

TENNESSEE REGULATORY AUTHORITY

502 Deaderick Street, 4th Floor
Nashville, Tennessee 37243

Date: 9/24/2015

TO: Docket File No. 14-00136

From: Patsy Fulton, Utilities Division

RE: Docket No. 14-00136 Petition of Tennessee Wastewater Systems, Inc. for
Approval of Capital Improvement Surcharges and Financing Arrangements

Copy of Smoky Village Notice Of Violation issued by TDEC
TDEC Dataviewer 9/17/2015.
TDEC SOP #05033



TENNESSEE DEPARTMENT OF ENVIRONMENT & CONSERVATION
DIVISION OF WATER RESOURCES
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue
Nashville, TN 37243

9/17/2015

CERTIFIED MAIL
7099 3220 0007 9315 1732
Return Receipt Requested

Mr. Charles Hyatt
President
Tennessee Wastewater Systems, Inc.
e-copy: Charles.hyatt@adenus.com
849 Aviation Pkwy.
Smyrna, TN 37167

Re: **Notice of Violation**
Compliance Inspection
Tennessee Wastewater Systems, Inc.
Smoky Village Treatment Facility
UIC# SEV 0000069 SOP05033
Sevier County

Mr. Hyatt:

On 3/14/2014 Allen Rather conducted a Compliance Inspection of the Smoky Village Treatment Facility. He met John Czahoroski with Adenus to review the operation of the system. Mr. Rather reported that the drip field was saturated with partially treated wastewater ponding and overflowing from the site to a drain and under the road. A re-inspection of the site was performed on 8/14/2014 to determine if corrective action had been taken. Partially treated wastewater was still ponding and overflowing from the site at that time. A further re-inspection was conducted on 7/20/2015 that found that the site still was experiencing ponding.

Ponding and overflow from the site is a violation of your State Operation permit, and of the Water Quality Control Act. This letter will serve to formally notify you of these violations as identified on the above-listed dates and by copy will inform our Enforcement Section of the violations. This NOV is not a legal action in itself, but such violations may lead to enforcement action.

It is the DWR understanding that additional soils area was secured to install new drip fields over two years ago. Plans were submitted and approved by the DWR, however construction has not begun. Since construction did not commence within one year of the plans approval, the plans are subject to

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reevaluation. As requested in E. Joseph Sanders' letter to Jeff Ridsen, Esq., TWSI is urged to promptly re-submit construction plans to the division in accordance with applicable rules and guidance.

The site appears to be in a state of constant violation. You are requested to provide a written response to this office within thirty (30) days of receipt of this letter outlining a definite timetable for implementation of corrective action once plans are resubmitted and approved.

If you have any questions, please contact Allen Rather by phone at 615-532-5819 or allen.rather@tn.gov.

Sincerely,



Brad C. Harris, P.E.
Land-Based Systems Unit Manager
Division of Water Resources

cc: Jessica Murphy, Compliance & Enforcement Section, DWR
George Garden, P.E., DWR
Michael Caudill, Knoxville EFO, DWR