



**Development Resource Center
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**Michael C. Patrick
Executive Director**

September 11, 2025

EES Case Management Unit
Environment and Natural Resources Division
U.S. Department of Justice
Box 7611
Washington, DC 20044-7611

Re: DJ # 90-5-1-1-11394 - Annual Report No. 1

The Hamilton County WWTA has completed Annual Report No. 1 in accordance with the Consent Decree entered into by the United States District Court for the Eastern District of Tennessee (Southern Division), for the reporting period July 16, 2024, through July 15, 2025.

Pursuant to Paragraph 35 of the Consent Decree, the Annual Report includes the following:

- Summary of the Capacity, Management, Operation, and Maintenance (CMOM) Programs implemented or modified pursuant to the Consent Decree, including a comparison of actual performance with any performance measures that have been established.
- Report of the status and outcome of the ongoing assessment of the Sewerbasins in the Residual Sewerbasin Group as described in Paragraph 26 of the Consent Decree.
- A Trends Analysis of the number, volume, duration, and cause of the WWTA's SSO Events for a twenty-four (24)-Month rolling period updated to reflect the SSO events that occurred during the previous twelve (12)-Month period.

The WWTA submitted a letter to EPA dated November 8, 2024, requesting clarification on the schedule for submitting progress reporting documents required by the Consent Decree. This letter has been attached to each progress reporting document since the effective date of the Consent Decree (Quarterly Reports No. 1 through 4 and Semi-Annual Reports No. 1 and 2). The WWTA is also attaching the November 8, 2024, letter with Annual Report No. 1 and requests a formal response from the EPA reporting the reporting schedule for all future progress documents required by the Consent Decree.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering such information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,

Michael Patrick, P.E.
Executive Director

Attachment:

Letter from the WWTa to the EPA dated November 8, 2024, requesting clarification on the schedule for submitting progress reporting documents required by the Consent Decree

cc:

By Email:

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Re: DJ # 90-5-1-1-11394

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November 8, 2024

EES Case Management Unit
Environment and Natural Resources Division
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Box 7611
Washington, D.C. 20044-7611

Re: DJ # 90-5-1-1-11394 – Schedule for Reporting

The Hamilton County WWTA requests clarification from the United States Environmental Protection Agency (EPA) for the reporting period for documents required in Section IX – Reporting Requirements of the Consent Decree (CD). The WWTA has historically submitted documents to the Tennessee Department of Environment and Conservation (TDEC) on a calendar quarter, and the WWTA requests to match the reporting periods for documents required by the CD. Therefore, the WWTA requests the following schedule for each CD report required in Section IX – Reporting Requirements.

- **Quarterly Reports (Paragraph 33 of the CD)**
 - Quarterly Report No. 1:
 - Reporting Period: 7/16/2024-10/15/2024
 - Submittal Date: 11/14/2024
 - Quarterly Report No. 2:
 - Reporting Period: 10/16/2024-1/15/2025
 - Submittal Date: 2/14/2025
 - Quarterly Report No. 3:
 - Reporting Period: 1/1/2025-3/31/2025
 - Submittal Date: 4/30/2025
 - Quarterly Report No. 4:
 - Reporting Period: 4/1/2025-6/30/2025
 - Submittal Date: 7/30/2025
 - Quarterly Report No. 5:
 - Reporting Period: 7/1/2025-9/30/2025
 - Submittal Date: 10/30/2025
 - Quarterly Report No. 6:
 - Reporting Period: 10/1/2025-12/31/2025
 - Submittal Date: 1/30/2026
 - All Subsequent Quarterly Reports:
 - Reporting Period: Calendar Quarters
 - Submittal Date: 30 days after the end of the Calendar Quarter
- **Semi-Annual Work Progress Reports (Paragraph 34 of the CD)**
 - Semi-Annual Work Progress Report No. 1:
 - Reporting Period: 7/16/2024-1/15/2025
 - Submittal Date: 2/14/2025
 - Semi-Annual Work Progress Report No. 2:

- Reporting Period: 1/1/2025-6/30/2025
 - Submittal Date: 7/30/2025
- Semi-Annual Work Progress Report No. 3:
 - Reporting Period: 7/1/2025-12/31/2025
 - Submittal Date: 1/30/2026
- All Subsequent Semi-Annual Work Progress Reports:
 - Reporting Period: Calendar Semi-Annual Period
 - Submittal Date: 30 days after the end of the Calendar Semi-Annual Period
- **Annual Work Progress Reports (Paragraph 34 of the CD)**
 - Annual Work Progress Report No. 1:
 - Reporting Period: 7/1/2024-6/30/2025
 - Submittal Date: 7/30/2025
 - Annual Work Progress Report No. 2:
 - Reporting Period: 7/1/2025-6/30/2026
 - Submittal Date: 7/30/2026
 - All Subsequent Annual Work Progress Reports:
 - Reporting Period: Annual Period beginning on July 1 and ending on June 30
 - Submittal Date: 30 days after the end of each Annual Period
- **Annual Reports (Paragraph 35 of the CD)**
 - Annual Report No. 1:
 - Reporting Period: 7/1/2024-6/30/2025
 - Submittal Date: 7/30/2025
 - Annual Report No. 2:
 - Reporting Period: 7/1/2025-6/30/2026
 - Submittal Date: 7/30/2026
 - All Subsequent Annual Reports:
 - Reporting Period: Annual Period beginning on July 1 and ending on June 30
 - Submittal Date: 30 days after the end of each Annual Period
- **Five Year Review (Paragraph 36 of the CD)**
 - Five Year Review No. 1:
 - Reporting Period: 7/1/2024-6/30/2029
 - Submittal Date: 7/30/2029
 - Five Year Review No. 2:
 - Reporting Period: 7/1/2029-6/30/2034
 - Submittal Date: 7/30/2034
 - All Subsequent Five Year Reviews:
 - Reporting Period: Five Year Period beginning on July 1 and ending on June 30
 - Submittal Date: 30 days after the end of each Five Year Period

We look forward to receiving EPA's and TDEC's approval for the above-referenced reporting periods. In the meantime, please let me know if you have questions regarding our request.

Sincerely,



Michael Patrick, P.E.
Executive Director

cc:

Chief, Clean Water Enforcement Branch
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Annual Report No. 1

July 16, 2024 – July 15, 2025

Prepared for
**The United States Environmental Protection Agency and
Tennessee Department of Environment and Conservation**

Case No. 1:23-cv-00225

Prepared by
**Hamilton County
Water & Wastewater
Treatment Authority (WWTA)**

Submitted by
LJA Engineering, Inc.
1110 Market Street, Suite 314
Chattanooga, TN 37402
9/10/2025



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Acronyms and Abbreviations

CAP	Capacity Assurance Program
CCTV	Closed-Circuit Television
CD	Consent Decree
CFR	Code of Federal Regulations
CMMS	Computerized Maintenance and Management System
CMOM	Capacity, Management, Operations, and Maintenance
CSS	Combined Sewer System
DMR	Discharge Monitoring Report
EPA	United States Environmental Protection Agency
FOG	Fats, Oils, and Grease
GIS	Geographic Information System
GPM	Gallons Per Minute
HAZMAT	Hazardous Material
I&I	Infiltration and Inflow
IMS	Information Management System
IRP	Incident Response Plan
ISS	Interceptor Sewer System
MGD	Million Gallons Per Day
MOM	Management, Operations, and Maintenance
MOR	Monthly Operating Report
NPDES	National Pollution Discharge Elimination System
O&M	Operation and Maintenance
PS	Pump Station
SCADA	Supervisory Control and Data Acquisition System
SOP	Standard Operating Procedures
SORP	Sewer Overflow Response Plan
SSO	Sanitary Sewer Overflow
SSS	Sanitary Sewer System
TDEC	Tennessee Department of Environment and Conservation
TWRA	Tennessee Wildlife Resources Agency
WWTA	Water and Wastewater Treatment Authority

WWTP

Wastewater Treatment Plan

1 Introduction

1.1 Purpose

The Hamilton County Water and Wastewater Treatment Authority (“WWTA”) entered into a consent decree with the United States and the State of Tennessee in the case styled *United States of America et. al. v. Hamilton County Water and Wastewater Treatment Authority, No. 1:23cv-00225* (“CD”), which became effective on July 16, 2024. Pursuant to Section IX, paragraph 35 of the CD, WWTA is required to submit reports on an annual basis to the Environmental Protection Agency (“EPA”) and Tennessee Department of Environment and Conservation (“TDEC”). WWTA has prepared Annual Report No. 1 to satisfy the reporting requirements of the CD.

1.2 Requirements

As detailed in Section IX of the CD, WWTA is required to report a summary of Capacity, Management, Operations and Management (“CMOM”) Program as implemented or modified pursuant to the CD, including a comparison of actual performance with any performance measures that have been established. Each Annual Report shall also include a report on the status and outcome of the ongoing assessment of the Sewer Basins in the Residual Sewer Basin Group as described in Paragraph 26 of the CD. Additionally, the 1st five annual reports include a trends analysis of the number, volume, duration, and cause of WWTA’s Sanitary Sewer Overflow (“SSO”) events for a 24-month rolling period, updated to reflect the SSO events that occurred during the previous 12-month period. After the 6th annual report, this trends analysis will cover SSO events spanning a 5-year rolling period.

2 Capacity Management Operations and Maintenance Programs

The WWTa is currently developing its CMOM program pursuant to Paragraph 27 of the CD. As of the end of the 1st Annual Period, two (2) of the twelve (12) total CMOM programs have been developed by WWTa and submitted to TDEC and EPA for review. Table 2-1 summarizes the status of the CMOM Programs, including updates and key performance indicators (“KPIs”) related to implementation of those that have received EPA approval.

Table 2-1

CMOM Programs

July 16, 2024 – July 15, 2025						
CD Reference	CMOM Program	CMOM Program Status	CMOM Program KPI	CMOM KPI Purpose	Established Performance Measure	Actual Measured Performance
Paragraph a. of Appendix E	Sewer Overflow Response Plan (“SORP”)	Submitted to EPA and TDEC 7/11/2025	Maintain records of all sanitary sewer overflows (“SSO”) and responses	Monitor response times to SSOs and reduce SSO impacts	Reduce SSO response time to within one hour after notification of event	Program is pending approval
Paragraph a. of Appendix E	Sewer Overflow Response Plan (“SORP”)	Submitted to EPA and TDEC 7/11/2025	Provide notice to TDEC as required by National Pollutant Discharge Elimination (“NPDES”) Permit within 24 hours of being made aware of an SSO event	Timeliness of SSO reporting to TDEC	Notify TDEC of SSO events within 24 hours after being made aware of event	Program is pending approval
Paragraph b. of Appendix E	Incident Response Plan (“IRP”)	Submitted to EPA and TDEC 7/11/2025	Standard Operating Procedures during routine and catastrophic incident responses	Readiness during routine and catastrophic incidents	Response to incidents	Program is pending approval
Paragraph c. of Appendix E	Information Management System (“IMS”) Program	On schedule to submit in August 2027	Applicable CD components to be identified during program development	N/A	N/A	Program is under development
Paragraph d. of Appendix E	Sewer System Hydraulic Model	Finalized in May 2025	Hydraulic Model for Early Action Rehab Projects	N/A	N/A	Program is under development

Paragraph d. of Appendix E	Sewer System Hydraulic Model	On schedule to submit in July 2028	Hydraulic Model for Group 1 Rehab Projects	N/A	N/A	Program is under development
Paragraph d. of Appendix E	Sewer System Hydraulic Model	On schedule to submit in July 2030	Hydraulic Model for Group 2 Rehab Projects	N/A	N/A	Program is under development
Paragraph d. of Appendix E	Sewer System Hydraulic Model	On schedule to submit in May 2033	Hydraulic Model for Group 3 Rehab Projects	N/A	N/A	Program is under development
Paragraph d. of Appendix E	Sewer System Hydraulic Model	On schedule to submit in July 2034	Hydraulic Model for Group 4 Rehab Projects	N/A	N/A	Program is under development
Paragraph d. of Appendix E	Sewer System Hydraulic Model	On schedule to submit in November 2035	Hydraulic Model for Group 5 Rehab Projects	N/A	N/A	Program is under development
Paragraph e. of Appendix E	Sewer Mapping Program	On schedule to submit in July 2027	Applicable CD components to be identified during program development	N/A	N/A	Program is under development
Paragraph f. of Appendix E	Gravity Sewer System Operations and Maintenance Program	On schedule to submit in August 2026	Applicable CD components to be identified during program development	N/A	N/A	Program is under development
Paragraph g. of Appendix E	Corrosion Control Program	On schedule to submit in August 2026	Applicable CD components to be identified during program development	N/A	N/A	Program is under development
Paragraph h. of Appendix E	Pump Station Operations and Preventative Maintenance Program	On schedule to submit in August 2026	Applicable CD components to be identified during program development	N/A	N/A	Program is under development

Paragraph i. of Appendix E	Fats, Oils, and Grease (“FOG”) Control Program	On schedule to submit in February 2027	Applicable CD components to be identified during program development	N/A	N/A	Program is under development
Paragraph j. of Appendix E	Capacity Assurance Program (“CAP”)	On schedule to submit in August 2028	Applicable CD components to be identified during program development	N/A	N/A	Program is under development
Paragraph k. of Appendix E	Financing and Cost Analysis Program	On schedule to submit in February 2026	Applicable CD components to be identified during program development	N/A	N/A	Program is under development
Paragraph l. of Appendix E	Legal Support Program	On schedule to submit in February 2027	Rules and Regulation Program	N/A	N/A	Program is under development
Paragraph l. of Appendix E	Legal Support Program	On schedule to submit in February 2027	FOG Control Legal Support Program	N/A	N/A	Program is under development
Paragraph l. of Appendix E	Legal Support Program	On schedule to submit in February 2027	Private Lateral Legal Support Program	N/A	N/A	Program is under development
Paragraph l. of Appendix E	Legal Support Program	Amendments to the PSLP Program were approved by the WWTa Board on 9/25/2024	Amendment to the PSLP Program	Add a series of graduated enforcement responses	Execution of the amended PSLP Program	The WWTa is enforcing the requirements in the amended PSLP Program

3 SSO Trend Analysis

The WWTa conducted a trends analysis of the cause, duration, and volume of SSO events for the 24-month period spanning July 16, 2023 through July 15, 2025. Rainfall data collected during the same time period was included in the analysis to illustrate the effects of heavy, sustained rainfall on the occurrence, duration, and volume of the recorded SSO events. Figure 3-1 below provides a summary of SSO events by year for the reporting period.

The total number of SSOs observed during 7/16/2023-7/15/2024 was 150, and the total number of SSOs observed during 7/16/2024-7/15/2025 was 105. This results in a (-30%) change in SSOs compared to the 12 months prior to the CD effective date. Simultaneously, the total rainfall during 7/16/2023-7/15/2024 was 46.64 inches, and the total rainfall during 7/16/2024-7/15/2025 was 57.35 inches. This results in a (+23%) change in rainfall compared to the year prior to the CD effective date. The number of SSOs decreased while the amount of rainfall increased, which indicates positive results of the Early Action Projects required by the CD.

Figure 3-2 presents SSO events by cause per month. Wet weather was the leading cause of SSOs during the reporting period, followed by blockages and line failures. The average number of SSOs per month for the reporting period was approximately 11 events. Of the months reported, 10 months had more than 11 SSOs reported; December 2023, January 2024, February 2024, March 2024, May 2024, September 2024, February 2025, March 2025, April 2025, and May 2025. The above average number of SSOs reported for these months correlates to rain events that occurred during the “wet season” months of the year.

Figure 3-3 presents cumulative SSO duration per month, or the sum of the durations of each SSO event that was recorded per month during the reporting period. The average cumulative SSO duration per month was approximately 251 hours. Of the months reported, 9 reported above average cumulative SSO durations; December 2023, January 2024, February 2024, March 2024, May 2024, January 2025, February 2025, March 2025, and April 2025. The above average cumulative SSO durations for these months correlate to rain events that occurred during the “wet season” months of the year.

Figure 3-4 presents cumulative SSO volume per month, or the sum of the volumes of each SSO event that was recorded per month during the reporting period. The average cumulative SSO volume per month for the reporting period was found to be approximately 1.8 million gallons (MG). Of the months reported, 6 had cumulative SSO volumes that were greater than average; December 2023, January 2024, February 2024, March 2024, May 2024, and February 2025. Again, the above average volumes for each month were related to rain events that occurred during the “wet season” months of the year.

Figure 3-1
SSO Count and Rainfall (Monthly)

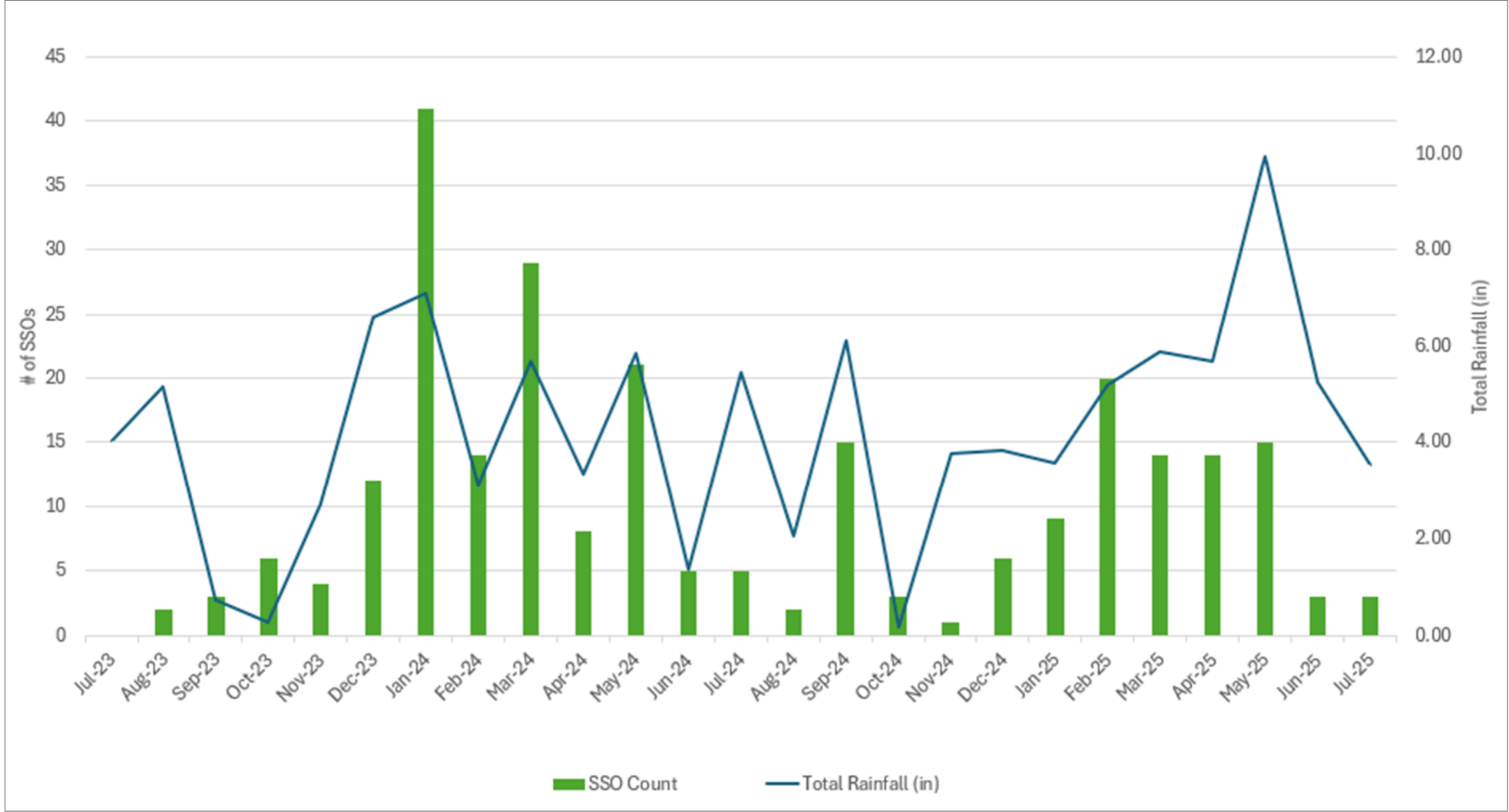


Figure 3-2
SSO Events by Cause (Monthly)

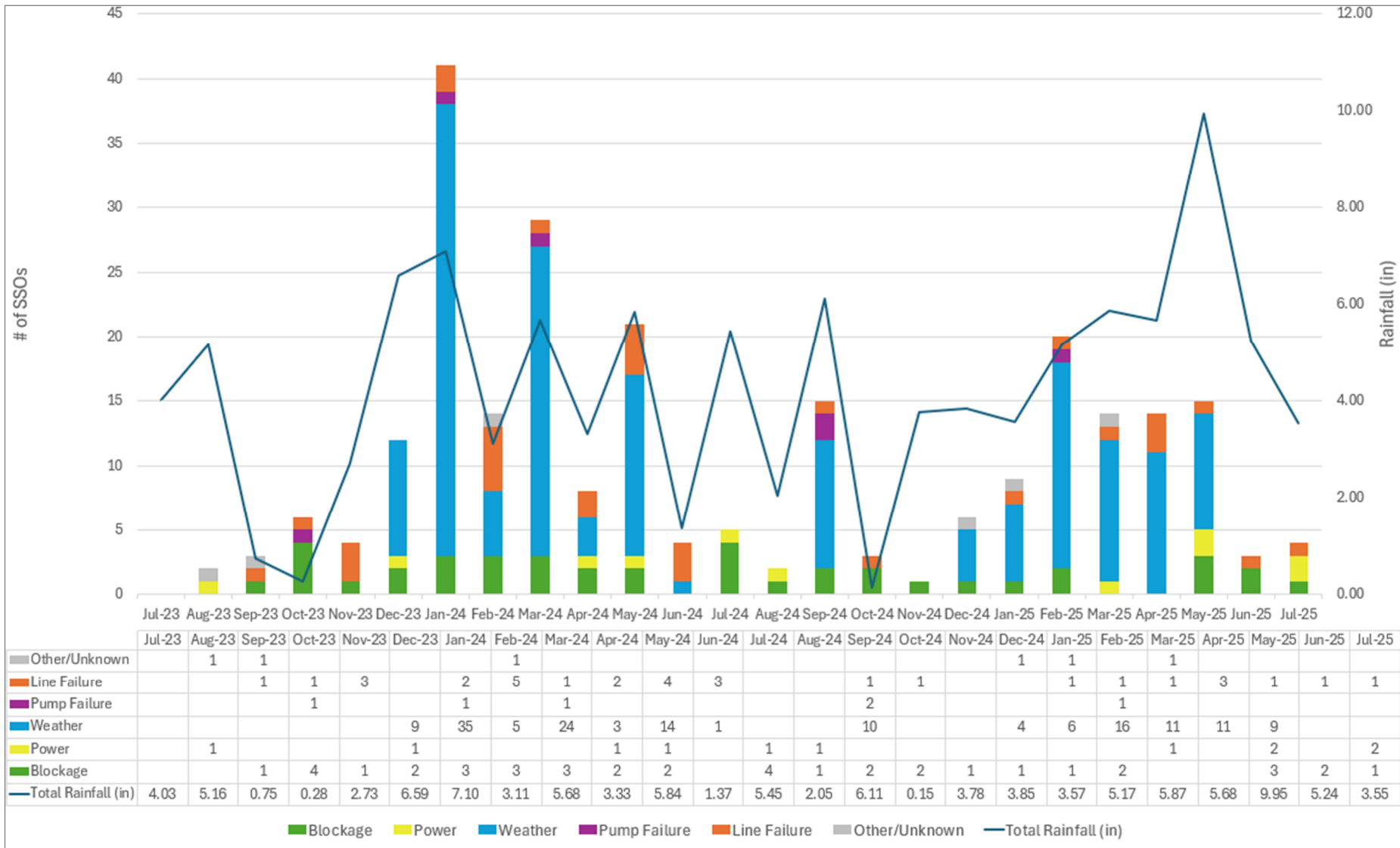


Figure 3-3
Estimated Durations of SSOs (Monthly)

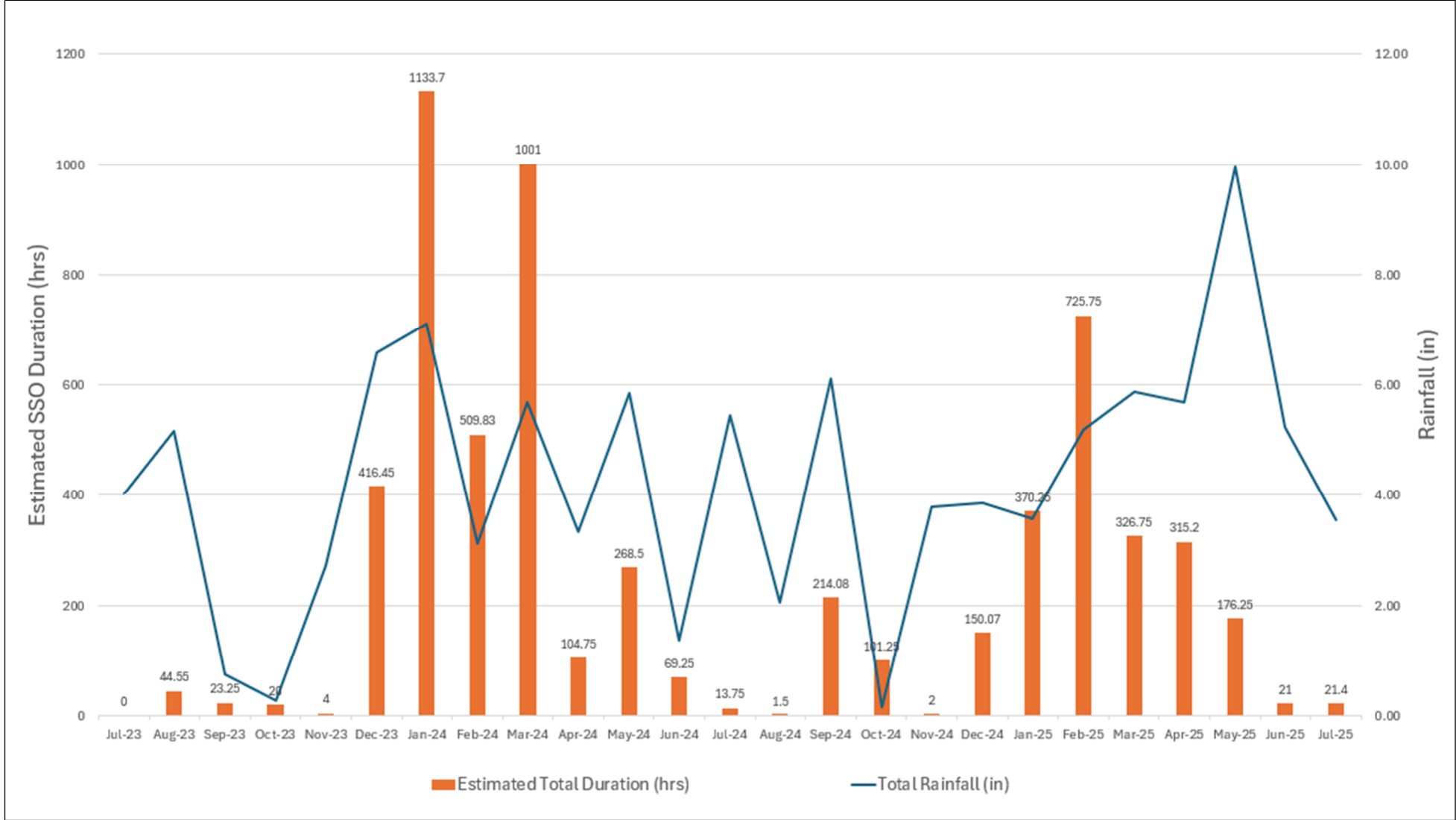
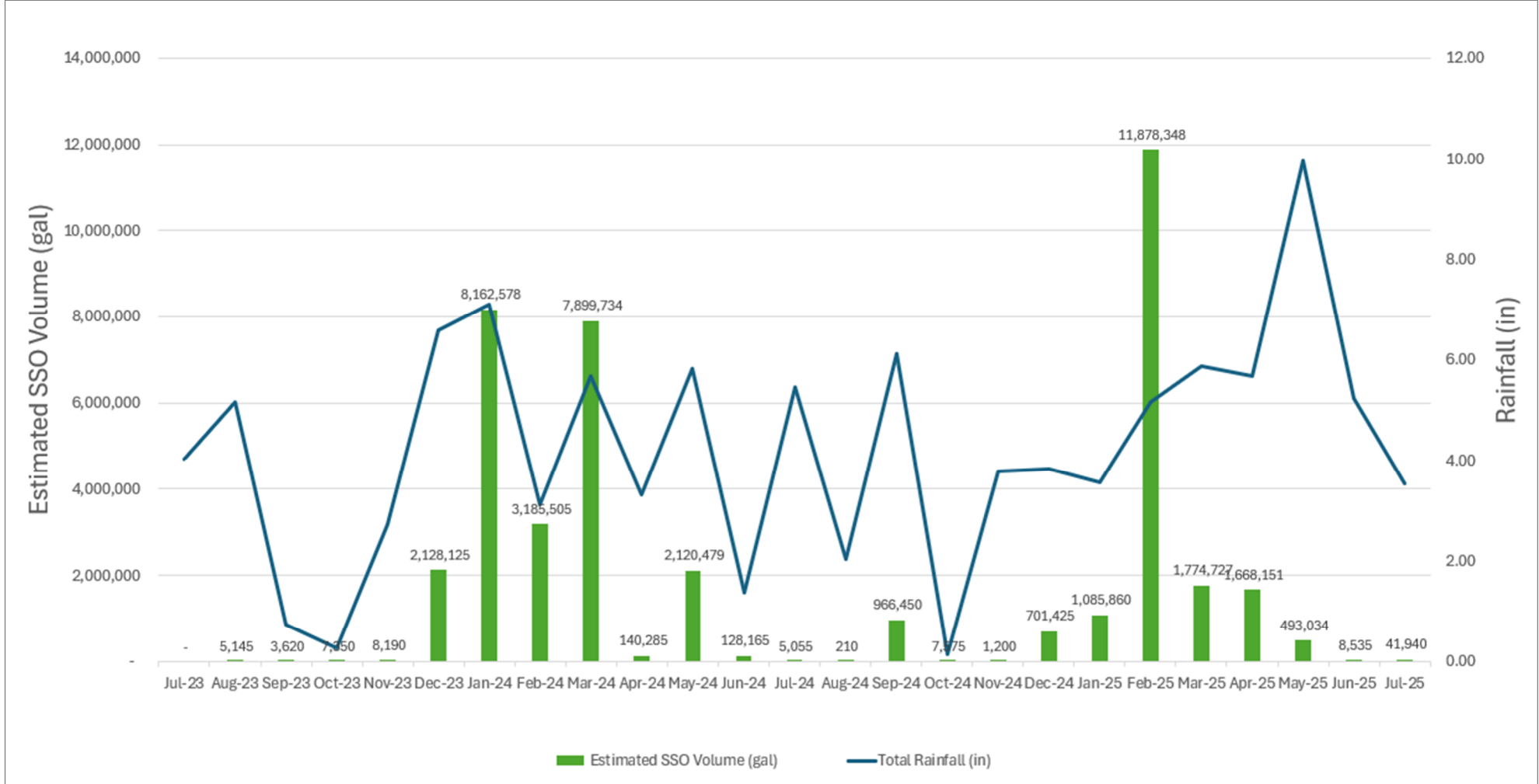


Figure 3-4
Estimated Volume of SSOs (Monthly)



4 Residual Sewer Basin Group

The WWTa performed an analysis of the Residual Sewerbasins based on the key performance indicators (“KPIs”) described in Paragraph 26 of the CD. The results of the analysis are available below:

- Table 4-1: Residual Sewerbasins where 5 or more SSOs occurred in a 12-month rolling period.
- Table 4-2: Locations where 3 or more SSOs occurred in a 12-month rolling period.
- Figure 4-1: The number of SSOs that occurred in Residual Sewerbasins for the previous 24 months.
- Figure 4-2: The number of SSOs reaching Waters of the United States or State that occurred in Residual Sewerbasins.

Summary:

The following Residual Sewerbasins exceeded 5 SSOs for the 12-month rolling period: HC 14 and SD 10. The following locations exceeded 3 SSOs for the 12-month rolling period: 12101 Posey Hollow Road (Posey Hollow PS); 7526 Ooltewah-Georgetown Road (Green Gap PS); 8210 Roy Lane (Roy Lane PS).

The WWTa is evaluating the sewerbasins and locations identified above that exceeded the threshold of SSOs pursuant to Paragraph 26 of the CD. The WWTa will take measures to remediate the cause of the SSOs for the sewerbasins and locations.

There were no SSOs that occurred in an environmental justice community. The WWTa did not observe an increase in SSOs downstream of the Sewerbasin after the Effective Date.

Table 4-1

Residual Basins that Exceeded 5 SSOs for a 12-month Rolling Period

Basin	Total SSOs (July 2023- July 2025)	Max Count in 12 Month Rolling (over 5)
HC14	15	11
SD10	7	6

Table 4-2

Locations that Exceeded 3 SSOs for a 12-month Rolling Period

Address	Total SSOs (July 2023- July 2025)	Max Count in 12 Month Rolling (over 3)
12101 Posey Hollow Road	7	6
7526 Ooltewah-Georgetown Rd.	5	4
8210 Roy Lane	6	5

Figure 4-1
SSO Count in Residual Sewerbasins

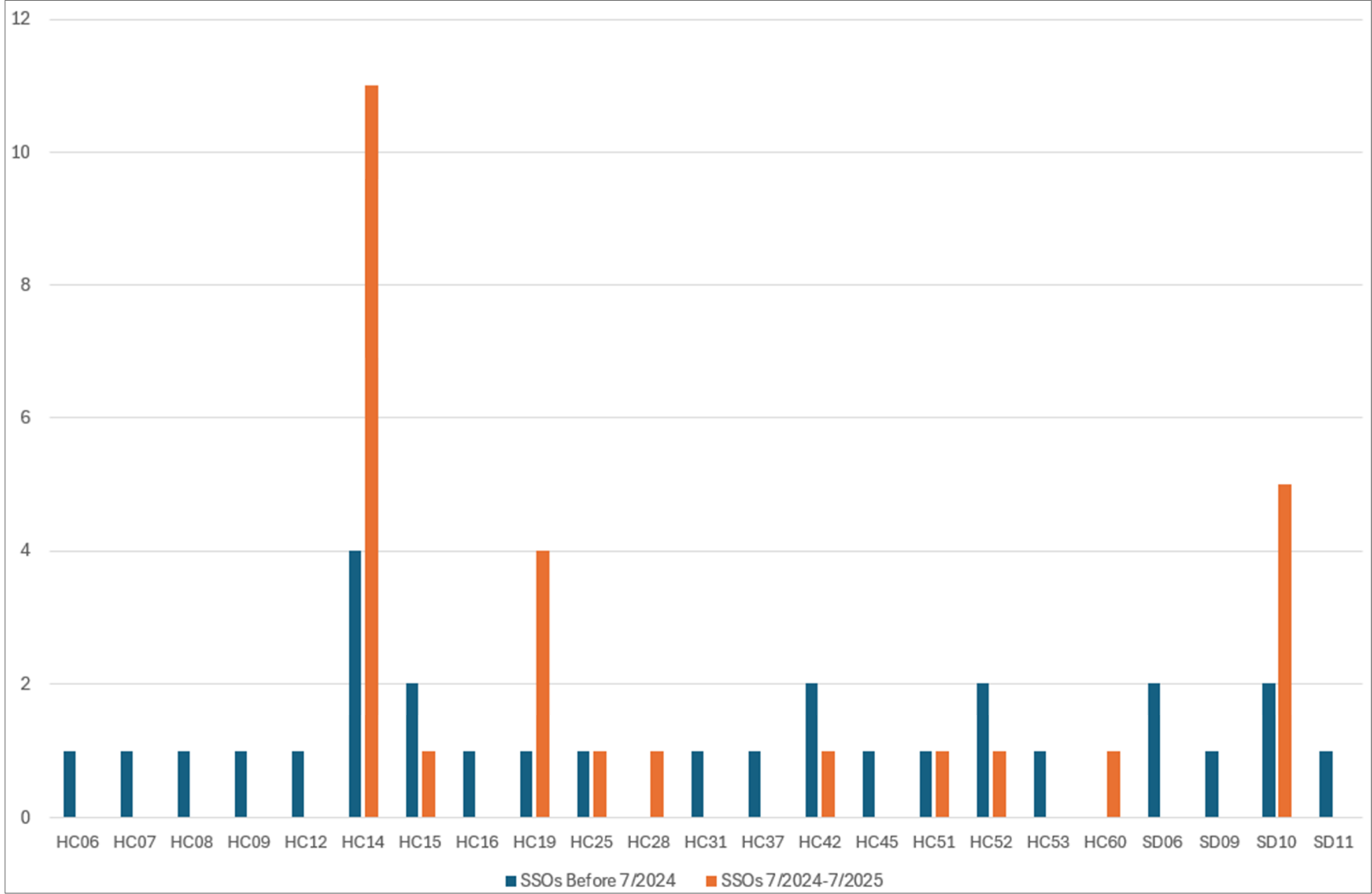


Figure 4-2
SSOs Reaching Waters of the U.S. or State

