

September 13, 2011

Mr. Wade Murphy
Tennessee Department of Environment & Conservation
Water Pollution Control
6th Floor L & C Annex
401 Church Street
Nashville, TN 37243-1534

Subject: Draft NPDES Permit TN0022586 (Murfreesboro-Sinking Creek STP)

Dear Mr. Murphy,

The Tennessee Clean Water Network submits these comments in response to the public notice regarding the draft NPDES permit for the Murfreesboro-Sinking Creek STP (TN0022586) in Rutherford County. We appreciate the opportunity to provide these comments for your consideration and look forward to hearing from the Division.

1. The Division should impose an accepted, technologically achievable Total Phosphorus limit

1.0 mg/L for total phosphorus (TP) is recognized as a technologically achievable concentration limit for treatment plants of this size and is reasonable to impose in the permit for the Murfreesboro-Sinking Creek STP, especially since the receiving waters are impaired as a result of phosphorus. The states in the Great Lakes River Basin, along with a number of other states in the nation, have imposed TP effluent limits ranging from 0.5 – 1.0 mg/L on all wastewater treatment facilities discharging more than 1 MGD¹ since the 1980s. TCWN requests the Division impose a TP effluent limit no greater than 1.0 mg/L (or 136 lbs/day) in order to protect the water quality of the West Fork of the Stones River.

2. There appears to be a discrepancy in the nutrient monitoring frequency

The table provided under Section 1 of the permit, Effluent Limitations and Monitoring Requirements (page 1), lists “May-Oct.; Nov-April” as the time period during which N+N and TP loading limits are applicable. However, Section 8 of the Rationale refers to the limits as “seasonal loads” (page R-14). TCWN interprets Section 1 of the permit to mandate the same loading limits all year, but the language in Section 8 of the Rationale indicates there are varying loading requirements dependent upon season. Is the permittee required to meet the TP and N+N average daily loading limits of 307 and 520 lbs/day, respectively, all year?

¹ Great Lakes Water Quality Agreement, 1978

It is the position of TCWN that since this stream, with low flows ranging from 0.2 to 5.7 MGD, is dominated this facility's effluent, nutrient effluent limits should apply year round.

3. Nutrient monitoring frequency allows for better reporting requirements

The table provided under Section 1 of the permit, Effluent Limitations and Monitoring Requirements requires Total Nitrogen (TN), N+N, and TP be reported twice a month (page 1). However, the permittee is only required to base compliance with the loading limits for N+N and TP on semi-annual calculations. Since the data is already being collected and is available to the permittee why are the loading limits not based up the twice a month samples? This information would provide the Division a more accurate representation of nutrient loads present in the discharge.

We appreciate the Division's consideration of these concerns and look forward to hearing from you regarding these issues.

Sincerely,



Dana Wright
Director of Policy and Legislative Affairs

cc: Mr. Joe Kercher, Director, MWSD Operations & Maintenance