



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

October 21, 2021

The Honorable Kathy Stewart
City Mayor
e-copy: cityofcopperhill@bellsouth.net
City of Copperhill
PO Box 640
160 Main Street
Copperhill, TN 37317

Subject: **NPDES Permit No. TN0024449**
City of Copperhill
Copperhill, Polk County, Tennessee

Dear Mayor Stewart:

In accordance with the provisions of the Tennessee Water Quality Control Act, Tennessee Code Annotated (T.C.A.), Sections 69-3-101 through 69-3-120, the Division of Water Resources hereby issues the enclosed NPDES Permit. The continuance and/or reissuance of this NPDES Permit is contingent upon your meeting the conditions and requirements as stated therein.

Please be advised that a petition for permit appeal may be filed, pursuant to T.C.A. Section 69-3-105, subsection (i), by the permit applicant or by any aggrieved person who participated in the public comment period or gave testimony at a formal public hearing whose appeal is based upon any of the issues that were provided to the commissioner in writing during the public comment period or in testimony at a formal public hearing on the permit application.

Additionally, for those permits for which the department gives public notice of a draft permit, any permit applicant or aggrieved person may base a permit appeal on any material change to conditions in the final permit from those in the draft, unless the material change has been subject to additional opportunity for public comment.

Any petition for permit appeal under this subsection (i) shall be filed with the Technical Secretary of the Water Quality, Oil and Gas Board within thirty (30) days after public notice

of the commissioner's decision to issue or deny the permit. A copy of the filing should also be sent to TDEC's Office of General Counsel.

TDEC has activated a new email address to accept appeals electronically. If you wish to file an appeal, you may do so by emailing the appeal and any attachments to TDEC.Appeals@tn.gov. If you file an appeal electronically, you do not have to send a paper copy. If you have questions about your electronic filing, you can call (615) 532-0131. Electronic filing is encouraged, but not required.

If you have questions, please contact the Chattanooga Environmental Field Office at 1-888-891-TDEC; or, at this office, please contact Ms. Maybelle T. Sparks, P.E. at (615) 532-0651 or by E-mail at Maybelle.Sparks@tn.gov.

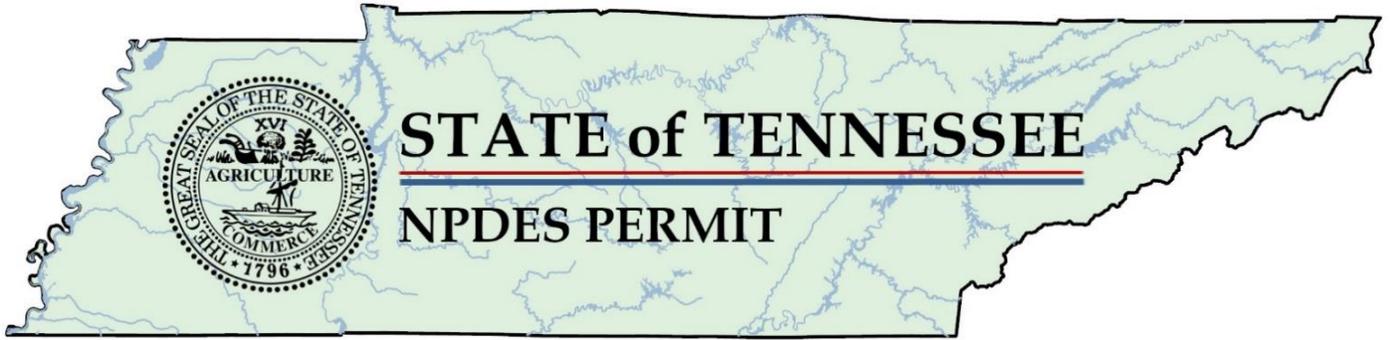
Sincerely,



Vojin Janjić
Manager, Water-Based Systems

Enclosure

cc: Permit Section File & Chattanooga Environmental Field Office
Mr. Brett Ward, Utility Operators Consultant, MTAS, brett.ward@tennessee.edu
Mr. Todd Dilbeck, City of Copperhill, copperhillws@gmail.com



**Authorization to Discharge Under the
National Pollutant Discharge Elimination System (NPDES)
Permit Number TN0024449**

Issued by
**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**

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.)

Discharger: **City of Copperhill
Copperhill STP**

is authorized to: treated municipal wastewater
from a facility located at: Old River Camp Road, Copperhill, Polk County, Tennessee
to receiving waters named: Ocoee River at mile 37.0
in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective on: **November 1, 2021**

This permit shall expire on: **October 31, 2026**

Issuance date: **October 21, 2021**



for Jennifer Dodd
Director

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PART 1

1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1.1. NUMERIC AND NARRATIVE EFFLUENT LIMITATIONS

1.1.1. Numeric Limitations

The City of Copperhill is authorized to discharge treated municipal wastewater from Outfall 001 to Ocoee River at mile 37.0 from a treatment facility with a design capacity of 0.7 MGD. Discharge from Outfall 001 shall be limited and monitored by the permittee as specified below:

Description : External Outfall, Number : 001, Monitoring : Effluent Gross, Season : All Year							
<u>Code</u>	<u>Parameter</u>	<u>Qualifier</u>	<u>Value</u>	<u>Unit</u>	<u>Sample Type</u>	<u>Monitoring Frequency</u>	<u>Statistical Base</u>
00300	Oxygen, dissolved (DO)	>=	1.0	mg/L	Grab	Five Per Week	Instantaneous Minimum
00310	BOD, 5-day, 20 C	<=	45	mg/L	Composite	Three Per Week	Daily Maximum
00310	BOD, 5-day, 20 C	<=	30	mg/L	Composite	Three Per Week	Monthly Average
00310	BOD, 5-day, 20 C	<=	40	mg/L	Composite	Three Per Week	Weekly Average
00310	BOD, 5-day, 20 C	<=	175	lb/d	Composite	Three Per Week	Monthly Average
00310	BOD, 5-day, 20 C	<=	234	lb/d	Composite	Three Per Week	Weekly Average
00400	pH	>=	6.0	SU	Grab	Five Per Week	Minimum
00400	pH	<=	9.0	SU	Grab	Five Per Week	Maximum
00530	Total Suspended Solids (TSS)	<=	45	mg/L	Composite	Three Per Week	Daily Maximum
00530	Total Suspended Solids (TSS)	<=	30	mg/L	Composite	Three Per Week	Monthly Average
00530	Total Suspended Solids (TSS)	<=	40	mg/L	Composite	Three Per Week	Weekly Average
00530	Total Suspended Solids (TSS)	<=	175	lb/d	Composite	Three Per Week	Monthly Average
00530	Total Suspended Solids (TSS)	<=	234	lb/d	Composite	Three Per Week	Weekly Average
00545	Settleable Solids	<=	1.0	mL/L	Grab	Five Per Week	Daily Maximum
00600	Nitrogen, total (as N)	Report	-	mg/L	Composite	Quarterly	Daily Maximum

00600	Nitrogen, total (as N)	Report	-	lb/d	Composite	Quarterly	Daily Maximum
00665	Phosphorus, total (as P)	Report	-	mg/L	Composite	Quarterly	Daily Maximum
00665	Phosphorus, total (as P)	Report	-	lb/d	Composite	Quarterly	Daily Maximum
50050	Flow	Report	-	MGD	Continuous	Daily	Daily Maximum
50050	Flow	Report	-	MGD	Continuous	Daily	Monthly Average
50060	Chlorine, total residual (TRC)	<=	1.4	mg/L	Grab	Five Per Week	Daily Maximum
51040	E. coli	<=	941	#/100mL	Grab	Three Per Week	Daily Maximum
51040	E. coli	<=	126	#/100mL	Grab	Three Per Week	Monthly Geometric Mean

Description : External Outfall, Number : 001, Monitoring : Effluent Gross, Season : All Year, Limit Set Status : Compliance Schedule- Start Date: 01-JAN-23

Code	Parameter	Qualifier	Value	Unit	Sample Type	Monitoring Frequency	Statistical Base
50060	Chlorine, total residual (TRC)	<=	0.8	mg/L	Grab	Five Per Week	Monthly Average

Description : External Outfall, Number : 001, Monitoring : Percent Removal, Season : All Year, Limit Set Status : Active

Code	Parameter	Qualifier	Value	Unit	Sample Type	Monitoring Frequency	Statistical Base
81010	BOD, 5-day, % removal	>=	40	%	Calculated	Three Per Week	Daily Minimum
81010	BOD, 5-day, % removal	>=	85	%	Calculated	Three Per Week	Monthly Average Minimum
81011	TSS, % removal	>=	40	%	Calculated	Three Per Week	Daily Minimum
81011	TSS, % removal	>=	85	%	Calculated	Three Per Week	Monthly Average Minimum

Description : Influent Structure, Number : INF1, Monitoring : Raw Sewage Influent, Season : All Year, Limit Set Status : Active

Code	Parameter	Qualifier	Value	Unit	Sample Type	Monitoring Frequency	Statistical Base
00310	BOD, 5-day, 20 C	Report	-	mg/L	Composite	Three Per Week	Daily Maximum
00310	BOD, 5-day, 20 C	Report	-	mg/L	Composite	Three Per Week	Monthly Average
00530	Total Suspended Solids (TSS)	Report	-	mg/L	Composite	Three Per Week	Daily Maximum
00530	Total Suspended Solids (TSS)	Report	-	mg/L	Composite	Three Per Week	Monthly Average
50050	Flow	Report	-	MGD	Continuous	Daily	Daily Maximum

50050	Flow	Report	-	MGD	Continuous	Daily	Monthly Average
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General MyTDEC Forms Report Requirements*	
Bypass of Treatment Facility	See Section 1.3.5.1. and 2.3.5.
Anticipated Bypass of Treatment Facility	See Section 1.3.5.1. and 2.3.5.
Five-day Follow-up Noncompliance Report	See Sections 1.3.5.1. and 2.3.1.a.
Scheduled Reporting	See Section 2.3.1.b.

* Each event shall be reported via MyTDEC Forms.

Notes:

The permittee shall achieve 85% removal of BOD₅ and TSS on a monthly average basis. The permittee shall report all instances of releases, overflows and/or bypasses. See **Part 2.3.2(a)** for the definition of overflow and **Part 1.3.5** for reporting requirements.

Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the permit.

Unless elsewhere specified, summer months are May through October; winter months are November through April.

See **Part 1.2.3** for test procedures.

See below for percent removal calculations.

The permittee may collect more samples than specified as the monitoring frequency in the permit. Samples may not be collected at intervals of less than 12 hours. For the purpose of determining the geometric mean, individual samples having an *E. coli* group concentration of less than 1 per 100 mL shall be considered as having a concentration of 1 per 100 mL. In addition, the concentration of the *E. coli* group in any individual sample shall not exceed a specified maximum amount.

Total residual chlorine (TRC) monitoring shall be applicable when chlorine, bromine, or any other oxidants are added. The acceptable methods for analysis of TRC are any methods specified in Title 40 CFR § 136 as amended, so long as the requirements of Tennessee Rule 0400-40-03-.05(8) are met. The method detection limit (MDL) should be determined in accordance with 40 CFR § 136 as amended, Appendix B. The MDL for TRC shall not exceed 0.05 mg/l unless the permittee demonstrates that its MDL is higher. The permittee shall retain the documentation that justifies the MDL and have it available for review upon request. In cases where the permit limit is less than the MDL, the reporting of TRC at less than the MDL shall be interpreted to constitute compliance with the permit.

The TRC monthly average limit of 0.8 mg/l applies beginning January 1, 2023.

For BOD₅ and TSS, the treatment facility shall demonstrate a minimum of 85% removal efficiency on a monthly average basis. This is calculated by determining an average of all daily influent concentrations and comparing this to an average of all daily effluent concentrations. The formula for this calculation is as follows:

$$\left(1 - \frac{\text{average of daily effluent concentrations}}{\text{average of daily influent concentrations}}\right) * 100\% = \% \text{ removal}$$

This treatment facility will also demonstrate 40% daily minimum removal of BOD₅ and TSS based on each daily composite sample. The formula for this calculation is as follows:

$$\left(1 - \frac{\text{daily effluent concentration}}{\text{daily influent concentration}}\right) * 100\% = \% \text{ removal}$$

1.1.2. Collection System Requirements

The City of Copperhill is authorized to operate a sewage collection system. Operation and discharges from the collection system shall be limited and monitored by the permittee as specified below:

Code	Monitoring	Parameter	Qualifier	Value	Unit	Sample Type	Monitoring Frequency	Statistical Base
51925	Dry Weather	SSO, Dry Weather	<=	0	occur/mo	Occurrences	Continuous	Monthly Total
51926	Wet Weather	SSO, Wet Weather	<=	0	occur/mo	Occurrences	Continuous	Monthly Total

Report via NetDMR. See sections **1.3.1.** and **1.3.5.2.**

Collection System <u>MyTDEC Forms</u> Report Requirements*	
Sanitary Sewer Overflow (SSO, Dry Weather)	See Section 1.3.5.1.
Sanitary Sewer Overflow (SSO, Wet Weather)	See Section 1.3.5.1.
Release (Dry Weather)	See Section 1.3.5.1.
Release (Wet Weather)	See Section 1.3.5.1.
Five-day Follow-up Noncompliance Report	See Sections 1.3.5.1. and 2.3.1.

* Each event shall be reported via MyTDEC Forms.



1.1.3. Narrative Conditions

<u>Status</u>	<u>Schedule Event Description</u>	<u>Comments</u>
Active - Permit Requirement	Industrial User Survey	The permittee shall submit the results of an Industrial Waste Survey (IWS) to the Division of Water Resources, Pretreatment Section within 120 days of the effective date of this permit, unless such a survey has been submitted within 3 years of the effective date. If an IWS has been submitted within the past 3 years, the permittee shall notify the Division of the date when the IWS was previously submitted to the Division. The IWS shall be submitted to the following email address: DWRWater.Compliance@tn.gov.

The authorized discharge shall not:

- Result in distinctly visible solids, scum, foam, oily slick, or the formation of slimes, bottom deposits, or sludge banks of such size or character as may be detrimental to fish and aquatic life.
- Result in total suspended solids, turbidity, or color in such amounts or character that will result in any objectionable appearance to the receiving water, considering the nature and location of the water.
- Contain pollutants in quantities that will be hazardous or otherwise detrimental to humans, livestock, wildlife, plant life, or fish and aquatic life in the receiving stream.

Sludge or any other material removed by any treatment works must be disposed of in a manner that 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, Tennessee Code Annotated (Tenn. Code Ann.) §68-31-101 et seq. and the Tennessee Hazardous Waste Management Act, Tenn. Code Ann. §68-46-101 et. seq.

1.2. MONITORING PROCEDURES

1.2.1. Representative Sampling

Samples and measurements taken in compliance with the monitoring requirements specified herein shall be representative of the volume and nature of the monitored discharge and shall be taken after treatment and prior to mixing with uncontaminated stormwater runoff or the receiving stream. Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be

installed and calibrated by a qualified source at least once every 12 months¹, and maintained to ensure that the accuracy of the measurements is consistent with accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of plus or minus 10% from the true discharge rates throughout the range of expected discharge volumes.

Composite samples must be proportioned by flow at the time of sampling. Aliquots may be collected manually or automatically. The sample aliquots must be maintained at $\leq 6^{\circ}\text{C}$ during the compositing period, or as otherwise specified in 40 CFR §136 or in the method.

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):

Influent samples must be collected prior to mixing with any other wastewater being returned to the head of the plant, such as sludge return. Those systems with more than one influent line must collect samples from each and proportion the results by the flow from each line.

Effluent samples must be representative of the wastewater being discharged and collected prior to mixing with any other discharge or the receiving stream. This can be a different point for different parameters but must be after all treatment for that parameter or all expected changes. Specifically:

- a) The chlorine residual must be measured after the chlorine contact chamber and any dechlorination. It may be to the advantage of the permittee to measure at the end of any long outfall lines.
- b) Samples for *E. coli* can be collected at any point between completion of disinfection and the actual discharge.
- c) The dissolved oxygen (DO) can drop in the outfall line; therefore, DO measurements are required at the discharge end of outfall lines greater than one mile long. Systems with outfall lines less than one mile may measure dissolved oxygen as the wastewater leaves the treatment facility. For systems with dechlorination, DO must be measured after this step and as close to the end of the outfall line as possible.

¹ The Division expects for permittees to meet EPA's guidance on proper operation and maintenance of flow measurement devices, as stated in the [NPDES Compliance Inspection Manual](#).



- d) Total suspended solids (TSS) and settleable solids can be collected at any point after the final clarifier.
- e) Biomonitoring tests (if required) shall be conducted on final effluent.

1.2.2. Sampling Frequency

The permittee should report "No Discharge" on Discharge Monitoring Reports (DMRs) only if a permitted outfall does not discharge at any time during the monitoring period. If the outfall discharges effluent at any time during the monitoring period, the permittee must provide at least one sampling result from the effluent of that outfall.

If the required monitoring frequency is once per month or 1/month, the monitoring period is one month. If the discharge occurs during only one day in that period, the permittee must sample on that day and report the results of analyses accordingly.

1.2.3. Test Procedures

- a) Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304 (h) of the Clean Water Act (the "Act"), as amended, under which such procedures may be required.
- b) Unless otherwise noted in the permit, all pollutant parameters shall be determined using sufficiently sensitive methods in Title 40 CFR § 136, as amended, and promulgated pursuant to Section 304 (h) of the Act. The chosen methods must be sufficiently sensitive as required in state rule 0400-40-03-.05(8).
- c) If the minimum level of quantification (ML) for all methods available in accordance with 40 CFR § 136 are above the stated permit limit or applicable water quality criteria for that parameter, then the method with the lowest ML shall be used.
- d) Where the analytical results are below the method detection limit (MDL), the permittee shall report the actual laboratory MDL and ML values. See **Section 1.3.6.** for instructions regarding reporting less than detection.
- e) When there is no analytical method that has been approved under 40 CFR §136 or required under 40 CFR chapter I, subchapter N or O, and a specific method is not otherwise required by the Director, the permittee may use any suitable method but shall provide a description of the method. When selecting

a suitable method, factors such as a method's precision, accuracy, or resolution must be considered when assessing the performance of the method.

1.2.4. Recording of Results

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

- i. The date, exact place, and time of sampling or measurements;
- ii. The individual(s) who performed the sampling or measurements;
- iii. The date analyses were performed;
- iv. The individual(s) who performed the analyses;
- v. The laboratory where the analyses were performed;
- vi. The analytical techniques or methods used; and
- vii. The results of such analyses.

1.2.5. Records Retention

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.

1.3. REPORTING

1.3.1. Monitoring Results

Monitoring results shall be recorded monthly and submitted monthly on Discharge Monitoring Reports (DMRs) using EPA's NetDMR website. The first DMR is due on the 15th of the month following permit effectiveness. Subsequent DMRs shall be submitted through NetDMR no later than 15 days after the completion of the reporting period. In compliance with the Federal NPDES Electronic Reporting Rule, DMRs may not be submitted via email under any circumstances.

Discharge Monitoring Reports and any other information or report must be signed and certified by a responsible corporate officer as defined in Tennessee Rules, Chapter 0400-40-05-.07(2)(i), a general partner or proprietor, a principal municipal executive officer or ranking elected official, or his or her duly authorized representative. Such authorization must be submitted in writing and must explain the duties and responsibilities of the authorized representative.



In the event that electronic reporting is unavailable, the permittee shall comply with reporting conditions provided in **Section 1.7**.

1.3.2. Additional Monitoring by Permittee

If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR § 136, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or other reporting form specified by the Commissioner. Such increased frequency shall also be indicated.

1.3.3. Falsifying Results and/or Reports

Knowingly making any false statement on any report required by this permit or falsifying any result may result in the imposition of criminal penalties as provided for in Section 309 of the Federal Water Pollution Control Act, as amended, and in § 69-3-115 of the Tennessee Water Quality Control Act.

1.3.4. Monthly Report of Operation

Monthly Operational Reports (MORs) shall be submitted by the 15th day of the month following data collection. Reports shall be submitted by one of the following methods, presented below in order of preference:

- 1) Using MyTDEC Forms, if available.
- 2) Submitting both a signed and certified copy in pdf format, uploaded as an attachment to NetDMR, *and* a copy of the native format spreadsheet file emailed to DWRWW.Report@tn.gov and TDEC.Chattanooga.EFO@tn.gov.
- 3) Submitting signed and certified forms to the EFO at the following address:

*STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES
Chattanooga Environmental Field Office
1301 Riverfront Parkway, Suite 206
Chattanooga, Tennessee 37402*

1.3.5. Overflow, Release, and Bypass Reporting

1.3.5.1. Event Report Requirements

For the purpose of this section, "events" are known as instances of sanitary sewer overflows, releases, upsets, and bypasses. These events shall be reported through MyTDEC Forms according to the following conditions:

- a) Events that are not a threat to human health and the environment shall be reported using MyTDEC Forms no later than 15 days following the completion of the DMR reporting period.
- b) Events that could cause a threat to human health or the environment, as defined in **Section 2.3.1.a.**, shall be reported using MyTDEC Forms no later than 5 days after becoming aware of the non-compliance.

In both cases, the event report must contain the following:

- i. Start date;
- ii. Estimated duration in hours;
- iii. Estimated volume in gallons;
- iv. Type of event;
- v. Type of structure (e.g., manhole);
- vi. Types of human health and environmental impacts;
- vii. Location (i.e., latitude and longitude);
- viii. The name of receiving water (if applicable);
- ix. Description of the cause;
- x. The steps being taken to correct, reduce, eliminate, and prevent recurrence of the noncompliance; and
- xi. The next downstream pump/lift station using the permittee's naming conventions.

In the event that MyTDEC Forms is not functioning, the permittee shall comply with reporting conditions provided in **Section 1.7**.

1.3.5.2. DMR Report Requirements

On the DMR, the permittee must separately report:

- i. The total number of sanitary sewer overflows for the reporting month; and
- ii. The total number of dry-weather sanitary sewer overflows for the reporting month.

On the DMR, sanitary sewer overflows are coded "SSO, Dry Weather" and "SSO, Wet Weather". Each discrete location of a sanitary sewer overflow shall be reported as a separate value.



1.3.6. Reporting Less Than Detection; Reporting Significant Figures

For the purpose of evaluating compliance with the permit limits established herein, where certain limits are below the minimum level (ML) of 40 CFR § 136 approved analytical methods, compliance will be demonstrated when a non-detect result is obtained using the most sensitive method available. The results of non-detect analyses, in this case, shall be reported as Below Detection Limit (BDL) or “NODI = B” in NetDMR. Reporting examples are provided below.

Reporting Example 1: If the permit limit is 0.02 mg/L with a method detection limit (MDL) of 0.05 mg/L and no detection is shown, the permittee must report “BDL” or “NODI = B” on DMRs in NetDMR. Whenever “BDL” or “NODI = B” is reported, the actual MDL must be reported in the DMR comments or in an attachment submitted in NetDMR.

Reporting Example 2: If the permit limit is 0.02 mg/L with an MDL of 0.05 mg/L and detection is shown, the actual detected value must be reported.

Reporting Example 3: If the permit limit is 0.02 mg/L with an MDL of 0.01 mg/L and no detection is shown, the permittee must report less than MDL (<0.01 mg/L in this case).

In instances where an average must be calculated with a mix of numerical and BDL results, the permittee shall calculate the average using the MDL value for BDL results.

Reported results are to correspond to the number of significant figures (decimal places) set forth in the permit conditions. The permittee shall round values, if allowed by the method of sample analysis, using a uniform rounding convention adopted by the permittee.

1.3.7. Outlier Data

Outlier data include analytical results that are probably false. The validity of results is based on operational knowledge and a properly implemented quality assurance program. False results may include laboratory artifacts, potential sample tampering, broken or suspect sample containers, sample contamination or similar demonstrated quality control flaw.

Outlier data are identified through a properly implemented quality assurance program, and according to ASTM standards (e.g. Grubbs Test, ‘h’ and ‘k’ statistics). Furthermore, outliers should be verified, corrected, or removed based on further inquiries into the matter. If an outlier was verified (through repeated testing



and/or analysis), it should remain in the preliminary data set. If an outlier resulted from a transcription or similar clerical error, it should be corrected and subsequently reported.

Therefore, only if an outlier was associated with problems in the collection or analysis of the samples and as such does not conform with the Guidelines Establishing Test Procedures for the Analysis of Pollutants (40 CFR §136), can it be removed from the data set and not reported on DMRs. Otherwise, all results (including monitoring of pollutants more frequently than required at the location(s) designated, using approved analytical methods as specified in the permit) should be included in the calculation and reporting of the values required in the DMR form. The permittee should use the “comment” section in NetDMR to explain any potential outliers or dubious results.

1.4. COMPLIANCE WITH SECTION 208

The limits and conditions in this permit shall require compliance with an area-wide waste treatment plan (208 Water Quality Management Plan) where such approved plan is applicable.

1.5. REOPENER CLAUSE

This permit shall be modified, or alternatively revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 307(a)(2), and 405(d)(2)(D) of the Clean Water Act, as amended, if the effluent standard, limitation, or sludge disposal requirement so issued or approved:

- a) Contains different conditions or is otherwise more stringent than any condition in the permit; or
- b) Controls any pollutant or disposal method not addressed in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.

1.6. SCHEDULE OF COMPLIANCE

Full compliance and operational levels shall be attained from the effective date of this permit.



1.7. ELECTRONIC REPORTING

This permit requires the submission of forms developed by the Director in order for a person to comply with certain requirements, including, but not limited to, making reports, submitting monitoring results, and applying for permits. The Director may make these forms available electronically and, if submitted electronically, then that electronic submission shall comply with the requirements of Chapter 0400-01-40. Electronic submission is required when available unless waived by the Commissioner in accordance with 40 C.F.R. § 127.15.

In the event of large-scale emergencies and/or prolonged electronic reporting system outages, an episodic electronic reporting waiver may be granted by the Commissioner in accordance with 40 CFR § 127.15. A request for a deadline extension or episodic electronic reporting waiver should be submitted to DWRWater.Compliance@tn.gov, in compliance with the Federal NPDES Electronic Reporting Rule.

If an episodic electronic reporting waiver is granted, reports with wet-ink original signatures shall be mailed to the following address:

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

For purposes of determining compliance with this permit, data provided to the Division electronically is legally equivalent to data submitted on signed and certified forms. A copy must be retained for the permittee's files.

PART 2

2. GENERAL PERMIT REQUIREMENTS

2.1. GENERAL PROVISIONS

2.1.1. Duty to Comply

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

2.1.2. 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 Division Director no later than 180 days prior to the expiration date. Such forms shall be properly signed and certified.

2.1.3. Proper Operation and Maintenance

- a) 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.
- b) Dilution water shall not be added to comply with effluent requirements to achieve BCT, BPT, BAT, or other technology based effluent limitations such as those established in Tennessee Rule 0400-40-05-.09.

2.1.4. Duty to Provide Information

The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.



2.1.5. Right of Entry

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

- a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records shall be kept under the conditions of this permit;
- b) Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this permit;
- c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d) Sample or monitor at reasonable times for the purposes of assuring permit compliance or as otherwise authorized by the Director.

2.1.6. Availability of Reports

Except for data determined to be confidential under Section 308 of the Federal Water Pollution Control Act, as amended, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the Division's offices or via the Department's [dataviewer webpage](#). As required by the Federal Act, effluent data shall not be considered confidential.

2.1.7. Treatment Facility Failure (Industrial Sources)

The permittee, in order to maintain compliance with this permit, shall control production, all discharges, or both, upon reduction, loss, or failure of the treatment facility 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.

2.1.8. 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.



2.1.9. 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.

2.1.10. Other Information

If the permittee becomes aware of failure to submit any relevant facts in a permit application, or of submission of incorrect information in a permit application or in any report to the Director, then the permittee shall promptly submit such facts or information.

2.2. CHANGES AFFECTING THE PERMIT

2.2.1. 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. Notice is required only when:

- a) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source as defined in Rule 0400-40-05-.02;
- b) 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 the permit nor to notification requirements under 40 CFR § 122.42(a)(1); or
- c) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices.

2.2.2. Permit Modification, Revocation, or Termination

- a) This permit may be modified, revoked and reissued, or terminated for cause as described in 40 CFR § 122.62 and § 122.64, Federal Register, Volume 49, No. 188 (Wednesday, September 26, 1984), as amended. Causes for such permit action include but are not limited to the following:
 - i. Violation of any terms or conditions of the permit;
 - ii. Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts; and
 - iii. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

- 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.
- c) If any applicable effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established for any toxic pollutant under Section 307(a) of the Federal Water Pollution Control Act, as amended, the Director shall modify or revoke and reissue the permit to conform to the prohibition or to the effluent standard, providing that the effluent standard is more stringent than the limitation in the permit for the toxic pollutant. The permittee shall comply with these effluent standards or prohibitions within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified or revoked and reissued to incorporate the requirement.
- d) The filing of a request by the permittee for a modification, revocation, reissuance, termination, or notification of planned changes or anticipated noncompliance does not halt any permit condition.

2.2.3. Change of Ownership

Except as provided in Tennessee Rule Chapter 0400-40-05-.06(5)(a) or (b), this permit may be transferred to another party (provided there are neither modifications to the facility or its operations, nor any other changes which might affect permit limits and conditions contained in the permit) 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 permittee shall provide the following information to the Director in their formal notice of intent to transfer ownership:
 - i. The permit number of the subject permit;
 - ii. The effective date of the proposed transfer;
 - iii. The name, address, and contact information of the transferor;
 - iv. The name, address, and contact information of the transferee;

- v. The names of the responsible parties for both the transferor and transferee;
- vi. A statement that the transferee assumes responsibility for the subject permit;
- vii. A statement that the transferor relinquishes responsibility for the subject permit;
- viii. The signatures of the responsible parties for both the transferor and transferee pursuant to the signatory requirements of subparagraph (i) of Rule 0400-40-05-.07(2); and
- ix. A statement regarding any proposed modifications to the facility, its operations, or any other changes, which might affect the permit, limits and conditions contained in the permit.

2.2.4. 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.

2.3. NONCOMPLIANCE

2.3.1. 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 Division of Water Resources in the appropriate EFO within 24 hours from the time the permittee becomes aware of the circumstances. The EFO should be contacted for names and phone numbers of the environmental response team.

A written submission must be provided via MyTDEC Forms 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:

- 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 noncomplying discharge.

b) Scheduled Reporting:

For instances of noncompliance which do not 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 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.

2.3.2. Overflows and Releases

- a) Sanitary sewer overflows, including dry-weather overflows, are prohibited.
- b) The permittee shall operate the collection, transmission, and treatment system so as to avoid sanitary sewer overflows and releases due to improper operation or maintenance. A “release” may be due to improper operation or maintenance of the collection system or may be due to other cause(s). Releases caused by improper operation or maintenance of the permittee’s collection, transmission, and treatment system are prohibited.
- c) The permittee shall take all reasonable steps to minimize any adverse impact associated with overflows and releases.
- d) No new or additional flows shall be added upstream of any point in the collection, transmission, or treatment system that experiences greater than 5 sanitary sewer overflows and/or releases per year² 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 or release point are less than or proportional to the amount of inflow and infiltration removal documented upstream from that point.

² This includes dry weather overflows, wet weather overflows, dry weather releases and wet weather releases.

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 the permittee's DMR and uploaded to NetDMR. The data measurement period shall be sufficient to account for seasonal rainfall patterns and seasonal groundwater table elevations.

- e) In the event that chronic sanitary sewer overflows or releases have occurred from a single point in the collection system for reasons that may not warrant the self-imposed moratorium of the actions identified in this paragraph, the permittee may request a meeting with Division EFO staff to petition for a waiver based on mitigating evidence.
- f) Unpermitted discharges from the collection or treatment system of industrial facilities are prohibited.

2.3.3. Upset

- a) *"Upset"* means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based effluent limitations due to 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".



2.3.4. 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.

2.3.5. Bypass

- a) *"Bypass"* means the intentional diversion of waste streams 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.
- b) Bypasses are prohibited unless all the following conditions are met:
 - i. The bypass is unavoidable to prevent loss of life, personal injury, or severe property damage;
 - ii. There are no 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; and
 - iii. For anticipated bypass, the permittee submits prior notice, if possible at least ten days before the date of the bypass, or 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) Bypasses that do not cause effluent limitations to be exceeded may be allowed only if the bypass is necessary for essential maintenance to assure efficient operation and are not subject to the reporting requirements of part b) iii. above.



2.3.6. Washout

- a) For domestic wastewater plants only, a "washout" shall be defined as loss of Mixed Liquor Suspended Solids (MLSS) of 30.00% or more. This refers to the MLSS in the aeration basin(s) only. This does not include MLSS decreases due to solids wasting to the sludge disposal system. A washout can be caused by improper operation or from peak flows due to inflow and infiltration.

- b) A washout is prohibited. If a washout occurs the permittee must report the incident to the Division in the appropriate EFO within 24 hours by telephone. A written submission must be provided within five days. The washout must be noted on that month's DMR. Each day of a washout is a separate violation.

2.4. LIABILITIES

2.4.1. Civil and Criminal Liability

Except as provided in permit conditions for "*Bypass*" (**Section 2.3.5**), "*Overflows and Releases*" (**Section 2.3.2**), and "*Upset*" (**Section 2.3.3**), 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.

2.4.2. 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 or the Federal Water Pollution Control Act, as amended.

PART 3

3. PERMIT SPECIFIC REQUIREMENTS

3.1. CERTIFIED OPERATOR

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

3.2. POTW PRETREATMENT PROGRAM GENERAL PROVISIONS

As an update of information previously submitted to the Division, the permittee will undertake the following activity:

- a) The permittee shall submit the results of an Industrial Waste Survey (IWS) in accordance with Rule 0400-40-14-.08-(6)(b)1, including any industrial users (IU) covered under Section 301(i)(2) of the Act. As much information as possible must be obtained relative to the character and volume of pollutants contributed to the POTW by the IUs. This information will be submitted to the Division of Water Resources, Pretreatment Section within one hundred twenty (120) days of the effective date of this permit, unless such a survey has been submitted within 3 years of the effective date. Development of a pretreatment program may be required after completion of the industrial user review. All requirements and conditions of the pretreatment program are enforceable through the NPDES permit.
- b) The permittee shall enforce Rule 0400-40-14-.05, "prohibited discharges". Pollutants introduced into the POTW by a non-domestic source shall not cause pass through or interference as defined in Rule 0400-40-14-.03. These general prohibitions and the specific prohibitions in this section apply to all non-domestic sources introducing pollutants into the POTW whether the source is subject to other National Pretreatment Standards or any state or local pretreatment requirements.

Specific prohibitions: Under no circumstances shall the permittee allow introduction of the following wastes into the POTW:

- i. Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint

- of less than 140°F or 60°C using the test methods specified in 40 CFR § 261.21
- ii. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0 unless the system is specifically designed to accommodate such discharges;
 - iii. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference;
 - iv. Any pollutant, including oxygen-demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW;
 - v. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW Treatment Plant exceeds 40°C (104°F) unless the Division, upon request of the POTW, approves alternate temperature limits;
 - vi. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
 - vii. Pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems; or
 - viii. Any trucked or hauled pollutants, except at discharge points designated by the POTW.
- c) The permittee shall notify the Division of any of the following changes in user discharge to the system no later than 30 days prior to change of discharge:
- i. New introductions into such works of pollutants from any source which would be a new source as defined in Section 306 of the Act if such source were discharging pollutants;
 - ii. New introductions of pollutants into such works from a source which would be subject to Section 301 of the "Federal Water Quality Act as Amended" if it were discharging such pollutants; or
 - iii. A substantial change in volume or character of pollutants being introduced into such works by a source already discharging pollutants into such works at the time this permit is issued.

This notice will include information on the quantity and quality of the wastewater introduced by the new source into the POTW, and on any anticipated impact on the effluent discharged from such works. If this discharge necessitates a revision of the current NPDES permit or pass-through guidelines, discharge by this source is prohibited until the Tennessee Division of Water Resources gives final authorization.

3.3. BIOSOLIDS MANAGEMENT PRACTICES

All sludge and/or biosolids use or disposal must comply with 40 CFR § 503 *et seq.* Biosolids shall be sampled and analyzed at a frequency dependent on the amount used annually.

Any facility that land applies non-exceptional quality biosolids must obtain an appropriate permit from the Division in accordance with Chapter 0400-40-15.

- a) Reopener: If an applicable "acceptable management practice" or numerical limitation for pollutants in sewage sludge promulgated under Section 405(d)(2) of the Clean Water Act, as amended by the Water Quality Act of 1987, is more stringent than the sludge pollutant limit or acceptable management practice in this permit, or controls a pollutant not limited in this permit, this permit shall be promptly modified or revoked and reissued to conform to the requirements promulgated under Section 405(d)(2). The permittee shall comply with the limitations by no later than the compliance deadline specified in the applicable regulations as required by Section 405(d)(2) of the Clean Water Act.
- b) Notice of change in sludge disposal practice: The permittee shall give prior notice to the Director of any change planned in the permittee's sludge disposal practice. If land application activities are suspended permanently and sludge disposal moves to a municipal solid waste landfill, the permittee shall contact the local Division of Solid Waste Management office address for other permitting and approvals.

*STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF SOLID WASTE MANAGEMENT
Chattanooga Environmental Field Office
1301 Riverfront Parkway, Suite 206
Chattanooga, Tennessee 37402
(423)634-5745*

3.4. PLACEMENT OF SIGNS

Within 60 days of the effective date of this permit, the permittee shall place and maintain a sign at each outfall and any overflow/release point in the collection system or the nearest publicly accessible location. For the purposes of this requirement, any point that has had a total of 5 or more overflows plus releases in the previous 12 months must be so posted. The sign(s) 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 one-inch (1") letters. The sign should be made of durable material and have a white background with black letters.

The sign(s) are to provide notice to the public as to the nature of the discharge and, in the case of the permitted outfalls, that the discharge is regulated by the Tennessee Department of Environment and Conservation, Division of Water Resources. The following are given as examples of the minimal amount of information that must be included on the signs:

NPDES Permitted Municipal/Sanitary Outfall:

TREATED MUNICIPAL/SANITARY WASTEWATER
City of Copperhill
Copperhill STP
(423) 496-5141
NPDES Permit NO. TN0024449
TENNESSEE DIVISION OF WATER RESOURCES
1-888-891-8332 ENVIRONMENTAL FIELD OFFICE - Chattanooga

Unpermitted release/overflow point:

UNTREATED WASTEWATER DISCHARGE POINT
City of Copperhill
Copperhill STP
(423) 496-5141
NPDES Permit No. TN0024449
TENNESSEE DIVISION OF WATER RESOURCES
1-888-891-8332 ENVIRONMENTAL FIELD OFFICE - Chattanooga

The permittee may request the removal of signs for unpermitted release/overflows points only. This request should be sent to Division EFO staff detailing the work that has been completed to rectify the cause(s) contributing to overflows and releases at that location. In no case will approval to remove the signs be granted if either an overflow or release has occurred at that location in the previous 12 months.

PART 4

4. DEFINITIONS AND ACRONYMS

4.1. DEFINITIONS

For the purposes of this permit, **annually** is defined as a monitoring frequency of once every 12 months beginning with the effective date of this permit, so long as the following set of measurements for a given 12 month period are made approximately 12 months subsequent to that time.

Biosolids are treated sewage sludge that have contaminant concentrations less than or equal to the contaminant concentrations listed in Table 1 of subparagraph (3)(b) of Rule 0400-40-15-.02, meet any one of the ten vector attraction reduction options listed in part (4)(b)1, 2, 3, 4, 5, 6, 7, 8, 9, or 10 of Rule 0400-40-15-.04, and meet either one of the six pathogen reduction alternatives for Class A listed in part (3)(a)3, 4, 5, 6, 7, or 8, or one of the three pathogen reduction alternatives for Class B listed in part (3)(b)2, 3, or 4 of Rule 0400-40-15-.04.

A **bypass** is defined as the intentional diversion of waste streams from any portion of a treatment facility.

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.

A **composite sample** is a combination of not less than 8 influent or effluent portions, of at least 100 mL, collected over a 24-hour period. Under certain circumstances a lesser time period may be allowed, but in no case less than 8 hours.

The **daily maximum amount** is a limitation, measured in units of weight per time (e.g. pounds per day), on the total amount of any pollutant in the discharge during any calendar day.

The **daily maximum concentration** is a limitation on the average concentration in units of mass per volume (e.g. milligrams per liter) 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.

Degradation means the alteration of the properties of waters by the addition of pollutants, withdrawal of water, or removal of habitat, except those alterations of a short duration.

De Minimis is degradation of a small magnitude, as provided in this paragraph:

- (a) Discharges and withdrawals:
 1. Subject to the limitation in part 3 of this subparagraph, a single discharge other than those from new domestic wastewater sources will be considered de minimis if it uses less than five percent of the available assimilative capacity for the substance being discharged.
 2. Subject to the limitation in part 3 of this subparagraph, a single water withdrawal will be considered de minimis if it removes less than five percent of the 7Q10 flow of the stream.
 3. If more than one activity described in part 1 or 2 of this subparagraph has been authorized in a segment and the total of the authorized and proposed impacts uses no more than 10% of the assimilative capacity, or 7Q10 low flow, they are presumed to be de minimis. Where the total of the authorized and proposed impacts uses 10% of the assimilative capacity, or 7Q10 low flow, additional degradation may only be treated as de minimis if the Division finds on a scientific basis that the additional degradation has an insignificant effect on the resource.
- (b) Habitat alterations authorized by an Aquatic Resource Alteration Permit (ARAP) are de minimis if the Division finds that the impacts, individually and cumulatively, are offset by impact minimization and/or in-system mitigation, provided however, in Outstanding National Resource Waters (ONRWs) the mitigation must occur within the ONRW.

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

A **dry weather overflow** is a type of sanitary sewer overflow and is defined as one day or any portion of a day in which unpermitted discharge of wastewater from the collection, or treatment system other than through the permitted outfall occurs and is not directly related to a rainfall event. Discharges from more than one point within a 24-hour period shall be counted as separate overflows.

An **ecoregion** is a relatively homogeneous area defined by similarity of climate, landform, soil, potential natural vegetation, hydrology, or other ecologically relevant variables.

The **geometric mean** of any set of values is the n^{th} root of the product of the individual values where “n” is equal to the number of individual values. The geometric mean is equivalent to the antilog of the arithmetic mean of the logarithms of the individual values. For the purposes of calculating the geometric mean, values of zero (0) shall be considered to be one (1).

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

The **instantaneous maximum concentration** is a limitation on the maximum concentration, in units of mass per volume (e.g. milligrams per liter), of any pollutant contained in the wastewater discharge determined from a grab sample taken from the discharge at any point in time.

The **instantaneous minimum concentration** is the minimum allowable concentration, in units of mass per volume (e.g. milligrams per liter), of a pollutant parameter contained in the wastewater discharge determined from a grab sample taken from the discharge at any point in time.

The **monthly average amount** is the arithmetic mean of all the measured daily discharges by weight during the calendar month when the measurements were made.

The **monthly average concentration**, a limitation on the discharge concentration in units of mass per volume, of any pollutant, other than bacteria, is the arithmetic mean of all the composite or grab samples collected in a one calendar-month period.

A **one-week period** (or **calendar-week**) is defined as the period from Sunday through Saturday. For weekly average reporting purposes, a calendar week that contains a change of month shall be considered part of the latter month.

Pollutant means sewage, industrial wastes, or other wastes.

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.

A **rainfall event** is defined as any occurrence of rain preceded by 10 hours without precipitation that results in an accumulation of 0.01 inches or more. Instances of rainfall occurring within 10 hours of each other will be considered a single rainfall event.



A ***rationale*** (or ***fact sheet***) is a document that is prepared when drafting an NPDES permit or permit action. It provides the technical, regulatory and administrative basis for an agency's permit decision.

A ***reference site*** means the least impacted waters within an ecoregion that have been monitored to establish a baseline to which alterations of other waters can be compared.

A ***reference condition*** is a parameter-specific set of data from regional reference sites that establish the statistical range of values for that particular substance at least-impacted streams.

A ***release*** is the flow of sewage from any portion of the collection, transmission, or treatment system owned or operated by the permittee other than through permitted outfalls that does not add pollutants to waters. In addition, a release includes a backup into a building or private property that is caused by blockages, flow conditions, or other malfunctions originating in the collection and transmission system owned or operated by the permittee. A "release" does not include backups into a building or private property caused by blockages or other malfunctions originating in a private lateral.

A ***sanitary sewer overflow (SSO)*** is defined as an unpermitted discharge of wastewater from the collection, transmission, or treatment system other than through the permitted outfall.

The term ***semi-annually***, for the purposes of this permit, means the same as once every 6 months. Measurements of the limited effluent parameters may be made any time during a 6 month period beginning from the effective date of this permit, so long as the second set of measurements for a given 12 month period are made approximately 6 months subsequent to that time, if feasible.

Sewage means water-carried waste or discharges from human beings or animals, from residences, public or private buildings, or industrial establishments, or boats, together with such other wastes and ground, surface, storm, or other water as may be present.

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.

Sewerage system means the conduits, sewers, and all devices and appurtenances by means of which sewage and other waste is collected, pumped, treated, or disposed.

Sludge or **sewage sludge** is solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment processes; and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works.

A **subcoregion** is a smaller, more homogenous area that has been delineated within an ecoregion.

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.

The term **washout** is applicable to domestic wastewater activated sludge plants and is defined as loss of mixed liquor suspended solids (MLSS) of 30.00% or more from the aeration basin(s).

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.

The **weekly average amount** is the sum of all the measured daily discharges by weight divided by the number of days during the calendar week when the measurements were made.

The **weekly average concentration** is the highest arithmetic mean of all the composite samples collected in a one-week period in a month.



4.2. ACRONYMS AND ABBREVIATIONS

1Q10	–	1-day minimum, 10-year recurrence interval
30Q5	–	30-day minimum, 5-year recurrence interval
7Q10	–	7-day minimum, 10-year recurrence interval
BAT	–	best available technology economically achievable
BCT	–	best conventional pollutant control technology
BDL	–	below detection limit
BOD ₅	–	five-day biochemical oxygen demand
BPT	–	best practicable control technology currently available
CBOD ₅	–	five-day carbonaceous biochemical oxygen demand
CEI	–	compliance evaluation inspection
CFR	–	code of federal regulations
CFS	–	cubic feet per second
CFU	–	colony forming units
CIU	–	categorical industrial user
CSO	–	combined sewer overflow
DMR	–	discharge monitoring report
D.O.	–	dissolved oxygen
<i>E. coli</i>	–	<i>Escherichia coli</i>
EPA	–	Environmental Protection Agency
EFO	–	environmental field office
GPM	–	gallons per minute
IC ₂₅	–	inhibition concentration causing 25% reduction in survival, reproduction, and growth of the test organisms
IU	–	industrial user
IWS	–	industrial waste survey
LB (lb)	–	pound
LC ₅₀	–	acute test causing 50% lethality
MDL	–	method detection limit
MGD	–	million gallons per day
mg/L	–	milligrams per liter
ML	–	minimum level of quantification
mL	–	milliliter
MLSS	–	mixed liquor suspended solids
MOR	–	monthly operating report
NODI	–	no discharge code in NetDMR
NPDES	–	national pollutant discharge elimination system
PL	–	permit limit
POTW	–	publicly owned treatment works

- SAR – semi-annual report [pretreatment program]
- SIU – significant industrial user
- SSO – sanitary sewer overflow
- STP – sewage treatment plant
- TBEL – technology-based effluent limit
- TCA – Tennessee code annotated
- TDEC – Tennessee Department of Environment and Conservation
- TIE/TRE – toxicity identification evaluation/toxicity reduction evaluation
- TMDL – total maximum daily load
- TRC – total residual chlorine
- TSS – total suspended solids
- WQBEL – water quality-based effluent limit



4.3. RESOURCES, HYPERLINKS, AND WEB PAGES

Clean Water Act NPDES Electronic Reporting (eReporting) Information

<https://www.epa.gov/compliance/npdes-ereporting>

Electronic Code of Federal Regulations (eCFR), Title 40 (40 CFR § 1 through § 1099)

<https://www.ecfr.gov/cgi-bin/text-idx?SID=75202eb5d09974cab585afeea981220b&mc=true&tpl=/ecfrbrowse/Title40/40chapter1.tpl>

Electronic Reporting (NetDMR) Waiver Request

https://www.tn.gov/content/dam/tn/environment/water/documents/wr_ereporting_waiver.pdf

Low Flow Statistics Tools: A How-To Handbook for NPDES Permit Writers (EPA)

https://www.epa.gov/sites/production/files/2018-11/documents/low_flow_stats_tools_handbook.pdf

Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms (EPA)

https://www.epa.gov/sites/production/files/2015-08/documents/acute-freshwater-and-marine-wet-manual_2002.pdf

NetDMR Login

<https://cdxnodengn.epa.gov/net-netdmr/>

NetDMR, MyTDEC Forms, & Electronic Reporting Information

<https://www.tn.gov/environment/program-areas/wr-water-resources/netdmr-and-electronic-reporting.html>

NPDES Compliance Inspection Manual (EPA)

<https://www.epa.gov/sites/production/files/2017-01/documents/npdesinspect.pdf>

NPDES Electronic Reporting Rule

<https://www.federalregister.gov/documents/2015/10/22/2015-24954/national-pollutant-discharge-elimination-system-npdes-electronic-reporting-rule>

Quality System Standard Operating Procedure for Macroinvertebrate Stream Surveys (QSSOP)

https://www.tn.gov/content/dam/tn/environment/water/documents/DWR-PAS-P-01-Quality_System_SOP_for_Macroinvertebrate_Stream_Surveys-081117.pdf

Rules of the TN Department of Environment and Conservation, Chapter 0400-40

<https://publications.tnsosfiles.com/rules/0400/0400-40/0400-40.htm>

Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms (EPA)

https://www.epa.gov/sites/production/files/2015-08/documents/short-term-chronic-freshwater-wet-manual_2002.pdf

TDEC Water Quality Rules, Reports, and Publications

<https://www.tn.gov/environment/program-areas/wr-water-resources/water-quality/water-quality-reports---publications.html>

Technical Support Document for Water Quality-based Toxics Control (EPA)

<https://www3.epa.gov/npdes/pubs/owm0264.pdf>

Tennessee Nutrient Reduction Framework

https://www.tn.gov/content/dam/tn/environment/water/tmdl-program/wr-ws_tennessee-draft-nutrient-reduction-framework_030315.pdf

Tennessee Plant Optimization Program (TNPOP)

<https://www.tn.gov/environment/program-areas/wr-water-resources/tn-plant-optimization-programs/tnpop.html>

Tennessee Water Resources Data and Map Viewers

<https://www.tn.gov/environment/program-areas/wr-water-resources/water-quality/water-resources-data-map-viewers.html>

USGS StreamStats

https://www.usgs.gov/mission-areas/water-resources/science/streamstats-streamflow-statistics-and-spatial-analysis-tools?qt-science_center_objects=0#qt-science_center_objects

USGS SWToolbox

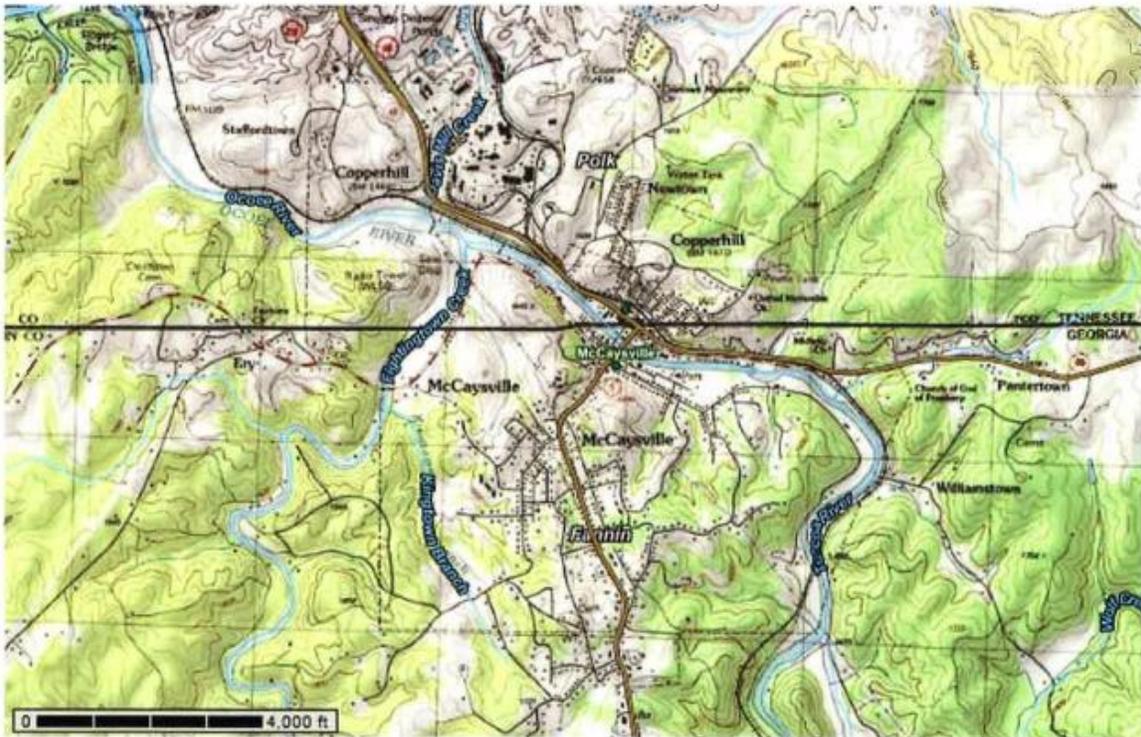
<https://www.usgs.gov/software/swtoolbox-software-information>

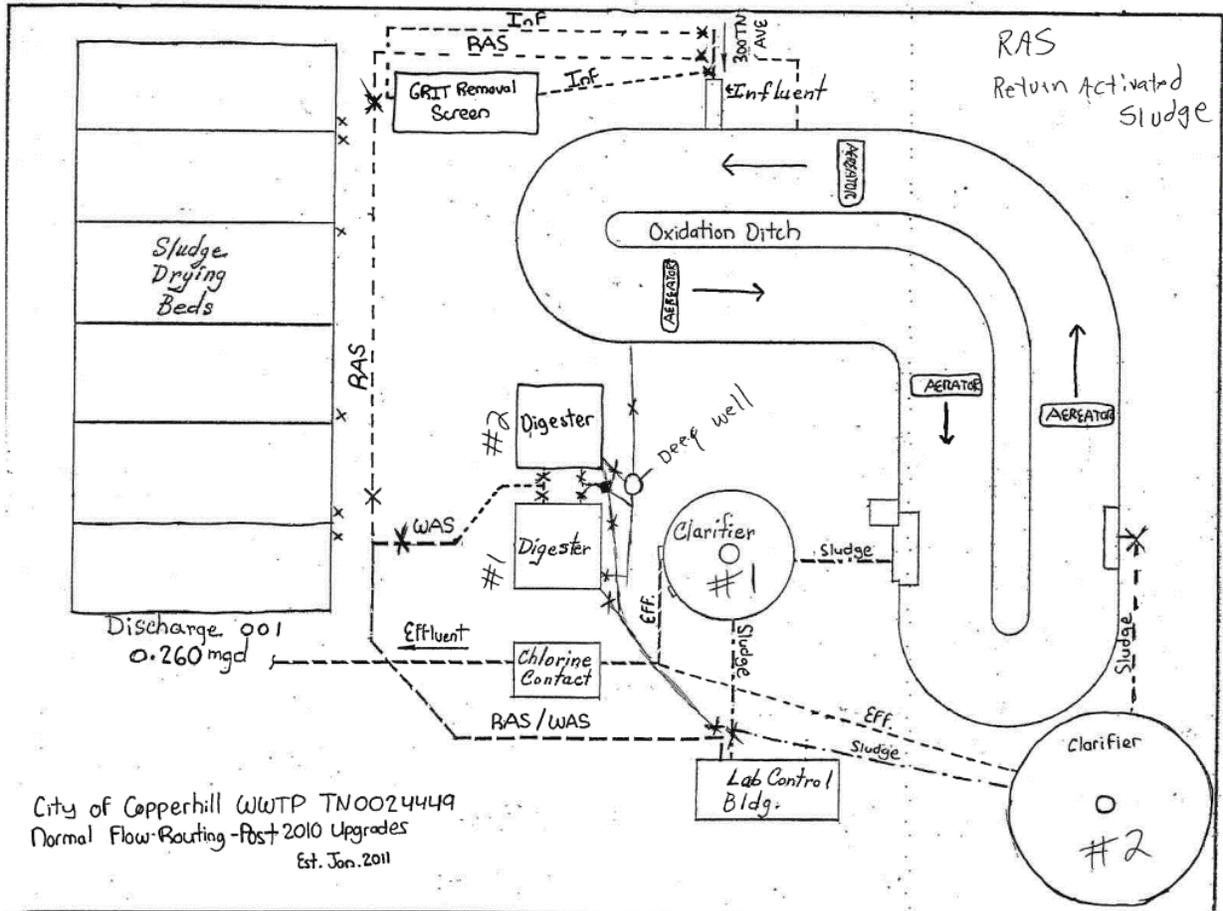
RATIONALE

City of Copperhill
Copperhill STP
NPDES Permit No. TN0024449
Date: 9/7/21
Permit Writer: Maybelle T. Sparks, P.E.

1. FACILITY INFORMATION

Permittee Name:	City of Copperhill
Project Name:	Copperhill STP
Location:	Old River Camp Road, Copperhill, Polk County, Tennessee
Contact:	The Honorable Kathy Stewart - Mayor (423) 496-5141 cityofcopperhill@bellsouth.net
Design Flow Rate:	0.7 MGD
Percentage Industrial Flow:	0%
Certified Operator Grades:	STP: 3; CS: 1; Date Rated: 05/24/00
Treatment Description:	Oxidation ditch treatment system with chlorination





2. RECEIVING STREAM INFORMATION

Receiving Waterbody:	Ocoee River at mile 37.0			
Watershed Group:	Ocoee			
Hydrocode:	06020003			
Low Flow:	1Q10 = 52 MGD (80 CFS)			
Low Flow Reference:	USGS StreamStats Gage Station #03559500			
Stream Designated Uses:	<i>Domestic Water Supply</i>	<i>Industrial</i>	<i>Fish & Aquatic Life</i>	<i>Recreation</i>
			X	X
	<i>Livestock & Wildlife</i>	<i>Irrigation</i>	<i>Navigation</i>	<i>Trout</i>
	X	X		

Table 1.--Flow-duration and low-flow information for continuous-record stations--Continued.

MAP NUMBER.--129

STATION NUMBER.--03559500 - OCOEE RIVER AT COPPERHILL, TN

LOCATION.--Lat 34°59'29", Long 84°22'36", Polk County, 0.2 mile upstream from Fightingtown Creek, 0.4 mile downstream from Copperhill, and at mile 37.5.

DRAINAGE AREA.--352 mi².

PERIOD OF RECORD.--1943-71.

REMARKS.--Flow regulated by Blue Ridge Dam (1930). Flow affected by mining operations.

FLOW DURATION.--Flow in cubic feet per second which was equaled or exceeded for percentage of time shown.

LOW FLOW.--Lowest average flow in cubic feet per second.

Percent	Flow	Percent	Flow	Percent	Flow	Period (consecutive days)	Recurrence interval, years			
							2	5	10	∞
99.5	110	80	480	20	1,120	1	128	90.0	80.0	71.6
99.1	121	70	615	10	1,320	3	169	119	88.0	84.4
99	124	60	717	5	1,520	7	249	140	110	90.0
98	144	50	806	2	1,940	14	327	200	130	110
95	217	40	891	1	2,470	30	447	318	210	160
90	316	30	987	0.5	2,690	60	542	422	280	260
						90	598	473	340	300

3. CURRENT PERMIT STATUS

Permit Type:	Municipal
Classification:	Minor
Issuance Date:	01-OCT-16
Expiration Date:	30-SEP-21
Effective Date:	01-NOV-16

4. NEW PERMIT LIMITATIONS AND COMPLIANCE SCHEDULE SUMMARY

- a) The units for *E. coli* have been standardized to number per 100 mL (#/100 mL). Previously, the Division used either MPN/100 mL or CFU/100 mL. The identification of one of these two units indirectly created a requirement for a specific type of testing methodology. By utilizing #/100 mL unit, permittees are provided the flexibility to select the 40 CFR § 136 method that is most suitable for their operations. The limit value (number) will remain the same as the limit units are functionally equivalent.

Language throughout the permit has been updated to reflect the eReporting phase 2 requirements in 40 CFR § 127. This includes (but is not limited to) detailing specific data elements that are required to be reported for overflows, releases and bypasses as well as pretreatment program information.

Total residual chlorine monthly average concentration limit has been added to this permit with a compliance schedule for the new limit (See **section 6.4.**).

Total nitrogen and total phosphorus quarterly effluent monitoring have been added to this permit (See **section 6.5.**).

- b) Compliance Schedule Summary

Description of Report to be Submitted	Reference Section in Permit
Monthly Discharge Monitoring Reports	1.3.1.
Monthly Operational Reports	1.3.4.
Bypass and Overflow and Release Report	1.3.5.1.
Industrial Waste Survey Report within 120 days of the effective permit date	3.2.

- c) For comparison, this rationale contains a table depicting the previous permit limits and effluent monitoring requirements in Appendix 1.

5. PREVIOUS PERMIT TERM REVIEW

A review of the permittee's Discharge Monitoring Reports (DMRs) from June 2016 to July 2021 revealed that the permittee reported no violations of permit limits. A summary of data reported on DMRs during the previous permit term is located in Appendix 2.

6. PROPOSED EFFLUENT LIMITS AND RATIONALE

PARAMETERS	MONTHLY AVERAGE CONCENTRATION (MG/L)	MONTHLY AVERAGE AMOUNT (LB/DAY)	WEEKLY AVERAGE CONCENTRATION (MG/L)	WEEKLY AVERAGE AMOUNT (LB/DAY)	DAILY MAXIMUM CONCENTRATION (MG/L)	DAILY MINIMUM PERCENT REMOVAL	RATIONALE
BOD ₅	30	175	40	234	45	40	Rule 0400-40-05-.09
Total Suspended Solids	30	175	40	234	45	40	Rule 0400-40-05-.09
Dissolved Oxygen	1.0 (daily minimum instantaneous)	—	—	—	—	—	D.O. protection, Refer to 6.1 below
Total Chlorine Residual	0.8 (applies beginning on January 1, 2023)	—	—	—	1.4	—	Refer to 6.4 below
Total Nitrogen	—	—	—	—	Report (qtr avg)	Report (qtr load)	Refer to 6.5 below
Total Phosphorus	—	—	—	—	Report (qtr avg)	Report (qtr load)	Refer to 6.5 below
<i>E. coli</i> (#/100mL)	126/100 mL	—	—	—	941/100 mL	—	Rule 0400-40-03-.03, Refer to 6.6 below
Settleable Solids (mL/L)	—	—	—	—	1.0	—	Rule 0400-40-05-.09
pH (standard units)	6.0 - 9.0	—	—	—	—	—	Rule 0400-40-03-.03
Flow (MGD):							
Influent	Report	—	—	—	Report	—	Used to quantify pollutant load
Effluent	Report	—	—	—	Report	—	Used to quantify pollutant load
	Monthly Total						
			Refer to 6.7 below				
Dry Weather	Overflows	0	Refer to 6.7 below				
Wet Weather	Overflows	0	Refer to 6.7 below				

Note: Weekly limitations on BOD₅ and TSS concentrations are given as required per 40 CFR 133.102(a)(2) or 133.102(a)(4)(2) & 133.102 (b)(2) respectively; daily BOD₅ and TSS limitations are authorized by T.C.A. 0400-40-05-.09; monthly and weekly mass loads are limited per 40 CFR 122.45(f) and based on the design flow as per 40 CFR 122.45(b); monthly average percent removal rates for BOD₅ and TSS are required per 40 CFR 133.102(a)(3) or 133.102(a)(4)(iii) and 133.102 (b)(3) respectively. A minimum 40% daily removal rate is required as equivalent to a daily mass load limitation.

6.1. CONVENTIONAL PARAMETERS

6.1.1. BOD₅ and Dissolved Oxygen

Biochemical oxygen demand, or BOD, is a measure of the oxygen used when biological processes break down organic pollutants in wastewater. The amount of oxygen used is more specifically referred to as the five-day biochemical oxygen demand, or BOD₅. This parameter is used in the wastewater industry to measure both the strength of wastewater and the performance of wastewater treatment processes.

Limits on the oxygen demand remaining in the treated wastewater is often necessary to prevent pollutants in the wastewater from driving oxygen in the receiving stream down below the levels necessary to support fish and aquatic life. Additionally, the breakdown of ammonia into other forms of nitrogen also requires oxygen and therefore exerts an oxygen demand on receiving wastewaters.

For this facility, the monthly average BOD₅ limit of 30 mg/L is a technology-based effluent limit for conventional secondary treatment plants (0400-40-05-.09).

A well operated aerobic treatment system should always have effluent dissolved oxygen of 1.0 mg/l or greater. A minimum oxygen level of 1.0 mg/l is necessary to prevent nuisance conditions in the vicinity of the outfall.

6.1.2. Total Suspended Solids (TSS)

Total Suspended Solids is a general indicator of the quality of a wastewater and will be limited in this permit. The technology-based TSS limit for conventional treatment plants is provided in Tennessee Rule 0400-40-05-.09(1)(a).

TSS - Conventional Secondary Treatment Plants			
<i>Monthly Average</i>	<i>Weekly Average</i>	<i>Daily Maximum</i>	<i>Monthly Average</i>
30 mg/L	40 mg/L	45 mg/L	85 % Removal

6.1.3. Percent Removal

The treatment facility is required to remove 85% of the BOD₅ and TSS that enter the facility on a monthly basis. This is part of the minimum requirement for all municipal treatment facilities contained in Code of Federal Regulations

(CFR) 40 § 133.102. The reasons stated by the EPA for these requirements are to achieve these two basic objectives:

- i. To encourage municipalities to correct excessive inflow and infiltration (I/I) problems in their sanitary sewer systems; and
- ii. To help prevent intentional dilution of the influent wastewater as a means of meeting permit limits.

The treatment facility is required to remove 40% of the BOD₅ and TSS that enter the facility on a daily basis. This percent removal will be calculated three times per week and recorded on the Monthly Operation Report. The number of excursions (days when BOD₅ and/or TSS removal is less than 40%) will be reported on the Discharge Monitoring Report.

6.1.4. Settleable Solids

The settleable solids limit of 1 ml/L is a technology-based limit established in Rule 0400-40-05-.09.

6.2. FLOW

Monitoring of flow quantifies the load of pollutants to the stream. Flow shall be reported in million gallons per day (MGD) and monitored at the time of sample collection.

6.3. PH

According to the State of Tennessee Water Quality Standards [Chapter 0400-40-03-.03(3)(b)], the pH for the protection of Fish and Aquatic Life shall not fluctuate more than 1.0 unit over a period of 24 hours and shall not be outside the following ranges: 6.0 – 9.0 standard units (SU) in wadeable streams and 6.5 – 9.0 SU in larger rivers, lakes, reservoirs, and wetlands.

6.4. CHLORINATION

The total residual chlorine (TRC) limit is derived using the mass balance formula and the EPA acute instream protection value of 0.019 mg/L for fish and aquatic life. Applying this formula yields the following calculation for the TRC daily maximum limit:

$$\frac{0.019 (Q_d + Q_s)}{Q_d} = \text{Limit (mg/L)} = \frac{0.019(0.7 + 52)}{0.7} = 1.43 \text{ mg/L} \approx 1.4 \text{ mg/L}$$

Where:

0.019 mg/L	=	acute instream protection value
52	=	Qs – 1Q10 flow of receiving stream (MGD)
0.7	=	Qd – design flow of STP (MGD)

Similarly, the chronic instream protection value of 0.011 mg/L for fish and aquatic life is applied to the mass balance formula to determine the monthly average limit for TRC. Previous permits do not contain rationale for omitting this limit and may have utilized the belief that chlorine’s reactivity with other compounds will ensure it does not remain in solution long enough to result in chronic exposure to fish and aquatic life. The best way to reflect that chronic exposure to harmful levels of chlorine is not occurring is reporting successful operation of the de-chlorination technology in compliance with the monthly average limit. This added limit does not entail additional sampling but rather calculation of a monthly average value based on the sampling results in consideration of the method detection level of the test method. The permittee must meet the new monthly average limit beginning January 1, 2023.

$$\frac{0.011 (Qd + Qs)}{Qd} = \text{Limit (mg/L)} = \frac{0.011(0.7 + 52)}{0.7} = 0.828 \text{ mg/L} \approx 0.8 \text{ mg/L}$$

6.5. TOTAL NITROGEN AND TOTAL PHOSPHORUS

Nutrients are naturally occurring and essential components of healthy aquatic systems. Excessive amounts of nutrients, however, can impact water quality. The enrichment of a waterbody with nutrients, called eutrophication, can result in dense, rapidly multiplying growths, or blooms, of algal species and other nuisance aquatic plants. These have potential for negatively impacting the habitat for fish and aquatic life and degrading the water quality for drinking water supply and recreation uses. These impacts can present both locally from an individual activity and much further downstream from the cumulative impact of multiple activities. The Division has therefore developed and begun to implement a strategy to accomplish long-term nutrient reduction in Tennessee waters. The strategy, referred to as the Tennessee Nutrient Reduction Framework (NRF), contains proposed rationale and the methodology for implementing the strategy within a watershed area. Consequently, the Framework considers impacts from both point and non-point sources of nutrients and recommends possible reduction goals for both point and non-point sources. The NRF approach to nutrient reduction is intended to utilize an adaptive management approach in consideration of the facts presenting within a watershed and reevaluation of the effectiveness of progress being made. Regular reassessments of goals and action plans will be conducted by reviewing monitoring data, modeling results and other measures of

success. As additional data becomes available (such as WWTP effluent characterization and instream water quality data), model results can be re-evaluated.

Therefore, for purposes of implementing this strategy, the Division is imposing a minimum of quarterly effluent characterization for total nitrogen and total phosphorus on all discharges of treated domestic wastewater. These values will be used to reevaluate the nutrient loads from discharges within a watershed over time for comparison with those loads from non-point sources.

In coordination with the NRF and in recognition that meeting nutrient limits may require changes in plant operations, the Division has created the Tennessee Plant Optimization Program (TNPOP), which is a free program created to provide technical assistance and other resources to participating wastewater treatment plants. TNPOP can help wastewater treatment plants optimize energy use and nutrient removal, which can result in cost and energy savings. Interested facilities should visit the Division's [TNPOP website](#) for a program description, frequently asked questions, and information on how to apply.

6.6. E. COLI

Disinfection of wastewater is required to protect the receiving stream from pathogenic microorganisms. *E. coli* is used as an indicator organism as a measure of the bacteriological health of a receiving stream and the effectiveness of disinfection. Both the geometric mean and daily maximum are limited for *E. coli* in accordance with Rule [0400-40-03-.03](#). The *E. coli* daily maximum limit of 487 colony forming units per 100 mL applies to lakes and exceptional Tennessee waters. A maximum daily limit of 941 colony forming units per 100 mL applies to all other recreational waters. The units for *E. coli* have been standardized to #/100 mL, which is functionally equivalent to colony forming units.

6.7. COLLECTION SYSTEM

For the purposes of demonstrating proper operation of the collection, transmission and treatment system, the permit treats releases separately from overflows and bypass. State regulations at [0400-40-05-.07\(2\)](#) establish "standard conditions". These standard conditions include [0400-40-05-.07\(2\)\(n\)](#) that sets forth specific language prohibiting sanitary sewer overflows (defined in the regulations as a "discharge") and standard conditions in [0400-40-05-.07\(2\)\(l\)](#) and (m) pertaining to bypass. While the regulations prohibit sanitary sewer overflow (*i.e.*, discharges that reach or are likely to reach receiving waters) it does not prohibit "releases" that do not reach or are not likely to reach receiving waters. However, releases that do not reach receiving waters may be indicative of other problems,

such as improper operation and maintenance of the sewer system. Whether another violation occurs or whether, for example, there is an unavoidable accident (see, e.g., § 69-3-114(a)), will involve case-specific evaluations. Regardless, the permit assures, without waiving rights to pursue other violations associated with a release, as applicable, that the permittee would, at a minimum be reporting and responding to releases. Any release potentially warrants permittee mitigation of human health risks via direct or indirect contact and may demonstrate a hydraulic problem in the system that warrants permittee consideration as part of proper operation and maintenance of the system.

Proper operation and maintenance of the collection system may include, but is not limited to:

1. A comprehensive collection system map showing all drainage areas, manholes, pump stations (number and size of pumps), flow meters, chronic overflow and release locations, miles of collection system, material and diameter of construction, and other relevant system elements.
2. Rainfall data at location(s) using method(s) representative of precipitation within the collection system area.
3. Flow meters at locations in the collection system that would enable drainage area analysis and prioritization based on the amount of inflow and infiltration (I/I) observed.
4. A collection system hydraulic model that predicts I/I problems in response to rainfall events and the effects of new conditions.

When determining if a location experiences chronic sanitary sewer overflows or releases, the term “event(s)” includes dry weather overflows, wet weather overflows, dry weather releases and wet weather releases.

7. OTHER PERMIT REQUIREMENTS AND CONDITIONS

7.1. CERTIFIED WASTEWATER TREATMENT OPERATOR

The waste treatment facilities shall be operated under the supervision of a Grade 3 certified wastewater treatment operator in accordance with the Water Environmental Health Act of 1984. Operator grades are under jurisdiction of the Water and Wastewater Operators Certification Board. This NPDES permit is under jurisdiction of the Tennessee Board of Water Quality, Oil and Gas. Operator grades are rated and recommended by the Division of Water Resources pursuant to Rule [0400-49-01](#) and are included in this fact sheet for reference. The grades are intentionally not specified in the permit so that the operation certification board can authorize changes in grade without conflicting with this permit.

7.2. COLLECTION SYSTEM CERTIFIED OPERATOR

The collection system shall be operated under the supervision of a Grade 1 certified collection system operator in accordance with the Water Environmental Health Act of 1984.

7.3. PRETREATMENT PROGRAM

The City of Copperhill has received an exemption from development of a pretreatment program due to the lack of any significant industrial users.

7.4. BIOSOLIDS MANAGEMENT PRACTICES

The Clean Water Act (CWA) requires that any NPDES permit issued to a publicly owned treatment works or any other treatment works treating domestic sewage shall comply with 40 CFR § 503, the federal regulation governing the use and disposal of sewage sludge. It is important to note that “biosolids” are sewage sludge that have been treated to a level so that they can be land applied.

The language in **section 3.3.** of the permit, relative to biosolids management, a CWA requirement, allows the “permitting authority” under 40 CFR § 503.9(p) to be able to enforce the provisions of § 503. The “permitting authority” relative to Part 503 is either a state that has been delegated biosolids management authority or the applicable EPA Region; for Tennessee it is EPA Region 4.

Tennessee regulates the land application of non-exceptional quality biosolids under state rules, Chapter 0400-40-15. The state rules became effective on June 30, 2013. Under these state rules, all facilities that land apply non-exceptional quality biosolids must obtain a biosolids permit from the division. The land application of non-exceptional quality biosolids under state rules is regulated through either a general permit or by an individual permit. Questions about the division’s biosolids regulations and permitting program should be directed to the State Biosolids Coordinator at:

*Division of Water Resources
State Biosolids Coordinator
William R. Snodgrass - Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243-1102
615-532-0625*

7.5. PERMIT TERM

In order to meet the target reissuance date for the Ocoee watershed and following the directives for the Watershed Management Program initiated in January 1996, the permit will be issued to expire in 2026.

7.6. ELECTRONIC REPORTING

The NPDES Electronic Reporting Rule (eRule), which became effective on December 21, 2016, replaces most paper-based reporting requirements with electronic reporting requirements. NetDMR allows NPDES permittees to submit DMRs electronically to EPA through a secure internet application and has been approved by Tennessee as the official electronic reporting tool for DMRs. The permittee has been reporting electronically via NetDMR since January 9, 2017.

Monitoring results shall be recorded monthly and submitted monthly using Discharge Monitoring Reports (DMRs) based on the effluent limits in **section 1.1** of the permit. DMRs and DMR attachments, including laboratory data and overflow reports, shall be submitted electronically in NetDMR or other electronic reporting tool approved by the State, no later than the 15th of the month following the end of the monitoring period. All NPDES program reports must be signed and certified by a responsible official or a duly authorized representative, as defined in 40 CFR § 122.22.

According to 40 CFR § 127.15, states have the flexibility to grant temporary or episodic waivers from electronic reporting to NPDES permittees who are unable to meet the electronic reporting requirements. To obtain an electronic reporting waiver, an electronic reporting waiver request must be submitted by email to DWRwater.compliance@tn.gov or by mail to the following address:

*Division of Water Resources
Compliance and Enforcement Unit – NetDMR Waivers
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, TN 37243-1102*

For contact and training information about NetDMR electronic reporting, visit the Division's website here.

The permit language has been modified to accommodate the implementation of the MyTDEC Forms electronic reporting tool. For more information, visit EPA's website on eReporting requirements.

7.7. **ANTIDEGRADATION STATEMENT / WATER QUALITY STATUS**

Tennessee's Antidegradation Statement is found in the Rules of the Tennessee Department of Environment and Conservation, Chapter 0400-40-03-.06. It is the purpose of Tennessee's standards to fully protect existing uses of all surface waters as established under the Act.

Stream determinations for this permit action are associated with the waterbody segment identified by the Division as segment ID# TN06020003014_1000.

The Division has made a water quality assessment of the receiving waters associated with the subject discharge(s) and has found the receiving stream to be neither an exceptional nor outstanding national resource water. Additionally, this water does not support designated uses due to sedimentation/siltation from mine tailings and impacts from abandoned mine lands (inactive). Sediments/silts are produced as a result of stream channelization and bank erosion. The TSS component of wastewater treatment facility discharges is generally composed of primarily organic material and is considered to be different in nature than the sediments produced from erosional processes. Therefore, TSS discharges from wastewater treatment facilities are not sources of sediment/silt.

APPENDIX 1 – PREVIOUS PERMIT LIMITS

PARAMETERS	MONTHLY AVERAGE CONCENTRATION (MG/L)	MONTHLY AVERAGE AMOUNT (LB/DAY)	WEEKLY AVERAGE CONCENTRATION (MG/L)	WEEKLY AVERAGE AMOUNT (LB/DAY)	DAILY MAXIMUM CONCENTRATION (MG/L)	DAILY MINIMUM PERCENT REMOVAL	MEASUREMENT FREQUENCY
BOD ₅	30	175	40	234	45	40	3/week
Total Suspended Solids	30	175	40	234	45	40	3/week
Dissolved Oxygen (mg/L)	1.0 (daily minimum) instantaneous	—	—	—	—	—	5/week
Total Chlorine Residual (mg/L)	—	—	—	—	1.4 (daily maximum)	—	5/week
<i>E. coli</i> (colonies/100ml)	126/100 ml	—	—	—	941/100 ml	—	3/week
Settleable Solids (ml/l)	—	—	—	—	1.0 (daily maximum)	—	5/week
pH (standard units)	6.0-9.0	—	—	—	—	—	5/week
Flow (MGD):							
Influent	Report	—	—	—	Report	—	7/week
Effluent	Report	—	—	—	Report	—	7/week
Sanitary Sewer Overflows, Total Occurrences					Report		continuous
Dry Weather Overflows, Total Occurrences					Report		continuous
Bypass of Treatment, Total Occurrences					Report		continuous



APPENDIX 2 - DMR SUMMARY

	Flow (MGD)		Biochemical Oxygen Demand			Suspended Solids			Effluent (mg/l)							By-passing				
	Monthly Average	Daily Max	Effluent (mg/l)		%	Influent (mg/l)	Effluent (mg/l)		%	Settleable Solids (ml/l)	pH (std. units)		Cl ₂ Daily Max	Ammonia			D.O.		E. coli	
			Monthly Average	Daily Max			Monthly Average	Daily Max			Monthly Average	Daily Max		Min	Max		Monthly Average	Daily Max	Daily Min	Monthly Average
Limits	Report	Report	Report		85	Report		85		1.0	6.0	9.0				1.0	126	941		
Summer				30	45			30	45				1.40							
Winter				30	45			30	45				1.40							
Average	0.280	0.500	135.2	4	4	97	42.7	2	3	95	1.0	6.3	6.7	1.02			4.7	2	3	
Maximum	0.537	1.130	153	5	13	98	93.3	4	6	96	1.0	6.7	6.9	1.20			5.6	4	6	
Minimum	0.112	0.151	6.3	2	2	96	25.8	2	2	93	1.0	6.0	6.3	0.90			3.7	1	2	
+ = Exceedence																				
Date																				
Jun/16	0.182	0.256	139.8	3	4	98.3	39.6	2	3	95.3		6.2	6.7	1.20			4.2	1.346	2	
Jul/16	0.180	0.303	134.5	2	3	98.31	44.6	2	3	95.9		6.2	6.6	1.00			4.1	1.55	4	
Aug/16	0.169	0.226	128.7	3	3	98.3	46.9	2	3	95.9		6.2	6.6	1.10			4.5	1.319	4	
Sep/16	0.138	0.208	146.1	3	4	98.1	49.7	2	6	95.2		6.2	6.6	1.00			4.5	1.546	3	
Oct/16	0.119	0.178	130.25	2	3	98.25	44.42	2	3	95.75		6.2	6.6	1.00			4.0	1.335	4	
Nov/16	0.112	0.151	130.4	3	2	98.1	49.4	3	4	94.8		6.3	6.7	1.20			4.4	1.669	3	
Dec/16	0.137	0.194	141.3	3	3	98.1	49.9	3	4	94.9		6.2	6.7	1.10			5.0	1.72	3	
Jan/17	0.147	0.224	130.7	2	4	98.25	44.4	2	4	95.3		6.1	6.6	1.00			5.0	1.992	3	
Feb/17	0.133	0.195	134.4	2	4	98.25	39.9	2	6	94.9		6.0	6.6	1.10			4.2	1.843	4	
Mar/17	0.173	0.278	49.7	2	4	95.8	47.2	3	4	94.7		6.0	6.3	1.00			4.0	1.447	2	
Apr/17	0.219	0.513	144.7	2	3	97.25	41.9	2	3	95.75		6.0	6.7	1.00			5.0	1.498	2	
May/17	0.215	0.260	122.54	3	3	97.69	46.14	3	4	93.43		6.6	6.9	1.00			5.1	1.486	2	
Jun/17	0.232	0.790	120.7	3	4	97.5	46.5	3	4	93.6		6.7	6.9	1.00			5.2	1.452	2	
Jul/17	0.194	0.323	135.9	4	4	97	48.3	3	4	93.9		6.1	6.9	1.00			5.6	1.498	2	
Aug/17	0.178	0.263	144	4	4	97.6	44.5	3	5	93.1		6.2	6.5	1.00			5.6	1.382	2	
Sep/17	0.171	0.310	135.1	4	4	97	45.8	3	5	93.2		6.2	6.5	1.00			5.2	1.414	2	
Oct/17	0.190	0.424	135.5	4	4	97	47.5	3	4	93.9		6.2	6.5	1.00			5.1	1.704	2	
Nov/17	0.159	0.218	137.7	4	4	97.1	47.9	3	4	94		6.2	6.6	1.00			5.3	1.561	2	
Dec/17	0.184	0.389	151.3	4	6	97.6	44.3	3	4	93.8		6.2	6.5	1.00			5.2	1.414	2	
Jan/18	0.170	0.260	150.11	4	4	97.38	46.57	3	4	94.14		6.2	6.6	1.10			5.0	1.561	2	
Feb/18	0.379	0.915	153	4	4	97	42.2	3	4	93.8		6.2	6.6	1.00			5.2	1.377	2	
Mar/18	0.301	0.821	142.9	4	4	97	44.5	3	4	94.2		6.2	6.7	1.00			5.3	1.3	2	
Apr/18	0.267	0.498	145.7	4	4	97	48	3	4	94.5		6.2	6.7	1.00			5.2	1.5	2	
May/18	0.260	0.420	148	4	4	97.4	48.3	3	4	94.08		6.4	6.7	1.00			5.4	1.4	2	
Jun/18	0.255	0.389	147.3	4	4	97	51.7	3	4	95		6.4	6.7	1.00			5.2	1.4	2	
Jul/18	0.198	0.266	148.9	4	4	97	45	2	4	94.5		6.4	6.7	1.00			5.4	1.4	2	
Aug/18	0.215	0.486	146.3	4	4	97	44.21	2	4	94.5		6.2	6.7	1.00			5.4	1.5	2	
Sep/18	0.187	0.285	147	4	5	97	44.2	3	4	94.2		6.5	6.7	1.00			5.4	1.8	2	
Oct/18	0.200	0.344	6.3	4	4	97	44.1	3	4	93.3		6.3	6.8	1.00			5.4	1.5	2	
Nov/18	0.263	0.588	149.2	4	4	97	46.4	2	4	95		6.5	6.8	1.00			5.4	1.6	2	
Dec/18	0.400	0.937	149.8	5	13	97	44.8	2	4	94.6		6.5	6.8	1.00			5.4	1.5	3	
Jan/19	0.434	0.730	149.7	4	4	97	47.5	3	4	93.9		6.5	6.8	0.90			5.4	1.4	2	
Feb/19	0.531	1.055	148.6	4	4	97	47.5	3	4	94.3		6.6	6.9	1.00			5.6	1.4	2	
Mar/19	0.523	0.841	150	4	5	97	93.3	4	5	93.3		6.5	6.9	1.00			4.8	1.7	2	
Apr/19	0.365	0.725	150.5	4	5	97	43.2	3	5	93		6.4	6.9	1.00			4.8	1.4	2	
May/19	0.282	0.473	149.3	4	4	97	44.6	3	5	93.3		6.4	6.9	1.00			5.1	1.3	2	
Jun/19	0.274	0.736	148.5	4	4	97	45.8	3	4	93.7		6.6	6.8	1.00			5.3	1.1	2	
Jul/19	0.232	0.302	149	4	4	97.4	46.2	3	4	94		6.5	6.9	1.00			5.3	1.2	2	
Aug/19	0.198	0.236	142.9	4	4	97.1	47.1	2	4	95.3		6.4	6.8	1.00			5.0	1.2	2	
Sep/19	0.173	0.203	148.1	4	4	97.3	51.2	2	3	96.2		6.6	6.8	1.00			4.7	1.4	2	
Oct/19	0.211	0.655	148.7	4	5	97.1	52.5	2	3	96.4		6.5	6.9	1.00			4.6	1.3	2	
Nov/19	0.230	0.445	152.5	4	4	97.3	45.2	2	2	96.4		6.6	6.9	1.00			4.7	1.3	2	
Dec/19	0.271	0.484	146	4	5	97	35.5	2	3	95.8		6.7	6.9	1.00			4.5	1.3	2	
Jan/20	0.334	0.530	147.5	5	5	96.9	29	2	2	95		6.7	6.9	0.94			4.5	1.6	2	
Feb/20	0.537	0.868	149.4	4	5	97.1	29.8	2	3	94.7		6.6	6.9	1.00			4.3	1.9	4	
Mar/20	0.523	0.936	148.8	5	5	97	28.7	2	3	94.9		6.5	6.9	1.00			4.6	1.6	3	
Apr/20	0.518	0.812	151.7	5	5	97	30.8	2	2	94.5		6.5	6.8	1.10			4.3	2.4	6	
May/20	0.435	0.573	148.9	5	5	96.9	30.5	2	3	94.4		6.5	6.8	1.10			4.7	2.5	5	
Jun/20	0.346	0.442	6.3	5	5	96.9	25.8	2	3	93.9		6.3	6.7	1.00			4.0	2.2	5	
Jul/20	0.290	0.327	149.3	5	5	97	30.6	2	3	94		6.3	6.7	1.00			4.0	2.7	6	
Aug/20	0.311	0.458	150.4	5	5	97	31.3	2	3	94.4		6.3	6.7	1.00			4.3	2.8	6	
Sep/20	0.285	0.485	151.5	5	5	97	37	2	3	95		6.2	6.4	1.00			4.1	2.6	5	
Oct/20	0.321	0.798	148.2	4	5	97	40.3	2	3	95		6.3	6.7	1.00			4.5	3.1	5	
Nov/20	0.309	0.372	148.6	4	5	97.1	33.4	2	3	95.3		6.2	6.7	1.00			4.1	3.1	6	
Dec/20	0.323	0.549	149.4	5	5	97	32.1	2	3	94.7		6.1	6.7	1.00			4.1	3.9	6	
Jan/21	0.301	0.394	148.4	5	5	97	38.9	2	3	95.4		6.1	6.7	1.00			4.0	3.7	6	
Feb/21	0.364	0.687	151.6	5	5	97	33.7	2	3	94.8		6.1	6.6	1.00			4.1	3	5	
Mar/21	0.531	1.130	141.3	4	5	97	33.4	2	3	95.1		6.1	6.6	1.00			4.2	3.9	6	
Apr/21	0.494	0.791	84.5	3	4	96.3	33	2	3	94.9		6.2	6.4	1.00			4.1	3.3	5	
May/21	0.416	0.942	100.1	3	4	97.4	35.8	2	2	96.3		6.2	6.7	1.10			4.0	3.6	6	
Jun/21	0.313	0.416	103.2	4	4	96.6	39.7	2	3	95.1		6.2	6							