



Tennessee Wastewater Systems, Inc.  
Docket 15-00025  
December 2016 Report Overview

Systems subject to Notice of Violations and other Corrective Orders:

**Starr Crest II (NOV)** – Repairs made. TDEC has issued the modified SOP and approved the construction plans for upgraded system. Awaiting final agreement with HOA on assessments so that work can begin. TDEC will inspect once system upgrades are complete.

**Smoky Village (NOV)** – Docket 16-00096 – TDEC will inspect once system upgrades are complete.

**Summit View** – Docket 14-00136 – TDEC issued the final SOP. Summit View HOA has appealed the final SOP to the Water Resources Division of TDEC. Construction plans have been approved by TDEC for the system expansion. TDEC will inspect once system upgrades are complete.

**Cedar Hill** – Docket 16-00096 - TDEC will inspect once system upgrades are complete.

**Maple Green (NOV)** – Docket 16-00096 – TDEC will inspect once system upgrades are complete.

**River Road\*\* (NOV)** – TWSI responded to the NOV and provided a CAP as requested.

**\*\* River Road** is not included in the KPI Report because there is no discharge from the facility and is not monitored.

## Jeff Riden

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**From:** HAWKMS Agent <agent@hawkms.com>  
**Sent:** Thursday, December 1, 2016 7:50 AM  
**To:** Charles Hyatt; Brian Carter; Roy Denney  
**Cc:** Jeff Riden; Bob Pickney; Matt Pickney  
**Subject:** TRA KPI Compliance Report for 12/1/2016 7:50:09 AM

## TRA Flow KPI Report for 11/30/2016

Tracy Nichols	Permitted	Expected	Actual	% of Expected	AvgFlow	% o
Cedar Hill DCP	75000	18036	0	0.00	0.00	
Maple Green DCP	74000	39923	36020	0.90	50547.33	

Johnny Gautreaux	Permitted	Expected	Actual	% of Expected	AvgFlow	% o
Summit View RSF	8000	5775	6670	1.15	7000.67	

Jeremy Stewart	Permitted	Expected	Actual	% of Expected	AvgFlow	% o
Smoky Village RSF	5600	4725	7488	1.58	3028.87	

Brandon Dotson	Permitted	Expected	Actual	% of Expected	AvgFlow	% o
Starr Crest II BC	28000	25725	15935	0.62	25108.93	

## Jeff Risdén

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**From:** Ann Rochelle <Ann.Rochelle@tn.gov>  
**Sent:** Monday, November 7, 2016 9:35 AM  
**To:** Brian Carter  
**Cc:** Charles Hyatt; Roy Denney; Jeff Risdén; MichaelP Murphy; April Grippo; George Garden; Jessica Murphy; Wade Murphy; Jordan Fey  
**Subject:** RE: River road pics

Hi Brian,

Thank you for completing those corrective measures and for the photos to document those actions.

Thanks.

Ann



*Ann Rochelle*, Environmental Consultant 1  
Division of Water Resources  
Nashville Environmental Field Office  
711 R. S. Gass Blvd, Nashville, TN 37216  
Office: 615-687-7123  
Fax: 615-687-7078  
[Ann.Rochelle@tn.gov](mailto:Ann.Rochelle@tn.gov)  
[tn.gov/environment](http://tn.gov/environment)

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**From:** Brian Carter [mailto:Brian.Carter@Adenus.com]  
**Sent:** Monday, November 07, 2016 9:05 AM  
**To:** Ann Rochelle  
**Cc:** Charles Hyatt; Roy Denney; Jeff Risdén  
**Subject:** FW: River road pics

\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. \*\*\*

Ann,

Please find below the pics of all repairs completed at River Road Lagoon.

Thank You,



**Brian Carter**

**Operations & Maintenance Manager**

**Adenus Utilities Group**

615.220.7179(v)

615.220.7207(f)

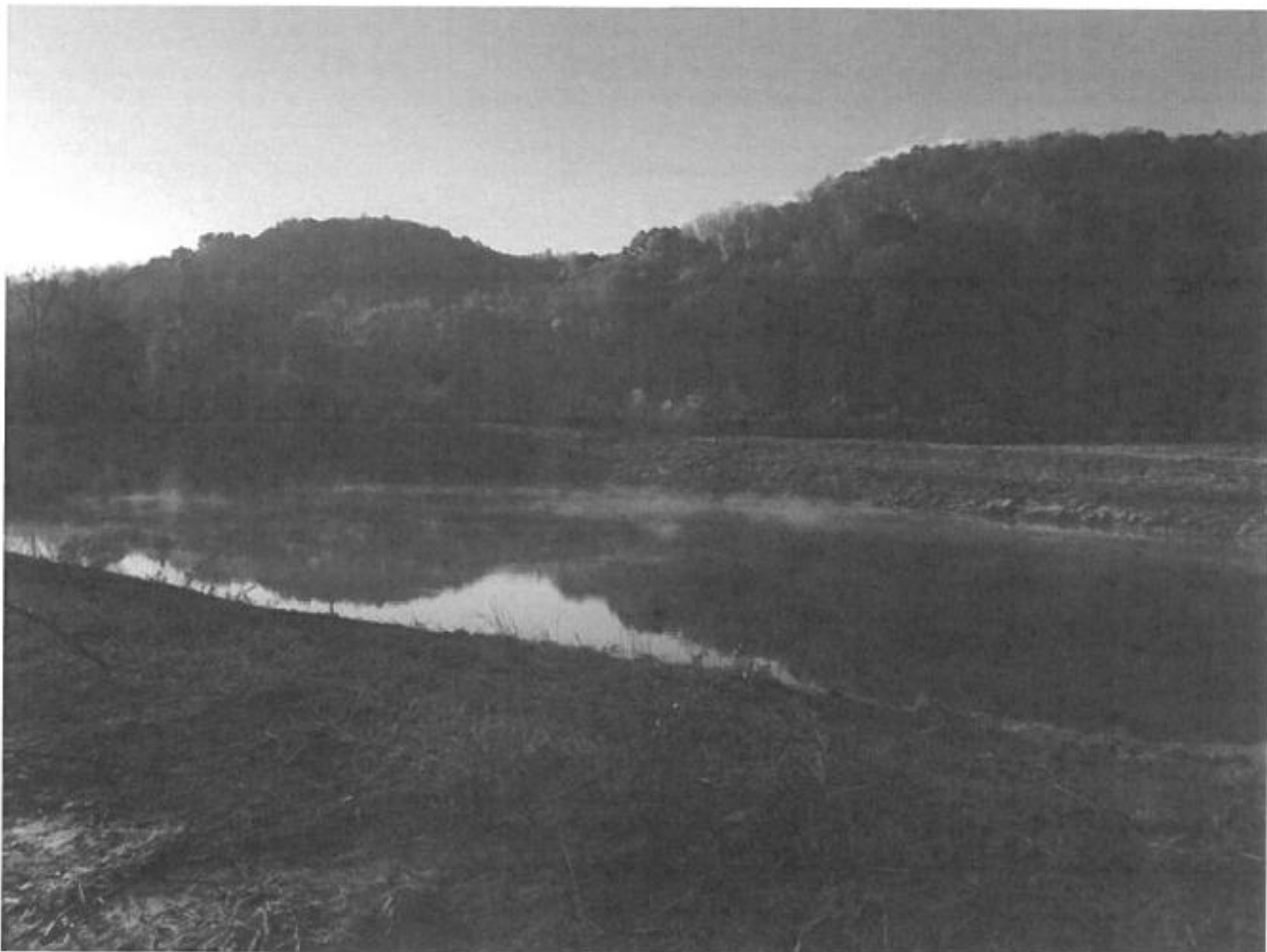
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**From:** Landon Jones [mailto:[jacklandonjones@icloud.com](mailto:jacklandonjones@icloud.com)]

**Sent:** Monday, November 7, 2016 7:23 AM

**To:** Brian Carter <[Brian.Carter@Adenus.com](mailto:Brian.Carter@Adenus.com)>; Roy Denney <[Roy.Denney@Adenus.com](mailto:Roy.Denney@Adenus.com)>

**Subject:** River road























## Jeff Riden

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**From:** Charles Hyatt  
**Sent:** Monday, November 28, 2016 9:11 AM  
**To:** Jeff Riden; Bob Pickney  
**Subject:** FW: SOP-06035 Tennessee Wastewater Systems, Inc.; incoming correspondence  
**Attachments:** SOP-06035.LTR.23-NOV-16.pdf

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**From:** Elizabeth Rorie [mailto:Elizabeth.Rorie@tn.gov]  
**Sent:** Monday, November 28, 2016 9:07 AM  
**To:** kdean@fmsllp.com; Charles Hyatt <Charles.Hyatt@Adenus.com>  
**Cc:** Hari Akunuri <Hari.Akunuri@tn.gov>; Wade Murphy <Wade.Murphy@tn.gov>; Brad Harris <Brad.Harris@tn.gov>; Michelle Ramsey <Michelle.Ramsey@tn.gov>  
**Subject:** SOP-06035 Tennessee Wastewater Systems, Inc.; incoming correspondence

All,

This email is to acknowledge correspondence received. This email is a notification of receipt only and does not confirm or imply any decisions on the part of Division of Water Resources staff members. This document has been uploaded to Waterlog. Correspondence received by TDEC becomes part of the public record and can be viewed here: [Water Resources Permits Dataviewer](#).

Please consider saving a copy of this email for your records.



Beth Rorie | Secretary  
DWR Permits  
Tennessee Tower, 11<sup>th</sup> Floor  
312 Rosa L. Parks Ave., Nashville, 37243  
p. 615-532-1172  
[elizabeth.rorie@tn.gov](mailto:elizabeth.rorie@tn.gov)  
[tn.gov/environment](http://tn.gov/environment)

ARTHUR G. SEYMOUR, JR.  
ROBERT L. KAHN  
REGGIE E. KEATON  
DONALD D. HOWELL  
DEBRA L. FULTON  
MICHAEL W. EWELL  
JOHN M. LAWHORN  
JAMES E. WAGNER  
BEVERLY D. NELMS  
MARY ELIZABETH MADDOX  
BENJAMIN C. MULLINS  
RICHARD T. SCRUGHAM, JR.  
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*of counsel*  
FRANCIS A. CAIN  
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JASON T. MURPHY

[fmsllp.com](http://fmsllp.com)

November 22, 2016

**Via FedEx Overnight**

Tennessee Department of Environment and Conservation  
Division of Water Resources  
Attn: Technical Secretary/Water Resources Board  
William R. Snodgrass—Tennessee Tower  
312 Rosa L. Parks Avenue, 11<sup>th</sup> Floor  
Nashville, TN 37243-1102

**RECEIVED**

NOV 23 2016

TN DEPT. OF ENVIRONMENT  
AND CONSERVATION  
DIVISION OF WATER RESOURCES

**Via FedEx Overnight and e-mail to: [George.Bell@TN.GOV](mailto:George.Bell@TN.GOV)**

Tennessee Department of Environment and Conservation  
Office of General Counsel  
Attn: George S. Bell, III, Esq.  
William R. Snodgrass—Tennessee Tower  
312 Rosa L. Parks Avenue, 2<sup>nd</sup> Floor  
Nashville, TN 37243

Re: State Operating Permit No. SOP-06035  
Tennessee Wastewater Systems, Inc.  
Summit View Resort  
Sevierville, Sevier County, Tennessee

Dear Technical Secretary/Water Resources Board:

As you are aware, our firm represents the Summit View Home Owners' Association (hereafter "Summit View"), who has elected to file this "Petition for Permit Appeal" related to TDEC's approval of the above-captioned State Operating Permit no. SOP-06035 (the "Permit") pursuant to Tenn. Code Ann. §69-3-105(i) as an "aggrieved person"<sup>1</sup> who participated in the public comment period" and who "gave testimony at a formal public hearing". Pursuant to Tenn. Code Ann. §69-3-105(i), this appeal is based, in part, on upon the issues that were provided to the commissioner in writing during the public comment period and/or in testimony at the formal public hearing on the permit application. For ease of reference, I have included a copy of Mr. Brad Harris' October 28, 2016 letter with Permit no. SOP-06035.

<sup>1</sup> My client is included within the definition of "Person" under Tenn. Code Ann. §69-3-103(26), which defines "Person" to include "associations" as well as "officers thereof".

On behalf of Summit View, we would respectfully request an administrative review by the Water Resources Board of the above-captioned approval of the Permit on the following bases, including but not limited to the following:

- (1) Reliability (unreliability) of the usage data which reflected no less usage even after Summit View installed low-flow shower heads;
- (2) Continued noncompliance by Tennessee Wastewater Systems, Inc. (hereafter "TWSI") on multiple items, including but not limited to TWSI's failure to remedy both odor and flow issues with the present system and TWSI's lack of signatures on multiple reports; and
- (3) Lack of documented ownership of real property (via easement or otherwise) or personal property/equipment by TWSI (the Permit itself grants no ownership rights);

If anything further is needed from Summit View to process this appeal request under Tenn. Code Ann. §69-3-105(i), please do not hesitate to contact us.

Very truly yours,



Arthur G. Seymour, Jr.  
Kevin A. Dean  
FRANTZ, McCONNELL & SEYMOUR, LLP

KAD:kad  
Enc.

cc: Jamie Roth (via e-mail w/enc.)

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

William R. Snodgrass - Tennessee Tower  
312 Rosa L. Parks Avenue, 11<sup>th</sup> Floor  
Nashville, Tennessee 37243-1102

October 28, 2016

Mr. Charles R. Hyatt, CEO  
Adenus Group, LLC  
e-copy: Charles.Hyatt@adenus.com  
849 Aviation Parkway  
Smyrna, TN 37167

**Re: State Operating Permit No. SOP-06035  
Tennessee Wastewater Systems, Inc.  
Summit View Resort  
Sevierville, Sevier County, Tennessee**

Dear Mr. Hyatt:

In accordance with the provisions of the Tennessee Water Quality Control Act, Tennessee Code Annotated (T.C.A.), Sections 69-3-101 through 69-3-120, the Division of Water Resources hereby issues the enclosed State Operating Permit. The continuance and/or reissuance of this Permit is contingent upon your meeting the conditions and requirements as stated therein.

Please be advised that a petition for permit appeal may be filed, pursuant to T.C.A. Section 69-3-105, subsection (i), by the permit applicant or by any aggrieved person who participated in the public comment period or gave testimony at a formal public hearing whose appeal is based upon any of the issues that were provided to the commissioner in writing during the public comment period or in testimony at a formal public hearing on the permit application. Additionally, for those permits for which the department gives public notice of a draft permit, any permit applicant or aggrieved person may base a permit appeal on any material change to conditions in the final permit from those in the draft, unless the material change has been subject to additional opportunity for public comment. Any petition for permit appeal under this subsection (i) shall be filed with the technical secretary of the Water Resources Board within thirty (30) days after public notice of the commissioner's decision to issue or deny the permit. A copy of the filing should also be sent to TDEC's Office of General Counsel.

If you have questions, please contact the Knoxville Environmental Field Office at 1-888-891-TDEC, or, at this office, please contact Mr. Hari Akunuri at (615) 532-0650 or by E-mail at [Hari.Akunuri@tn.gov](mailto:Hari.Akunuri@tn.gov).

Sincerely,

Brad C. Harris, P.E.  
Manager, Land-based Systems

cc/ec: Land-based Systems File  
Knoxville Environmental Field Office

Mr. David K. Beverly, Consulting Engineer, , [copperridge303@bellsouth.net](mailto:copperridge303@bellsouth.net)

Ms. Michelle Ramsey, Utilities Division, Tennessee Regulatory Authority, [michelle.ramsey@tn.gov](mailto:michelle.ramsey@tn.gov)

Ms. Patsy Fulton, Utility Rate Specialist, Tennessee Regulatory Authority, [Patsy.Fulton@tn.gov](mailto:Patsy.Fulton@tn.gov)

Mr. Kevin Dean, Attorney, Fraantz, McConnell & Seymour LLP, [kdean@fmsllp.com](mailto:kdean@fmsllp.com)

Mr. Roy Denney, Chief Technical Officer, Adenus Group LLC, [roy.denney@adenus.com](mailto:roy.denney@adenus.com)

## Jeff Ridsen

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**From:** Keith Townsend  
**Sent:** Tuesday, November 29, 2016 2:08 PM  
**To:** Charles Hyatt; Bob Pickney  
**Cc:** Jeff Ridsen  
**Subject:** FW: Summit View TF - Plans approval SOP 06035

Please see below response. I did not believe that we had received the approved plans, and that has been verified. I went to the permit dataviewer, and read the letter from the appealing attorney.

Thanks,  
Keith  
615.522.7865 (cell)

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**From:** Brad Harris [mailto:Brad.Harris@tn.gov]  
**Sent:** Tuesday, November 29, 2016 2:03 PM  
**To:** Keith Townsend <Keith.Townsend@Adenus.com>  
**Subject:** RE: Summit View TF - Plans approval SOP 06035

Keith,

The plans have not been stamped and signed at this point. The permit for Summit View that was just issued was appealed by a party that participated in the public hearing. We have asked clarification from OGC if we can approve the plans or if we have to wait until the appeal is processed. I should know something in the next few days.

Brad

Brad C Harris P.E.

Division of Water Resources

William R. Snodgrass Tennessee Tower

312 Rosa L. Parks Avenue, 11th Floor

Nashville, Tennessee 37243

(615) 532-5367

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**From:** Keith Townsend [Keith.Townsend@Adenus.com]  
**Sent:** Monday, November 28, 2016 11:08 AM

**To:** Brad Harris

**Subject:** Summit View TF - Plans approval SOP 06035

**\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. \*\*\***

Brad,

I have been asked to investigate if the final construction plans for Summit View modification have been approved, and transmitted by your department?

Thanks,

Keith Townsend



[www.Adenus.com](http://www.Adenus.com)

Sustainable Wastewater Solutions

Adenus Solutions Group, LLC | 849 Aviation Pkwy, Smyrna, TN 37167

Direct: +1 615.220.7166 | Cell: +1 615.522.7865 | Fax: 615.220.7207

## Jeff Ridsen

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**From:** Bob Pickney  
**Sent:** Thursday, December 1, 2016 9:10 AM  
**To:** Jeff Ridsen  
**Subject:** FW: Logue Road - Summit View

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**From:** Bob Pickney  
**Sent:** Monday, November 28, 2016 5:40 PM  
**To:** George Garden (George.Garden@tn.gov) <George.Garden@tn.gov>  
**Subject:** Logue Road - Summit View

George,

I am still not clear on the Logue Road appeal on areas – can we schedule a call to discuss, also, I need to get approved Summit View engineering plans, I would like to move forward on the drains and if possible installing new drip lines on the existing site – but my hands are tied until I have approved plans – I am aware the permit has been appealed, but I assume it is in force until appeal is resolved, so there is no reason not to get approved plans? (I was under the impression the plans had already approved – am I wrong?

Thanks,  
Bob

## Jeff Ridsen

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**From:** Bob Pickney  
**Sent:** Thursday, December 1, 2016 9:15 AM  
**To:** George Garden (George.Garden@tn.gov)  
**Cc:** Charles Hyatt; Jeff Ridsen  
**Subject:** Summit View

George –

I need some type of answer on Summit View – I will not have a better time to install the drains and upgrade existing drip fields than right now given the dry weather and low occupancy of the cabins – I can do this with regular maintenance personnel without seeking funding through TRA – it seems silly that I have an order to fix the system and I cannot even get plans approval after the permit is issued – if TDEC cannot make a decision without further meetings etc. would you at least let me know that so I can reschedule our workload – TWSI considers this a high priority to at least minimize the site issues – I would hope TDEC would agree –

Thanks,

Bob

## Jeff Ridsen

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**From:** George Garden <George.Garden@tn.gov>  
**Sent:** Thursday, December 1, 2016 11:22 AM  
**To:** Bob Pickney  
**Cc:** Charles Hyatt; Jeff Ridsen  
**Subject:** RE: Summit View

I received a determination on when the "public comment period is over" since that is the criteria for provided approved plans. It is officially (to the extent the Office of General Council's opinion is "official") over and we are preparing to send you approved construction plans without comment. So you may use this email as approval to proceed. There are those for which this action will cause heartburn, but so be it.

---

**From:** Bob Pickney [mailto:Bob.Pickney@Adenus.com]  
**Sent:** Thursday, December 01, 2016 9:15 AM  
**To:** George Garden  
**Cc:** Charles Hyatt; Jeff Ridsen  
**Subject:** Summit View

George –

I need some type of answer on Summit View – I will not have a better time to install the drains and upgrade existing drip fields than right now given the dry weather and low occupancy of the cabins – I can do this with regular maintenance personnel without seeking funding through TRA – it seems silly that I have an order to fix the system and I cannot even get plans approval after the permit is issued – if TDEC cannot make a decision without further meetings etc. would you at least let me know that so I can reschedule our workload – TWSI considers this a high priority to at least minimize the site issues – I would hope TDEC would agree –

Thanks,

Bob