



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

October 9, 2018

Stacey McCluskey
Prog. Mgr. Environmental Support
TVA
e-copy: ssmcccluskey@tva.gov

Re: **NPDES Permit Tracking No. TNR191760**
TVA - Allen Fossil Plant
Allen Fossil Plant Storm Water Reroutes
Shelby County, Tennessee

Dear Stacey McCluskey:

You recently submitted a Notice of Intent (NOI) form as part of an application package to obtain coverage under a General NPDES Permit for Storm Water Discharges Associated with Construction Activity. The Division of Water Resources (the division) acknowledges receipt of the most recent version of the application for the above referenced project on October 4, 2018. After review, the application was deemed to be complete on October 9, 2018. Enclosed is the Notice of Coverage (NOC) form which shows the site name and location, receiving stream, effective date of coverage, etc.

Contractor Information

As of the date this NOI was processed, no contractor was identified on the NOI. A primary contractor, or contractor otherwise responsible for sediment and erosion controls on the construction site, must be identified and must submit an NOI to this office prior to his beginning earth clearing operations on site. When submitting the NOI, the contractor should indicate on the NOI form the above referenced permit tracking number.

Storm Water Pollution Prevention Plan (SWPPP)

You have submitted a Storm Water Pollution Prevention Plan (SWPPP) as required by section 1.4.2 of the General Permit. Please note that the division has not performed an engineering review of the SWPPP and does not certify whether the SWPPP adequately provides for the pollution prevention requirements at the site as described in the General Permit. The division acknowledges that you have submitted a SWPPP that appears to include the required components of a SWPPP. It is the responsibility of all site operators to design, implement, and maintain measures that are sufficient to prevent pollution at the referenced site, and to remain in compliance with the terms and conditions of the General Permit..

Exceptional Tennessee Waters

The receiving stream for a construction site for which the NOI was submitted appears on the state's list of exceptional waters. Since the discharge from the proposed construction site may contain significant amounts of silt, the division considers the potential for degradation to the receiving stream from the discharge to be significant. Therefore, the additional pollution prevention requirements described in subpart 5.4 of the General Permit are applicable to your construction site; requirements of section 5.4.2. apply only if the stream is located on or adjacent to the disturbed area.

Threatened and Endangered Species

The receiving stream for the construction site for which the NOI was submitted has Federal or State listed threatened and endangered species in the area, or downstream of your project. Stormwater discharges and stormwater discharge-related activities that are not protective of legally protected listed or proposed threatened or endangered aquatic fauna in the receiving stream(s); or discharges or activities that would result in a 'take' of a Federally listed endangered or threatened fish or wildlife species are not authorized by the General Permit. If the division finds that stormwater discharges or stormwater related activities are likely to result in any of the above effects, the division will deny the coverage under this general permit unless and until project plans are changed to protect the listed species. In addition, discharges from your construction site that result in harm to such species may incur additional fines and penalties from the US Fish and Wildlife Service and/or the Tennessee Wildlife Resources Agency.

Annual Maintenance Fee and Termination of Permit Coverage

Effective July 1, 2014, permit fees for the General Permit have been revised. In addition to new application fee amounts, annual maintenance fees are now required for projects that exceed one year of coverage. Permittees wishing to terminate coverage must submit a completed notice of termination (NOT) form, which is available on the division's construction stormwater webpage at <https://www.tn.gov/content/tn/environment/permit-permits/water-permits1/npdes-permits1/npdes-stormwater-permitting-program/npdes-stormwater-construction-permit.html>.

The division will review the NOT for completeness and accuracy and, when necessary, investigate the site for which the NOT was submitted. The division will notify the applicant that either the NOT form was received and accepted, or that the permit coverage is not eligible for termination and has not been terminated. If applicable, the notification will include a summary of existing deficiencies.

We appreciate your attention to the General Permit and its requirements. If you have any questions, please contact Mr. Jim McAdoo at (615) 532-0684 or by E-mail at Jim.McAdoo@tn.gov.

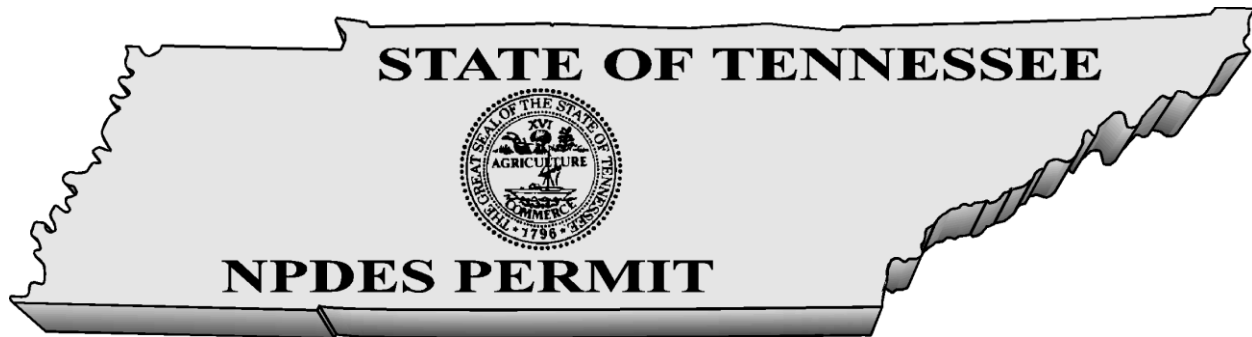
Sincerely,



Vojin Janjić
Manager, Water-Based Systems

Enclosure

cc: Division of Water Resources, Permit File
Division of Water Resources, Memphis Field Office, Joellyn.Brazile@tn.gov



Tracking Number TNR191760

NOTICE OF COVERAGE UNDER THE GENERAL NPDES PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY (CGP)

Tennessee Department of Environment and Conservation
Division of Water Resources
William R Snodgrass Tennessee Tower
312 Rosa L. Parks Ave., 11th Floor
Nashville, Tennessee 37243

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.*):

Name of the Construction Project: **Allen Fossil Plant Allen Fossil Plant Storm Water Reroutes**

Master Tracking Number at the Site: **TNR191760**

Permittee Name: **TVA**

Contractor(s): **No contractor identified**

Are authorized to discharge: **Storm water associated with construction activity**

From facility location: **2574 Plant Road, Shelby County**

To receiving waters named: **McKellar Lake and Mississippi River**

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

Likely presence of threatened or endangered species in one mile radius: **No**

Likely presence of threatened or endangered species downstream: **No**

Additional pollution prevention requirements apply for discharges into waters which TDEC identifies as:

- Exceptional Tennessee Waters

Your coverage under the CGP shall become effective on **October 9, 2018**, and shall be terminated upon receipt of a Notice of Termination, which is available on the division's construction stormwater webpage at <https://www.tn.gov/content/tn/environment/permit-permits/water-permits/npdes-permits/npdes-stormwater-permitting-program/npdes-stormwater-construction-permit.html>.