

STATE OF TENNESSEE

Office of the Attorney General



JONATHAN SKRMETTI
ATTORNEY GENERAL AND REPORTER

P.O. BOX 20207, NASHVILLE, TN 37202
TELEPHONE (615) 741-3491
FACSIMILE (615) 741-2009

24-00044

24-00020

23-00036

July 28, 2025

Chairman David Jones
c/o Ms. Tory Lawless, Docket Manager
Tennessee Public Utility Commission
502 Deaderick Street, 4th Floor
Nashville, Tennessee 37242-0001

In Re: TPUC Docket No. 24-00044 Limestone Rate Case - Grasslands; TPUC Docket No. 23-00036 Nash Ridge CCN; and TPUC Docket No. 24-00020 Adley Subd CCN.

Dear Chairman Jones:

On July 25, 2025, the Tennessee Department of Environment and Conservation ("TDEC") sent Limestone about a *Complaint Investigation & Notice of Violation* letter for the Grassland wastewater system (NPDES # TN0027278).¹ The Consumer Advocate Division of the Tennessee Attorney General's Office ("Consumer Advocate") has reviewed the letter. It is the Consumer Advocate's position that the Notice of Violation should be filed with the Commission since it involves the environmental non-compliance of a TPUC-regulated utility resulting in a public health hazard for Cartwright Creek and nearby trails.

The failing Grasslands wastewater system is the subject of multiple TPUC dockets. Therefore, the Consumer Advocate respectfully requests that this letter and exhibit be filed in the three referenced TPUC Docket Nos: 24-00044, 24-00020, and 23-00036.

Sincerely,

A handwritten signature in blue ink that reads "Karen H Stachowski".

Karen H. Stachowski
Deputy Attorney General

cc: Melvin Malone
Kelly Cashman Grams, TPUC
David Foster, TPUC

¹ Attached as Consumer Advocate Exhibit 1.



**STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Water Resources**

Nashville Environmental Field Office
711 R.S. Gass Blvd.
Nashville, Tennessee 37216

Phone 615-687-7000 Statewide 1-888-891-8332 Fax 615-687-7078

July 25, 2025

Mr. Josiah Cox | President
e-copy: jcox@cswrgroup.com
Central States Water Resources (CSWR)
1630 Des Peres Road, Suite 140
Des Peres, MO 63131

Electronically Filed in TPUC Docket
Room on July 28, 2025 at 12:58 p.m.

RE: Complaint Investigation & Notice of Violation

Grasslands STP
NPDES Permit # TN0027278
Williamson County

Dear Mr. Cox,

On Thursday, July 24, 2025, Mr. Daniel Pleasant with the Division of Water Resources (Division) conducted a site investigation regarding multiple complaints regarding odors and apparent sewage entering Cartwright Creek (Creek) located approximately 1/8th mile north of the Grasslands sewage treatment plant (STP). Mr. Pleasant arrived in the affected area at approximately 4:24 PM where he subsequently found an active sanitary sewer overflow (SSO) entering the Creek at approximate coordinates 36.012852°, -86.894820°. The water's color, turbidity, odor, and debris were indicative of an SSO and were confirmed as such from a submerged manhole at approximate coordinates 36.012060°, -86.895073°, actively overflowing during his site investigation.

While on site, Mr. Pleasant documented the presence of sanitary sludge, scum, and debris that had collected throughout the wet weather conveyance (WWC) and outcroppings downstream of the manhole. When disturbed, the solids and scum readily suspended in the water in a manner consistent with sludge and distinct from mud, silt, or algae blooms, and had a strong sewage odor.

Mr. Pleasant informed CSWR's emergency department via cell phone at 6:09 PM of the overflow and provided the aforementioned locations to the dispatcher. Mr. Pleasant then informed Clear Water Solution's area supervisor, Mr. Kenneth Rollins, of the same information at approximately 6:16 PM. Mr. Rollins informed Mr. Pleasant he was enroute to the facility after receiving similar information from a customer who notified CSWR earlier that afternoon. Mr. Pleasant informed Mr. Rollins that, given the impacted

Creek and trails commonly used by the public, accessways and the Creek should be cordoned off with caution tape and signage informing persons of the hazards associated with untreated sanitary sewage. Mr. Pleasant also informed Mr. Rollins that the impacted areas must be cleaned and disinfected where applicable, i.e. disinfection products cannot enter waterways. On July 25, 2025, Mr. Pleasant left a voicemail for Mr. Rollins and provided an email to him, along with DWR, Williamson County Emergency Management Agency (WCEMA), CSWR, and CWS staff, about the aforementioned protections for public health should be installed immediately and requiring the facility to begin testing for *E. coli*, at a minimum, once per day in the impacted area of the Creek. The email further explains that a control sample for *E. coli* must also be taken at a defensible location upstream of the polluted sections of the Creek to determine background *E. coli* levels.

NPDES Permit section 2.3.2. *Overflows and Releases* states:

- (a) *“Sanitary sewer overflows, including dry-weather overflows, are prohibited.*
- (b) *“The permittee shall operate the collection, transmission, and treatment system so as to avoid sanitary sewer overflows and releases due to improper operation or maintenance...*
- (c) *“The permittee shall take all reasonable steps to minimize any adverse impact associated with overflows and releases.”*

NPDES Permit section 2.3.4. *Adverse Impact* states:

“The permittee shall take all reasonable steps to minimize any adverse impact to the waters of Tennessee resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge. It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.”

This letter serves as a **Notice of Violation** for violating the conditions of the permit and creating a condition of pollution to the Waters of the State, which are violations of the *Tennessee Water Quality Control Act*.

Action Items and Recommendations

- Immediately cordon off all reasonable approaches and access the public may encounter areas containing sanitary sewage; this includes the affected sections of Cartwright Creek.
- Remove any debris associated with the documented SSO from the WWC and Creek. If complete removal is not possible, abatement will be considered provided the rationale is approved by the Division.
- Determine the cause of the overflow and provide a corrective action plan to prevent similar events from occurring.
- Begin daily sampling for *E. coli* as previously described in this letter and retain laboratory results for review.

It is requested a written response be provided to this office by **August 1, 2025**, detailing specific actions with completion dates taken to address these concerns. The response letter can be submitted by email to Mr. Daniel Pleasant’s email address below.

The Division will appreciate your immediate attention to this letter, its requirements, and efforts made to ensure permit compliance and protect the health of the Public and our State's Waterways. This document will not be physically mailed but emailed instead. If you have any questions or concerns, please contact Mr. Daniel Pleasant at 615-970-1222 or daniel.pleasant@tn.gov.

Sincerely,



Michael Murphy
Program Coordinator
Division of Water Resources

e-copy: Tim Jennette, Division of Water Resources, tim.jennette@tn.gov
Chris Rhodes, Division of Water Resources, chris.rhodes@tn.gov
Joshua Walter, WCEMA, joshua.walter@williamsoncounty-tn.gov
Kenneth Rollins, CWS, kenneth.rollins@clearwatersol.com
Lynn Starrett, CWS, lynn.starrett@clearwatersolutions.com
Jo Anna Brown, CSWR, env.comp@cswrgroup.com