STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES
JOHNSON CITY Environmental Field Office
2305 SILVERDALE ROAD
JOHNSON CITY, Tn 37601
Phone 423-854-5400 Statewide 1-888-891-8332 Fax 423-854-5401

August 14, 2013

Mr. Frank Durst
3D Development Partners, LLC
750 Old Hickory Blvd. Building 2 Suite 150
Brentwood, TN 37027

Subject: **NPDES Construction General Permit Tracking No. TNR161603**
Master Tracking Number: TNR161603
Family Dollar #2441
3D Development Partners LLC
Piney Flats, Sullivan County, Tennessee

Dear Mr. Durst:

The Division of Water Resources (the division) acknowledges receipt of the Notice of Intent (NOI) form for the above referenced project. The NOI was received on July 30, 2013. The NOI was submitted to obtain coverage under a General NPDES Permit for Storm Water Discharges Associated with Construction Activity. Enclosed is the Notice of Coverage (NOC) form which shows the site name and location, receiving stream, effective date of coverage, etc.

Contractor Information

As of the date this NOI was processed, no contractor was identified on the NOI. A primary contractor, or contractor otherwise responsible for sediment and erosion controls on the construction site, must be identified and must submit an NOI to this office prior to beginning earth clearing operations on site. When submitting the NOI, the contractor should indicate on the NOI form the above referenced permit tracking number.

Storm Water Pollution Prevention Plan (SWPPP)

You have submitted a Storm Water Pollution Prevention Plan (SWPPP) as required by Part 1.4.2 of the CGP. Please note that the division has not performed an engineering review of the SWPPP and does not certify whether the SWPPP adequately provides for the pollution prevention requirements at the site as described in the general permit. The division acknowledges that you have submitted a SWPPP that appears to include the required components of a SWPPP. It is the responsibility of all site operators to design, implement, and maintain measures that are sufficient to prevent pollution at the referenced site, and to remain in compliance with the terms and conditions of the general permit.

Threatened and Endangered Species

The receiving stream for a construction site for which the NOI was submitted has federal or state listed threatened and endangered species in the area, or downstream of your project. Storm water discharges and storm water discharge-related activities that are not protective of legally protected listed or proposed threatened or endangered aquatic fauna in the receiving stream; or discharges or activities that would result in a 'take' of a federally listed endangered or threatened fish or wildlife species are not authorized by the general permit. If the division finds that storm water discharges or storm water related activities are likely to result in any of the above effects, the division will deny the coverage under this general permit unless and until project plans are changed to protect the listed species. In addition, discharges from your construction site that result in harm to such species may incur additional fines and penalties from the US Fish and Wildlife Service and/or the Tennessee Wildlife Resources Agency.

We appreciate your attention to the general construction storm water permit and its requirements. We believe this does make a difference to the quality of state waters. If you have any questions, please contact Mr. Mike McClelland at (423) 854-5451 or by e-mail at *Mike.McClelland@tn.gov*.

Sincerely,

Chris Rhodes
Program Manager II
Division of Water Resources
Johnson City Environmental Field Office

cc: DWR, Johnson City EFO Permit File
Mr. Felix Egli, EngineerCampbell Engineering & Associates, Inc., Felix.Egli@Campbell-Engineering-SC.com

STATE OF TENNESSEE

NPDES PERMIT

Tracking Number TNR161603

NOTICE OF COVERAGE UNDER THE GENERAL NPDES PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY (CGP)

Tennessee Department of Environment and Conservation
Division of Water Resources
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville TN 37243

Under authority of the Tennessee Water Quality Control Act of 1977 (T.C.A. 69-3-101 et seq.) and the delegation of authority from the United States Environmental Protection Agency under the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251, et seq.):

Name of the Construction Project:	**Family Dollar #2441 (1.1 acres)**
Master Tracking Number at the Site:	**TNR161603**
Permittee Name:	**3D Development Partners LLC**
Contractor(s):	**no contractor**
is authorized to discharge:	storm water associated with construction activity
from site located at:	**6634 Bristol Hwy, Piney Flats, TN 37686, Sullivan County**
to receiving waters named:	**UT of Massengill Branch**

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

Likely presence of threatened or endangered species in one mile radius: **NO**
Likely presence of threatened or endangered species downstream: **YES**

Additional pollution prevention requirements apply for discharges into waters which TDEC identifies as:
a) impaired: **NO** b) discharging into Exceptional Tennessee Waters: **NO**

Your coverage under the CGP shall become effective on **August 14, 2013**, and shall be terminated upon receipt of Notice of Termination.