



**TO:** Tennessee Municipal Separate Storm Sewer System Permittees

**FROM:** Jennifer Dodd, Director  
Division of Water Resources

**SUBJECT: Small Municipal Separate Storm Sewer System NPDES Permit  
Appeal – Signed Settlement**

**DATE:** November 13, 2018

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On November 12, 2018, the Tennessee Department of Environment and Conservation, the Homebuilders Association of Tennessee, the Obed Watershed Community Association, the Tennessee Environmental Council, and the Tennessee Chapter of the Sierra Club reached a settlement to the appeal of the 2016 Small Municipal Separate Storm Sewer System NPDES Permit (Permit No. TNS000000). The parties have agreed to dismiss their appeals upon issuance of a final permit modification reflecting the terms of the settlement.

As required by T.C.A. § 69-3-108(s), the next step will be rulemaking to establish effluent limitations for post-construction stormwater. The proposed rules will reflect the terms of the settlement. These rules will be subject to all applicable rulemaking procedures, including public notice and comment. Once adopted, the rules will apply to all future MS4 permits.

After rulemaking is complete, the Tennessee Department of Environment and Conservation will publish a modified draft of the Small Municipal Separate Storm Sewer NPDES Permit. The draft permit modifications will be subject to all applicable public notice and comment procedures.

You can find a copy of the agreed post construction terms on the department's dataviewer at the following link:

[http://environment-online.tn.gov:8080/pls/enf\\_reports/f?p=9034:34051::NO:34051:P34051\\_PERMIT\\_NUMBER:TNS000000](http://environment-online.tn.gov:8080/pls/enf_reports/f?p=9034:34051::NO:34051:P34051_PERMIT_NUMBER:TNS000000)