



**STATE OF TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
DIVISION OF WATER RESOURCES**

William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Ave., 11<sup>th</sup> floor  
Nashville, Tennessee 37243

**05-00293**

November 26, 2019

Mr. Jeff Ridsen, VP  
Adenus Group, LLC.  
Tennessee Wastewater Systems, Inc.  
Smyrna, Tennessee 37167

Certified Mail  
9414 7266 9904 2144 6881 49  
RETURN RECIEPT REQUESTED

RE: Notice of Violation  
Cross Plains Treatment Facility  
UIC Number ROB 0000023 and SOP-05057

Mr. Ridsen:

On November 8, 2019, Division of Water Resources (DWR) staff conducted a field inspection of the Cross Plains Treatment Facility (SOP-05057 and ROB 0000023) located Cross Plains, Tennessee. During the inspection, DWR staff noted that the lagoon had not been constructed as designed. Specifically, staff documented the lack of a liner and the presence of limestone rock outcrops within the lagoon basin. The facility has not reported any discharge from the lagoon and never constructed the drip field design submitted for Underground Injection Control authorization number ROB 0000023. Observations indicate that the lagoon is not retaining wastewater for treatment in a deep cell environment. Under design conditions the lagoon should retain wastewater for treatment in a deep cell with subsequent discharge to a drip irrigation field. Wastewater is currently not being retained in the lagoon indicating that the untreated wastewater is being discharged to groundwater, a violation of statute, rules, and the permits as outlined below.

UIC authorization ROB0000023 approved drip dispersal at this site, and does not authorize discharges to groundwater of untreated effluent from the unlined lagoon. Moreover, this authorization specifically provides if the ground water discharge system may be in violation, DWR must require an individual permit, order such actions as necessary to prevent the violation (including closure of the injection well), or take enforcement action.

Part I.A. of the SOP-05057 authorizes "the operation of a wastewater collection, treatment, and storage system with disposal of treated water through approved land application areas." As currently operated, this system does not treat, store, or land apply wastes, and as such is in violation of the SOP.

Tennessee Code Annotated (T.C.A.) § 69-3-114(a) provides that “It shall be unlawful for any person to discharge any substance into the waters of the state or to place or cause any substance to be placed in any location where such substances, either by themselves or in combination with others cause any of the damages as defined in T.C.A. 69-3-103, unless such discharge shall be due to an unavoidable accident or unless such action has been properly authorized. Any such action is declared to be a public nuisance.”

Additionally, T.C.A. § 69-3-103(28) states “Pollution means such alteration of the physical, chemical, biological, bacteriological, or radiological properties of the waters of this state including but not limited to changes in temperature, taste, color, turbidity, or odor of the water.”

Further, UIC Rule 0400-45-06-.04(1), states: No owner or operator shall construct, operate, maintain, convert, plug, abandon, or conduct any other injection activity in a manner that allows the movement of fluid containing any contaminant into underground sources of drinking water, if the presence of that contaminant may cause a violation of any primary drinking water regulation or may otherwise adversely affect the health of persons.

The following corrective actions should be taken to address this violation:

- Within 30 days, install a flowmeter to determine volume of wastewater received on a continuous basis and report results to DWR monthly.
- Within 30 days, compile an inventory of connections contributing wastewater to this system.
- Immediately discontinue discharge to the lagoon until an approved treatment design has been constructed.
- Within 60 days, submit an updated design for wastewater treatment for approval by the division.
- Within 90 days, conduct a water use survey in the 2 mile area surrounding the lagoon to identify residences using groundwater as a water source.
- Within 90 days, engage a qualified contractor to design a dye trace to determine groundwater flow paths from the lagoon and submit the design to DWR for approval.

Thank you for your cooperation in this matter. If you have any questions regarding this Notice of Violation, please contact me at (615) 532-5367.

Sincerely,



Brad Harris  
Manager, Land Based Systems Unit  
Division of Water Resources

Cc: Patsy Fulton, TPUC