



Tennessee Valley Authority, Post Office Box 2000, Spring City, Tennessee 37381-2000

July 25, 2003

Mr. Chip Hannah
Tennessee Department of Environment & Conservation
Division of Water Pollution Control
Enforcement & Compliance Section
Sixth Floor, L & C Annex
401 Church Street
Nashville, Tennessee 37243-0455

Dear Sir:

**WATTS BAR NUCLEAR PLANT (WBN) - NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM (NPDES) PERMIT NO. TN0020168 - RESPONSE TO NOTICE OF
VIOLATION**

This letter is in response to a Notice of Violation letter dated July 3, 2003, see attached letter. The period of Noncompliance on Outfall 112 for the chronic toxicity to larval fathead minnows (*Pimephales promelas*) was April 13-May 2. A retest was performed the week of April 27th. The retest ended the Noncompliance on May 2 which resulted in an IC₂₅ value of > 100 percent. The cause of the Noncompliance was due to naturally occurring pathogens as found in the study performed at WBN in 2001. WBN is now in compliance with our NPDES permit. WBN understands the requirements of our NPDES permit and that we are subject to enforcement action until compliance is achieved with our NPDES permit. A copy of the Notice of Noncompliance is also enclosed for your reference.

If you should have any questions or need additional information, please contact me at (423) 365-8005 at Watts Bar.

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 the information, the information submitted is, to the best of my knowledge and belief, 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,

Robert J. Crawford
Environmental Supervisor

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Enclosures

cc (Enclosures):

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D. C. 20555

Mr. Mike Kelley
Tennessee Department of Environment & Conservation
Division of Water Pollution Control
Environmental Assistance Center
540 McCallie Avenue, Suite 550
Chattanooga, Tennessee 37402



STATE OF TENNESSEE
DIVISION OF WATER POLLUTION CONTROL
401 CHURCH STREET
L & C ANNEX 6TH FLOOR
NASHVILLE TN 37243-1534

July 3, 2003

CERTIFIED MAIL

Mr. Robert Crawford, Environmental Supervisor
TVA Watts Bar Nuclear Plant
P.O. Box 2000, Mob 1t
Spring City, TN 37381-2000

Subject: Notice of Violation
NPDES Permit# TN0020168
TVA Watts Bar Nuclear Plant
Rhea County, Tennessee

Dear Mr. Crawford:

This letter serves as a Notice of Violation. The Division of Water Pollution Control has reviewed the Discharge Monitoring Reports (DMRs) for TVA Watts Bar Nuclear Plant and found the violation(s) of permit terms, shown on the attached report.

The Division of Water Pollution Control requires a written explanation of the violation(s) summarized on the attached report within 30 days, if you did not submit an explanation with the DMR. The explanation must include the reason for the violation(s) and the corrective action taken to avoid future violation(s). The explanation should be sent to the attention of Mr. Chip Hannah at the address shown in the letterhead.

Your facility is subject to enforcement action due to non-compliance with permit terms. However, your explanation will be considered prior to further action from this Division. Please be advised that pursuant to T.C.A. 69-3-115, civil penalties may be assessed for each day a violation occurs or continues. If you have questions or concerns regarding this correspondence, contact Mr. Hannah at 615-532-0683.

Sincerely,

Christopher S. Moran, Manager
Enforcement and Compliance Section

cc: EAC-Chattanooga
Compliance File

NPDES Permit #TN0020168
TVA - Watts Bar Nuclear Plant
Rhea County, Tennessee

July 02, 2003

Facility Type: Major Industrial
WPC Staff: Mr. Chip Hannah

SUMMARY OF VIOLATIONS

Discharge Monitoring Reports (DMRs) for 4/1/2003 through 4/30/2003.

Outfall	Parameter	Reported Value	Permit Limit	Unit Code	Statistical Base	Violation Type	Explanation Received with DMR
112	IC25 Statre 7day Chr pinephales	82	100	Percent	Minimum	Numeric Violation	<input checked="" type="checkbox"/>

**NOTICE OF NONCOMPLIANCE WITH EFFLUENT LIMITATION
NPDES PERMIT TN0020168
WATTS BAR NUCLEAR PLANT**

April 18, 2003

Outfall Serial Number (OSN) 112: Runoff Holding Pond

Description of the Noncompliance:

Semi-annual toxicity testing of OSN 112 demonstrated chronic toxicity for larval fathead minnows (*Pimephales promelas*). Sampling was conducted from April 13-18, 2003. The IC₂₅ value resulted in 82.5%, which did not meet the permit limit of $\geq 100\%$. There were no toxic effects seen in Daphnids (*Ceriodaphnia dubia*).

Cause and Period of the Noncompliance:

The noncompliance is known to have begun April 13, 2003, when the initial test sampling began. Preliminary results from repeat sampling conducted from April 28-May 2 indicates the period of noncompliance likely ended May 2. Final reviews and Engineering confirmation of the repeat test will be completed in late May. The cause of the Noncompliance was due to naturally occurring pathogens.

Steps Taken To Reduce, Eliminate, and Prevent Recurrence of the Noncompliance:

Corrective actions include the retest. UV pretreatment controls tested in parallel for this outfall indicated no chronic toxicity for larval fathead minnows. This is similar to the Notice of Noncompliance that was submitted for the same outfall on April 21, 2001. A study was performed in 2001 at WBN and indicated that the failure of Whole Effluent Toxicity testing for fathead minnows was due to naturally occurring pathogens in this outfall. The same pattern of failure is seen here. A copy of this study has been provided to TDEC. Additional copies are available upon request. No further actions are believed necessary at this time.