STATE OF TENNESSEE

NPDES PERMIT

No. TNG640000

General NPDES Permit for Discharges of

FILTER BACKWASH AND SEDIMENTATION BASIN WASHOUT FROM WATER TREATMENT PLANTS

Issued By
Tennessee Department of Environment and Conservation
Division of Water Pollution Control
401 Church Street
6th Floor, L&C Annex
Nashville, Tennessee 37243-1534

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

Permit TNG640000 is hereby issued and made available to persons who discharge to surface waters of the state of Tennessee from water treatment plants. The wastewaters authorized to be discharged are primarily filter backwash and sedimentation basin wash waters. This permit authorizes discharges in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This general permit shall becomes effective on **August 1, 2010**

And shall expire on **June 30, 2015**

Issuance date: **July 1, 2010**

B Tarnit FOR
Paul E. Davis, Director
Division of Water Pollution Control

CN-0759

RDAs 2352 and 2366

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TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
GENERAL NPDES PERMIT FOR
DISCHARGES OF FILTER BACKWASH AND SEDIMENTATION BASIN WASHWATER
FROM WATER TREATMENT PLANTS

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1. COVERAGE UNDER THIS GENERAL PERMIT

1.1 Discharges Covered

This permit addresses discharges of filter backwash and/or sedimentation basin wash water from water treatment plants (WTP) to waters of the State of Tennessee. This permit covers the entire State of Tennessee. This permit is a National Pollutant Discharge Elimination System (NPDES) general permit and is issued to be effective for a term of five years.

1.2 Limitations on Coverage

1. The Division of Water Pollution Control (division) may deny coverage under this permit if the construction of the facility began prior to plans approval for said construction or if the construction proceeds in violation of the plans.

2. The division may deny facility coverage under this permit if the facility lacks an adequate treatment system for the treatment of filter backwash and sedimentation basin wastewater.

3. This permit does not apply to discharges that the director determines are contributing or may reasonably be expected to be contributing to a violation of a water quality standard, or to any person who discharges in violation of the Water Quality Control Act, or the regulations promulgated there under.

4. This permit prohibits coverage for discharges into waters that are designated by the Water Quality Control Board as Outstanding National Resource Waters (ONRWs) Designation of ONRWs are made according to TDEC Rules, Chapter 1200-4-3-.06.

Notwithstanding the provisions of this permit, the director may require any person to apply for and obtain an individual NPDES permit as set forth in subpart 10.11.

When an individual permit is issued to a person otherwise subject to this general permit, the applicability of the general permit to the individual NPDES permittee is terminated on the effective date of the individual permit.

1.3 Discharges to Water Quality Impaired Waters

Using the most current 303(d) list published on the division's web site along with the GIS mapping tool, the applicant must determine whether discharges from the facility contributes pollutants of concern to an impaired water body. For those impaired waters, the applicant must determine whether or not a Total Maximum Daily Load (TMDL) has been developed and approved by EPA. A list of EPA-Approved TMDLs can be found on the division's web site.

Impaired waters mean any segment of surface waters that has been identified by the division as failing to support classified uses. Pollutants of concern associated with discharges of treated water associated with filter backwash and/or sedimentation basin wash water from WTPs are listed in subpart 5.1 of this permit. To obtain authorization under this permit, discharges into receiving streams impaired by pollutants of concern or likely to contribute pollutants for which the receiving water is impaired in amounts that are measurable in the impaired segment must satisfy special conditions described in this part. These special conditions also apply to discharges upstream of impaired waters, which, because of the proximity to the

impaired segment and the nature of the discharge, The owner or operator must satisfy the following conditions to be eligible to obtain and maintain coverage under this permit:

(1) Discharges to Impaired Waterbodies without EPA-Approved TMDLs

Existing Discharges. These are discharges other than expanded dischargers from facilities that were in existence on expiration date of the previous WTP general permit. It is one of the purposes of this general permit not to authorize the discharge of pollutants in such a manner as to cause or contribute to a violation of any water quality standards. Therefore, if a Total Maximum Daily Load (TMDL) has not been developed at the time of filing of the Notice of Intent (NOI), in order to obtain coverage under this permit the owner or operator must certify that the wastewater treatment methods and control measures selected for the facility are the most appropriate for the reduction of pollutants at the facility and that these treatment methods and control measures are designed, and will be implemented to effectively minimize contributions of pollutants of concern. A failure to implement treatment methods and control measures so as to minimize contributions of those pollutants is a violation of this permit.

New or Expanded Discharges. New discharges are facilities that were not permitted either under an individual NPDES permit or general permit. Expanded discharges are ones from facilities that since expiration date of the previous WTP general permit have increased loading of a pollutant of concern from the facility. Permit coverage for new or expanded discharges of a pollutant of concern is not available under this permit and the owner or operator must seek coverage under a separate (individual) permit.

(2) Discharges to Impaired Waterbodies with EPA-Approved TMDLs

If a Total Maximum Daily Load (TMDL) has been developed and approved for the receiving water body, where the discharge is new, expanded or existing, discharges from the facility must be consistent with the applicable provisions of the TMDL. In the situation where the limitations of this permit allow discharge of pollutants of concern in excess of the wasteload allocation (WLA) specified in the TMDL, then the discharges cannot remain authorized under this general permit.

Issuance of a Notice of Coverage (NOC) under this general permit will constitute confirmation of the division's finding that the discharges authorized are either:

- Not into the water quality impaired waters; or
- The nature of the discharge is not likely to contribute pollutants of concern, for which the receiving water is impaired, in amounts measurable in the impaired segment.

If the division determines at any time that the discharge is causing or contributing to a violation of water quality standards or if the division has any other grounds for modifying or revoking this permit, the division may require corrective action or require the discharge be permitted differently in accordance with subpart 10.11 of this permit.

1.4 Antidegradation

Tennessee's Antidegradation Statement is found in the Rules of the Tennessee Department of Environment and Conservation, Chapter 1200-4-3-.06. It is the purpose of Tennessee's standards to fully protect existing uses of all surface waters as established under the Act. This permit does not apply to

discharges that the director determines are contributing or may reasonably be expected to be contributing to a violation of a water quality standard.

1.5 Threatened and Endangered Species Protection

1. Issuance of an NOC under this permit will constitute confirmation of the division's finding that, with properly developed and implemented filter backwash and sedimentation basin washout treatment methods for regulated WTPs and control measures selected for the pollutants of concern, the discharges authorized hereunder are not likely to result in the taking of threatened and endangered species.

2. Should the division later determine that the discharges covered by this permit would result in the taking of threatened or endangered species, or are otherwise not in compliance with the Endangered Species Act, the director, after written notification to the permittee, shall either:

    1. Notify the permittee that coverage is no longer eligible under this permit and coverage is required under an individual NPDES permit in accordance with part 10.11 of this permit. The permittee will continue to be covered under this permit until the division issues an individual NPDES permit for its filter backwash and sedimentation basin washout discharges associated with WTPs, provided a timely application for an individual permit is made. A timely application is defined as submitting to the division a complete individual WTP permit application, including sampling, within 90 days of the notice from the director requiring the application. A permittee may request a later date for the timely submission of an individual WTP permit application for just cause; or

    2. Notify the permittee that it must modify its filter backwash and sedimentation basin washout treatment methods and control measures selected for the pollutants of concern. As a consequence, the discharges authorized by this permit will not result in the taking of threatened and endangered species and otherwise be in compliance with the Endangered Species Act. The permittee shall have 60 days after such notice to submit to the division's local Environmental Assistance Center (EAC) (see subpart 3.5.) an engineering report detailing the proposed modifications of filter backwash and sedimentation basin washout treatment methods and control measures, including a timetable for implementation.

2. AUTHORIZATION TO DISCHARGE UNDER THIS PERMIT

Except as provided in subpart 1.2 above, if the notice of intent (NOI) is submitted as set forth in subpart 3.4 of this permit, a facility is permitted to discharge filter backwash and sedimentation basin wash water to waters of the state of Tennessee in accordance with the terms of this permit and of T.C.A. §69-3-108(b). Any such discharges not permitted under this permit or by an individual permit are unlawful under T.C.A.§ 69-3-108(b). The division may grant or deny coverage under this permit or require an application for an individual permit. Upon notice from the division to the applicant, the applicant is covered under this general permit. General permits may be issued, modified, revoked, reissued or terminated in accordance with this permit and the applicable requirements of T.C.A.§ 69-3-108.

3. NOTICE OF INTENT (NOI) REQUIREMENTS

3.1 Format

An NOI shall be submitted using the form provided in Appendix A of this permit.

3.2 Deadlines

1. For a new facility that is eligible for coverage per above section 1.3, an NOI shall be submitted 30 days before any discharge of backwash or sedimentation basin wash waters.

2. For a facility presently covered by the general permit, an NOI shall be submitted within 30 days of the effective date of the reissued general permit. In the case of a transfer of ownership, an NOI shall be submitted at least 30 days before the transfer.

3. For an existing facility that has already submitted to the division an individual NPDES application, the division may consider the application as an NOI requesting coverage under this general permit.

3.3 NOI Signatory Requirements

An NOI submitted to the director shall be signed in accordance with subpart 10.10 of this permit.

3.4 NOI Requirements

The following information must be included in an NOI:

1. Name, mailing address, existing NPDES permit number, and location of the water treatment plant (facility);

2. Name of the owner or operator of the plant, mailing address, a facility contact person and phone number; the operator of the facility is the legal entity which controls the facility's operation rather than the plant operator or manager;

3. A copy of an U.S.G.S. topographical map, a city map, or county map, identifying the location of the facility and the waters receiving the discharge; the facility map must show boundaries which extend at least a mile radius beyond the plant property;

4. The name of the waters receiving the discharge;

5. The facility's latitude and longitude;

6. A description of the plant, i.e. iron removal, manganese removal and/or turbidity removal; and a list of any additives used in the water treatment process, such as the type of coagulant, oxidizing enhancers, etc.;

7. The design capacity of the treatment plant; the number and volume of sedimentation basins; and for existing plants, the average of finished water production over the 12 months prior to submission of the NOI;

8. The source of the raw water; if surface water is used, include the distance the plant is located from the intake point; if the source is groundwater, include the number and depth of wells;

9. The number of filters that are backwashed; the frequency and volume of backwashes; the frequency and volume of sedimentation basin washout; and for new facilities, the expected frequencies and volumes;

10. The frequency and volume of discharges from the backwash settling basin to the stream; for new facilities, the expected frequency and volume;

11. A description of how sludge from the settling processes are disposed, for example, landfill, land applied, etc.;

12. Type of treatment provided for backwash and sedimentation basin wash waters and the design capacity of the treatment system; and

13. Any additional information the division may require;

An originally signed NOI shall be submitted to the Nashville Central Office and a photocopy sent to the EFO responsible for the county where the discharge is located, as shown in subpart 3.5. of this permit.

3.5 List of the Division's Environmental Filed Offices (EFOs) and Corresponding Counties

EFO Name	EFO Address	List of Counties
Chattanooga	TDEC Division of Water Pollution Control State Office Building, Suite 550 540 McCallie Ave Chattanooga, TN 37402 (423) 634-5745	Bledsoe, Bradley, Grundy, Hamilton, McMinn, Marion, Meigs, Polk, Rhea, Sequatchie
Columbia	TDEC Division of Water Pollution Control 1421Hampshire Pike Columbia, TN 38401 (931) 380-3371	Bedford, Coffee, Franklin, Giles, Hickman, Lawrence, Lewis, Lincoln, Marshall, Maury, Moore, Perry, Wayne
Cookeville	TDEC Division of Water Pollution Control 1221 South Willow Ave Cookeville, TN 38506 (931) 432-4015	Cannon, Clay, Cumberland, DeKalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Smith, Van Buren, Warren, White
Jackson	TDEC Division of Water Pollution Control 1625 Hollywood Drive Jackson, TN 38305-2222 (731) 512-1300	Benton, Carroll, Chester, Crockett, Decatur, Dyer, Gibson, Hardeman, Hardin, Haywood, Henderson, Henry, Lake, Lauderdale, McNairy, Madison, Obion, Weakly

EFO Name	EFO Address	List of Counties
Johnson City	TDEC Division of Water Pollution Control 2305 Silverdale Rd Johnson City, TN 37601 (423) 854-5400	Carter, Greene, Hancock, Hawkins, Johnson, Sullivan, Unicoi, Washington Counties
Knoxville	TDEC Division of Water Pollution Control 3711 Middlebrook Pike Knoxville, TN 37921 (865) 594-6035	Anderson, Blount, Campbell, Claiborne, Cocke, Grainger, Hamblen, Jefferson, Knox, Loudon, Monroe, Morgan, Roane, Scott, Sevier, Union
Memphis	TDEC Division of Water Pollution Control 8383 Wolf Lake Drive Bartlett, TN 38133-4119 (901) 371-3000	Fayette, Shelby, Tipton
Nashville	TDEC Division of Water Pollution Control 711 RS Gass Boulevard Nashville, TN 37243-1550 (615) 681-7000	Cheatham, Davidson, Dickson, Houston, Humphreys, Montgomery, Robertson, Rutherford, Stewart, Sumner, Trousdale, Williamson, Wilson
Nashville Central Office	TDEC Division of Water Pollution Control 6th Floor L& C Annex 401 Church Street Nashville, TN 37243	State-wide

All EFOs may be reached by telephone at the toll-free number 1-888-891-8332.

3.6 Electronic Submission of NOIs

If the division notifies permittees of other NOI forms or electronic submittal options that become available at a later date (or other submission form options), the permittee may take advantage of those options to satisfy NOI notification requirements.

4. ADMINISTRATIVE PROCEDURES FOR OBTAINING NOTICE OF COVERAGE (NOC)

The division will review each NOI for completeness and accuracy. Except as provided in subpart 1.2 of this permit, a complete and accurate NOI shall be processed as described in subparagraphs below.

Within 30 days of receipt of a complete and accurate NOI, the division will transmit to the permittee a notice of coverage (NOC) under this permit, which shall specify the effective date of coverage under the permit. The term of coverage is valid through the expiration date of this general permit. If the division has not been able to transmit an NOC to a permittee within 30 days of receipt of the NOI, discharges are authorized under this permit if the NOI has been assigned a valid NPDES general permit tracking number and the permittee has been informed of this tracking number.

If the division determines the submitted NOI is incomplete, or denies applicant coverage under this general permit, the division shall notify the applicant of this determination.

5. EFFLUENT STANDARDS AND LIMITATIONS

5.1 Effluent Limitations

Discharges covered by this permit must comply with the following numerical effluent limitations and monitoring requirements.

Effluent Characteristic	Daily Maximum Concentration	Sample Type	Monitoring Frequency
Flow Rate	Report [MGD]	Instantaneous	Monthly
Total suspended solids (TSS)	40 [mg/L]	Grab	Monthly
Settleable solids	0.5 [mL/L]	Grab	Monthly
Aluminum, total	refer to 5.1.1 below	Grab	Monthly
Iron, total	refer to 5.1.2 below	Grab	Monthly
Total residual chlorine (TRC)	refer to 5.1.3 below	Grab	Monthly
pH (range)	6.5 - 9.0	Grab	Monthly

5.1.1. Aluminum, total

the lower of either 10 [mg/L] or $0.75 + \frac{(0.75 \times Qs)}{Qw}$ [mg/L]

as a daily maximum.

This limit applies to wastewater discharges from plants that use an aluminum-based coagulant.

5.1.2. Iron, total

the lower of either 10 [mg/L] or $2.0 + \frac{(2.0 \times Qs)}{Qw}$ [mg/L]

as a daily maximum.

This limit applies to wastewater discharges from iron removal water treatment plants.

5.1.3. Total residual chlorine (TRC)

the lower of either 1.0 [mg/L] or $0.019 + \frac{(0.019 \times Qs)}{Qw}$ [mg/L]

as a daily maximum.

Both terms, Qs and Qw, are defined in part 9 of this permit.

5.2 Other Standards

Discharges covered by this permit must also comply with the following:

1. There shall be no distinctly visible floating scum, oil or other matter contained on or in the wastewater discharge.

2. The wastewater discharge must result in no other materials in concentrations sufficient to be hazardous or otherwise detrimental to humans, livestock, wildlife, plant life, or fish and aquatic life in the receiving stream.

3. The wastewater discharge must not cause an objectionable color contrast in the receiving stream.

4. Sludge or any other material removed by any treatment works must be disposed of in a manner which prevents its entrance into or pollution of any surface or subsurface waters. Additionally, the disposal of such sludge or other material must be in compliance with the Tennessee Solid Waste Disposal Act, T.C.A. 68-31-101 et seq. and the Tennessee Hazardous Waste Management Act, T.C.A. 68-46-101 et seq.

5. The permittee shall maintain a clean and orderly facility and shall manage the handling, storage and use of chemicals (process related, laboratory, cleaning products, etc.) to prevent release of materials.

6. All permit effluent limitations, standards, or prohibitions for a metal shall be expressed as "total recoverable metal" unless a promulgated effluent guideline specifies otherwise.

6. MONITORING REQUIREMENTS

6.1 Sample Types

All sample types shall be grab, except the flow measurement which is instantaneous. If the division determines that a discharge will not accurately be characterized by grab samples, the facility may be required to sample by composite sample for total suspended solids, settleable solids, total aluminum and total iron. If applicable, such requirement will be provided to the facility in a written form.

6.2 Additional Sampling

The division may require the facility to sample for additional parameters, using either grab or composite samples. If applicable, such requirement will be provided to the facility in a written form.

7. MONITORING PROCEDURES

7.1 Representative Sampling

Samples and measurements taken in compliance with the monitoring requirements specified above shall be representative of the volume and nature of discharges of filter backwash and sedimentation basin wash water. The samples and measurements shall be taken after treatment of the filter backwash and sedimentation basin wash water and prior to mixing with contaminated or uncontaminated storm water runoff or the receiving stream.

7.2 Test Procedures

1. Test procedures for the analysis of parameters shall conform to regulations published pursuant to Section 304(h) of the Clean Water Act (CWA), as amended.

2. Unless otherwise noted in Tennessee Rule 1200-4-5, all parameters shall be determined according to methods prescribed in 40 CFR Part 136, promulgated pursuant to Section 304(h) of the CWA.

7.3 Recording of Results

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

1. The place, date, and time of sampling;
2. The person(s) collecting samples;
3. The dates and times the analyses were performed;
4. The person(s) or laboratory who performed the analyses;
5. The analytical techniques or methods used; and
6. The results of all required analyses.

7.4 Recording Retention

All records and information resulting from the monitoring activities required by this rule including all records of analyses performed, calibrations and maintenance of instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the division.

8. REPORTING

8.1 Monitoring Results

Monitoring results shall be recorded monthly and submitted quarterly using discharge monitoring report (DMR) forms supplied by the division. The DMR shall be postmarked no later than 15 days after the completion of the quarterly reporting period. Also, the permittee may submit reports electronically when available. The top two copies of each report must be submitted to the division. A copy should be retained for the discharger's files. DMRs and any communication regarding compliance with the conditions of this rule must be sent to:

Tennessee Department of Environment and Conservation
Division of Water Pollution Control
Compliance and Enforcement Section
L&C Annex, 6th Floor
401 Church Street
Nashville, Tennessee 37243-1534

The first DMR is due 15 days after the first complete quarter following coverage under this permit.

DMRs must be signed and certified by a responsible corporate officer, as defined at 40 CFR 122.22, or a general partner or the sole proprietor, or a principal municipal executive officer or ranking elected official, or his duly authorized representative as set forth in parts 10.10 of this permit. Such authorization

must be submitted in writing and must explain the duties and responsibilities of the authorized representative.

8.2 Additional Monitoring

If the discharger monitors any pollutant at the location(s) designated herein more frequently than required by this rule, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the DMR form. Such increased frequency shall also be indicated.

8.3 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 and in Section 309 of the CWA.

9. DEFINITIONS

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

"Conventional water treatment" refers to coagulation, sedimentation, filtration, and chlorination or disinfection.

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

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

"Effluent limitation" means any restriction, established by the board or the commissioner, on quantities, rates or concentrations of chemical, physical, biological, or other constituents which are discharged into waters or adjacent to waters.

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

"Pollution" means such alteration of the physical, chemical, biological, bacteriological, or radiological properties of the waters of this state including, but not limited to, changes in temperature, taste, color, turbidity, or odor of the waters that will:

1. Result or will likely result in harm, potential harm or detriment of the public health, safety, or welfare;
2. Result or will likely result in harm, potential harm or detriment to the health of animals, birds, fish, or aquatic life;
3. Render or will likely render the waters substantially less useful for domestic, municipal, industrial agricultural, recreational, or other reasonable uses; or
4. Leave or likely leave the waters in such condition as to violate any standards of water quality established by the board.

"For the purpose of this permit, 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, or October 1 through December 31.

"Qs" means the unregulated stream flows, expressed in units of million gallons per day (MGD), equal to or exceeding the 7-day, 10-year (7Q10) low flow recurrence interval; or the regulated stream flows in excess of the minimum critical flow occurring 1-day, 10 year (1Q10) low flow, of the stream into which backwash and sedimentation basin wastewaters are discharged in accordance with the General Water Quality Criteria Rule 1200-4-3-.05. Qs will be used in the equations in subpart 5.1 of this permit, based on the information from the Streamflow-Characteristic Estimation Methods for Unregulated Streams of Tennessee by George S. Law, Gary D. Tasker and David E. Ladd; Scientific Investigation Report 2009-5159 prepared by the U.S. Geological Survey in Cooperation with the Tennessee Department of Environment and Conservation, Tennessee, 1996.

"Qw" means the flow, expressed in MGD, of discharges of backwash and sedimentation basin wastewater that is used in the equations in subpart 5.1 of this permit. This flow will be one of the following:

1. The average of the discharge flows for the 12 months prior to submission of the NOI; this value must reflect actual discharges from the facility to the receiving stream (see subpart 3.4. of this permit); or

2. if the flows described in 1 above are unavailable, the flow Qw will be equal to one of the following:

    a. 5% of the plant's finished water production (for the 12 months prior to submission of the NOI) plus the volume of the largest sedimentation basin; or

    b. for facilities that cannot provide 12 months of water production values, 5% of the plant's design capacity plus the volume of the largest sedimentation basin.

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

All other definitions shall be defined in accordance with the Tennessee Water Quality Control Act [T.C.A. § 69-3-101, et. seq.] and implementing state rule.

10. STANDARD PERMIT CONDITIONS

10.1 Duty to Comply

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

10.2 Continuation of Expired Permit

This permit expires on May 31, 2015. However, coverage under the expired general permit is administratively continued in force and effect until 45 days after the new permit is issued. Permittees must submit a complete NOI packet, according to the conditions of the new general permit, to maintain coverage.

10.3 Right of Entry

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

1. To enter upon the discharger'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;

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

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

10.4 Availability of Reports

Except for data determined to be confidential under T.C.A. 69-3-113 of the Tennessee Water Quality Control Act, all reports submitted in accordance with the terms of this rule shall be available for public inspection at the offices of the division. As required by the Tennessee Water Quality Control Act, operational data shall not be considered confidential.

10.5 Proper Operation and Maintenance

The discharger shall at all times properly operate and maintain all facilities and systems (and related equipment and systems) for collection and treatment, which are installed or used by the discharger 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 discharger, only when the operation is necessary to achieve compliance with the conditions of the permit.

10.6 Treatment Facility Failure

The operator, in order to maintain compliance with this permit, shall control water treatment plant processes, discharges or both, upon reduction in capacity, or failure, of the wastewater settling basins. Such controls shall be applied until the facility is restored or an alternative method of treatment is provided. This requirement applies in such situations as the reduction, loss, or failure of the primary source of power.

10.7 Property Rights

This general 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.

10.8 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.

10.9 Other Information

If the discharger becomes aware that he failed to submit any relevant facts in a NOI, or submitted incorrect information in an NOI or in any report to the director, then he shall promptly submit such facts or information.

10.10 Signatory Requirements

All NOIs, requests for termination of permit coverage, discharge monitoring report DMR forms, certifications and/or any other information either submitted to the division, or that this permit requires be maintained by the permittee, shall be signed and dated.

1. Notice of Intent (NOI) shall be signed as follows:

   For a corporation, by a responsible corporate officer, a responsible corporate officer means:

   - a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or

   - the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated site including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

NOTE: The division does not require specific assignments or delegations of authority to responsible corporate officers. The division will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the director to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively.

3 For a municipality, state, federal, or other public agency, by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes:

i. The chief executive officer of the agency, or

ii. a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

2. Signatory Requirements for Reports

All reports required by this permit, and other information requested by the director shall be signed by a person described in subpart 10.10 or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described in subpart 10.10 of this permit;
2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,
3. The written authorization is submitted to the director.

3. Change of Authorization

If an authorization under subpart 10.10 of this permit is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of subpart 10.10 (2) must be submitted to the director prior to, or together with, any reports, information, or applications to be signed by an authorized representative.

4. Certification Statement

Any person signing a document under subpart 10.10 above shall make the following certification:

"*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*"

10.11 Individual or Alternative General Permits

If the division has notified the owner or operator in writing before or after the filing of an NOI that the facility's discharges will cause or contribute to a violation of water quality standard or that coverage under this general permit is subject to being modified or revoked for any grounds under T.C.A.§ 69-3-108(h), the discharger has the following options:

1. Provide a demonstration to the division within 60 days of the notification that the discharge does not cause or contribute to a violation of water quality standard;

2. Modify treatment methods and control measures at the plant to address the water quality standard within 120 days of the notification; or

3. Apply for coverage under a different general permit (if available) or file an individual permit application as specified by the division. Individual permit applications shall be submitted to the address shown in the list (see subpart 3.5. of this permit) for the local EAC responsible for the county where the facility is located.

The permittee does not lose coverage under the general permit while exercising the above options. Although a permittee may exercise more than one of these three options, if the division does not approve the actions taken under (1) or (2) above, the permittee must comply with (3) within the stated time or an extension thereof granted by the division. If the owner or operator fails to submit in a timely manner an individual NPDES permit application as required by the division, the applicability of this permit automatically terminated at the end of the day specified for the application submittal.

1. Submit an Individual Permit Application

Any owner or operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. The owner or operator shall submit an individual application (forms 1 and 2E and any other applicable forms) with reasons supporting the request to the division. Individual permit applications shall be submitted to the address of the appropriate EAC (see subpart 3.5.). The request may be granted by the issuance of any individual permit or an alternative general permit if the reasons cited by the owner or operator are adequate to support the request.

2. Submit an Individual/Alternative General Permit

When an individual NPDES permit is issued to an owner or operator otherwise subject to this permit, or the owner or operator is authorized for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to an owner or operator or the owner or operator is denied coverage under an alternative NPDES general permit, the applicability of this general permit is automatically terminated on the date of such denial, unless otherwise specified by the division.

10.12 State/Environmental Laws

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 Tennessee law or regulation under authority preserved by the Section 510 of the CWA. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

11. NONCOMPLIANCE

11.1 Effect of Noncompliance

All discharges authorized by the permit shall be consistent with the terms and conditions of the permit; that facility expansions, production increases, or process modifications which result in new or increased discharges of pollutants must be reported by submission of a new application or, if such discharge does not violate effluent limitations specified in the permit, by submission to the commissioner of notice of such new or increased discharges of pollutants; that the discharge of any pollutant more frequently than or at a level in excess of that identified and authorized by the permit shall constitute a violation of the terms and conditions of the permit.

11.2 Reporting of Noncompliance

1. 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 permittee shall notify the division of the noncompliance by contacting the appropriate EAC within 24 hours from the time the permittee becomes aware of the circumstances. (The EAC 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 the director on a case-by-case basis waives this requirement. The permittee shall provide the director with the following information:

1. A description of the discharge and cause of noncompliance;
2. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
3. The steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance discharge.

2. Scheduled Reporting

For instances of noncompliance which are not reported under subpart 11.2 above, the permittee shall report the noncompliance on the DMR. 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.

11.3 Bypass

"***Bypass***" is the intentional diversion of wastewater away from any portion of a treatment facility. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which would cause them to become inoperable, or substantial and permanent loss of natural resources, which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

Bypasses are prohibited unless the following 3 conditions are met:

1. The bypass is unavoidable to prevent loss of life, personal injury, or severe property damage;

2. There are not feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass, which occurred during normal periods of equipment downtime or preventative maintenance;

3. The permittee submits notice of an unanticipated bypass to the Division of Water Pollution Control in the appropriate EFO within 24-hours of becoming aware of the bypass (if this information is provided orally, a written submission must be provided within five days). When the need for the bypass is foreseeable, prior notification shall be submitted to the Director, if possible, at least 10 days before the date of the bypass.

Bypasses not exceeding limitations are allowed ***only*** if the bypass is necessary for essential maintenance to assure efficient operation. All other bypasses are prohibited. Allowable bypasses not exceeding limitations are not subject to the reporting requirements of 11.2.3, above.

11.4 Upset

"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.

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:

1. an upset occurred and that the permittee can identify the cause(s) of the upset;

2. 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;

3. the discharger 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

4. the permittee complied with any remedial measures required under "Adverse impact."

11.5 Adverse Impact

The owner or operator shall take all reasonable steps to minimize any adverse impact to the waters of Tennessee resulting from noncompliance with this rule, 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.

12. CHANGES AFFECTING COVERAGE UNDER THIS PERMIT

12.1 Planned Changes

The discharger shall give notice to the director as soon as possible of planned physical alterations or additions to the permitted facility. Notice is required only when:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or

2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in this permit, nor to notification requirements under 40 CFR 122.42(a)(1).

12.2 Change of Ownership

If a facility is sold or transferred to a new owner or operator, the new owner of operator shall submit a new NOI in accordance with part 3 of this permit.

12.3 Change of Mailing Address

The discharger 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 discharger will be assumed to be correct.

12.4 Change in Discharge Flow

If data shows the average of the discharge flows for a 12 month period since the date of the facility's coverage under this permit to be higher or lower than the flow Qw used to calculate the facility's effluent limitations, the facility may submit such data and request it be used to specify new limits according to the procedure set forth in part 5 of this permit. The division may grant or deny such request.

13. TERMINATION OF COVERAGE

13.1 Notice of Termination (NOT)

A permittee shall request written termination of coverage under this permit if and when discharges of filter backwash and/or sedimentation basin wash water from water treatment plants to the waters of the state have been eliminated.

The permittee must submit facts in support of the NOT, which shall be signed in accordance with subpart 10.10 of this permit. The division retains the right to deny termination of coverage under this general permit

upon receipt of the necessary notice and information from the permittee. If discharges have ceased but coverage under the general permit is still in effect because the permittee has not requested termination of permit coverage, the permittee will continue to be responsible for annual permit maintenance fees billed according to Chapter 1200-4-11 – Environmental Protection Fund Fees. The written NOT shall include the following information:

1. Name, mailing address, and location of the facility for which the notice is submitted;

2. The name, address, and telephone number of the operator addressed by the notice;

3. The NPDES permit tracking number for the water treatment plant;

4. Last date of operation; and

5. A signed certification statement in accordance with subpart 10.10. of this permit which states:

"I certify under penalty of law that filters backwash and/or sedimentation basin wash water from the identified water treatment plant that are authorized by an NPDES general permit have been terminated or that I am no longer the operator of the industrial activity. I understand that by submitting this notice of termination, that I am no longer authorized to discharge filter backwash and/or sedimentation basin wash water associated with said water treatment plant under this general permit, and that discharging pollutants associated with said water treatment plant to waters of the state is unlawful under the Clean Water Act where the discharge is not authorized by an NPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Clean Water Act."

The divisions will response within thirty days of receiving termination request with a letter which either grants or deny the termination.

14. LIABILITIES

14.1 Civil and Criminal Liability

Except as provided in this rule, nothing in this rule shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Notwithstanding this rule, 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 rule, it shall be the responsibility of the discharger 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.

14.2 Liability under State Law

Nothing in this rule shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or the Federal Water Pollution Control Act, as amended.

15. PLACEMENT OF SIGNS

The discharger shall place and maintain a sign(s) at the discharge outfall. The sign should be clearly visible to the public from the bank and the receiving stream. The minimum sign size should be two feet by two feet (2' x 2') with two-inch (2") letters. The sign should be made of durable material and have a white background with black letters.

The sign is to provide notice that the discharge is regulated by the Tennessee Department of Environment and Conservation, division of Water Pollution Control. The following is given as an example of the minimal amount of information that must be included on the sign:

TREATED WATER TREATMENT PLANT WASTEWATER (*PERMITTEE'S NAME*) (*PERMITTEE'S PHONE NUMBER*) NPDES PERMIT TRACKING NUMBER *TNG64* _ _ _ _ TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION DIVISION OF WATER POLLUTION CONTROL 1 (888) 891-8332

16. APPENDIX A - WATER TREATMENT PLANT GENERAL PERMIT NOTICE OF INTENT

DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL

NOTICE OF INTENT (NOI)
WATER TREATMENT PLANT NPDES GENERAL PERMIT

Facility Name:		County:	
Street Address or Location:		Latitude:	
		Longitude:	

▪ All entries must be in ink. ▪ **Attach a copy of U.S.G.S. topographical map, a city map, or a county map, identifying the location of this facility.** ▪ This NOI must be signed by a responsible corporate officer for a corporation, a general partner for a partnership, the proprietor for a sole proprietorship, or a principal executive officer or ranking elected official for a public agency. ▪ If this NOI is submitted because of new operator or to update facility information (such as name of facility, new official contact person name, new E-mail address, etc.), provide the existing permit tracking number: _____.

Owner or Operator: (the person or legal entity which controls facility's operation; this may or may not be the same as the site name or the official contact name)

1	Official Contact Person Name: (individual responsible for a facility)	Title or Position:		
	Mailing Address:	City:	State:	Zip:
	Phone: ( )	E-mail:		

2	Local Contact Person Name: (if appropriate, write "same as #1")	Title or Position:		
	Facility Address: (this may or may not be the same as street address)	Facility City:	State: TN	Zip:
	Phone: ( )	E-mail:		

Write in the box (to the right) or circle the number (above) to indicate where to send correspondence: ☐

PROCESS DESCRIPTION (Reply on a separate page, if necessary)

Name of surface waters receiving the discharge (and the mileage point, if available).

A description of the source of the raw water; if surface water is used, include the distance the plant is located from the intake point; if the source is groundwater, include the number and depth of wells.

A description of the plant, i.e. iron removal, manganese and/or turbidity removal, and a list of any additives used in the water treatment process, such as coagulant, oxidizing enhancers, etc.

Design capacity of treatment plant in million of gallons per day (MGD): _____ Number and volume of sedimentation basins: _____
Average flow of finished water production in MGD over 12 months prior to submission of the NOI:

Filter backwashing. Number of filters backwashed: _____ Frequency for each filter: ____ times per week. Amount of water used to backwash: _____ for each filter. Frequency sedimentation basin is washed out: _____ times per year. Amount of water used to wash out the largest sedimentation basin: _____ gallons. Describe type of treatment provided for backwash and sedimentation basin washwaters and the design capacity of the treatment system.

Water is released from the backwash settling basin ____ times per week for _____ hours per release and a volume of _____ gallons per release. For existing facility, give averages from last 12 months of operation. For new facilities, indicate "not available." Describe more fully, if necessary.

A description of how sludge from the settling processes are disposed, for example, landfill, land applied, etc.

CERTIFICATION AND SIGNATURE

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Printed Name	Official Title	Signature	Date

STATE USE ONLY

Received Date	*Domestic Water Supply Use*	*Protective for Lead Conc.*	*Tracking No.*	*EAC*
Impaired Receiving Stream	*High Quality Water*	*T & E Aquatic Fauna*	*NOC Date*	*Reviewer*

Submit the original completed and signed form to:

WTP NOI
Division of Water Pollution Control
6th Floor L&C Annex, 401 Church Street
Nashville, TN 37243-1534