STATE OF TENNESSEE

NPDES PERMIT

Tracking Number TNR161858

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:	**Bristol Propane System Gas Line (.9 acres)**
Master Tracking Number at the Site:	**TNR161858**
Permittee Name:	**Atmos Energy**
Project Name:	**Bristol Propane System Gas Line**
Contractor(s):	**no contractor**
is authorized to discharge:	storm water associated with construction activity
from site located at:	**White Top Rd., SR 394, Bristol, TN, Sullivan County**
to receiving waters named:	**Whitetop Creek**

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:
- **Unavailable Condition - Siltation**

- **Exceptional Tennessee Waters: NO**

Your coverage under the CGP shall become effective on **April 13, 2017**, and shall be terminated upon receipt of Notice of Termination.

A copy of the CGP can be obtained from
http://www.tn.gov/environment/article/permit-water-npdes-stormwater-construction-permit

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

April 13, 2017

Mr. Ernie Napier
VP Technical Services
Atmos Energy Corporation
810 Crescent Centre Drive
Franklin, TN 37067

Subject: **NPDES Construction General Permit Tracking No. TNR161858**
Master Tracking Number: TNR161858
Bristol Propane System Gas Line
Atmos Energy
Bristol, Sullivan County, Tennessee

Dear Mr. Napier:

You recently submitted a Notice of Intent (NOI) form as part of an application package to obtain coverage under a General NPDES Permit for Storm Water Discharges Associated with Construction Activity. The Division of Water Resources (the division) acknowledges receipt of the most recent version of the application for the above referenced project on March 27, 2017. After review, the application was deemed to be complete on April 11, 2017. Enclosed is the Notice of Coverage (NOC) form which shows the site name and location, receiving stream, effective date of coverage, etc.

Contractor Information

You have not identified a contractor on the NOI. You must identify a primary contractor, or contractor otherwise responsible for sediment and erosion controls on the construction site, if appropriate, and submit a revised NOI to this office prior to beginning earth clearing operations onsite. When submitting the NOI, please include 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.

Receiving Stream not Supporting Designated Uses

The receiving stream for the construction site for which the NOI was submitted appears on the state's list for partially supporting or for not supporting a stream's designated use due to siltation. Since the discharge from the proposed construction site may contain significant amounts of silt, the division considers the potential for degradation to the receiving stream from the discharge to be significant. Therefore, the additional pollution prevention requirements described in subpart 5.4 of the General Permit are applicable to your construction site; requirements of section 5.4.2. apply only if the stream is located on or adjacent to the disturbed area.

Threatened and Endangered Species

The receiving stream for the 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. Stormwater discharges and stormwater discharge-related activities that are not protective of legally protected listed or proposed threatened or endangered aquatic fauna in the receiving stream(s); 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 stormwater discharges or stormwater 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.

Annual Maintenance Fee and Termination of Permit Coverage

Effective July 1, 2014, permit fees for the General Permit have been revised. In addition to new application fee amounts, annual maintenance fees are now required for projects that exceed one year of coverage. Permittees wishing to terminate coverage must submit a completed notice of termination (NOT) form, which is available on the division's construction stormwater webpage at http://www.tn.gov/environment/article/permit-water-npdes-stormwater-construction-permit.

The division will review the NOT for completeness and accuracy and, when necessary, investigate the site for which the NOT was submitted. The division will notify the applicant that either the NOT form was received and accepted, or that the permit coverage is not eligible for termination and has not been terminated. If applicable, the notification will include a summary of existing deficiencies.

We appreciate your attention to the general construction storm water permit and its requirements. A copy of the CGP can be obtained from http://www.tn.gov/environment/article/permit-water-npdes-stormwater-construction-permit. We believe this does make a difference to the quality of state waters. If you have any questions, please contact Mr. Tyler McClelland at (423) 854-5422 or by e-mail at *Tyler.McClelland@tn.gov*.

Sincerely,

Chris Rhodes
Environmental Program Manager

cc: DWR, Johnson City EFO Permit File