



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
OFFICE OF GENERAL COUNSEL
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June 12, 2014

Chairman James M. Allison
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243

RE: TRA Docket No. 14-00041

SHOW CAUSE PROCEEDING AGAINST TENNESSEE WASTEWATER
SYSTEMS, INC., FOR MATERIAL NON-COMPLIANCE AND/OR
VIOLATION OF TENN. R. & REGS. 1220-04-13, *et seq.*

Chairman Allison,

Attorneys for Tennessee Wastewater Systems, Inc. met with me and other Tennessee Department of Environment and Conservation ("TDEC") staff on Monday, June 9, 2014. During that meeting, they provided us the deposition of Mr. Franklin Wallace, an employee of the Caryville-Jacksboro Utility Commission ("CJUC") dated May 12, 2014. This deposition has been filed in the above referenced matter. We are reviewing that deposition to determine if it indicates any violations of the regulatory programs that TDEC administers. However, as pointed out in the letter filed by Mr. Devin Wells on behalf of TDEC in TRA Docket No. 13-00017 on November 22, 2013, there has been no enforcement case commenced against CJUC.

The Tennessee Department of Environment and Conservation would like to again make clear that it intends to remain neutral as to which current permit-holder serves the area known as The Villages of Norris Lake.

Please be advised that the permit-holders involved in the service area known as The Villages do not hold permits for the exact same system. The permit-holders have permit applications and construction plans and specifications for different collection system and treatment/disposal system designs. Changes in permitted activity are subject to the public notice requirements of TDEC regulations and include the opportunity for a public hearing, except that the regulation allows for an automatic change of permittee provided the Department is given notice at least 30 days prior to the effective date of the change via written agreement between the parties involved. Changes in design that necessitate

changes in the construction plans and specifications are subject to review and approval per department regulation. Approval of construction documents by the department does not convey property rights associated with the professional design work, so persons constructing a system are responsible for obtaining permission from the owner of the design for the use of it.

Sincerely,

A handwritten signature in blue ink, reading "E. Joseph Sanders". The signature is fluid and cursive, with the first name "E." and last name "Sanders" clearly distinguishable.

E. Joseph Sanders
General Counsel