

REC'D FEB 23 2006

AGREEMENT

This Agreement is made between the Tennessee Department of Environment and Conservation (Department) and the City of Chattanooga, Department of Public Works. The City operates and maintains a publicly owned treatment works and desires that the Department grant certification, under the amendment to Section 68-221-102 of the Tennessee Code Annotated, to review and approve local sewerage collection system projects for construction.

The Department hereby grants the City, in accordance with the Tennessee Code Annotated Section 68-221-102, authority to approve wastewater plans with the conditions and exceptions set out in the Agreement.

1. The standards and requirements adopted by the City shall be used to review all wastewater construction projects included in this certification. Those standards and requirements shall be at least as stringent as the standards in the Department's "Design Criteria for Sewage Works". In the event of a disagreement between the parties, the Department's interpretation of the "Design Criteria for Sewage Works" shall prevail.
2. Plans for any of the following projects must still be submitted to the Department for approval prior to the initiation of construction:
 - a. All treatment plants, including individual units and processes, as well as the main lift station;
 - b. All design and/or construction projects funded by State and/or federal loans, grants, etc.;
 - c. All plans developed by the staff of the City;
 - d. All sludge handling facilities;
 - e. All collection lines greater than 10 inches in diameter, and;
 - f. All wastewater lift stations greater than 300 gallons per minute.
3. All wastewater plans approved by the City shall be stamped on every sheet certifying that approval has been granted in accordance with the Department's established design criteria. The design shall incorporate the appropriate provisions of the Tennessee "Erosion and Sediment Control Handbook" and all necessary aquatic resource alteration permits (ARAPs) shall be obtained from the Division of Water Pollution Control prior to approval of the plans and specifications.
4. One copy of all wastewater plans and specifications approved by the City shall be forwarded to the Department within ten (10) working days of such approval.
5. The City agrees that the Department retains the right of access to all projects, and a copy of the approved plans shall be available at the construction site for inspection.
6. The City agrees that approval of construction plans and specifications will not be granted without the approval of an engineer registered to practice in the State of Tennessee and employed by the City.
7. The Department may, upon request, periodically evaluate the quality of the plans review program operated by the City.
8. The City agrees to promptly pay the \$1,000 annual fee upon receipt of each invoice from the Division of Water Pollution Control.
9. The City agrees to not approve any wastewater collection project which is likely to cause an overflow at any point in the collection system, or to exceed the capacity of any downstream lift station or to cause bypassing at the wastewater treatment plant.

10. The City agrees to furnish the Department certified copies of any changes to locally imposed standards or the legal authority.
11. The City agrees that failure to comply with the above requirements or to maintain an acceptable program will result in revocation of certification authority granted under this Agreement.

THE CITY OF CHATTANOOGA, DEPARTMENT OF PUBLIC WORKS

BY: William C. McDonald DATE 11/5/04
William C. McDonald
Administrator, Department of Public Works

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION

BY: Paul E. Davis DATE 11/23/04
Paul E. Davis, P.E.
Director, Division of Water Pollution Control