



# City of Chattanooga

Mayor Tim Kelly

April 30, 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. 39 – January 1, 2023 to March 31, 2023**

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-ninth 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  
April 30, 2023  
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Please let me know if you have any questions regarding our submittal.

Sincerely,



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

Enclosure

cc: Karl Fingerhood, Esq., US DOJ  
Chief, Environmental Enforcement Section, US DOJ  
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Paul Schwartz, Esq., US EPA  
Sohnia Hong, Office of the Attorney General  
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# Quarterly Report No. 39

**January 1, 2023 – March 31, 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

April 30, 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. 39 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 January 1, 2023, through March 31, 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**

January 1, 2023 – March 31, 2023									
SSO ID	Start Date	Start Time	Location	Source	MH ID#	Estimated Duration (hrs)	Estimated Volume (gal)	SSO Destination	Cause
1	03-Jan-23	11:16 AM	733 Noah Reid Rd	Manhole	S138F019	23.37	70,100	Friars Branch	Blockage - Grease
2	03-Jan-23	12:38 PM	211 Barbara Ln	Other	UNK <sup>2</sup>	0.00	200	Structure*	Construction/Maintenance Related
3	04-Jan-23	10:45 AM	2500 Robin Glen Dr	Manhole	S139P062	21.75	1,305	Storm Ditch	Wet Weather
4	04-Jan-23	12:10 PM	101 Hixson Marina Rd (BR 14 PS)	Manhole	S101K001	1.33	350	Unnamed Tributary	Pump Station - Mechanical Failure
5	09-Jan-23	12:15 PM	1188 Pineville Rd	Manhole	S126G307	1.00	6,000	Storm Ditch	Blockage - Trash/Debris
6	17-Jan-23	12:00 AM	1100 Talley Rd	Other	UNK <sup>2</sup>	0.25	200	Structure*	Construction/Maintenance Related
7	19-Jan-23	4:49 PM	929 Riverside Dr (Citico PS)	Manhole	S136P008	0.05	750	Tennessee River	Pump Station - Electrical Failure
8	24-Jan-23	11:00 AM	5230 Hwy 153	Manhole	S110I092	0.50	25	Storm Drain	Blockage - Gravel
9 <sup>1</sup>	25-Jan-23	2:09 PM	3827 North Terrace	Manhole	S157I047	3.85	69,300	Storm Drain	Blockage - Gravel
10	13-Feb-23	3:10 PM	5751 Brainerd Rd	Manhole	S157L034	2.38	25	Storm Drain	Blockage - Grease
11	17-Feb-23	7:45 AM	Dixie Dr	Manhole	UNK <sup>2</sup>	0.75	3,375	Tennessee River	Pump Station - Mechanical Failure
12	17-Feb-23	8:55 AM	2500 Robin Glen Dr	Manhole	S139P062	6.58	790	Storm Ditch	Wet Weather
13 <sup>1</sup>	17-Feb-23	9:25 AM	1341 Florida St	Manhole	S158B037	1.27	2,310	Storm Ditch	Wet Weather
14	17-Feb-23	10:41 AM	1022 Shallowford Rd.	Manhole	S147G104	3.23	970	Storm Ditch	Wet Weather
15	17-Feb-23	10:45 AM	5010 Creekside Preserve	Other	UNK <sup>2</sup>	UNK <sup>2</sup>	25	North Chickamauga Creek	Wet Weather

January 1, 2023 – March 31, 2023									
SSO ID	Start Date	Start Time	Location	Source	MH ID#	Estimated Duration (hrs)	Estimated Volume (gal)	SSO Destination	Cause
16	17-Feb-23	11:53 AM	3728 Wilcox Blvd	Manhole	S147B301	2.20	132	Storm Ditch	Wet Weather
17	17-Feb-23	1:45 PM	7724 Old Lee Hwy	Manhole	S139D002	22.25	138,000	Storm Ditch	Wet Weather
18	01-Mar-23	9:00 AM	5300 Pinelawn Ave	Manhole	S157K071	6.00	39,000	Storm Ditch	Blockage - Grease
19	02-Mar-23	9:30 AM	5300 Pinelawn Ave	Manhole	S157K071	75.00	450,000	Storm Ditch	Wet Weather
20	02-Mar-23	10:45 AM	2500 Robin Glen Dr	Manhole	S139P062	5.25	315	Storm Ditch	Wet Weather
21	02-Mar-23	11:10 AM	7724 Old Lee Hwy	Manhole	S139D002	4.33	55,000	Storm Ditch	Wet Weather
22	03-Mar-23	3:00 PM	4600 Gann Store Rd (Big Ridge #2 PS)	Manhole	S119D016	1.00	9,000	Storm Ditch	Power Failure from Power Source
23	06-Mar-23	1:00 PM	3176 Enclave Bay Dr	Manhole	S127C001	UNK <sup>2</sup>	400	Tennessee River	Wet Weather
24	20-Mar-23	4:00 PM	3430 Alta Vista Dr	Manhole	S157A020	1.50	100	Storm Ditch	Break
25	22-Mar-23	7:15 PM	5203 Old Mission Rd (Brainerd Golf Course PS)	Manhole	S157K070	6.50	405	South Chickamauga Creek	Wet Weather
26	23-Mar-23	9:00 AM	Dell Trl	Main Line	UNK <sup>2</sup>	5.00	75	Storm Ditch	Wet Weather
27	23-Mar-23	10:05 AM	3728 Wilcox Blvd	Manhole	S147B301	UNK <sup>2</sup>	50	Storm Ditch	Wet Weather
28	25-Mar-23	4:00 AM	5409 Old Hixson Pike (Hixson #2 PS)	Manhole	S100J051	6.17	101,750	Storm Ditch	Power Failure from Power Source
29	25-Mar-23	4:47 AM	4790 Gann Store Rd (Big Ridge #1)	Manhole	S110M041	2.22	5,790	Storm Ditch	Power Failure from Power Source
30	25-Mar-23	8:55 AM	3001 Hamill Rd	Manhole	S110D010	3.58	215	Storm Ditch	Wet Weather

January 1, 2023 – March 31, 2023									
SSO ID	Start Date	Start Time	Location	Source	MH ID#	Estimated Duration (hrs)	Estimated Volume (gal)	SSO Destination	Cause
31	25-Mar-23	11:00 AM	5203 Old Mission Rd (Brainerd Golf Course PS)	Manhole	S157K070	22.78	1,367	South Chickamauga Creek	Wet Weather
32 <sup>1</sup>	31-Mar-23	3:00 PM	8395 Hickory Valley Road	Manhole	S129L049	478.25	2,916,000	Poe Branch	Defect(s)

<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 January 1, 2023 through March 31, 2023.

## 4.0 CSO Outfall Discharges

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For the reporting period of January 1, 2023 through March 31, 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, seven (7) of which discharged during the reporting period.

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

January 1, 2023 – March 31, 2023						
Start Date	Start Time	Location/Nearest Stream	Duration (hrs)	Volume (MG)	Receiving Water	Cause
03-Jan-23	4:55 PM	East Bank (formerly known as "MLK") CSO (007)	18.83	1.290594	Tennessee River	Rain Event
03-Jan-23	5:12 PM	Carter St CSO (009)	9.75	10.484997	Tennessee River	Rain Event
04-Jan-23	1:44 AM	19th St CSO (008)	3.42	0.560601	Tennessee River	Rain Event
04-Jan-23	1:55 AM	Tremont CSO (005)	1.27	0.202201	Tennessee River	Rain Event
04-Jan-23	2:37 AM	Central Ave CSO (002)	19.48	6.807919	Chattanooga Creek	Rain Event
04-Jan-23	3:22 AM	Citico CSO (004)	53	16.487459	Tennessee River	Rain Event
25-Jan-23	4:10 AM	Tremont CSO (005)	1.9	0.250763	Tennessee River	Rain Event
25-Jan-23	5:03 AM	Carter St CSO (009)	3.83	5.501461	Tennessee River	Rain Event
25-Jan-23	5:13 AM	19th St CSO (008)	2.12	0.588520	Tennessee River	Rain Event
25-Jan-23	5:50 AM	East Bank (formerly known as "MLK") CSO (007)	11.32	0.355279	Tennessee River	Rain Event
25-Jan-23	6:44 AM	Central Ave CSO (002)	12.08	2.523669	Chattanooga Creek	Rain Event
02-Feb-23	5:31 PM	Central Ave CSO (002)	22.25	1.367215	Chattanooga Creek	Rain Event
02-Feb-23	8:02 PM	Citico CSO (004)	15.27	6.398320	Tennessee River	Rain Event
02-Feb-23	9:24 PM	Carter St CSO (009)	0.47	0.084329	Tennessee River	Rain Event
16-Feb-23	9:58 PM	Tremont CSO (005)	4.7	0.722481	Tennessee River	Rain Event
16-Feb-23	10:16 PM	East Bank (formerly known as "MLK") CSO (007)	15.78	1.172770	Tennessee River	Rain Event
16-Feb-23	10:43 PM	19th St CSO (008)	4.28	0.645808	Tennessee River	Rain Event
16-Feb-23	10:47 PM	Carter St CSO (009)	9.49	7.382721	Tennessee River	Rain Event
17-Feb-23	12:02 AM	Riverfront CSO (006)	1.17	0.910924	Tennessee River	Rain Event
17-Feb-23	12:32 AM	Central Ave CSO (002)	19.03	6.645127	Chattanooga Creek	Rain Event
17-Feb-23	12:12 PM	Citico CSO (004)	45.23	0.681646	Tennessee River	Rain Event
02-Mar-23	2:35 AM	Tremont CSO (005)	1.62	0.184752	Tennessee River	Rain Event

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

January 1, 2023 – March 31, 2023						
Start Date	Start Time	Location/Nearest Stream	Duration (hrs)	Volume (MG)	Receiving Water	Cause
02-Mar-23	2:57 AM	East Bank (formerly known as "MLK") CSO (007)	24.11	0.856817	Tennessee River	Rain Event
02-Mar-23	2:58 AM	19th St CSO (008)	2.18	0.287852	Tennessee River	Rain Event
02-Mar-23	2:58 AM	Carter St CSO (009)	8.25	5.361195	Tennessee River	Rain Event
02-Mar-23	4:39 AM	Central Ave CSO (002)	69.13	10.764997	Chattanooga Creek	Rain Event
02-Mar-23	12:34 PM	Citico CSO (004)	29.1	7.985082	Tennessee River	Rain Event
03-Mar-23	2:28 PM	Tremont CSO (005)	0.37	0.085540	Tennessee River	Rain Event
03-Mar-23	3:04 PM	19th St CSO (008)	0.37	0.027821	Tennessee River	Rain Event
03-Mar-23	3:37 PM	Carter St CSO (009)	8.9	5.186751	Tennessee River	Rain Event
12-Mar-23	4:20 AM	Tremont CSO (005)	2.17	0.317690	Tennessee River	Rain Event
12-Mar-23	4:32 AM	19th St CSO (008)	2.55	0.802029	Tennessee River	Rain Event
12-Mar-23	4:37 AM	Carter St CSO (009)	4.27	3.626325	Tennessee River	Rain Event
12-Mar-23	4:43 AM	East Bank (formerly known as "MLK") CSO (007)	9.48	0.604184	Tennessee River	Rain Event
12-Mar-23	5:55 AM	Central Ave CSO (002)	46.65	4.035118	Chattanooga Creek	Rain Event
22-Mar-23	2:46 PM	Tremont CSO (005)	0.98	0.045966	Tennessee River	Rain Event
22-Mar-23	4:37 PM	Carter St CSO (009)	3.43	1.544941	Tennessee River	Rain Event
22-Mar-23	8:07 PM	19th St CSO (008)	0.22	0.088369	Tennessee River	Rain Event
25-Mar-23	3:13 AM	Tremont CSO (005)	1.13	0.081115	Tennessee River	Rain Event
25-Mar-23	4:23 AM	19th St CSO (008)	0.47	0.078793	Tennessee River	Rain Event
25-Mar-23	5:07 AM	Carter St CSO (009)	2.15	1.568176	Tennessee River	Rain Event
25-Mar-23	10:57 AM	Central Ave CSO (002)	11.51	0.093697	Chattanooga Creek	Rain Event
25-Mar-23	11:31 AM	East Bank (formerly known as "MLK") CSO (007)	3.27	0.020798	Tennessee River	Rain Event