants optimize energy use and nutrient removal, which can result in cost and energy savings. Interested facilities



should visit the Division's TNPOP website for a program description, frequently asked questions, and information on how to apply.

4.7. *E. COLI*

Disinfection of wastewater is required to protect the receiving stream from pathogenic microorganisms. *E. coli* is used as an indicator organism as a measure of the bacteriological health of a receiving stream and the effectiveness of disinfection. Both the geometric mean and daily maximum are limited for *E. coli* in accordance with Rule [0400-40-03-.03](#). While the Rule retains the geometric mean for *E. coli* of 126 cfu/100 mL, the maximum has been changed. Formerly, the *E. coli* daily maximum limit of 487 colony forming units (cfu) per 100 mL applied to lakes and exceptional Tennessee waters, while a daily maximum limit of 941 cfu/100 mL applied to all other recreational waters.

In November 2022, the Tennessee Board of Water Quality, Oil, and Gas adopted a new maximum criterion to align with U.S. Environmental Protection Agency national recommended criteria. That criterion will apply to Tennessee waters to protect the recreation use designation effective March 17, 2024. EPA established a statistical relationship between number of colony forming units and percent of time when such numbers were observed in any 30-day period. The new criterion of 410 cfu/100 mL corresponds to no exceedances in more than 10% of samples during any 30-day interval for all receiving waters.

Tennessee has historically applied water quality standards for pathogens at the outfall of POTWs so that a discharger can demonstrate that it is not contributing to any violation of the criterion in the receiving waterbody. The Division therefore proposes to apply the new criterion as a daily maximum of 410 cfu/100 mL in accordance with EPA guidance and retains the monthly geometric mean for *E. coli* of 126 cfu/100 mL.

The units for *E. coli* have been standardized to #/100 mL, which is functionally equivalent to colony forming units.

4.8. UPSET AND BYPASS REPORTING

State regulations at [0400-40-05-.07\(2\)](#) establish "standard conditions". These standard conditions include 0400-40-05-.07(2)(l) and (m) pertaining to bypass and 0400-40-05-.07(2)(p) pertaining to upset.

5. OTHER PERMIT REQUIREMENTS AND CONDITIONS

5.1. CERTIFIED WASTEWATER TREATMENT OPERATOR

The waste treatment facilities shall be operated under the supervision of a Grade I certified wastewater treatment operator in accordance with the Water Environmental Health Act of 1984. Operator grades are under jurisdiction of the Water and Wastewater Operators Certification Board. This NPDES permit is under jurisdiction of the Tennessee Board of Water Quality, Oil and Gas. Operator grades are rated and recommended by the Division of Water Resources pursuant to Rule [0400-49-01](#) and are included in this fact sheet for reference. The grades are intentionally not specified in the permit so that the operation certification board can authorize changes in grade without conflicting with this permit.

5.2. PERMIT TERM

In order to meet the target reissuance date for the Duck-Upper watershed and following the directives for the Watershed Management Program initiated in January 1996, the permit will be issued to expire in 2029.

6. ANTIDegradation STATEMENT / WATER QUALITY STATUS

Tennessee's Antidegradation Statement is found in the Rules of the Tennessee Department of Environment and Conservation, Chapter [0400-40-03-.06](#). It is the purpose of Tennessee's standards to fully protect existing uses of all surface waters as established under the Act.

Stream determinations for this permit action are associated with the waterbody segment identified by the Division as segment ID# TN06040002010_1000.

The Division has made a determination of the receiving waters associated with the subject discharge(s) and has found the river to be an exceptional Tennessee water. No permanent degradation of water quality above the level of *de minimis* will be allowed unless the applicant demonstrates to the Division that the degradation is for necessary economic or social development and will not interfere with or become injurious to any existing uses. The specific requirements for this demonstration are described in the Rules of the Tennessee Department of Environment and Conservation, Chapter 0400-40-03-.06(4).

The Division has made a water quality assessment of the receiving waters associated with the subject discharge(s) and has found the receiving stream to be neither an exceptional nor outstanding national resource water. Additionally, this

water partially/does not support(s) designated uses due to *E. Coli* from Grazing in riparian or shoreline zones.

No TMDLs have been developed and approved for this waterbody segment. The *E. coli* TMDL approved 10/17/18 encompasses a different segment of the Duck River.

On September 3, 2024, the permittee submitted an analysis of reasonable alternatives to the continued treated wastewater discharge into the Duck River at mile 177.5, as required for Exceptional Tennessee Waters by Rule [0400-40-03-.06\(c\)](#).

The permittee has examined other alternatives and chosen the current method of discharge as the most cost effective and feasible solution to wastewater disposal at this time. The Division agrees with the permittee's alternatives analysis.

7. COMPLIANCE SCHEDULE SUMMARY

Permit Section	Description
1.3	MOR Reports, monthly
1.3	Sign up for NetDMR during permit cycle
3.2	Sludge management practices, monthly
3.3	Placement of sign(s) within 60 days of permit effective date