



# City of Bartlett

A. KEITH McDONALD, Mayor

ENGINEERING & UTILITIES

W. R. McCLANAHAN - Director and City Engineer

JOHN HORNE - Assistant City Engineer

Vojin Janjic  
State of Tennessee  
Department of Environment and Conservation  
Division of Water Resources  
William R. Snodgrass- Tennessee Tower  
312 Rose L Parks Avenue, 11<sup>th</sup> Floor  
Nashville, Tennessee 37243-1102

Disagreement of Provisions of the Permit

Dear Mr. Janjic

The City of Bartlett would like to object to specific items in the draft permit issued for Permit Number TN0066800. The City will list each area of disagreement separately so each request can be viewed separately. Please consider each item and associate sub-item and respond in writing to the City to address each requested disagreement as in the past the City has received no reasons why specific items were either included or deleted from our permits.

## Item 1

In section 6.6 of the Rational Total Nitrogen and Total Phosphorus the following issues need to be addressed.

Since the local agency has not had the opportunity to review the findings of the SPARROW model, the City is requesting the following information from the TDEC and any future actions concerning nutrient effluent limits alluded to in the rational be deferred until the information is provided to the City and TDEC accurately shows statistical validity and reliability of the model results and the appropriateness of the limits shown to this watershed.

Item 1a Please provide the City with a copy of the output of the SPARROW model for the Loosahatchie showing the levels of P and N for the river at specific locations along the river between the mouth at the Mississippi and upstream to at least Arlington. This will allow the City to see the output being used to potentially set the required limits outlined in Table 7A.

Item 1b Please provide a copy of the most recent sampling done that are being used to correlate the P and N numbers produced by the model.

Item 1c Please provide a table or other means showing the correlation of the samples taken calibrated to the SPARROW model outcomes from the mouth of the Loosahatchie in the Mississippi to Arlington. This comparison should show that there is a good correlation between the model of the Loosahatchie and the samples taken on the Loosahatchie.

Item 1 d The Sparrow was developed in the North East United States where large percentages of wastewater plant flows make up the 7Q10 flows for those rivers. That is the reason they classify wastewater plants as a Medium or High impact to the watershed. Our plant currently makes up about 2 % of the flow in a 7Q10 event which is not a normal low water event and certainly should not be considered a medium contributor to either Nitrogen or Phosphorus. We agree with the permit that it should remain a Low Impact contributor at this time; however we take issue with the fact that just because the model defines waste water treatment plants as medium contributors in the model that all wastewater plants should be so classified especially since this plant is such a low contributor to the flow in the river. We can certainly argue that agriculture in this water shed will provide significantly more N and P and flow to the river than our plant does. We agree with TDEC that the levels should remain where they are now but to state that this plant is a medium impact at this time without providing data to the City to support such future requirements is premature. The City is very concerned that if this is left in the permit the back sliding provision will prevent any change in the future even when better data is provided. Once again this statement being placed in the rational is premature at this time and should be removed.

Without that data and a good correlation establishing that the model is reliable and valid for this watershed, the State should not be imposing or even hinting at imposing stricter limits on the City. The levels outlined in Table A7 as a future limit will result in substantial capital expenditures to meet these limits and to suggest those limits without shared data is not fair to the City. The City should be allowed to review the data and comment on any inconsistencies or inaccuracies being depended on by TDEC to establish limits now or in the future. The City is not asking that the rolling limits be changed for this permit for Phosphorus or Nitrogen. We are asking however; that in this rational section, and since the City has not been made privy to the data as completed for the Loosahatchie, that any mention of our facility being a potential Medium Impact facility be deleted. The City should remain as a Low Impact limit at current levels for this permit with no mention of a medium contributor.

Item 2a The whole table 7A needs to be removed. The City is a low impact plant for nutrients and we understand that if we increase our flows beyond what we are permitted for we will need to expect limit changes in the planning limits issued for our plant; but that change in limits will be required then and should not be a part of this existing permit at least until data can be provided to the City answering the previous questions concerning model accuracy, validity and reliability.

Item 2b If the State chooses not to act on this disagreement then the statement made under Total Phosphorus and Nitrogen should certainly be modified to read "However, the permittee should be aware that modifications that increase the flow through the facility from the permitted limit such as an expansion will necessitate the implantation of stricter limits." The City does not want to be required to meet new limits if we chose to modify our plant for energy efficiency or to build a larger parking lot that has no bearing on the nutrients in the plant. The way it is written those type of modifications could be required to change limits and I don't think that is what TDEC is inferring.

The City of Bartlett as a whole is satisfied with the limits provided for the next 4 years in the permit. We do feel that TDEC has not provided the City with data or documentation that adequately answers our questions about the limits TDEC is proposing to impose. Until this information is published for review and comments to the local agencies impacted, all potential comments and or proposed requirements associated with Nutrients should be suspended and removed until the next permit cycle or until a reopening is warranted as allowed in the permit. Bartlett and its' operators take great pride in protecting the waters of the state and especially the Loosahatchie from pollution but want to be sure that the limits we are being charge with maintaining have scientific, accurate and valid basis for implementation. Thank you for your consideration and we look forward to receiving the information requested in the previous items listed above as well as TDEC making the requested changes in the City's permit for this permit cycle.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Rick McClanahan', written in a cursive style.

Rick McClanahan P.E.