



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

March 1, 2024

Mr. Clay Bright, CEO
e-copy: clay.bright@tn.gov
Megasite Authority of West Tennessee
Wm. R. Snodgrass Tennessee Tower, 22nd Fl
312 Rosa L. Parks Ave.
Nashville, TN 37243

Subject: **Modified NPDES Permit No. TN0081906**
Megasite Authority of West Tennessee
Stanton, Haywood County, Tennessee

Dear Mr. Bright:

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, modified, 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 Jackson Environmental Field Office at 1-888-891-TDEC; or, at this office, please contact Mr. Wade Murphy at (615) 532-0666 or by E-mail at Wade.Murphy@tn.gov.

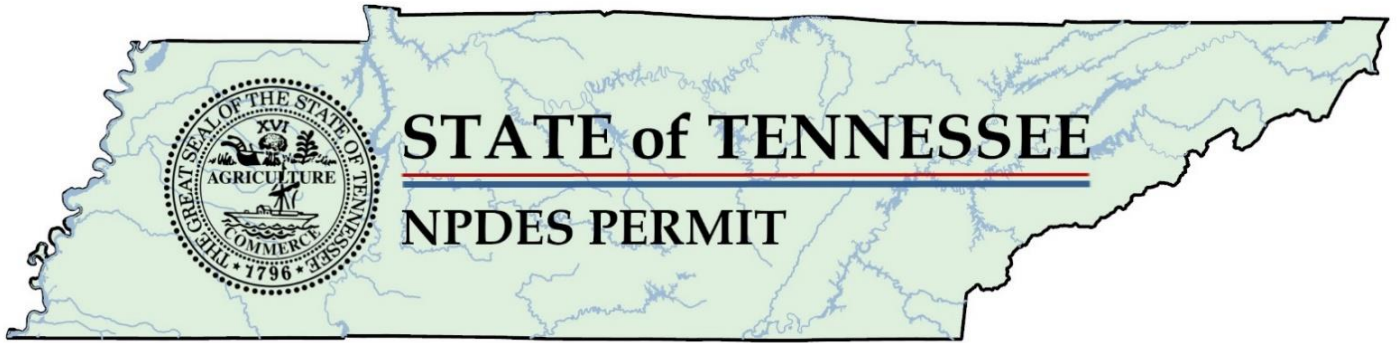
Sincerely,



Vojin Janjić
Manager, Water-Based Systems

Enclosure

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Permit File



**Authorization to Discharge Under the
National Pollutant Discharge Elimination System (NPDES)
Permit Number TN0081906
MODIFICATION**

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: **Megasite Authority of West Tennessee
Memphis Regional Megasite WWTP**

is authorized to discharge: treated municipal wastewater and reverse osmosis retentate from a planned automotive assembly and battery manufacturing complex, including domestic waste and pretreated industrial effluent, from the Blue Oval City (5.1 MGD)

from facilities located at: 2672 Keeling Rd, Stanton, Haywood County, Tennessee

to receiving waters named: Mississippi River mile 768

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective on: **March 01, 2024**

This permit shall expire on: **May 31, 2028**

Issuance date: **March 1, 2024**



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. Commissioning and Start-Up Monitoring and Reporting

The Megasite Authority of West Tennessee is authorized to discharge municipal wastewater comprised of non-process wastewater (cooling tower blowdown, boiler blowdown, reverse osmosis retentate and HVAC condensate) and treated municipal wastewater and reverse osmosis retentate to the Mississippi River mile 768 during commissioning and start-up of the publicly owned sewerage system **for a maximum of 90 days**. Discharge 001 shall be monitored by the permittee as specified below:

Description : External Outfall, Number : 001, Monitoring : Effluent Gross, Season : All Year							
Code	Parameter	Qualifier	Value	Unit	Sample Type	Monitoring Frequency	Statistical Base
00300	Oxygen, dissolved (DO)	Report		mg/L	Grab	Five Per Week	Instantaneous Minimum
00400	pH	Report		SU	Grab	Five Per Week	Minimum
00400	pH	Report		SU	Grab	Five Per Week	Maximum
00530	Total Suspended Solids (TSS)	Report		mg/L	Composite	Three Per Week	Monthly Average
00530	Total Suspended Solids (TSS)	Report		lb/d	Composite	Three Per Week	Monthly Average
00530	Total Suspended Solids (TSS)	Report		mg/L	Composite	Three Per Week	Weekly Average
00530	Total Suspended Solids (TSS)	Report		lb/d	Composite	Three Per Week	Weekly Average
00530	Total Suspended Solids (TSS)	Report		mg/L	Composite	Three Per Week	Daily Maximum
00545	Settleable Solids	Report		mL/L	Grab	Five Per Week	Daily Maximum
00600	Nitrogen, total (as N)	Report	-	lb/d	Composite	Quarterly	Quarterly Average
00600	Nitrogen, total (as N)	Report	-	mg/L	Composite	Quarterly	Quarterly Average
00610	Nitrogen, Ammonia total (as N)	Report	-	mg/L	Composite	Weekly	Daily Maximum
00665	Phosphorus, total (as P)	Report	-	lb/d	Composite	Quarterly	Quarterly Average

00665	Phosphorus, total (as P)	Report	-	mg/L	Composite	Quarterly	Quarterly Average
50050	Flow	Report	-	Mgal/d	Continuous	Daily	Daily Maximum
50050	Flow	Report	-	Mgal/d	Continuous	Daily	Monthly Average
50060	Chlorine, total residual (TRC)	Report		mg/L	Grab	Five Per Week	Daily Maximum
51040	E. coli	Report		#/100mL	Grab	Three Per Week	Monthly Geometric Mean
51040	E. coli	Report		#/100mL	Grab	Three Per Week	Daily Maximum
80082	CBOD, 5-day, 20 C	Report		mg/L	Composite	Three Per Week	Monthly Average
80082	CBOD, 5-day, 20 C	Report		lb/d	Composite	Three Per Week	Monthly Average
80082	CBOD, 5-day, 20 C	Report		mg/L	Composite	Three Per Week	Weekly Average
80082	CBOD, 5-day, 20 C	Report		lb/d	Composite	Three Per Week	Weekly Average
80082	CBOD, 5-day, 20 C	Report		mg/L	Composite	Three Per Week	Daily Maximum

Status	Comments
Active - Permit Requirement	Notify the Division in writing to water.permits@tn.gov of the date that discharge commences to Outfall 001 (Mississippi River) no later than the 15th day of the month following the month in which discharge commences.
Active - Permit Requirement	Notify the Division in writing to water.permits@tn.gov of the date that the construction contractor completes start-up of the biological treatment plant by the 15th day of the month following the month in which contractor completes the start-up.

1.1.2. Numeric Limitations

No later than 90 days after initiating discharge to the Mississippi River, the Megasite Authority of West Tennessee is authorized to discharge treated municipal wastewater and reverse osmosis retentate to the Mississippi River mile 768 and to offer treated effluent available for industrial reuse. Discharge 001 consists of sequencing batch reactor (SBR) biologically treated effluent including a conventional grit and trash removal headworks, tertiary effluent disc filters, and screw press biosolids handling from a treatment facility with a design capacity of 5.1 MGD and of reverse osmosis reject water, via an internal monitoring point, resulting from further treatment by tenant(s) for industrial reuse of the treated effluent. Discharge 001 shall be limited and monitored by the permittee as specified below:

Description : External Outfall, Number : 001, Monitoring : Effluent Gross, Season : All Year							
Code	Parameter	Qualifier	Value	Unit	Sample Type	Monitoring Frequency	Statistical Base
00300	Oxygen, dissolved (DO)	>=	1.0	mg/L	Grab	Five Per Week	Instantaneous Minimum
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)	<=	30	mg/L	Composite	Three Per Week	Monthly Average
00530	Total Suspended Solids (TSS)	<=	1,276	lb/d	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)	<=	1,701	lb/d	Composite	Three Per Week	Weekly Average
00530	Total Suspended Solids (TSS)	<=	45	mg/L	Composite	Three Per Week	Daily Maximum
00545	Settleable Solids	<=	1.0	mL/L	Grab	Five Per Week	Daily Maximum
00600	Nitrogen, total (as N)	Report	-	lb/d	Composite	Quarterly	Quarterly Average
00600	Nitrogen, total (as N)	Report	-	mg/L	Composite	Quarterly	Quarterly Average
00610	Nitrogen, Ammonia total (as N)	Report	-	mg/L	Composite	Weekly	Daily Maximum
00665	Phosphorus, total (as P)	Report	-	lb/d	Composite	Quarterly	Quarterly Average

00665	Phosphorus, total (as P)	Report	-	mg/L	Composite	Quarterly	Quarterly Average
50050	Flow	Report	-	Mgal/d	Continuous	Daily	Daily Maximum
50050	Flow	Report	-	Mgal/d	Continuous	Daily	Monthly Average
50060	Chlorine, total residual (TRC)	<=	2.0	mg/L	Grab	Five Per Week	Daily Maximum
51040	E. coli	<=	126	#/100mL	Grab	Three Per Week	Monthly Geometric Mean
51040	E. coli	<=	941	#/100mL	Grab	Three Per Week	Daily Maximum
80082	CBOD, 5-day, 20 C	<=	25	mg/L	Composite	Three Per Week	Monthly Average
80082	CBOD, 5-day, 20 C	<=	1,063	lb/d	Composite	Three Per Week	Monthly Average
80082	CBOD, 5-day, 20 C	<=	35	mg/L	Composite	Three Per Week	Weekly Average
80082	CBOD, 5-day, 20 C	<=	1,489	lb/d	Composite	Three Per Week	Weekly Average
80082	CBOD, 5-day, 20 C	<=	40	mg/L	Composite	Three Per Week	Daily Maximum
TRP3B	IC25 Static Renewal 7 Day Chronic Ceriodaphnia	Report	-	%	Composite	Annually	Minimum
TRP6C	IC25 Static Renewal 7 Day Chronic Pimephales promelas	Report	-	%	Composite	Annually	Minimum
Description : External Outfall, Number : 001, Monitoring : Percent Removal, Season : All Year							
Code	Parameter	Qualifier	Value	Unit	Sample Type	Monitoring Frequency	Statistical Base
80358	CBOD, 5-day, 20 C, % removal	>=	40	%	Calculated	Three Per Week	Daily Minimum
80358	CBOD, 5-day, 20 C, % removal	>=	85	%	Calculated	Three Per Week	Monthly Average Minimum
81011	TSS, % removal	>=	85	%	Calculated	Three Per Week	Monthly Average Minimum
81011	TSS, % removal	>=	40	%	Calculated	Three Per Week	Daily Minimum

Description : External Outfall, Number : 001, Monitoring : Raw Sewage Influent, Season : All Year							
Code	Parameter	Qualifier	Value	Unit	Sample Type	Monitoring	
						Frequency	Statistical Base
00530	Total Suspended Solids (TSS)	Report	-	mg/L	Composite	Three Per Week	Monthly Average
00530	Total Suspended Solids (TSS)	Report	-	mg/L	Composite	Three Per Week	Daily Maximum
50050	Flow	Report	-	Mgal/d	Continuous	Daily	Monthly Average
50050	Flow	Report	-	Mgal/d	Continuous	Daily	Daily Maximum
80082	CBOD, 5-day, 20 C	Report	-	mg/L	Composite	Three Per Week	Monthly Average
80082	CBOD, 5-day, 20 C	Report	-	mg/L	Composite	Three Per Week	Daily Maximum

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.

The Megasite Authority of West Tennessee is authorized to discharge, without additional treatment, only reverse osmosis retentate resulting from further treatment of POTW effluent by industry for industrial beneficial reuse, to the Mississippi River mile 768. The discharge shall be measured at internal monitoring point IMP1 as specified below:

Internal Monitoring Point, Reverse Osmosis Retentate Resulting from Ford's Beneficial Reuse of POTW Treated Effluent: Number: IMP1, Monitoring: Effluent Gross, Season: All Year, Limit Set Status: Active						
<u>Code</u>	<u>Parameter</u>	<u>Qualifier</u>	<u>Unit</u>	<u>Sample Type</u>	<u>Monitoring Frequency</u>	<u>Statistical Base</u>
50050	Flow*	Report	MGD	Continuous	Daily	Monthly Average
50050	Flow*	Report	MGD	Continuous	Daily	Daily Maximum

*Flow at IMP1 shall be measured prior to measurement of the combined treated effluent and retentate flow at Outfall 001's monitoring location. See Section 1.2.1 for sampling effluent characteristics other than flow.

Notes:

The permittee shall achieve 85% removal of CBOD5 and TSS on a monthly average basis. This treatment standard for conventional treatment may be subject to a variance in 40 CFR 133.103(d) for less concentrated influent wastewater not caused by inflow and infiltration (e.g. industrial wastewater). 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.

The load limits in lb/d applicable to Outfall 001 shall be calculated on the net flow derived by subtracting the flow at IMP1 from the flow at Outfall 001.

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

See **Part 1.2.3** for test procedures.

See **Part 3.4** for biomonitoring test and reporting requirements.

See below for percent removal calculations.

For purposes of monitoring and reporting for permit compliance with effluent limits the location of Outfall 001 is to be at the wastewater treatment plant site located off Fredonia Loop Road in Haywood County, Tennessee, after treatment and prior to introduction of treated wastewater into the effluent force main. For purposes of sign placement and identification of the outfall structure location, the location of Outfall 001 shall be the actual discharge location to the Mississippi River at mile 768 in Tipton County.

Direct discharges of chlordane, dioxins and polychlorinated byphenyls (PCBs) shall meet the most stringent applicable Tennessee state water quality standard applicable to support use designations of the Mississippi River at mile 768 and are only authorized pursuant to a modification of this permit to establish a sampling and reporting frequency for the respective pollutant to comply with the total daily maximum load (TMDL) approved for implementation July 25, 2008, or its most current version.

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.

For CBOD₅ 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 CBOD₅ and TSS based on each daily composite sample. The formula for this calculation is as follows:

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

Each daily load is calculated by multiplying the day's sample concentration (mg/L) by the effluent flow rate (MGD) for the day the sample was collected and the conversion factor 8.34 lbs/gal.

$$\text{Load} = \left(\frac{\text{Effluent Concentration}}{\text{Concentration}}\right) * \left(\frac{\text{Effluent flow for the day the sample was collected}}{\text{day the sample was collected}}\right) * (8.34)$$

The average pound per quarter is the mathematical average where the sum of all the calculated loads during the current quarter is divided by the number of calculated loads.

$$\text{Average Pounds per Day} = \left(\frac{\text{Sum of All Loads in } \frac{\text{lbs}}{\text{day}} \text{ During the Current Quarter}}{\text{Total Number of Loads Calculated During the Current Quarter}} \right)$$

CONDITIONS ASSOCIATED WITH REUSE OF RECLAIMED WASTEWATER

The permittee is authorized to store and distribute treated municipal wastewater for non-potable uses on the Memphis Regional Megasite. Reuse water must receive all treatment steps applied to the treated wastewater being discharged to the Mississippi River. In addition, the reuse wastewater must comply with the following requirements:

The permittee shall utilize services of engineers licensed in the State of Tennessee for design of post treatment, reuse system infrastructure located on the site of the Memphis Regional Megasite Wastewater Treatment Plant and other areas of the Memphis Regional Megasite where distribution of treated effluent to end users is within the jurisdiction of the Megasite Authority of West Tennessee. The permittee shall utilize the plans review process established in Rule 0400-40-02.

The permittee shall maintain service agreements with the end users governing, at a minimum, the quality and quantity of the treated municipal wastewater made available for reuse.



Nothing in this permit prohibits the reuse agreement from containing and imposing additional conditions, limits or monitoring and reporting requirements.

The permittee shall maintain a copy of the reuse agreements at the treatment facility address and make them available for inspection upon request.

The permittee shall comply with applicable provisions of rules of the Board of Water Quality, Oil and Gas governing non-potable reuse.

1.1.3. Collection System Requirements

Megasite Authority of West Tennessee is authorized to operate a sewage collection system on the Memphis Megasite. 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 MyTDEC Forms 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.

1.1.4. Narrative Conditions

Status	Comments
Active - Permit Requirement	Submit to water.permits@tn.gov an updated EPA Form 2A application form, signed in accordance with permit regulation, using a minimum of three scans of actual effluent data for Tables A, B, and C of the form no later than 24 months after the facility commences to discharge.
Active - Permit Requirement	Submit to water.permits@tn.gov a Reclaimed Wastewater Management Plan (RWMP) inclusive of the format for the end user service agreement (s) no later than the submission of the updated Form 2A completed with effluent characteristics.

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.

Raw wastewater must be sampled at various places in the collection system, if necessary, to implement the industrial pretreatment program and to support any variance from the percent removal requirements for secondary treatment allowed per 40 CFR 133.103(d).

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 from the POTW and collected prior to mixing with any other discharge. The sampling point(s) can be a different point for different parameters but must be after all treatment for that parameter or all expected changes. Specifically:

- a) POTW effluent samples must be collected ahead of reverse osmosis retentate pollutants being reintroduced back in the outfall line.
- b) The chlorine residual must be measured after the chlorine contact chamber and any de-chlorination.
- c) Samples for *E. coli* can be collected at any point between completion of disinfection and the actual discharge.

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) The permittee shall measure dissolved oxygen at the treatment facility prior to entering the multi-mile outfall line to demonstrate aerobic conditions have been maintained in the treatment process.
- e) Total suspended solids (TSS) and settleable solids can be collected at any point after the final clarifier.
- f) 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.Jackson.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
Jackson Environmental Field Office
1625 Hollywood Drive
Jackson, Tennessee 38305*



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).

For purposes of calculating averages, zero may be assigned for values less than the MDL, the numeric value of the MDL may be assigned for values between the MDL and the ML. If the average value is less than the MDL, the permittee must report “less than {numeric value of the MDL}” and if the average value is less than the ML, the permittee must report “less than {numeric value of the ML}.” If a value is equal to or greater than the ML, the permittee must report and use the actual value. The resulting average value must be compared to the compliance level, the ML, in assessing compliance.

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.

Additionally this permit may be modified via public notice procedures to incorporate any limits determined necessary to protect water quality after receipt of the updated application per Section 1.1.3 above and evaluation of the reasonable potential for the discharge to cause or contribute to excursion of applicable water quality criteria.

1.6. SCHEDULE OF COMPLIANCE

Full compliance and operational levels shall be attained from the effective date of this permit, except for conditions under compliance schedules. See **Section 1.1.** for numeric and narrative requirements.

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 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 of treatment and control (and related appurtenances, including but not limited to collection and conveyance systems) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Low pressure pumps, low pressure tanks, septic tank effluent pumps (STEP), STEP tanks, and septic tank effluent gravity tanks are integral to the treatment and conveyance of sewage in a low-pressure system design, and shall be owned or under control of the municipality, other body of government, public utility district, or a privately-owned public utility demonstrating lawful jurisdiction over the service area. Proper operation and maintenance also includes adequate laboratory 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.
- 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 the permittee's 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, or any release (whether or not caused by improper operation and maintenance), which could cause a threat to human health or the environment, the permittee shall:

- i. Report the noncompliance or release to the Commissioner within 24 hours from the time the permittee becomes aware of the circumstances. Such noncompliance or release includes, but is not limited to, any unanticipated bypass exceeding any effluent limitation, any upset exceeding any effluent limitation, and violations of any maximum daily effluent limitation identified in the permit as requiring 24-hour reporting. (The EFO should be contacted for names and phone numbers of the environmental response team.)

- ii. Submit a written report within five days of the time the permittee becomes aware of the noncompliance. The permittee shall provide the following information:
 1. A description of and the cause of the noncompliance or release;
 2. The period of noncompliance or release, including start and end dates and times i.e. duration or, if not corrected, the anticipated time the noncompliance or release is expected to continue;
 3. The steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance or release; and
 4. For POTWs or domestic wastewater treatment plants, reporting any dry weather overflow, wet weather overflow, dry weather release, wet weather release, combined sewer overflow, or bypass, this written report must also include the following:
 - I. Type of event;
 - II. Type of sewer overflow, release, or bypass structure (e.g., manhole, combined sewer overflow outfall);
 - III. Estimated volume (gallons);
 - IV. Types of human health and environmental impacts;
 - V. Location (latitude and longitude);
 - VI. Estimated duration (hours);
 - VII. The next downstream pump station (for overflows and releases only); and
 - VIII. The name of receiving water (if applicable).
 - iii. Industrial dischargers that do not treat domestic waste shall comply with subpart a) ii. 4. of this subparagraph with respect to bypasses only.
 - iv. For overflows, releases, bypasses, upsets and washouts, the report required by a) ii. Shall be submitted electronically via MyTDEC Forms.
- b) Other Noncompliance.
- i. All permittees shall report each instance of noncompliance or any release (whether or not caused by improper operation and maintenance), not reported under sub-part a) at the time of submitting the next routine monitoring report, including all information required by sub-parts a) ii. 1-3.

- ii. In addition to the information required by part i of this sub-part, POTWs and domestic wastewater treatment plants shall submit a written report containing the information required by sub-part a) i. 4. If these events are caused by an extreme weather event, the Commissioner may provide a written waiver of some or all of these reporting requirements.
- iii. In addition to the information required by sub-part i, industrial dischargers shall submit a written report of bypasses containing the information required by sub-part a) i. 4. This part does not relieve industrial dischargers from any applicable reporting requirements of 40 C.F.R. Part 117 (2021) and 40 C.F.R. Part 302 (2021).

2.3.2. Overflows and Releases

- a) For publicly owned treatment works (POTW) or domestic wastewater treatment plants, sanitary sewer overflows, including dry-weather overflows and wet weather overflows, are prohibited.
- b) Releases caused by improper operation and maintenance, which is to be determined by the Commissioner based on the totality of the circumstances, are prohibited.
- c) 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).
- d) The permittee shall take all reasonable steps to minimize any adverse impact associated with overflows and releases.
- e) 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

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



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.

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.

- f) 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.
- g) For industrial dischargers, the discharge of pollutants from any location other than a permitted outfall is prohibited.

2.3.3. Upset

- a) An upset shall constitute an affirmative defense to an action brought for noncompliance with 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".



- b) In any enforcement proceeding, the permittee seeking to establish the affirmative defense of an upset has the burden of proof.

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) Bypasses (see subpart 4.1) 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
 - a. For anticipated bypass, the permittee submits prior notice, if possible at least ten days before the date of the bypass, or
 - b. 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.
- b) 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. The permittee must sample and report the discharge during each bypass to demonstrate that the bypass does not cause effluent limitations to be exceeded.

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

Requirements of Section 3.2 shall apply after the Division Director or pretreatment coordinator has approved the pretreatment program by letter.

- a) The permittee has been delegated the primary responsibility and therefore becomes the "Control Authority" for enforcing the 40 CFR § 403 General Pretreatment Regulations. Where multiple plants are concerned the permittee is responsible for the Pretreatment Program for all plants within its jurisdiction. The permittee shall implement and enforce the Industrial Pretreatment Program in accordance with the Tennessee Water Quality Control Act § 69-3-123 through 69-3-128, Rule [0400-40-14](#), and the legal authorities, policies, procedures, and financial provisions contained in its approved Pretreatment Program, except to the extent this permit imposed stricter requirements. Such implementation shall require but not limit the permittee to do the following:
 - i. Carry out inspection, surveillance, and monitoring procedures which will determine, independent of information supplied by the industrial user (IU), whether the IU is in compliance with the pretreatment standards;
 - ii. Require development, as necessary, of compliance schedules for each IU for the installation of control technologies to meet applicable pretreatment standards;
 - iii. Require all industrial users to comply with all applicable monitoring and reporting requirements outlined in the approved pretreatment program and IU permit;
 - iv. Maintain and update, as necessary, records identifying the nature and character of industrial user discharges, and retain such records for a minimum of three (3) years;

- v. Obtain appropriate remedies for noncompliance by an IU with any pretreatment standard and/or requirement;
 - vi. Publish annually, pursuant to Rule [0400-40-14-.08\(6\)\(b\)8](#), a list of industrial users that have significantly violated pretreatment requirements and standards during the previous twelve-month period;
 - vii. Maintain an adequate revenue structure for continued operation of the pretreatment program;
 - viii. Update its Industrial Waste Survey at least once every five years.
- 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, waste streams 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. Any priority pollutant in amounts that will contaminate the treatment works sludge;
- vii. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;



- viii. 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
 - ix. 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.

d) Reporting Requirements:

Upon notification, all semi-annual must be submitted electronically through [MyTDEC Forms](#) portal. Prior to electronic reporting approval, the report shall be submitted to the Division's Central Office and a copy to the appropriate EFO no later than the 28th day of the month following each reporting period. Large programs with more than 20 SIUs will be granted an additional 15 days for report submittal.

The permittee shall provide a semiannual report briefly describing the permittee's pretreatment program activities over the previous six-month period. Reporting periods shall end on the last day of the months of March and September. Prior to approval of electronic reporting, each report shall conform to the format set forth in the State POTW Pretreatment Semiannual Report Package which contains information regarding:

- i. An updated listing of the permittee's industrial users;
- ii. Results of sampling of the influent and effluent of the wastewater treatment plant. At least once each reporting period, the permittee shall analyze the wastewater treatment plant influent and effluent for the following pollutants, using the prescribed sample types:

Pollutant	Sample Type
chromium (III)	24-hour composite
chromium (VI)	Per method requirements ³
total chromium	24-hour composite
copper	24-hour composite
lead	24-hour composite
nickel	24-hour composite
zinc	24-hour composite
cadmium	24-hour composite
mercury	Per method requirements ³
silver	24-hour composite
total phenols	grab
cyanide	grab

If any particular pollutant is analyzed more frequently than is required, the permittee shall report the maximum and average values on the semiannual or annual report. All upsets, interferences, and pass-through violations must also be reported on the semiannual or annual report, along with the actions that were taken to determine the causes of the incidents and the steps that have been taken to prevent the incidents from recurring.

At least once during the term of this permit, the permittee shall analyze the effluent from the STP (and report the results in the next regularly scheduled report) for the following pollutants:

³ When a composite sample would compromise sample integrity, refer to 40 CFR § 136.3 Table II, including footnotes.



chromium III	cyanide	phthalates, sum of the following:
chromium VI	silver	bis (2-ethylhexyl) phthalate
copper	benzene	butyl benzylphthalate
lead	carbon tetrachloride	di-n-butylphthalate
nickel	chloroform	diethyl phthalate
zinc	ethylbenzene	1,2 trans-dichloroethylene
cadmium	methylene chloride	tetrachloroethylene
mercury	naphthalene	toluene
phenols, total	1,1,1 trichloroethane	trichloroethylene
chromium, total		

- iii. Compliance with categorical and local standards, and review of industrial compliance, which includes a summary of the compliance status for all permitted industries. Also included is information on the number and type of major violations of pretreatment regulations, and the actions taken by the POTW to obtain compliance. The effluent from all significant industrial users must be analyzed for the appropriate pollutants at least once every 12 months;
- iv. A list of industries in significant non-compliance as published in local newspapers in accordance with the requirements set forth in Rule [0400-40-14-.08\(6\)\(b\)8](#);
- v. A description of all substantive changes made to the permittee's pretreatment program. Any such changes shall receive prior approval. Substantive changes include, but are not limited to, any change in any ordinance, major modification in the program's administrative structure, local limits, or a change in the method of funding the program; and
- vi. A summary of the permittee's industrial user inspections, which includes information on the number and type of industry inspected. All significant industrial users must be inspected at least once every twelve months.

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.

*STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF SOLID WASTE MANAGEMENT
Jackson Environmental Field Office
1625 Hollywood Drive
Jackson, Tennessee 38305
(731)512-1300*

3.4. BIOMONITORING REQUIREMENTS, CHRONIC

The permittee shall conduct a 3-Brood *Ceriodaphnia dubia* Survival and Reproduction Test and a 7-Day Fathead Minnow (*Pimephales promelas*) Larval Survival and Growth Test on samples of final effluent from Outfall 001.

The measured endpoint for toxicity will be the inhibition concentration causing 25% reduction in survival, reproduction and growth (IC₂₅) of the test organisms. The IC₂₅ shall be determined based on a 25% reduction as compared to the controls, and as derived from linear interpolation. The average reproduction and growth responses will be determined based on the number of *Ceriodaphnia dubia* or *Pimephales promelas* larvae used to initiate the test.

Tests shall be conducted and results reported based on appropriate replicates of a total of five serial dilutions and a control, using the percent effluent dilutions as presented in the following table:

Serial Dilutions for Whole Effluent Toxicity (WET) Testing					
% effluent					
100	50	25	12.5	6.25	0

The dilution/control water used will be moderately hard water as described in [Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Water to Freshwater Organisms](#), EPA-821-R-02-013 (or the most current edition). A chronic standard reference toxicant quality assurance test shall be conducted with each species used in the toxicity tests and the results submitted with the discharge monitoring report. Additionally, the analysis of this multi-concentration test shall include review of the concentration-response relationship to ensure that calculated test results are interpreted appropriately.

All tests will be conducted using a minimum of three 24-hour, flow-proportionate composite samples of final effluent (e.g., collected on days 1, 3, and 5). If, in any control more than 20% of the test organisms die in 7 days, the test (control and effluent) is considered invalid and the test shall be repeated within two (2) weeks. Furthermore, if the results do not meet the acceptability criteria in the above-referenced *Short-term Methods* document, or if the required concentration-response review fails to yield a valid relationship per guidance contained in *Method Guidance and Recommendations for Whole Effluent Toxicity (WET) Testing*, EPA-821-B-00-004 (or the most current edition), that test shall be repeated. Any test initiated but terminated before completion must also be reported along with a complete explanation for the termination.

The toxicity tests specified herein shall be conducted annually (1/Year) for Outfall 001 and begin no later than 365 days from the effective date of this permit.

A copy of the biomonitoring report (including any follow-up reports) shall be submitted to the Division as an attachment to the monthly DMR in NetDMR.

The reasonable potential to cause toxicity in the receiving stream will be evaluated based on the results of the WET testing. At that time, should the results so dictate, the Division maintains the authority to institute specific numeric biomonitoring limitations.



3.5. 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 (Mississippi River Mile 768):

TREATED MUNICIPAL/SANITARY WASTEWATER
Megasite Authority of West Tennessee
Memphis Regional Megasite WWTP
(615) 430-0538
NPDES Permit NO. TN0081906
TENNESSEE DIVISION OF WATER RESOURCES
1-888-891-8332 ENVIRONMENTAL FIELD OFFICE - Jackson

Unpermitted release/overflow point:

UNTREATED WASTEWATER DISCHARGE POINT
Megasite Authority of West Tennessee
Memphis Regional Megasite WWTP
(615) 430-0538
NPDES Permit No. TN0081906
TENNESSEE DIVISION OF WATER RESOURCES
1-888-891-8332 ENVIRONMENTAL FIELD OFFICE - Jackson

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

All terminology not specifically defined herein shall be defined in accordance with the Water Quality Control Act of 1977, T.C.A. Title 69, Chapter 3, Part 1 and Tennessee Rule 0400-40-05. The following terms have the meanings given below unless otherwise specified.

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](#).

Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

A **calendar day** means the 24-hour period from midnight to midnight or any other 24-hour period that reasonably approximates the midnight to midnight time period.

Combined sewer overflow or "CSO" means a discharge from a combined sewer system (CSS) at a point prior to the publicly owned treatment works (POTW) treatment plant headworks.

Combined sewer system or "CSS" means a wastewater collection system owned by a State or municipality which was originally designed to convey sanitary wastewaters (domestic, commercial, and industrial wastewaters) and stormwater through a single-pipe system into a publicly owned treatment works (POTW) treatment plant headworks.

A **composite sample** means a combination of not less than eight influent or effluent portions (aliquots), collected over a 24-hour period. Under certain circumstances a lesser time period may be allowed, but in no case less than eight hours. A sufficient volume of sample to perform all required analyses plus any additional amount for quality control must be obtained. For automatic samplers that use a peristaltic pump, a minimum 100 ml aliquot must be obtained.

The **daily maximum amount** means the total amount of any pollutant in the discharge by weight 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 maximum concentration is the concentration of that 24-hour composite; when other sampling means are used, the daily maximum 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** means a sanitary sewer overflow that is not directly related to a rainfall event.

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 means 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 shall be considered to be one.

A **grab sample** means a single sample collected at a particular time.

IC₂₅ means the inhibition concentration in which at least a 25% reduction in reproduction and/or growth in test organisms occurs.

Industrial discharger means those industries identified in the standard industrial classification manual, Bureau of the Budget, 1987, as amended and supplemented, under the category "Division D - Manufacturing" and such other classes of significant waste producers as the Board or Commissioner deems appropriate.

Industrial wastes means any liquid, solid, or gaseous substance, or combination thereof, or form of energy including heat, resulting from any process of industry, manufacture, trade, or business or from the development of any natural resource.

The **instantaneous maximum concentration** means the concentration, in units of mass per volume, of any pollutant parameter in a grab sample taken at any point in time.



The ***instantaneous minimum concentration*** means the minimum concentration, in units of mass per volume, of a pollutant parameter in a grab sample taken at any point in time.

LC₅₀ means the concentration that causes at least 50% lethality of the test organisms.

Major facility means a municipal or domestic wastewater treatment plant with a design capacity of one million gallons per day or greater; or any other facility or activity classified as such by the Commissioner.

Minor facility means any facility that is not a major facility.

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

The ***monthly average concentration***, means the arithmetic mean of all samples collected in a one calendar-month period, expressed in units of mass per volume of any pollutant other than bacteria.

National Pollutant Discharge Elimination System or ***NPDES*** means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the federal CWA. The term includes an "approved program."

New or increased discharge is a new discharge of pollutants to waters of the state or an increase in the authorized loading of a pollutant above either (1) numeric effluent limitations established in a National Pollutant Discharge Elimination System permit for that discharge, or (2) if no such limitations exist, the actual discharges of that pollutant.

New source means any building, structure, facility, area, or installation from which there is or may be a "discharge of pollutants," the construction of which commenced after the publication of state or federal regulations prescribing a standard of performance.

Nitrate (as N) means nitrate reported as nitrogen.



A **one-week period** (or **calendar-week**) means 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.

Owner or **operator** means any person who owns, leases, operates, controls, or supervises a source.

Person means an individual, association, partnership, corporation, municipality, state or federal agency, or an agent or employee thereof.

Point source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

Pollutant means sewage, industrial wastes, or other wastes.

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

- (a) Result or will likely result in harm, potential harm, or detriment to the public health, safety, or welfare;
- (b) Result or will likely result in harm, potential harm, or detriment to the health of animals, birds, fish, or aquatic life;
- (c) Render or will likely render the waters substantially less useful for domestic, municipal, industrial, agricultural, recreational, or other reasonable uses; or
- (d) Leave or likely leave the waters in such condition as to violate any standards of water quality established by the Board.

Quarter means 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.

Rainfall event means 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.

Rationale or **fact sheet** means 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.

Release means the flow of sewage from any portion of the collection or transmission system owned or operated by a publicly owned treatment works (POTW) or a domestic wastewater treatment plant, other than through permitted outfalls, that does not reach 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 or transmission system owned or operated by the permittee. A "release" does not include:

- (a) Backups into a building or private property caused by blockages or other malfunctions originating in a private lateral;
- (b) Events caused by vandalism;
- (c) Events caused by lightning strike;
- (d) Events caused by damage due to third parties working on other utilities in the right of way, e.g., cross bore from telecommunications line; or
- (e) Events that are directly incidental to planned, preventative, or predictive maintenance provided the site is under the direct control of a certified operator or contractor, public access is restricted, and the site is disinfected.

Sanitary sewer overflow or **SSO** means an unpermitted discharge of wastewater from the collection, transmission, or treatment system other than through the permitted outfall.



Schedule of compliance means a schedule of remedial measures including an enforceable sequence of actions or operations leading to compliance with an effluent limitation, condition of a permit, other limitation, prohibition, standard, or regulation. This term includes, but is not limited to, schedules authorized by national effluent limitations guidelines or by Tennessee's water quality standards.

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.

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.

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

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.

Source means any activity, operation, construction, building, structure, facility, or installation from which there is or may be the discharge of pollutants.

Standard of performance means a standard for the control of the discharge of pollutants that reflects the greatest degree of effluent reduction that the



Commissioner determines to be achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants.

Stream means a surface water that is not a wet weather conveyance.

Subcoregion is a smaller, more homogenous area that has been delineated within an ecoregion.

Total dissolved solids or **TDS** means nonfilterable residue.

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 means a 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.

Watercourse means a man-made or natural hydrologic feature with a defined linear channel that discretely conveys flowing water, as opposed to sheet-flow.

Weekly average amount means the arithmetic mean of all the measured daily discharges by weight during the calendar week when the measurements were made.

Weekly average concentration means the arithmetic mean of all the concentrations expressed in units of mass per volume of any pollutant measured in a calendar week.



Wet weather conveyance means, notwithstanding any other law or rule to the contrary, man-made or natural watercourses, including natural watercourses that have been modified by channelization:

- (a) That flow only in direct response to precipitation runoff in their immediate locality;
- (b) Whose channels are at all times above the groundwater table;
- (c) That are not suitable for drinking water supplies; and
- (d) In which hydrological and biological analyses indicate that, under normal weather conditions, due to naturally occurring ephemeral or low flow there is not sufficient water to support fish, or multiple populations of obligate lotic aquatic organisms whose life cycle includes an aquatic phase of at least two months.

Wet weather overflow means a sanitary sewer overflow that is directly related to a specific rainfall event.

Wet weather release means a release that is directly related to a specific rainfall event.

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-mpdes-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>

ADDENDUM TO MODIFICATION RATIONALE AT PERMIT ISSUE

**Megasite Authority of West Tennessee
Memphis Regional Megasite WWTP
NPDES Permit No. TN0081906
Date: February 28, 2024
Permit Writer: Wade Murphy**

The Division modifies this permit at issue in consideration of 40 CFR § 122.29(d)(4) which requires that a new source or new discharger start up all pollution control equipment required to meet all the conditions of its permit within the shortest feasible amount of time but not to exceed 90 days, and in consideration that no additional compliance schedule is available for secondary treatment standards under 40 CFR §122.47. The EPA commented on this proposed modification via email on February 15, 2024, and recommends that the modified permit be revised at issue to comply with this regulatory requirement.

This final permit incorporates three changes on Pages 1, 2 and 3.

- Page 1: The Division revises the narrative in Part 1.1.1. to read, “The Megasite Authority of West Tennessee is authorized to discharge municipal wastewater comprised of non-process wastewater (cooling tower blowdown, boiler blowdown, reverse osmosis retentate and HVAC condensate) and treated municipal wastewater and reverse osmosis retentate to the Mississippi River mile 768 during commissioning and start-up of the publicly owned sewerage system **for a maximum of 90 days.**”
- Page 2: The Division deletes commissioning of the POTW and initiation of its start-up as a reportable narrative condition leaving only the initiation of discharge and the completion of commissioning as the two reportable narrative conditions.
- Page 3: The Division revises the narrative in Part 1.1.2. to begin, “**No later than 90 days after initiating discharge to the Mississippi River.....**”

The Division understands that the Megasite Authority of West Tennessee is facing the need to address sewer demand while completing construction and commissioning of the publicly owned sewage system. This permit modification does not attempt to foresee and prescribe solutions for situations needing regulatory interpretation and/or enforcement discretion related to initiating operation of a new source. The specific handling of such situations with regard to regulatory compliance will need to be decided based on the presenting facts.

MODIFICATION RATIONALE

Megasite Authority of West Tennessee
Memphis Regional Megasite WWTP
NPDES Permit No. TN0081906
Date: January 22, 2024
Permit Writer: Wade Murphy

Background

This modification is made pursuant to, and consistent with, Rule 0400-40-16-.02, which directs the Department in Section (2) to require the collection of representative samples in its supervision over construction of a public sewerage system. Previous versions of this permit have not included conditions for start-up of this municipal sewerage system that includes both the collection system and the biological treatment plant. Generally municipalities operate under the terms and conditions of the NPDES permits for their functioning treatment plants until new and/or expanded treatment plants have initiated operation in accordance with construction contracts. Current examples of this are the NPDES permits TN0062138 (Gallaway) and TN0025054 (Pikeville). Since the Megasite Authority of West Tennessee does not have an existing treatment operation, the Division proposes to modify the permit so that Megasite Authority can be transparent about start-up activities that result in discharges while the contractor completes initiation of operation of the biological treatment plant. The start-up period for a biological treatment plant can take several months to reach design efficiency after which time the technology treatment standards will begin to apply. During the start-up phase of a construction contract, the construction contractor is responsible for the operation of the treatment system.

Due to the volume of the receiving stream, this facility is required to achieve minimum secondary treatment standards in both federal and state rules. There is no schedule of compliance allowed in the regulations for these standards. However, they may only defensibly apply after completion of facility startup by the contractor per conditions in the general construction contract. This modification establishes conditions in Part 1.1 (specifically 1.1.1) of the permit as referenced in Part 1.6 of the permit.

Application

The Division anticipated the need for this modification. However, it was prudent to wait until activities at the site neared startup for specific start-up needs to be estimated. The Megasite Authority of West Tennessee submitted a permit modification request on January 17, detailing those needs. The Megasite Authority anticipates that it will need to receive and discharge several municipal waste streams from the industrial customers prior to commissioning and initiation of operation of the POTW start up. These waste streams, associated with preparing infrastructure for industrial production, consist of non-process

wastewater not requiring treatment. Specifically they include cooling tower blowdown, boiler blowdown, reverse osmosis retentate and HVAC condensate. In its application for permit modification, the applicant anticipates that flows during startup will be less than 20% of the treatment plant design capacity and that the treatment plant will still meet most numeric effluent limits during the start-up period. Due to the low strength of the initial influent, the application does not anticipate being able to meet minimum percent removals for CBOD₅ and TSS during the start-up period.

Permit Conditions

To allow for transparency for both discharge of non-process water ahead of POTW commissioning and discharge after commissioning but during start-up, the permit requires written notification of the following events:

- Discharge to the Mississippi River of non-process wastewater via Outfall 001;
- Commissioning of the POTW and initiation of its start-up;
- Completion of the start-up and initiation of operation of the POTW.

Beginning the effective date of this modification, the application will be required to initiate submittal of discharge monitoring reports. The application will report no discharge for any calendar month prior to any discharge to Outfall 001. The month that discharge commences of either non-process wastewater or POTW start-up wastewater, the permittee will begin sampling and reporting on Discharge Monitoring Reports on a report only basis per Section 1.1 of the permit. After the POTW initiates operation after completion of the POTW start-up, the numerical limits in the Part 1.1.2 of the permit will begin to apply on the first day of the following month in which initiation of operation occurred.

This modification makes changes to Pages 1 through 3 and 9 of the permit. This modification incorporates one of the conditions formerly included in the narrative conditions table on Page 9 into the narrative conditions table on Page 2.



ADDENDUM TO RATIONALE AT PERMIT ISSUE

Megasite Authority of West Tennessee
Memphis Regional Megasite WWTP
NPDES Permit No. TN0081906
Date: May 12, 2023
Permit Writer: Wade Murphy

This addendum to rationale at permit issue serves to clarify some inconsistent content noted during internal review of the draft permit by regulatory agencies, proposes one narrative condition to the final permit in the reopener clause, and considers written comment on the draft permit received of EPA via email on May 11, 2023. These issues encompass:

- A typographical error regarding design flow on Page R-9,
- The source of the treated effluent characterization in Appendix 5,
- The basis for the sewage treatment plant being classified as a publicly owned treatment works (POTW),
- The basis that effluent limits are protective of Exceptional Tennessee Waters,
- Specific authorization to reopen and modify the permit based on reasonable potential evaluation of updated effluent characterization,
- The possibility of a co-permittee arrangement in the future.

Typographical Error

In Section 6.1.3 on R-9, the permit writer failed to update all the values in the following narrative in the rationale dated March 21, 2023: *The permittee's current plan for the 5.1 MGD treatment plant to receive up to 3.0 MGD of industrial wastewater and 0.5 MGD of municipal wastewater may warrant a reduced percent removal rate if the larger volume of industrial wastewater results in less concentrated influent.* These values leave 1.6 MGD out of the flow balance.

The 3.0 MGD and 0.5 MGD values referenced above had previously been associated with the original scope of work in the 3.5 MGD permit, wherein 0.5 MGD had been allocated to the Town of Station, prior to the permit modification in April 2022. Now that the permit is issued for 5.1 MGD, the entire flow rate is allocated to the industrial activities on the site. On behalf of the site tenants, the permittee is choosing not to allocate any portion of the treatment or outfall capacity to any municipal source. The tenants project that the site will employ 5,800 people who will generate as much or more domestic sewage to keep the



biological treatment plant active than the population in Stanton which approximates 400 people.

Effluent Characterization

Appendix 5 on R-33 below says that the effluent values in Column 22 come from the permit application. However, the most recent permit application received September 30, 2022, says “no data available” for the effluent characterization. To clarify, the application values in Appendix 5 come from the permit applications received in September 2016 and February 2018. The permit that was originally issued on the basis of these original permit applications was modified in April 2022. That modified permit’s addendum to rationale includes the same antidegradation determination now being carried forward in Appendix 5 of this permit. The new treatment facility is currently under construction, so there was no updated data to include on the application for reissue the Division received in September 2022.

POTW Classification

The reason this sewage treatment facility is classified a publicly owned treatment works, versus an industrial facility, is public ownership. The treatment facility will be owned by the State of Tennessee and will serve at least two industries and possibly additional entities on the industrial complex. As explained on R-6 of the draft permit rationale, the Tennessee legislature met in 2021 to create the Megasite Authority of West Tennessee (MAWT). The legislative act administratively attached the MAWT to the Tennessee Department of General Services. The MAWT will own the POTW even though it may eventually contract out its operation to a third-party contractor.

Limits Protective of Exceptional Tennessee Waters

To supplement the content in Section 8.6 of the permit rationale dated March 21, 2023, the Division expands here on why the permit is protective of the Exceptional Tennessee Water quality rating of the Mississippi River. Firstly, there are no specific water quality criteria for exceptional Tennessee waters (ETW), and this facility is committed to meeting the antidegradation provisions established for ETW in state water quality standards by discharging de minimis levels of pollutants. Secondly, this waterbody is rated exceptional quality due to being habitat for two fish species: the federal endangered Pallid Sturgeon and state threatened Blue Sucker. The decline in these species is believed to result from habitat changes caused by dams and channelization and from siltation both from habitat alterations and absence of non-point source best management practices. This permit does not alter habitat alteration and is not a source of siltation in the river.



Reopener Clause For Updated Effluent Characterization

The draft permit includes a requirement in Part 1.1.3 to submit an updated permit application with actual effluent characterization within 24 months of initiating discharge and also includes the standard reopener clause in Part 1.5. The Division believes that new information contained in an updated permit application is sufficient cause to reopen the permit. However, to be transparent regarding the possibility of a permit modification and the permittee's right to due process in that permit action, the final permit proposes to add the following narrative to the reopener clause in Part 1.5:

Additionally this permit may be modified via public notice procedures to incorporate any limits determined necessary to protect water quality after receipt of the updated application per Section 1.1.3 above and evaluation of the reasonable potential for the discharge to cause or contribute to excursion of applicable water quality criteria.

Co-Permittee

In consideration of the possibility that the Megasite Authority of West Tennessee may choose to have the publicly owned treatment works operated by a contractor, the EPA commented via email on May 11, 2023, that Federal regulations at 40 CFR § 122.21(b) state that when a facility or activity is owned by one person but is operated by another person, it is the operator's duty to obtain a permit. The EPA recommends that if the permittee contracts out the operations of the facility, the operator should become a co-permittee prior to discharge.

The Division appreciates the opportunity to comment on this requirement while the permittee is still arranging the start-up of this manufacturing complex. The Division will be amenable to modifying this permit, pursuant to public notice and due process procedures, to name an operator as a co-permittee in consideration of the operational responsibilities of the contractor. The Division issues permits to the person or persons who have the lawful authority to make changes to the sewerage system components or processes to protect water quality. This is as opposed to operators who are contracted solely to implement the procedures in the operation and maintenance manuals for the designed treatment plant components but who do not have authority to make changes to the treatment equipment or processes. At such time that the Division has new information showing a contract operator bears responsibility for any infrastructure upgrades or replacements or process changes necessary to comply with permit terms and conditions, the Division will have cause for proposing a permit modification to add the contract operator to the permit as a co-permittee.

RATIONALE

**Megasite Authority of West Tennessee
Memphis Regional Megasite WWTP
NPDES Permit No. TN0081906
Date: March 21, 2023
Permit Writer: Wade Murphy**

1. PERMIT STATUS & PUBLIC PARTICIPATION

Permit Type:	Municipal
Classification:	Major
Previous Issuance Date:	04-APR-22
Previous Expiration Date:	30-APR-23
Previous Effective Date:	01-MAY-22

As provided under Rule 0400-40-05-.06, this permit allows 30 days for public comment on the proposed permit. The 30-day public comment period begins the date this permit is placed on public notice. The public notice document for this permit can be found at the Division's [Water Notices and Hearings website](#) under "Permit Public Notices".

Public Notice Date:	March 21, 2023
Comment Period Ends:	April 20, 2023 (at Midnight)

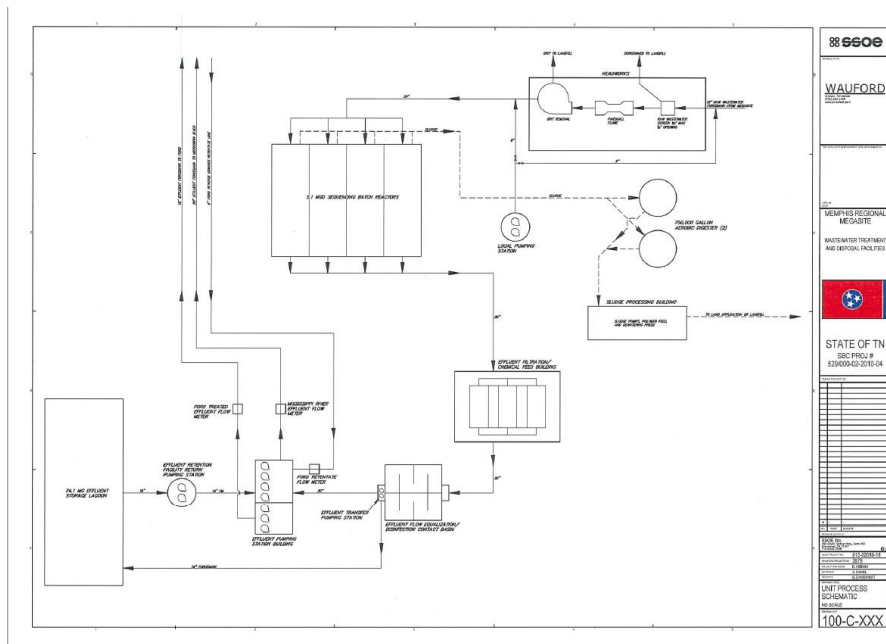
Those wishing to make a formal comment on the proposed permit may submit comments electronically to Water.Permits@tn.gov, or by mail to:

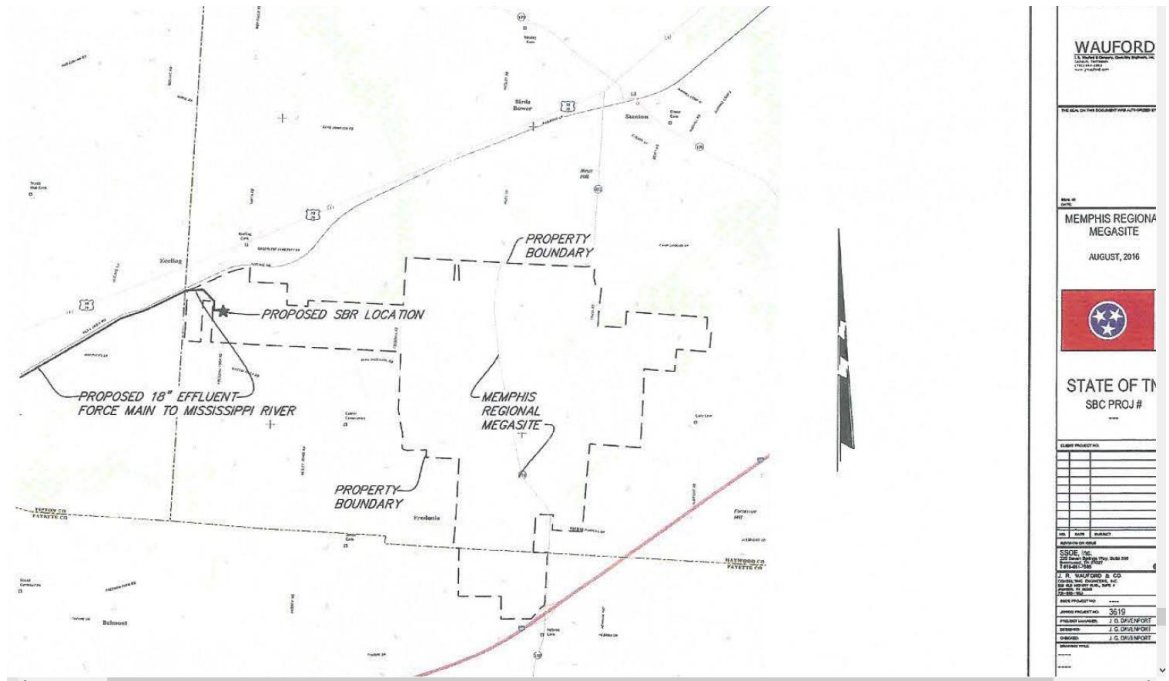
*Division of Water Resources - Water Based Systems Unit
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, TN 37243-1102*

The public may also request a public hearing on a proposed permit by submitting such a request in writing during the public comment period specified above. The request should indicate the interest of the party filing it and the reasons why a hearing is warranted. A request for public hearing should be submitted as soon as practicable to the addresses provided above. Questions regarding the draft permit may be directed to 1-888-891-TDEC.

2. FACILITY INFORMATION

Permittee Name:	Megasite Authority of West Tennessee
Project Name:	Memphis Regional Megasite WWTP
Location:	2672 Keeling Rd, Stanton, Haywood County, Tennessee
Contact:	Mr. Clay Bright - CEO (615) 430-0538 clay.bright@tn.gov
Design Flow Rate:	5.1 MGD
Percentage Industrial Flow:	Estimated to approximate 85% of actual flow
Certified Operator Grades:	STP: 3; CS: I; Date Rated: 08/14/17
Treatment Description:	6-bay sequencing batch reactor (SBR) with conventional grit and trash removal headworks, tertiary effluent disc filters, and belt press biosolids handling





3. RECEIVING STREAM INFORMATION

Receiving Waterbody:	Mississippi River mile 768			
Watershed Group:	Mississippi			
Hydrocode:	08010100			
Low Flow:	1Q10 = 67,184 MGD; 30Q5 = 139,000 MGD			
Low Flow Reference:	Water Resources Investigations Report 95-4293, USGS, 1992, Mile 734.8 at Memphis; 1934-1992			
Stream Designated Uses:	<i>Domestic Water Supply</i>	<i>Industrial</i>	<i>Fish & Aquatic Life</i>	<i>Recreation</i>
	X	X	X	X
	<i>Livestock & Wildlife</i>	<i>Irrigation</i>	<i>Navigation</i>	<i>Trout</i>
	X	X	X	

4. NEW PERMIT LIMITATIONS AND COMPLIANCE SCHEDULE SUMMARY

- a) This permit includes an internal monitoring point, IMP1, in Part 1 for measuring the flow of the reverse osmosis retentate resulting only from industry further treating POTW effluent diverted for beneficial reuse for industrial water supply. The waste stream has already been treated in the publicly owned treatment works and retentate is not amenable to further biological treatment. Separate flow measurement, for subtracting from the total flow at the Outfall 001 flow measuring device, is necessary to representatively calculate the effluent pollutant loads to the river.

This permit intentionally refrains from requiring another internal monitoring point for measuring flow of treated municipal effluent diverted for beneficial reuse. Consistent with division reuse rules, Part 1 of the permit requires this flow be monitored and reported on monthly operating reports (MOR)s rather than discharge monitoring reports (DMRs). Beneficially reused wastewater does not fall under the discharge provisions of the Federal Clean Water Act and need not be included in reports to the federal government.

This permit includes narrative conditions in Part 1.1.3 that will be tracked this permit term via the electronic permit compliance tracking system. These conditions require 1) Submission of an updated Application Form 2A no later than two years after discharge commences through Outfall 001, 2) Submission of a Reclaimed Wastewater Management Plan (RWMP), and 3) Written notification of the Division of discharge commencing to the Mississippi River.

The updated application form is an application requirement for new discharges as detailed in the application instructions for Form 2A. The RWMP is required by the Division’s reuse regulation. The RWMP is actually required with the application for permit renewal. However, because the site was being developed at the time of permit application, the Division noted in the Notification of Complete Application dated October 31, 2022, that the Division reserved the right to make submission of these documents a condition in the renewed NPDES permit. The written notification of discharge commencing establishes the timeframe for submission of the updated application, RWMP and example end user agreement(s).

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.

b) Compliance Schedule Summary

Description of Report to be Submitted	Reference Section in Permit
Notify the Division in writing to water.permits@tn.gov of the date that discharge commences to Outfall 001 (Mississippi River) no later than the 15th day of the month following the month in which discharge commences.	1.1.3
Submit to water.permits@tn.gov an updated EPA Form 2A application form, signed in accordance with permit regulation, using a minimum of three scans of actual effluent data for Tables A, B, and C of the form no later than 24 months after the facility commences to discharge.	1.1.3
Submit to water.permits@tn.gov a Reclaimed Wastewater Management Plan (RWMP) inclusive of the format for the end user service agreement (s) no later than the submission of the updated Form 2A completed with effluent characteristics.	1.1.3
Monthly Discharge Monitoring Reports	1.3.1.
Monthly Operational Reports	1.3.4.
Bypass and Overflow and Release Report	1.3.5.1.
Biomonitoring Report beginning within 365 days of the effective permit date	3.4.

- 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

This is a proposed activity so there are no previous monitoring and reporting results to preview. The applicant has projected effluent characteristics on the basis that its contributing industry will be in the automobile manufacturing sector. It projects on its permit application that the discharge will contain chromium, copper, lead, nickel, silver and phenolic compounds all at levels less than 20 ug/L.

Since the original issuance of this permit on May 01, 2018, the Memphis Regional Megasite secured its first tenant, automotive manufacturer, Ford Motor Company. Ford, along with SK Innovation, will invest \$5.6 billion to build a 3,600-acre campus called Blue Oval City at the Memphis Regional Megasite, where production of next generation all-electric F-Series trucks is set to begin in 2025. Per the Memphis Regional Megasite website, Blue Oval City will be designed to be the largest, most advanced and most efficient automotive production campus in Ford's history. The campus will include the Ford assembly plant, a supplier park and a battery manufacturing plant. The site will become a vertically integrated, carbon neutral ecosystem with key suppliers and battery manufacturing on the same campus where Ford will assemble next generation all-electric F-Series trucks.

In October 2021, Governor Bill Lee and the Tennessee General Assembly conducted a special legislative session to address funding and oversight of Ford Motor Company's investment in West Tennessee. SB 8001/HB 8001 created the Megasite Authority of West Tennessee (MAWT) to provide services necessary for operation and development of the Megasite. The purpose of the Authority is to develop, operate, manage, incentivize and promote the Megasite. The legislative action enables the Authority to enter into leases, capital grants, and accountability agreements subject to approval by the State Building Commission and providing opportunities for public engagement. The Authority will be governed by an 11-member board of directors, which includes two gubernatorial appointments. The governor will sit on the board as an ex-officio member. The legislative act administratively attached the MAWT to the Tennessee Department of General Services.

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
CBOD ₅	25	730	35	1022	40	40	D.O. protection, Refer to 6.1 below (or) Rule 0400-40-05-.09 (for BOD ₅)
NH ₃ -N					Report	—	Ammonia Toxicity or D.O. protection, Refer to 6.4 below
Total Suspended Solids	30	876	40	1168	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	—	—	—	—	2.0	—	Refer to 6.5 below
Total Nitrogen	—	—	—	—	Report (qtr avg)	Report (qtr load)	Refer to 6.6 below
Total Phosphorus	—	—	—	—	Report (qtr avg)	Report (qtr load)	Refer to 6.6 below
<i>E. coli</i> (#/100mL)	126/100 mL	—	—	—	941/100 mL	—	Rule 0400-40-03-.03 , Refer to 6.7 below
Settleable Solids (mL/L)		—	—	—	.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
Whole Effluent Toxicity:							
IC ₂₅	Report % per sample	—	—	—	—	—	Refer to 6.8 below
Metals & Toxics:							Refer to 6.9 below
	Monthly Total				Refer to 7.2 below		
Dry Weather	Overflows	0			Refer to 7.2 below		
Wet Weather	Overflows	0			Refer to 7.2 below		

Note: Weekly limitations on CBOD₅ 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 CBOD₅ 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 CBOD₅ 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. CBOD₅ 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 or CBOD₅ when the parameter is measured inhibiting the demand reduction in oxygen caused by nitrification of ammonia in the sample. These parameters are used in the wastewater industry to measure both the strength of wastewater and the performance of wastewater treatment processes. Use of the carbonaceous test, CBOD₅, is appropriate when the treatment process utilizes detention times conducive to the growth and maintenance of nitrifying bacteria in the 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.

Water quality standards are not the limiting factor in this receiving stream where the dilution ratio approximates 19,000 to 1. Therefore for this facility, the monthly average CBOD₅ limit of 25 mg/l is a technology-based effluent limit for conventional secondary treatment plants (0400-40-05-.09).

The dissolved oxygen effluent limitation of 1.0 mg/l is a practical limit achievable by the facility rather than a water-quality based limit necessary to protect fish and aquatic life. A minimum oxygen level of 1.0 mg/l is necessary in a treatment system to prevent nuisance conditions associated with anaerobic conditions.

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> 30 mg/L	<i>Weekly Average</i> 40 mg/L	<i>Daily Maximum</i> 45 mg/L	<i>Monthly Average</i> 85 % Removal

6.1.3. Percent Removal

The treatment facility is required to remove 85 % of the CBOD₅ 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 CBOD₅ 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 CBOD₅ and/or TSS removal is less than 40%) will be reported on the Discharge Monitoring Report.

The permittee may qualify for reduction in the conventional secondary percent removal requirement pursuant to a variance allowed in 40 CFR 133.103(d). The permittee's current plan for the 5.1 MGD treatment plant to receive up to 3.0 MGD of industrial wastewater and 0.5 MGD of municipal wastewater may warrant a reduced percent removal rate if the larger volume of industrial wastewater results in less concentrated influent. The division added language in Part 1 of the permit regarding this expectation.

6.1.4. Settleable Solids

The settleable solids limit of 1.0 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. Considering that the receiving stream will provide some buffering capacity, effluent limitation for pH will be retained in a range 6.0 to 9.0. The sample type will be grab.

6.4. AMMONIA (NH₃-N)

To assess ammonia toxicity impacts, the state utilizes Tennessee Rules, Chapter [0400-40-03-03-3\(3\)\(j\)](#), dated September 11, 2019, to derive allowable instream protection values protective of chronic and acute exposures to a continuous discharge. A mass balance equation with the treatment facility, stream flows, and these allowable values determines the monthly average and daily maximum permit limits.

Reasonable potential for ammonia toxicity does not exist after mixing of treated effluent with the receiving stream. The permittee anticipates that the sequencing batch reactor biological treatment plant will nitrify ammonia to other forms of nitrogen in the effluent that are less toxic than ammonia to fish and aquatic life. Treated municipal wastewater is generally not expected to have levels exceeding 15 mg/L ammonia as nitrogen in the effluent. Using the state criterion for acute ammonia toxicity applicable where salmonid fish are absent (e.g. trout) and using the conservative average pH of 7.5 SU, since in the Mississippi River approximates 7 SU, yields the below allowable amounts using the following equations:

52,000 mg/L summer

120,366 mg/L winter

$$CMC = MIN \left\{ \left(\frac{0.275}{1 + 10^{7.204 - pH}} + \frac{39.0}{1 + 10^{pH - 7.204}} \right), \left(0.7249 * \left(\frac{0.0114}{1 + 10^{7.204 - pH}} + \frac{1.6181}{1 + 10^{pH - 7.204}} \right) * (23.12 * 10^{0.036 * (20 - T)}) \right) \right\}$$

CMC Calculation: Acute Limits			
Winter		Summer	
Temp (°C)=	20	Temp (°C)=	30
pH=	7.5	pH=	7.5
MAX Expression	20.0000	MAX Expression	30.0000
Winter CMC=	9.24	Summer CMC=	4.03
CMC - Continuous Maximum Criterion Allowable instream NH3 concentration [mg/l]			
$CMC = \frac{(\text{Critical Low Flow [MGD]} * \text{Background Ammonia [mg/L]} + (\text{Design Flow [MGD]} * \text{Effluent Concentration [mg/L]})}{(\text{Critical Low Flow [MGD]} + (\text{Design Flow [MGD]})}$			
where:	67,184	Critical Low Flow [MGD] (7Q10 value)	
	0.1	Background Ammonia Concentration [mg/L]	
	5.1	WWTP Design Flow or long-term average flow [MGD]	
Therefore, the Allowable Effluent Concentrations and corresponding Amounts in winter and summer are:			
Winter		Summer	
120366.47	Concentration [mg/L]	51799.576	Concentration [mg/L]
5119667.6	Amount [lb/day]	2203243.1	Amount [lb/day]
* In the absence of measured data, an assumed background concentration of 0.1 mg/L is used based on an Agreed Wasteload Allocation Modeling Methodology between the EPA and State of TN			

The treated wastewater is expected to have concentrations much less than this. Therefore, ammonia will not be limited. However, the initial issue of this permit will require monitoring and reporting of ammonia as nitrogen weekly for the purpose of demonstrating that the permittee is operating the treatment technology as designed by reducing ammonia in the treatment process.

6.5. 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:

$$\frac{0.019 (Q_d + Q_s)}{Q_d} = \text{Limit (mg/L)} = \frac{0.019(5.1 + 67,184)}{5.1} = 250 \text{ mg/L}$$

Where:

0.019 mg/L	=	acute instream protection value
67,184	=	Q _s – 7Q10 flow of receiving stream (MGD)
5.1	=	Q _d – 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 limit of the test method.

$$\frac{0.011(Qd + Qs)}{Qd} = \text{Limit (mg/L)} = \frac{0.011(5.1 + 67,184)}{5.1} = 145 \text{ mg/L}$$

This calculation shows that the effluent limit of 2.0 mg/L, based on good operational practices, is more stringent than the calculated water quality-based effluent limit. Therefore, the 2.0 mg/L limit applies.

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.

This permit does not impose the more stringent water quality standard of 487 cfu/100 ml applicable to exceptional Tennessee waters at the end of the discharge pipe. It is not reasonable to expect that the difference between 487 and 941 cfu/100 ml has any impact on the habitat of the two species whose existence results in the water quality rating. And the discharge of 5.1 MGD containing up to 941 cfu/100 ml does not have reasonable potential to measurably change the ambient level of pathogens in a low flow in excess of 67,000 MGD.

6.7. BIOMONITORING

The Division evaluates all dischargers for reasonable potential to exceed the narrative water quality criterion "no toxics in toxic amounts". The Division has determined that for municipal facilities with stream dilutions of less than 500 to 1, any of the following conditions may demonstrate reasonable potential to exceed this criterion:

- i. Toxicity is suspected or demonstrated;
- ii. A pretreatment program is required; or
- iii. The design capacity of the facility is greater than 1.0 MGD.

The dilution ratio of the receiving stream to the discharge design flow rate is greater than 500 to 1. This means that after the zone of immediate mixing in the river, there is not reasonable potential for any fish or aquatic life to be exposed to any pollutants in toxic concentrations as determined by state numeric water quality criteria. However, in order for the permittee to demonstrate absence of toxics in toxics amounts, whole effluent toxicity will be required annually as a report only value. A minimum of annual testing is required by NPDES regulation to complete a future application for permit renewal. These test results will enable confirmation of the absence of reasonable potential. Test methodology is given in Part 3.4 of the permit using a standard set of serial dilutions.

The division is proposing the IC25 endpoint versus the LC50 endpoint for the test because the IC25 test measures both acute and chronic effects of exposure to the effluent.

67,184	=	7Q10 (MGD) of Mississippi River at Memphis
5.1	=	Design Flow Capacity (MGD)
IC25	=	Concentration causing 25% reduction in survival, reproduction and growth of test organisms

6.8. METALS AND TOXICS

Pass-through limitations for heavy metals and other toxic substances are being recalculated as part of the permit issuance process in consideration of the case-specifics of this industrial site POTW, its industries commitment to water conservation and reuse, and the permittee's commitment to de minimis degradation. This POTW is required to implement/maintain a pretreatment program. More frequent monitoring will be required in the permit if:

- a) The reported concentrations approach or exceed calculated allowable values;
- b) Significant amounts of particular pollutants are present which may impact the treatment process sludge character or the receiving stream; or
- c) Minimum information is lacking to accurately calculate water quality protection values, in which case additional stream monitoring may also be required.

[Appendix 3](#) lists the metal and toxic parameter calculations and the procedure used to derive the results.

The total maximum daily load (TMDL) developed by the state and approved by EPA for the Mississippi River only authorizes new discharges of these pollutants at or below the respective water quality criteria. A narrative limitation is added to

Part 1 with the added stipulation that discharges of these parameters are not authorized until sampling and monitoring frequencies are established via a permit modification. These pollutants are regulated in the US such that the need to discharge them is unlikely. Therefore, future terms and conditions associated with their authorized discharge need to be developed on the basis of the case-specific facts.

6.9. VOLATILE ORGANIC, ACID-EXTRACTABLE, AND BASE-NEUTRAL COMPOUNDS

The Division evaluated effluent concentrations of volatile organic, acid-extractable, and base-neutral compounds and antimony, arsenic, beryllium, selenium and thallium for potential to violate water quality criteria using the following mass balance equation:

$$C_m = \frac{Q_s C_s + Q_w C_w}{Q_s + Q_w}$$

Where:

C_m	=	resulting instream concentration after mixing
C_w	=	concentration of pollutant in wastewater
C_s	=	stream background concentration
Q_w	=	wastewater flow (STP Design flow)
Q_s	=	stream low flow

To protect water quality: $C_w \leq C_a$

Where: $C_a = \frac{(S_A)[C_m(Q_s + Q_w) - Q_s C_s]}{Q_w}$

C_a	=	STP allowable effluent concentration
S_A	=	the percent Stream Allocation

The reasonable potential evaluation uses the following assumptions and procedures:

- Stream background concentrations, C_s , for all volatile organic, acid-extractable, and base-neutral compounds equal zero unless actual stream data exists to show otherwise. Due to the volatility and reactivity of volatile compounds, the background concentrations used for reasonable potential calculations is always assumed to be below detection.
- The stream allocation, S_A , is determined based on the size of a receiving stream in accordance with guidance provided in the Division's Reasonable Potential

Analysis Procedures and is shown on the Reasonable Potential Spreadsheet in the Appendices.

- c) A mass balance equation uses the STP design flow, the receiving stream critical low flow (7Q10 or 1Q10), the state water quality numeric criteria, and the stream allocation safety factor to derive the allowable effluent concentrations.
- d) When pollutants have potential to violate standards because the concentrations are below detection limits but could be above the allowable water quality-based effluent concentrations, the pollutants are handled one of three (3) ways:
 - i. Additional testing of detected and non-detected pollutants is required if contributing industrial processes are likely to contain them and available analysis results were not performed using sufficiently sensitive methods as required by state rule 0400-40-03-.05(8).
 - ii. If sufficiently sensitive methods have been used with no detection shown and the contributing industrial processes do not reasonably contain that pollutant, the division drops the pollutant from further consideration.
 - iii. Pollutants detected at levels high enough to violate standards are limited in the permit to the allowable concentration, C_w , based on STP design flow.

Calculations for this permit have been done using a standardized spreadsheet, titled "WQ Based Effluent Calculations - Other Compounds", and are located in [Appendix 4](#). All metals other than antimony, arsenic, beryllium, selenium, and thallium have been evaluated using procedures described in the rationale, or fact sheet, section headed, "METALS AND TOXICS".

The evaluation using estimated data indicates that volatile organic, acid-extractable, and base-neutral compounds and antimony, arsenic, beryllium, selenium, and thallium do not exhibit the potential to violate water quality criteria and thus will not be given effluent limitations and monitoring requirements in the permit.

7. COLLECTION SYSTEMS

7.1. 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.

7.2. COLLECTION SYSTEM OPERATION

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.

7.3. LOW PRESSURE SYSTEM OWNERSHIP/CONTROL

On May 15, 2022, Tennessee Rule 0400-40-05 became effective. In those rules, clarifying language was added regarding low pressure systems. The Board received a comment during the rulemaking process noting that the inclusion of ownership or control of low pressure systems in Tennessee Rule 0400-40-06 governing land based disposal systems should be included Tennessee Rule 0400-40-05 which governs discharging systems. The response to that comment is included below to provide direction to municipal agencies in implementing this condition of the permit.

The Board agrees, and has added the following to Rule 0400-40-05-.07(2)(c) concerning proper operation and maintenance, “Low pressure pumps, low pressure tanks, septic tank effluent pumps (STEP), STEP tanks, and septic tank effluent gravity tanks are integral to the treatment and conveyance of sewage in a low-pressure system design, and shall be owned or under control of the municipality, other body of government, public utility district, or a privately-owned public utility demonstrating lawful jurisdiction over the service area.” This permit condition is not applicable to pumps and appurtenances that are service lines to other than a low-pressure public system. This condition applies to sewer projects or extensions that are approved for construction after the effective date of the permit.

While the Board encourages direct ownership of the low pressure pumps and tanks, it does recognize that in some cases, operational control without direct asset ownership may suffice. The Board acknowledges that operational control may be implemented collectively by multiple local agencies. Operational control for privately-owned low pressure pumps and appurtenances appropriately includes the following:

- *Legal mechanism e.g. local regulations, ordinance, plumbing codes, resolution etc. that provides the authority to:*
 - *Deny the use of low pressure pumps and tanks*
 - *Establish and enforce design standards*
 - *Access the site and equipment (including inspection)*

- *Obtain remedies for non-compliance*
- *Conduct an emergency response*
- *Plans review process to ensure compliance with the locally established design standards (including inspection of installation)*
- *Construction, inspection, and approval process*
- *Preventative and emergency maintenance program*

In addition, all components of the sewerage system must be owned by a municipality, other body of government, public utility district, or a privately-owned public utility demonstrating lawful jurisdiction over the service area in accordance with Rule 0400-40-16-.02(8).

8. OTHER PERMIT REQUIREMENTS AND CONDITIONS

8.1. 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.

8.2. PRETREATMENT PROGRAM

The Megasite Authority of West Tennessee is developing a pretreatment program.

At least once each reporting period, all permittees that are developing a pretreatment program are required to analyze the STP influent and effluent for the following pollutant parameters: chromium III, chromium VI, total chromium, copper, lead, nickel, zinc, cadmium, mercury, silver, total phenols, and cyanide. Additional pollutants may be added to this list depending on the various pollutants that significant industrial users may discharge into the STP's collection system.

8.3. 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*

8.4. PERMIT TERM

This permit is issued for the maximum permit term of five years. This permit does not comply with the target reissuance date for the Mississippi watershed and directives for the Watershed Management Program initiated in January 1996. That initiative would have the permit scheduled for reissue again in 2025. Wasteload allocations and other water-quality based considerations that may need to look at multiple discharges collectively within a watershed apply to tributary rivers to the Mississippi River in Tennessee, e.g. Wolf, Hatchie, Loosahatchie and Obion, but not to the Mississippi River itself. The Mississippi River watershed encompasses 1.2 million square miles in the U.S, and most of that drainage area lies outside Tennessee’s permitting jurisdiction. This permit is set to expire in 2028.

8.5. 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.

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](#).

8.6. 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# TN08010100001_2000.



The Department has made a determination of the receiving waters associated with the subject discharge(s) and has found the (stream or river) to be an exceptional Tennessee water due to being habitat for the federal endangered Pallid Sturgeon and state threatened Blue Sucker. No permanent degradation of water quality will be allowed unless the applicant demonstrates to the Department that the degradation is for necessary economic or social development and will not interfere with or become injurious to any existing uses. The specific requirements for this demonstration are described in the Rules of the Tennessee Department of Environment and Conservation, Chapter 0400-40-03-.06(4).

Additionally, this water does not support its fish and aquatic life use due to physical substrate habitat alteration from dredging (e.g. navigation channels) nor does it support its recreation use due to polychlorinated byphenyls (PCBs), dioxin and chlordane associated with contaminated sediments.

TMDLs have been developed and approved for this waterbody segment on the following parameters and dates:

<u>Parameter:</u>	<u>TMDL Approval Date</u>
Chlordane, Dioxins, and PCBs	7/25/2008

The proposed terms and conditions of this permit comply with the wasteload allocations of this TMDL. The TMDL recognizes that future discharges of these pollutants may only be allowed at levels at or below the water quality criteria for these pollutants. A narrative limit is added to Part 1 of the permit to this effect and specifying that monitoring and reporting frequency will be imposed via a permit modification in consideration of the case-specific facts.

As part of the modification process in 2022, the applicant provided an update to its alternative analysis as required by T.C.A. § 69-3-108(e) for all new or expanded wastewater discharges. Discharging to other publicly owned treatment works in the area continue to be ruled out due to lack of assimilative capacity in the South Fork Forked Deer River and in consideration of the previously identified interests by citizens in preserving the existing characteristics of the Hatchie River. The applicant rules out land application for disposal of treated wastewater due to the volume of disposal that would be required and in consideration that highly treating wastewater, in conjunction with an industrial pretreatment program, will enable reuse of a portion of the treated effluent. Even with reuse, the new tenants project demand equal to the capacity of the effluent force main to the Mississippi River. The application indicates the discharge of 5.1 MGD will result in less than

de minimis degradation due to the available assimilative capacity in the Mississippi River. Refer to the updated de minimis spreadsheet in Appendix 5.

In its application submitted under cover dated September 7, 2016, the permittee supplied a narrative summary of the alternatives considered to this new discharge into the Mississippi River mile 768. The analysis included the following alternatives:

Alternative 1a- Discharge to a City of Brownsville POTW to the Hatchie River– This option was explored in conjunction with treatment levels expected to keep impact below de minis levels. This option was removed from consideration based on public concerns identified through the public participation process for that proposal;

Alternative 1b- Discharge to a City of Brownsville POTW to the South Fork Forked Deer River– This option was not feasible due to absence of any remaining waste load allocation in the South Fork Forked Deer River for additional pollutant loading;

Alternative 2- Discharge to the City of Jackson, Miller Avenue WWTP – This option would require crossing the Hatchie River with a raw waste water force main. This option was rejected given the concern about risks to the Hatchie River;

Alternative 3- Land application – This alternative was not selected because of the combined risks that the depth and structure of the soils and assimilative capacity for metals of the available soil areas may limit the opportunities of the site for industrial development;

Alternative 4 – Treat the wastewater to secondary effluent treatment standards and pump it for discharge to the Mississippi River – This option incorporates treating the current municipal wastewater of the Town of Stanton thereby removing its current discharge to a tributary of the Hatchie River (Muddy Creek). The addition of Stanton’s municipal wastewater will aid the function of proposed new treatment plant by supplying a steady organic load to the biological process.

The applicant chose Alternative 4 as the remaining feasible solution to wastewater disposal that enables it to achieve its goal of having a site amenable to securing an industrial tenant.

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
CBOD ₅	25	730	35	1022	40	40	3/week
NH ₃ -N					Report	—	1/week
Total Suspended Solids	30	876	40	1168	45	40	3/week
Dissolved Oxygen (mg/L)	1.0 (daily minimum) instantaneous	—	—	—	—	—	5/week
Total Chlorine Residual (mg/L)	—	—	—	—	2.0 (daily maximum)	—	5/week
Total Nitrogen	—	—	—	—	Report	Report	1/quarter
Total Phosphorus	—t	—	—	—	Report	Report	1/quarter
<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
Whole Effluent Toxicity:							
IC ₂₅	Report % per sample	—	—	—	—	—	1/year
Metals & Toxics:							
Sanitary Sewer Overflows, Total Occurrences					Report		continuous
Dry Weather Overflows, Total Occurrences					Report		continuous
Bypass of Treatment, Total Occurrences					Report		continuous

APPENDIX 2 – METALS & TOXICS CALCULATIONS

The following procedure is used to calculate the allowable instream concentrations for pass-through guidelines and permit limitations:

- a) The most recent background conditions of the receiving stream segment are compiled. This information includes:
 - 1Q10 of receiving stream (67,184 MGD, USGS)
 - Calcium hardness (168 mg/L, ambient)
 - Total suspended solids (170 mg/L, ambient)
 - Background metals concentrations ($\frac{1}{2}$ water quality criteria, ambient data)
 - Other dischargers impacting this segment (none)
 - Downstream water supplies, if applicable

- b) The chronic water quality criteria are converted from total recoverable metal at lab conditions to dissolved lab conditions for the following metals: cadmium, copper, trivalent chromium, lead, nickel, and zinc. Then translators are used to convert the dissolved lab conditions to total recoverable metal at ambient conditions.

- c) The acute water quality criteria are converted from total recoverable metal at lab conditions to dissolved lab conditions for the following metals: cadmium, copper, trivalent chromium, lead, nickel, zinc, and silver. Then translators are used to convert the dissolved lab conditions to total recoverable metal at ambient conditions for the following metals: cadmium, copper, lead, nickel, and silver.

- d) The resulting allowable trivalent and hexavalent chromium concentrations are compared with the effluent values characterized as total chromium on permit applications. If reported total chromium exceeds an allowable trivalent or hexavalent chromium value, then the calculated value will be applied in the permit for that form of chromium unless additional effluent characterization is received to demonstrate reasonable potential does not exist to violate the applicable state water quality criteria for chromium.

- e) A standard mass balance equation determines the total allowable concentration (permit limit) for each pollutant. This equation also includes a percent stream allocation of no more than 90%.

The following formulas are used to evaluate water quality protection:

$$C_m = \frac{Q_s C_s + Q_w C_w}{Q_s + Q_w}$$

Where:

- C_m = resulting instream concentration after mixing
- C_w = concentration of pollutant in wastewater
- C_s = stream background concentration
- Q_w = wastewater flow (STP Design flow)
- Q_s = stream low flow

To protect water quality:

$$C_w \leq \frac{(S_A)[C_m(Q_s + Q_w) - Q_s C_s]}{Q_w}$$

Where: S_A = the percent "Stream Allocation"

Calculations for this permit have been done using a standardized spreadsheet, titled "Water Quality Based Effluent Calculations". Division policy dictates the following procedures in establishing these permit limits:

- 1) The critical low flow values are determined using USGS data:

Fish and Aquatic Life protection:

- 7Q10 – Low flow under natural conditions
- 1Q10 – Regulated low flow conditions

Other than Fish and Aquatic Life protection:

- 30Q5 – Low flow under natural conditions

- 2) Fish and Aquatic Life water quality criteria for certain metals are developed through application of hardness dependent equations. These criteria are combined with dissolved fraction methodologies in order to formulate the final effluent concentrations.
- 3) For criteria that are hardness dependent, chronic and acute concentrations are based on a hardness of 25 mg/L and Total Suspended Solids (TSS) of 10 mg/L unless available ambient monitoring information substantiates a different value. Minimum and maximum limits on the hardness value used for water quality calculations are 25

mg/L and 400 mg/L respectively. The minimum limit on the TSS value used for water quality calculations is 10 mg/L.

- 4) Background concentrations are determined from the Division database, results of sampling obtained from the permittee, and/or obtained from nearby stream sampling data. If this background data is not sufficient, one-half of the chronic “In-stream Allowable” water quality criteria for fish and aquatic life is used. If the measured background concentration is greater than the chronic “In-stream Allowable” water quality criteria, then the measured background concentration is used in lieu of the chronic “In-stream Allowable” water quality criteria for the purpose of calculating the appropriate effluent limitation (Cw). Under these circumstances, and in the event the “stream allocation” is less than 100%, the calculated chronic effluent limitation for fish and aquatic life should be equal to the chronic “In-stream Allowable” water quality criteria. These guidelines should be strictly followed where the industrial source water is not the receiving stream. Where the industrial source water is the receiving stream, and the measured background concentration is greater than the chronic “In-stream Allowable” water quality criteria, consideration may be given as to the degree to which the permittee should be required to meet the requirements of the water quality criteria in view of the nature and characteristics of the receiving stream.

The spreadsheet usually has 15 data columns, all of which may not be applicable to any particular characteristic constituent of the discharge. A description of each column is as follows:

Column 1: The “stream background” concentrations of the effluent characteristics.

Column 2: The “chronic” Fish and Aquatic Life water quality criteria. For cadmium, copper, trivalent chromium, lead, nickel, and zinc, this value represents the criteria for the dissolved form at laboratory conditions. The Criteria Continuous Concentration (CCC) is calculated using the equation:

$$CCC = (\exp\{m_c[\ln(\text{stream hardness})] + b_c\}) * (CCF)$$

CCF = Chronic Conversion Factor

This equation and the appropriate coefficients for each metal are from Tennessee Rule [0400-40-03-.03](#) and the EPA guidance contained in *The Metals Translator: Guidance For Calculating A Total Recoverable Permit Limit From a Dissolved Criterion* (EPA 823-B-96-007, June 1996). Values for other metals are in the total form and are not hardness dependent; no chronic criterion exists for silver. Published criteria are used for non-metal parameters.

Column 3: The "Acute" Fish and Aquatic Life water quality criteria. For cadmium, copper, trivalent chromium, lead, nickel, silver, and zinc, this value represents the criteria for the dissolved form at laboratory conditions. The Criteria Maximum Concentration (CMC) is calculated using the equation:

$$CMC = (\exp\{m_A[\ln(\text{stream hardness})] + b_A\}) * (ACF)$$

ACF = Acute Conversion Factor

This equation and the appropriate coefficients for each metal are from Tennessee Rule 0400-40-03-.03 and the EPA guidance contained in *The Metals Translator: Guidance For Calculating A Total Recoverable Permit Limit From a Dissolved Criterion* (EPA 823-B-96-007, June 1996). Values for other metals are in the total form and are not hardness dependent. Published criteria are used for non-metal parameters.

Column 4: The "Fraction Dissolved" converts the value for dissolved metal at laboratory conditions (columns 2 & 3) to total recoverable metal at in-stream ambient conditions (columns 5 & 6). This factor is calculated using the linear partition coefficients found in *The Metals Translator: Guidance For Calculating A Total Recoverable Permit Limit From a Dissolved Criterion* (EPA 823-B-96-007, June 1996) and the equation:

$$\frac{C_{\text{diss}}}{C_{\text{total}}} = \frac{1}{1 + \{[K_{\text{po}}][SS^{(1+a)}][10^{-6}]\}}$$

ss = in-stream suspended solids concentration (mg/L)

Linear partition coefficients for streams are used for unregulated (7Q10) receiving waters, and linear partition coefficients for lakes are used for regulated (1Q10) receiving waters. For those parameters not in the dissolved form in columns 2 & 3 (and all non-metal parameters), a Translator of 1 is used.

Column 5: The "Chronic" Fish and Aquatic Life water quality criteria at in-stream ambient conditions. This criteria is calculated by dividing the value in column 2 by the value in column 4.

Column 6: The "Acute" Fish and Aquatic Life water quality criteria at in-stream ambient conditions. This criteria is calculated by dividing the value in column 3 by the value in column 4.

- Column 7:** The "Chronic" Calculated Effluent Concentration for the protection of fish and aquatic life. *This is the chronic limit.*
- Column 8:** The "Acute" Calculated Effluent Concentration for the protection of fish and aquatic life. *This is the acute limit.*
- Column 9:** The In-Stream Water Quality criteria for the protection of Human Health associated with the stream use classification of Organism Consumption (Recreation).
- Column 10:** The In-Stream Water Quality criteria for the protection of Human Health associated with the stream use classification of Water and Organism Consumption. These criteria are only to be applied when the stream use classification for the receiving stream includes both "Recreation" and "Domestic Water Supply".
- Column 11:** The In-Stream Water Quality criteria for the protection of Human Health associated with the stream use classification of Domestic Water Supply.
- Column 12:** The Calculated Effluent Concentration associated with Organism Consumption.
- Column 13:** The Calculated Effluent Concentration associated with Water and Organism Consumption.
- Column 14:** The Calculated Effluent Concentration associated with Domestic Water Supply.
- Column 15:** The Effluent Limited criteria. This permit rationale does not include Column 15 because the Division is considering pass-through limit development in consideration of the case-specifics of this industrial site POTW, its industries commitment to water conservation and reuse, and the permittee's commitment to de minimis degradation.

The most stringent water quality effluent concentration from Columns 7, 8, 12, 13, 14, or pass-through limits are applied since the receiving stream is designated for domestic water supply.

Water Quality Based Effluent Calculations:

2019 WQC

WATER QUALITY CALCULATIONS FOR METALS AND OTHER TOXIC SUBSTANCES
WATER QUALITY BASED EFFLUENT CALCULATIONS
OUTFALL 001

FACILITY: Memphis Megasite PERMIT #: TN0081906 DATE: 03/13/23 CALC BY: WDM

regulated stream worksheet (1Q10)

Stream (1Q10)	Stream Flow (MGD)	Waste (MGD)	Ttl. Susp. Solids (mg/l)	Hardness (as CaCO3) (mg/l)	Margin of Safety (%)
67,184.00	89,794.00	5.10	170	168	50

PARAMETER	1			2			3			4			5			6			7			8			9			10			11			12			13			14			PARAMETER
	Stream			Fish/Aqua. Life (F & AL) WQC			F & AL- instream allowable			F & AL- instream allowable			F & AL- instream allowable			F & AL- instream allowable			F & AL- instream allowable			F & AL- instream allowable			F & AL- instream allowable			F & AL- instream allowable			F & AL- instream allowable			F & AL- instream allowable			F & AL- instream allowable						
	Bckgnd.			lab conditions			lab conditions			lab conditions			lab conditions			lab conditions			lab conditions			lab conditions			lab conditions			lab conditions			lab conditions			lab conditions			lab conditions			lab conditions			
	Conc.	Chronic	Acute	Disolved	Chronic	Acute	Chronic	Acute	Chronic	Acute	Chronic	Acute	Chronic	Acute	Chronic	Acute	Chronic	Acute	Organisms	Water/Organisms	DWS	Organisms	Water/Organisms	DWS	Organisms	Water/Organisms	DWS	Organisms	Water/Organisms	DWS	Organisms	Water/Organisms	DWS	Organisms	Water/Organisms	DWS							
Copper (a,b)	6.500	13.952	21.911	0.174	80.405	126.274	486830.18	788973.17										N/A	N/A	N/A																		Copper (a,b)					
Chromium III	2.300	113.353	871.411	0.011	10769.366	82790.678	70924461.01	545340844.39										N/A	N/A	N/A																		Chromium III					
Chromium VI	2.300	11.000	16.000	1.000	11.000	16.000	57309.50	90245.33										N/A	N/A	N/A																		Chromium VI					
Chromium, Total	2.300	N/A	N/A	N/A	N/A	N/A	N/A	N/A										N/A	N/A	N/A	100.0																Chromium, Total						
Nickel (a,b)	7.000	80.662	726.233	0.115	699.072	6294.029	4558798.88	41413709.12	4600.0	610.0	100.0	40436010.00	5308715.00	818760.00	Nickel (a,b)																												
Cadmium (a,b)	0.200	1.061	2.926	0.162	6.559	18.095	41889.60	117877.85	N/A	N/A	5.0						N/A	N/A	N/A	5.0																	Cadmium (a,b)						
Lead (a,b)	3.600	4.406	113.058	0.044	101.034	2592.707	641816.37	17054884.15	N/A	N/A	5.0							N/A	N/A	N/A	5.0																Lead (a,b)						
Mercury (T) (c)	0.025	0.770	1.400	1.000	0.770	1.400	4907.45	9057.37	0.051	0.05	2.0	11.45	220.11	17387.58	Mercury (T) (c)																												
Silver (a,b,e)	3.926	N/A	7.851	1.000	NA	7.851	N/A	25859.60	N/A	N/A	N/A							N/A	N/A	N/A																	Silver (a,b,e)						
Zinc (a,b)	16.500	183.357	181.869	0.054	3370.962	3343.611	22096407.04	21916244.06	26000.0	7400.0	N/A	228754411.67	65003111.67		Zinc (a,b)																												
Cyanide (d)	2.600	5.200	22.000	1.000	5.200	22.000	17127.93	127792.33	140.0	140.0	200.0	1209648.00	1209648.00	1737878.00	Cyanide (d)																												
Toluene									15000.0	1300.0	1000.0	132057500.00	11444983.33	8803833.33	Toluene																												
Benzene									510.0	22.0	5.0	4489955.00	193684.33	44019.17	Benzene																												
1,1,1 Trichloroethane									N/A	N/A	200.0							N/A	N/A	N/A																	1,1,1 Trichloroethane						
Ethylbenzene									2100.0	530.0	700.0	18488050.00	4666031.67	6162683.33	Ethylbenzene																												
Carbon Tetrachloride									16.0	2.3	5.0	140861.33	20248.82	44019.17	Carbon Tetrachloride																												
Chloroform									4700.0	57.0	N/A	41378016.67	501818.50	NA	Chloroform																												
Tetrachloroethylene									33.0	6.9	5.0	290526.50	60746.45	44019.17	Tetrachloroethylene																												
Trichloroethylene									300.0	25.0	5.0	2641150.00	220095.83	44019.17	Trichloroethylene																												
1,2 trans Dichloroethylene									10000.0	140.0	100.0	NA	1232536.67	880383.33	1,2 trans Dichloroethylene																												
Methylene Chloride									5900.0	46.0	5.0	51942616.67	404976.33	NA	Methylene Chloride																												
Total Phenols									860000.0	10000.0	N/A	7571296666.67	88038333.33	NA	Total Phenols																												
Naphthalene									N/A	N/A	N/A				Naphthalene																												
Total Phthalates									N/A	N/A	N/A				Total Phthalates																												
Chlorine (T. Res.)	0.000	11.000	19.000	1.000	11.000	19.000	3622.94	6257.81	NA	NA	NA				Chlorine (T. Res.)																												

- a Denotes metals for which Fish & Aquatic Life Criteria are expressed as a function of total hardness.
- b The criteria for this metal is in the dissolved form at lab conditions. The calculated effluent concentration is in the total recoverable form.
- c The chronic criteria for mercury is not converted to dissolved, since it is based on fish tissue data rather than toxicity.
- d The criteria for this parameter is in the total form.
- e Silver limit is daily max if column 8 is most stringent.
- f When columns 7 or 8 result in a negative number, use results from columns 5 or 6, respectively.
- g When columns 12, 13 or 14 result in a negative number, use results from columns 9, 10 or 11, respectively, as applicable.

* Domestic supply included in river use so pick from columns 7,8,12,13,14, or PTL whichever is lower.
** Water Quality criteria for stream use classifications other than Fish & Aquatic Life are based on the 30Q5 flow.

Note: A copy of this spreadsheet can be found on h:\mfs\pretreat\Pass-through Limits\Spreadsheets\name of Control Authority.xls

APPENDIX 4 - WQ BASED EFFLUENT CALCULATIONS (OTHER COMPOUNDS)

WATER QUALITY BASED EFFLUENT CALCULATIONS OUTFALL 001																
FACILITY: Megasite Authority of West TN (MAWT) PERMIT: TN0081906 DATE: 3/13/23																
		Stream (7Q10)	Stream (3Q05)	Waste Flow	Ttl. Susp. Solids	Hardness (as CaCO3)	Margin of Safety									
		[MGD]	[MGD]	[MGD]	[mg/l]	[mg/l]	[%]									
		67184.00	67184.00	5.10	170	168	50									
PARAMETER	Stream Bckgnd. Conc. [µg/l]	Detection Levels		Fish/Aqua. Life Water Quality Criteria		Calculated Effluent Concentration		Human Health Water Quality Criteria (3Q05)						Avg. daily effluent		
		Scan MDL [µg/l]	WQC RDL *EPA MDL [µg/l]	Chronic [µg/l]	Acute [µg/l]	Chronic [µg/l]	Acute [µg/l]	In-Stream Criteria			Calculated Effluent Concentration					
								Organisms [µg/l]	Water/Org [µg/l]	DWS [µg/l]	Organisms [µg/l]	Water/Org [µg/l]	DWS [µg/l]			
ANTIMONY	3	3.8	3.0					640.0	5.6	6.0	4196026.7	17128.1	19763.0	<0.8		
ARSENIC	2.3	1.0	1.0	150.0	340.0	972925.7	2224487.3	10.0	10.0	10.0	50722.3	50722.3	50722.3	<2.4		
BERYLLIUM	2	2.0	1.0								4.0			13175.3	<0.12	
SELENIUM (I)	0.75	5.0	2.0	1.5	3.1	20.0	4940.8	15480.2	126803.3	4200.0	170.0	50.0	27661160.0	1114878.3	324418.3	<4
THALLIUM	0.12	5.0	*					0.47	0.24	2.0	2305.6	790.5	12383.9		<0.8	
ACROLEIN	0.0	50.0	1.0	3.000	3.000	19761.5	19761.5	9.0	6.0		59284.5	39523.0			<20	
ACRYLONITRILE	0.0	50.0	1.0					2.5	0.51		16467.9	3359.5			<5	
BENZENE	0.0	1.0	1.0					510.0	22.0	5.0	3359455.0	144917.7		32935.8	<1	
BROMOFORM	0.0	1.0	1.0					1400.0	43.0		9222033.3	283248.2			<5	
CARBON TETRACHLORIDE	0.0	1.0	1.0					16.0	2.3	5.0	105394.7	15150.5		32935.8	<1	
CHLOROBENZENE	0.0	1.0	*					1600.0	130.0	100.0	10539466.7	856331.7		658716.7	<5	
CHLORODIBROMO-METHANE	0.0	1.0	*					130.0	4.0		856331.7	26348.7			<5	
CHLOROETHANE	0.0	1.0	*												<1	
2-CHLORO-ETHYL VINYL ETHER	0.0	1.0	*												<25	
CHLOROFORM	0.0	5.0	0.5					4700.0	57.0		30959683.3	375468.5			<3	
DICHLOROBROMO-METHANE	0.0	1.0	1.0					170.0	5.5		1119818.3	36229.4			<5	
1,1-DICHLOROETHANE	0.0	1.0	1.0					NA	NA	NA	NA	NA	NA		<2	
1,2-DICHLOROETHANE	0.0	1.0	1.0					370.0	3.8	5.0	2437251.7	25031.2		32935.8	<5	
TRANS 1,2-DICHLORO-ETHYLENE	0.0	1.0	*					10000	140.0	100.0	65871666.7	922203.3		658716.7	<1	
1,1-DICHLOROETHYLENE	0.0	1.0	1.0					7100.0	300.0	7.0	46768883.3	1976150.0		46110.2	<1	
1,2-DICHLOROPROPANE	0.0	1.0	*					150.0	5.0	5.0	988075.0	32935.8		32935.8	<5	
1,3-DICHLORO-PROPYLENE	0.0	1.0	1.0					210.0	3.4		1383305.0	22396.4			<5	
ETHYLBENZENE	0.0	1.0	1.0					2100	530.0	700.0	13833050.0	3491198.3		4611016.7	<4	
METHYL BROMIDE	0.0	1.0	*					1500.0	47.0		988075.0	309596.8			<5	
METHYL CHLORIDE	0.0	1.0	1.0												<5	
METHYLENE CHLORIDE	0.0	5.0	1.0					5900.0	46.0	5.0	38864283.3	303009.7		32935.8	<5	
1,1,2,2-TETRACHLORO-ETHANE	0.0	1.0	0.5					40.0	1.7		263486.7	11198.2			<5	
TETRACHLORO-ETHYLENE	0.0	1.0	0.5					33.0	6.9	5.0	217376.5	45451.5		32935.8	<5	
TOLUENE	0.0	1.0	1.0					15000	1300.0	1000.0	98807500.0	8563316.7		6587166.7	<5	
1,1,1-TRICHLOROETHANE	0.0	1.0	1.0							200.0				1317433.3	<5	
1,1,2-TRICHLOROETHANE	0.0	1.0	0.2					160.0	5.9	5.0	1053946.7	38864.3		32935.8	<1	
TRICHLOROETHYLENE	0.0	1.0	1.0					300.0	25.0	5.0	1976150.0	164679.2		32935.8	<2	
VINYL CHLORIDE	0.0	1.0	2.0					24.0	0.25	2.0	158092.0	1646.8		13174.3	<1	
P-CHLORO-M-CRESOL	0.0	10.0	*												<10	
2-CHLOROPHENOL	0.0	10.0	*					150.0	81.0		988075.0	533560.5			<5	
2,4-DICHLOROPHENOL	0.0	10.0	*					290.0	77.0		1910278.3	507211.8			<5	
2,4-DIMETHYLPHENOL	0.0	10.0	*					850.0	380.0		5599091.7	2503123.3			<10	
4,6-DINITRO-O-CRESOL	0.0	10.0	24.0					280.0	13.0		1844406.7	85633.2			<10	
2,4-DINITROPHENOL	0.0	10.0	42.0					5300.0	69.0		34911983.3	454514.5			<5	
2-NITROPHENOL	0.0	10.0	*												<5	
4-NITROPHENOL	0.0	10.0	*												<10	
PENTACHLOROPHENOL	0.0	10.0	5.0	15	19	98807.5	125156.2	30.0	2.7	1.0	197615.0	17785.4		6587.2	<5	
PHENOL	0.0	10.0	*					860000	10000.0		5664963333.3	65871666.7			<5	
2,4,6-TRICHLOROPHENOL	0.0	10.0	2.7					24.0	14.0		158092.0	92220.3			<2.7	



ACENAPHTHENE	0.0	10.0	*			990.0	670.0		6521295.0	4413401.7		<1
ACENAPHTHYLENE	0.0	10.0	2.3									<1
ANTHRACENE	0.0	10.0	0.7			40000	8300.0		263486666.7	54673483.3		<0.7
BENZIDINE	0.0	50.0	*			0.0020	0.0009		13.174	5.7		<20
BENZO(A)ANTHRACENE	0.0	10.0	0.3			0.18	0.038		1185.7	250.3		<0.35
BENZO(A)PYRENE	0.0	10.0	0.3			0.18	0.038	0.2	1185.7	250.3	1317.4	<0.6
3,4-BENZO-FLUORANTHENE	0.0	10.0	0.3			0.18	0.038		1185.7	250.3		<0.3
BENZO(G)H)PERYLENE	0.0	10.0	*									<1
BENZO(K)FLUORANTHENE	0.0	10.0	0.3			0.18	0.038		1185.7	250.3		<0.3
BIS (2-CHLOROETHOXY) METHANE	0.0	10.0	*									<5
BIS (2-CHLOROETHYL)-ETHER	0.0	10.0	1.0			5.3	0.30		34912.0	1976.2		<1
BIS (2-CHLOROISOPROPYL) ETHER	0.0	10.0	*			65000	1400.0		428165833.3	9222033.3		<1
BIS (2-ETHYLHEXYL) PHTHALATE	0.0	10.0	2.5			22.0	12.0	6.0	144917.7	79046.0	39523.0	<5
4-BROMOPHENYL PHENYL ETHER	0.0	10.0	*									<1
BUTYL BENZYL PHTHALATE	0.0	10.0	**			1900.0	1500.0		12515616.7	9880750.0		<2
2-CHLORONAPHTHALENE	0.0	10.0	**			1600.0	1000.0		10539466.7	6587166.7		<2
4-CHLOROPHENYL PHENYL ETHER	0.0	10.0	**									<1
CHRYSENE	0.0	10.0	2.5			0.18	0.038		1185.7	250.3		<1
DI-N-BUTYL PHTHALATE	0.0	10.0	2.5			4500.0	2000.0		29642250.0	13174333.3		<2
DI-N-OCTYL PHTHALATE	0.0	10.0	**									<2
DIBENZO(A,H) ANTHRACENE	0.0	10.0	*			0.18	0.038		1185.7	250.3		<1
1,2-DICHLOROBENZENE	0.0	1.0	2.0			1300.0	420.0		8563316.7	2766610.0		<5
1,3-DICHLOROBENZENE	0.0	5.0	2.0			960.0	320.0		6323680.0	2107893.3		<5
1,4-DICHLOROBENZENE	0.0	5.0	2.0			190.0	63.0		1251561.7	414991.5		<5
3,3-DICHLOROBENZIDINE	0.0	10.0	**			0.28	0.2		1844.4	1383.3		<10
DIETHYL PHTHALATE	0.0	10.0	1.9			44000	17000.0		289835333.3	111981833.3		<2
DIMETHYL PHTHALATE	0.0	10.0	1.6			1100000	270000.0		7245983333.3	1778535900.0		<2
Di-n-butyl phthalate (84-74-2) (g)	0.0	10.0	**			4500	2000.0		29642250.0	13174333.3		<2
2,4-DINITROTOLUENE	0.0	10.0	1.0			34.0	1.1		223963.7	7245.9		<5
2,6-DINITROTOLUENE	0.0	10.0	*									<5
Di-n-octyl phthalate (117-84-0) (g)	0.0	10.0	**									<2
1,2-DIPHENYLHYDRAZINE	0.0	10.0	*			2.0	0.4		13174.3	2371.4		<0
FLUORANTHENE	0.0	10.0	2.2			140.0	130.0		922203.3	856331.7		<1
FLUORENE	0.0	10.0	0.3			5300.0	1100.0		34911983.3	7245883.3		<0.4
HEXACHLOROBENZENE	0.0	10.0	1.9			0.0029	0.0028	1.0	19.103	18.4	6587.2	<1
HEXACHLOROBUTADIENE	0.0	10.0	5.0			180.0	4.4		1185690.0	28983.5		<5
HEXACHLORO-CYCLO-PENTADIENE	0.0	10.0	*			1100.0	40.0	50.0	7245883.3	263486.7	329358.3	<5
HEXACHLOROETHANE	0.0	10.0	0.5			33.0	14.0		217376.5	92220.3		<0.5
INDENO(1,2,3-CD)PYRENE	0.0	10.0	*			0.18	0.038		1185.7	250.3		<1
ISOPHORONE	0.0	10.0	*			9600	350.0		63236800.0	2305508.3		<1
NAPHTHALENE	0.0	10.0	*									<1
NITROBENZENE	0.0	10.0	10.0			690.0	17.0		4545145.0	111981.8		<1
N-NITROSODI-N-PROPYLAMINE	0.0	10.0	*			5.1	0.050		33594.6	329.4		<2
N-NITROSODI-METHYLAMINE	0.0	10.0	*			30.0	0.0069		197615.0	45.5		<5
N-NITROSODI-PHENYLAMINE	0.0	10.0	*			60.0	33.0		395230.0	217376.5		<1
PHENANTHRENE	0.0	10.0	0.7									<0.7
PYRENE	0.0	10.0	0.3			4000.0	830.0		26348666.7	5467348.3		<0.5
1,2,4-TRICHLOROBENZENE	0.0		*			70.0	35.0	70.0	461101.7	230550.8	461101.7	<1

a. Columns 7-8, and 12-14 are the effluent concentrations allowable to prevent exceedence of water quality criteria.
b. Potential to exceed criteria exists if the measured quantity in column 15 exceeds, or could exceed, the calculated allowable concentrations in columns 7-8, and 12-14.
c. Additional testing is required if the detection level used in the scan is higher than the state ROL and/or the MDL of the approved EPA scan method and industry is known to have that pollutant.
d. All background concentrations for these volatile organic, acid-extractable, and base-neutral compounds are assumed zero in the absence of supporting monitoring data.
e. Other metals for which data were provided on the application are evaluated on the Metals & Toxics spreadsheet.
f. The Water Quality Criteria CCC Value for Selenium is 1.5 µg/l (entic - Still water aquatic ecosystems such as ponds, lakes, or reservoirs) and 3.1 µg/l (lotic - Flowing water aquatic ecosystems such as streams and rivers).
g. Form 2C only
f. Reasonable potential does not exist for the following reason(s): The required MDL has been used and resulted in non-detection or the contributing industries are not likely to contain the parameter(s).

