



# City of Chattanooga

Mayor Tim Kelly

January 31, 2023

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. 38 – October 1, 2022 to December 31, 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-eighth 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  
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Please let me know if you have any questions regarding our submittal.

Sincerely,

*Mark Heinzer*

Mark Heinzer (Jan 27, 2023 13:28 EST)

Mark Heinzer, P.E.  
Interim Administrator, Wastewater Department

Enclosure

cc: Karl Fingerhood, Esq., US DOJ  
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# Quarterly Report No. 38

**October 1, 2022 – December 31, 2022**

*Prepared for*

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

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

*Prepared by*

**City of Chattanooga**  
Wastewater Department

*Submitted by*

**Jacobs**

Jacobs Engineering Group Inc.  
Consent Decree Program Manager

Chattanooga, Tennessee

January 31, 2023



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# Acronyms and Abbreviations

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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

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## 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. 38 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

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For the reporting period of October 1, 2022, through December 31, 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 Outfall Discharge Report**

October 1, 2022 – December 31, 2022									
SSO ID	Start Date	Start Time	Location	Source	MH ID#	Estimated Duration (hrs)	Estimated Volume (gal)	SSO Destination	Cause
1	01-Oct-22	12:30 PM	2700 Wyandot St	Manhole	S146E058	2.50	750	Land*	Blockage - General
2	19-Oct-22	1:35 PM	382 Cherry Street	Manhole	S135M656	1.17	10	Storm Drain	Blockage - General
3	09-Nov-22	6:00 PM	5308 Delashmitt Rd	Manhole	S099M085	1.50	450	Storm Ditch	Blockage - General
4	14-Nov-22	8:55 AM	5338 Dayton Blvd	Manhole	S099K047	1.33	400	Storm Ditch	Blockage - Trash/Debris
5	16-Nov-22	2:15 PM	5338 Dayton Blvd	Manhole	S099K047	1.00	300	Storm Ditch	Blockage - Trash/Debris
6	30-Nov-22	2:27 AM	3910 Juandale Trail (F Branch PS)	Manhole	S137N004	1.38	51,500	South Chickamauga Creek	Pump Station - Electrical Failure
7	30-Nov-22	8:30 AM	2500 Robin Glen Dr	Manhole	S139P062	24.25	7,200	Storm Ditch	Wet Weather
8 <sup>1</sup>	30-Nov-22	9:20 AM	6695 Hickory Brook Dr	Manhole	S138M082	23.67	14,200	Storm Drain	Wet Weather
9	30-Nov-22	11:08 AM	2843 Waterhaven Dr (S. Chick PS)	Manhole	S128G064	2.12	15,875	South Chickamauga Creek	Pump Station - Electrical Failure
10	30-Nov-22	11:35 AM	2416 Waterhaven Dr	Manhole	S128B002	UNK <sup>2</sup>	4,500	South Chickamauga Creek	Wet Weather
11	30-Nov-22	5:00 PM	3728 Wilcox Blvd	Manhole	S147B301	UNK <sup>2</sup>	600	Storm Ditch	Wet Weather
12	05-Dec-22	11:15 PM	1015 Riverfront Pkwy (East Bank)	Manhole	S135O547	10.08	701,872	Tennessee River	Construction/Maintenance Related
13	06-Dec-22	1:15 AM	122 Rowland Gap Rd (West Bank)	Main Line	S135O217	4.83	45,688	Tennessee River	Construction/Maintenance Related
14 <sup>1</sup>	06-Dec-22	8:30 AM	5203 Old Mission Rd (Brainerd Golf Course PS)	Manhole	S157K070	9.00	16,650	South Chickamauga Creek	Wet Weather
15	06-Dec-22	8:30 AM	2109 Lynnbrook Ave	Manhole	S156G048	24.22	72,600	Dobbs Branch	Wet Weather

16	06-Dec-22	9:51 AM	3728 Wilcox Blvd	Manhole	S147B301	23.42	35,125	Storm Ditch	Wet Weather
17	06-Dec-22	9:51 AM	1022 Shallowford Rd	Manhole	S147G104	23.52	141,100	Storm Ditch	Wet Weather
18	06-Dec-22	10:15 AM	5010 Creekside Preserve	Other	UNK <sup>2</sup>	23.50	14,100	North Chickamauga Creek	Wet Weather
19 <sup>1</sup>	06-Dec-22	11:32 AM	6695 Hickory Brook Dr	Manhole	S138M082	22.28	24,920	Storm Drain	Wet Weather
20	08-Dec-22	8:20 AM	3713 N Hawthorne St	Other	UNK <sup>2</sup>	2.42	3,625	Storm Drain	Blockage - Trash/Debris
21	08-Dec-22	10:00 AM	5010 Creekside Preserve	Other	UNK <sup>2</sup>	96.50	57,900	North Chickamauga Creek	Wet Weather
22	13-Dec-22	4:11 PM	3564 Lake Vista	Manhole	S119M016	5.23	600	Tennessee River	Blockage - General
23	14-Dec-22	5:45 PM	1015 Riverfront Pkwy (East Bank)	Manhole	S135O547	12.17	735,000	Tennessee River	Pump Station - Mechanical Failure
24	14-Dec-22	6:00 PM	5203 Old Mission Rd (Brainerd Golf Course PS)	Manhole	S157K070	31.33	5,640	South Chickamauga Creek	Wet Weather
25	14-Dec-22	6:40 PM	122 Rowland Gap Rd (West Bank)	Manhole	S135O217	15.75	75,000	Tennessee River	Pump Station - Mechanical Failure
26	14-Dec-22	8:45 PM	4001 N Hawthorne St	Manhole	S128A009	13.05	144,300	South Chickamauga Creek	Wet Weather
27 <sup>1</sup>	14-Dec-22	10:35 PM	601 Lupton Dr	Manhole	S118G055	34.92	195,860	Storm Ditch	Wet Weather
28	15-Dec-22	9:30 AM	900 Terrace Ave	Manhole	S136A133	23.75	106,875	Tennessee River	Wet Weather
29	15-Dec-22	10:00 AM	3857 Birmingham Dr	Manhole	S118D128	23.75	35,625	Tennessee River	Wet Weather
30	15-Dec-22	10:00 AM	1022 Shallowford Rd	Manhole	S147G104	23.70	142,200	Storm Ditch	Wet Weather
31	15-Dec-22	10:15 AM	5010 Creekside Preserve	Other	UNK <sup>2</sup>	50.75	33,495	North Chickamauga Creek	Wet Weather
32	15-Dec-22	10:30 AM	6695 Hickory Brook Dr	Manhole	S138M082	2.25	4,725	Storm Drain	Wet Weather
33	15-Dec-22	10:45 AM	2500 Robin Glen Dr	Manhole	S139P062	2.00	3,120	Storm Ditch	Wet Weather
34	15-Dec-22	11:00 AM	Stratton Place Dr	Manhole	S158M009	1.33	15,200	Mackey Branch	Wet Weather

35 <sup>1</sup>	15-Dec-22	11:00 AM	5441 Longview Dr	Manhole	S100O005	27.75	416,250	Storm Ditch	Wet Weather
36	15-Dec-22	1:00 PM	3728 Wilcox Blvd	Manhole	S147B301	20.58	12,350	Storm Ditch	Wet Weather
37	24-Dec-22	11:15 AM	4600 Gann Store Rd (Big Ridge #2 PS)	Manhole	S119D015	1.15	1,770	Storm Ditch	Power Failure from Power Source
38	27-Dec-22	4:23 PM	7424 Hamilton Run Dr	Manhole	S149A011	31.37	25	Storm Ditch	Blockage - Trash/Debris

<sup>1</sup> Common cause, within 500 yards of separate event.  
<sup>2</sup> This information was not available at time of reporting.  
\* Did not reach waters of the United States

## 3.0 Moccasin Bend EC Bypasses

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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, 2022 through December 31, 2022.

## 4.0 CSO Outfall Discharges

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For the reporting period of October 1, 2022 through December 31, 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**

October 1, 2022 – December 31, 2022						
Start Date	Start Time	Location/Nearest Stream	Duration (hrs)	Volume (MG)	Receiving Water	Cause
11-Nov-22	7:56 AM	Carter St CSO (009)	10.8	5.897566	Tennessee River	Rain Event
11-Nov-22	8:38 AM	19th St CSO (008)	2.28	0.319970	Tennessee River	Rain Event
11-Nov-22	11:20 AM	East Bank CSO (007)	5.33	0.306868	Tennessee River	Rain Event
11-Nov-22	12:08 PM	Central Ave CSO (002)	18.7	2.644708	Chattanooga Creek	Rain Event
12-Nov-22	3:28 AM	Citico CSO (004)	5.54	0.152912	Tennessee River	Rain Event
15-Nov-22	9:52 AM	Carter St CSO (009)	6.17	4.050716	Tennessee River	Rain Event
15-Nov-22	11:18 AM	Citico CSO (004)	26.04	5.581858	Tennessee River	Rain Event
15-Nov-22	12:11 PM	19th St CSO (008)	0.72	0.040315	Tennessee River	Rain Event
15-Nov-22	12:16 PM	Central Ave CSO (002)	28.78	1.833608	Chattanooga Creek	Rain Event
29-Nov-22	8:22 PM	19th St CSO (008)	11.55	3.552735	Tennessee River	Rain Event
29-Nov-22	8:29 PM	Tremont CSO (005)	2.43	0.343466	Tennessee River	Rain Event
29-Nov-22	8:52 PM	Carter St CSO (009)	11.88	11.019496	Tennessee River	Rain Event
29-Nov-22	9:02 PM	East Bank CSO (007)	16.55	2.713092	Tennessee River	Rain Event
29-Nov-22	9:52 PM	Riverfront CSO (006)	7.84	3.324594	Tennessee River	Rain Event
29-Nov-22	9:56 PM	Central Ave CSO (002)	37.3	14.828498	Chattanooga Creek	Rain Event
29-Nov-22	10:18 PM	Citico CSO (004)	57.7	22.338766	Tennessee River	Rain Event
30-Nov-22	3:09 AM	Williams St CSO (003)	17.88	0.969068	Chattanooga Creek	Rain Event
05-Dec-22	5:40 PM	19th St CSO (008)	10.69	2.174600	Tennessee River	Rain Event
05-Dec-22	5:42 PM	Tremont CSO (005)	8.55	0.916486	Tennessee River	Rain Event
05-Dec-22	6:17 PM	Carter St CSO (009)	39.85	32.791856	Tennessee River	Rain Event
05-Dec-22	6:49 PM	Central Ave CSO (002)	20.29	20.799896	Chattanooga Creek	Rain Event
05-Dec-22	6:53 PM	East Bank CSO (007)	54.27	3.370516	Tennessee River	Rain Event
05-Dec-22	7:20 PM	Citico CSO (004)	181.34	44.786852	Tennessee River	Rain Event

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

October 1, 2022 – December 31, 2022						
05-Dec-22	11:24 PM	Riverfront CSO (006)	3.86	4.633196	Tennessee River	Rain Event
06-Dec-22	1:11 AM	Williams St CSO (003)	19.52	1.175039	Chattanooga Creek	Rain Event
06-Dec-22	5:43 PM	19th St CSO (008)	0.07	0.005459	Tennessee River	Rain Event
07-Dec-22	8:31 AM	19th St CSO (008)	0.08	0.011124	Tennessee River	Rain Event
07-Dec-22	2:32 PM	Central Ave CSO (002)	70.29	9.861579	Chattanooga Creek	Rain Event
07-Dec-22	6:56 PM	Tremont CSO (005)	0.97	0.210666	Tennessee River	Rain Event
07-Dec-22	7:14 PM	19th St CSO (008)	1.25	0.234306	Tennessee River	Rain Event
14-Dec-22	2:24 PM	19th St CSO (008)	9.56	2.207616	Tennessee River	Rain Event
14-Dec-22	2:45 PM	Tremont CSO (005)	12.88	1.817613	Tennessee River	Rain Event
14-Dec-22	3:09 PM	Carter St CSO (009)	14.33	13.442669	Tennessee River	Rain Event
14-Dec-22	3:38 PM	East Bank CSO (007)	25.66	2.442867	Tennessee River	Rain Event
14-Dec-22	3:50 PM	Central Ave CSO (002)	19.14	20.522866	Chattanooga Creek	Rain Event
14-Dec-22	4:02 PM	Citico CSO (004)	112.67	41.440686	Tennessee River	Rain Event
14-Dec-22	5:40 PM	Riverfront CSO (006)	7.03	7.140874	Tennessee River	Rain Event
14-Dec-22	11:02 PM	Williams St CSO (003)	39.07	2.417231	Chattanooga Creek	Rain Event
16-Dec-22	11:55 AM	Central Ave CSO (002)	16.53	0.195851	Chattanooga Creek	Rain Event