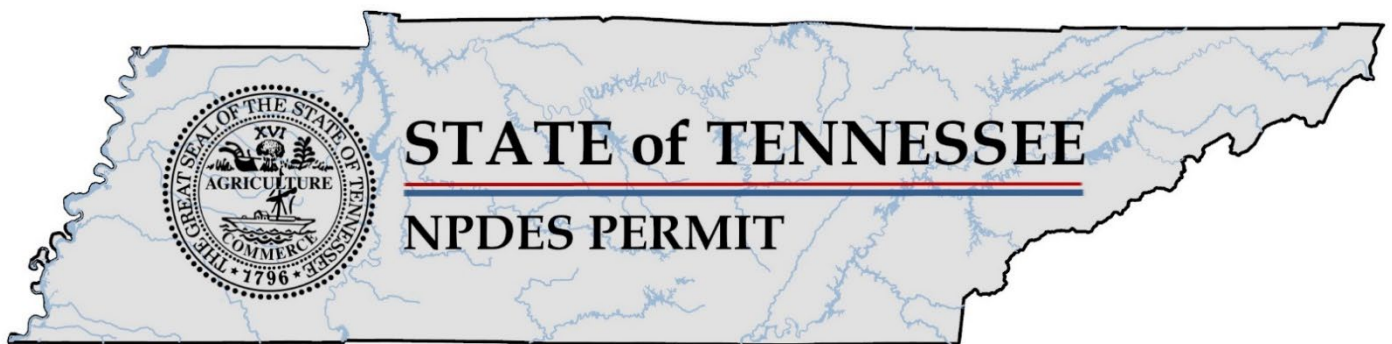




National Pollutant Discharge Elimination System (NPDES)

**General Permit for Discharges of Stormwater
Associated with Construction Activities**

Permit Number TNR100000

Issued by
**Department of Environment and Conservation
Division of Water Resources
Davy Crockett Tower, 9th Floor
500 James Robertson Parkway
Nashville, Tennessee 37243**

Under authority of the Tennessee Water Quality Control Act of 1977 (Tenn. Code Ann. 69-3-101) and the authorization by the United States Environmental Protection Agency under the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1972 (33 U.S.C. 1251-1387) and the Water Quality Act of 1987, P.L. 100-4, including special requirements as provided in Part 6 of this general permit, operators of point source discharges of stormwater associated with construction activities into waters of the State of Tennessee, are authorized to discharge stormwater associated with construction activities in accordance with the following permit monitoring and reporting requirements, effluent limitations, and other provisions as set forth in Parts 1 through 10 herein, from the subject outfalls to waters of the State of Tennessee.

This permit is issued on: **September 10, 2026**

This permit is effective on: **October 1, 2026**

This permit expires on: **September 30, 2031**

A handwritten signature in blue ink, appearing to read "April Grippo", is written over a horizontal line.

for April Grippo
Director

Tennessee General Permit No. TNR100000
Stormwater Discharges Associated with Construction Activities

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Part 1

1. Coverage Under This General Permit**1.1. Permit Area**

The National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges Associated with Stormwater Activities or “Construction General Permit (CGP or “permit”) is administered by the Tennessee Department of Environment and Conservation (TDEC) and covers all areas of the State of Tennessee.

1.2. Discharges Covered by This Permit**1.2.1. Stormwater Discharges Associated with Construction Activities**

Discharge of stormwater associated with construction activity, as used in this permit, refers to stormwater point source discharges from areas where soil disturbing activities; or associated construction support activities (see Section 1.2.2) are located. Soil disturbing activities include, but are not limited to, clearing, grading, grubbing, filling, and excavation.

This permit authorizes stormwater point source discharges from construction activities that result in soil disturbances of one or more acres. Soil disturbances of less than one acre are required to obtain authorization under this permit if construction activities are part of a larger common plan of development or sale that comprises at least one acre of cumulative land disturbance. One or more primary operators must maintain coverage under this permit for all portions of a site that have not achieved final stabilization as described in Subsection 5.5.3.4.

Projects of less than one acre of total land disturbance require authorization under this permit if:

- a) the Director has determined that the stormwater from a site is causing, contributing to, or is likely to contribute to a violation of a state water quality standard;

- b) the Director has determined that the stormwater discharge is, or is likely to be a significant contributor of pollutants to waters of the state¹; or
- c) changes in state or federal rules require sites of less than one acre that are not part of a larger common plan of development or sale to obtain a stormwater discharge permit.

1.2.2. Stormwater Discharges Associated with Construction Support Activities

This permit also authorizes stormwater discharges from support activities associated with a permitted construction activity. Support activities may include concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas and borrow areas. Support activities are authorized provided all of the following conditions are met:

- a) The support activity is related to a construction activity that is covered under this general permit.
- b) The primary operator of the support activity is the same as the primary operator of the construction activity.
- c) The support activity is not a commercial operation serving multiple unrelated construction projects by different primary operators.
- d) The support activity does not operate beyond the completion of the construction activity of the last construction project it supports.
- e) Support activities are identified in the Notice of Intent (NOI) and the Stormwater Pollution Prevention Plan (SWPPP). The appropriate erosion prevention and sediment controls and measures applicable to the support activity shall be described in a site-wide SWPPP covering all discharges from the support activity areas. If a construction support activity is not known or anticipated at the time the NOI is submitted, the support activity must be added to the SWPPP before land-disturbing activities associated with the support activity begin. If the addition of the support activity increases the

¹ "Significant contributor of pollutants to waters of the state" means any discharge containing pollutants that are reasonably expected to cause or contribute to a violation of a water quality criteria or receiving stream designated uses.

disturbed acreage, the operator must update the NOI as required by Section 3.3.5.

This permit does not authorize any process (dry weather) wastewater discharges from support activities. Process (dry weather) wastewater discharges from support activities must be authorized by an individual permit or other appropriate general permit.

Tennessee Department of Transportation (TDOT) projects shall be addressed in the *Waste and Borrow Policy*. Stormwater discharges associated with support activities that have been issued a separate individual permit, or an alternative general permit are not authorized by this general permit.

1.2.3. Non-Stormwater Discharges Authorized by this Permit

The following non-stormwater discharges from permitted construction activities are authorized by this permit provided the non-stormwater component of the discharge is in compliance with Subsection 5.5.3.12:

- a) Dewatering of collected stormwater and groundwater, discharged in accordance with Section 4.1.3.
- b) Waters used to wash dust and soils from vehicles where detergents are not used and detention and/or filtering is provided before the water leaves the site. Wash removal of process materials such as oil, asphalt, or concrete, is not authorized.
- c) Water used to control dust in accordance with Subsection 5.5.3.7.
- d) Potable water sources, including waterline flushings, from which chlorine has been removed to the maximum extent practicable.
- e) Routine external building washdown that does not use detergents or other chemicals.
- f) Uncontaminated, non-turbid groundwater or spring water.
- g) Foundation or footing drains where flows are not contaminated with pollutants (e.g., lubricants and fluids from mechanized equipment, process materials such as solvents, heavy metals, etc.).
- h) Discharges from emergency fire-fighting activities.
 - i) Fire hydrant flushings.
 - j) Landscape irrigation.

- k) Pavement wash waters, provided spills or leaks of toxic or hazardous substances have not occurred (unless all spill material has been removed), and where soaps, solvents, and detergents are not used.
- l) Uncontaminated air conditioning or compressor condensate.

All non-stormwater discharges authorized by this permit must be free of sediment and other solids, and must not cause erosion of soils.

1.2.4. Other NPDES-Permitted Discharges

Discharges of stormwater or wastewater authorized by and in compliance with a different NPDES permit may be mixed with discharges authorized by this permit.

1.3. Limitations on Coverage

Except for discharges from support activities, as described in Section 1.2.2 and non-stormwater discharges listed in Section 1.2.3, all discharges covered by this permit shall be composed entirely of stormwater. This permit does not authorize the following discharges:

- a) Post-construction discharges - Stormwater discharges associated with permanent stormwater management structures after construction activities have been completed, the site has achieved final stabilization, and coverage under this permit has been terminated.
- b) Discharges mixed with non-stormwater - discharges that are mixed with sources of non-stormwater, other than discharges which are identified in Section 1.2.4. and are in compliance with Subsection 5.5.3.12. of this permit.
- c) Discharges covered by another permit - discharges associated with construction activities that have been issued an individual permit in accordance with Subpart 8.14.
- d) Discharges threatening water quality - discharges from construction sites that the Director determines will cause or has the reasonable potential to cause or contribute to violations of water quality standards. Where such a determination has been made, the Division of Water Resources (Division) will notify the discharger in writing that an individual permit application is necessary as described in Subpart 8.14. The Division may authorize coverage under this permit after appropriate controls and implementation procedures have been included in the SWPPP that are designed to ensure compliance with discharges authorized by this permit. The division may authorize coverage under this permit after appropriate controls and implementation procedures have been included in the SWPPP that are designed to bring the discharge into compliance with water quality standards.
- e) Discharges into waters with unavailable parameters - discharges to waters with unavailable parameters that would cause measurable degradation of water quality for the parameter that is unavailable; or that would cause additional loadings of unavailable parameters that are bioaccumulative or that have criteria below method

detection levels. Waters with unavailable parameters means any segment of surface waters that has been identified by the Division as failing to support its designated classified uses. A discharge that complies with the additional requirements set forth in Subpart 6.4. is not considered to cause measurable degradation of waters with unavailable parameters, unless the Division determines upon review of the SWPPP that there is a reason to limit coverage as set forth in Subpart 1.3 d) and the SWPPP cannot be modified to bring the site into compliance.

- f) Discharges into Outstanding National Resource Waters - discharges into waters that are designated by the Board of Water Quality, Oil, and Gas as Outstanding National Resource Waters (ONRW) pursuant to Rule 0400-40-03-.06(5) of the Tennessee Compilation of Rules and Regulations ("Rules"), except activities conducted by, or on behalf of, the National Park Service on its own lands.
- g) Discharges into Exceptional Tennessee Waters - discharges that would cause more than de minimis degradation of water quality for any available parameter in waters designated by TDEC as Exceptional Tennessee Waters. A discharge that complies with the additional requirements set forth in Subpart 6.4. is not considered to cause more than de minimis degradation of available parameters unless the Division determines upon review of the SWPPP that there is a reason to limit coverage as set forth in Subpart 1.3.(c) and the SWPPP cannot be modified to bring the site into compliance.
- h) Discharges not protective of aquatic or semi-aquatic threatened and endangered species, species deemed in need of management, or special concern species - discharges or discharge-related activities that are likely to jeopardize the continued existence of listed or proposed threatened or endangered aquatic species, or their critical habitat, under the Endangered Species Act (ESA), or other applicable state law or rule.

Discharges or conducting discharge-related activities that will cause a prohibited "take" of federally listed aquatic species (as defined under Section 3 of the ESA and 50 C.F.R. § 17.3) unless such take is authorized under Sections 7 or 10 of the ESA.

Discharges or conducting discharge-related activities that will cause a prohibited “take” of state-listed aquatic species², unless such take is authorized under the provisions of Tenn Code Ann. § 70-8-106(e).

- i) Discharges from a new or proposed mining operation - discharges from new or proposed mining operations are not authorized.
- j) Discharges into waters with an approved Total Maximum Daily Load - discharges of a pollutant to waters for which there is an EPA-approved or established total maximum daily load (TMDL) for that pollutant, unless the SWPPP incorporates measures or controls consistent with the assumptions and requirements of the TMDL Program.
- k) Discharges from Lands of Exclusive Federal Jurisdictions.

Any discharge of stormwater to groundwater via an injection well requires a Class V Underground Injection Control authorization by rule, or an individual permit under the provisions of Subchapter 0400-45-06 of the Rules.

² As defined in the Tennessee Wildlife Resources Commission Proclamation, Endangered or Threatened Aquatic Species, and in the Tennessee Wildlife Resources Commission Proclamation, Wildlife in Need of Management.

Part 2

2. Construction Site Operators**2.1. Types of Operators****2.1.1. Primary Operator**

The person that has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications

In addition to the responsibilities in Subpart 2.2, the Primary Operator must ensure that:

- a) the project specifications meet the minimum requirements of Part 5 Stormwater Pollution Prevention Plan (SWPPP) and all other applicable conditions;
- b) the SWPPP indicates the areas of the project where they have operational control;
- c) all other operators implementing and maintaining portions of the SWPPP impacted by any changes made to the plan are notified of such modifications in a timely manner;
- d) all common Best Management Practices (BMPs) (i.e., sediment basin and drainage structures) necessary for the prevention of erosion or control of sediment are maintained and effective until all construction is complete and all disturbed areas in the entire project are stabilized, unless permit coverage has been obtained and responsibility has been taken over by a new primary operator; and
- e) all operators on the site have permit coverage, if required.

If the primary operator's NOI submittal does not include the projects secondary operators and their signatures, the primary operator shall be considered to be responsible for meeting all permit conditions until an NOI is submitted by all applicable secondary operators (see Section 3.2.3 New Operators). The onsite SWPPP must also be updated to reflect the addition of any secondary operators or other new operators.

2.1.2. Secondary Operator

The person that has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions.

In addition to the responsibilities in Subpart 2.2, Secondary operators must ensure that:

- a) the SWPPP for portions of the project where they are operators meets the requirements of Part 5 and identifies the parties responsible for implementing the control measures identified in the plan;
- b) the SWPPP indicates areas of the project where they have operational control over day-to-day activities; and
- c) measures in the SWPPP are adequate to minimize soil erosion and control any sediment that may result from their earth disturbing activity.

Secondary operators with operational control over only a portion of a larger construction project are responsible for compliance with all applicable terms and conditions of this permit as it relates to their activities on their portion of the construction site. This includes, but is not limited to, implementation of Best Management Practices (BMPs) and other controls required by the SWPPP.

2.2. Responsibilities of Operators

An operator (primary and secondary) is the responsible party for operating the site and ensuring that discharges of stormwater is in compliance with the conditions of this permit.

A person may meet one or both of the criteria in the definition of “operator” found in Part 10, and Subpart 2.1.

All operators must implement their portions of the SWPPP. Operators shall ensure either directly or through coordination with other operators, that their activities do not render another person's pollution control ineffective. All permittees must implement their portions of the SWPPP.

Part 3

3. Obtaining Permit Coverage

Submitting for coverage under this permit means that the operator has examined a copy of this permit and thereby acknowledged the applicant's claim of ability to comply with permit terms and conditions.

To obtain permit coverage Primary Operators must:

- a) Prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with Part 5 of this permit.
- b) Submit a complete NOI form, site map (3.3.2), SWPPP³, and fee electronically submitted via the online reporting system, MyTDEC Forms.

To obtain permit coverage Secondary Operators must:

- a) Sign the primary operator's NOI form; or
- b) Submit a separate Secondary Operator NOI via the online reporting system, MyTDEC Forms indicating their intent to be added to the existing activity covered site as a secondary operator.

The Division may review documentation for completeness and accuracy and, when deemed necessary, investigate the proposed construction activity for potential impacts to the waters of the state.

3.1. Who Must Submit an NOI?**3.2. All operators must submit an NOI see Section 3.3.1. Deadlines****3.2.1. Existing Sites**

An operator presently permitted under the 2021 construction general permit shall be granted coverage under this new general permit. Coverage

³ If the primary operator is seeking coverage under an actively covered larger common plan of development or sale (Rule 0400-40-11-.02(2)(a)2.(vi))), they may choose to sign the site-wide SWPPP or submit a separate SWPPP.

will be extended automatically without notification to the Division or an additional fee being assessed.

The existing SWPPP shall be modified according to Section 5.3.1 of this permit. The updated SWPPP and NOC must be available on site by October 1, 2027.

If an operator does not wish the coverage to be continued under the new general permit, they may terminate coverage (Subpart 9.1). If a site with terminated coverage is unstable or if construction continues, a new NOI and fee must be submitted.

3.2.2. New Sites or New Construction Activities of Existing Sites

Except as provided in Section 3.2.3, operators must submit a complete NOI, SWPPP and an NOI fee in accordance with the requirements described in Section 3.3.1. The complete NOI should be submitted at least 30 days prior to commencement of construction activities. The operator is authorized to discharge stormwater associated with construction activity as of the effective date listed on the Notice of Coverage (NOC) or the Department's DataViewer. The land disturbing activities shall not start until the NOC is received by the primary operator according to Subsection 3.5.2.

3.2.3. New Operators

New operators proposing to conduct construction activities at a site with existing coverage must submit an NOI. The NOI should be submitted prior to the new operator commencing work at the site. The NOI must reference the project name and tracking number assigned to the existing coverage. The NOI may not need to be submitted immediately upon assuming operational control if the portion of the site controlled by the new operator is inactive and all the previously disturbed areas have achieved final stabilization.

3.2.4. Late NOIs

Dischargers are not prohibited from submitting NOIs after construction at their site has already begun. When a late NOI is submitted, and if the Division authorizes coverage under this permit, such authorization is only

for future discharges. Any prior, unpermitted, discharges or permit non-compliances are subject to penalties as described in Section 8.2.

3.3. NOI

3.3.1. Form

The NOI form must be submitted electronically through the online reporting system, [MyTDEC Forms](#).

The NOI for Primary Operators must contain the following:

- a) Administrative Details (e.g. type of permit coverage being sought),
- b) Site/Project Information,
- c) Primary Operator Information,
- d) Secondary Operator Information (if known at time of submittal),
- e) Contact Information for all operators,
- f) Outfall Information,
- g) Site Map see Section 3.3.2,
- h) SWPPP see Section 3.3.3, and
- i) Certification Signature.

The NOI for Primary Operators seeking coverage under an actively covered larger common plan of development or sale (Rule 0400-40-11-.02(2)(a)2.(vi))) must contain the following:

- a) Permit Tracking number for the appropriate project,
- b) Site/Project Information,
- c) Primary Operator Information,
- d) Secondary Operator Information (if known at time of submittal),
- e) Contact Information for all operators,
- f) Outfall Information,
- g) Site Map see Section 3.3.2,
- h) SWPPP (if not signing the site-wide SWPPP) see Section 3.3.3, and
- i) Certification Signature.

The NOI for Secondary Operators must contain the following:

- a) Permit Tracking number for the appropriate project,
- b) Secondary Operator Information,
- c) Contact Information, and
- d) Certification Signature.

Both primary and secondary operators as described in Subpart 2.1 shall apply for permit coverage on the same NOI, if possible. After issuance of the Notice of Coverages, secondary operators shall apply for permit coverage using the NOI for Secondary Operator in the online reporting system, MyTDEC forms. For a Partnership, each member of the partnership must be listed.

3.3.1.1. Who Must Sign the NOI Form?

All operators as defined in 2.1 must sign the NOI form. Signatory requirements for an NOI are described in Subpart 8.10. Signatures on electronically submitted NOIs are deemed to be equivalent to a hardcopy signature. An NOI that does not bear a valid signature will be deemed incomplete.

3.3.2. **Site Map**

An excerpt from the appropriate 7.5 minute [United States Geological Survey](#) (USGS) topographic map (or other map showing contours) with the proposed construction site centered, must be included with the NOI. The entire proposed construction area must be clearly outlined on the map, with all acreage to be disturbed clearly identified. All outfalls⁴ discharging runoff from the property, streams receiving the discharge, and storm sewer systems conveying the discharge from outfalls shall be clearly identified and marked on the map. NOIs for linear projects must specify the location of each end of the construction area and all areas to be disturbed. Primary operators that develop separate SWPPPs that cover only their portion of the project shall also submit a site or plat map that clearly indicates the lots for which they are applying for permit coverage, and the location of EPSCs that will be used at each lot (Section 5.5).

3.3.3. **Stormwater Pollution Prevention Plan (SWPPP)**

Primary operators wishing to obtain coverage under this permit must submit a SWPPP with the NOI, or sign and certify an existing SWPPP. The SWPPP shall address all of the operators' construction-related activities

⁴ Phrase "point source" and term "outfall" are used interchangeably. For the purpose of this general permit, they can be considered synonyms.

from the date construction commences to the date of termination of permit coverage, to the maximum extent practicable. The SWPPP must address the total acreage planned to be disturbed, including any associated construction support activities (see Section 1.2.2). The SWPPP must be developed, implemented and updated according to the requirements in Part 5 and Section 6.4.1. The SWPPP must be implemented prior to commencement of construction activities.

Preparation and implementation of the SWPPP may be a cooperative effort with all operators at a site. New primary operators must adopt, modify, update and implement their portion of the SWPPP. Alternatively, primary operators at the site may develop and submit a SWPPP addressing only their portion of the project, as long as the proposed Best Management Practices (BMPs) are compatible with the previously submitted SWPPPs, as updated, and complying with conditions of this general permit.

SWPPPs must be updated if site activities diverge significantly from those indicated in the initial SWPPP. A copy of the most recent version of the SWPPP must be available at the site.

3.3.4. Identification of Waterbodies

It is the responsibility of the applicant to thoroughly and accurately identify all waterbodies located on the site and to provide a determination of the water's status. For channels, this determination must be conducted in accordance with Tennessee's standard operating procedures for hydrologic determinations set forth at Tennessee Rules, Chapter 0400-40-03.05(9).

Wetlands determinations must include the submission of a wetland delineation completed utilizing the USACOE 1987 *Wetlands Delineation Manual* and applicable *Regional Supplement*. For the purposes of permitting, the operator may choose to provide all aquatic features located on the site the protections afforded to streams and wetlands in lieu of conducting hydrologic determinations.

3.3.5. Permit NOI Fee

The permit fee must⁵ accompany the operator's NOI form. The fee is based on the total acreage planned to be disturbed by an entire construction project for which the applicant is requesting coverage, including any associated construction support activities (see Section 1.2.2).

The fees shall be as specified in Tennessee Rules, Chapter 0400-40-11. The NOI will be deemed incomplete until the appropriate fee is paid in full. Electronic payment through the online reporting system, MyTDEC Forms, is required unless the operator has been granted a waiver (Section 7.3.1). Where a waiver has been granted, checks for the appropriate fee should be made payable to "Treasurer, State of Tennessee." The following conditions apply:

- a) If stormwater discharges from the site or acreage to be disturbed was previously authorized by the CGP, but coverage has been since terminated, a primary operator must submit a new NOI for coverage under the CGP.
- b) A new primary operator seeking coverage under an actively covered larger common plan of development or sale must submit an NOI and the appropriate fee per (Rule 0400-40-11-.02(2)(a)2.(vi)). The NOI⁶ must be submitted and fee paid electronically through the online reporting system, MyTDEC Forms. If an operator needs to modify this type of coverage, Modification of Coverage Form must be submitted electronically through the online reporting system, MyTDEC Forms.
- c) Acreage additions up to 10% of the original plan area, but not to exceed a total of 5 acres, and other minor modifications of the original plan do not require separate NOI submittal.
- d) An additional fee is required only if the total acreage of disturbance would require a higher fee than originally paid, and then only the difference is due. The operator is responsible for thoroughly and accurately identifying all waterbodies (including wetlands and streams) located on the added acreage and to provide a determination of the water's status if not previously provided .The

⁵ TDOT fees may be paid by the Journal Voucher Process

form to submit information for this type of [minor acreage addition](#) must be submitted electronically through the online reporting system, [MyTDEC Forms](#) and must include the following:

- Tracking number,
 - Minor Area of Disturbance Added (in acres),
 - Updated (New) Total Area to be Disturbed (In Acres) (calculated by electronic form),
 - Identify stream and/or wetlands on or adjacent to the additional minor acreage (if applicable),
 - Information on Hydrologic Determinations on Minor Area of Disturbance (if applicable),
 - Updated Site Plan indicating the additional area(s) of disturbance and the total acreage to be disturbed.,
 - Updated signed and certified SWPPP, and
 - Fee (if applicable).
- e) Changes that exceed 10% of the original plan area, or are greater than 5 acres require submittal of an NOI (see Part 3) to the Division.
- f) New acreage disturbances cannot be added as previously disturbed acreage is stabilized, to create a 'rolling' total of disturbance
- g) In addition to the fee, an annual maintenance fee applies per Tennessee Rules, Chapter 0400-40-11-.02(12)(i).

3.3.6. Submittal of Documents to Local Municipalities

Some operators may discharge stormwater through an NPDES-permitted municipal separate storm sewer system (MS4) who are not granted permit coverage under Section 3.3.7. Operators are encouraged to coordinate with the local MS4 authority prior to submitting an NOI to the Division. Permitting status of all primary operators covered, or previously covered⁷, under this general permit as well as the most current list of all MS4 permits is available on the [DataViewer](#).

Operators must obtain all necessary authorizations pursuant to provisions of any local ordinances that apply to construction activities, and operators are expected to comply with any additional erosion prevention, sediment

⁷ Secondary operators are only displayed on the dataviewer while under active coverage.

control, and construction stormwater management measures required by a local municipality, county or permitted MS4 program.

3.3.7. Permit Coverage Through a Qualifying Local Program (QLP)

Coverage equivalent to coverage under this general permit may be obtained from a qualifying local erosion prevention and sediment control [MS4](#) program. A Qualifying Local Program (QLP) is a municipal stormwater program implemented for stormwater discharges associated with construction activity that has been formally approved by the Division. More information about Tennessee's QLP program and MS4 participants can be found at the MS4 Program website.

If a construction site is within the jurisdiction of, and has obtained a notice of coverage from, a QLP, the operator is authorized to discharge stormwater associated with construction activity under this general permit without the submittal of an NOI to the Division. Permitting of stormwater runoff from construction sites from federal or state agencies (e.g., Tennessee Department of Transportation and Tennessee Valley Authority) and the local MS4 program itself will remain solely under the authority of TDEC.

The Division may require any operator located within the jurisdiction of a QLP to obtain permit coverage directly from the Division. The operator shall be notified in writing by the Division that coverage by the QLP is no longer applicable and how to obtain coverage under this permit.

3.4. Public Emergency Authorization

This emergency administrative authorization exclusively applies to entities actively engaged in emergency response, infrastructure restoration, and when the related work requires immediate authorization to avoid imminent endangerment to human health, public safety, or the environment, or to reestablish essential public services.

3.4.1. Qualifying Operators.

- a) Federal, State, or Local Agencies (including political subdivisions, county highway departments, and municipal corporations).

- b) Publicly Owned Utilities structured as municipal utility boards or utility districts under Tenn. Code Ann. § 7-82-101.
- c) Privately Owned Utilities and Rural Electric Cooperatives regulated under Tenn. Code Ann. § 65-4-101 or exempt under Tenn Code Ann. § 65-25-123, provided they are operating as designated emergency response actors under executive mandate or direct utility restoration contracts.

3.4.2. Authorization Conditions

Qualifying operators may discharge on the condition that a complete and accurate NOI is submitted within 30 calendar days after commencing construction activities establishing that you are eligible for coverage under this permit. You must also provide documentation in your Stormwater Pollution Prevention Plan (SWPPP) to substantiate the occurrence of the public emergency pursuant to Part 5.5.1.o). The Commissioner may grant a fee exemption.

3.5. Notice of Coverage

3.5.1. Permit Tracking Numbers

Construction activities covered under this permit will be assigned permit tracking numbers in the sequence TNR100001, TNR100002, etc. Permit tracking numbers assigned under a previous construction general permit will be retained. A primary operator applying for new permit coverage will be assigned a new permit tracking number. Assigning a permit tracking number by the Division to a proposed discharge from a construction activity does not confirm or imply an authorization to discharge under this permit. Primary operators receiving new permit coverage will be listed as active on the Department's Dataviewer.

3.5.2. Notice of Coverage (NOC)

The NOC is a notice from the Division to the primary operator informing them that the NOI, site map, the SWPPP, and the fee were received and accepted. The primary operator is authorized to discharge stormwater associated with construction activity as of the effective date listed on the NOC. Alterations to channels or waterbodies (see definition of streams)

that are contained on, traverse through or are adjacent to the construction site are not authorized by this permit. Such alterations may require authorization under an Aquatic Resources Alteration Permit (ARAP) which can be found at the [ARAP](#) website.

Coverage under the CGP does not satisfy or substitute for the requirements of any other Department permit, authorization, or coverage. Coverage under the CGP cannot be used by operators as a relevant factor in the review and approval and issuance of any other Department permits, authorizations, or coverages.

3.5.3. Denial of Coverage to Artificial Entities

The Division reserves the right to deny coverage to artificial entities (e.g., corporations or partnerships, excluding entities not required to register with the Tennessee Secretary of State) that are not properly registered and in good standing (i.e., listed with an entity status of “active”) with the Tennessee Secretary of State, Division of Business Services.

The Division also reserves the right to correct clerical errors or discrepancies in an applicant’s legal name and issue permit coverage in the applicant’s correct legal name as reflected in the records of the Tennessee Secretary of State.

3.6. TDEC Environmental Field Offices (EFOS) and Corresponding Counties

<u>EFO</u>	List of Counties
Chattanooga	Bledsoe, Bradley, Grundy, Hamilton, Marion, McMinn, Meigs, Polk, Rhea, Sequatchie
Columbia	Bedford, Coffee, Franklin, Giles, Hickman, Lawrence, Lewis, Lincoln, Marshall, Maury, Moore, Perry, Wayne
Cookeville	Cannon, Clay, Cumberland, DeKalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Smith, Trousdale, Van Buren, Warren, White
Jackson	Benton, Carroll, Chester, Crockett, Decatur, Dyer, Gibson, Hardin, Haywood, Henderson, Henry, Lake, Lauderdale, Madison, McNairy, Obion, Weakley
Johnson City	Carter, Greene, Hancock, Hawkins, Johnson, Sullivan, Unicoi, Washington
Knoxville	Anderson, Blount, Campbell, Claiborne, Cocke, Grainger, Hamblen, Jefferson, Knox, Loudon, Monroe, Morgan, Roane, Scott, Sevier, Union
Memphis	Fayette, Hardeman, Shelby, Tipton
Nashville	Cheatham, Davidson, Dickson, Houston, Humphreys, Montgomery, Robertson, Rutherford, Stewart, Sumner, Williamson, Wilson

TDEC may be reached by telephone at the toll-free number 1-888-891-8332 (TDEC). Local EFOs may be reached directly when calling this number from the construction site, using a land line.

Part 4

4. Construction and Effluent Guidelines**4.1. Non-Numeric Effluent Limitations**

Any point source authorized by this general permit must achieve, at a minimum, the effluent limitations representing the degree of effluent reduction attainable by application of best practicable control technology (BPT) currently available.

4.1.1. Erosion Prevention and Sediment Controls

Design, install and maintain effective erosion and sediment controls (EPSCs) to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed and maintained to:

- 1.) Control stormwater volume and velocity to minimize soil erosion in order to minimize pollutant discharges;
- 2.) Control stormwater discharges, including both peak flowrates and total stormwater volume, to minimize channel and streambank erosion and scour in the immediate vicinity of discharge points;
- 3.) Minimize the amount of soil exposed during construction activity;
- 4.) Minimize the disturbance of steep slopes;
- 5.) Minimize sediment discharges from the site. The design, installation and maintenance of EPSCs must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
- 6.) Provide and maintain natural buffers as described in Section 4.1.2, direct stormwater to vegetated areas and maximize stormwater infiltration to reduce pollutant discharges, unless infeasible;
- 7.) Minimize soil compaction. Minimizing soil compaction is not required where the intended function of a specific area of the site dictates that it be compacted; and
- 8.) Unless infeasible, preserve topsoil. Preserving topsoil is not required where the intended function of a specific area of the site dictates that the topsoil be disturbed or removed.

4.1.2. Water Quality Riparian Buffer Zone Requirements

The water quality riparian buffer zone requirements in this Section apply to streams on or adjacent to construction sites (for waters with unavailable parameters or Exceptional Tennessee Waters, see Section 6.4.2). A 30-foot natural water quality riparian buffer shall be preserved between such waterbodies and the disturbed areas, to the maximum extent practicable, during construction activities. The water quality riparian buffer is required to protect waters of the state that are not wet weather conveyances as identified using Tennessee's standard operating procedures for hydrologic determinations set forth in Tennessee Rules, Chapter 0400-40-03-.05(9).⁸ Because of the potential heavy sediment loading associated with construction site runoff, water quality riparian buffers are not primary sediment control measures and shall not be relied on as such; the primary purpose of water quality riparian buffers is additional pollutant removal. Stormwater discharges must enter the water quality riparian buffer zone as sheet flow, not as concentrated flow, where site conditions allow. Rehabilitation and enhancement of a natural buffer zone is allowed, if necessary, to improve its effectiveness in protecting waters of the state.

The water quality riparian buffer zone must be preserved between the top of stream bank and the disturbed construction area when equivalent measures are not implemented. The 30-foot criterion for the width of the buffer zone can be established on an average width basis at a project, as long as the minimum width of the buffer zone is more than 15 feet at any measured location. If the construction site encompasses both sides of a stream, buffer averaging can be applied to both sides, but each side must average the 30-foot criterion independently.

Construction activities within the water quality riparian buffer zone shall be avoided and existing forested buffer areas shall be preserved whenever possible. Where it is not practicable to maintain a full water quality riparian buffer, BMPs providing equivalent protection to a receiving stream as a natural water quality riparian buffer must be used. A justification for use

⁸ 15-foot buffers are also required for any wet weather conveyance identified as waters of the United States by the U.S. Army Corps of Engineers or the Environmental Protection Agency.

and a design of equivalent BMPs shall be included in the SWPPP. Such equivalent BMPs are expected to be routinely used at construction projects typically located adjacent to surface waters. These projects may include sewer line construction, roadway construction, utility line or equipment installation, greenway construction, construction of a permanent outfall or a velocity dissipating structure.

This buffer requirement does not apply to “artificial” or “isolated” wetlands, as defined by Tennessee statute, or to an area that is being altered under the authorization of a valid Aquatic Resources Alteration Permit (ARAP), or equivalent federal permits issued. Operators are encouraged to coordinate with the local authority to determine if additional buffer zone requirements have been established.

4.1.2.1. Water quality riparian buffer zone exemption based on existing uses

Water quality riparian buffer zones as described in Section 4.1.2 shall not be required in portions of the buffer where certain land uses exist and are to remain in place according to the following:

- a) A use shall be considered existing if it was present within the buffer zone as of the date of the Notice of Intent for coverage under the construction general permit. Existing uses may include buildings, parking lots, roadways, utility lines and on-site sanitary sewage systems. Only the portion of the buffer zone that contains the footprint of the existing land use is exempt from buffer zones. Activities necessary to maintain uses are allowed provided that no additional vegetation is removed from the buffer zone.
- b) If an area with an existing land use is proposed to be converted to another use or the impervious surfaces located within the buffer area are being removed, buffer zone requirements shall apply.

4.1.2.2. Pre-approved sites

Construction activity at sites that were pre-approved prior to February 1, 2010, is exempt from the buffer requirements of Section 4.1.2. Evidence of pre-approval for highway projects shall be a final right-of-way plan; and, for other construction projects, the final design drawings with attached written

and dated approval by the local, state or federal agency with authority to approve such design drawings for construction.

4.1.3. Dewatering

Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited unless managed by appropriate controls. Appropriate controls may include weir tanks, dewatering tanks, gravity bag filters, sand media particulate filters, pressurized bag filters, cartridge filters or other control units providing the level of treatment necessary to comply with permit requirements.

4.1.4. Pollution Prevention Measures

Operators must design, install, implement and maintain effective pollution prevention measures to minimize the discharge of sediment and other pollutants. At a minimum, such measures must be designed, installed, implemented and maintained to:

- a) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water and other wash waters not containing soaps or solvents. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
- b) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials present on the site to precipitation and to stormwater; and
- c) Minimize the discharge of pollutants from spills and leaks, and implement chemical spill and leak prevention and response procedures.

4.1.5. Prohibited Discharges

The following discharges are prohibited:

- a) Wastewater from washout of concrete, unless managed by an appropriate control.
- b) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials.

- c) Fuels, oils or other potential pollutants used in vehicle and equipment operation and maintenance.
- d) Soaps or solvents used in vehicle and equipment washing.

Part 5

5. Stormwater Pollution Plan (SWPPP) Requirements

5.1. The General Purpose of the SWPPP

The primary operator must implement the SWPPP and maintain effective BMPs from commencement of construction activity until final stabilization is complete, or until the operator does not have design or operational control of any portion of the construction site and a Request for Termination (RFT) has been submitted and accepted by the Division.. If a SWPPP contains contradictory or ambiguous information, the Division will hold the operator to the most stringent interpretation of the information. Requirements for termination of site coverage are provided in Part 9.

A SWPPP must be developed for each construction project or activity covered by this permit. The design, inspection and maintenance of BMPs described in the SWPPP must be prepared in accordance with generally accepted engineering practices. The Tennessee Erosion Prevention and Sediment Control (EPSC) Handbook provides information for preparation of SWPPPs and EPSC Plans, and provides guidance for design, installation and maintenance of BMPs.

Once a definable area has achieved final stabilization as described in Subsection 5.5.3.4, the operator may identify this area on the SWPPP. No further SWPPP or inspection requirements apply to that portion of the site (e.g., earth-disturbing activities around one of three buildings in a complex are done and the area has achieved final stabilization, one mile of a roadway or pipeline project is done and has achieved final stabilization, etc.).

For more effective implementation of BMPs, a cooperative effort by the different operators at a site to prepare and participate in a site-wide SWPPP is expected. Primary operators at a site may develop separate SWPPPs that cover only their portion of the project. In instances where there is more than one SWPPP for a site, the operators must ensure the stormwater discharge controls and other measures are compatible with one another and do not prevent another operator from complying with permit conditions. The SWPPP developed by the primary operator must assign

responsibilities to secondary operators and coordinate all BMPs at the construction site. Assignment and coordination can be done by name or by job title.

5.2. Qualification Requirements

For sites greater than five acres of disturbance, the narrative portion of the SWPPP shall be prepared by an individual who has a working knowledge of erosion prevention and sediment controls, such as (but not limited to):

- a Tennessee registered engineer or landscape architect,
- Certified Professional in Erosion and Sediment Control ("CPESC") (after October 1, 2027, individuals must also have Tennessee CGP State Supplement Training), or
- a person that successfully completed the Level II Design Principles for Erosion Prevention and Sediment Control for Construction Sites course.

For sites less than or equal to five acres of disturbance, these qualification requirements do not apply, and the Division provides the SWPPP templates in the EPSC Handbook.

Plans and specifications for any building or structure, changes in topography and drainage, including the design or modification of sediment basins or other sediment controls involving structural, hydraulic, hydrologic or other engineering calculations shall be prepared by a professional engineer or landscape architect registered in Tennessee and signed and sealed in accordance with the Tennessee Code Annotated, Title 62, Chapter 2 and the rules of the Tennessee Board of Architectural and Engineering Examiners. Engineering design of sediment basins or equivalent sediment controls must be provided for construction sites involving drainage to an outfall including 10 or more acres of disturbed area (Subsection 5.5.3.5) or 5 or more acres of disturbed area if draining to waters with unavailable parameters or Exceptional Tennessee Waters (Section 6.4.1).

5.3. SWPPP Preparation and Compliance

5.3.1. Existing Sites

Operators of an existing site, presently permitted under the Division's 2021 construction general permit, shall maintain full compliance with the existing SWPPP. The existing SWPPP shall be modified, if necessary, to meet requirements of this new general permit, and the SWPPP changes implemented as soon as practicable but no later than 12 months following the new permit effective date. The operator shall make the updated SWPPP available for the Division's review upon request.

5.3.2. New Sites or New Construction Activities of Existing Sites

For construction stormwater discharges not authorized under an NPDES permit as of the effective date of this permit, a SWPPP that meets the requirements of Part 5 of this permit shall be prepared and submitted along with the primary operator's NOI and an appropriate fee for coverage under this permit.

5.3.3. Signature Requirements

The SWPPP shall be signed by the operators in accordance with Subpart 8.10, and if applicable, certified according to requirements in Subpart 8.10. Signatures on electronically submitted documents are deemed equivalent to original signatures.

5.3.4. SWPPP Availability

A copy of the existing version of the SWPPP and NOC shall be retained on-site at the location which generates the stormwater discharge in accordance with Part 7 of this permit. If the site is inactive or does not have an onsite location adequate to store the SWPPP and NOC, the location of the SWPPP and NOC, along with a contact phone number, shall be posted on-site readily visible to the public. If the SWPPP is located off-site, reasonable local access to the plan during normal working hours must be provided. "Reasonable local access" includes but is not limited to, webpages or electronic applications where user registration or fee is not required to access the document.

5.4. Keeping the SWPPP Current

5.4.1. SWPPP Modifications

The operators must modify, update and recertify the SWPPP in accordance with Subpart 8.10 if any of the following conditions apply:

- a) Whenever there is a change in the scope of the project that would be expected to have a significant effect on the discharge of pollutants to the waters of the state and which has not otherwise been addressed in the SWPPP.
- b) Whenever there is a change in chemical treatment methods, including the use of different treatment chemical, different dosage or application rate or different area of application.
- c) Whenever inspections or investigations by operators or local, state or federal officials indicate the SWPPP is proving ineffective in eliminating or significantly minimizing pollutants from sources identified under Section 5.5.2, or is otherwise not achieving the general objectives of controlling pollutants in stormwater discharges associated with construction activity. Where local, state or federal officials determine that the SWPPP is ineffective in eliminating or significantly minimizing pollutant sources, a copy of any correspondence to that effect must be retained in the SWPPP.
- d) Whenever any new operator (typically a secondary operator) who will implement a measure of the SWPPP must be identified (see Subpart 3.1 for further description of which operators must be identified).
- e) Whenever it is necessary to include water quality protection measures as required by the applicable wildlife management agency intended to prevent a negative impact to legally protected state or federally listed fauna or flora (or species proposed for such protection – Subpart 1.3). Amendments to the SWPPP may be reviewed by the Division, a local MS4, the EPA, or an authorized regulatory agency.
- f) Whenever a Total Maximum Daily Load (TMDL) is developed for the receiving waters for a pollutant of concern (e.g., siltation). A list of Tennessee's TMDLs can be found at the [TMDL Program website](#).

The SWPPP must be revised to incorporate any changes made in response to this Section within 14 days of the triggering event.

5.5. Components of the SWPPP

The SWPPP must:

- a) identify all potential sources of pollutants likely to affect the quality of stormwater discharges from the construction site;
- b) describe practices to be used to reduce pollutants in stormwater discharges from the construction site; and
- c) assure compliance with the terms and conditions of this permit.

The SWPPP shall include the items described in Sections 5.5.1, 5.5.2 and 5.5.3.

5.5.1. SWPPP Narrative

Each SWPPP shall provide a description of pollutant sources (e.g. sediment, nutrients, plastics and other wastes) and other information as indicated below:

- a) A description of all construction activities at the site, including the intended sequence of activities which disturb soils for major portions of the site (e.g., grubbing, excavation, grading, utilities and infrastructure installation).
- b) Estimates of the total area of the site, area that will not be disturbed, and the total area that is expected to be disturbed by excavation, grading, filling or other construction activities.
- c) A description of the topography of the site, including an estimation of percent slope and delineation of drainage area (acres) serving each outfall. Drainage area estimates shall include off-site drainage, if applicable.
- d) Hydric soils must be clearly identified.
- e) A description of how the runoff will be handled to minimize erosion at the permanent outfall and receiving stream.
- f) An EPSC plan with the proposed disturbed construction areas and the areas not to be disturbed clearly outlined. The plan shall indicate the boundaries of the construction site, drainage patterns, approximate slopes anticipated after major grading activities, areas of soil disturbance, an outline of areas which are not to be disturbed, the location of major structural and nonstructural controls identified

- in the SWPPP, the location of areas where stabilization practices are expected to occur, streams and sinkholes, and identification on the erosion control plan of outfall points intended for coverage. The erosion control plan must meet requirements stated in Section 5.5.3.
- g) A description of any discharge associated with industrial activity other than construction stormwater that originates on site and the location of that activity and its permit number.
 - h) Identification of any streams and wetlands on or adjacent to the project,
 - i) The name of the receiving waters (this does not include wet weather conveyances connecting the site discharge to the receiving stream).
 - j) Identification if those receiving waters have unavailable parameters for siltation.⁹
 - k) Identification if those receiving waters are Exceptional Tennessee Waters.¹⁰
 - l) If applicable, clearly identify and outline the buffer zones established to protect waters of the state located within the boundaries of the project.
 - m) A description of the construction phasing for projects of more than 50 acres (Subsection 5.5.3.2).
 - n) The timing of the planting of the vegetation cover must be discussed in the SWPPP if vegetation is to be used as a control measure. Planting cover vegetation during winter months or dry months should be avoided.
 - o) If construction activities are occurring in response to a public emergency (see Subpart 3.4), a description of the cause of the public emergency (e.g., mud slides, earthquake, extreme flooding conditions, widespread disruption in essential public services), information substantiating its occurrence (e.g., State disaster declaration or similar State or local declaration), and a description of the construction necessary to reestablish affected public services.

⁹ [DWR Construction Stormwater Permitting Map Viewer](#)

¹⁰ [List of Exceptional Waters and ORNWs in Tennessee](#); corresponding map viewer is under development

5.5.2. SWPPP and EPSC plans

The SWPPP must include EPSC plans (Section 5.5.3) showing the limits of disturbance, outfall locations, outfall drainage areas, the approximate location of each control measure and a description of when the measure will be implemented during the construction sequence (e.g., prior to the start of earth disturbance, as the slopes are altered and after major grading is finished). The different stages (initial, interim, and final) of construction and the EPSC measures that will be utilized during each stage shall be depicted on multiple plan sheets.

Three separate EPSC plan sheets should be developed for most sites. The three plan sheets must consist of the following:

- a) The first plan sheet will address the EPSC measures necessary to manage stormwater runoff, erosion and sediment during the initial land disturbance (grading) stage.
- b) A second plan sheet will address the EPSC measures necessary to manage stormwater runoff, erosion and sediment during any interim grading and construction stages.
- c) The third plan sheet will address the EPSC measures necessary to manage stormwater runoff, erosion and sediment during the final grading stage while final site stabilization is being achieved.

For single-lot homes, commercial lots, or linear infrastructure projects of less than or equal to 5 acres of disturbance, for which all stages can be shown on a single plan sheet, a single plan sheet is permissible.

The description and implementation of controls shall address the following minimum components, as described in Section 5.5.3. Additional controls may be necessary to comply with Section 6.4.1.

5.5.3. Erosion Prevention and Sediment Controls (EPSC)

5.5.3.1. General criteria and requirements

- a) The erosion prevention controls shall be designed to minimize to the maximum extent practicable the dislodging of soil and its suspension of soil in water. Sediment controls shall be designed to retain mobilized sediment on site to the maximum extent practicable.

- b) All control measures must be properly selected, installed and maintained in accordance with the manufacturer's specifications and/or generally accepted engineering practices. If periodic inspections or other information indicate a control has been used inappropriately, or incorrectly, the operator must replace or modify the control.
- c) If sediment escapes the construction site, off-site accumulations that have not reached a stream must be removed at a frequency sufficient to minimize off-site impacts (e.g., sediment that has escaped a construction site and collected in a street must be removed so that it does not subsequently wash into storm sewers and streams during the next rain or so that it does not pose a safety hazard to users of public streets). Operators shall not initiate remediation or restoration of a stream without receiving prior authorization from the Division. This permit does not authorize access to private property. Arrangements concerning the removal of sediment on adjoining property must be settled by the operator and the adjoining landowner.
- d) Sediment must be removed from sediment traps, silt fences, sediment basins and other sediment controls when design capacity has been reduced by 50%.
- e) Erodible material storage areas (e.g., overburden and stockpiles of soil) and borrow pits that are used primarily for the permitted project are considered a part of the site and shall be identified on the NOL, addressed in the SWPPP and included in the fee calculation. TDOT projects shall be addressed in the Waste and Borrow Manual per the Statewide Stormwater Management Plan.
- f) Pre-construction vegetative ground cover shall not be destroyed, removed or disturbed more than 14 days prior to commencement of grading or earth moving activities unless the area has subsequently achieved temporary or final stabilization.
- g) Clearing and grubbing must be held to the minimum necessary for grading and equipment operation. Existing vegetation at the site shall be preserved to the maximum extent practicable. The limits of disturbance shall be clearly outlined in the SWPPP and the areas to remain undisturbed clearly indicated in the SWPPP and on the site, with the methods to be used to mark these areas described in the SWPPP.
- h) Construction must be sequenced to minimize the exposure time of graded or denuded areas.

- i) EPSC measures must be in place and functional before earth moving operations begin and must be constructed and maintained throughout the construction stages as appropriate. Temporary measures may be removed at the beginning of the workday but must be replaced at the end of the workday.
- j) Off-site vehicle tracking of sediment and the generation of dust shall be minimized. A stabilized construction access must be provided to reduce the tracking of mud and dirt onto public roads by construction vehicles.

5.5.3.2. Construction phasing

Construction phasing is recommended on all projects regardless of size as an effective practice for minimizing erosion and limiting sedimentation. It is recommended that construction be phased to keep the total disturbed area less than 50 acres at any one time. This includes off-site borrow or disposal areas that meet the conditions of Section 1.2.2. Areas where construction is completed must be stabilized within 14 days (Subsection 5.5.3.4).

5.5.3.3. Projects Exceeding 50 acres of Disturbance

On projects where the operator chooses to disturb more than 50 acres at one time, the following additional requirements shall apply:

- a) The operator shall notify the Division immediately at NPDES.Compliance@tn.gov and your local field office if more than 50 acres of disturbance at one time is planned.
- b) Site assessments, as described in Subsection 5.5.3.8, shall be conducted on a quarterly basis.
- c) Operator inspections as described in Subsection 5.5.3.9 shall be conducted twice per week and following any rainfall event of more than 0.5 inches in 24 hours. Inspections following rainfall events can be counted as one of the twice-weekly inspections.
- d) Data describing the erodibility of soils on site, how the soil type erodibility will dictate the needed control measures and how the soil may affect the expected quality of runoff from the site shall be provided. The data may be referenced or summarized. Hydric soils must be clearly identified.

- e) When requested by the Division, a geospatial file that identifies the project area boundaries as a polygon feature shall be submitted. This polygon feature can be submitted in any common data format (e.g., .kml file, shapefile, feature layer, etc.) that is compatible with common geographic systems software (e.g., Google Earth, ESRI, QGIS, etc.). The file name should reflect the same site name provided on the permit application, or a permit tracking number, if available.
- f) Stormwater discharge monitoring shall be conducted for the parameters below at each outfall draining 10 or more acres (Section 5.5.3.5) or outfall draining 5 or more acres if draining to waters with unavailable parameters or Exceptional Tennessee Waters (Section 6.4.1). A single outfall or subset of outfalls may be monitored if the representative outfall reflects the discharge water quality and pollutant levels of overall site conditions.

Table of Discharge Monitoring Parameters

Code	Parameter	Qualifier	Unit	Sample Type	Monitoring Frequency	Statistical Base
00070	Turbidity	Report	NTU	Grab	Monthly	Daily Maximum
00070	Turbidity	Report	NTU	Grab	Monthly	Monthly Average
00530	Total Suspended Solids (TSS)	Report	mg/L	Grab	Monthly	Daily Maximum
00530	Total Suspended Solids (TSS)	Report	mg/L	Grab	Monthly	Monthly Average
45613	Floating solids or visible foam-visual	Report	Y=1;N=0	Visual	Monthly	Value
50050	Flow	Report	MGD	Estimate	Monthly	Daily Maximum
50050	Flow	Report	MGD	Estimate	Monthly	Monthly Average

Monthly stormwater discharge monitoring reports (DMRs) shall be submitted electronically using NetDMR (see Subsection 7.3.1)

Unless otherwise specified, samples must be analyzed consistent with 40 C.F.R. Part 136 analytical methods that are sufficiently sensitive for the monitored parameter.

The operator shall maintain a log of rainfall events including date, estimated duration (in hours), and total estimated rainfall per calendar day. For sampling events, the operator shall provide an estimate of the total volume of the discharge per sampled outfall and the interval between the storm event sampled and the end of the previous measurable (greater than 0.1 inches of rainfall) storm event.

The operator shall report the estimated total drainage area and estimated acreage of land disturbance in the drainage area for each outfall for each sampling event. Record of the estimated drainage area and amount of land disturbance for a given sample event shall be reported in the notes section of the Discharge Monitoring Report.

The requirements under Subsection 5.5.3.3 may be lifted once the operator demonstrates to the Division's satisfaction that the project no longer involves more than 50 acres of land disturbance at any one time.

5.5.3.4. Stabilization practices

The SWPPP shall include a description of temporary and final stabilization practices, including site-specific scheduling of the implementation of the practices. Site plans should ensure that existing vegetation is preserved when possible. Stabilization practices may include: seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees and the preservation of mature vegetation. When seasonal or climate conditions would prevent timely establishment of vegetation other stabilization practices must be utilized. Use of impervious surfaces for final stabilization in lieu of a vegetative cover should be avoided where practicable. This permit does not authorize the installation of stabilization control measures or EPSC measures in streams.

Stabilization measures shall be initiated as soon as possible in portions of the site where construction activities have temporarily ceased or were completed. Temporary or final soil stabilization at the construction site must be completed within 14 days after the construction activity in that portion of the site has temporarily ceased or was completed. In the following situations, temporary stabilization measures are not required:

- a) Where the initiation of stabilization measures is precluded by snow cover or frozen ground conditions or adverse soggy ground conditions, stabilization measures shall be initiated as soon as practicable.

- b) Where construction activity on a portion of the site is temporarily ceased, but soil disturbing activities are planned to resume within two weeks.
- c) In arid, semiarid, and drought-stricken areas where initiating vegetative stabilization measures immediately is infeasible, alternative stabilization measures such as properly anchored mulch, soil binders or matting must be employed.

Steep slopes shall be stabilized within one week after construction activity on the slope has temporarily ceased or was completed.

Once an operator has implemented stabilization (temporary or final), the area is no longer considered disturbed or exposed. However, inspections of these areas must continue until at least 70% of the final vegetative cover is achieved.

Final stabilization on completed grades shall replace any temporary measures as soon as practicable. Unpacked gravel containing fines (silt and clay sized particles) or crusher runs will not be considered a non-eroding surface. On sites where disturbed acreage will be returned to its prior agricultural use (i/e. row crops, pasture) normal agricultural practices can be substituted.

5.5.3.5. Structural practices

The SWPPP shall include a description of structural practices utilized to divert flows from exposed soils, store flows or otherwise limit runoff and discharge of pollutants from exposed areas of the site. Such practices may include, but are not limited to silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions and temporary or permanent sediment basins. Structural controls shall not be placed in streams except as authorized by a section 404 permit and/or Aquatic Resources Alteration Permit (ARAP).

EPSC measures shall be designed to minimize erosion and maximize sediment removal resulting from a 2-year, 24-hour storm (the design

storm). The design of erosion prevention and sediment controls must follow generally accepted engineering practices. Guidance for drainage area and treatment design specifications is provided in the Tennessee Erosion Prevention and Sediment Control Handbook. Chemical treatment of the stormwater runoff may be necessary to minimize the amount of sediment being discharged when clay and other fine particle soils or highly erodible soils are present at the construction site. However, the use of cationic polymers for treatment is prohibited.

For an outfall that receives drainage from 10 or more disturbed acres, a temporary sediment basin with sediment storage and treatment for runoff from a 2-year, 24-hour storm, or equivalent control measures, shall be provided until final stabilization of the disturbed areas is achieved. Examples and Guidance is found in the Tennessee Erosion and Prevention Sediment Control Handbook. A drainage area includes disturbed and undisturbed portions of the site and areas adjacent to the site, all draining through the common outfall must provide appropriate BMPs for the runoff from the drainage area. Where an equivalent control measure is used, the equivalency with respect to sediment storage must be justified to the Division. Runoff from any undisturbed acreage should be diverted around the disturbed area and the sediment basin. Diverted runoff can be omitted from the sediment basin hydrologic calculation. Sediment storage for sediment loss expected from the disturbed areas must be included. Discharges from sediment basins shall utilize outlet structures that only withdraw water from near the surface of the basin, unless infeasible. For an on-site outfall with a disturbed area of 5.0 - 9.9 acres, sediment trap or equivalent (e.g., wire backed silt fence, super silt fence, or check dam) that will provide treatment for runoff from a 2-year, 24-hour design storm is required until final stabilization of the disturbed area draining to the sediment trap or equivalent measure is achieved.

All calculations related to drainage areas, runoff coefficients, erosion rates, basin volumes, live storage and sediment storage and equivalent control measures must be provided in the SWPPP. The discharge structure from a sediment basin must be designed to retain sediment during the lower flows. See the Tennessee Erosion Prevention and Sediment Control Handbook for recommended practices. Muddy water pumped from excavation and work areas must be held in settling basins, filtered or

chemically treated prior to its discharge into surface waters. Water must be discharged through a pipe, grassed or lined channel or other equivalent means so that the discharge does not cause erosion and sedimentation.

Sediment basins treating drainage areas with more than 25 disturbed acres require a site-specific design that accurately defines the site hydrology, site-specific sediment loading, and hydraulics of the site. The Tennessee Erosion Prevention and Sediment Control Handbook provides guidance and examples for sediment basin design.

Energy dissipation structures shall be installed if needed to provide for non-erosive discharge velocities.

5.5.3.6. Stormwater management

The following factors must be accounted for in the design of all stormwater controls:

- a) The nature of stormwater runoff and run-on at the site, including factors such as expected flow from impervious surfaces, slopes, and site drainage features. Stormwater controls must be designed to control stormwater volume, velocity, and peak flow rates to minimize discharges of pollutants in stormwater, as well as minimizing channel and streambank erosion at discharge points.
- b) The soil type and range of soil particle sizes expected to be present on the site.
- c) Description of any measures that will be installed during the construction process to control pollutants in stormwater discharges that will occur after construction operations have been completed, including a brief description of applicable State or local EPSC requirements.

5.5.3.7. Other items needing control

- a) No solid materials, including building materials, shall be placed in waters of the state, except as authorized by a section 404 permit and/or ARAP. Litter, construction debris and construction chemicals exposed to stormwater shall be picked up prior to storm events or before being carried off the site by wind so that they do not become

a pollutant source for stormwater discharges. EPSC materials shall be prevented from becoming a pollutant source for stormwater discharges.

- b) The SWPPP shall identify and provide the necessary EPSC measures for the installation of any waste disposal system, sanitary sewer or septic system. Operators must also comply with applicable state and local waste disposal, sanitary sewer or septic system regulations as necessary.
- c) The SWPPP shall include a description of construction and waste materials expected to be stored on-site. The SWPPP shall also include a description of controls including good housekeeping practices used to reduce pollution from materials stored on site. Controls may include storage practices to minimize exposure of the materials to stormwater or spill prevention and response.

5.5.3.8. Site Assessments

Site assessment shall be conducted at each outfall draining 10 or more acres (Section 5.5.3.5) or 5 or more acres if draining to waters with unavailable parameters or Exceptional Tennessee Waters (Section 6.4.1). The site assessment is a documented site inspection conducted by a qualified individual to verify the installation, functionality, and performance of the EPSC measures described in the SWPPP (see Subsection 5.5.3.13 for form contents). Site assessments shall cover the entire disturbed area and occur within 30 days of construction commencing at each portion of the site that drains the qualifying acreage. The site assessment shall be performed by individuals with one or more of the following qualifications:

- 1. A Tennessee Registered professional engineer or landscape architect;
- 2. Certified Professional in Erosion and Sediment Control ("CPESC") (after October 1, 2027, individuals must also have Tennessee CGP State Supplement Training); or
- 3. A person who has successfully completed the [Level II Design Principles for Erosion Prevention and Sediment Control for Construction Sites](#)

At a minimum, site assessments should be performed to verify the installation, functionality and performance of the EPSC measures described in the SWPPP. If structural BMPs (or equivalent EPSC measures) are not constructed or construction is in progress at the time of the site assessment, follow-up monthly assessments are required until the BMPs are constructed per the SWPPP. The site assessment should be performed with the inspector and should include a review and update (if applicable) of the SWPPP. Modifications of plans and specifications for any building or structure, including the design of sediment basins or other sediment controls involving structural, hydraulic, hydrologic or other engineering calculations shall be prepared by a licensed professional engineer or landscape architect and stamped and certified in accordance with the [Tennessee Code Annotated](#), Title 62, Chapter 2 and the rules of the [Tennessee Board of Architectural and Engineering Examiners](#).

5.5.3.9. Inspections

Operators shall ensure proper installation, maintenance, and overall effectiveness of EPSCs by performing twice weekly site inspections by performing twice weekly site inspections by a qualified individual (Subsection 5.5.3.10). Inspections must verify and document the functionality and performance of the EPSC measures described in the SWPPP. Initial inspections shall also indicate if all EPSCs have been installed as designed in the submitted SWPPP and EPSC plans; and, if not, measures that need to be taken so those EPSCs meet the design specifications in the field SWPPP and EPSC plans.

5.5.3.10. Inspector qualifications

Twice weekly inspections can be performed by:

- a) a person with a valid certification from the [Construction Stormwater Inspection Training: TNEPSC Level I](#) course (after October 1, 2027, individuals must also have Tennessee CGP State Supplement Training),
- b) a person with current certification from an [EPA Construction Inspection Training Course](#) or [EPA listed Construction Inspection Course](#) (after October 1, 2027, individuals must also have Tennessee CGP State Supplement Training),

- c) a person who has successfully completed the [Level II - Design Principles for Erosion Prevention and Sediment Control for Construction Sites](#) course after October 1, 2027, individuals must also have Tennessee CGP State Supplement Training or
- d) a Tennessee Registered licensed professional engineer or landscape architect.

An inspector performs and documents the required inspections, paying particular attention to time-sensitive permit requirements, such as stabilization and maintenance activities.

5.5.3.11. Schedule of inspections

- a) Inspections described in paragraphs b, c and d below, shall be performed at least twice weekly. Inspections shall be performed at least 48 hours apart. Where sites or portions of construction sites have been temporarily stabilized, inspections only have to be conducted once per month until construction activity resumes. Inspection requirements do not apply to definable areas that have achieved final stabilization. Changes to the inspection frequency and the justification for such request must be included in the records kept on site in accordance with Subpart 7.2). The Division reserves the right to require more frequent inspections if deemed necessary to ensure compliance at a site.
- b) Qualified personnel, as defined in Subsection 5.5.3.10 (provided by the primary operator or cooperatively by multiple operators), shall inspect disturbed areas of the construction site that have not been achieved final stabilization, areas used for storage of materials that are exposed to precipitation, structural control measures, locations where vehicles enter or exit the site and each outfall.
- c) Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the site's drainage system. EPSC measures shall be observed to ensure that they are operating correctly.
- d) Outfall points shall be inspected to determine whether EPSC measures are effectively minimizing sediment discharges off-site or impacts to receiving waters. Where discharge locations are

inaccessible, nearby downstream locations shall be inspected. Locations where vehicles enter or exit the site shall be inspected for evidence of offsite sediment tracking.

- e) Based on the results of the inspection, any inadequate control measures or control measures in disrepair shall be replaced, modified or repaired as necessary, before the next rain event; but in no case more than seven days after the need is identified.
- f) Based on the results of the inspection, the site description identified in the SWPPP in accordance with Section 5.5.1 and pollution prevention measures identified in the SWPPP in accordance with Section 5.5.3 shall be revised as appropriate. Such revisions shall be made no later than seven days following the inspection. In addition, any modifications to pollution prevention measures shall be implemented as soon as practicable but no later than 14 days following the inspection.
- g) All inspections shall be documented containing all of the required elements found in Subsection 5.5.3.13 The form must contain the printed name and signature of the inspector, and the certification must be executed by a person who meets the signatory requirements of Section 8.10. Inspection reports must be submitted to the Division within 10 days of the request.
- h) Inspectors shall accurately document site conditions in their inspection reports. Falsifying inspection records, or other documentation; or failure to complete inspection documentation shall result in a violation of this permit and any other applicable acts or rules.
- i) The initial primary operator is no longer required to inspect portions of the site that are covered by a new primary operator. New primary operators who have obtained coverage under this permit shall conduct twice weekly inspections as per the requirements in Subsection 5.5.3.9.

If an area is inaccessible due to Unsafe Site Conditions the operator must document the conditions which demonstrate why the area is inaccessible using the operator's inspection form (Subpart 5.5.3.13). The operator shall perform the required inspection within 24 hours of the site being safely accessible. The inspection shall be documented on the operator's inspection form.

5.5.3.12. Pollution prevention measures for non-stormwater discharges

The SWPPP must identify source(s) of all non-stormwater discharge(s) listed in Section 1.2.3 if it is to be combined with stormwater discharges associated with construction activity. The SWPPP shall identify and ensure the implementation of appropriate pollution prevention measures for the non-stormwater components of the discharge. Any non-stormwater must be discharged through stable discharge structures. Estimated volume of the non-stormwater components of the discharge must be included in the design of all impacted control measures.

5.5.3.13. Inspection Form Contents

The following must be included in the Inspection Form at a minimum:

- a) Site or Project Name
- b) NPDES Tracking Number
- c) Primary Operator Name
- d) Date of Inspection
- e) Current approximate disturbed acreage
- f) Rainfall checked/documented daily (Yes/No)
- g) Name of Inspector
- h) Current weather/ground conditions
- i) Rainfall total since last inspection
- j) Inspector's Certification Credentials
- k) Site Assessment (Yes/No)
- l) Assessor's TN PE registration number (if applicable)
- m) Assessor's TNEPSC Level II number (if applicable)
- n) Identification of On-site items:
 1. Notice of Coverage (NOC),
 2. Stormwater Pollution Prevention Plan (SWPPP),
 3. Weekly inspection documentation,
 4. Site contact information,
 5. Rain Gage, or Off-site reference rain gage location (if applicable)
- o) Best Management Practices (BMPs):

Identify if EPSCs functioning correctly (Yes/No + comments if No)

 1. Are all applicable EPSCs installed and maintained per the SWPPP per the current phase? (Yes/No)

2. Are EPSCs functioning correctly at all disturbed areas/material storage areas? (permit Section 5.5.3) (Yes/No)
 3. Are EPSCs functioning correctly based on observations at outfall/discharge points? (permit Subsection 5.5.3.5 and Section 6.3.1) (Yes/No)
 4. Are EPSCs functioning correctly at ingress/egress points such that there is no evidence of track-out? (permit Subsection 5.5.3.1) (Yes/No)
 5. If applicable, have discharges from dewatering activities been managed by appropriate controls? (permit Section 4.1.3) If "No," describe below the measure to be implemented to address deficiencies. (N/A - Yes/No)
 6. If construction activity at any location on-site has temporarily/permanently ceased, was the area stabilized within 14 days? (permit Subsection 5.5.3.4) If "No," describe below each location and measures taken to stabilize the area(s). (N/A - Yes/No)
 7. Have pollution prevention measures been installed, implemented, and maintained to minimize the discharge of pollutants from wash waters, exposure of materials and discharges from spills and leaks as required by permit Section 4.1.4? If "No," describe below the measure to be implemented to address deficiencies. (N/A - Yes/No)
 8. If a concrete washout facility is located on site, is it clearly identified on the project and maintained? If "No," describe below the measures to be implemented to address deficiencies. (permit Section 1.2.2) (N/A - Yes/No)
 9. Have all previous deficiencies been addressed? If "No," describe the remaining deficiencies in the Comments section. (N/A - Yes/No)
 10. Have deficiencies/corrective measures been reported on a previous form? (Yes/No)
- p) Comment Section (If the answer is "No" for any of the items required by permit Section 5.5.3.13.o), describe the problem and summarize corrective actions to be taken. Otherwise, describe any pertinent observations)
- q) Certification and Signature Block
1. Operator Certification Statement:

I certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision. The submitted information 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. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.

2. Inspector Certification Statement:

I certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision. I further certify that I meet the inspector qualification requirements specified in Subsection 5.5.3.10 of this permit. The submitted information 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. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.

3. Inspector Name and Title
4. Inspector Signature and Date
5. Primary Operator Name and Title
6. Primary Operator Signature and Date

Part 6

6. Special Conditions, Management Practices, and Other Non-Numeric Special Conditions**6.1. Releases in Excess of Reportable Quantities**

The discharge of hazardous substances or oil in the stormwater discharges from a facility shall be minimized in accordance with the applicable SWPPP for the facility. This permit does not relieve the operator of the reporting requirements of 40 C.F.R. Part 117 and 40 C.F.R. Part 302.

6.2. Spills

This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill.

6.3. Discharge Compliance with State Water Quality Standards**6.3.1. Violation of water quality standards**

The authorized discharge shall not contain distinctly visible solids, scum, foam, oil, or sludge, or contain pollutants in amounts that were not disclosed to the department in such a manner that the discharge was within the reasonable contemplation of the department at the time of issuance of the final permit.

Where a discharge is already authorized under this permit and the Division determines that the discharge is contributing to a violation of state water quality standards, the Division will notify the operator of its determination. Upon such notification, the operator shall review and, as necessary, revise and implement additional or modified control measures to ensure compliance with discharges authorized by this permit. The Division may also take appropriate action under the WQCA or require the operator to obtain an individual permit.

Construction activity carried out in the manner required by this permit shall be considered in compliance with the Tennessee Rules, Chapter 0400-40-03-.03.

Solids or other materials removed by any sediment control treatment devices must be disposed of in a manner that minimize their entrance into or pollution of any surface or subsurface waters.

6.4. Discharges Into Waters with Unavailable Parameters or Exceptional Tennessee Waters

The requirements below apply where a discharge is to waters with unavailable parameters for siltation or an Exceptional Tennessee Water (ETW), or upstream of such waters where, because of the nature and proximity to the receiving water, the discharge is more than likely to impact water quality in the impaired or exceptional water as determined by the Director.

6.4.1. SWPPP/BMP Requirements

- a) The SWPPP must certify that EPSC measures used at the site are designed to minimize erosion and maximize sediment removal resulting from a 5-year, 24-hour storm event (the design storm),
- b) The design storm as specified by as defined by [Precipitation-Frequency Atlas of the United States. Atlas 14. Volume 2. Version 3.0. U.S. Department of Commerce. National Oceanic and Atmospheric Administration \(NOAA\), National Weather Service, Hydrometeorological Design Studies Center, Silver Springs, Maryland or its digital product equivalent.](#)
- c) The operator shall perform inspections described in Section 5.5.3.9 at least twice every calendar week. Inspections shall be performed at least 48 hours apart.
- d) If the Division finds that an operator is contributing to the impairment of a receiving stream despite complying with the SWPPP, the operator will be notified by the Division in writing that the discharge is no longer eligible for coverage under the general permit. The operator may update the SWPPP and implement the necessary changes designed to eliminate further impairment of the receiving stream. If the operator does not implement the SWPPP changes within seven days of receipt of notification, the operator will be notified in writing that continued discharges must be covered by an individual permit (Subpart 8.14). To obtain the individual permit, the operator must file an individual permit application and submit an

updated SWPPP. The project must be stabilized immediately and remain stable until the SWPPP is updated and the individual permit is issued. Only discharges from earth disturbing activities necessary for stabilization are authorized to continue until the individual permit is issued.

- e) For an on-site outfall that receives drainage from five or more disturbed acres, a temporary sediment basin with sediment storage and treatment for runoff from a 5-year, 24-hour storm; or equivalent control measures shall be provided until final stabilization is achieved. See examples provided in the Tennessee Erosion Prevention and Sediment Control Handbook. A drainage area includes disturbed and undisturbed portions of the site and areas adjacent to the site, all draining through the common outfall, must provide appropriate BMPs for the runoff from the drainage area.
- f) For an on-site outfall that receives drainage from 3.5 - 4.9 disturbed acres, a sediment trap or equivalent control measures with treatment for a runoff from a 5-year, 24-hour storm shall be provided until final stabilization of the disturbed area is achieved.

6.4.2. Water Quality Riparian Buffer Zone Requirements

Sites that contain, or are adjacent to, receiving waters with unavailable parameters for siltation or designated as Exceptional Tennessee Waters shall preserve a 60-foot natural water quality riparian buffer zone adjacent to the receiving stream. All other buffer zone requirements as stated in Section 4.1.2 will apply.

The natural water quality riparian buffer zone shall be preserved between the top of stream bank and the disturbed construction area. The 60-foot criterion for the width of the buffer can be established on an average width basis at a project, as long as the minimum width of the buffer is more than 30 feet at any measured location. If the construction site encompasses both sides of a stream, buffer averaging can be applied to both sides, but each side must average the 60-foot criterion independently.

This requirement does not apply to “artificial” or “isolated” wetlands, as defined by Tennessee statute, or an area that is being altered under the authorization of a valid ARAP, or equivalent federal permits. Operators are

encouraged to coordinate with the local authority to determine if additional buffer zone requirements have been established.

Part 7

7. Retention, Accessibility and Submission of Records**7.1. Documents**

The primary operator shall retain copies of SWPPPs, reports required by this permit, records of all data used to complete the NOI and the RFT for a period of at least three years from the date the RFT is submitted. This period may be extended by written request of the Director.

7.2. Accessibility And Retention of Records

The operator shall retain a copy of the SWPPP, reports required by this permit, and a copy of the permit at the construction site (or other location accessible to the Division) from the date construction commences to the date of termination of permit coverage.

Operators with day-to-day operational control over SWPPP implementation shall have a copy of the SWPPP available at a central location onsite for the use of all operators and those identified as having responsibilities under the plan whenever they are on the construction site.

The operator shall make the existing SWPPP and reports¹¹ required by this permit available upon request to the Director; the local agency approving EPSC plans, grading plans, land disturbance plans or stormwater management plans; or the MS4.

7.2.1. Posting Information at the Construction Site

A notice shall be posted near the main entrance of the construction site visible to the public with the following information:

- a) NPDES permit tracking number for the construction project;

¹¹ Twice weekly inspection reports may be prepared, signed, and kept electronically, rather than in paper form, if the records are: (a) in a format that can be read in a similar manner as a paper record; (b) legally dependable with no less evidentiary value than their paper equivalent; and (c) immediately accessible to the inspector during an inspection to the same extent as a paper copy stored at the site would be, if the records were stored in paper form.

- b) a name or company name; E-mail address (if available); telephone number and address of the operator or a local contact person; and
- c) the location of the SWPPP (Subpart 7.2).

The notice must be maintained in a legible condition. The notice shall be posted in a local public building if posting this information near a main entrance is infeasible due to safety concerns or if the site is not accessible to the public. If the construction project is a linear construction project (e.g., pipeline or highway), the notice must be placed in a publicly accessible location near where construction is actively underway and moved as necessary. This permit does not provide the public with any right to trespass on a construction site for any reason, including inspection of a site. This permit does not require operators to allow members of the public access to a construction site.

7.2.2. Additional Requirements

The primary operator shall also retain the following items in an appropriate location on-site (or other location accessible to the Division):

- a) A rain gauge (or use of a reference site for a record of daily precipitation) and accurate rainfall records;
- b) A copy of all required inspection reports; and
- c) Records of the dates when major grading activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated.

7.3. Electronic Submission of Documents

7.3.1. Electronic Reporting and Waivers

This permit requires the submission of forms developed by the Director in order for an operator to comply with certain requirements, including, but not limited to, making reports, submitting inspection findings, applying for permit coverage and requesting for termination of permit coverage. The Director may make these forms available electronically and, if submitted electronically, then that electronic submission shall comply with Subchapter 0400-01-40 of the Rules. Electronic submission may be required when available, unless waived by the Commissioner in accordance with 40 C.F.R. § 127.15.

In the event of large-scale emergencies and/or prolonged electronic reporting system outages, an episodic electronic reporting waiver may be granted by the Commissioner in accordance with 40 C.F.R § 127.15. A request for a deadline extension or episodic electronic reporting waiver should be submitted to NPDES.compliance@tn.gov in compliance with the Federal NPDES Electronic Reporting Rule.

If an episodic electronic reporting waiver is granted, reports with wet-ink original signatures to the following address:

*State of Tennessee
Department of Environment and Conservation
Division of Water Resources
Compliance & Enforcement
Davy Crockett Tower, 9th Floor
500 James Robertson Parkway
Nashville, Tennessee 37243*

For purposes of determining compliance with this permit, data provided to the Division electronically is legally equivalent to data submitted on signed and certified forms. A copy must be retained for the operator's files.

7.3.2. Monitoring Results

Monitoring results (if applicable, for projects exceeding 50 acres of disturbance at one time, see Subsection 5.5.3.3) shall be recorded monthly and submitted monthly using NetDMR. Submittals shall be no later than 15 days after the completion of the reporting period. If NetDMR is not functioning, a completed DMR with an original signature shall be submitted to the address for Compliance and Enforcement Unit as listed in the Subpart 7.3 above. The first DMR is due on the 15th of the month following permit effectiveness.

DMRs must be signed and certified in accordance with Rule 0400-40-10-.03(2)(e) by a responsible corporate officer a general partner or proprietor, or a principal municipal executive officer or ranking elected official, or his duly authorized representative. Such authorization must be submitted in

writing and must explain the duties and responsibilities of the authorized representative.

Part 8

8. Standard Permit Conditions**8.1. Duty to Comply**

The operators must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of TWQCA and is grounds for an enforcement action, permit termination, revocation and reissuance, modification; or for denial of a permit renewal.

8.2. Penalties

Pursuant to T.C.A. § section 69-3-115 of The Tennessee Water Quality Control Act of 1977WQCA, any person who does any of the following acts or omissions is subject to a civil penalty of up to \$10,000 per day for each day during which the act or omission continues or occurs:

- a) Violates an effluent standard or limitation or a water quality standard established under this part;
- b) Violates the terms or conditions of a permit;
- c) Fails to complete a filing requirement or causes false information to be filed with the Department;
- d) Fails to allow or perform an entry, inspection, monitoring, or reporting requirement;
- e) Violates a final determination or order of the board, panel or commissioner;
- f) In the case of an industrial user of a publicly owned treatment works, fails to pay user or cost recovery charges or violates pretreatment standards or toxic effluent limitations established as a condition in the permit of the treatment works;
- g) After reasonable notice and opportunity to restore a ditch constructed pursuant to section 69-3-130, the owner of the property fails to restore the ditch to permit specifications; or
- h) Violates any other provision of this part or any rule or regulation promulgated by the Board.

Any person unlawfully polluting the waters of the state or violating or failing, neglecting, or refusing to comply with any of the provisions of the

WQCA or Rules commits a Class C misdemeanor. Each day upon which such violation occurs constitutes a separate offense.

Any person who willfully and knowingly falsifies any records, information, plans, specifications, or other data required by the Board or the commissioner, or who willfully and knowingly pollutes the waters of the state, or willfully fails, neglects or refuses to comply with any of the provisions of the WQA commits a Class E felony and shall be punished by a fine of not more than \$25,000 or incarceration, or both.

8.3. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the discharger from civil or criminal penalties for noncompliance. Notwithstanding this permit, the discharger shall remain liable for any damages sustained by the State of Tennessee, including but not limited to fish kills and losses of aquatic life and/or wildlife, as a result of the discharge to any surface or subsurface waters. Additionally, notwithstanding this permit, it shall be the responsibility of the discharger to conduct stormwater discharge activities in a manner such that public or private nuisances or health hazards will not be created. Furthermore, nothing in this permit shall be construed to preclude the State of Tennessee from any legal action or relieve the discharger from any responsibilities, liabilities, or penalties established pursuant to any applicable state or federal law.

8.4. Liability Under State Law

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the operator from any responsibilities, liabilities, or penalties established pursuant to any applicable local, state or federal law.

8.5. Continuation of Expired General Permit

Operators shall maintain coverage under this general permit until a new general permit is issued.

Operator(s) of an existing site permitted under the Division's 2021 construction general permit shall maintain full compliance with the existing SWPPP. The existing SWPPP shall be modified according to the Section 5.3.1 of this permit.

8.6. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for an operator in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

8.7. Duty to Mitigate

The operator shall take all reasonable steps to minimize any adverse impact to the waters of Tennessee resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge. It shall not be a defense for the operator in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

8.8. Duty to Provide Information

The operators shall furnish to the Division or an authorized representative of the Division, within a time specified by the Division, any information that the Division may request to determine compliance with this permit or other information relevant to the protection of the waters of the state. The operators shall also furnish to the Division, upon request, copies of records required to be kept by this permit.

8.9. Other Information

When an operator becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or in any other report to the Director, he or she shall promptly submit such facts or information.

8.10. Signatory Requirements

All NOIs, SWPPPs, RFTs, Construction Stormwater Inspection Certifications, Construction Stormwater Monitoring Report forms, reports, certifications or information either submitted to the Director or a large or medium MS4 shall be signed as described in Sections 8.10.1 and 8.10.2 and dated.

8.10.1. Signatory Requirements for an NOI

The NOI shall be signed as follows:

- a) For a corporation, by a:
 - i. Responsible corporate officer, a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation;
 - ii. Manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions that govern the operation of the regulated facility to assure long term environmental compliance with environmental laws and regulations; or
 - iii. Person in a corporate position to whom signatory authority has been delegated by a corporate officer.
- b) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
- c) For a municipality, state, federal, or other public facility, by a:
 - i. Principal executive officer (i.e., the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency); or
 - ii. Ranking elected official.

NOTE: The Division does not require specific assignments or delegations of authority to responsible corporate or municipal, state, federal, or other public agency officers. The Division will presume that these officers have the requisite authority to sign NOIs unless the entity has notified the Director to the contrary. Procedures governing authority to sign permit NOIs may provide for assignment or delegation to applicable positions rather than to specific individuals.

8.10.2. Signatory Requirements for SWPPPs, Reports and Other Items

SWPPPs, Construction Stormwater Inspection Certification forms, reports, certifications or other information submittals required by the permit and other information requested by the Division, including but not limited to Notice of Violation responses, shall be signed by a person described in Section 8.10.1, or by a duly authorized representative of that person.

8.10.3. Duly Authorized Representative

For a purpose of satisfying signatory requirements for reports (Section 8.10.2), a person is a duly authorized representative only if:

- a) the authorization is made in writing¹² by a person described in Section 8.10.1;
- b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity or the authorization specifies an individual or position having overall responsibility for environmental matters for the company; and
- c) The written authorization is submitted to the Director.

8.10.4. Changes to Authorization

Any changes in the written authorization submitted to the Director under 8.10.1 or 8.10.3 which occur after the issuance of a permit shall be reported to the Director by submitting a copy of a new written authorization which meets the requirements of Section 8.10.1 and Section 8.10.2. of this subparagraph.

8.10.5. Signatory Requirements for Primary Operators

8.10.5.1. NOI

Primary operators required to sign an NOI because they meet the definition of an operator (Subpart 2.1.1) shall sign the following certification statement on the NOI:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in the attached document; and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate, and complete. I am aware

¹²The online reporting system, MyTDEC Forms, Authorizations and Contact Update form can be used instead of a letter. It can be found at [MyTDEC Forms: Authorizations and Contact Update Form for NPDES and SOP Permits](#).

that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

By submitting this NOI, the operator consents to entry by the commissioner's agents at all reasonable times upon any property the permit applicant owns or controls other than dwelling places for the purpose of conducting investigations and studies or enforcing the Water Quality Control Act of 1977. Additionally, the applicant certifies that it has obtained, or will obtain, any additional permissions necessary for such investigations on property it does not own or control, but that is included in the work to be authorized by the NOI. Failure to obtain such access or withdrawing this consent in the future may result in permit revocation."

8.10.5.2. SWPPP

Primary operator required to sign the SWPPP because they meet the definition of an operator (Subpart 2.1.1) shall sign the following certification statement on the SWPPP:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in the attached document; and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Note: when submitting the NOI form, SWPPP, and any other attached documents, using the required online MyTDEC NOI form the electronic signature of the submittal satisfies the certified signatory requirements in Subpart 8.10.5. for the NOI and all of the attached documents.

8.10.6. Signatory Requirements for Secondary Operators

8.10.6.1. NOI

Secondary operators required to sign an NOI because they meet the definition of an operator in 2.1.2, shall sign the following certification statement on the NOI:

"I certify under penalty of law that I have reviewed this document, any attachments, and the SWPPP referenced above. Based on my inquiry of the construction site owner/developer identified above and/or my inquiry of the person directly responsible for assembling this NOI and SWPPP, I believe the information submitted is accurate. I am aware that this NOI, if approved, makes the above-described construction activity subject to NPDES permit number TNR100000, and that certain of my activities on-site are thereby regulated. I am aware that there are significant penalties, including the possibility of fine and imprisonment for knowing violations, and for failure to comply with these permit requirements. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.

By submitting this NOI, the operator consents to entry by the commissioner's agents at all reasonable times upon any property the permit applicant owns or controls other than dwelling places for the purpose of conducting investigations and studies or enforcing the Water Quality Control Act of 1977. Additionally, the applicant certifies that it has obtained, or will obtain, any additional permissions necessary for such investigations on property it does not own or control, but that is included in the work to be authorized by the NOI. Failure to obtain such access or withdrawing this consent in the future may result in permit revocation."

8.10.6.2. SWPPP

Secondary operators required to sign the SWPPP because they meet the definition of an operator (Subpart 2.1.2) shall sign the following certification statement on the SWPPP:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in the attached document; and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Note: when submitting the NOI form, SWPPP, and any other attached documents, using the required online MyTDEC NOI form the electronic signature of the submittal satisfies the certified signatory requirements in Subpart 8.10.5. for the NOI and all of the attached documents.

8.11. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the operator from any responsibilities, liabilities, or penalties to which the operator is or may be subject to Section 311 of the Clean Water Act or Section 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ([CERCLA](#)).

8.12. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges; nor does it authorize any injury to private property, any invasion of personal rights or any infringement of federal, state or local laws or regulations. The issuance of this permit does not authorize trespassing or discharges of stormwater or non-stormwater across private property.

8.13. Severability

The provisions of this permit are severable, and if any provision of this permit, or the NOI of any provision of this permit to any circumstance, is held invalid, the NOI of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

8.14. Individual Permits

8.14.1. Required Individual Permit Coverage

The Director may require any person covered by this permit to apply for and obtain an individual NPDES permit to ensure adequate protection of designated uses of a receiving stream. Any interested person may petition the Director in writing to take action under this paragraph but must include in their petition the justification for such an action. Where the Director requires a discharger authorized to discharge under this permit to apply for an individual NPDES permit, the Director shall notify the discharger in writing that an individual permit application is required. This notification will include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the discharger to file the application and a statement that coverage under this general permit shall terminate upon the effective date of an individual NPDES permit; or denial of coverage under an individual permit. An individual NPDES permit is required only when additional permit terms or conditions beyond those set forth herein are necessary to protect water quality. Criteria for the Division to require an individual NPDES permit may include, but are not limited to:

- a) Due to unique site conditions the discharge may result in greater than de minimis degradation, or a threat to threatened or endangered aquatic or semi-aquatic species.
- b) The total acreage to be disturbed and/or total drainage area to an outfall may exceed the capability of standard EPSCs and other BMPs to prevent pollution to waters.
- c) Steep grades or erosive soil conditions warrant site-specific controls that exceed the conditions of the CGP.
- d) Other site-specific conditions, such as contaminated soils or public lands.

The notification may require stabilization of the site and suspend coverage under this general permit until the individual permit is issued. Individual permit applications and updated SWPPP shall be submitted to the appropriate EFO of the Division as indicated in Subpart 3.6. The Director may grant additional time to submit the application upon request of the applicant. If a discharger fails to submit in a timely manner an individual NPDES permit application as required by the Director under this

paragraph, then the applicability of this permit to the discharger will be terminated at the end of the day specified by the Director for application submittal.

If the decision to require an individual NPDES permit precedes the issuance of coverage under this general permit, earth disturbing activities cannot begin until the individual permit is issued.

8.14.2. Operator-Requested Individual Permit Coverage

Any discharger authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. Any discharger that knowingly cannot abide by the terms and conditions of this permit must apply for an individual permit. In such cases, the operator shall submit an individual application in accordance with the requirements of 40 C.F.R. § 122.26(c)(1)(ii), with reasons supporting the request, and a SWPPP to the appropriate Division's EFO. The request may be granted by issuance of an individual permit, or alternative general permit, if the reasons cited by the operator are adequate to support the request.

8.14.3. General Permit Termination

When an individual NPDES permit is issued to a discharger otherwise subject to this permit, or the discharger is authorized to discharge under an alternative NPDES general permit, the applicability of this permit to the discharger is terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to an operator otherwise subject to this permit, or the operator is denied for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is terminated on the date of such denial, unless otherwise specified by the Director. Coverage under the Tennessee Multi-Sector General Permit for the Discharge of Stormwater from an Industrial Activity (TMSP) will not be considered as an alternative general permit under this Section without being specified by the Director.

8.15. Other, Non Stormwater, Program Requirements

No condition of this permit shall release an operator from any responsibility or requirements under other environmental statutes or regulations.

8.16. Proper Operation and Maintenance

Operators shall at all times properly operate and maintain all facilities and systems of treatment and control (and related equipment) which are installed or used by an operator to achieve compliance with the conditions of this permit and with the requirements of SWPPPs.

Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by an operator, when determined by the operator or the Division to be necessary to achieve compliance with the conditions of the permit.

8.17. Inspection and Entry

Operators shall allow authorized representatives of the Environmental Protection Agency, the Director or an authorized representative of the commissioner of TDEC, or, in the case of a construction site which discharges through a municipal separate storm sewer, an authorized representative of the MS4 receiving the discharge, upon the presentation of credentials and other documents as may be required by law:

- a) to enter upon the operator's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
- b) to have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and
- c) to inspect any facilities or equipment, including monitoring and control equipment.

8.18. Permit Actions

This permit may be issued, modified, revoked, reissued or terminated for cause in accordance with this permit and the applicable requirements of Section 69-3-108 of the WQCA. The filing of a request by the operator for a

permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

8.19. Change of Ownership

Permit Coverage is not transferrable. New owners must submit a complete NOI as required in Part 3.

If the operator's company name has changed (but not the site ownership or authorized signatory), an updated NOI shall be submitted to the Division within 30 days of the name change, along with documentation that the name change has been properly registered with the Tennessee Secretary of State, Division of Business Services.

If the change of ownership is due to foreclosure or an operator filing for bankruptcy proceedings, the new owner (e.g., a lending institution) must obtain permit coverage if the construction activity is inactive but soil is not stabilized sufficiently. If the property is sufficiently stabilized permit coverage may not be necessary, unless and until construction activity at the site resumes.

8.20. Change of Contact Information

The operator shall promptly provide the Director written notice of any change of contact information for the operator's organization or associated individuals including but not limited to the Official, Billing and other contacts associated with the permit. In the absence of such notice, the original address of the operator will be assumed to be correct.

The written notice shall be submitted using [MyTDEC Forms Authorizations and Contact Update Form for NPDES and SOP Permits](#). If no representative of the operator has access to the form, the operator shall submit an email notification to the appropriate Environmental Field Office identifying the name, email address, and title of the individual to be granted access.

Part 9

9. Requirements for Termination of Coverage**9.1. Termination of Primary Operator Coverage****9.1.1. Termination Process for Primary Operators**

Primary operators wishing to terminate coverage under this permit must submit a completed Request for Termination (RFT) form (representative photo or video documentation of site stabilization is recommended). The RFT must be submitted electronically through the online reporting system, MyTDEC Forms. Primary operators who abandon a site and fail to submit the RFT will be in violation of this permit. If the RFT was not submitted five years following the “estimated end date” (as identified on the NOI), the Division can terminate the CGP coverage, unless the primary operator specifically requests to maintain coverage. Signs notifying the public of the construction activity shall be in place until the RFT form has been submitted. Primary operators may terminate permit coverage only if the conditions described below occur at the site:

- a) For areas where the primary operator has control, all earth-disturbing activities and, if applicable, construction support activities permitted under Section 1.2.2 at the site are complete and the following requirements are met:
 - i. For any areas that were disturbed during construction, are not covered by permanent structures and over which the operator had control during the construction activities; the requirements for permanent vegetation or non-vegetative stabilization described in Subsection 5.5.3.4 are met;
 - ii. The operator has removed and properly disposed of all construction materials, as well as waste and waste handling devices. The operator has removed all equipment and vehicles that were used during construction, unless they are intended for long-term use following termination of permit coverage;
 - iii. The operator has removed all plastic or synthetic stormwater controls that were installed and maintained during

- construction, except those that are intended for long-term use following termination of permit coverage;
- iv. The operator has identified in the SWPPP who is responsible for ongoing maintenance of any stormwater controls left on the site for long-term use following termination of permit coverage, and
 - v. The groundcover achieves final stabilization.
- b) The primary operator has transferred control of all areas of the site for which he is responsible (including, but not limited to, infrastructure, common areas, stormwater drainage structures, sediment control basin) under this permit to another operator, and that operator has submitted an NOI and obtained coverage under this permit.
- c) The operator obtains coverage under an individual or alternative general NPDES permit.

9.1.2. RFT Review

The Division may review RFTs for completeness and accuracy and, when necessary, investigate the proposed site for which the RFT was submitted. Coverage under the permit is terminated when the permit record is published on TDEC's Dataviewer as "Inactive." Operators may be liable for discharges that occur from the site after termination.

The Division retains the right to deny termination of coverage under this general permit upon receipt of the RFT. If the Division has information indicating that the permit coverage is not eligible for termination, written notification will be provided within 30 days of receipt that permit coverage has not been terminated. The notification will include a summary of existing deficiencies. When the site meets the termination criteria, the RFT should be re-submitted.

If any operator files for bankruptcy or the site is foreclosed on by the lender, the operator shall notify the Division of the situation so that the Division may assess the site to determine if permit coverage should be obtained by any other person or whether other action is needed.

9.2. Termination of Secondary Operator Coverage

9.2.1. Termination Process for Secondary Operators

Secondary operators must request termination of coverage under this permit by submitting a RFT when they are no longer an operator at the construction site. The Secondary Operator RFT must be submitted electronically through the online reporting system, MyTDEC Forms. Secondary operators receive coverage under this permit but are not normally mailed a NOC. Consequently, the Division may, but is not required to, notify secondary operators that their request for termination has been received. If the Division has reason to believe that the secondary operator's RFT should not have been submitted, the Division will deny the secondary operators RFT in writing, with specific reasons as to why the RFT should not have been submitted.

9.3. RFT Certification

The RFT and the following certification must be signed in accordance with Subpart 8.10 of this permit:

"I certify under penalty of law that either: (a) all stormwater discharges associated with construction activity from the portion of the identified facility where I was an operator have ceased or have been eliminated or (b) I am no longer an operator at the construction site. I understand that by submitting this request for termination, I am no longer authorized to discharge stormwater associated with construction activity under this general permit, and that discharging pollutants in stormwater associated with construction activity to waters of the state is unlawful under the Water Quality Control Act of 1977 where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this request for termination does not release an operator from liability for any violations of this permit or the Tennessee Water Quality Control Act. I certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision. The submitted information 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. As specified in Tennessee Code Annotated section 39-16-702(a)(4), this declaration is made under penalty of perjury."

9.4. Where to Submit an RFT

Operators shall submit an RFT electronically through the online reporting system, MyTDEC Forms.

Part 10

10. Definitions, Acronyms, And Resources

10.1. Definitions

2-year 24-hour 5-year 24-hour	2-year and 5-year design storm depths and intensities The estimated design rainfall amounts, for any return period interval (i.e., 2-yr, 5-yr, 25-yr, etc.,) in terms of either 24-hour depths or intensities for any duration, can be found in NOAA Atlas 14 or updated version. Other data sources may be acceptable with prior written approval by the Division.
agriculture	Agriculture means (i) the land, buildings, and machinery used in the commercial production of farm products and nursery stock; (ii) the activity carried on in connection with the commercial production of farm products and nursery stock; (iii) recreational and educational activities on land used for the commercial production of farm products and nursery stock; and (iv) entertainment activities conducted in conjunction with, but secondary to, commercial production of farm products and nursery stock, when such activities occur on land used for the commercial production of farm products and nursery stock. (Tenn Code Ann. § 1-3-105) “Farm products” means forage and sod crops; grains and feed crops; dairy and dairy products; poultry and poultry products; livestock, including breeding and grazing; fruits; vegetables; flowers; seeds; grasses; forestry products; fish and other aquatic animals used for food; bees; equine; and all other plants and animals that produce food, feed, fiber or fur. (Tenn. Code Ann. § 1-3-105) As used in this definition of agriculture, the term “nursery stock” means all trees, shrubs, or other

	plants, or parts of such trees, shrubs or other plants, grown or kept for, or capable of, propagation, distribution or sale on a commercial basis. (Tenn. Code Ann. § 1-3-105). Agricultural and forestry activities are exempt from this permit's requirements unless there is a point source discharge from a discernible, confined, and discrete water conveyance. Tenn. Code Ann. § 69-3-120.
ARAP	Aquatic Resource Alteration Permit "Aquatic Resource Alteration Permit" or "ARAP" means a permit issued pursuant to Tenn Code Ann. § 69-3-108 of the Act, which authorizes the alteration of properties of waters of the state that result from activities other than discharges of wastewater through a pipe, ditch, or other conveyance. (Rule 0400-40-07)
artificial isolated wetland	Artificial isolated wetland means a wetland formed in an area that would otherwise be upland as a result of prior human alterations such as drainage, fill, cropping, ditching, tile drainage, excavation, tire ruts, silviculture, or impoundment for which sufficient proof exists providing evidence that a wetland did not exist five (5) years prior to the submission of a wetland resource inventory report; or a wetland that was intentionally constructed in an upland area for the purpose of wastewater treatment, stormwater management, or other engineered use, or was inadvertently created due to changes in surface hydrology from site development, and grading or as a result of a beaver dam within the five (5) years prior to the submission of a wetland resource inventory report; and does not include wetlands that serve as fish spawning areas or wetlands created as a result of mitigation requirements. (Tenn. Code Ann. § 69-3-106)

BMP	Best Management Practices (“BMPs”) means schedules of activities, prohibition of practices, maintenance procedures and other management practices to prevent or reduce the discharge of pollutants to <u>waters</u> of the state. BMPs also include treatment requirements, operating procedures; and practices to control plant site runoff, spillage, leaks, sludge or waste disposal, or drainage from raw material storage. BMPs include source control practices (non-structural BMPs) and engineered structures designed to treat runoff. <u>Structural BMPs</u> are facilities that help prevent pollutants in stormwater runoff from leaving the site. <u>Non-structural BMPs</u> are techniques, activities and processes that reduce pollutants at the source.
borrow pit	Borrow Pit is an excavation from which erodible material (typically <u>soil</u>) is removed to be fill for another site. There is no processing or separation of erodible material conducted at the site. Given the nature of activity and pollutants present at such excavation, a borrow pit is considered a construction activity for the purpose of this permit.
buffer zone	Buffer Zone or Water Quality Riparian Buffer is a permanent strip of natural perennial vegetation, adjacent to a <u>stream</u>, river, wetland, pond, or lake that contains dense vegetation made up of grass, shrubs, and/or trees. The purpose of a water quality riparian buffer is to maintain existing water quality by minimizing risk of any potential <u>sediments</u>, nutrients or other pollutants reaching adjacent surface waters and to further prevent negative water quality impacts by providing canopy over adjacent waters
clearing	Clearing refers to removal of vegetation and disturbance of <u>soil</u> prior to grading or excavation in anticipation of construction activities. Clearing may also refer to wide area land disturbance in anticipation of non-construction activities. Clearing, grading and excavation do not refer to clearing of

	vegetation along existing or new roadways, highways, dams or power lines for sight distance or other maintenance and/or safety concerns, or cold planning, milling, and/or removal of concrete and/or bituminous asphalt roadway pavement surfaces. The clearing of land for agricultural purposes is exempt from federal <u>stormwater</u> NPDES permitting in accordance with the WQCA
Construction site or site	the land or water area where construction activities will occur and where stormwater controls will be installed and maintained. The construction site includes construction support activities, which may be located at a different part of the property from where the primary construction activity will take place, or on a different piece of property altogether.
commencement	Commencement of construction: the initial disturbance of <u>soils</u> associated with clearing, grading, excavating or other construction activities.
common plan of development or sale	Common plan of development or sale: A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one common plan. The "common plan" of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot
construction stormwater	Construction stormwater means stormwater discharge associated with construction activity as defined at 40 C.F.R. §§ 122.26(b)(14)(x) and 40 C.F.R. §122.26(b)(15) and incorporated here by reference. Construction activities include clearing, grading, and excavation that results in land disturbance of equal to or greater than one acre. Construction activity also

	includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one acre. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site.
control measure	Control measure refers to any Best Management Practice (BMP) or other method (including narrative effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the state.
CWA	CWA means the Clean Water Act of 1977 or the Federal Water Pollution Control Act (33 U.S.C. 1251-1387, et seq.)
de minimis	De Minimis is degradation of a small magnitude, as provided in this paragraph: (a) Discharges and withdrawals: 1. Subject to the limitation of degradation, a single discharge other than those from new domestic wastewater sources will be considered de minimis if it uses less than five percent of the available assimilative capacity for the substance being discharged. 2. Subject to the limitation of degradation, a single water withdrawal will be considered de minimis if it removes less than five percent of the 7Q10 flow of the <u>stream</u>. 3. If more than one activity described in part 1 or 2 has been authorized in a segment and the total of the authorized and proposed impacts uses no more than 10% of the assimilative capacity, or 7Q10 low flow, they are presumed to be de minimis. Where the total of the authorized and proposed impacts uses 10% of the assimilative capacity, or 7Q10 low flow, additional degradation may only be treated as de minimis if the Division finds on a scientific basis that the

	additional degradation has an insignificant effect on the resource. (b) Habitat alterations authorized by an ARAP are de minimis if the Division finds that the impacts, individually and cumulatively, are offset by impact minimization and/or in-system mitigation, provided however, in Outstanding National Resource Waters (ONRWs) the mitigation must occur within the ONRW.
degradation	Degradation means the alteration of the properties of waters by the addition of pollutants, withdrawal of water, or removal of habitat, except those alterations of a short duration.
Department	Tennessee Department of Environment and Conservation (TDEC)
Director	Director means the Director, or authorized representative, of the Division of Water Resources of the State of Tennessee, Department of Environment and Conservation.
discharge of a pollutant	Discharge or discharge of a pollutant refers to the addition of pollutants to waters from a source.
disturbed area	Disturbed area means the total area presented as part of the development (and/or of a larger common plan of development) subject to being cleared, graded, grubbed, filled or excavated during the life of the development. The area cannot be limited to only the portion of the total area that the site-wide owner/developer initially disturbs through the process of various land clearing activities or in the construction of roadways, sewers, drainfields, and water utilities, <u>stormwater</u> drainage structures, etc., to make the property marketable.
Division	Division means the Division of Water Resources of the State of Tennessee, Department of Environment and Conservation
discharge-related activities	Stormwater discharge-related activities means activities that cause, contribute to or result in point source stormwater pollutant discharges. These activities may include excavation, site development,

	grading and other surface disturbance activities; and activities to control stormwater including the siting, construction and operation of BMPs.
Exceptional Tennessee Waters (ETW)	Exceptional Tennessee Waters are surface waters designated by the Division as having the characteristics set forth in Rule 0400-40-03-.06(4). Characteristics include waters within parks or refuges; scenic rivers; waters with threatened or endangered species; waters that provide specialized recreational opportunities; waters within areas designated as lands unsuitable for mining; waters with naturally reproducing trout; waters with exceptional biological diversity and other waters with outstanding ecological or recreational value.
final stabilization	Final Stabilization – on areas not covered by permanent structures, either (1) uniform, perennial vegetation (e.g., evenly distributed, without large bare areas) has been established, or for arid or semi-arid areas, will be established that provides 70 percent or more of the cover that is provided by vegetation native to local undisturbed areas (Should an area be converted to native planting, the SWPPP shall provide percent coverage and survival for adequate soil stabilization.), and/or (2) permanent non-vegetative stabilization measures (e.g., riprap, gravel, gabions, and geotextiles) have been implemented to provide effective cover for exposed portions of the site.
Isolated wetland	Isolated wetland means a wetland that does not have a continuous surface connection to a relatively permanent body of water that is connected to a traditional interstate navigable water and, as such, is distinguishable from that body of water. (Tenn. Code Ann. § 69-3-106)

Lands of Exclusive Federal Jurisdiction	Lands of Exclusive Federal Jurisdiction – all land where the Federal government has exclusive jurisdiction in relative respects.
linear project	Linear Project is a land disturbing activity as conducted by an underground/overhead utility or highway department, including, but not limited to, any cable line or wire for the transmission of electrical energy; any conveyance pipeline for transportation of gaseous or liquid substance; any cable line or wire for communications; or any other energy resource transmission ROW or utility infrastructure, e.g., roads and highways. Activities include the construction and installation of these utilities within a corridor. Linear project activities also include the construction of access roads, staging areas and borrow/spoil sites associated with the linear project. Land disturbance specific to the development of residential and commercial subdivisions or high-rise structures is not considered a linear project.
Live Storage	Live storage, sometimes referred to as dry storage, is the area above the sediment storage in a structural BMP that fills with runoff during a storm event and is therefore sized from the site hydrology based on the design storm. The live storage zone is sized hydrologically to capture and slowly release runoff from the design storm.
measurable degradation	Measurable Degradation , as used in the context of discharges or withdrawals, means changes in parameters of waters that are of sufficient magnitude to be detectable by the best available instrumentation or laboratory analyses.
Minimize	Minimize - to reduce and/or eliminate to the extent achievable using stormwater controls that are technologically available and economically

	practicable and achievable in light of best industry practices.
month	Month or Monthly refers to calendar months.
MS4	"Municipal Separate Storm Sewer System" or "MS4" is defined in 40 C.F.R. §122.26(b)(8) to mean a conveyance or system of conveyances (e.g., roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that are: a) owned and operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, <u>stormwater</u>, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States; b) designed or used for collecting or conveying <u>stormwater</u>; c) not a combined sewer; and d) not part of a Publicly Owned Treatment Works (POTW) as defined in 40 C.F.R. §122.2.
Operator or Owner	means any person who owns, leases, operates, controls, or supervises a source. "Owner or Operator" – for the purposes of this permit and in the context of stormwater discharges associated with construction activity, any person associated with a construction project that meets either of the following two criteria: 1. The person that has operational control over construction plans and specifications, including the ability to make modifications to those plans and

	specifications (e.g. <i>in most cases this is the owner of the site</i>); or 2. The person that has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions (e.g., <i>they are authorized to direct workers at a site to carry out activities required by the permit; in most cases this is the general contractor of the project</i>). Subcontractors generally are not considered operators for the purposes of this permit.
point source (or outfall)	Point source means any discernible, confined and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include <u>return flows from irrigated agriculture or agricultural storm water runoff.</u> (40 C.F.R. § 122.2; & TN Rule Tenn. Comp. R. & Regs. Chapter 0400-40-05) Outfall is a point where discharges leaves the site <u>from a discernible, confined, and conveyance</u>. Phrase “point source” and term “outfall” are used interchangeably in this general permit, and can be considered synonyms.
pollutant	Pollutant means sewage, industrial wastes, or other wastes.
QLP	Qualifying State, Tribal, or local erosion and sediment control program is one that includes, as defined in 40 C.F.R. 122.44(s): a) Requirements for construction site <u>operators</u> to implement appropriate erosion and <u>sediment</u> control best management practices. b) Requirements for construction site <u>operators</u> to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site

	that may cause adverse impacts to water quality. c) Requirements for construction site <u>operators</u> to develop and implement a <u>stormwater</u> pollution prevention plan. A stormwater pollution prevention plan includes site descriptions, descriptions of appropriate control measures, copies of approved State, Tribal or local requirements, maintenance procedures, inspection procedures and identification of non-<u>stormwater</u> discharges. d) Requirements to submit a site plan for review that incorporates consideration of potential water quality impacts.
rainfall	A rainfall event means any occurrence of rain, preceded by 10 hours without precipitation that results in an accumulation of 0.01 inches or more. Instances of rainfall occurring within 10 hours of each other will be considered a single rainfall event.
registered engineer	Registered Engineer and Registered Landscape Architect means an engineer or landscape architect certified and registered by the State Board of Architectural and Engineer Examiners pursuant to Tennessee Code Annotated section 62-2-202, to practice in Tennessee.
runoff coefficient	Runoff coefficient means the fraction of total rainfall that will appear at the conveyance as runoff. Runoff coefficient is also defined as the ratio of the amount of water that is not absorbed by the surface to the total amount of water that falls during a rainstorm.
sediment	Sediment means solid material, both inorganic (mineral) and organic, that is in suspension, is being transported; or has been moved from the site of origin by wind, water, gravity or ice as a product of erosion.
sediment basin	Sediment basin A temporary basin consisting of an embankment constructed across a wet weather

	conveyance, an excavation that creates a basin or by a combination of both. A sediment basin typically consists of a forebay cell, dam, impoundment, permanent pool, primary spillway, secondary or emergency spillway and surface dewatering device. The size and shape of the basin depends on the location, size of drainage area, incoming runoff volume and peak flow, <u>soil</u> type and particle size, land cover, and receiving <u>stream</u> classification (i.e., waters with unavailable parameters, Exceptional Tennessee Waters, or waters with available parameters).
Sediment storage	Sediment storage (sometimes referred to as wet storage, dead storage, or permanent pool). Sediment storage is calculated based on the anticipated sediment yield from the site. The live sediment storage zone is where soil particles settle and accumulate in a structural BMP.
sedimentation	Sedimentation means the action or process of forming or depositing sediment.
soil	Soil or Topsoil means the unconsolidated mineral and organic material on the immediate surface of the earth that serves as a natural medium for the growth of plants.
steep slope	Steep Slope or Steep Grade means a natural or created slope of 35% grade or greater. Designers of sites with steep slopes must pay attention to <u>stormwater</u> management in the <u>SWPPP</u> to engineer runoff around or over a steep slope so as not to erode the slope. In addition, site managers should focus on erosion prevention on the slopes and stabilize the slopes as soon as practicable to prevent slope failure or sediment discharges from the project.
stormwater	Stormwater means rainfall runoff, snow melt runoff, and surface runoff and drainage.
stream	A stream is a surface water that is not a wet weather conveyance. Therefore, as used in this permit,

	"stream" includes lakes, wetlands and other non-linear surface waters.
SWPPP	Stormwater Pollution Prevention Plan is a written site-specific plan required by this permit that includes a narrative pollution prevention plan and graphical erosion and sediment control plan. In its basic form, the plan contains a site map, a description of construction activities that could introduce pollutants to stormwater runoff, a description of measures or practices to control these pollutants, and erosion and sediment control plans and specifications. The SWPPP should be prepared in accordance with generally accepted engineering practices. The Tennessee Erosion Prevention and Sediment Control Handbook provides information for the purpose of developing SWPPP and EPSC required by this permit.
take	Take of an endangered species means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to engage in any such conduct.
temporary stabilization	Temporary Stabilization is a condition where exposed soils or disturbed areas are provided temporary vegetative and/or non-vegetative protective cover to minimize erosion and sediment loss. Temporary stabilization may include temporary seeding, geotextiles, mulches, and other techniques to reduce or minimize erosion until either final stabilization can be achieved or until further construction activities take place to re-disturb this area.
Tennessee CGP State Supplement Training	Tennessee CGP State Supplement Training is a - training intended for individuals seeking to meet the Inspector qualification requirements utilizing the EPA Construction Inspection Training course or an EPA reviewed Inspector Training program. This supplemental training includes Tennessee specific requirements and regulatory context. Upon

	successful completion of the training test, the participant receives Tennessee CGP State Supplement Training completion certificate. The Tennessee CGP State Supplement Training completion certificate expires with the expiration of this permit. To meet the requirement for Level I certified staff, TDOT may develop and administer an approved equivalent Tennessee CGP State Supplement Training in conjunction with the TDOT Level I certification provided for in the TDOT individual <u>MS4</u> Permit. The equivalent TDOT Tennessee CGP State Supplement Training is valid only for TDOT staff and for projects where TDOT is the primary site operator.
Tennessee EPSC Level I, Construction Stormwater Inspection Training:	Construction Stormwater Inspection Training: TNEPSC Level I is a Erosion Prevention and Sediment Control training and certification program for inspectors involved with land-disturbing activities covered under the Tennessee Construction General Permit, offered by <u>University of Tennessee Water Resources Research Center</u>. TDOT may develop and administer an approved equivalent. The equivalent TDOT Level I certification is valid only for TDOT staff and for projects where TDOT is the primary site operator.
Tennessee EPSC Level II	Tennessee EPSC Level II – is a Design Principles for Erosion Prevention and Sediment Control for Construction Sites training and certification program administered by <u>University of Tennessee Water Resources Research Center</u>. It is an advanced 2-day workshop designed for engineers and other professionals who have completed the prerequisite TN EPSC Level I course. The TN EPSC Level II Design workshop provides the general tools needed for developing an acceptable, working <u>SWPPP</u>. Topics discussed in the course include: hydrologic methods for determining peak flows; principles of <u>soil</u> erosion, scouring and <u>sediment</u> transport processes, including

	practice examples for preventing erosion; and open channel principles and practices for designing a stable channel, including use and examples of riprap, blankets and matting, and vegetation; stormwater control requirements and design ; sedimentation principles ; and temporary sediment basin design requirements , and detailed examples. The Level II Design workshop provides a Certificate of Completion after attending both days and successfully completing the take-home exam.
the handbook	<u>Tennessee Erosion Prevention and Sediment Control Handbook</u> is a guidance issued by the Division for the purpose of developing SWPPP and EPSC plans required by this permit. The handbook is designed to provide information to planners, developers, engineers and contractors on the proper selection, installation and maintenance of BMPs. The handbook is intended for use during the design and construction of projects that require erosion and sediment controls to protect waters of the state.
TMDL	Total maximum daily load (TMDL) means the sum of the individual wasteload allocations for point sources and load allocations for nonpoint sources and natural background (40 § C.F.R. 130.2(I)). TMDL is a study that quantifies the amount of a pollutant in a stream, identifies the sources of the pollutant and recommends regulatory or other actions that may need to be taken in order for the stream to cease being polluted. TMDLs can also be described by the following equation: TMDL = sum of nonpoint sources (LA)+ sum of point sources (WLA)+ margin of safety A list of completed TMDLs that have been approved by EPA can be found at the www.tn.gov/environment/program-areas/wr-water-

	resources/watershed-stewardship/tennessee-s-total-maximum-daily-load--tmdl--program.html".
treatment chemicals	Treatment chemicals are polymers, flocculants or other chemicals used to reduce turbidity in stormwater discharges by chemically bonding to suspended silts and other soil materials and causing them to bind together and settle out.
turbidity	Turbidity is the cloudiness or haziness of a fluid caused by individual particles (suspended solids) that are generally invisible to the naked eye
unavailable parameters	Waters with unavailable parameters means any segment of surface waters that has been identified by the Division as failing to support one or more classified uses. For the purpose of this permit, pollutant of concern is siltation. Based on the most recent assessment information available to staff, the Division will notify applicants and operators if their discharge is into, or is affecting, waters with unavailable parameters. Resources to be used in making this determination include biennial compilations of impaired waters, databases of assessment information, updated GIS coverages , and the results of recent field surveys. GIS coverages of the streams and lakes not meeting water quality standards, plus the biennial list of waters with unavailable parameters, can be found at the www.tn.gov/environment/program-areas/wr-water-resources/water-quality/water-quality-reports---publications.html".
Unsafe Site Conditions	Unsafe Site Conditions are conditions at or affecting a construction site that present a risk of injury, illness, or death beyond the hazards ordinarily expected and managed during construction activities. Unsafe site conditions may include, but are not limited to, flooding, severe weather, unstable ground conditions, or other extraordinary physical or environmental conditions that make access to or inspection of the site unsafe.

waste site	Waste site is an area where material from a construction site is disposed of. When the material is erodible, such as soil, the site must be treated as a construction site.
waters or waters of the state	Waters (or waters of the state) means any and all water, public or private, on or beneath the surface of the ground, which are contained within, flow through, or border upon Tennessee or any portion thereof, except those bodies of water confined to and retained within the limits of private property in single ownership which do not combine or effect a junction with natural surface or underground waters.
week	A one-week period is a synonym of a calendar-week ; typically, a period from Sunday through Saturday.
wet weather conveyance	Wet weather conveyances are man-made or natural watercourses, including natural watercourses that have been modified by channelization: a) That flow only in direct response to precipitation runoff in its immediate locality; b) Whose channels are at all times above the ground water table c) That are not suitable for drinking water supplies; and d) In which, hydrological and biological analyses indicate that, under normal weather conditions, due to naturally occurring ephemeral or low flow there is not sufficient water to support fish, or multiple populations of obligate lotic aquatic organisms whose life cycle includes an aquatic phase of at least two (2) months. (Tenn. Code Ann. § 69-3-103)
wetland	Wetland means: (A) an area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions; and (B) a type of waters that are not wet

	weather conveyances, and generally include swamps, marshes, bogs, and similar areas. (Tenn. Code Ann. § 69-3-103)
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10.2. Acronyms and Abbreviations

7Q10	7-day minimum, 10-year recurrence interval
<u>ARAP</u>	Aquatic Resource Alteration Permit
<u>BMP</u>	Best Management Practice
BPT	Best Practicable Control Technology Currently Available
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
C.F.R.	Code of Federal Regulations
CGP	Construction General Permit (this NPDES permit)
<u>CWA</u>	Clean Water Act
<u>EFO</u>	Environmental Field Office (see Subpart 3.6)
EPA	(U.S.) Environmental Protection Agency
EPSC	Erosion Prevention and Sediment Control
<u>MS4</u>	Municipal Separate Storm Sewer System
NOC	Notice of Coverage (see Subpart 3.5)
NOI	Notice of Intent (to be covered by this permit – see Section 3.3.1)
RFT	Request for Termination (see Part 9)
NPDES	National Pollutant Discharge Elimination System
ONRW	Outstanding National Resource Waters
<u>QLP</u>	Qualifying Local Program (see Section 3.3.7)
<u>SWPPP</u>	Stormwater Pollution Prevention Plan
TDEC	Tennessee Department of Environment and Conservation
TDOT	Tennessee Department of Transportation
<u>TMDL</u>	Total Maximum Daily Load
TMSP	Tennessee Multi-Sector General Permit for the Discharge of Stormwater from an Industrial Activity
TVA	Tennessee Valley Authority
UIC	Underground Injection Control
USGS	United States Geological Survey
WQCA	Tennessee Water Quality Control Act <u>of 1977</u>

10.3. Reference List of Resources, Hyperlinks, and Web Pages

Federal Regulations

- [Electronic Code of Federal Regulations \(eCFR\), Title 40 \(40 C.F.R. § 1-§ 1099\)](#)
- [NPDES Electronic Reporting Rule \(Federal Register\)](#)

State of Tennessee Resources

- [Rules of the Tennessee Department of Environment and Conservation \(TDEC\), Chapter 0400-40](#)
- [TDEC Water Quality Rules, Reports, and Publications](#)
- [Tennessee Water Resources Data and Map Viewers](#)

Permitting and Reporting

- [Electronic Reporting \(NetDMR\) Waiver Request \(PDF, ~247 KB\)](#)
- [MyTDEC](#) [Forms](#)

Training and Guidance

- [EPA Construction Inspection Training Course](#)
- [EPA Construction General Permit Inspector Training](#)
- [NPDES Compliance Inspection Manual \(EPA\) \(PDF\)](#)
- [Technical Support Document for Water Quality-based Toxics Control \(EPA\) \(PDF, ~16.2MB\)](#)

Data, Tools, and Technical References

- [NOAA Atlas 14 Precipitation Frequency Data Server](#)
- [USGS StreamStats](#)
- [USGS Hydrologic Toolbox Software](#)
- [USACE 1987 Wetlands Delineation Manual \(Technical Report Y-87-1\)](#)
- [USGS Hydrologic Toolbox Software](#)
- [USACE 1987 Wetlands Delineation Manual \(Technical Report Y-87-1\)](#)