

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

**MR. DART KENDALL
AQUA GREEN UTILITY, INC.
PRESIDENT
3350 GALTS ROAD
ACWORTH, GA 30102**



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January 29, 2019

Mr. Dart Kendall, President
Aqua Green Utility, Inc.- Flatt Creek Subdivision
e-copy: dart@aquagreenutility.com
3350 Galts Road
Acworth, GA 30102

Subject: **Notice of Complete Application and Public Notice Requirements**
Permit No. SOP-18027
Aqua Green Utility, Inc.- Flatt Creek Subdivision
Columbia, Maury County, Tennessee

Dear Mr. Kendall:

The Division of Water Resources (the division) acknowledges the receipt of a permit application in our office on October 9, 2018. Our review of the SOP permit application showed that you have submitted all the information required to initiate processing of the application. You are advised that this notice of complete application does not imply that the application will be approved or that a permit will be issued. Also, in accordance with rules of the Tennessee Department of Environment and Conservation, Division of Water Resources, Chapter 0400-40-5-.05 (2):

“This provision does not preclude the commissioner from later requesting additional material that subsequent to the notice of completeness is determined to be necessary for permit processing.”

If this is an application for a new or expanded discharge, please find attached a template of a public notice you must complete and post for a period of 30 days. This is required in accordance with Chapter 0400-40-5-.06 (1), which states:

“For an individual application for a new or expanded discharge, the applicant shall notify the public of the application by posting a sign near the point of entrance to such facility and within view of a public road. The sign shall contain provisions as specified by the commissioner. The sign shall be of such size that is legible from the public road. Also the sign shall be maintained for at least thirty days following submittal of the application to the division.”

If you have questions, please contact the Columbia Environmental Field Office at 1-888-891-TDEC; or, at this office, please contact me at (615) 532-5819 or by E-mail at *Allen.Rather@tn.gov*.

Sincerely,

A handwritten signature in blue ink that reads "Allen Rather". The signature is written in a cursive style with a blue ink color.

Allen Rather
Land-Based Systems

cc: Permit File
Columbia Environmental Field Office

**PUBLIC NOTICE
OF APPLICATION FOR
PERMIT TO DISCHARGE/
DISPOSE OF WASTEWATER**

Applicant Name and Address: _____

Permit Tracking Number: _____

Date this Notice was Posted: _____

Wastewater Source, Treatment, and Discharge/Disposal Description: _____

Discharge/Disposal is to/near the following stream: _____

TO WHOM IT MAY CONCERN: The application described above has been submitted for wastewater facility operation and discharge/disposal permit pursuant to The Tennessee Water Quality Act of 1977, TCA 69-3-108. The purpose of this notice is to advise all concerned of the proposal for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact of the activities upon the respective water resources. The decision whether to issue or deny will in part be based upon that evaluation.

Persons wishing to comment on or object to the issuance of a proposed permit are invited to submit comments in writing to the address listed below. The applicant's name and permit number should be referenced. Written statements received on or before the date of expiration of the comment period will become part of the record and will be considered in the determination.

Interested persons may also request in writing that the Division hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the person requesting and the reasons why a hearing is warranted. When there is sufficient public interest, the director shall hold a hearing in accordance with Rule 0400-40-5-.06 (12).

After consideration of comments submitted during the public comment period, the hearing record, if any, and the requirements of federal and State law, the director of the Division will make a determination regarding the final action on the permit. Permit applications, supporting documentation, and related comments are available for review and/or copying.

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Instructions for the Public Notice of Application Sign

This sample Public Notice Sign is being provided for you to use. A Public Notice of Application sign must be displayed for a period of 30 days minimum. The purpose of the sign is to notify the public of its opportunity to comment, object, or to request a public hearing on the proposed permit action.

Pursuant to T.C.A. Rules, Chapter 0400-40-5-.06 (1) and (10), effective July 23, 2004, applicants for new or expanded discharges must notify the public by posting a sign near the point of the proposed facility entrance within view of a public road. The size must be of such size as to be legible from the public road.

It is recognized that it is impracticable print all of the required sign wording at a size that it can be read from the carriage way. Thus, to meet the intent of the rule, only the words "PUBLIC NOTICE" and "APPLICATION TO DISCHARGE/ DISPOSE OF WASTEWATER" must be readable from the carriage way. The remainder of the wording must be legible from the shoulder of the roadway.

Applicants should maintain some proof of sign posting and their compliance with the 30-day minimum posting period. Examples of proof could be dated photographs of the posted sign, an affidavit prepared by a witness of the posted sign, or confirmation by Division field staff.

Please be advised that in addition to this public notice of application, the Division will issue a Public Notice at the time a draft permit is proposed. Persons receiving this mailing include, but are not limited to, the applicant, governmental agencies with jurisdictions over the facility, federal and state agencies with jurisdiction over fish and wildlife resources and historic preservation, and interested persons having asked to be included on the public notice list.