# BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION AT NASHVILLE, TENNESSEE

IN RE: ISHA FOUNDATION, INC.	)	
PETITION OF DETERMINATION	)	
	)	
	)	
	)	22-00099
	)	DOCKET NO.
TO DETERMINE THAT A	)	
CERTIFICATE OF PUBLIC	)	
CONVENIENCE AND NECESSITY IS	)	
NOT REQUIRED FOR ISHA's	)	
PROGRAM ACCOMMODATION	)	
BLOCK	)	

## **PETITION OF DETERMINATION**

Pursuant to Tenn. Code Ann. 65-2-103, et seq. and Tenn. Code Ann. 65-4-201, et seq (collectively, the "Code"), Isha Foundation, Inc., a Tennessee Nonprofit Corporation, ("Petitioner"), by and through counsel, submits this Petition of Determination ("Petition") requesting the Tennessee Public Utility Commission ("Commission" or "TPUC") to determine that a Certificate of Public Convenience and Necessity ("CCN") is not required or necessary for Petitioner's proposed Program Accommodations Block project to be located on a portion of real property known as Isha Campus, and being more particularly described in Section II(6) hereof ("Project"). In support of Petitioner's position that a CCN is not required, Petitioner states as follows:

I.

## DESCRIPTION OF PETITIONER, ISHA FOUNDATION, INC

1. Petitioner is a Tennessee Nonprofit corporation formed on November 23, 1998.

- 2. The President of Isha Foundation, Inc. is Kalpana Rajdev.
- 3. Petitioner's principal place of business is located at 951 Isha Lane, McMinnville, TN 37110.
- 4. Petitioner's services include, but are not limited to, managing, supervising, and obtaining entitlements, consents, licenses, permits, and approvals necessary for the operation of the Project.
- 5. All correspondence and communication with respect to this Petition should be sent to the following:

Isha Foundation, Inc. Attn: Kalpana Rajdev 951 Isha Lane McMinnville, TN 37110 Email: kalpana@ishausa.org

Austin, Davis & Mitchell
Attn: Thomas K. Austin
PO BOX 666
Dunlap, TN 37327
Email: taustin@austindavismitchell.com
(423) 949-4159 (office)
(423) 949-4589 (fax)

II.

#### DESCRIPTION OF PROJECT AND SYSTEM

- 6. Petitioner has a permit from Warren County to construct the Project, which is described as the Program Accommodations Block at 951 Isha Lane, McMinnville, TN 37110 which will consist of 900 studios to be used as program accommodations by Petitioner.
- 7. The purpose of the Project is to provide additional program accommodation space for members of the public attending the programs conducted onsite by Petitioner at the Isha Campus.

- 8. Petitioner has engaged Site Engineering Consultants, Inc. as the consulting engineers for the proposed Project and waste water system ("System").
- 9. The proposed System servicing the Project will consist of an onsite non-traditional wastewater treatment and drip disposal system, septic tanks, pump tanks, recirculating packed bed treatment filters, ultraviolet disinfection back-up storage pond, subsurface drip irrigation disposal field, and reserve subsurface drip irrigation disposal field.
  - 10. The estimated peak daily wastewater flow is 115,250 gallons per day.
- 11. The System will not serve any permanent residences and will be constructed to serve only the Project.
- 12. The System will be privately owned by Petitioner and Petitioner will contract with a licensed and certified operator to perform the day-to-day operations, maintenance, and periodic testing of the system in accordance with the Permit, as hereafter defined.
- 13. The System will not serve as a public utility (as defined in the Code) providing wastewater service.
- 14. Petitioner will not charge or collect any fees, rates, or dues for use of the System, and if Petitioner, in the future, considers providing public utility services, Petitioner shall promptly file a petition for a CCN pursuant to the Code and Commission's rules and regulations.
  - 15. Petitioner has the financial capability to construct and install the System.
- 16. Petitioner has made application with the Tennessee Department of Environment and Conservation to obtain the State Operating Permit ("Permit") for the System, which is attached hereto as Exhibit C, and incorporated herein by reference.
  - 17. In further support of its Petition, the following exhibits are attached hereto:
    - a. Exhibit A: Pre-Filed Testimony of Kalpana Rajdev

b. Exhibit B: Site Plan for the Project

c. Exhibit C: Application for Draft State Operating Permit

d. Exhibit D: Letter from Jamie Reed P.E, R.L.S. dated October 12, 2022.

THEREFORE, Petitioner respectfully requests:

1. That the Commission determine that a CCN is not required for the construction, installation, or operation of the System for the Project;

2. That the Commission provide written confirmation to Petitioner that a CCN is not required so that Petitioner may submit the same to the Tennessee Department of Environment and Conservation and any other regulatory agencies or municipalities involved with approving the Project and the System; and

3. That the Commission grants such other and/or further relief as may be warranted.

This the 13 day of October, 2022.

Respectfully, Submitted,

Austin, Davis & Mitchell

Thomas K. Austin BPR#31009

Counsel for Petitioner

PO BOX 666

Dunlap, TN 37327

## **VERIFICATION OF PETITIONER**

I, Kalpana Rajdev, President of Isha Foundation, Inc., a Tennessee Nonprofit corporation, the Petitioner, verify that based on information and belief, I have knowledge of the statements in the foregoing Petition, and I declare that they are true and correct.

Sworn to and subscribed before me, the undersigned Notary Public, on this 12<sup>11</sup> day of 2022.

Manuelallallalasla Notary Public

My commission expires:

august 27, 2025

## CERTIFICATE OF SERVICE

The undersigned herby certifies that a true and exact copy of the forgoing has been served upon the person(s) listed below this day of <u>Octobel</u>, 2022

Chairman Herbert H. Hilliard Tennessee Public Utility Commission 502 Deaderick, 4<sup>th</sup> Floor Nashville, Tennessee 37243

Thomas K. Austin

# EXHIBIT A

Pre-Filed Testimony of Kalpana Rajdev

# BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION AT NASHVILLE, TENNESSEE

IN RE: ISHA FOUNDATION, INC.	)	
PETITION OF DETERMINATION	)	
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CONVENIENCE AND NECESSITY IS	)	
NOT REQUIRED FOR ISHA's	)	
PROGRAM ACCOMMODATION	)	
BLOCK	)	

## PRE-FILED TESTIMONY OF KALPANA RAJDEV

- Q1. What is your name and business address?
- A. My name is Kalpana Rajdev. My business address is 951 Isha LN, McMinnville, TN 37110.
- Q2. What is your relationship to Isha Foundation, Inc.
- A. I am the President of Isha Foundation, Inc. ("Isha").
- Q3. Have you previously filed testimony before this Commission or any other commission?
- A. No.
- Q4. Please state your educational and professional background.
- A. I am a medical doctor, specializing in Family Medicine and Geriatrics. I worked in long term care setting as Medical Director of two skilled care nursing homes for 15 years.
- Q5. How long has Isha Foundation, Inc. been in existence?
- A. Isha has been in existence since November 23, 1998.
- Q6. What is the purpose of Isha Foundation, Inc.?
- A. Isha is an internationally recognized non-profit 501(c)(3) charitable organization whose primary mission is to improve the physical, mental and spiritual well-being of all individuals

regardless of religion, race, creed, age or gender. Established over thirty-five years ago by Sadhguru Jaggi Vesudev, today Isha is run by 11 million volunteers in more than 300 city centers across the world. At the core of the Isha's activities is a customized system of physical exercises and meditations called Isha Yoga which distills powerful yogic methods for young and old alike, creating peak physical, mental and spiritual well-being. Isha also implements several large-scale human service projects to support individual growth, revitalize the human spirit, rebuild communities, and restore the environment. Isha's numerous charitable activities and community outreach have gained international accolades and have been recognized by the United Nations and governments throughout the world.

Isha is also responsible for obtaining the necessary entitlements, consents, permits, licenses, and approvals related to the proposed Rural Retreat Project and also for coordinating the installation and construction of the Project's infrastructure, wastewater system, and other improvements related to the Project.

## Q7. Please describe the proposed project to be located at 951 Isha Lane.

A. The proposed project is a part of a rural retreat campus maintained by Isha at 951 Isha Lane, TN 37110 ("Isha Campus"). The Isha Campus has meditation halls for conducting residential yoga programs, hiking trails, a wellness center, and dining facilities serving healthy vegetarian meals for daily visitors. Isha receives more than 12,000 visitors every year at the Isha Campus. In addition, Isha conducts residential programs for approximately 5000 program participants each year. The proposed project of studio buildings ("Project") is critically needed to increase accommodations for the growing number of Isha residential programs offered to the public. The proposed wastewater system servicing the Project will consist of an on-site non-traditional wastewater treatment and drip disposal system, septic tanks, pump tanks, recirculating sand filter, ultraviolet disinfection, subsurface drip irrigation disposal field, and reserve subsurface drip irrigation disposal field ("System"). The estimated peak daily wastewater flow is 115,250 gallons per day.

# Q8. What is the purpose of the Petition Isha Foundation, Inc. has filed?

A. That the Commission determine that a CCN is not required for the construction, installation, or operation of the System for the Project, which would allow Isha to proceed with obtaining the necessary approvals, licenses, permits, and consents from the Tennessee Department of Environment and Conservation, Warren County Planning Commission, and any other regulatory bodies and municipalities having jurisdiction over the Project and System.

# Q9. What is the purpose of your testimony in this proceeding?

A. The purpose of my testimony is to provide information on Isha and explain the intent and scope of the Project and System.

## Q10. What is the status of the Project?

A. The Project will have a total of six (6) buildings of which construction has already begun on two (2) of the buildings (84 units each). One of the buildings is expected to be finished by early next year and the other by the middle of the next year.

- Q11. Will the System be provided as a public utility?
- A. No. The System will not serve as a public utility providing wastewater service. The System will be privately owned, will not serve any permanent residences, and will be constructed to serve only the Project.
- Q12. Will the Petitioner charge, collect fees, rates, or dues for the use of the System?
- A. No. Petitioner will not charge or collect any fees, rates, or dues for use of the System. If Petitioner, in the future, considers providing public utility services, Petitioner will promptly file a petition for a CCN pursuant to the Code and Commission's rules and regulations.
- Q13. Who will own, operate, and maintain the System?
- A. The System will be privately owned by Petitioner. Petitioner will contract with a licensed and certified waste treatment operator to perform the day-to-day operations, maintenance, and periodic testing of the System in accordance with the Permits and the Water Environmental Health Act of 1984.
- Q14. Are you sponsoring any exhibits other than this Pre-Filed Testimony?
- A. Yes. I am sponsoring the following exhibits:

Exhibit B: Site Plan for Isha Foundation, Inc.

Exhibit C: Application for Draft State Operating Permit

Exhibit D: Letter from Jamie Reed P.E, R.L.S. dated October 12,

2022

Q15. Were the exhibits listed above prepared by you or under your direction and supervision?

A. Yes.

- Q16. What do you recommend with regard to the Petition?
- A. I recommend that the Petition be approved to not require a CCN.
- Q17. Does this complete your testimony?
- A. Yes, and I am ready to provide any additional information the Commission may need in making its decision.

## **AFFIDAVIT**

My name is Kalpana Rajdev and the attached direct testimony is true and correct to the best of my knowledge.
Hepan Fijar
State of Tennessee County of Warren
On the 12th day of October, 2022, personally appeared before me Manuda Michaeler notary public, the above named Kalpuka Rajello known to me personally who was duly sworn and on oath executed the above Affidavit.
Notary
My commission expires: Aug 27, 2025.
STATE STATE OF TENNESSEE NOTARY PUBLIC PUBLIC A

# EXHIBIT B SITE PLAN

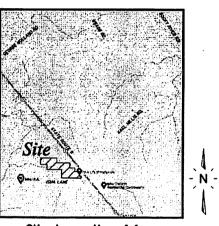
# Isha Studios

Wastewater Treatment, STEP System Collection and Drip Dispersal Plans Van Buren County, Tennessee S.O.P. No. \_\_\_\_\_ **Construction Drawings** 

#### Drawing Index

Sheet No. C0.0 **Cover Sheet** C0.1 Master Plan STEP Collection Plans C1.0-1.7 **Wastewater Treatment Plans** C2.0-2.7 C3.0 Notes & Details C3.1-3.9 STEP Details





Site Location Map

#### Owner/Developer:

Sectomber Bloom INC. 118 Sera Lane code TN 37110

#### Floodplain Note:

No Portion Of This Site Lies Within The 100 Year Flood Plain

#### **Total Site Land Data:**

Total site area: ±31.01 Acres Phone 2 Bags D. E. & F.

#### Yard Requirements:

Feet 30

#### Deed Reference:

The property shows horeon is Tax Map 110, Parcel 24.00 in Va Buren County, as recorded in R.B. 350, Pg 780

#### STEP Design:

Total Soil Required = 19.84 Acres Total Soil Provided = 22.95 Acres

Minimum Design Flow = 1130 Bedrooms x 100 god/Room + 150 Employees / Quest x 15 god/person = 115,250 god Design Loading Soil Rate = 0.2 gat's! Required Land Application Area = 13.23 Acres Proposed Land Application Area = 13.23 Acres equited Land Reserve Area = 661 Acres eed Land Receive Area = 5.81 Acres

#### Contacts:

#### Survey/Engineer/Planning:

See Engineering Co Phone: (615) 690-7901

#### Caney Fork Electric Co-Op Inc:

\$20 Smithville Highway McMinoville, TN 37110

#### **Warren County Utility District:**

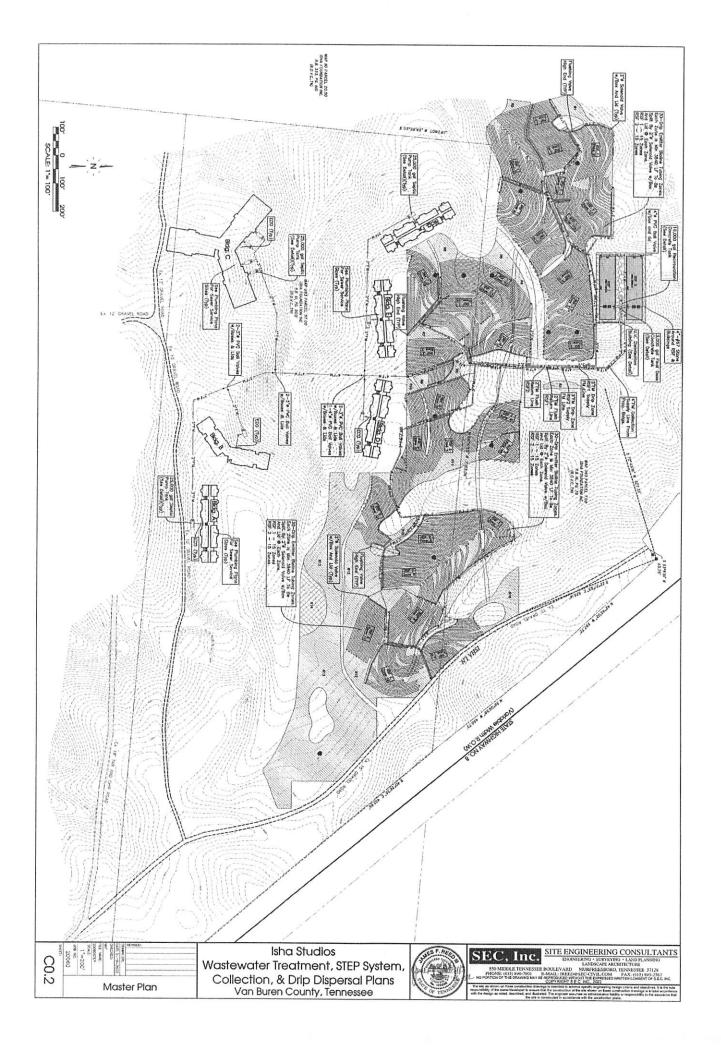
Anthony Petham 4034 Sparts Highway McMicroville, TN 37110 Phone: (931))-653-4175

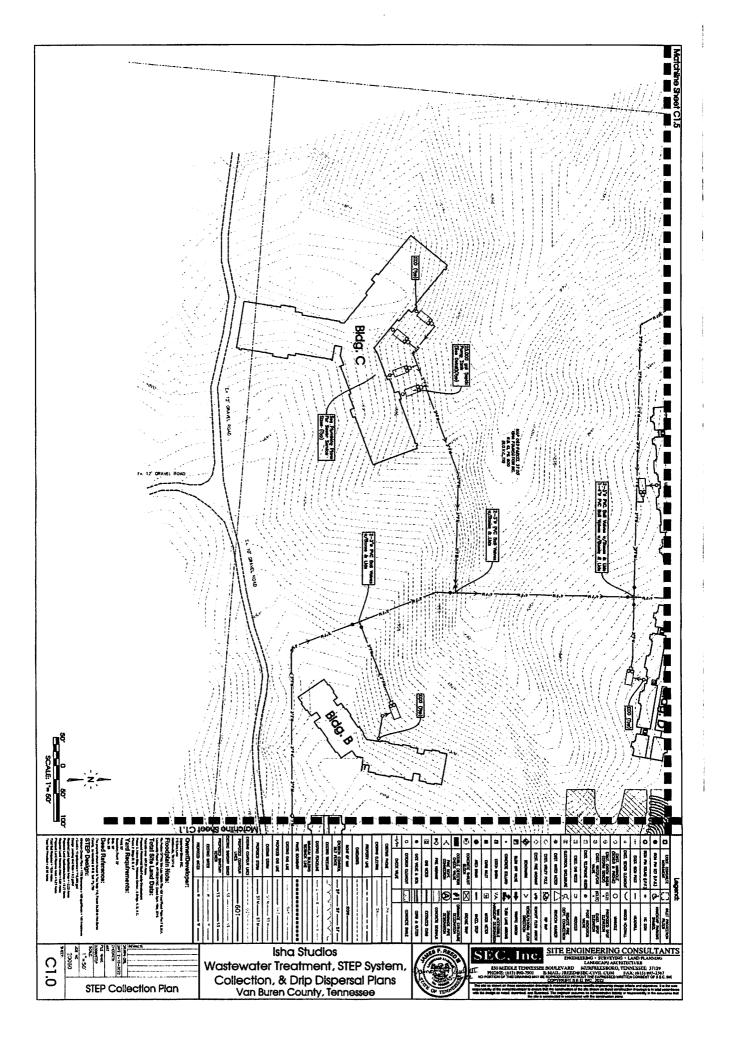
SITE ENGINEERING CONSULTANTS

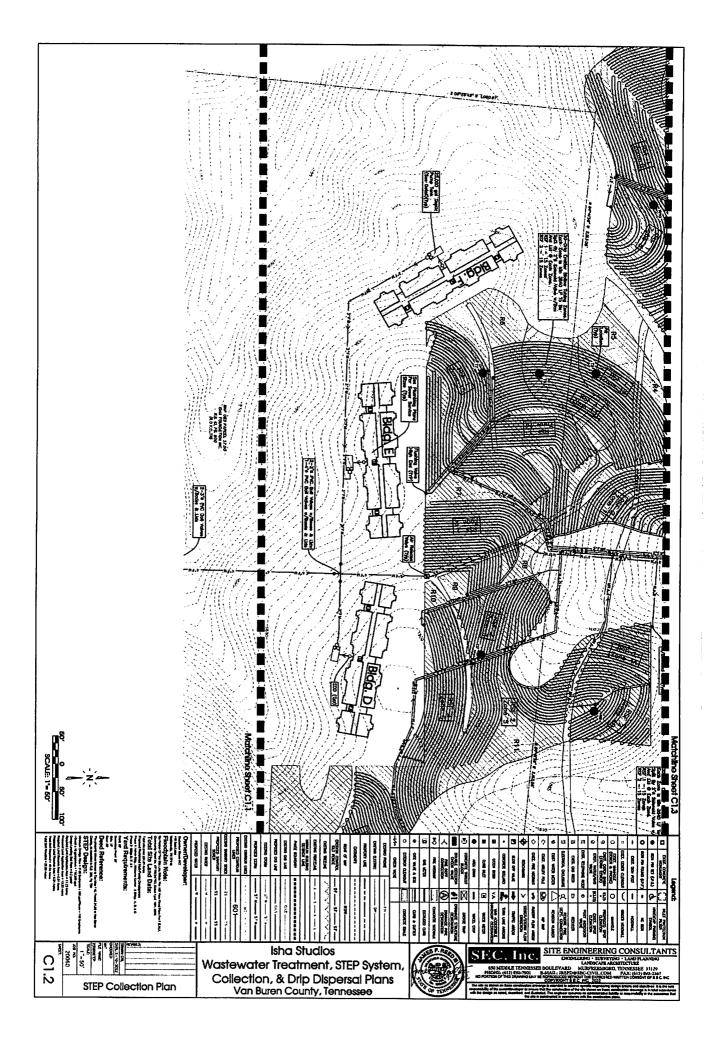
ING MIDDLE TENNESSEE BOILEVARD MURFREESBORD, TENNESSEE 17129

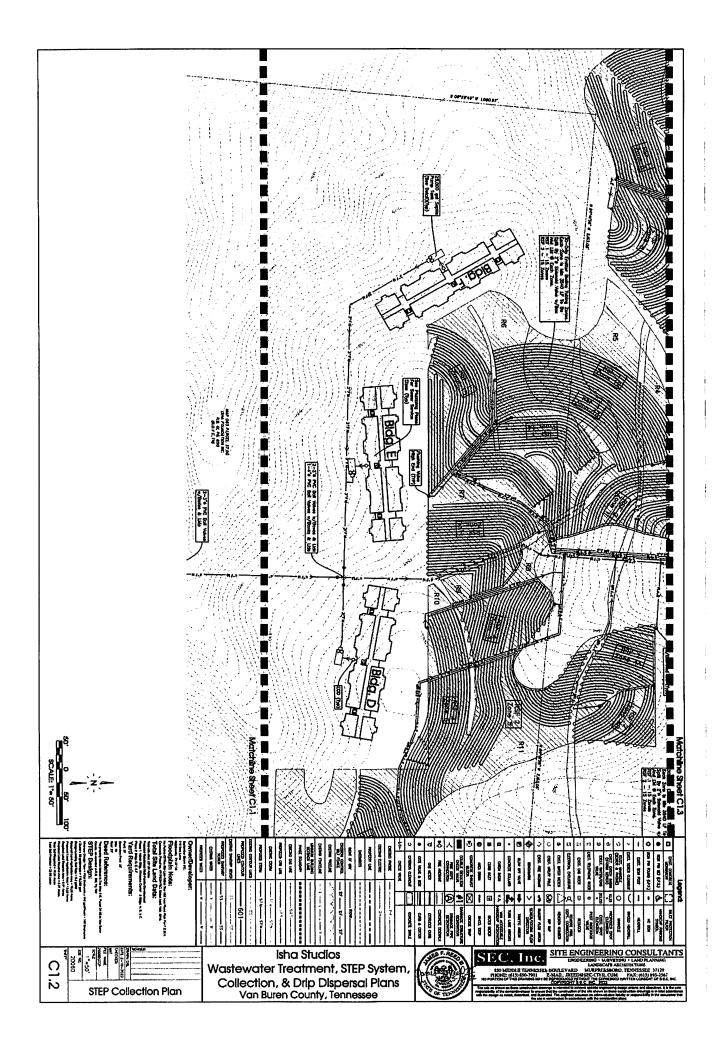
Br. Parmer J. VardTIE Date: May 26, 2012 James F. Reed III, P.E. TN. Reg. #109038

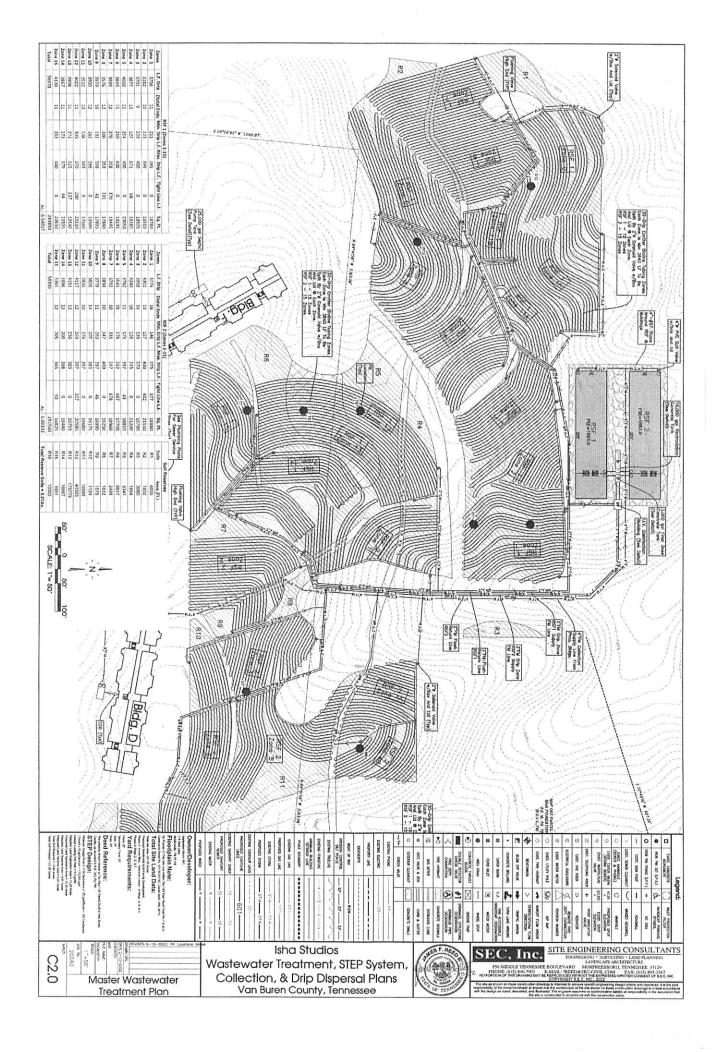


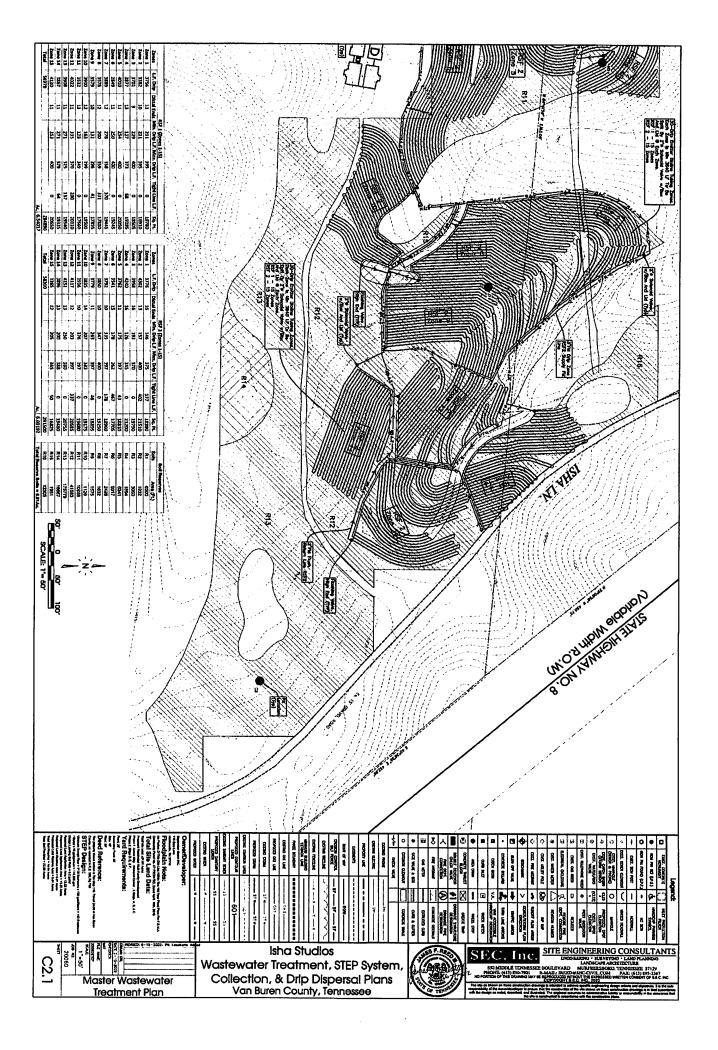


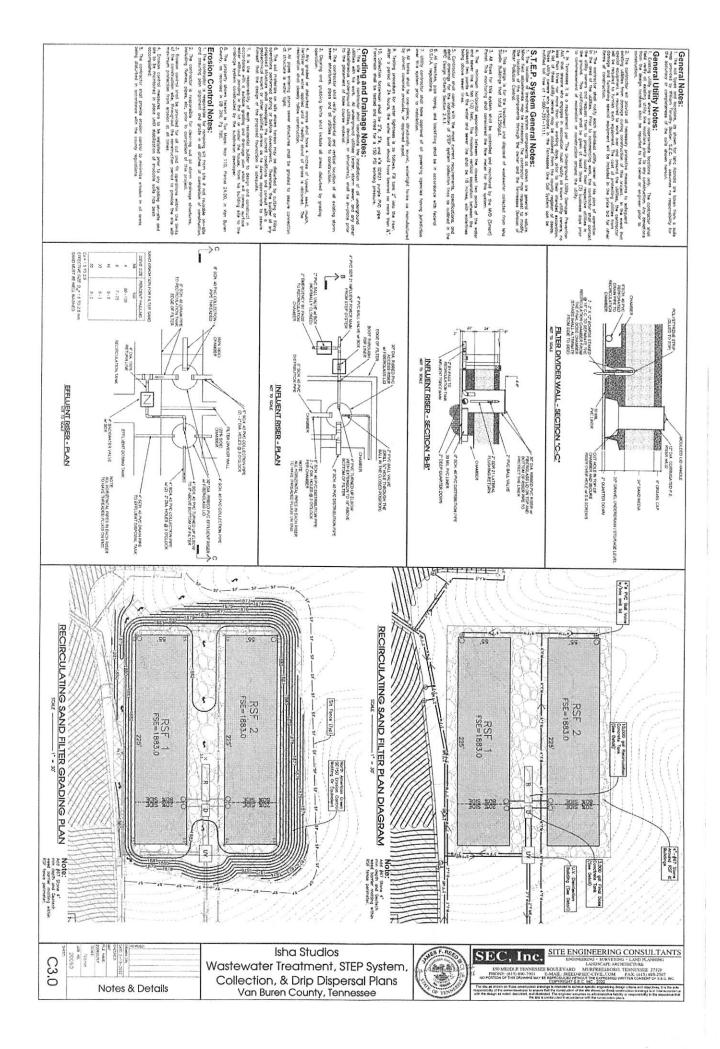


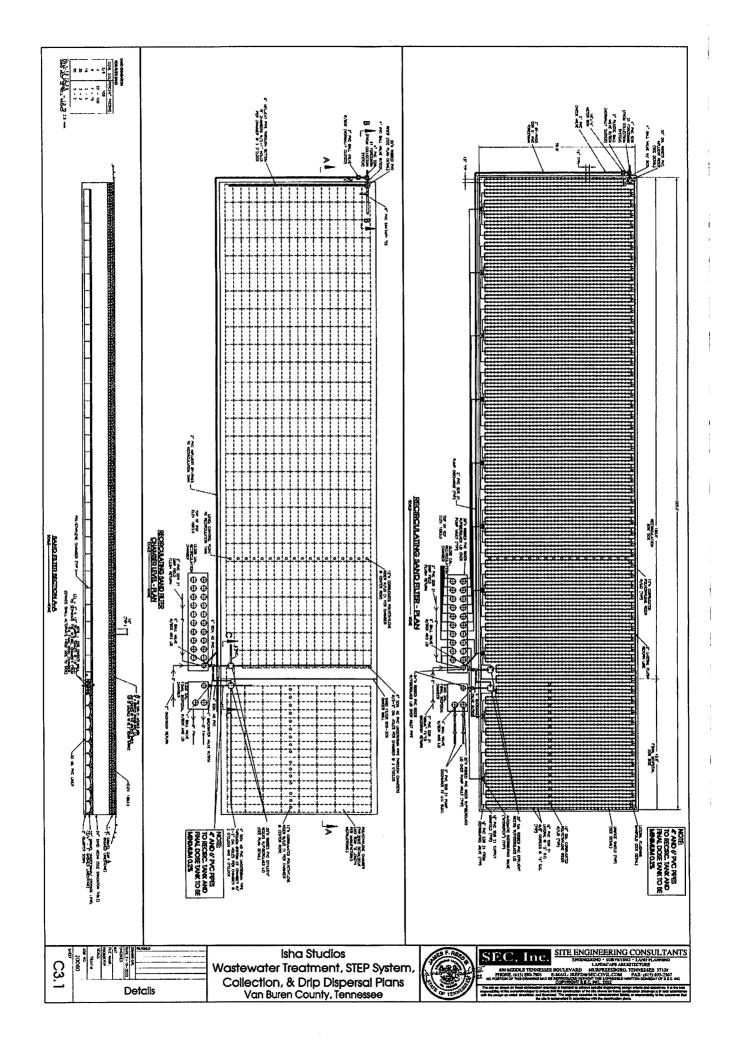


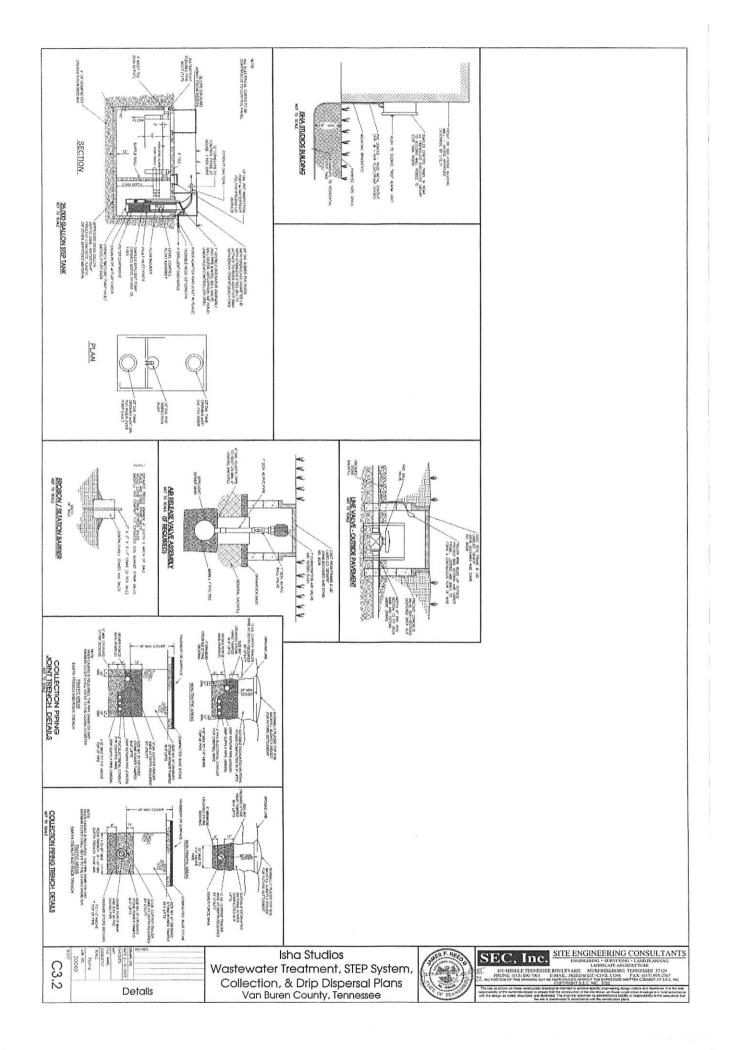


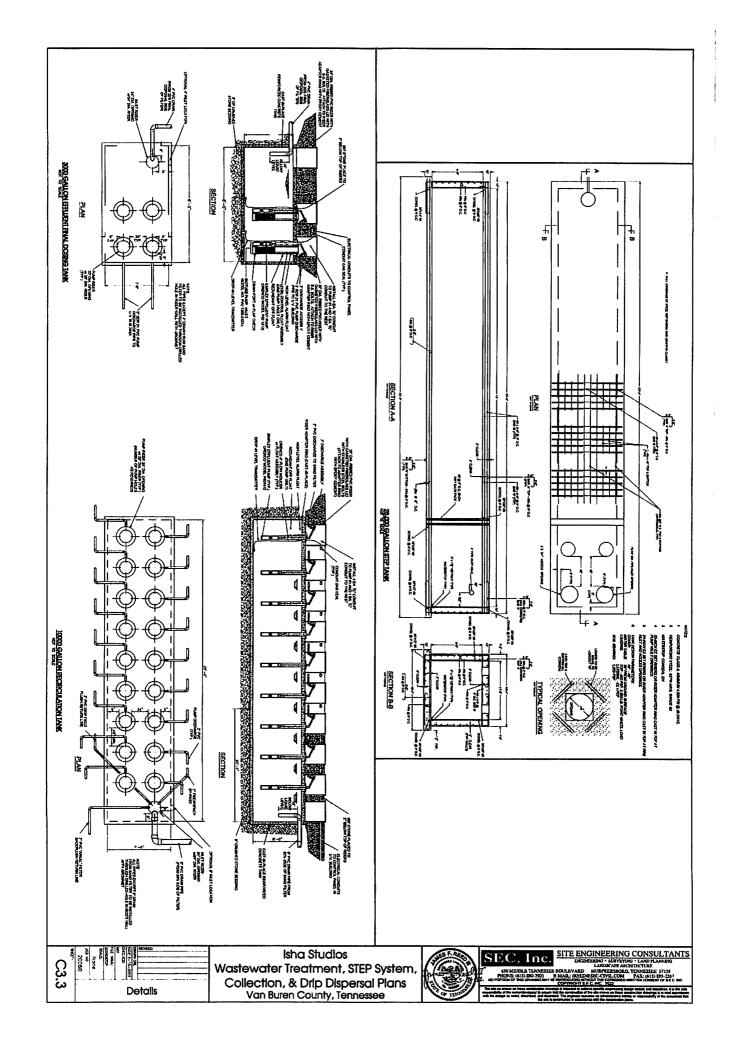


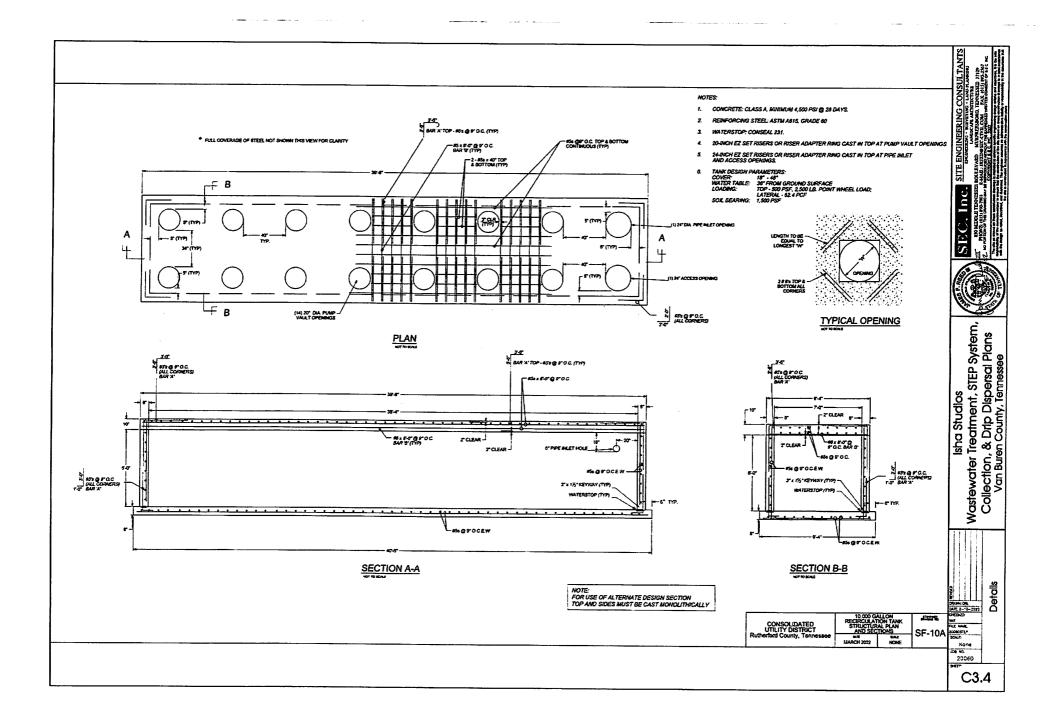


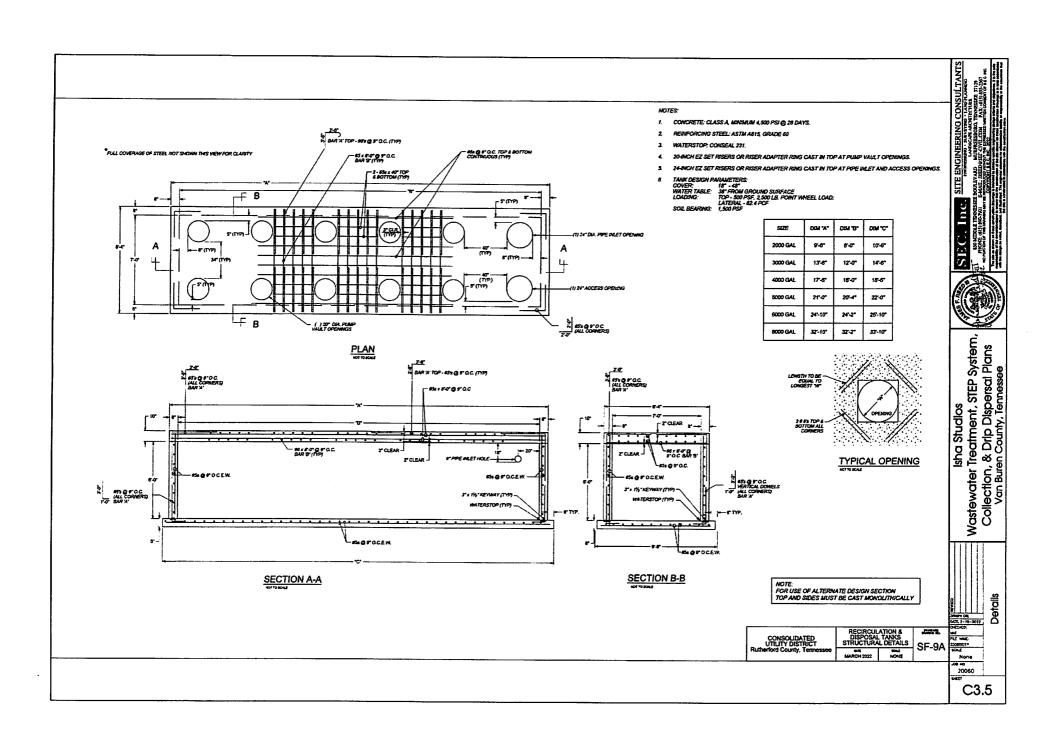


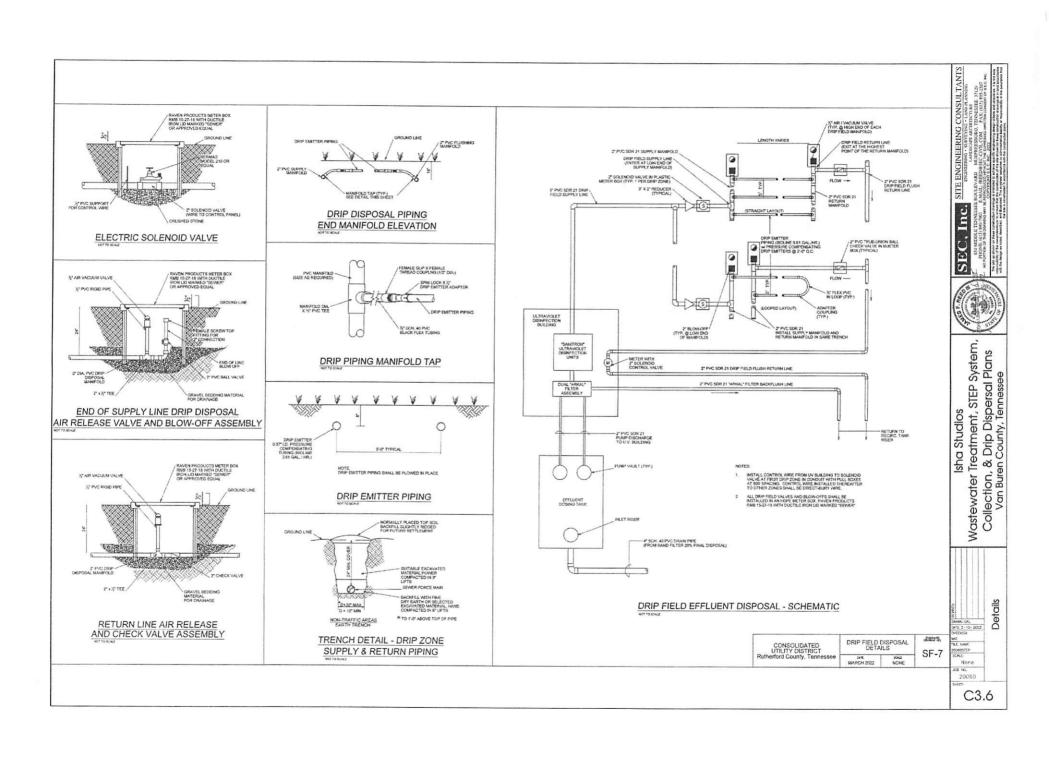


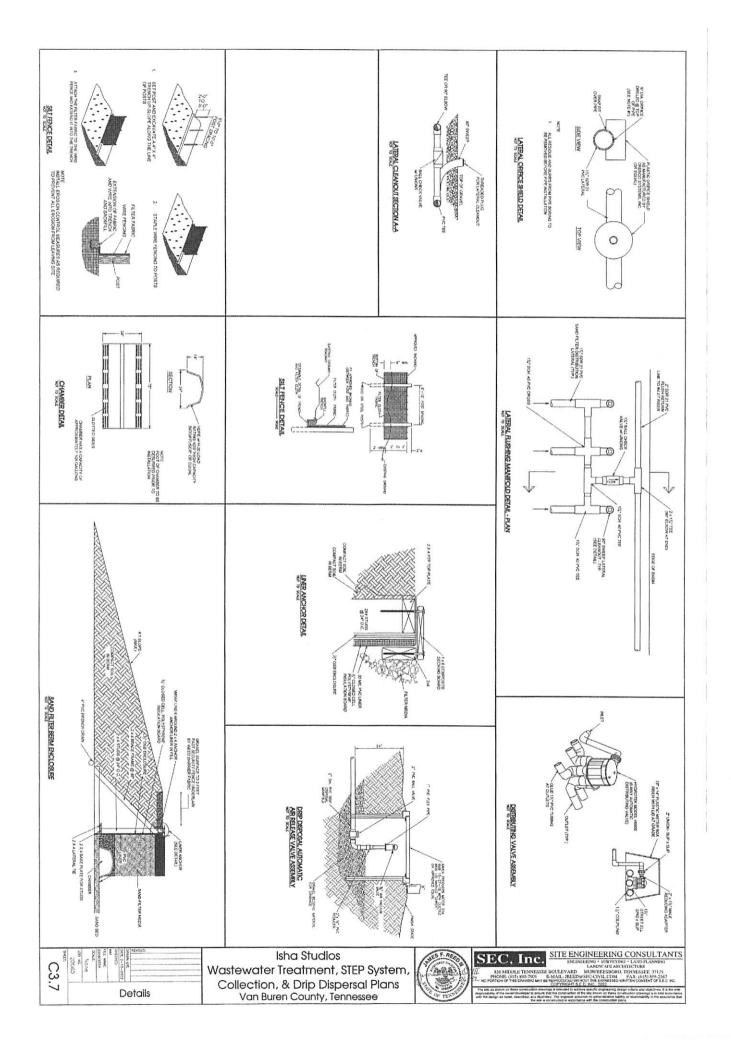


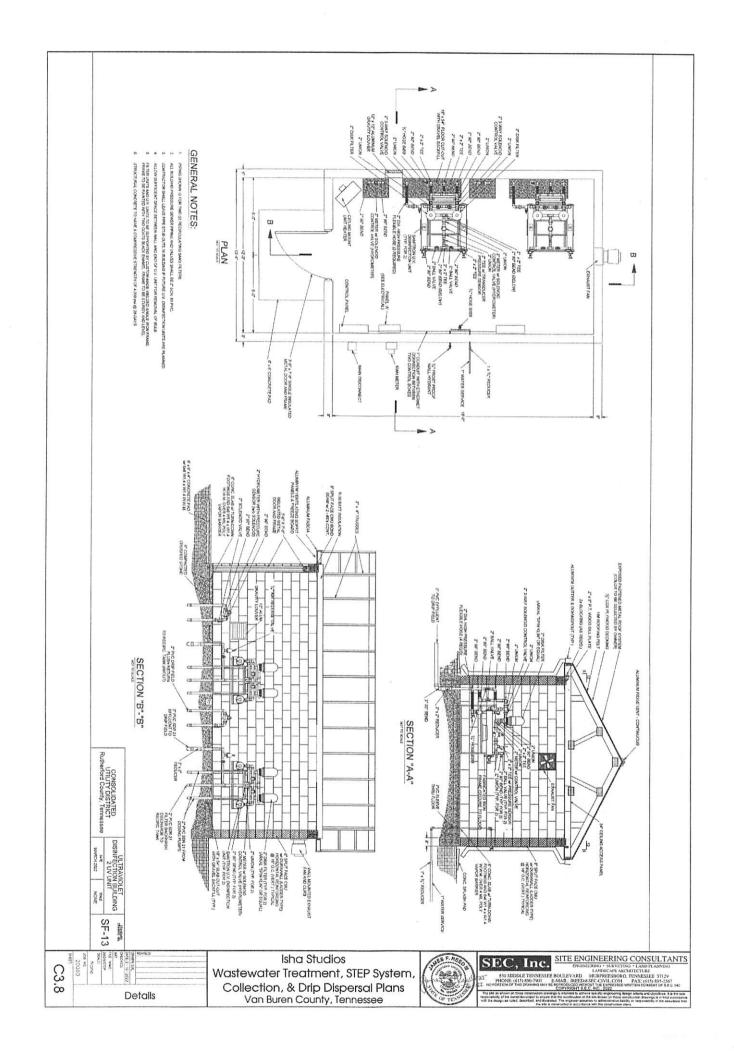


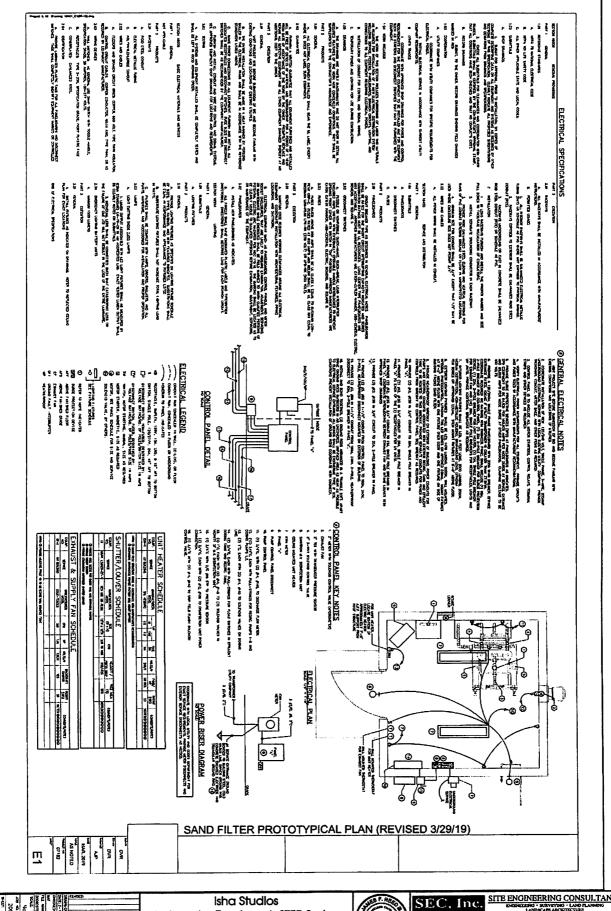












Section of the sectio

isna Studios
Wastewater Treatment, STEP System,
Collection, & Drip Dispersal Plans
Van Buren County, Tennessee



SEC, Inc. SITE ENGINEERING CONSULTANTS

DOGGLERO'S REVETED LAD FLOREST

ESO MIDGLE TROCKETE DOLLEVARD MITTERSTRUCK, TEXNESSEE 1711/y

PRIOTICE (61) 193-7910 DAMLE, REPORTSCYVILCOM F. REV. (191) 193-191

PRIOTICE OF DEL TROCKETE DOLLEVARD MITTERSTRUCK, TEXNESSEE 1711/y

PRIOTICE (61) 193-7910 DAMLE, REPORTSCYVILCOM F. REV. (191) 193-195

PRIOTICE OF DEL TROCKETE DOLLEVARD MITTERSTRUCK, TEXNESSEE 1711/y

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# EXHIBIT C APPLICATION FOR DRAFT STATE OPERATING PERMIT

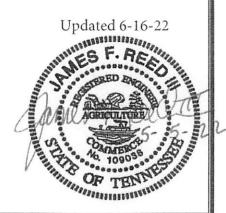


# STATE OPERATING PERMIT APPLICATION SOP

ISHA Studios Treatment Facility
Recirculating Media Filter & Drip Dispersal
951 ISHA Lane

IRM Utility
Van Buren County, TN





# **Table of Contents**

Section	<u>Title</u>
1.0	SOP Permit Application
2.0	Area of Review
3.0	Ground Water General Description
4.0	Population General Description
5.0	Nature of Fluid
6.0	General Location of Publicly Supplied Water
7.0	Description of System
8.0	Nature and Type of System
9.0	Flow Schematic

# 1.0 SOP Permit Application



# 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 (615) 532-0625

# **APPLICATION FOR A STATE OPERATION PERMIT (SOP)**

	Type of application:	⊠ New Permit	Permit Reissuance	e Permit Modif	fication
to the provis		ne of city, town, indu Code Annotated Sec			applying, according the Tennessee
Permittee Name (applicant):	ISHA Foundation	1			
Permittee Address:	951 ISHA Lane, N	AcMinnville, TN			
Official Conta			Title or Position	•	
Mailing Addr <b>951 Isha Lar</b>			City: McMinnville	State: <b>TN</b>	Zip: <b>37110</b>
Phone numb 931-636-308	• •		E-mail: saran@ishausa.org		
Optional Cor Jeffrey W. C			Title or Position: Vice President		
Address: 7709 Edward	ds Pl Blvd	***************************************	City:         State:         Zip:           Corryton         TN         37721		
Phone numb	per(s): <b>865 712 4307</b>		E-mail: <u>IRMUtili</u>	ty@gmail.com	
Application 40-0505)	n Certification (r	nust be signed in	accordance wit	h the requiren	nents of Rule 0400-
or supervisi gathered an manage the submitted is are significating imprisonmenthis declarat	on in accordance d evaluated the instance system, or those p , to the best of my ant penalties for the knowing violion is made under	with a system de formation submitted ersons directly resp knowledge and belications. As specified penalty of perjury.	signed to assured. Based on my incomplete for gather effective, accurate, information, incomplete for the management of	e that qualified nquiry of the pering the informal, and complete. It does not be possible to the possible the	d under my direction personnel properly rson or persons who ation, the information am aware that there estibility of fine and ection 39-16-702(a)(4),
	title; print or type H.RAJUEV. 1		Signature	27	Oate 6-21-2022
			1	/	

CN 1251 (Rev. 03-19) (continued) RDA 2366

# **SOP APPLICATION - page 2**

Permit Number: SOP-\_\_\_\_\_

Facility Identification:			Existing Permit No.		
Facility Name:	ISHA Studio Treatment Fac	ility	County:	Van Buren	
Facility			Latitude:	35º 34′ 10″	
Address or 951 Isha Lane, McMinnville, TN Location:			Longitude:	-85° 34′ 04″	
Name and dis	stance to nearest receiving wa	aters: <b>Spring Creek</b>			
If any other S numbers: <b>N/A</b>	tate or Federal Water/Wastew	vater Permits have been obtained fo	or this site, lis	t their permit	
Name of com	pany or governmental entity	that will operate the permitted syste	em: IRM Utili	ty Inc.	
Operator add	dress: 3444 Saint Andrews I	Drive, Baneberry, TN			
Has the owner/operator filed for a Certificate of Convenience & Necessity (CCN), or an amended CCN, with the Tennessee Regulatory Authority (TRA) (may be required for collection systems and land application treatment systems)?   Yes No NA					
explain how a renewal term <b>N/A</b>	and when the ownership will be a sof the contract for operation		actual arrang	gement and	
Complete the wastewater fl		ing the entity type, number of design	n units, and d	aily design	
Entity Typ	<u>Number</u>	r of Design Units		Flow (gpd)	
City, town o	***************************************				
Subdivision	No. of homes:	Avg. No. bedrooms per home:			
School	No. of students:	Size of cafeteria(s):  No. of showers:			
Apartment	No. of units:	No. units with Washer/Dryer hook	ups:		
Commercia		No. units without W/D hookups:			
Business	No. of employees:	Type of business:			
Industry	No. of employees:	Product(s) manufactured:			
Resort	No. of units:				
L Camp	No. of hookups:				
RV Park	No. of hookups:	No. of dump stations:			
Car Wash	No. of bays:				
_	re and frequency of activities the reatment Facility - Typical Resi	at result in wastewater generation. dential Sanitary Sewer			

CN 1251 (Rev. 03-19) RDA 2366

# **SOP APPLICATION - page** 3

Permit Number: SOP-\_\_\_\_\_

de de la companya de					
Engineering Report (required for collection systems and/or land application treatment systems):					
Prepared in accordance wit Design Criteria for Sewage \		0503 and Section	on 1.2 of the State o	f Tennessee	
Attached, or					
Previously submitted and e		• •	ed? Yes. Date:	∐ No	
Operation and Maintenance In	spection Schedi	ne Submitted: Approve	ed? Yes. Date:	□No	
		Approve	id: 1es. Date.		
Wastewater Collection Syste	m:			□ N/A	
System type (i.e., gravity, low p	ressure, vacuun	n, combination, e	tc.): Septic tank effl	uent with	
small diameter gravity/pressur	······				
System Description: SDR 17 PV	C pressure pipe	ranging from 3"	Ø to 8"Ø and requir	ed fittings	
Describe methods to prevent a failures, equipment failures, he				es (i.e., power	
In the event of a system failure Notification				lemetry	
	namo(nhono): [	Pilly Coy 965 711			
List the <b>emergency</b> contact(s) (	***************************************				
For low-pressure systems, who is responsible for maintenance of STEP/STEG tanks and pumps or grinder pumps (list all contact information)? IRM Utility Inc					
Approximate length of sewer (excluding private service lateral): As required					
Number/hp of lift stations: As required/0.5 HP Number/hp of lift pumps /					
Number/volume of low pressure and or grinder pump tanks /					
Number/volume septic tanks as needed/varies					
Attach a schematic of the collection system. 🔀 Attached					
If this is a satellite sewer and you are tying into another sewer system complete the following					
section, listing tie-in points to the sewer system and their location (attach additional sheets as					
necessary):					
<u>Tie-in Point</u>	<u>Latitude</u>	(xx.xxxx°)	<u>Longitude (x</u>	x.xxxx°)	
N/A					
· · · · · · · · · · · · · · · · · · ·					

CN 1251 (Rev. 03-19) RDA 2366

# **SOP APPLICATION - page 4**

Permit Number: SOP-\_\_\_\_\_

Land Application Treatment System:		☐ N/A		
Type of Land Application Treatment System: 🔀 Drip	Spray	Other, explain:		
Type of treatment facility preceding land application (recirc	ulating medi	a filters, lagoons, other,		
etc.): Recirculating Media Filter				
Attach a treatment schematic. 🔀 Attached				
Describe methods to prevent and respond to any bypass of		• • •		
failures, equipment failures, heavy rains, etc.): Cellular Tele	metry Notific	:ation		
For New or Modified Projects:				
Name of Developer for the project: ISHA. c/o Mr. Saran	Subramaniar	)		
Developer address and phone number: 951 ISHA Lan	e, McMinnvill	e, TN 37110		
Saran 931-63	6-3087			
For land application, list: Proposed acreage involved: 20.0				
Inches/week gpd/sq.ft loading ra	te to be appli	ed: 0.2 GPD/SF		
Is wastewater disinfection proposed?				
Yes Describe land application area access:	***************************************			
No Describe how access to the land application a				
Attach required additional Engineering Report Informa	ition (see <u>we</u>	<u>:bsite</u> for more		
information)				
Topographic map (1:24,000 scale presented at a six incl				
the location of the project including quadrangle(s) name	(s) GPS coord	inates, and latitude and		
longitude in decimal degrees should also be included.				
Scaled layout of facility showing the following: lots, built	_	<del></del>		
wastewater collection system routes, the pretreatment system location, the proposed land				
application area(s), roads, property boundaries, and sensitive areas such as streams, lakes,				
springs, wells, wellhead protection areas, sinkholes and wetlands.				
Soils information for the proposed land disposal area in the form of a Water Resources Soils				
Map per Chapter 16 and 17 State of Tennessee Design Criteria for Sewage Work. The soils				
information should include soil depth (borings to a minimum of 4 feet or refusal) and soil				
profile description for each soil mapped.				
Topographic map of the area where the wastewater is to be land applied with no greater				
than ten-foot contours presented at a minimum size of 24 inches by 24 inches.				
Describe alternative application methods based on the following priority rating: (1)				
connection to a municipal/public sewer system, (2) connection to a conventional subsurface				
disposal system as regulated by the Division of Groundwater Protection, and/or (3) land				
application.				

#### **SOP APPLICATION - page** 5

Permit Number: SOP-\_\_\_\_\_

For Drip Dispersal Systems Only: Unless otherwise determined by the		
Department, sewage treatment effluent wells, i.e, large capacity treatment/drip		
dispersal systems after approval of the SOP Application, will be issued an UIC	⊠ N/A	
tracking number and will be authorized as Permit by Rule per UIC Rule 0400-45-06-		
.14(2) and upon issue of a State Operating Permit and Sewage System		
Construction Approval by the Department. Describe the following:		
The area of review (AOR) for each Drip Dispersal System shall, unless otherwise s	pecified by the	
Department, consist of the area lying within a one-mile radius or an area defined by us		
under 0400-45-0609 of the Drip Dispersal System site or facility, and shall include, but r		
general surface geographic features, general subsurface geology, and general demograp	hic and cultural	
features within the area. Attach to this part of the application a general characterizat	ion of the AOR,	
including the following: (This can be in narrative form)		
A general description of all past and present groundwater uses as well as the general	groundwater	
flow direction and general water quality.		
A general description of the population and cultural development within the AOR (i.e.	agricultural,	
commercial, residential or mixed)		
Nature of injected fluid to include physical, chemical, biological or radiological characters.		
If groundwater is used for drinking water within the area of review, then identify and locate on a		
topographic map all groundwater withdrawal points within the AOR, which supply publ	ic or private	
drinking water systems. Or supply map showing general location of publicly supplied w	ater for the	
area (this can be obtained from the water provider)	·	
If the proposed system is located within a wellhead protection area or source water pr	otection area	
designated by Rule 0400-45-0134, show the boundary of the protection area on the facility site plan.		
Description of system, Volume of injected fluid in gallons per day based upon design flow, including		
any monitoring wells		
Nature and type of system, including installed dimensions of wells and construction m	aterials	
Pump and Haul:	⊠ N/A	
Reason system cannot be served by public sewer:		
Distance to the nearest manhole where public sewer service is available:		
When sewer service will be available:		
Volume of holding tank: gal.		
Tennessee licensed septage hauler (attach copy of agreement):		
Facility accepting the septage (attach copy of acceptance letter):		
Latitude and Longitude (in decimal degrees) of approved manhole for discharge of septage:		
Describe methods to prevent and respond to any bypass of treatment or discharges (i.e., power failures, equipment failures, heavy rains, etc.):		

CN 1251 (Rev. 03-19) RDA 2366

#### **SOP APPLICATION - page** 6

Permit Number: SOP-\_\_\_\_\_

Holding Ponds (for non-domestic wastewater only):	
Pond use: Recirculation Sedimentation Cooling Other (describe):	
Describe pond use and operation:	
If the pond(s) are existing pond(s), what was the previous use?	
Have you prepared a plan to dispose of rainfall in excess of evaporation? 🔲 Yes 🔃 No	
lf so, describe disposal plan:	
Is the pond ever dewatered?  Yes  No	
If so, describe the purpose for dewatering and procedures for disposal of wastewater and/or sludge:	
ls(are) the pond(s) aerated?  Yes  No	
Volume of pond(s): gal. Dimensions:	
Is the pond lined (Note if this is a new pond system it must be lined for SOP coverage.	
Otherwise, you must apply for an Underground Injection Control permit.)? 🔲 Yes 🔲 No	
Describe the liner material (if soil liner is used give the compaction specifications):	
Is there an emergency overflow structure? 🔲 Yes 🔲 No	
If so, provide a design drawing of structure.	
Are monitoring wells or lysimeters installed near or around the pond(s)? 🔲 Yes 🔲 No	
If so, provide location information and describe monitoring protocols (attach additional sheets as	
necessary):	

CN 1251 (Rev. 03-19) RDA 2366

#### **SOP APPLICATION - page** 7

Permit Number: SOP-\_\_\_\_\_

Mobile Wash Operations:		⊠ N/A	
Individual Operator	Fleet Operation Operator		
Indicate the type of equipment, vehicle, or	structure to be washed during no	rmal	
operations (check all that apply):			
Cars	Parking Lot(s): sq. ft.		
Trucks	☐ Windows: sq. ft.		
Trailers (Interior washing of dump-trailers,	Structures (describe):		
or tanks, is prohibited.)	Structures (describe).		
Other (describe):			
Wash operations take place at (check all th	at_apply):		
Car sales lot(s)	Public parking lot(s)		
Private industry lot(s)	Private property(ies)		
County(ies), list:	Statewide		
Wash equipment description:			
Truck mounted	Trailer mounted		
Rinse tank size(s) (gal.):	Mixed tanks size(s) (gal.):		
Collection tank size(s) (gal.):	Number of tanks per vehicle:		
Pressure washer: p	si (rated) gpm (rated)		
gas powered elec	tric		
Vacuum system manufacturer/model:	Vacuum system capacity: incl	hes Hg	
Describe any other method or system used to contain and collect wastewater:			
List the public sewer system where you are pe	rmitted or have written permission t	o discharge	
waste wash water (include a copy of the permit or permission letter):			
Are chemicals pre-mixed, prior to arriving at w	ash location? 🔲 Yes 🔲 No		
Describe all soaps, detergents, or other chemicals used in the wash operation (attach			
additional sheets as necessary):			
Chemical name: Manuf	facturer: Primary CAS No. o	r Product No.	

CN 1251 (Rev. 03-19) RDA 2366

# APPLICATION FOR A STATE OPERATION PERMIT (SOP) INSTRUCTIONS

<u>Purpose of this form</u> A completed SOP application must be submitted to obtain SOP coverage. This permit is required to operate a sewage, industrial waste or other waste collection and/or treatment system that does not have a point source discharge to any surface or subsurface waters. This form must be submitted at least 180 days before starting any new activity, before an existing permit expires, or when renewing a permit.

<u>Complete the form</u> Type or print clearly, using black or blue ink; not markers or pencil. Answer each item or enter "N/A," for not applicable. If you need additional space, attach a separate piece of paper to the SOP application. Applicants may be required to submit engineering reports, plans and specifications. Contact the division for the applicable items, or refer to Appendix 1-D of the state <u>Design Criteria for Sewage Works</u> for more information. The application will be considered incomplete without supplying all of the required information, Engineering Reports, and an original signature.

<u>Permittee Identification/Facility Identification</u> Describe and locate the project, use the legal or official name of the facility or site. Provide the latitude and longitude (expressed in decimal degrees) of the center of the site, which can be located on USGS quadrangle maps. The quadrangle maps can be obtained at 1-800-USA-MAPS, or at the Census Bureau world wide web site: http://www.census.gov/cgi-bin/gazetteer. Attach a copy of a portion of a 7.5-minute quad map, showing location of site, with boundaries at least one mile outside the site boundaries. If business is mobile give the owner of operations' home, or business office address, and list all current areas of operation by city and county.

<u>Wastewater Collection System</u> These types of systems require engineering reports, refer to Appendix 1-D of the state <u>Design Criteria for Sewage Works</u> for more information.

<u>Land Application Treatment System</u> These types of systems require engineering reports, refer to Appendix 1-D of the state <u>Design Criteria for Sewage Works</u> for more information. Public access to the treatment area must be restricted, if disinfection is not part of the treatment. Applicants completing this section of the application must also complete the Wastewater Collection System section.

<u>Pump and Haul</u> These types of systems may require engineering reports, refer to Appendix 1-D of the state <u>Design Criteria for Sewage Works</u> for more information.

<u>Holding Ponds</u> Given that annual rainfall onto open ponds exceeds annual evaporation (in Tennessee), the permittee must develop a written plan (to be retained on site and be available to the division upon request) that addresses how excess rainfall will be disposed of in compliance with the no discharge requirement of this permit. Treatment ponds are not to be used for stormwater treatment or storage. All new and existing point source industrial stormwater discharges associated with industrial activity require coverage under the

# APPLICATION FOR A STATE OPERATION PERMIT (SOP) INSTRUCTIONS - CONTINUED

Tennessee industrial stormwater multi-sector general permit TMSP, refer to the <u>website</u> for more information. Describe the system for re-routing surface runoff away from ponds in the rainfall disposal plan.

Mobile Wash Operations Indicate whether the operation is run by an individual or a corporation with a fleet of vehicles equipped to wash and collect waste waters. If a corporation, indicate the home office as the "Official Contact". Indicate if operations take place at specific sites and list those counties that apply. Note that this permit covers operations for all of Tennessee. Operations indicated as "statewide" generally apply as a fleet type operation and each office location shall be individually permitted. Equipment may be truck or trailer-mounted, or both, indicate all that applies. Soaps, detergents, and other chemicals used should be non-toxic and biodegradable. All "chemically enhanced" (soaps, detergents, and other chemicals) waste-wash waters must be collected for proper disposal. If no chemically enhanced washwaters are used, clear-wash waters may travel by sheet flow to a gravel or grassy area where there is no opportunity to enter waters of the state. There should be no discharge to a storm water inlet, ditch, conveyance, stream, etc. If you are unsure of your wash area drainage, contact the area Environmental Field Office (EFO) prior to setting up your wash operation.

<u>Fees</u> Refer to the TDEC-DWR Environmental Protection Fund Fee Rule 0400-40-11-.02. Links to publications are available on Department of Environment and Conservation, Division of Water Resources webpage and the webpage for the Tennessee Secretary of State.

<u>Submitting the form and obtaining more information</u> Note that this form must be signed by the chief executive officer, owner, or highest-ranking elected official. For more information, contact your local EFO at the toll-free number 1-888-891-8332 (TDEC). Submit a complete application electronically to <u>water.permits@tn.gov</u> (preferred) or to the appropriate EFO for the county(ies) where the facility is located, addressed to **Attention: DWR, Permit Section.** Please keep a copy for your records.

EFO	Street Address	Zip Code	EFO	Street Address	Zip Code
Memphis	8383 Wolf Lake Drive, Barlett	38133	Cookeville	1221 South Willow Ave.	38506
Jackson	1625 Hollywood Dr	38305- 4316	Chattaṇooga	1301 Riverfront Parkway Suite 206	37402
Nashville	711 R S Gass Boulevard	37243	Knoxville	3711 Middlebrook Pike	37921
Columbia	1421 Hampshire Pike	38401	Johnson City	2305 Silverdale Road	37601

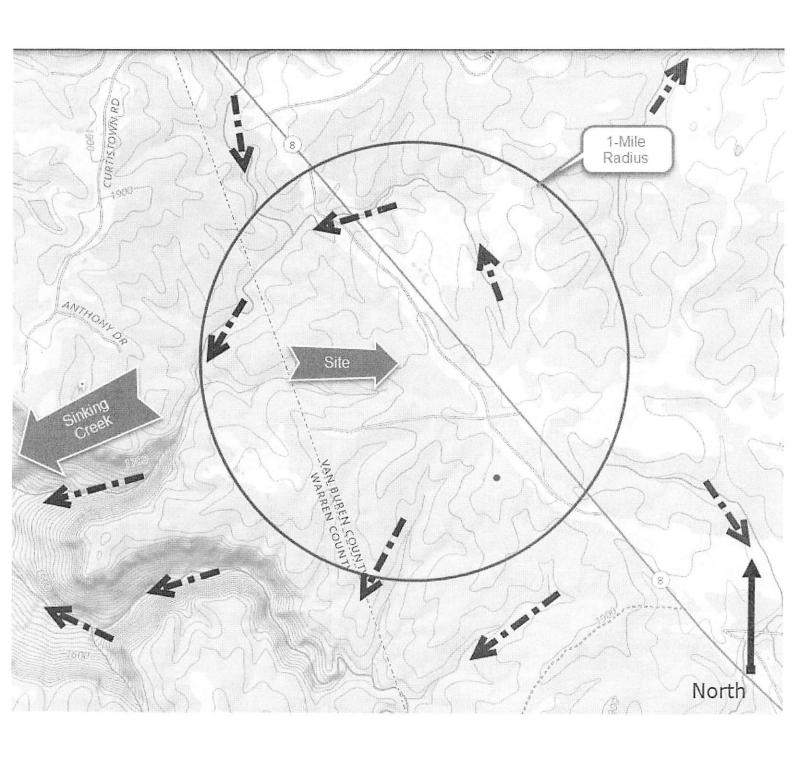
# APPLICATION FOR A STATE OPERATION PERMIT (SOP) INSTRUCTIONS - CONTINUED

Upon receipt of the required items, the division conducts a review of the material, and the applicant is notified of any deficiencies. When all the deficiencies have been corrected, the division makes a determination of whether to publish a draft permit. When a draft permit is generated, a public notice is issued and published in a local newspaper. The draft permit is then reviewed by the applicant, and division field staff. The general public also has an opportunity to review the permit. Based on public response, a public hearing may be held. After considering public comments and a final review, the permit may be issued. The entire process normally takes from five (5) to nine (9) months. Permits are normally valid for five (5) years, except those for pump and haul systems, which are generally valid for one (1) year.

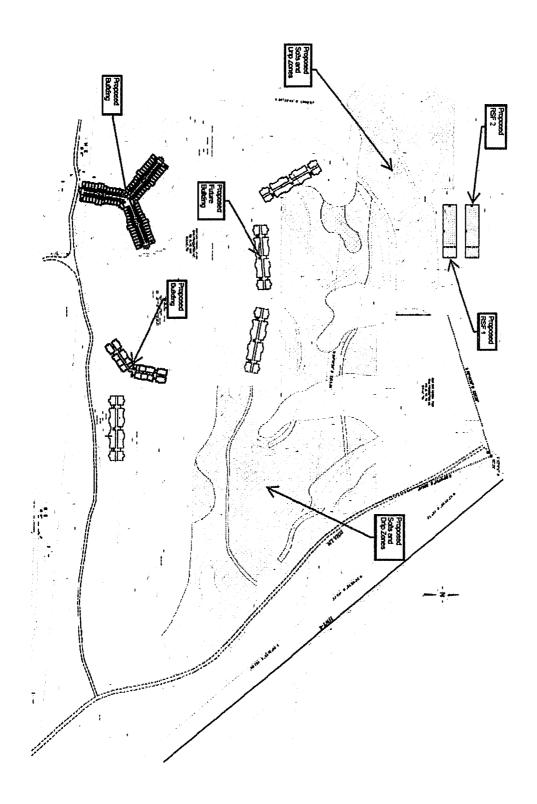
The division has the right to inspect a facility when deemed necessary. In addition, the division has the right to revoke or suspend any permit for violation of permit conditions or any other provisions of the Tennessee Water Quality Control Act and other water pollution control rules.

The division is responsible for regulating any activity, which involves a potential discharge in order to protect waters of the State from pollution and to maintain the highest possible standards in water quality.

## 2.0 Area of Review



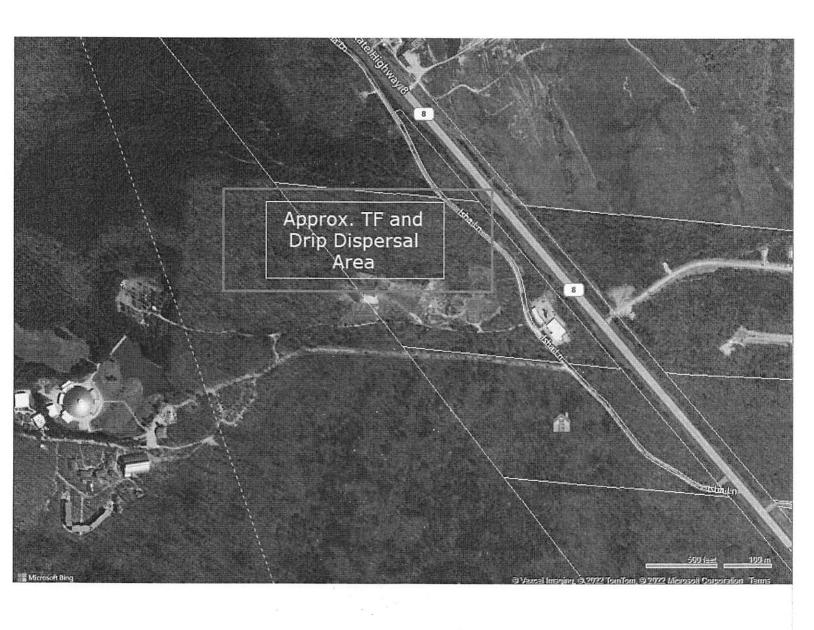
Area of Review



Master Plan With Lidar Top



# FEMA MAP 100-Year Floodplain



**Aerial Map** 

## 3.0 Groundwater General Description

The attached USGS maps indicate the ISHA Studio Drip Dispersal Expansion area drainage flow path is to the southwest to Spring Creek watershed. See attached maps.

## 4.0 Population General Description

The majority of the Area of Review is agricultural land used primarily for pasture and large lot residential. Sparse residential subdivisions have been developed but remain spread out due to the lack of wastewater service. See attached aerial map of property.

#### 5.0 Nature of Fluid

ISHA Studio TF is currently designed to accommodate typical residential sanitary wastewater effluent after primary treatment has been accomplished by the interceptor tank(s) at the source.

ISHA Studio TF Drip Dispersal Expansion will have a peak design discharge of approximately 115,250 gpd.

## 6.0 General Location of Publicly Supplied Water

Warren County Utility District supplies public drinking water within the AOR.

Warren County Utility District

4034 Sparta Hwy, McMinnville, TN 37110

Warren County Utility District Information (931) 668-4175

#### 7.0 Description of System

Treated wastewater approximately 115,250 gpd is pumped and distributed to HDPE drip lines with pressure compensating emitters. The drip lines are to be installed on 5-foot centers along the contours with the emitters spaced at 2-foot centers along the drip lines. Drip lines are plowed into the soils that have been approved by a certified soil scientist and placed at an approximate depth of 7-8 inches below the ground surface. Distribution of the treated wastewater is managed through solenoid valves and controlled by a programmable PLC.

Daily Flow		
5 -126 Bedroom Condo Design Flow		
Number of Bedrooms	630.0 bedrooms	
Daily Flow for 3-BR	gpd/br	
Design Daily Flow	63,000 gpd	
Studio 3 - 500 rooms		
Number of Bedrooms	500.0 bedrooms	
Daily Flow for 3-BR	gpd/br	
Design Daily Flow	50,000 gpd	
Total Design Daily Flow	113,000 gpd	
Admin Bldg - 10,000 sf - 50 persons		
Number of emploees / quest	50.0 person	
Daily Flow per person	gpd/person	
Design Daily Flow	750 gpd	
Total Design Daily Flow	113,750 gpd	
Welcome Center - 10,000 sf		
Number of emploees / quest	100.0 person	
Daily Flow per person	☑ ☑ ☑ 15 gpd/person	
Design Daily Flow	1,500 gpd	
Total Design Daily Flow	115,250 gpd	

**Land Application Area** 

Land Application Area	0.2 gal/sf/day*
Total Area Required	576250 s.f.
or	13.23 acres

<sup>\*</sup> assummed soil absorption rate

#### **Number of Required Zones**

Length per zone (@ 5' o.c.)	3840 L.F.
Number of Zones	30.0 Zones
Total Length	115250 L.F.

Land Reserve Area	
Area per lot	50% S.F./lot
Total Area Required	288125 acres
or	6.61 acres
Total Area Required	864375 s.f.
Total Area Required	19.84 acres

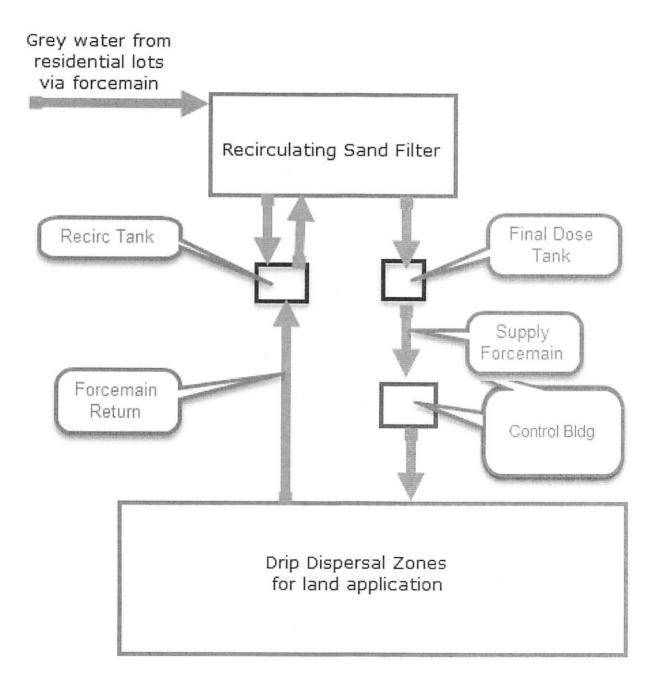
#### **Sand Filter Size**

5 gal/S.F./day	
115,250 gpd	
Area Req'd	23,050 S.F.
Use Filter No.	2-55' x 225'

## 8.0 Nature and Type of System

The ISHA Studio TF designed for 115,250 GPD wastewater treatment capacity. A Recirculating Media Filter (RMF) 2-(225'x55') will be added as the primary treatment.

**Disposal Capacity**: This application is proposing to allow for drip disposal soils for land application for approximately 115,250 LF of drip disposal lines (30 zones at 3,840 LF per zone)



# EXHIBIT D LETTER FROM JAMIE REED P.E., R.L.S. DATED OCTOBER 12, 2022

# Preliminary Project Discussion for Sewage Works Construction Projects Background Information Engineer/ Owner

**Project Name: ISHA Studios TF** 

NPDES or SOP Number (if existing):

A. Identification of parties

a. Applicant ISHA Foundation
 b. Permittee IRM Utilities Inc
 c. Consulting Engineer Jamie Reed P.E., R.L.S.

d. Funding Agencies (if applicable) None

- B. Entity to sign off on compliance with local codes (i.e. building inspector) IRM Utilities Inc
- C. Project Purpose and Objectives

The ISHA Studios Treatment Facility is located at 951 Isha Lane, McMinnville, TN. The ISHA Studios Treatment Facility is designed with an effluent limit of 115,250 gpd. It is the intention of Tennessee Wastewater to install a Recirculating Media Filter (RMF) Treatment System, 10,000-gal recirculation tank, 3,000-gal final dose tank, control building and 30 zones at 3840 LF/ per zone of drip dispersal as the land application for a total of 20 acres, to be installed on the existing treatment facility property. This facility will be designed to serve the sewage needs of the ISHA Studios service territory.

- D. Map of general service area (see attached service territory map)
  - a. Probable site and construction area see pdf of plans
  - b. Adjacent properties see pdf of plans
  - c. Significant waters of the State See PER
  - d. Geological features see pdf of plans
  - e. Property boundaries see pdf of plans
- E. Existing Inflow and Infiltration (see above) Proposed drip dispersal design flow 115,250 GPD
- F. Influent characteristics
  - f. Last 12 MORs (if applicable) none
  - g. Industrial dischargers none
- G. System capacity
  - h. Hydraulic
    - i. Average Daily Dry Weather Flow ADDWF
    - ii. Average Daily Flow ADF
    - iii. Peak Flow 0.115 MGD
    - iv. Design Flow 0.115 MGD
  - i. Nutrient

- i. Influent loads
  - 1. Average Daily Dry Weather Flow ADDWF
  - 2. Average Daily Flow ADF 0.115 MGD
  - 3. Design Flow 0.115 MGD
- j. Treatment/Conveyance
  - i. Accommodation of variability of loads drip dispersal no direct discharge
- H. Procurement methodology
  - k. Design-bid-build No
  - I. Design build No
  - m. Preselection of equipment/processes IRM Utilities Inc will install per construction plans
  - a. Relationships of various agencies involved Van Burren County Planning (planning authority), Warren County Utility District, TDEC (approvals)
  - n. How and when ownership/access/easements will be transferred to wastewater operational entity currently exist
- I. Reliability class of components and electrical service

o. Operator certification level

**IRM Utilities Inc** 

p. Manpower requirements

1 person

- J. Proposed project schedule projected start date July 2022
- K. Provide copy of PER if already prepared PDF sent

This 12<sup>th</sup> day of October, 2022

Jumes F Red III

Jamie Reed, P.E, R.L.S