



City of Chattanooga

Mayor Tim Kelly

July 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. 36 – April 1, 2022 to June 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-sixth 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
July 31, 2022
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Please let me know if you have any questions regarding our submittal.

Sincerely,

Mark Heinzer

[Mark Heinzer \(Jul 20, 2022 10:04 EDT\)](#)

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
Brandi Prewitt, TN Clean Water Network
Adam Sowatzka, Esq., King & Spalding
Mike Marino, P.E., Jacobs Engineering



Quarterly Report No. 36

April 1, 2022 – June 30, 2022

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

July 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. 36 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 April 1, 2022 through June 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**

SSO ID	Start Date	Start Time	Location	Source	MH ID#	Estimated Duration (hrs)	Estimated Volume (gal)	SSO Destination	Cause
1	22-Apr-22	9:15 AM	1401 Arlington Ave	Manhole	S136M052	1.00	600	Storm Ditch	Blockage - Roots
2	22-Apr-22	12:50 PM	Mill Rd (TWRA)	Manhole	S091O075	48.17	792,500	North Chickamauga Creek	Defect(s)
3	27-Apr-22	2:50 PM	1266 Village Green Dr	Manhole	S082P007	2.08	170	Storm Ditch	Blockage - Trash/Debris
4	03-May-22	7:15 AM	1110 Lower Mill Road (off)	Manhole	S091O075	0.25	12,000	North Chickamauga Creek	Pump Station - Mechanical Failure
5	13-May-22	11:30 AM	4350 Bellview Ave	Manhole	S129I788	1.50	1,200	Storm Ditch	Blockage - Gravel
6	15-May-22	12:00 PM	455 Moccasin Bend Rd	Manhole	S135P277	1.00	300	Storm Drain	Pump Station - Mechanical Failure
7	19-May-22	3:30 PM	4500 Delashmitt Rd	Manhole	S109F042	2.50	2,250	Storm Ditch	Blockage - General
8	19-Jun-22	10:18 PM	8575 Petty Road	Manhole	S150K002	2.20	300	Storm Drain	Blockage - General
9	30-Jun-22	12:30 PM	3000 E 34th St	Main Line	N/A	122.50	180,000	Storm Ditch	Break

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 April 1, 2022 through June 30, 2022.

4.0 CSO Outfall Discharges

For the reporting period of April 1, 2022 through June 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, six (6) of which discharged during the reporting period.

Table 4-1
Quarterly CSO Outfall Discharge Report

April 1, 2022 – June 30, 2022						
Start Date	Start Time	Location/Nearest Stream	Duration (hrs)	Volume (MG)	Receiving Water	Cause
06-Apr-22	6:49 PM	Central Ave CSO (002)	20.3	0.755366	Chattanooga Creek	Rain Event
14-Apr-22	2:17 AM	Tremont CSO (005)	0.8	0.107156	Tennessee River	Rain Event
14-Apr-22	2:55 AM	Carter St CSO (009)	2.98	1.875539	Tennessee River	Rain Event
14-Apr-22	3:12 AM	19th St CSO (008)	0.75	0.043807	Tennessee River	Rain Event
14-Apr-22	3:43 AM	ML King CSO (007)	3.13	0.051585	Tennessee River	Rain Event
14-Apr-22	9:32 AM	Central Ave CSO (002)	3.2	0.008705	Chattanooga Creek	Rain Event
16-Apr-22	2:51 AM	19th St CSO (008)	3.37	1.488373	Tennessee River	Rain Event
16-Apr-22	3:47 AM	ML King CSO (007)	7.25	0.825497	Tennessee River	Rain Event
16-Apr-22	4:25 AM	Tremont CSO (005)	1.35	0.276018	Tennessee River	Rain Event
16-Apr-22	4:26 AM	Central Ave CSO (002)	14.98	2.130498	Chattanooga Creek	Rain Event
16-Apr-22	4:31 AM	Carter St CSO (009)	3.7	2.855508	Tennessee River	Rain Event
15-May-22	1:19 AM	Tremont CSO (005)	0.3	0.021742	Tennessee River	Rain Event
15-May-22	2:42 AM	Citico CSO (004)	0.67	0.773876	Tennessee River	Rain Event
23-May-22	12:35 PM	ML King CSO (007)	2.88	0.137444	Tennessee River	Rain Event
23-May-22	1:27 PM	Carter St CSO (009)	1.85	0.807074	Tennessee River	Rain Event
24-May-22	10:12 PM	19th St CSO (008)	1.07	0.036277	Tennessee River	Rain Event
24-May-22	10:29 PM	ML King CSO (007)	1.13	0.057452	Tennessee River	Rain Event
24-May-22	10:57 PM	Carter St CSO (009)	2.28	1.412232	Tennessee River	Rain Event
08-Jun-22	11:15 PM	19th St CSO (008)	0.47	0.034604	Tennessee River	Rain Event
08-Jun-22	11:27 PM	ML King CSO (007)	2.85	0.123200	Tennessee River	Rain Event