



City of Chattanooga

Mayor Tim Kelly

January 31, 2022

VIA CERTIFIED MAIL

Mr. Richard Elliott
Environmental Engineer
Clean Water Enforcement Branch
US EPA-Region 4
61 Forsyth Street, SW
Atlanta, GA 30303

**Re: *United States of America et. al. v. City of Chattanooga, No. 1:12-cv-00245*
Quarterly Report No. 34 – October 1, 2021 to December 31, 2021**

Dear Mr. Elliott:

On behalf of the City of Chattanooga, Tennessee ("City"), and in accordance with the consent decree entered by the United States District Court for the Eastern District of Tennessee (Southern Division), on April 24, 2013, in the case styled the United States of America et. al. v. City of Chattanooga, No. 1:12-cv-00245 ("Consent Decree"), we are submitting to both the Environmental Protection Agency ("EPA") and the Tennessee Department of Environment and Conservation ("TDEC") the thirty-fourth quarterly report required pursuant to paragraph 38 of the Consent Decree. This report is also being submitted in accordance with the letter from Denise Diaz, dated September 16, 2013, establishing the dates for reporting under the Consent Decree.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering such information, the information submitted 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 for knowing violations.

Mr. Richard Elliott
January 31, 2022
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Please let me know if you have any questions regarding our submittal.

Sincerely,



Mark Heinzer
Interim Director, Waste Resources Division

Enclosure

cc: Karl Fingerhood, Esq., US DOJ
Chief, Environmental Enforcement Section, US DOJ
Chief, Clean Water Enforcement Branch, US EPA Region 4
Paul Schwartz, Esq., US EPA
Sohnia Hong, Office of the Attorney General
Enforcement Coordinator, Water Pollution Control, TDEC
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Adam Sowatzka, Esq., King & Spalding
Mike Marino, P.E., Jacobs Engineering



Quarterly Report No. 34

October 1, 2021 – December 31, 2021

Prepared for

**United States Environmental Protection Agency
and Tennessee Department of Environment and
Conservation**

City of Chattanooga
Waste Resources Division
Consent Decree Program
Case No. 1:12-cv-00245

Prepared by

City of Chattanooga
Waste Resources Division

Submitted by

Jacobs

Jacobs Engineering Group Inc.
Consent Decree Program Manager

Chattanooga, Tennessee

January 31, 2022

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Acronyms and Abbreviations

| | |
|--------|--|
| Ave | Avenue |
| CD | Consent Decree |
| CFR | Code of Federal Regulations |
| CSO | Combined Sewer Overflow |
| CSS | Combined Sewer System |
| Dr | Drive |
| EPA | Environmental Protection Agency |
| Gal | Gallons |
| Hrs | Hours |
| Hwy | Highway |
| Ln | Lane |
| MBWWTP | Moccasin Bend Wastewater Treatment Plant |
| MBEC | Moccasin Bend Environmental Campus |
| MG | Million Gallons |
| MH | Manhole |
| N/A | Not Applicable |
| No. | Number |
| NPDES | National Pollutant Discharge Elimination System |
| PS | Pump Station |
| Rd | Road |
| SSO | Sanitary Sewer Overflow |
| St | Street |
| TDEC | Tennessee Department of Environment and Conservation |
| Trl | Trail |
| UNK | Unknown |
| WCTS | Wastewater Collection and Transmission System |
| WWTP | Wastewater Treatment Plant |

1.0 Introduction

1.1 Purpose

The City of Chattanooga entered into a consent decree with the United States and the State of Tennessee in the case styled *United States of America et. al. v. City of Chattanooga, No. 1:12-cv-00245* (“CD”), which became effective on April 24, 2013. Pursuant to Section IX, paragraph 38 of the CD, Chattanooga is required to submit reports on a quarterly basis to the Environmental Protection Agency (“EPA”) and Tennessee Department of Environment and Conservation (“TDEC”). Chattanooga has prepared Quarterly Report No. 34 to satisfy the reporting requirements of the CD. This report is also being submitted in accordance with the letter from Denise Diaz, dated September 16, 2013, establishing the dates for reporting under the CD.

1.2 Requirements

As detailed in Section IX, paragraph 38 of the CD, Chattanooga is required to report the date, time, location, source, estimated duration and volume, and receiving water of the following events:

1. Sanitary sewer overflow (“SSO”) events occurring during the reporting period;
2. Combined sewer overflow (“CSO”) outfall discharges occurring during the reporting period;
and
3. Bypasses at the Moccasin Bend Environmental Campus (“MBEC”) formerly known as Moccasin Bend Wastewater Treatment Plant (“MBWWTP”) occurring during the reporting period.

This information is provided in tabular form in Sections 2.0 – 4.0 of this report.

2.0 SSO Events

For the reporting period of October 1, 2021 through December 31, 2021, Chattanooga experienced the SSOs listed in Table 2-1. An SSO event is defined in paragraph 8.(nn) of the CD as “any discharge of wastewater to waters of the United States or State from Chattanooga’s Sewer System through a point source not permitted in any National Pollutant Discharge Elimination System (“NPDES”) permit, as well as any overflow, spill, or release of wastewater to public or private property from the Sewer System that may not have reached waters of the United States or the State, including all building backups.”

**Table 2-1
Quarterly SSO Report**

| SSO ID | Start Date | Start Time | Location | Source | MH ID# | Estimated Duration (hrs) | Estimated Volume (gal) | SSO Destination | Cause |
|----------------|------------|------------|--------------------------|-----------|------------------|--------------------------|------------------------|-----------------|-----------------------------------|
| 1 | 07-Oct-21 | 10:30 AM | 2031 Avalon Ave | Manhole | S127H001 | 1.00 | 180 | Storm Ditch | Blockage - Trash/Debris |
| 2 ¹ | 08-Oct-21 | 1:15 PM | 5900 Hixson Pike | Manhole | S100E017 | 1.25 | 227,250 | Rogers Branch | Pump Station - Mechanical Failure |
| 3 | 03-Nov-21 | 10:00 AM | 1100 Lupton Dr | Manhole | S118K008 | 0.25 | 150 | Land* | UNK ² |
| 4 | 09-Nov-21 | 2:20 PM | 7326 McCutcheon Rd | Manhole | S149A027 | 0.83 | 250 | Storm Drain | Blockage - Trash/Debris |
| 5 | 10-Nov-21 | 8:00 PM | 5230 Hwy 153 | Manhole | S110J004 | 4.00 | 6,000 | Storm Ditch | Blockage - Trash/Debris |
| 6 | 15-Nov-21 | 2:30 PM | 5230 Hwy 153 | Manhole | S110J004 | 5.50 | 3,300 | Storm Ditch | Blockage - Grease |
| 7 | 17-Nov-21 | 1:30 PM | 301 Frazier Ave | Manhole | S135E067 | 4.00 | 1,200 | Storm Drain | Blockage - Trash/Debris |
| 8 | 19-Nov-21 | 10:00 AM | 3931 Dixie Cr | Main Line | UNK ² | 5.00 | 150 | Land* | Break |
| 9 | 26-Nov-21 | 5:30 PM | 604 Tunnel Blvd | Clean out | UNK ² | 2.00 | 50 | Land* | Blockage - Trash/Debris |
| 10 | 02-Dec-21 | 1:00 PM | Lower Mill Rd | Main Line | UNK ² | UNK ² | 120,000 | Stream | Defect(s) |
| 11 | 03-Dec-21 | 1:00 PM | 4631 Hwy 58 | Manhole | S129G048 | 1.75 | 375 | Storm Drain | Blockage - Gravel |
| 12 | 04-Dec-21 | 2:00 PM | 1813 Old Wauhatchie Pike | Manhole | S155J015 | 1.75 | 525 | Storm Drain | Blockage - Trash/Debris |
| 13 | 30-Dec-21 | 6:00 PM | 3805 Jarren Court | Manhole | S118C017 | 1.25 | 350 | Storm Drain | Wet Weather |

¹ Common cause, within 500 yards of separate event.

² This information was not available at time of reporting.

* Did not reach waters of the United States

3.0 Moccasin Bend EC Bypasses

The CD sets forth the same definition for bypass as the EPA's regulations at 40 C.F.R. § 122.41(m), which defines a bypass as the intentional diversion of waste streams from any portion of a treatment facility. The City's current NPDES permit defines a bypass as the intentional diversion of wastewater away from any portion of a treatment facility other than through peak excess flow treatment facilities or permitted outfalls in accordance with both the long-term control plan and the nine minimum technology-based effluent controls for combined sewer systems. The City reports bypasses and wet weather discharges separately on the monthly Discharge Monitoring Reports, as a discharge from the City's permitted wet weather discharge is not a bypass under the City's current NPDES permit. Based on the foregoing, the WWTP experienced no bypasses during the reporting period of October 1, 2021 through December 31, 2021.

4.0 CSO Outfall Discharges

For the reporting period of October 1, 2021 through December 31, 2021, Chattanooga experienced CSO discharges from CSO outfall treatment facilities as listed in Table 4-1. Paragraph 8.(h) of the CD defines a CSO as “any discharge from the CSS from any outfall currently identified, or identified in the future, as a permitted combined sewer overflow outfall in any Chattanooga NPDES permit from which CSOs are discharged to waters of the United States or the State.” The CSS is defined as the portion of Chattanooga’s wastewater collection and transmission system (“WCTS”) designed to convey municipal sewage (domestic, commercial and industrial wastewaters) and storm water runoff through a single-pipe system to Chattanooga’s WWTP or CSO outfalls. Chattanooga operates eight (8) permitted CSO outfall treatment facilities, eight (8) of which discharged during the reporting period.

**Table 4-1
Quarterly CSO Outfall Discharge Report**

| July 1, 2021 – September 30, 2021 | | | | | | |
|-----------------------------------|------------|--------------------------|----------------|-------------|-------------------|------------|
| Start Date | Start Time | Location/Nearest Stream | Duration (hrs) | Volume (MG) | Receiving Water | Cause |
| 03-Oct-21 | 11:12 AM | Tremont CSO (005) | 2.2 | 0.393724 | Tennessee River | Rain Event |
| 03-Oct-21 | 12:38 PM | ML King CSO (007) | 6.4 | 0.442938 | Tennessee River | Rain Event |
| 03-Oct-21 | 12:43 PM | 19th St CSO (008) | 1.52 | 0.214753 | Chattanooga Creek | Rain Event |
| 03-Oct-21 | 12:52 PM | Carter St CSO (009) | 2.9 | 1.907875 | Tennessee River | Rain Event |
| 03-Oct-21 | 3:54 PM | Central Ave CSO (002) | 17.2 | 1.640772 | Chattanooga Creek | Rain Event |
| 06-Oct-21 | 4:10 PM | ML King CSO (007) | 10.72 | 0.561028 | Tennessee River | Rain Event |
| 06-Oct-21 | 5:11 PM | Carter St CSO (009) | 4.88 | 2.772579 | Tennessee River | Rain Event |
| 06-Oct-21 | 10:27 PM | 19th St CSO (008) | 1.03 | 0.106374 | Tennessee River | Rain Event |
| 07-Oct-21 | 1:24 AM | Central Ave CSO (002) | 35.62 | 5.132672 | Chattanooga Creek | Rain Event |
| 07-Oct-21 | 11:02 PM | Carter St CSO (009) | 0.53 | 0.108381 | Tennessee River | Rain Event |
| 11-Dec-21 | 10:33 AM | Tremont CSO (005) | 0.65 | 0.061583 | Tennessee River | Rain Event |
| 11-Dec-21 | 11:34 AM | 19th St CSO (008) | 1.25 | 0.162867 | Tennessee River | Rain Event |
| 11-Dec-21 | 11:37 AM | Carter St CSO (009) | 4.15 | 1.872015 | Tennessee River | Rain Event |
| 11-Dec-21 | 12:01 PM | ML King CSO (007) | 1.22 | 0.016613 | Tennessee River | Rain Event |
| 11-Dec-21 | 2:48 PM | Central Ave CSO (002) | 8.87 | 0.299323 | Chattanooga Creek | Rain Event |
| 29-Dec-21 | 6:16 AM | Carter St CSO (009) | 1.8 | 0.469168 | Tennessee River | Rain Event |
| 29-Dec-21 | 4:26 PM | Central Ave CSO (002) | 26.76 | 6.926283 | Chattanooga Creek | Rain Event |
| 29-Dec-21 | 9:13 PM | ML King CSO (007) | 7.05 | 1.067117 | Tennessee River | Rain Event |
| 29-Dec-21 | 9:13 PM | Carter St CSO (009) | 4.35 | 3.299542 | Tennessee River | Rain Event |
| 29-Dec-21 | 9:14 PM | Tremont CSO (005) | 1.7 | 0.528093 | Tennessee River | Rain Event |
| 29-Dec-21 | 9:16 PM | 19th St CSO (008) | 2.17 | 0.684275 | Tennessee River | Rain Event |
| 29-Dec-21 | 10:00 PM | Citico CSO (004) | 1.54 | 1.768620 | Tennessee River | Rain Event |
| 29-Dec-21 | 10:38 PM | Ross's Landing CSO (006) | 0.23 | 0.040996 | Tennessee River | Rain Event |