



# City of Chattanooga

Mayor Tim Kelly

July 31, 2023

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. 40 – April 1, 2023 to June 30, 2023**

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 fortieth 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  
July 31, 2023  
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Please let me know if you have any questions regarding our submittal.

Sincerely,

  
Mark Heinzer (Jul 29, 2023 12:28 EDT)

Mark Heinzer, P.E.  
Administrator, Wastewater Department

Enclosure

cc:

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Chattanooga



# Quarterly Report No. 40

**April 1, 2023 – June 30, 2023**

*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

July 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. 40 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 April 1, 2023, through June 30, 2023, 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**

April 1, 2023 – June 30, 2023									
SSO ID	Start Date	Start Time	Location	Source	MH ID#	Estimated Duration (hrs)	Estimated Volume (gal)	SSO Destination	Cause
1	01-Apr-23	5:19 PM	5409 Old Hixson Pike (Hixson #2 PS)	Manhole	S100J051	1.35	20,250	Storm Ditch	Power Failure from Power Source
2	11-Apr-23	3:10 PM	4251 Bonny Oaks Dr	Manhole	S128K016	1.63	269	Storm Drain	Blockage - Trash/Debris
3	24-Apr-23	11:30 AM	4064 Hollar Trl	Manhole	S168J012	3.50	210	Storm Ditch	Blockage - Trash/Debris
4	30-Apr-23	12:00 PM	84 N Crest Rd	Manhole	S146L082	2.00	600	Land*	Blockage - Trash/Debris
5	08-May-23	8:45 AM	3910 Juandale Trl (Friars Branch PS)	Manhole	S137N004	4.55	75,075	South Chickamauga Creek	Wet Weather
6 <sup>1</sup>	11-May-23	6:00 PM	1831 Hickory Valley Rd	Manhole	S148N036	3.30	198	Storm Ditch	Blockage - Trash/Debris
7	12-May-23	3:30 PM	7601 East Brainerd Road	Manhole	S158L017	2.00	3,125	Storm Ditch	Blockage - Grease
8	13-May-23	9:15 PM	3816 Fagan St	Manhole	S167D046	1.58	2,750	Land*	Blockage - Trash/Debris
9	18-May-23	10:30 AM	3424 Crompton St.	Manhole	S118K065	UNK <sup>2</sup>	100	Storm Ditch	Wet Weather
10	20-Jun-23	2:00 PM	200 N Holly St	Main Line	UNK <sup>2</sup>	19.00	2,280	Storm Drain	Break
11 <sup>1</sup>	22-Jun-23	4:15 PM	6695 Hickory Brook Dr	Manhole	S138M082	UNK <sup>2</sup>	175	Storm Drain	Wet Weather

<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 April 1, 2023 through June 30, 2023.

## 4.0 CSO Outfall Discharges

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For the reporting period of April 1, 2023 through June 30, 2023, 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**

April 1, 2023 – June 30, 2023						
Start Date	Start Time	Location/Nearest Stream	Duration (hrs)	Volume (MG)	Receiving Water	Cause
08-Apr-23	1:00 AM	Tremont CSO (005)	0.37	0.039063	Tennessee River	Rain Event
08-Apr-23	4:37 PM	Central Ave CSO (002)	9.54	0.418611	Chattanooga Creek	Rain Event
27-Apr-23	2:04 PM	Carter St CSO (009)	1.9	1.163231	Tennessee River	Rain Event
27-Apr-23	6:02 PM	Central Ave CSO (002)	22.73	0.553357	Chattanooga Creek	Rain Event
07-May-23	10:34 PM	Tremont CSO (005)	2	0.216401	Tennessee River	Rain Event
08-May-23	1:12 AM	Carter St CSO (009)	7.42	4.726318	Tennessee River	Rain Event
08-May-23	1:44 AM	East Bank (formerly known as "MLK") CSO (007)	10.57	0.604400	Tennessee River	Rain Event
08-May-23	4:11 AM	19th St CSO (008)	2	0.392170	Tennessee River	Rain Event
08-May-23	5:24 AM	Central Ave CSO (002)	15.83	2.635256	Chattanooga Creek	Rain Event
21-June-23	10:33 AM	Central Ave CSO (002)	58.70	14.308559	Chattanooga Creek	Rain Event
22-June-23	7:14 AM	Riverfront (formerly known as "Ross's Landing") CSO (006)	2.30	4.795198	Tennessee River	Rain Event
22-June-23	7:26 AM	Tremont CSO (005)	29.47	0.610402	Tennessee River	Rain Event
22-June-23	7:31 AM	Carter St CSO (009)	6.63	6.783307	Tennessee River	Rain Event
22-June-23	7:40 AM	19th St CSO (008)	1.57	0.732641	Tennessee River	Rain Event
22-June-23	8:42 AM	Williams St CSO (003)	37.50	0.550946	Chattanooga Creek	Rain Event
25-June-23	4:31 PM	Tremont CSO (005)	0.48	0.263496	Tennessee River	Rain Event
25-June-23	4:40 PM	Citico CSO (004)	1.03	1.184212	Tennessee River	Rain Event
25-June-23	4:42 PM	Central Ave CSO (002)	18.26	3.892907	Chattanooga Creek	Rain Event
25-June-23	4:45 PM	Williams St CSO (003)	14.73	0.264323	Chattanooga Creek	Rain Event
30-June-23	11:54 AM	Tremont CSO (005)	1.10	0.131216	Tennessee River	Rain Event