

Letter of Transmittal

To: Lilia Sewell
Tennessee Dept. of Environment &
Conservation
711 R S Gass Blvd.
Nashville, TN 37243

Date: 10/7/2021

Job: 2 Dell Parkway

Re: NOI & SWPPP Submittal

WE ARE SENDING YOU THE FOLLOWING ITEMS (☒ attached) (☐ under separate cover via _____)

☐ Shop Drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications

☐ Copy of Letter ☐ Change Order ☐ Other: _____

Copies	Date	Description
1	10/7/2021	NOI submittal
1	10/7/2021	SWPPP
1	10/7/2021	Comment Response Letter

THESE ARE TRANSMITTED AS CHECKED BELOW:

☐ For Approval ☐ Approved as Submitted ☐ Resubmit _____ Copies for Approval
☐ For Your Use ☐ Approved as Noted ☐ Submit _____ Copies for Distribution
☐ As Requested ☐ Returned for Corrections ☐ Return _____ Corrected Prints
☒ For Review and Comment _____

Remarks

April,
Please see the attached NOI and SWPPP submittal for the 2 Dell Parkway project located at 2 Dell Parkway, Nashville, TN 37217. The NOI fee (\$1,000) has already been paid for this project. Please let me know if you need anything else.

Thank You,

Copy to _____ Signed Chad Grass, PE



615 MAIN STREET, SUITE 124
NASHVILLE, TN 37206 | 615.349.4990
WWW.THOMASANDHUTTON.COM

October 7, 2021

Lilia Sewell
TDEC Division of Water Resources
711 R.S. Gass Blvd.
Nashville, TN 37216

Re: 2 Dell Parkway
TNR245368
Comments Response

Dear Lilia:

We received the SWPPP and EPSC Plans comments you sent us dated September 13, 2021. All comments have been reviewed and incorporated into our plans accordingly. Below is a record of our responses/revisions per specific comments.

1. The receiving stream, an unnamed tributary to Mill Creek (TN05130202007_0999), is listed as an Exceptional Tennessee Waters (ETW) due to the potential presence of the Nashville Crayfish. The SWPPP must certify that all EPSC measures are designed for a 5-year, 24-hour storm event (see section 5.4.1.a of the CGP).
The SWPPP now notes that EPSC measures have been design for the 5-year, 24-hour storm event. The Erosion Control Plans reflect these changes, notably the addition of a sediment basin in the initial and intermediate stages.
2. The EPSC site plans do not appear to clearly identify / depict the outfall(s) intended for coverage (see §3.5.1.h. of the 2016 CGP).
Outfall labels have been added to sheets C3.1-C3.6. There are 4 total outfalls.
3. Provide an estimate of the drainage area (acres) serving each outfall (see §3.5.1.e of the CGP). If you can clarify my concerns with the current submittal, please let me know.
Drainage areas to each outfall have been noted in the above mentioned outfall labels on sheets C3.1-C3.6.

Please review for applicable requirements. I appreciate you working with me through these comments. If you have any questions, please call me at (912) 429-8349 or email me at grass.c@tandh.com.

Sincerely,
THOMAS & HUTTON



Chad Grass, P.E

**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
1-888-891-8332 (TDEC)

Notice of Intent (NOI) for General NPDES Permit for Stormwater Discharges from Construction Activities (TNR100000)

Site or Project Name: 2 Dell Parkway		NPDES Tracking Number: TNR	
Street Address or Location: 2 Dell Pkwy		Construction Start Date: 10/1/2021	
		Estimated End Date: 12/1/2022	
Site Description: Demolition of a portion of existing parking lot to construct warehouse		Latitude (dd.dddd): 36.1075	
		Longitude (-dd.dddd): -86.6779	
County(ies): Davidson		MS4 (if applicable): Nashville (TNS068047)	Acres Disturbed: 11.53
Check box if a SWPPP is attached: <input checked="" type="checkbox"/>		Check box if a site location map is attached: <input checked="" type="checkbox"/>	Total Acres: 32.2
Check the appropriate box(s) if there are streams and/or wetlands on or adjacent to the construction site: Streams <input type="checkbox"/> Wetlands <input type="checkbox"/>			
Has a jurisdictional determination been made by the USACE or EPA identifying waters of the United States?: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Note: if yes, attach the jurisdictional determination			
If an Aquatic Resource Alteration Permit (ARAP) has been obtained for this site, what is the permit number? NR(S)			
Receiving waters: Misc Tributary to Mill Creek			
Site Owner/Developer (Primary Permittee): (Provide person, company, or entity that has operational or design control over construction plans and specifications): 2 Dell Way, LLC - Justin Sacco			
For corporate entities only, provide correct Tennessee Secretary of State (SOS) Control Number: (an incorrect SOS control number may delay NOI processing)		001172872	
Site Owner or Developer Contact Name: (signs the certification below) Justin Sacco		Title or Position: Vice President, Portfolio Asset Manager	
Mailing Address: 807 East Main Street, Suite 2-123		City: Durham	State: NC Zip: 27701
Phone: (919) 8847646	Fax: ()	E-mail: justin@lrcprop.com	
Optional Contact:		Title or Position:	
Mailing Address:		City:	State: Zip:
Phone: ()	Fax: ()	E-mail:	
Owner/Developer(s) Certification: (must be signed by president, vice-president or equivalent, or ranking elected official) (Primary Permittee)			
I certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision. The submitted information is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.			
Owner/Developer Name (print/type): Justin Sacco		Signature: 	Date:
Owner/Developer Name (print/type):		Signature:	Date:
Contractor Certification: (must be signed by president, vice-president or equivalent, or ranking elected official) (Secondary Permittee)			
I certify under penalty of law that I have reviewed this document, any attachments, and the SWPPP referenced above. Based on my inquiry of the construction site owner/developer identified above and/or my inquiry of the person directly responsible for assembling this NOI and SWPPP, I believe the information submitted is accurate. I am aware that this NOI, if approved, makes the above-described construction activity subject to NPDES permit number TNR100000, and that certain of my activities on-site are thereby regulated. I am aware that there are significant penalties, including the possibility of fine and imprisonment for knowing violations, and for failure to comply with these permit requirements. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.			
Contractor name, address, and SOS control number (if applicable): ARCO Design/Build - 380 Interstate N Pkwy #210, Atlanta, GA 30308		Signature: 	Date: 08/16/2021
OFFICIAL STATE USE ONLY			
Received Date:	Reviewer:	Field Office:	Permit Tracking Number: TNR
Fee(s):	T & E Aquatic Flora/Fauna:	SOS Corporate Status:	Waters with Unavailable Parameters:
		Exceptional TN Water:	
		Notice of Coverage Date:	

CONSTRUCTION GENERAL PERMIT - NOTICE OF INTENT (NOI) - INSTRUCTIONS

A completed NOI must be submitted to obtain coverage under the CGP. **Requesting coverage under this permit means that an applicant has obtained and examined a copy of this permit, and thereby acknowledges applicant's claim of ability to be in compliance with permit terms and conditions.** CGP coverage is required for stormwater (SW) discharge(s) from construction activities including clearing, grading, filling and excavating (including borrow pits) of one or more acres of land. This form should be submitted at least 30 days prior to the commencement of land disturbing activities, or no later than 48 hours prior to when a new operator assumes operational control over site specifications or commences work at the site.

The application fee must accompany the NOI and is based on total acreage to be disturbed by an entire project, including any associated construction support activities (e.g., equipment staging yards, material storage areas, excavated material disposal areas, borrow or waste sites, etc.). A separate annual maintenance fee is also required for activities that exceed 1 year under CGP coverage. See TN Rules, Chapter 0400-40-11-.02(b)(12).

Acres Disturbed	= or > 150 acres	= or > 50 < 150 acres	= or > 20 < 50 acres	= or > 5 < 20 acres	= or > 1 < 5 acres	Subsequent coverage
Fee	\$10,000	\$6,000	\$3,000	\$1,000	\$250	\$100

Who must submit the NOI form? All site operators must submit an NOI form. "Operator" for the purpose of this permit and in the context of SW associated with construction activity means any person associated with a construction project who meets either or both of the following two criteria: (1) The person has operational or design control over construction plans and specifications, including the ability to make modifications to those plans and specifications. This person is typically the owner or developer of the project or a portion of the project (e.g., subsequent builder), or the person that is the current land owner of the construction site, and is considered the primary permittee; or (2) The person has day-to-day operational control of those activities at a project which are necessary to ensure compliance with a SWPPP for the site or other permit conditions. This person is typically a contractor or a commercial builder who is hired by the primary permittee, and is considered a secondary permittee.

Owners, developers and all contractors that meet the definition of the operator in subsection 2.2 of the permit shall apply for permit coverage on the same NOI, insofar as possible. After permit coverage has been granted to the initial site-wide primary permittee, any subsequent NOI submittals must include the site's previously assigned permit tracking number and the project name. The comprehensive site-specific SWPPP shall be prepared in accordance with the requirements of part 3 of the permit and must be submitted with the NOI unless the NOI being submitted is to add a subsequent permittee to an existing coverage. **Artificial entities (e.g., corporations or partnerships) must submit the correct Tennessee Secretary of State, Division of Business Services, control number. General partnerships. For general partnerships, the NOI must be signed by each general partner in the general partnership.**

The NOI will be considered incomplete without a correct control number, and the division reserves the right to deny coverage to artificial entities that are not properly registered and in good standing with the Tennessee Secretary of State (i.e., listed with an entity status of "active"). The division further reserves the right to issue permit coverage in the correct legal name of the individual or entity seeking coverage and to name each general partner of a general partnership in addition to the general partnership.

Complete the form: Type or print clearly. Answer each item or enter "NA," for not applicable. If you need additional space, attach a separate piece of paper to the NOI form. **The NOI will be considered incomplete without a permit fee and comprehensive site-specific SWPPP (if applicable).**

Describe and locate the project: Use the legal or official name of the construction site. If a construction site lacks street name or route number, give the most accurate information available to describe the location (reference to adjacent highways, roads and structures; eg., intersection of state highways 70 and 100). Latitude and longitude (in decimal degrees) can be found at numerous other web sites. Attach a copy of a map, showing location of site, with boundaries at least one mile outside the site boundaries. Provide estimated starting date of clearing activities and completion date of the project, and an estimate of the number of acres of the site on which soil will be disturbed, including borrow areas, fill areas, stockpiles and the total acres. For linear projects, give location at each end of the construction area.

Name of the receiving waters: Trace the route of stormwater runoff from the site and determine the name of the water course(s) into which the runoff drains. Note that the water course may or may not be located on the construction site. If the first water body receiving construction site runoff is unnamed ("unnamed tributary"), determine the name of the waterbody that the unnamed tributary enters.

An ARAP may be required: **If your work will disturb or cause alterations of a stream or wetland, you must obtain an appropriate Aquatic Resource Alteration Permit (ARAP).** If wetlands are located on-site and may be impacted, attach the wetland delineation report. If you have a question about the ARAP program, contact your local Field Office (EFO).

Submitting the form and obtaining more information: Note that this form must be signed by the company President, Vice-President, or a ranking elected official in the case of a municipality, for details see subpart 2.5. For more information, contact your local EFO at the toll-free number 1-888-891-8332 (TDEC). Submit the completed NOI form (keep a copy for your records) to the appropriate EFO for the county(ies) where the construction activity is located, addressed to **Attention: Stormwater NOI Processing.**

Notice of Coverage: The division will review NOIs for completeness and accuracy and issue an NOC to site-wide primary operators, authorizing SW discharge from the construction site as of the effective date of the NOC. New subsequent operators will not receive an NOC, but are considered covered under the permit when their permit record is published on TDEC's dataviewer as "active" and with an effective date. TDEC Permit Dataviewer can be found at: http://environment-online.tn.gov:8080/pls/enf_reports/?p=9034.34001.0

EFO	Street Address	Zip Code	EFO	Street Address	Zip Code
Memphis	8383 Wolf Lake Drive, Bartlett	38133-4119	Cookeville	1221 South Willow Ave.	38506
Jackson	1625 Hollywood Drive	38305-4316	Chattanooga	1301 Riverfront Pkwy, Suite 206	37402
Nashville	711 R S Gass Boulevard	37243	Knoxville	3711 Middlebrook Pike	37921
Columbia	1421 Hampshire Pike	38401	Johnson City	2305 Silverdale Road	37601