STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
KNOXVILLE ENVIRONMENTAL FIELD OFFICE
DIVISION OF WATER RESOURCES
3711 MIDDLEBROOK PIKE
KNOXVILLE, TN 37921

October 5, 2015

Mr. Steven Westerman
Director, Facilities, Planning and Construction
TDOC Tennessee Penitentiary
e-copy: Steven.Westerman@tn.gov
320 Sixth Avenue North
Nashville, TN 37243

Subject: **General Permit for Construction of Intake and Outfall Structures**
Aquatic Resource Alteration Permit (ARAP) NR1503.094
Brushy Mountain State Prison
Tennessee Department of Corrections
Petros, Morgan County, Tennessee

Dear Mr. Westerman:

We have reviewed your application for the proposed Installation of a stormwater pipe headwall to discharge stormwater into the creek. Pursuant to the *Tennessee Water Quality Control Act of 1977* (T.C.A. § 69-3-101 et seq.) and supporting regulations the Division of Water Resources is required to determine whether the activity described in the attached notice of coverage will violate applicable water quality standards. This permit may also serve as a federal §401 water quality certification (pursuant to 40 C.F.R. §121.2).

This activity is governed by the *General Permit for Construction of Intake and Outfall Structures*. The work must be accomplished in conformance with accepted plans and information submitted in support of application NR1503.094 and the limitations and conditions set forth in the *General Permit for Construction of Intake and Outfall Structures* (enclosed). It is the responsibility of the permittee to ensure that all contractors involved with this project have read and understand the permit conditions before the project begins.

Please note that authorization under the general permit is only for the construction of the structures and does not authorize water withdrawal or release. These structures may not cause bank erosion due to increased velocity or improper alignment. In addition, adequate erosion controls must be installed prior to construction and maintained during construction of the project. All disturbed areas must be revegetated or otherwise stabilized upon completion of construction..

Annual Maintenance and Coverage Termination

Permittees will be assessed an annual maintenance fee of $350 for coverages that exceed one year. Please note that this maintenance fee does not grant the right to extend coverage past the expiration date of the General Permit itself.

Permittees may terminate coverage prior to the expiration date by submitting a completed notice of termination form (NOT), which is available on the division's webpage at http://www.tn.gov/environment/permits/arap.shtml. A complete NOT should include photodocumentation of the finished project area. The division will notify the permittee that either the NOT was received and accepted, or that the permit coverage is not eligible for termination (due to existing deficiencies) and has not been terminated.

We appreciate your attention to the terms and conditions of this general permit for aquatic resource alteration. If you have any questions, please contact Mr. Allen Wilkinson at (865) 594-5588 or by e-mail at *Allen.Wilkinson@tn.gov*.

Sincerely,

Michael Atchley
Environmental Program Manager
Division of Water Resources
Knoxville Field Office

Encl: NOC and copy of general permit
CC: Knoxville EFO Permit File

STATE OF TENNESSEE

NOTICE OF COVERAGE

Under the Aquatic Resource Alteration

General Permit for Construction of Intake and Outfall Structures

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

ARAP - NR1503.094

Under authority of the Tennessee Water Quality Control Act of 1977 (TWQCA, T.C.A. 69-3-101 et seq.) the Division of Water Resources has determined the activity described below would not violate applicable water quality standards.

This activity is governed by the *General Permit* for *Construction of Intake and Outfall Structures* issued pursuant to the TWQCA. The work must be accomplished in conformance with accepted plans, specifications, data and other information submitted in support of application NR1503.094 and the terms and conditions set forth in the above referenced general permit.

PERMITTEE: Tennessee Department of Corrections

AUTHORIZED WORK: Installation of a stormwater pipe headwall to discharge stormwater into the creek

LOCATION: Highway 116, Morgan County

Latitude: 36.1072 Longitude: -84.4542

WATERBODY NAME: Stockstill Creek

EFFECTIVE DATE: 05-OCT-15 **EXPIRATION DATE:**

This does not preclude requirements of other federal, state or local laws. In particular, work shall not commence until the applicant has received the federal §404 permit from the U. S. Army Corps of Engineers, a §26a permit from the Tennessee Valley Authority or authorization under a Tennessee NPDES Storm Water Construction Permit where necessary. This permit may also serve as a federal §401 water quality certification (pursuant to 33 U.S.C. §1341) since the planned activity was reviewed and the division has reasonable assurance that the activity will be conducted in a manner that will not violate applicable water quality standards (T.C.A. § 69-3-101 et seq. or of § § 301, 302, 303, 306 or 307 of *The Clean Water Act*).

The state of Tennessee may modify, suspend or revoke this authorization should the state determine that the activity results in more than an insignificant degradation of applicable water quality standards or violation of the TWQCA. Failure to comply with permit terms may result in penalties in accordance with T.C.A. §69-3-115.