



City of Chattanooga

Mayor Tim Kelly

October 31, 2022

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. 37 – July 1, 2022 to September 30, 2022

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-seventh 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
October 31, 2022
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Please let me know if you have any questions regarding our submittal.

Sincerely,

Mark Heinzer
Interim Director, Wastewater Division

Enclosure

cc: Karl Fingerhood, Esq., US DOJ
Chief, Environmental Enforcement Section, US DOJ
Chief, Clean Water Enforcement Branch, US EPA Region 4
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Sohnia Hong, Office of the Attorney General
Enforcement Coordinator, Water Pollution Control, TDEC
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Quarterly Report No. 37

July 1, 2022 – September 30, 2022

Prepared for

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

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

Prepared by

City of Chattanooga
Wastewater Division

Submitted by

Jacobs

Jacobs Engineering Group Inc.
Consent Decree Program Manager

Chattanooga, Tennessee

October 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. 37 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 July 1, 2022 through September 30, 2022, 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**

July 1, 2022 – September 30, 2022									
SSO ID	Start Date	Start Time	Location	Source	MH ID#	Estimated Duration (hrs)	Estimated Volume (gal)	SSO Destination	Cause
1	04-Jul-22	4:11 PM	1305 Terry Ln	Main Line	UNK ²	1.82	1,000	Structure*	Blockage - Gravel
2	08-Jul-22	7:00 PM	5308 Delashmitt Rd	Manhole	S099M086	21.00	31,500	Storm Ditch	Blockage - Gravel
3	21-Jul-22	10:15 PM	3432 Alta Vista Dr	Main Line	UNK ²	2.53	4,175	Structure*	Blockage - Gravel
4	28-Jul-22	6:00 PM	5308 Delashmitt Rd	Service Line	UNK ²	3.75	1,110	Storm Ditch	Blockage - Gravel
5	30-Jul-22	10:00 AM	106 Melrose Dr	Manhole	S158H049	2.25	6,750	Storm Ditch	Blockage - Grease
6	01-Aug-22	3:40 PM	122 Rowland Gap Rd (West Bank)	Manhole	S135O217	0.03	50	Tennessee River	Pump Station - Capacity
7	10-Aug-22	12:00 PM	1400 Carter Street	Manhole	S145F086	1.50	9,000	Storm Drain	Wet Weather
8 ¹	10-Aug-22	12:49 PM	1820 E. 23rd St	Manhole	S156G049	1.18	7,100	Dobbs Branch	Wet Weather
9	10-Aug-22	12:49 PM	1600 Lynnbrook Ave	Manhole	S156B740	2.18	1,310	Storm Ditch	Wet Weather
10	10-Aug-22	1:00 PM	5302 Old Mission Rd	Manhole	S157K058	19.50	175,500	Storm Drain	Wet Weather
11	10-Aug-22	2:10 PM	1022 Shallowford Rd	Manhole	S147G104	21.00	189,000	South Chickamauga Creek	Wet Weather
12	10-Aug-22	2:15 PM	3649 Brainerd Rd	Manhole	S157A062	17.42	26,125	Storm Drain	Wet Weather
13	10-Aug-22	4:13 PM	29 Vista Dr	Manhole	S157A044	16.28	97,700	Storm Drain	Wet Weather
14	10-Aug-22	4:13 PM	3520 Brainerd Rd	Other	UNK ²	16.28	24,425	Storm Drain	Wet Weather
15	14-Aug-22	2:10 PM	4786 HWY 58	Manhole	S129B048	3.08	1,850	Storm Drain	Blockage - General

**Table 2-1
Quarterly SSO Report**

July 1, 2022 – September 30, 2022									
SSO ID	Start Date	Start Time	Location	Source	MH ID#	Estimated Duration (hrs)	Estimated Volume (gal)	SSO Destination	Cause
16	21-Sep-22	1:30 PM	1108 Fernway Circle	Manhole	S127H053	4.00	6,000	Storm Drain	Blockage - Gravel

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 July 1, 2022 through September 30, 2022.

4.0 CSO Outfall Discharges

For the reporting period of July 1, 2022 through September 30, 2022, 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, 2022 – September 30, 2022						
Start Date	Start Time	Location/Nearest Stream	Duration (hrs)	Volume (MG)	Receiving Water	Cause
02-Jul-22	12:35 AM	ML King CSO (007)	1.22	0.118095	Tennessee River	Rain Event
02-Jul-22	4:50 AM	19th St CSO (008)	0.03	0.000320	Tennessee River	Rain Event
03-Jul-22	3:11 PM	19th St CSO (008)	1.32	0.218417	Tennessee River	Rain Event
03-Jul-22	3:34 PM	Carter St CSO (009)	2.05	1.550690	Tennessee River	Rain Event
03-Jul-22	3:41 PM	ML King CSO (007)	0.67	0.010492	Tennessee River	Rain Event
03-Jul-22	5:43 PM	Central Ave CSO (002)	16.49	0.792324	Chattanooga Creek	Rain Event
07-Jul-22	3:06 PM	Tremont CSO (005)	0.32	0.174336	Tennessee River	Rain Event
07-Jul-22	3:39 PM	Ross's Landing CSO (006)	0.42	0.095052	Tennessee River	Rain Event
08-Jul-22	11:01 PM	Carter St CSO (009)	0.98	0.990916	Tennessee River	Rain Event
09-Jul-22	8:33 PM	Tremont CSO (005)	0.25	0.134632	Tennessee River	Rain Event
09-Jul-22	10:07 PM	Central Ave CSO (002)	22.48	1.373382	Chattanooga Creek	Rain Event
20-Jul-22	8:10 PM	Tremont CSO (005)	0.68	0.632902	Tennessee River	Rain Event
20-Jul-22	9:01 PM	Citico CSO (004)	0.33	0.200178	Tennessee River	Rain Event
21-Jul-22	7:59 AM	Citico CSO (004)	0.27	0.143808	Tennessee River	Rain Event
21-Jul-22	8:37 AM	Carter St CSO (009)	0.83	0.181629	Tennessee River	Rain Event
21-Jul-22	8:47 AM	Central Ave CSO (002)	14.74	0.774261	Chattanooga Creek	Rain Event
31-Jul-22	7:56 PM	Tremont CSO (005)	0.8	0.458430	Tennessee River	Rain Event
01-Aug-22	7:57 AM	Tremont CSO (005)	1.47	0.133063	Tennessee River	Rain Event
01-Aug-22	12:30 PM	ML King CSO (007)	5.43	0.367428	Tennessee River	Rain Event
01-Aug-22	2:16 PM	Central Ave CSO (002)	28.54	2.614008	Chattanooga Creek	Rain Event
01-Aug-22	2:29 PM	Carter St CSO (009)	2.53	0.926467	Tennessee River	Rain Event
04-Aug-22	12:18 AM	Tremont CSO (005)	0.6	0.257798	Tennessee River	Rain Event
04-Aug-22	1:05 AM	ML King CSO (007)	0.85	0.021457	Tennessee River	Rain Event

Table 4-1
Quarterly CSO Outfall Discharge Report

July 1, 2022 – September 30, 2022						
05-Aug-22	10:03 PM	Central Ave CSO (002)	1.67	0.007416	Chattanooga Creek	Rain Event
05-Aug-22	10:19 PM	Tremont CSO (005)	0.3	0.061583	Tennessee River	Rain Event
06-Aug-22	11:13 AM	Central Ave CSO (002)	25.4	1.598543	Chattanooga Creek	Rain Event
10-Aug-22	11:00 AM	Citico CSO (004)	39	14.750074	Tennessee River	Rain Event
10-Aug-22	11:05 AM	Carter St CSO (009)	9.05	27.900276	Tennessee River	Rain Event
10-Aug-22	11:09 AM	ML King CSO (007)	21.38	3.335088	Tennessee River	Rain Event
10-Aug-22	11:14 AM	Ross's Landing CSO (006)	4.57	11.366024	Tennessee River	Rain Event
10-Aug-22	11:17 AM	19th St CSO (008)	5.92	4.352879	Tennessee River	Rain Event
10-Aug-22	11:34 AM	Tremont CSO (005)	3.08	0.369119	Tennessee River	Rain Event
10-Aug-22	11:41 AM	Williams St CSO (003)	11.33	3.007706	Chattanooga Creek	Rain Event
10-Aug-22	12:01 PM	Central Ave CSO (002)	46.63	30.612661	Chattanooga Creek	Rain Event
20-Aug-22	5:38 PM	19th St CSO (008)	0.27	0.007778	Tennessee River	Rain Event
20-Aug-22	7:00 PM	Central Ave CSO (002)	35.84	1.703989	Chattanooga Creek	Rain Event
11-Sep-22	8:55 PM	Central Ave CSO (002)	10.71	0.121578	Chattanooga Creek	Rain Event