



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

June 11, 2019

Mr William J Wynn, Wynn
Registered Agent
A & A Accommodations, Inc.
PO BOX 602
Gatlinburg, TN 37738
e-copy: marshallsmotel@gmail.com

Subject: **Draft of Modification to State Operating Permit No. SOP-97027**
A & A Accommodations, Inc. DBA All Washed Up
Cosby, Sevier County, Tennessee

Dear Mr Wynn:

Enclosed please find a draft copy of the modified State Operating Permit No. SOP-97027 which the Division of Water Resources (the division) proposes to issue. This modification proposes to transfer this permit from Timothy Jack Williams ETAL d/b/a Jack's Car Wash & Laundry to A&A Accommodations, Inc./William J. Wynn. This draft copy is furnished to you solely for your review of its provisions. No wastewater discharges are authorized by this proposed modification. The issuance of an official modified permit is contingent upon your meeting all of the requirements of the Tennessee Water Quality Control Act and the Rules and Regulations of the Tennessee Water Quality, Oil and Gas Board.

If you disagree with the provisions and requirements contained in the draft permit, you have thirty (30) days from the date of this correspondence to notify the division of your objections. If your objections cannot be resolved, you may appeal this permit upon issuance. This appeal should be filed in accordance with Section 69-3-110 of the Tennessee Code Annotated.

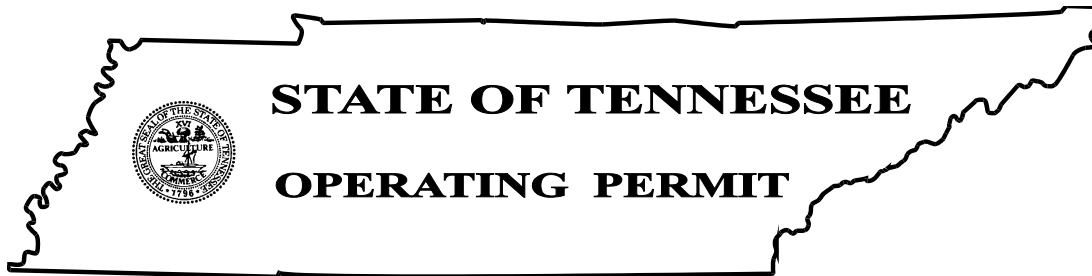
If you have questions, please contact the Knoxville Environmental Field Office at 1-888-891-TDEC; or, at this office, please contact Mr. David Matthews at (615) 532-0485 or by E-mail at David.C.Matthews@tn.gov.

Sincerely,

Vojin Janjic
Manager, Water-Based Systems

Enclosure

cc: Permit File
Knoxville Environmental Field Office
Ms Chelsea Peterson, Corporate Secretary, marshallsmotel@gmail.com
Mr. Mark Williams, Previous Owner, markwilliams37722@yahoo.com



No. SOP-97027

Issued By

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

In accordance with the provisions of Tennessee Code Annotated Section 69-3-108 and regulations promulgated pursuant thereto, permission is hereby granted to:

A & A Accommodations, Inc. DBA All Washed Up

for the operation of: **spray irrigation system to dispose of waste water from a car wash and laundry operation**

from facility located at: **5342 Parkway East, Cosby, Sevier County, Tennessee**

adjacent to waters named: **No direct discharge to waters allowed. Adjacent to unnamed tributary at mile 0.5 to Webb Creek.**

This permit shall become effective on:

This permit shall expire on: **February 28, 2022**

Issuance date:

for Jennifer Dodd
Director

A & A Accommodations, Inc. DBA All Washed Up in Cosby, Sevier County, Tennessee is hereby authorized to operate spray irrigation system to dispose of waste water from a car wash and laundry operation. This authorization is in accordance with the application filed on N/A in the Environmental Field Office - Knoxville, and received on 15-MAY-19 in the Nashville Central Office of the Tennessee Division of Water Resources. The facility is located at 5342 Parkway East , latitude 35.767166 and longitude -83.284477. This authorization is consistent with approved plans, specifications and other data submitted to the Department in support of the above application, all of which are filed with and considered as a part of this permit, together with the following named conditions and requirements.

This permit allows the operation of a spray irrigation system at the above-described location. The operation should be such that there is no discharge of wastewater to any surface or subsurface stream, watercourse, or drainage ditch because of an overflow, spills, and/or because of the occurrence of any other condition, that singly or in combination with any of the aforementioned conditions, causes such discharge to any surface or subsurface stream, watercourse, or drainage ditch. In addition, said system must be operated in a manner preventing the creation of a public health hazard.

PART I

PERMIT CONDITIONS AND REQUIREMENTS

The system must be operated and maintained in a fashion, which will insure that the system does not cause any violations of the conditions or requirements of this permit.

The discharge of wastewater in any way to surface or subsurface waters, the disposal of wastewater by any method other than to spray irrigation system constitutes a violation of this permit.

All records and monitoring required by this permit must be kept by A & A Accommodations, Inc. DBA All Washed Up for review by the Division of Water Resources. A copy of these records must be sent to the Water Resources Environmental Field Office - Knoxville within fifteen days of the request.

Any sludge or other materials removed by any treatment works must receive disposal adequate to prevent their 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, TCA 68-31-101 et seq. and the Tennessee Hazardous Waste Management Act, TCA 68-46-101 et seq. The permittee must keep records of the Publicly Owned Treatment Works or treatment facility that receives the wastewater discharge.

This permit is subject, at any time, to review by the Tennessee Department of Environment and Conservation, Division of Water Resources.

The discharge of wastewater in any way, and/or the disposal of wastewater by any method other than to the spray irrigation system, and/or the occurrence of any of the aforementioned conditions, constitutes a violation of this permit.

Noncompliance with the no discharge provision of this permit due to excessive rainfall, equipment failure, etc., must be reported within 24 hours to the Environmental Field Office - Knoxville by telephone. A written submission must be provided within five days. These reports shall also be filed with the Environmental Field Office - Knoxville.

Failure to meet one or more of the preceding conditions and criteria shall constitute a violation of this permit.

Notwithstanding this permit, 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 or spill of waste water to any surface or subsurface waters. Additionally, it shall be the responsibility of the permittee to conduct its wastewater treatment and/or disposal activities in a manner such that public or private health hazards or nuisances will not be created.

PART II

STANDARD CONDITIONS

A. GENERAL PROVISIONS

1. Duty to Reapply

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 Director of Water Resources (the "director") no later than 180 days prior to the expiration date. Such forms shall be properly signed and certified.

2. 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:

- a. To enter upon the permittee's premises where an effluent source is located or where records are required to be kept under the terms and conditions of this permit, and at reasonable times to copy these records;
- b. To inspect at reasonable times any monitoring equipment or method or any collection, treatment, pollution management, or discharge facilities required under this permit; and
- c. To sample at reasonable times any discharge of pollutants.

3. 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 offices of the Division of Water Resources. As required by the Federal Act, effluent data shall not be considered confidential.

4. Proper Operation and Maintenance

- a. The permittee shall at all times properly operate and maintain all facilities and systems (and related appurtenances) for collection and treatment which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper

operation and maintenance also includes adequate laboratory and process controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems, which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit. Backup continuous pH and flow monitoring equipment are not required.

- b. Dilution water shall not be added to comply with effluent requirements to achieve BCT, BPT, BAT and or other technology based effluent limitations such as those in State of Tennessee Rule 0400-40-05-.03.

5. 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.

6. 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.

7. 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.

B. CHANGES AFFECTING THE PERMIT

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 in 40 CFR 122.29(b); or
- 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).

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.
- 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. The permittee shall also furnish to the director, upon request, copies of records required to be kept by 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 on 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.

3. Change of Ownership

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 the 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 director, within 30 days, does not notify the current permittee and the new permittee of his intent to modify, revoke or reissue, or terminate the permit and to require that a new application be filed rather than agreeing to the transfer of the permit.

Pursuant to the requirements of 40 CFR 122.61, concerning transfer of ownership, the permittee must provide the following information to the division in their formal notice of intent to transfer ownership: 1) the NPDES permit number of the subject permit; 2) the effective date of the proposed transfer; 3) the name and address of the transferor; 4) the name and address of the transferee; 5) the names of the responsible parties for both the transferor and transferee; 6) a statement that the transferee assumes responsibility for the subject NPDES permit; 7) a statement that the transferor relinquishes responsibility for the subject NPDES permit; 8) the signatures of the responsible parties for both the transferor and transferee pursuant to the requirements of 40 CFR 122.22(a), "Signatories to permit applications"; and, 9) 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.

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.

C. NONCOMPLIANCE

1. Effect of Noncompliance

All discharges shall be consistent with the terms and conditions of this permit. Any permit noncompliance constitutes a violation of applicable state and federal laws and is grounds for enforcement action, permit termination, permit modification, or denial of permit reissuance.

2. Reporting of Noncompliance

a. 24-Hour Reporting

In the case of any noncompliance which could cause a threat to public drinking supplies, or any other discharge which could constitute a threat to human health or the environment, the required notice of non-compliance shall be provided to the Division of Water Resources in the appropriate Environmental Field Office within 24-hours from the time the permittee becomes aware of the circumstances. (The Environmental Field Office should be contacted for names and phone numbers of environmental response team).

A written submission must be provided within five days of the time the permittee becomes aware of the circumstances unless the director on a case-by-case basis waives this requirement. The permittee shall provide the director with the following information:

- i. A description of the discharge and cause of noncompliance;
- ii. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
- iii. The steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

b. Scheduled Reporting

For instances of noncompliance which are not reported under subparagraph 2.a above, the permittee shall report the noncompliance on the Discharge Monitoring Report. The report shall contain all information concerning the steps taken, or planned, to reduce, eliminate, and prevent recurrence of the violation and the anticipated time the violation is expected to continue.

D. LIABILITIES

1. Civil and Criminal Liability

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. 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 III

OTHER REQUIREMENTS

A. SPRAY IRRIGATION

The permittee shall record the date of sprinkler plot alternation and submit a copy to the Environmental Field Office - Knoxville upon request.

The key to a successful land application operation is well drained soil. Since saturated and frozen soils cannot maintain adequate infiltration capacity, the spray irrigation system shall not be operated during freezing or rainy periods.

B. ADDITION OF WASTE LOADS

The permittee shall not add waste loads from any sources without approval by the Division.

C. PLACEMENT OF SIGNS

Within sixty (60) days of the effective date of this permit, the permittee shall place and maintain a sign at the holding lagoon pond. The sign should be clearly visible to the public. The minimum sign size should be two feet by two feet (2' x 2') with one inch letters. The sign should be made of durable material and has a white background with black letters.

The sign is to provide notice that the spray irrigation system is regulated by the Tennessee Department of Environment and Conservation, Division of Water Resources. The following is given as an example of the minimal amount of information that must be included on the sign:

**spray irrigation system to dispose of waste water from a car wash and laundry
operation**

A & A Accommodations, Inc. DBA All Washed Up

(PERMITTEE'S PHONE NUMBER)

SOP PERMIT NO. SOP-97027

TENNESSEE DIVISION OF WATER RESOURCES

1-888-891-8332 DWR ENVIRONMENTAL FIELD OFFICE-Knoxville

PART IV

A & A Accommodations, Inc. DBA All Washed Up
STATE OPERATION PERMIT NO. SOP-97027
Cosby, Sevier County, Tennessee

Permit Writer: Mr. David Matthews

FACILITY CONTACT INFORMATION:

Mr William Wynn
Registered Agent
Phone: (865) 430 2611
marshallsmotel@gmail.com
5342 Parkway East
Gatlinburg, TN 37738

- Facility location:** 5342 Parkway East
- Name of the nearest stream:** No direct discharge to waters allowed. Adjacent to unnamed tributary at mile 0.5 to Webb Creek
- Treatment system:** spray irrigation system to dispose of waste water from a car wash and laundry operation. If any changes are made to the components or operation of the system, the division must be notified by the permittee.
- Permit period:** This permit will expire on February 28, 2022. This is the same expiry date as the previous permit because this permit is essentially a major modification of the previous permit.