



**Tracking Number TNR137486**

**NOTICE OF COVERAGE UNDER THE GENERAL NPDES PERMIT FOR STORMWATER  
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 Avenue, 11th Floor  
Nashville, TN 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: **Tennessee Valley Authority (TVA) - Kingston Fossil Plant (KIF) (11.4 acres)**

Master Tracking Number at the Site: **TNR137486**

Permittee Name: **Tennessee Valley Authority**

Project Name: **TVA Kingston Primary, TN 161-kV Switching Station**

Contractor(s): **no contractor**

is authorized to discharge: **storm water associated with construction activity**

from site located at: **TVA Kingston Reservation 714 Swan Pond Road, Roane County**

to receiving waters named: **Watts Bar Reservoir**

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

Likely presence of threatened or endangered species in one mile radius: **YES**

Likely presence of threatened or endangered species downstream: **YES**

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

**- Exceptional Tennessee Waters: NO**

Your coverage under the CGP shall become effective on **March 22, 2024**, and shall be terminated upon receipt of [Notice of Termination](#).

A copy of the CGP can be obtained from

<https://www.tn.gov/content/tn/environment/permit-permits/water-permits1/npdes-permits1/npdes-stormwater-permitting-program/npdes-stormwater-construction-permit.html>



STATE OF TENNESSEE  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
**DIVISION OF WATER RESOURCES**

Knoxville Environmental Field Office  
3711 Middlebrook Pike  
Knoxville, TN 37921  
Phone 865-594-6035   Statewide 1-888-891-8332   Fax 865-594-6105

March 22, 2024

Tracy McCrory, VP, Transmission Planning & Projects  
Tennessee Valley Authority  
e-copy: [tdmccrory@tva.gov](mailto:tdmccrory@tva.gov)  
1101 MARKET ST  
CHATTANOOGA, TN 37402

Subject:        **NPDES Construction General Permit Tracking No. TNR137486**  
                 **Master Tracking Number: TNR137486**  
                 **Tennessee Valley Authority (TVA) - Kingston Fossil Plant (KIF)**  
                 **Tennessee Valley Authority**  
                 **Harriman, Roane County, Tennessee**

Dear Tracy McCrory:

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 March 7, 2024. After review, the application was deemed to be complete on March 21, 2024. Enclosed is the Notice of Coverage (NOC) form which shows the site name and location, receiving stream, effective date of coverage, etc.

**Contractor Information**

You have not identified a contractor on the NOI. You must identify a primary contractor, or contractor otherwise responsible for sediment and erosion controls on the construction site, if appropriate, and submit a revised NOI to this office prior to beginning earth clearing operations onsite. When submitting the NOI, please include 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 CGP. 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.

### **Site Assessment**

Per Subsection 5.5.3.8 of the permit, a quality assurance of erosion prevention and sediment controls (EPSCs) shall be done by performing site assessments by a qualified individual. Site assessment shall be conducted at each outfall draining 10 or more acres (Subsection 5.5.3.5) or 5 or more acres if draining to waters with unavailable parameters or Exceptional Tennessee Waters (Section 6.4.1). Site assessments must cover the entire disturbed area and occur within 30 days of construction commencing at each portion of the site that drains the qualifying acreage. At a minimum, site assessments should be performed to verify the installation, functionality and performance of the EPSC measures described in the SWPPP. If structural BMPs (or equivalent EPSC measures) are not constructed or construction is in progress at the time of the site assessment, a follow-up monthly assessment(s) is required until the BMPs are constructed per the SWPPP.

### **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 construction storm water permit and its requirements. A copy of the CGP can be obtained from <https://www.tn.gov/content/tn/environment/permit-permits/water-permits1/npdes-permits1/npdes-stormwater-permitting-program/npdes-stormwater-construction-permit.html>. We believe this does make a difference to the quality of state waters. If you have any questions, please contact Mr. Joshua Frazier at (865) 364-9500 or by e-mail at [Joshua.Frazier@tn.gov](mailto:Joshua.Frazier@tn.gov).

Sincerely,

A handwritten signature in cursive script, reading "Michael Atchley". The signature is written in black ink and is positioned above the printed name and title.

Michael Atchley  
Environmental Program Manager

cc: DWR, Knoxville EFO Permit File