



City of Chattanooga

Mayor Tim Kelly

April 30, 2024

J.C. Goodwin
Water Enforcement Branch
Enforcement and Compliance Assurance Division
US EPA-Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-8960

Re: *United States of America et. al. v. City of Chattanooga, No. 1:12-cv-00245*
Quarterly Report No. 43 – January 1, 2024 to March 31, 2024

Dear Mr. Goodwin:

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 forty-third 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. John Goodwin
April 30, 2024
Page Two

Please let me know if you have any questions regarding our submittal.

Sincerely,


Mark Heinzer (Apr 26, 2024 11:59 EDT)

Mark Heinzer, P.E.
Administrator, Wastewater Department

Enclosure

cc:

Peter Krzywicki, Chief, Environmental Enforcement Section
Environment and Natural Resources Division, US DOJ
Maryjo Bragan, Branch Chief, Water Enforcement Branch
Enforcement and Compliance Assurance Division, US EPA Region 4
Paul Schwartz, Esq., US EPA
Dane Wilson, Esq., US EPA
Jessica Murphy, Manager, Compliance and Enforcement Unit
Division of Water Resources, TDEC
Angela Oberschmidt, Program Coordinator, Division of Water Resources
Chattanooga Field Office, TDEC
Patrick Parker, TDEC
Sohnia Hong, Office of the Attorney General
Wilson Buntin, Office of the Attorney General
Adam Sowatzka, Esq., McGuireWoods
Mike Marino, P.E., Jacobs Engineering
Xavier Pedeux, PE., Jacobs Engineering
Mark Heinzer, P.E., Administrator – Wastewater Department, City of
Chattanooga



Quarterly Report No. 43

January 1, 2024 – March 31, 2024

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

April 30, 2024

Contents

1.0	Introduction	1
1.1	Purpose	1
1.2	Requirements	1
2.0	SSO Events.....	2
3.0	Moccasin Bend EC Bypasses.....	6
4.0	CSO Outfall Discharges	7

Tables

2-1	Quarterly SSO Report	3
4-1	Quarterly CSO Outfall Discharge Report	6

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. 43 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 January 1, 2024, through March 31, 2024, 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**

January 1, 2024 – March 31, 2024									
SSO ID	Start Date	Start Time	Location	Source	MH ID#	Estimated Duration (hrs)	Estimated Volume (gal)	SSO Destination	Cause
1	02-Jan-24	3:30 PM	455 Moccasin Bend Rd	Other	UNK ¹	0.00	200	Storm Drain	Construction/ Maintenance Related
2 ²	09-Jan-24	8:50 AM	5203 Old Mission Rd (Brainerd Golf Course PS)	Manhole	S157F058	11.58	8,625	Storm Drain	Wet Weather
3	09-Jan-24	9:00 AM	Terrace Ave & Young Ave	Manhole	S136A130	25.50	76,500	Tennessee River	Wet Weather
4	09-Jan-24	9:00 AM	E 17th St	Manhole	S156B045	24.58	1,475	Storm Drain	Wet Weather
5 ²	09-Jan-24	9:03 AM	1820 E 23rd St	Manhole	S156G049	24.30	289,650	Dobbs Branch	Wet Weather
6	09-Jan-24	9:17 AM	2001 S Kelley St	Manhole	S156G030	24.30	36,450	Dobbs Branch	Wet Weather
7 ²	09-Jan-24	9:30 AM	640 Lupton Dr	Manhole	S118G087	25.00	225,000	Storm Ditch	Wet Weather
8	09-Jan-24	9:30 AM	1022 Shallowford Rd	Manhole	S147G104	24.27	218,400	South Chickamauga Creek	Wet Weather
9	09-Jan-24	9:45 AM	3728 Wilcox Blvd	Manhole	S147B301	24.08	35,875	Storm Ditch	Wet Weather
10	09-Jan-24	10:09 AM	1900 E 25th Street Place	Manhole	S156J057	23.43	2,940	Storm Drain	Wet Weather
11	09-Jan-24	10:15 AM	3828 Birmingham Dr	Manhole	S118E077	24.50	147,000	Tennessee River	Wet Weather
12	09-Jan-24	10:27 AM	3605 Monte Vista Dr	Manhole	S157H050	23.28	69,850	Storm Drain	Wet Weather
13 ²	09-Jan-24	10:30 AM	6695 Hickory Brook Dr	Manhole	S138M082	23.78	107,025	Storm Drain	Wet Weather
14	09-Jan-24	10:30 AM	1610 Elm St	Manhole	S118E055	24.25	36,375	Tennessee River	Wet Weather
15	09-Jan-24	10:38 AM	0 Aim Way	Manhole	S157H046	23.20	139,200	Storm Drain	Wet Weather

January 1, 2024 – March 31, 2024									
SSO ID	Start Date	Start Time	Location	Source	MH ID#	Estimated Duration (hrs)	Estimated Volume (gal)	SSO Destination	Cause
16	09-Jan-24	10:43 AM	6800 Robin Dr	Manhole	S138L005	23.70	142,200	Storm Drain	Wet Weather
17	09-Jan-24	10:44 AM	3850 Brainerd Rd	Manhole	S157H604	23.10	34,650	Storm Drain	Wet Weather
18	09-Jan-24	11:00 AM	1266 Village Green Dr	Other	UNK ¹	28.25	1,275	Storm Ditch	Wet Weather
19	09-Jan-24	11:10 AM	Old Mission Rd	Manhole	S157K056	22.77	137,600	Storm Drain	Wet Weather
20	09-Jan-24	12:00 PM	1722 Strawberry Ln	Manhole	S110I450	23.00	69,000	Storm Drain	Wet Weather
21 ²	09-Jan-24	12:00 PM	7724 Old Lee Hwy	Manhole	S139D002	22.50	540,000	Storm Ditch	Wet Weather
22 ²	09-Jan-24	12:15 PM	2914 Hamill Rd	Manhole	S110F014	45.00	468,000	North Chickamauga Creek	Wet Weather
23	09-Jan-24	1:00 PM	5598 Grubb Rd	Manhole	S110J023	23.50	70,500	Storm Ditch	Wet Weather
24 ²	09-Jan-24	1:00 PM	3874 Hixson Pike	Main Line	UNK ¹	22.00	36,000	Storm Drain	Blockage - General
25	09-Jan-24	1:15 PM	Cherokee Blvd & Spears Ave	Manhole	S135F009	0.52	775	Storm Drain	Blockage - Grease
26	09-Jan-24	4:11 PM	2757 Folts Dr	Service Line	UNK ¹	4.82	100	Storm Drain	Blockage - Trash/ Debris
27	11-Jan-24	11:15 AM	5409 Old Hixson Pike (Hixson #2 PS)	Manhole	S100J052	0.08	75	Land*	Pump Station - Mechanical Failure
28	14-Jan-24	12:15 PM	38th St and Hughes Ave	Manhole	S155N071	5.25	630	Storm Drain	Pump Station - Mechanical Failure
29 ²	25-Jan-24	8:15 PM	601 Lupton Dr	Manhole	S118G055	15.00	46,020	Storm Ditch	Wet Weather
30	28-Jan-24	3:05 PM	3910 Juandale Trail (Friars Branch PS)	Manhole	S137N041	0.25	1,500	South Chickamauga Creek	Power Failure from Power Source

January 1, 2024 – March 31, 2024									
SSO ID	Start Date	Start Time	Location	Source	MH ID#	Estimated Duration (hrs)	Estimated Volume (gal)	SSO Destination	Cause
31	30-Jan-24	12:00 PM	4417 Norcross Rd	Service Line	UNK ¹	2.00	25	Structure*	Blockage - Gravel
32 ²	06-Feb-24	1:51 PM	455 Moccasin Bend Rd	Manhole	S135P254	0.15	300	Storm Drain	Construction/Maintenance Related
33 ²	11-Feb-24	11:00 AM	6843 Robin Dr	Manhole	S138M061	49.00	147,000	Storm Drain	Blockage - General
34	13-Feb-24	8:30 AM	1022 Shallowford Rd	Manhole	S147G104	24.00	72,000	South Chickamauga Creek	Wet Weather
35	27-Feb-24	9:50 AM	3311 Haywood Ave	Service Line	UNK ¹	0.17	5	Structure*	Construction/Maintenance Related
36	05-Mar-24	10:30 AM	1911 E Main St	Service Line	UNK ¹	0.25	25	Structure*	Construction/Maintenance Related
37	11-Mar-24	11:30 AM	1063 Shallowford Rd	Main Line	UNK ¹	1.75	1,050	Storm Ditch	Blockage - Roots
38	15-Mar-24	9:30 AM	2109 Lynbrook Ave	Manhole	S156G048	4.00	6,000	Dobbs Branch	Wet Weather
39	15-Mar-24	11:00 AM	1022 Shallowford Rd	Manhole	S147G104	2.75	16,500	South Chickamauga Creek	Wet Weather
40 ²	26-Mar-24	1:28 PM	1015 Riverfront Pkwy (East Bank)	East Bank	S135O547	0.45	25,500	Tennessee River	Wet Weather
41	26-Mar-24	1:45 PM	5409 Old Hixson Pike (Hixson #2 PS)	Manhole	S100J051	2.08	1,875	Storm Ditch	Wet Weather
42	26-Mar-24	7:00 PM	4602 Gann Store Rd (Big Ridge #2)	Manhole	S119D017	0.25	2,250	Storm Ditch	Power Failure from Power Source

¹ This information was not available at time of reporting.

² Common cause, within 500 yards of separate event.

* 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 January 1, 2024 through March 31, 2024.

4.0 CSO Outfall Discharges

For the reporting period of January 1, 2024 through March 31, 2024, 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, seven (7) of which discharged during the reporting period.

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

January 1, 2024 – March 31, 2024						
Start Date	Start Time	Location/Nearest Stream	Duration (hrs)	Volume (MG)	Receiving Water	Cause
09-Jan-24	1:54 AM	Tremont CSO (005)	13.7	2.290270	Tennessee River	Rain Event
09-Jan-24	4:22 AM	Central Ave CSO (002)	193.6	66.699949	Chattanooga Creek	Rain Event
09-Jan-24	4:42 AM	19th St CSO (008)	10.1	10.200994	Tennessee River	Rain Event
09-Jan-24	5:10 AM	East Bank (Formerly known as "MLK") CSO (007)	6.4	7.702894	Tennessee River	Rain Event
09-Jan-24	5:34 AM	Riverfront (Formerly known as "Ross's Landing") CSO (006)	9.8	1.940872	Tennessee River	Rain Event
09-Jan-24	6:44 AM	Citico CSO (004)	73.7	35.829684	Tennessee River	Rain Event
09-Jan-24	7:00 AM	Williams St CSO (003)	10	2.087885	Chattanooga Creek	Rain Event
24-Jan-24	6:20 PM	Tremont CSO (005)	20	0.873704	Tennessee River	Rain Event
25-Jan-24	1:08 AM	19th St CSO (008)	18.7	3.466054	Tennessee River	Rain Event
25-Jan-24	1:52 AM	Central Ave CSO (002)	105	23.462698	Chattanooga Creek	Rain Event
25-Jan-24	3:42 PM	East Bank (Formerly known as "MLK") CSO (007)	0.3	0.163096	Tennessee River	Rain Event
27-Jan-24	10:06 AM	19th St CSO (008)	11.3	6.489812	Tennessee River	Rain Event
28-Jan-24	12:28 AM	Citico CSO (004)	12.2	4.958808	Tennessee River	Rain Event
11-Feb-24	3:02 AM	Tremont CSO (005)	40.9	0.736436	Tennessee River	Rain Event

Table 4-1
Quarterly CSO Outfall Discharge Report

January 1, 2024 – March 31, 2024						
Start Date	Start Time	Location/Nearest Stream	Duration (hrs)	Volume (MG)	Receiving Water	Cause
11-Feb-24	4:22 AM	19th St CSO (008)	4.5	3.216190	Tennessee River	Rain Event
11-Feb-24	5:24 AM	Central Ave CSO (002)	56.7	15.345340	Chattanooga Creek	Rain Event
12-Feb-24	1:36 PM	19th St CSO (008)	9.8	3.471070	Tennessee River	Rain Event
12-Feb-24	3:40 PM	Citico CSO (004)	65.3	22.615044	Tennessee River	Rain Event
06-Mar-24	3:30 AM	Tremont CSO (005)	6	0.294146	Tennessee River	Rain Event
06-Mar-24	4:38 AM	Central Ave CSO (002)	54.2	7.784548	Chattanooga Creek	Rain Event
15-Mar-24	7:30 AM	Tremont CSO (005)	2.5	0.735046	Tennessee River	Rain Event
15-Mar-24	10:00 AM	Central Ave CSO (002)	72.2	8.573982	Chattanooga Creek	Rain Event
26-Mar-24	9:06 AM	19th St CSO (008)	7.2	4.887192	Tennessee River	Rain Event
26-Mar-24	12:08 PM	East Bank (Formerly known as "MLK") CSO (007)	25.7	1.157512	Tennessee River	Rain Event
26-Mar-24	1:24 PM	Tremont CSO (005)	1.9	0.167144	Tennessee River	Rain Event
26-Mar-24	3:30 PM	Williams St CSO (003)	22.2	0.455116	Chattanooga Creek	Rain Event
26-Mar-24	4:50 PM	Citico CSO (004)	41.8	1.157214	Tennessee River	Rain Event