

BUTLER | SNOW

March 16, 2023

Electronically Filed in TPUC Docket
Room on March 16, 2023 at 11:34 a.m.

VIA ELECTRONIC FILING

Hon. Herbert H. Hilliard, Chairman
c/o Ectory Lawless, Docket Room Manager
Tennessee Public Utility Commission
502 Deaderick Street, 4th Floor
Nashville, TN 37243
TPUC.DocketRoom@tn.gov

RE: *Limestone Water Utility Operating Company, LLC's Notice of Extension of Service to Contiguous Territory to Serve the Wilson, Garrett, Bilbrey and Killen Parcels Pursuant to Tennessee Public Utility Commission Rule 1220-04-01-.13*
TPUC Docket No. 23- 00020

Dear Chairman Hilliard:

Attached for filing please find *Limestone Water Utility Operating Company, LLC's Notice of Extension of Service to Contiguous Territory to Serve the Wilson, Garrett, Bilbrey and Killen Parcels Pursuant to Tennessee Public Utility Commission Rule 1220-04-01-.13*, including supporting documentation.

As required, the original plus four (4) hard copies of the Notice and supporting documentation will follow. We have also enclosed a check in the amount of \$25.00 for the required filing fee.

For the reasons set forth within the Notice, the parties are requesting that this matter be considered on an expedited basis. Should you have any questions concerning this filing, or require additional information, please do not hesitate to contact me.

Sincerely,

BUTLER SNOW LLP



Katherine Barnes

Attachments

cc: Vance Broemel, Consumer Advocate Division
Karen H. Stachowski, Consumer Advocate Division

*The Pinnacle at Symphony Place
150 3rd Avenue South, Suite 1600
Nashville, TN 37201*

KATHERINE B. BARNES
615.651.6797
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F 615.651.6701
www.butlersnow.com*

BUTLER SNOW LLP

68186920.v1

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION
NASHVILLE, TENNESSEE**

IN RE:

**LIMESTONE WATER UTILITY
OPERATING COMPANY, LLC’S
NOTICE OF EXTENSION OF
SERVICE TO CONTIGUOUS
TERRITORY TO SERVE THE
WILSON, GARRETT, BILBREY AND
KILLEN PARCELS PURSUANT TO
TENNESSEE PUBLIC UTILITY
COMMISSION RULE 1220-04-01-.13**

DOCKET NO. 23- 00020

**LIMESTONE WATER UTILITY OPERATING COMPANY, LLC’S NOTICE OF
EXTENSION OF SERVICE TO
CONTIGUOUS TERRITORY TO SERVE THE WILSON, GARRETT, BILBREY AND
KILLEN PARCELS PURSUANT TO TENNESSEE PUBLIC
UTILITY COMMISSION RULE 1220-04-01-.13**

Pursuant to Tennessee Public Utility Commission (“TPUC or Commission”) Rule 1220-04-01-.13(3)(b), Limestone Water Utility Operating Company, LLC (“Limestone”), respectfully submits this Notice of Extension of Service to Contiguous Territory to Serve the “Wilson Parcels,” “Garrett Parcel,” “Bilbrey Parcel” and “Killen Parcels” in Williamson County, Tennessee (the “*Notice*”). The Commission previously approved Limestone’s acquisition of the wastewater system formerly owned and operated by Cartwright Creek, LLC (the “System”), and granted Limestone a Certificate of Public Convenience and Necessity (“CCN”) to serve The Hideaway at Arrington subdivision previously served by Cartwright Creek, LLC.¹ Each of the four (4) territories that are the subject of this *Notice* – the Wilson Parcels, the Garrett Parcel, the Bilbrey

¹ *Order Approving Settlement Agreement and Transfer of Systems, and Granting Certificate of Convenience and Necessity*, TPUC Docket No. 21-00053 (Jan. 24, 2022).

Parcel and the Killen Parcels – are contiguous to Limestone’s current service area as authorized by the CCN. Therefore, each of the four (4) contiguous territories separately satisfies the requirements of Commission Rule 1220-04-01-.13. For the reasons set forth below, just cause shown, and to serve the public interest, Limestone respectfully requests that the Commission find, **on an expedited basis**, that this *Notice*, along with the supporting documentation, satisfies the requirements of Commission Rule 1220-04-01-.13 and each of the four (4) intended expansions qualify as expansions into contiguous territory.

The Hideaway at Arrington is now known as the Troubadour Golf + Field Club (“Troubadour”). The Troubadour residential community currently has two hundred (200) lots, platted for one home per lot. Almost all of these lots have been sold by the developer of the Troubadour residential community. In order to expeditiously proceed to plat up to an additional one hundred seventy-five (175) lots for one home per lot, including approximately eighty-eight (88) lots for homes on the Wilson Parcels, the Garrett Parcel, the Bilbrey Parcel and the Killen Parcels, the developer of the Troubadour residential community must submit its amended concept plan, which includes the Wilson Parcels, the Garrett Parcel, the Bilbrey Parcel and the Killen Parcels, to the Williamson County Planning Commission by March 29, 2023. The Williamson County Planning Commission is requiring that the Wilson Parcels, the Garrett Parcel, the Bilbrey Parcel and the Killen Parcels be part of Limestone’s service area before the submittal of the amended concept plan. For the reasons set forth herein, just cause shown, and to serve the public interest, Limestone respectfully requests that the Commission finds, **on an expedited basis**,² that

² While, as required by the Commission Rule 1220-04-01-.13(3)(a), Limestone is submitting this *Notice* at least thirty (30) days before constructing, acquiring, or commencing operations to serve the four (4) contiguous parcels that are the subject of its *Notice*, it is nonetheless requesting expedited treatment due to the timelines and related constraints confronting the developer of the Troubadour community.

the *Notice* satisfies the requirements of Commission Rule 1220-04-01-.13 and each of the four (4) intended expansions qualify as expansions into contiguous territory.

I.

SUPPORTING DOCUMENTATION SATISFYING COMMISSION RULE 1220-04-01-.13(3)(b)

A. Identification of the Wilson Parcels

Limestone's current service area for the Troubadour residential community (formerly The Hideaway at Arrington) is approximately seven hundred thirty-nine (739) acres. The Wilson Parcels comprise a 110.875-acre area that is adjacent on three sides to Limestone's current service area and are being developed as part of the Troubadour residential community that is currently provided wastewater service via the System. **Exhibit A** to the *Notice* shows the location of the Troubadour residential community, Limestone's current service area, and the Wilson Parcels. Approximately forty-eight (48) homes are currently planned to be constructed on lots on the Wilson Parcels, which are located approximately one (1) mile west of Nolensville Road (Horton Highway) on Cox Road in Williamson County. As the Wilson Parcels are contiguous to Limestone's current service area, no other utility provides wastewater service to the Wilson Parcels, and the Wilson Parcels are not located within the designated service territory of another utility providing similar service,³ Limestone is providing notice pursuant to Commission Rule 1220-04-01-.13(3)(b) of its intent to provide wastewater service to the Wilson Parcels.

Wastewater service to the Wilson Parcels will be provided through grinder pumps at each home and a low-pressure force main system sending effluent to the existing wastewater treatment system. The developer of the Troubadour residential community will bear all expenses for the

³ Attached to the *Notice* as **Exhibit A-1** is a letter from the utility whose designated territory includes the Wilson Parcels relinquishing its right to provide wastewater service to the Wilson Parcels.

engineering and construction of the collection system, which will thereafter be deeded to Limestone.

B. Identification of the Garrett Parcel

Limestone's current service area for the Troubadour residential community (formerly The Hideaway at Arrington) is approximately seven hundred thirty-nine (739) acres. A 0.31-acre parcel of land that is adjacent on the east side of Limestone's current service area, known as the Garrett Parcel, is being developed as part of the Troubadour residential community that is currently provided wastewater service via the System. The Garrett Parcel is adjacent to Nolensville Road (Horton Highway). **Exhibit B** to the *Notice* shows the location of the Troubadour residential community, Limestone's current service area, and the Garrett Parcel. No homes are currently planned to be on or partially on the Garrett Parcel, due to its small size, but future development plans could locate a home on or partially on the Garrett Parcel. As the Garrett parcel is contiguous to Limestone's current service area, no other utility provides wastewater service to the Garrett Parcel, and the Garrett Parcel is not located within the designated service territory of another utility providing similar service,⁴ Limestone is providing notice pursuant to Commission Rule 1220-04-01-.13(3)(b) of its intent to provide wastewater service to the Garrett Parcel.

Wastewater service to the Garrett Parcel will be provided through grinder pumps at each home and a low-pressure force main system sending effluent to the existing wastewater treatment system. The developer of the Troubadour residential community will bear all expenses for the engineering and construction of the collection system, which will thereafter be deeded to Limestone.

⁴ Attached to the *Notice* as **Exhibit B-1** is a letter from the utility whose designated territory includes the Garrett Parcel relinquishing its right to provide wastewater service to the Garrett Parcel.

C. Identification of the Bilbrey Parcel

Limestone's current service area for the Troubadour residential community (formerly The Hideaway at Arrington) is approximately seven hundred thirty-nine (739) acres. A 40.00-acre parcel of land that is adjacent to the south and east of Limestone's current service area, known as the Bilbrey Parcel, is being developed as part of the Troubadour residential community currently provided wastewater service via the System. **Exhibit C** to the *Notice* shows the location of the Troubadour residential community, Limestone's current service area, and the Bilbrey Parcel. Approximately eighteen (18) homes are currently planned to be constructed on lots on the Bilbrey Parcel, which is located east of the Wilson Parcels and near Nolensville Road (Horton Highway) in Williamson County. As the Bilbrey Parcel is contiguous to Limestone's current service area, no other utility provides wastewater service to the Bilbrey Parcel, and the Bilbrey Parcel is not located within the designated service territory of another utility providing similar service,⁵ Limestone is providing notice pursuant to Commission Rule 1220-04-01-.13(3)(b) of its intent to provide wastewater service to the Bilbrey Parcel.

Wastewater service to the Bilbrey Parcel will be provided through grinder pumps at each home and a low-pressure force main system sending effluent to the existing wastewater treatment system. The developer of the Troubadour residential community will bear all expenses for the engineering and construction of the collection system, which will thereafter be deeded to Limestone.

D. Identification of the Killen Parcels

Limestone's current service area for the Troubadour residential community (formerly The Hideaway at Arrington) is approximately seven hundred thirty-nine (739) acres. The Killen Parcels

⁵ Attached to the *Notice* as **Exhibit C-1** is a letter from the utility whose designated territory includes the Bilbrey Parcel relinquishing its right to provide wastewater service to the Bilbrey Parcel.

comprise 41.28 acres that are adjacent to the south to Limestone's current service area and are being developed as part of the Troubadour residential community that is currently provided wastewater service via the System. **Exhibit D** to the *Notice* shows the location of the Troubadour residential community, Limestone's current service area, and the Killen Parcels. Approximately five (5) homes are currently planned to be constructed on lots that are partially on the Killen Parcels, which are located east of the Bilbrey Parcel and adjacent to Nolensville Road (Horton Highway) in Williamson County. As the Killen Parcels are contiguous to Limestone's current service area, no other utility provides wastewater service to the Killen Parcels, and the Killen Parcels are not located within the designated service territory of another utility providing similar service,⁶ Limestone is providing notice pursuant to Commission Rule 1220-04-01-.13(3)(b) of its intent to provide wastewater service to the Killen Parcels.

Wastewater service to the Killen Parcels will be provided through grinder pumps at each home and a low-pressure force main system sending effluent to the existing wastewater treatment system. The developer of the Troubadour residential community will bear all expenses for the engineering and construction of the collection system, which will thereafter be deeded to Limestone.

II.

SUPPORTING DOCUMENTATION SATISFYING **COMMISSION RULE 1220-04-01-.13(4)**

a. Rule 1220-04-01-.13(4)(a). Proof of notice that may be required to any regulatory agency of the extension of service of contiguous territory.

There is no such notice required.

b. Rule 1220-04-01-.13(4)(b). A complete description of the geographic contiguous territory to be served by the expansion, including the name and location of the development (subdivision),

⁶ Attached to the *Notice* as **Exhibit D-1** is a letter from the utility whose designated territory includes the Killen Parcels relinquishing its right to provide wastewater service to the Killen Parcels.

number of acres, and the existing territory served by the utility proposing to expand its service area. A legible map of the area with the proposed contiguous service territory and the currently service territory shall also be provided.

The requirements of Rule 1220-04-01-.13(4)(b) are satisfied in Section I of this *Notice* for each of the four (4) contiguous territories.

c. *Rule 1220-04-01-.13(4)(c). Documentation of permits, permit modifications and/or amendments, or other approval documents certifying the existence of appropriate capacity and/or ability to provide service issued by any regulatory agency.*

The System has been expanded to serve three hundred seventy-five (375) homes and associated amenities, which will provide capacity to serve the homes and associated amenities currently planned to be constructed on the lots on the Wilson, Garrett, Bilbrey and Killen Parcels and on lots in the current Limestone service area. Attached as **Exhibit E** is a certification from the Tennessee Department of Environment and Conservation that the expansion has been properly installed and that the System, as expanded, can serve three hundred seventy-five (375) homes.

d. *Rule 1220-04-01-.13(4)(d). Documentation concerning any complaint(s), notices of violation, or administrative action filed with or issued by a regulatory agency concerning the operations of the utility plant, route, line, or system, to be extended. Such documentation shall also be provided for any complaint(s), notices of violation, or administrative action filed with or issued by a regulatory agency within sixty (60) days after the filing of the written notice required by paragraph three (3) of Rule 1220-04-01-.13.*

There are so such current complaint(s), notices of violation, or administrative actions.

III.

SUPPORTING DOCUMENTATION SATISFYING COMMISSION RULE 1220-04-01-.13(5)

a. *Rule 1220-04-01-.13(5)(a). Proof that the operating permit for the existing system has been modified and reissued by the Tennessee Department of Environment and Conservation to reflect the additional waste load; or, demonstrate that the existing system design has capacity to support the design flow of the original and the design flow expected from the contiguous area, and a public notice confirming that the public utility appropriately announced its intention to serve the contiguous property at issue.*

The requirements of Rule 1220-04-01-.13(5)(a) are satisfied by the State Operating Permit issued by the Tennessee Department of Environment and Conservation attached as **Exhibit F**, showing a capacity of three hundred seventy-five (375) homes.⁷

⁷ Exhibit F, State Operating Permit No. SOP-07090, was issued to Limestone in draft form on March 6, 2023 (and filed under TPUC Docket No. 21-00053 on March 11, 2023). Limestone will file the final permit with the Commission within thirty (30) of receiving it from TDEC. SOP-07090, as issued by TDEC, complied with all public notice requirements.

b. *Rule 1220-04-01-.13(5)(b). Certification from a design engineer that the existing wastewater system, before any alteration needed to extend service, was constructed in accordance with TDEC-approved construction plans and specifications. The certification shall be filed in the docket prior to providing service.*

The requirements of Rule 1220-04-01-.13(5)(b) are satisfied by the certification attached as **Exhibit G**.

IV.

CONCLUSION

For the foregoing reasons, just cause shown, and to serve the public interest, Limestone respectfully requests that the Commission find, **on an expedited basis**, that this *Notice*, along with the supporting documentation, satisfies the requirements of Commission Rule 1220-04-01-.13(3) and qualifies as expansions into contiguous territory, namely the Wilson Parcels, the Garrett Parcel, the Bilbrey Parcel and the Killen Parcels.

Respectfully submitted,

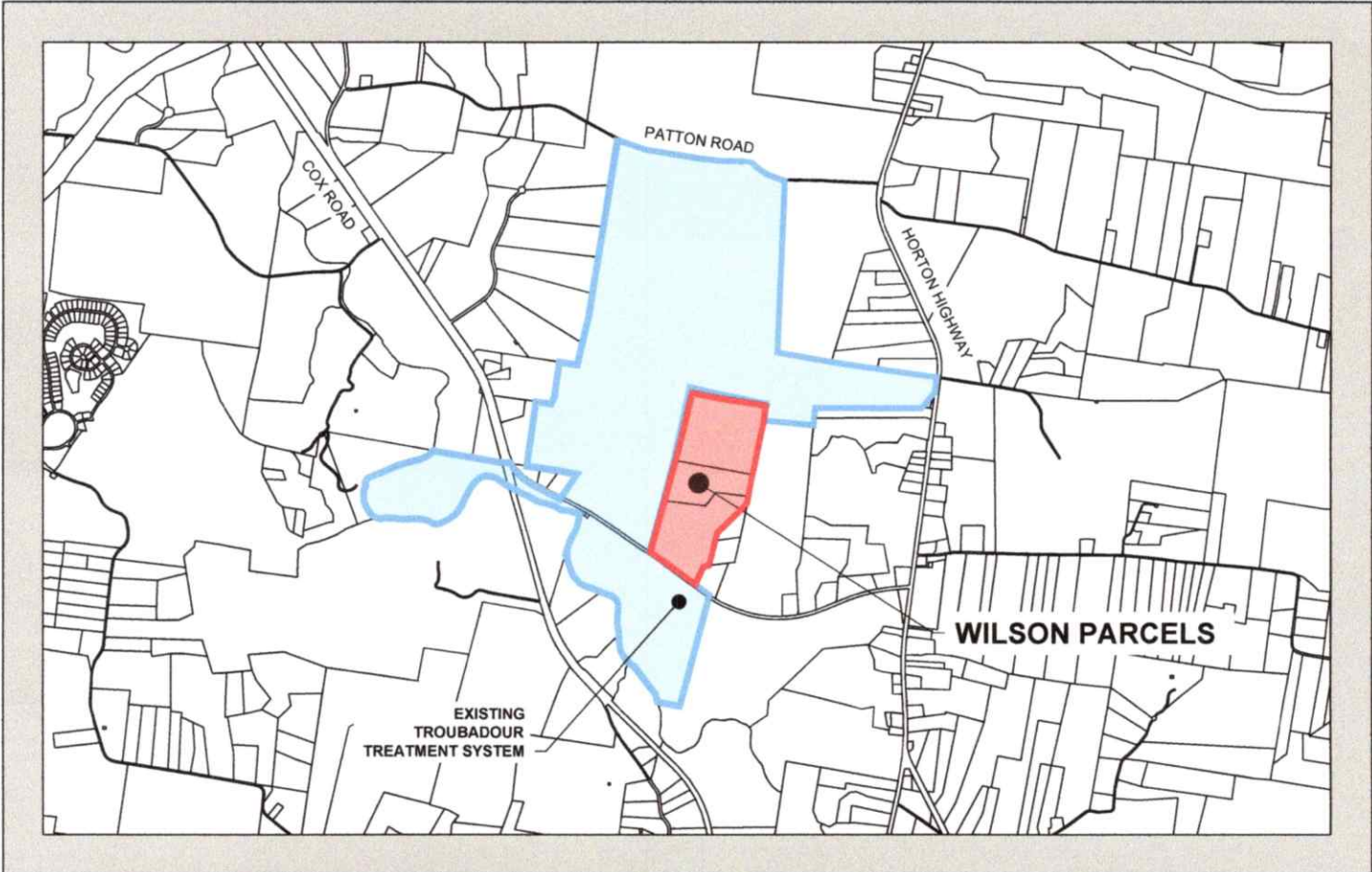
BUTLER SNOW LLP

By: Katherine Barnes
Melvin Malone
Katherine Barnes
The Pinnacle at Symphony Place
150 Third Avenue South, Suite 1600
Nashville, TN 37201
Tel: (615) 651-6700
Katherine.Barnes@butlersnow.com
Melvin.Malone@butlersnow.com

COUNSEL FOR LIMESTONE WATER UTILITY
OPERATING COMPANY, LLC

Exhibit A

[On Following Page]



**PROPOSED SERVICE
AREA MAP
(ENLARGED VIEW)**

FEBRUARY, 2023



REVISIONS

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| Contact: | BENJAMIN LUCAS |
| Phone: | 314.406.7080 |
| Email: | BLUCAS@CSWRGROUP.COM |

SAM1

Exhibit A-1

[On Following Page]

Nolensville/College Grove Utility District
P.O. Box 127/2002 Johnson Industrial Blvd.
Nolensville, TN 37215

March 3, 2023

Arrington Property Holdings, LLC
c/o Matt Bryant
M2 Group, LLC
1475 Columbia Avenue
Franklin, TN 37064

Re: Sanitary Sewer Service Release: Wilson Parcels on Cox Road (Map 136, Parcel 12.01;
Map 136, Parcel 12.02; and Part of Map 141, Parcel 8.00)

Dear Sirs:

Nolensville/College Grove Utility District, by your request, hereby relinquishes its charter rights to provide sanitary sewer service to the above parcels that are part of your Troubadour Golf + Field Club development.

Please feel free to contact me if I can be further assistance.

Sincerely,

Nolensville/College Grove Utility District

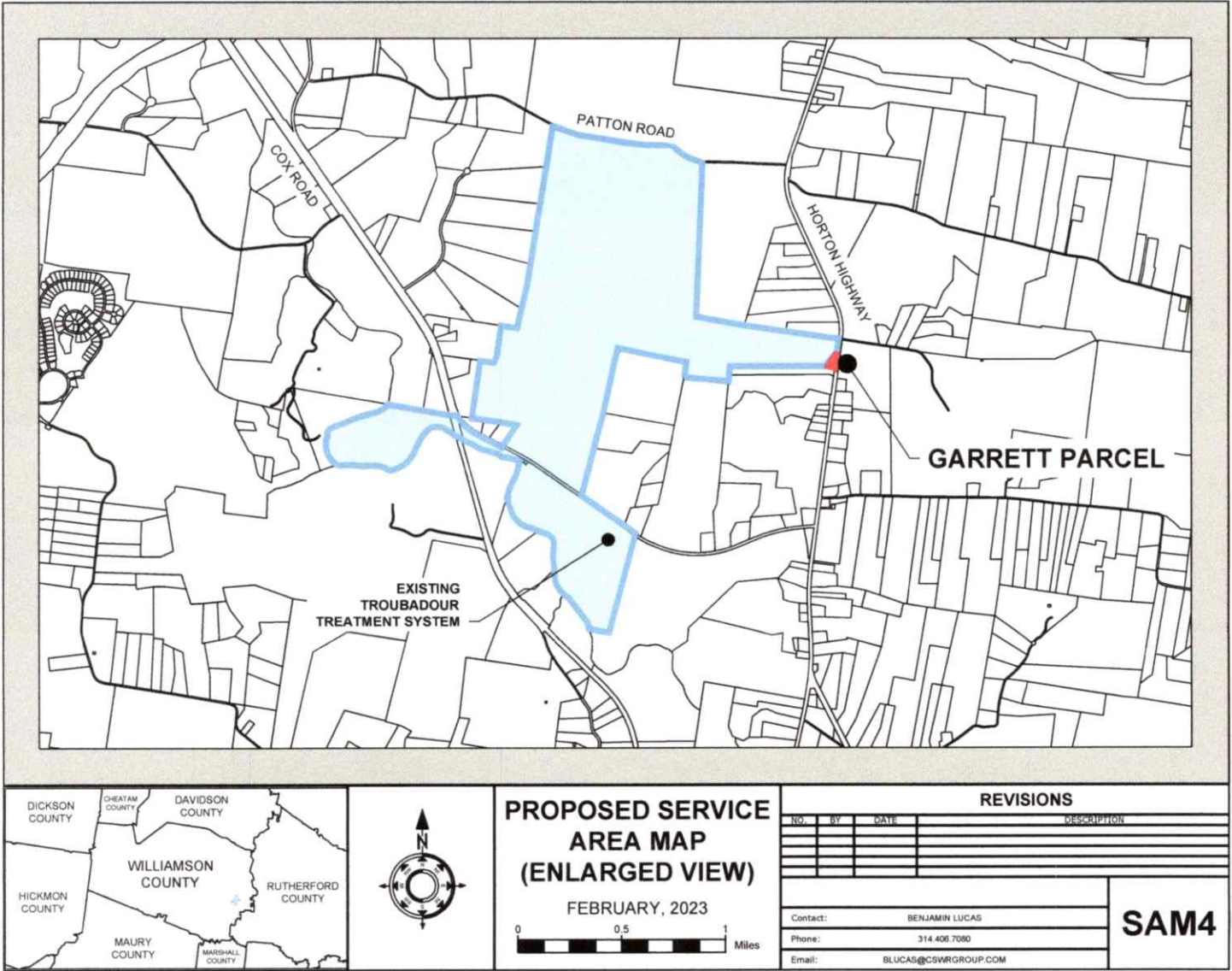
By: Mike E Polsten

Name: Mike E Polsten

Title: General Manager 3-14-2023

Exhibit B

[On Following Page]



**PROPOSED SERVICE
AREA MAP
(ENLARGED VIEW)**

FEBRUARY, 2023



REVISIONS

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| Contact: | BENJAMIN LUCAS |
| Phone: | 314.406.7080 |
| Email: | BLUCAS@CSWRGROUP.COM |

SAM4

Exhibit B-1

[On Following Page]

Nolensville/College Grove Utility District
P.O. Box 127/2002 Johnson Industrial Blvd.
Nolensville, TN 37215

March 3, 2023

Arrington Property Holdings, LLC
c/o Matt Bryant
M2 Group, LLC
1475 Columbia Avenue
Franklin, TN 37064

Re: Sanitary Sewer Service Release: Garrett Parcel on Horton Highway (Part of Williamson County Map 136, Parcel 12.03)

Dear Sirs:

Nolensville/College Grove Utility District, by your request, hereby relinquishes its charter rights to provide sanitary sewer service to the above parcel that is part of your Troubadour Golf + Field Club development.

Please feel free to contact me if I can be further assistance.

Sincerely,

Nolensville/College Grove Utility District

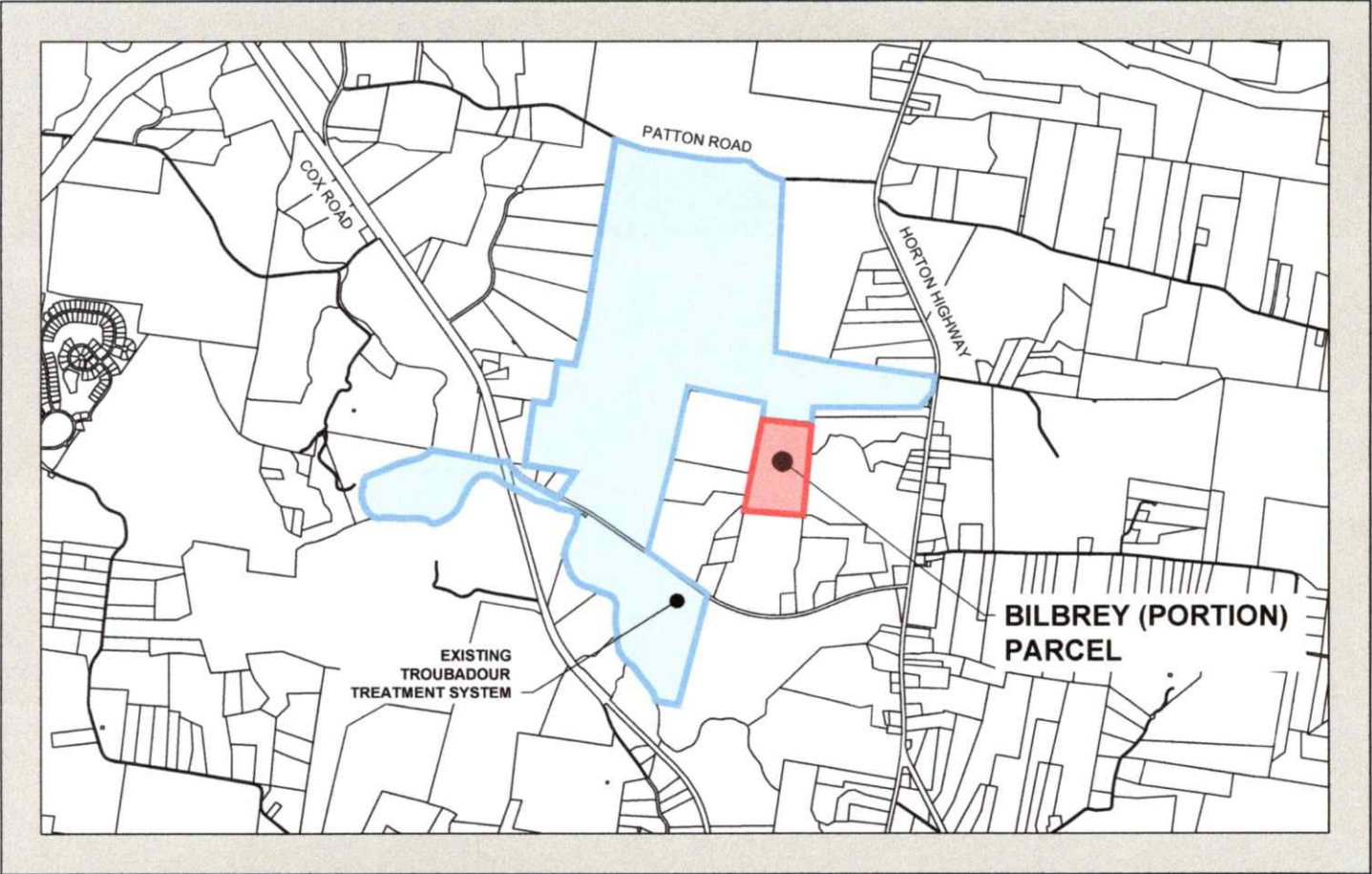
By: Mike E Polston

Name: Mike E Polston

Title: General Manager 3-14-2023

Exhibit C

[On Following Page]



**PROPOSED SERVICE
AREA MAP
(ENLARGED VIEW)**

FEBRUARY, 2023



REVISIONS

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Contact: BENJAMIN LUCAS
Phone: 314.406.7080
Email: BLUCAS@CSWRGROUP.COM

SAM2

Exhibit C-1

[On Following Page]

Nolensville/College Grove Utility District
P.O. Box 127/2002 Johnson Industrial Blvd.
Nolensville, TN 37215

March 3, 2023

Arrington Property Holdings, LLC
c/o Matt Bryant
M2 Group, LLC
1475 Columbia Avenue
Franklin, TN 37064

Re: Sanitary Sewer Service Release: Bilbrey Parcel Near Cox Road (Part of Williamson County Map 141, Parcel 8.00)

Dear Sirs:

Nolensville/College Grove Utility District, by your request, hereby relinquishes its charter rights to provide sanitary sewer service to the above parcel that is part of your Troubadour Golf + Field Club development.

Please feel free to contact me if I can be further assistance.

Sincerely,

Nolensville/College Grove Utility District

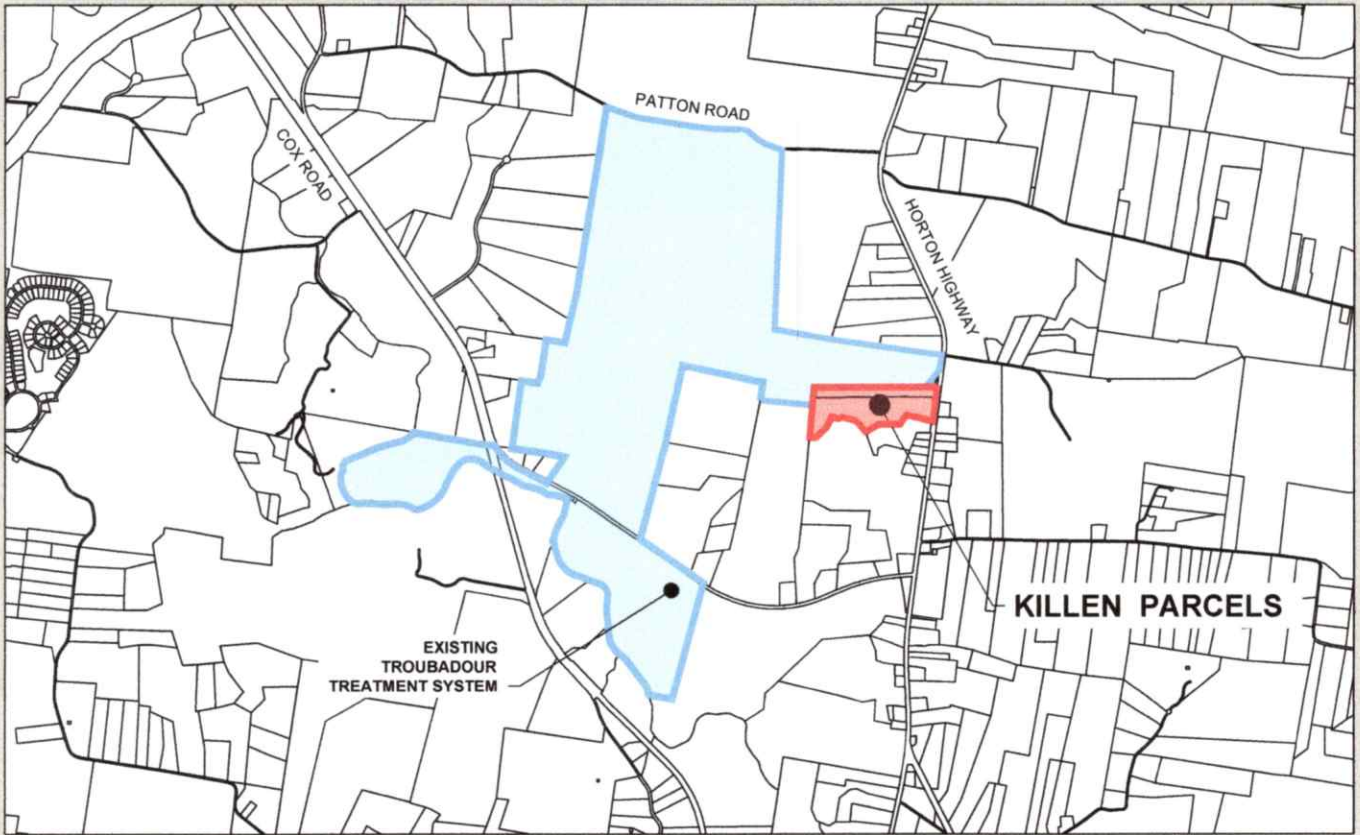
By: Mike E Polston

Name: Mike E Polston

Title: General Manager 3-14-2023

Exhibit D

[On Following Page]



PROPOSED SERVICE AREA MAP (ENLARGED VIEW)

FEBRUARY, 2023



REVISIONS

| NO. | BY | DATE | DESCRIPTION |
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Contact: BENJAMIN LUCAS
Phone: 314.406.7080
Email: BLUCAS@CSWRGROUP.COM

SAM3

Exhibit D-1

[On Following Page]

Nolensville/College Grove Utility District
P.O. Box 127/2002 Johnson Industrial Blvd.
Nolensville, TN 37215

March 3, 2023

Arrington Property Holdings, LLC
c/o Matt Bryant
M2 Group, LLC
1475 Columbia Avenue
Franklin, TN 37064

Re: Sanitary Sewer Service Release: Killen Parcels on Horton Highway (Williamson County Map 136, Parcel 22.01; and Map 136, Parcel 23)

Dear Sirs:

Nolensville/College Grove Utility District, by your request, hereby relinquishes its charter rights to provide sanitary sewer service to the above parcels that are part of your Troubadour Golf + Field Club development.

Please feel free to contact me if I can be further assistance.

Sincerely,

Nolensville/College Grove Utility District

By: Mike E Polston

Name: Mike E Polston

Title: General Manager 3-14-2023

Exhibit E

[On Following Pages]



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

June 30, 2022

Mr. Josiah Cox
President
Limestone Water Utility Operating Company, LLC
1650 Des Peres Road, Suite 303
Des Peres, MO 63131

Subject: **Construction Inspection for the Cartwright Creek - Hideaway Devel. WWTP**
Limestone Water Utility Operating Company, LLC
Wastewater Project Number: SOP-07090
County: Williamson

Dear Mr. Cox,

On Wednesday, June 29, 2022, the Division of Water Resources conducted a post construction inspection of the above referenced site. It was determined that the system appears to have been installed in accordance with the plans and specification submitted to the Division and approved on October 18, 2021. The layout and location of the collection system was not able to be verified while on site.

The project consists of Individual E-One grinder pump units, screening, deep cell lagoon and storage cell (Sheaffer system), Baswood Trickling Filter/Attached Growth system, clarification, filtration, UV disinfection and expanded drip irrigation field . The system is intended to service a subdivision with a design flow of 0.1175 MGD for 375 homes.

A copy of the plans showing the exact location of the treatment system, tanks, control building, drip zones, and any additional appurtenances relative to the wastewater treatment system as installed should be kept on site, per the permit requirements. Plans were provided at the time of the inspection.

If we may be of any assistance, please feel free to contact Bryan Pope, EC 1 at (931) 224-3098, or by E-mail at bryan.pope@tn.gov.

Sincerely,

A handwritten signature in blue ink that reads "Bryan Pope, EC I". The signature is fluid and cursive, with the initials "EC I" written in a slightly more formal, blocky style at the end.

Bryan Pope, EC I
Land-Based Systems Unit

cc: Land-Based System
Glen Marcum, gmarcum@ecostructgroup.com
Cartwright Creek, LLC

Exhibit F

[On Following Pages]



21-00053

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

March 6, 2023

Mr. Josiah Cox
President
Limestone Water Utility Operating Company, LLC
1650 Des Peres Road, Suite 303
Des Peres, MO 63131

Electronically Filed in TPUC Docket
Room on March 11, 2023 at 11:41 p.m.

Subject: **Draft of State Operating Permit No. SOP-07090**
Limestone Water Utility Operating Company, LLC
Hideaway Wastewater Treatment Facility
Thompson Station, Williamson County, Tennessee

Dear Mr. Cox:

Enclosed please find one copy of the draft state operating permit, which the Division of Water Resources (the division) proposes to issue. The issuance of this permit is contingent upon your meeting all of the requirements of the Tennessee Water Quality Control Act and the rules and regulations of the Tennessee Water Quality, Oil and Gas Board.

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

If you have questions, please contact the Nashville Environmental Field Office at 1-888-891-TDEC; or, at this office, please contact Mr. John Newberry at (615) 532-7743 or by E-mail at John.Newberry@tn.gov.

Sincerely,

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

Enclosure

cc: Permit File
Nashville Environmental Field Office
Mr. Matt Bryant, P.E., M2Group, LLC, matt@m2groupllc.com
Ms. Mandy Sappington, Compliance Manager, CSWR, msappington@cswrgroup.com
Mr. Cole McCormick, Tennessee Public Utility Commission (TPUC), cole.mccormick@tn.gov

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

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

Permit No. SOP-07090

PERMIT

For the operation of Wastewater Treatment Facilities

In accordance with the provision of Tennessee Code Annotated section 69-3-108 and Regulations promulgated pursuant thereto:

PERMISSION IS HEREBY GRANTED TO

Limestone Water Utility Operating Company, LLC
Thompson Station, Williamson County, Tennessee

FOR THE OPERATION OF

Individual E-One grinder pump units, screening, deep cell lagoon and storage cell (Sheaffer system), Baswood Trickling Filter/Attached Growth system, clarification, filtration, UV disinfection and expanded drip irrigation field located at latitude 35.815194 and longitude - 86.67697 in Williamson County, Tennessee to serve approximately 375 homes and a clubhouse at the Hideaway Wastewater Treatment Facility . The design capacity of the system is .1175 MGD and will be dispersed on approximately 13.5 acres of suitable soils.

This permit is issued as a result of the application filed on January 24, 2023, in the office of the Tennessee Division of Water Resources. This permit is contingent on the submission and department approval of construction plans, specifications and other data in accordance with rules of the department. Updated plans and specifications must be approved before any further construction activity.

This permit shall become effective on:

This permit shall expire on:

Issuance date:

for Jennifer Dodd
Director

A. GENERAL REQUIREMENTS

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

| <u>Parameter</u> | <u>Sample Type</u> | <u>Daily Maximum</u> | <u>Monthly Average</u> | <u>Measurement Frequency</u> |
|------------------------------|--------------------|--------------------------|----------------------------|----------------------------------|
| Flow * | Totalizer | | | Daily |
| BOD ₅ | Grab | 45 mg/l | | Once/Month |
| Ammonia as N | Grab | Report | | Once/Week |
| <i>E. Coli</i> | Grab | 941 colonies/100 ml | N/A | Twice/Month |
| Total Suspended Solids (TSS) | Grab | Report | | Once/Month |
| Nitrite plus Nitrate (as N) | Grab | Report | | Once/Week |

* Report average daily flow for each calendar month.

Sample at effluent from Sheaffer lagoon and at effluent from Baswood system (after UV).
Sample *E. Coli* at effluent from Baswood system (after UV).

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

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

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

immediately reported to the local Environmental Field Office, unless the discharge is separately authorized by a NPDES permit.

The permittee must disinfect the wastewater in order to meet the above *E. Coli* limit.

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

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

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

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

B. MONITORING PROCEDURES

1. Representative Sampling

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

Effluent from Sheaffer lagoon and from Baswood system (after UV).

2. Test Procedures

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

C. DEFINITIONS

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

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

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

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

A "quarter" is defined as any one of the following three-month periods: January 1 through March 31, April 1 through June 30, July 1 through September 30, and/or October 1 through December 31.

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

D. REPORTING

1. Monitoring Results

Monitoring results shall be recorded consistent with the general requirements imposed in Part A above OR in accordance with the operating and maintenance inspection schedule in the permit administrative file record and submitted quarterly.

Submittals shall be postmarked no later than 15 days after the completion of the reporting period. A copy should be retained for the permittee's files. Monitoring results shall be reported in a format approved by the division. Operation reports and any communication regarding compliance with the conditions of this permit must be sent to:

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

Sampling results may be submitted electronically to: DWRWW.Report@tn.gov.

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

2. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Rule 0400-40-05-

.07(2)(h)2, the results of such monitoring shall be included in the calculation and reporting of the values required in the Quarterly Operation Report. Such increased frequency shall also be indicated.

3. Falsifying Reports

Knowingly making any false statement on any report required by this permit may result in the imposition of criminal penalties as provided for in Section 69-3-115 of the Tennessee Water Quality Control Act.

4. Signatory Requirement

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

PART II

A. GENERAL PROVISIONS

1. Duty to Reapply

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

2. Right of Entry

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

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

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

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

3. Availability of Reports

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

4. Proper Operation and Maintenance

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

The monitoring frequency stated in this permit shall not be construed as specifying a minimum level of operator attention to the facility. It is anticipated that visits to the treatment facility by the operator will occur at intervals frequent enough to assure proper operation and maintenance, but in no case less than one visit every fourteen days OR in accordance with an operating and maintenance inspection schedule in the permit administrative file record. If monitoring reports, division's inspection reports, or other information indicates a problem with the facility, the permittee may be subject to enforcement action and/or the permit may be modified to include increased parameter monitoring, increased monitoring frequency or other requirements as deemed necessary by the division to correct the problem. The permittee shall ensure that the certified operator is in charge of the facility and observes the operation of the system frequently enough to ensure its proper operation and maintenance regardless of the monitoring frequency stated in the permit

Dilution water shall not be added to comply with effluent requirements.

5. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

6. Severability

The provisions of this permit are severable. If any provision of this permit due to any circumstance, is held invalid, then the application of such provision to other circumstances and to the remainder of this permit shall not be affected thereby.

7. Other Information

If the permittee becomes aware that he failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, then he shall promptly submit such facts or information.

B. CHANGES AFFECTING THE PERMIT**1. Planned Changes**

The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility.

2. Permit Modification, Revocation, or Termination

a. This permit may be modified, revoked and reissued, or terminated for cause as described in Section 69-3-108 (h) of the Tennessee Water Quality Control Act as amended.

b. The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

3. Change of Ownership

This permit may be transferred to another person by the permittee if:

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

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

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

4. Change of Mailing Address

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

C. NONCOMPLIANCE**1. Effect of Noncompliance**

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

2. Reporting of Noncompliance

a. 24-Hour Reporting

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

A written submission must be provided within five days of the time the permittee becomes aware of the circumstances unless this requirement is waived by the Director on a case-by-case basis. The permittee shall provide the Director with the following information:

- i. A description of the discharge and cause of noncompliance;
- ii. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
- iii. The steps being taken to reduce, eliminate, and prevent recurrence of the non complying discharge.

b. Scheduled Reporting

For instances of noncompliance which are not reported under subparagraph 2.a. above, the permittee shall report the noncompliance on the Quarterly Operation Report. The report shall contain all information concerning the steps taken, or planned, to reduce, eliminate, and prevent recurrence of the violation and the anticipated time the violation is expected to continue.

3. Overflow

a. "**Overflow**" means the discharge of wastewater from any portion of the collection, transmission, or treatment system other than through permitted outfalls.

b. Overflows are prohibited.

c. The permittee shall operate the collection system so as to avoid overflows.

d. No new or additional flows shall be added upstream of any point in the collection system, which experiences chronic overflows (greater than 5 events per year) or would otherwise overload any portion of the system. Unless there is specific enforcement action to the contrary, the permittee is relieved of this requirement after: 1) an authorized representative of the Commissioner of the Department of Environment and Conservation has approved an engineering report and construction plans and specifications prepared in accordance with accepted engineering practices for correction of the problem; 2) the correction work is underway; and 3) the cumulative, peak-design, flows potentially added from new connections and line extensions

upstream of any chronic overflow point are less than or proportional to the amount of inflow and infiltration removal documented upstream of that point. The inflow and infiltration reduction must be measured by the permittee using practices that are customary in the environmental engineering field and reported in an attachment to a Monthly Operating Report submitted to the local TDEC Environmental Field Office on a quarterly basis. The data measurement period shall be sufficient to account for seasonal rainfall patterns and seasonal groundwater table elevations.

e. In the event that more than 5 overflows have occurred from a single point in the collection system for reasons that may not warrant the self-imposed moratorium or completion of the actions identified in this paragraph, the permittee may request a meeting with the Division of Water Resources EFO staff to petition for a waiver based on mitigating evidence.

4. Upset

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

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

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

5. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to the waters of Tennessee resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge. It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

6. Bypass

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

D. LIABILITIES

1. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Notwithstanding this permit, the permittee shall remain liable for any damages sustained by the State of Tennessee, including but not limited to fish kills and losses of aquatic life and/or wildlife, as a result of the discharge of wastewater to any surface or subsurface waters. Additionally, notwithstanding this Permit, it shall be the responsibility of the permittee to conduct its wastewater treatment and/or discharge activities in a manner such that public or private nuisances or health hazards will not be created.

2. Liability Under State Law

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law.

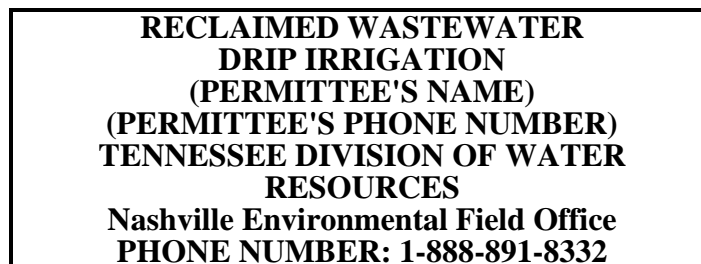
PART III OTHER REQUIREMENTS

A. CERTIFIED OPERATOR

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

B. PLACEMENT OF SIGNS

The permittee shall place a sign at the entrance to the land application area if fenced or all reasonable approaches to the land application area. The sign should be clearly visible to the public. The minimum sign size should be two feet by two feet (2' x 2') with one inch (1") letters. The sign should be made of durable material



C. ADDITION OF WASTE LOADS

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

D. OWNERSHIP OF THE TREATMENT FACILITIES

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

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

Attachment 1

RATIONALE

Limestone Water Utility Operating Company, LLC
STATE OPERATION PERMIT NO. SOP-07090
Thompson Station, Williamson County, Tennessee

Permit Writer: Mr. John Newberry

FACILITY CONTACT INFORMATION:

Mr. Josiah Cox

President

Phone: (314) 736-4672

jcox@cswrgroup.com

Southwest on Patton Road and Horton Hwy Intersection

Des Peres, MO 63131

| | |
|------------------------------------|---|
| Activity Description: | Treatment of domestic wastewater via a decentralized waste water system to support construction of |
| Facility location: | Latitude 35.815194 and Longitude -86.67697 |
| Name of the nearest stream: | No discharge allowed. |
| Treatment system: | Individual E-One grinder pump units, screening, deep cell lagoon and storage cell (Sheaffer system), Baswood Trickling Filter/Attached Growth system, clarification, filtration, UV disinfection and expanded drip irrigation field |
| Permit period: | This permit will be issued for a five year period effective from the issuance date on the title page. |
| Terms & Conditions: | BOD ₅ is a standard measure of sewage strength. The 45 mg/L daily maximum limit is the required treatment standard for domestic waste water in Tennessee. Ammonia and BOD ₅ reporting serve to demonstrate the treatment system is meeting minimum treatment standards. Land application, versus stream discharge, enables reduced monitoring frequency for these parameters. Narrative conditions for drip disposal and septage management are proposed in support of proper system operation to prevent runoff to streams and avoidance of nuisance conditions. E.coli limits apply when the disposal area is not fenced. |
| Financial Security: | Municipalities and Utility Districts are government entities exempt from the financial security requirement in TCA 69-3-122. (or) Privately- |

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

Annual Maintenance Fee:

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

Items Requisite for Operation:

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

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

Exhibit G

[On Following Page]



February 22, 2023

Mr. Joe Horne, Community Development Director
Williamson County Planning Department
1400 West Main Street, Suite 400
Franklin, TN 37064

RE: **Troubadour Golf + Field Club Subdivision**
Wastewater System Certification
TDEC SOP No. 07090
Williamson County, Tennessee

Dear Mr. Horne:

M2 Group, LLC (M2G) has designed and made several site visits to observe conformance to M2G construction plans for Troubadour Golf + Field Club Subdivision wastewater system, in conjunction with the construction of the expansion of the wastewater treatment facility (designed and certified by IDG and TDEC) and certifies that the existing system, before any alteration needed to extend service for the Wilson, Bilbrey, Killen, + Garrett Parcels was constructed in accordance with TDEC and Utility District specifications.

A detailed as-built survey of the overall system is in progress to provide to the Utility District for future operations of said system.

If you should have any questions or if I may be of further assistance, I can be contacted at 615-406-3415 or matt@m2groupllc.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Matt Bryant'.

Matt Bryant, P.E.
M2 Group, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via U.S. Mail or electronic mail upon:

Vance L. Broemel, Esq.
Senior Assistant Attorney General
Office of the Tennessee Attorney General
Consumer Advocate Division
P.O. Box 20207
Nashville, TN 37202-0207
Vance.Broemel@ag.tn.gov

Karen H. Stachowski, Esq.
Senior Assistant Attorney General
Office of the Tennessee Attorney General
Consumer Advocate Division
P.O. Box 20207
Nashville, TN 37202-0207
Karen.Stachowski@ag.tn.gov

This the 16th day of March 2023.



Katherine Barnes