

April 6, 2022

Courtland Vice  
Environmental Protection Specialist  
Tennessee Department of Environment & Conservation  
Division of Water Resources  
William R. Snodgrass –Tennessee Tower  
312 Rosa L. Parks Avenue, 11<sup>th</sup> Floor  
Nashville, Tennessee 37243  
Transmitted via e-mail

**RE: Wacker Polysilicon North America LLC  
Draft NPDES Permit No. TN0081311 Comments**

Dear Mr. Vice:

Wacker has reviewed the draft NPDES Permit No. TN0081311 published on March 8, 2022. Based on our review of the permit, Wacker is providing our comments consisting of the following items:

1. NPDES permit page 8, paragraph two states, *“Composite samples must be proportioned by flow at the time of sampling. Aliquots may be collected manually or automatically.”*  
NPDES permit page 31, section 4.1. Definitions, includes the following definition, *“A composite sample is a combination of not less than 8 influent or effluent portions, of at least 100mL, collected over a 24-hour period. Under certain circumstances a lesser time period may be allowed, but in no case less than 8 hours.”*

Wacker’s current practice for collection of wastewater effluent composite samples is that a 300 mL sample is collected every two hours by an automated, ISCO brand sampler. The site effluent flow rate is relatively stable and normally doesn’t fluctuate greatly. With the current sampling practice above being used relative to the normal effluent discharge condition, Wacker’s understanding is this practice meets the permit requirement. Wacker further understands the permit conditions do not require the ISCO sampler to receive a flow signal from the site effluent flow meter that then controls the pace of sampling for the flow proportion requirement to be met.

Please comment on Wacker’s interpretation of the composite sampling requirement relative to the permit condition and definition.

2. NPDES permit rationale pages R-3 & 4, item 4. states, *“A review of the permittee’s Discharge Monitoring Reports (DMRs) from 2017 to 2022 revealed that the permittee has not discharged due to plant expansion construction. Due to no discharge a summary of the DMR data will not be provided.”*

As a point of clarification, Wacker has been discharging treated wastewater in compliance with the existing NPDES permit since its issuance in March 2017. That wastewater has been generated from

the manufacturing of polysilicon, with the exception of a brief period of time in 2021 when amorphous silicon production did occur also, although not at full plant capacity quantity.

If you have any questions, please contact me at (423) 780-7953 or via email at [Jeremy.Copeland@wacker.com](mailto:Jeremy.Copeland@wacker.com)

Sincerely,

A handwritten signature in black ink, appearing to read "Jeremy Copeland". The signature is written in a cursive, flowing style.

Jeremy Copeland, CHMM  
Environmental Manager  
Wacker Polysilicon North America LLC

cc: Sarah Terpstra (TDEC Division of Water Resources, Nashville)