

STATE OF TENNESSEE

Office of the Attorney General



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ATTORNEY GENERAL AND REPORTER

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September 10, 2025

Melvin Malone
Butler Snow LLP
1320 Adams Street, Suite 1400
Nashville, TN 37208
Email: Melvin.Malone@butlersnow.com

Re: Tennessee Public Utility Commission ("TPUC" or the "Commission"), Docket No. 25-00057, *Application of Limestone Water Utility Operating Company, LLC to Expand Its Certificate of Convenience and Necessity to Serve the Campbell Hollow Subdivision In Sevier County, Tennessee*

Mr. Malone:

The Consumer Advocate has reviewed the *Petition* filed by Limestone Water Utility Operating Company, LLC ("Limestone") in the above-referenced CCN amendment Docket.

The *Petition* requests that the Commission "extend the company's service area to include the additional service area" described in the *Petition* and located in Sevier County, Tennessee. Accordingly, the Consumer Advocate has reviewed Limestone's compliance with the minimum filing requirements set forth in TPUC Rule 1220-04-13-.17 regarding CCN amendments.

The Consumer Advocate appreciates the time and effort that Limestone put into compiling the *Petition*, as well as their attention to the Commission's minimum filing requirements. As set forth in "Attachment A," the Consumer Advocate highlighted documents that that could not be located; documents that are illegible; or clarification on filings that are necessary. Please note that this is not a discovery request by the Consumer Advocate, but a review of Limestone's compliance with TPUC's minimum filing requirements. Please note, the Commission has the authority and responsibility for determining the sufficiency of a CCN petition.

The Consumer Advocate would like to thank Limestone in advance for its attention to this letter. If you have questions, please contact me at (615) 741-2357.

Respectfully,

A handwritten signature in cursive script, appearing to read "Shilina B. Brown".

Shilina B. Brown
Senior Assistant Attorney General

cc: David Foster, TPUC
Kelly Cashman-Grams, TPUC

Rule 1220-04-13-.17(2)(a) General Information

1. ***Rule 1220-04-13-.17(2)(a)2.*** The rule requires an organizational chart showing each officer and key personnel by name and title. The Company filed Exhibit 5. This is an organizational chart but there are only titles, and no names are listed for each position as required by the rule. File a complete organizational chart replacing Exhibit 5 with a complete chart of employee names with each title in the Docket.
2. ***Rule 1220-04-13-.17(2)(a)7.*** The rule requires a complete description of the geographic territory to be served by the applicant, including the name and location of development (subdivision) and the number of acres. Include the name of the subdivision or development and the name of the wastewater system as stated in the TDEC permit. In addition, provide a legible map of the area with the proposed service territory clearly and accurately plotted. There are internal inconsistencies regarding the Campbell Hollow development. The Petition (p. 4) states it is “a subdivision containing 10 lots located on approximately 20.47 acres. It is plotted for one home per lot.” The SOP Application (Exhibit 21) states that the development is a subdivision consisting of 10 homes with an average of 14 bedrooms per home. In the Direct Testimony of Todd Thomas (Exhibit 9), his description follows that of the Petition and states consisting of “10 homes with a total of 14 bedrooms per home.” Confirm that the development is that of 10 buildings of an apartment complex. If not apartments, please describe the development. A copy of the draft permit from the TDEC dataviewer is attached as “CA MFR Review Exhibit 1 – draft SOP.”
3. ***Rule 1220-04-13-.17(2)(a)7(ii-iii).*** The rule asks for names of surrounding streets and roads; and the rule asks for a map to show access roads and names of access roads (if available) and the other utilities necessary to provide wastewater service. Exhibit 1 is a map, but it does not include all surrounding road names and properties. File an exhibit to show these requirements in the Docket.
4. ***Rule 1220-04-13-.17(2)(a)7(iv).*** The rule asks for a map of all residences and habitable structures served by the wastewater system. Exhibit 1 is a map, but it does not include a map of the residences and habitable structures. File a map that shows the details of this requirement in the docket.
5. ***Rule 1220-04-13-.17(2)(a)8.*** The rule asks for description of the type of proposed wastewater system to be constructed including the design capacity and the maximum potential number of customers the utility will service in the proposed service area. Indicate the technology used for the system (e.g., membrane, sand filter, wetland cell and/or lagoon). The type of system and design capacity should match the type and design capacity of the associated TDEC permit and permit application. The Petition states 10 lots with one home per lot, but the SOP application states 10 homes with 14 bedrooms each. Confirm if there will be 10 homes or 10 apartment complexes.
6. ***Rule 1220-04-13-.17(2)(a)9.*** The rule asks for estimated dates for the commencement and completion of the construction of the system and the estimated date the wastewater system will be placed into service. If the system will be constructed or placed into service in phases, provide the anticipated dates for each phase. The Petition states on pg. 2 of Appendix A “an estimated commencement date soon after

Commission approval and an estimated completion date of August 2025.” Confirm that construction will be completed in August 2025.

7. **Rule 1220-04-13-.17(2)(a)11.** The rule asks to identify the builder or developer that has requested the utility to provide wastewater service. Include name of company, name of primary contact, title, mailing address, email address, and phone number. The Consumer Advocate has reviewed all filings and there are some inconsistencies with developer and contractor information. This rule asks for certain information, and not all was provided. Please file in the Docket the name of the company that Mr. Howell works for and include his title.

Rule 1220-04-13-.17(2)(b) Property Rights - Public Need

1. **Rule 1220-04-13-.17(b)(3).** The rule asks for all contracts or agreements between the builder(s) of the treatment and/or collection system, the utility, and the property and/or subdivision developer that show entitlement or ownership to the land, system specifications, costs for the wastewater system, timeline for the system to be built, and rights to the system once it is completed. Documents presented by the applicant should be signed by all parties and bear marks or stamps, such as those provided by notaries or public officials, as necessary. Exhibit 22 is the signed contract between the developer, Wade Howell, and Limestone. Exhibit 20 is contractor’s license for DSH. In Mr. Thomas’ Testimony at 15:3, he states that the facility is to be constructed by Mr. Howell. It is not clear whether Mr. Howell is the developer or the contractor to build the system. File a copy of the contract between Limestone (or Wade Howell) and DSH in the Docket.

Rule 1220-04-13-.17(2)(c) Managerial Ability

1. **Rule 1220-04-13-.17(2)(c)3.** The rule asks for copies of all contracts related to any pending merger or acquisition of the applicant, corporate parent or affiliate. Has Limestone obtained a waiver from the Commission for the requirements of this rule?
2. **Rule 1220-04-13-.17(2)(c)4.** The rule asks for proof that the party contracted to install the proposed system has a valid and current contractor’s license by the applicable licensing board of the State of Tennessee. Exhibit 20 is the DSH contractor’s license. In Thomas’ Testimony at 15 line 3 he states: “Through the operation of the wastewater facility to be constructed by Mr. Howell.” Confirm who the developer is and who the contractor is. If Mr. Howell is the contractor, file his license in the Docket.

Rule 1220-04-13-.17(2)(d) Technical Capability

1. **Rule 1220-04-13-.17(2)(d)1.** The rule asks for a copy of the application for the State Operating Permit (SOP) filed with TDEC. Include letter from TDEC indicating the receipt of a complete application. Include any engineering and/or design reports submitted to TDEC, such as the Design Development Report and the Detailed Soils Investigation Report. If an operating permit has been issued, provide a copy of the permit. The utility shall file a copy of the TDEC permit in the docket file prior to

providing service. After a review of Petition, the Consumer Advocate could not locate copy of the engineer reports and/or design reports. A draft permit has been issued and by TDEC is attached as “CA MFR Review Exhibit 1 – Draft SOP.” [NOTE: this is in Staff’s DR 1]

2. **Rule 1220-04-13-.17(2)(d)2.** The rule asks for a copy of the State Operator Certificate for the wastewater system operator of record. If the operator is a contract employee of the utility, provide a copy of the employment contract. A copy of the license for Dana Douglas was attached as Exhibit 19. However, after review of the Petition the Consumer Advocate cannot locate a copy of a contract for Dana Douglas. In review of documents available in the TDEC Dataviewer, the Consumer Advocate found an email from Limestone dated January 15, 2025, which states that Dana Douglas is no longer with the Company. A copy of this email is attached as “CA MFR Review Exhibit 2 – Dana Jackson.” Confirm that Dana Jackson is the certified operator, and who employs him. If Mr. Jackson is an employee of a third party, please share a copy of the contract. [NOTE: this is in Staff’s DR 1]
3. **Rule 1220-04-13-.17(2)(d)4.** The rule asks for a list of any complaint(s), notices of violation or administrative action filed with or issued by a regulatory agency. Identify the nature of the complaint notices of violation or administrative action, which agency is involved, and how the issue was or is being resolved. The Company provided no information in response to this requirement. Therefore, the Consumer Advocate reviewed TDEC’s public dataviewers for information and found the following (A copy of all the documents or screen shots are attached collectively as “CA MFR Review Exhibit 3 – Complaints & Enforcement”):
 - Candlewood Lakes Drinking Water System.
 - o 2025.02.05 – Settlement Agreement (still active).
 - Shiloh Falls Wastewater System
 - o 2025.03.27 – Compliance Evaluation Inspection & Notice of Violation – saturation and runoff.
 - o 2025.04.15 – Limestone Response to NOV.
 - o 2025.04.17 – Limestone Corrective Action Plan (CAP) – deadline of 6/1/2025 for final design plans to be submitted.
 - o 2025.04.21 – TDEC Letter confirming receipt of CAP.
 - o 2025.08.01 – TDEC NOV (failure to follow CAP – no final design plans submitted).
 - Grassland Wastewater System (Cartwright Creek).
 - o 2023.02.13 - WPC22-0086 – TDEC Consent Order (still active).
 - o 2025.07.16 – Notice of Incomplete Permit Application.
 - o 2025.07.23 – Limestone email to TDEC about Permit application with attachment (permit).
 - o 2025.07.25 – Notice of Violation – Release of Sewage.

ATTACHMENT A – CCN Amendment MFRs

Page 4

- o 2025.07.29 – Limestone Response to NOV.
- o Note: Multiple Citizen Complaints – screen shots of complaints filed with TDEC provided in collective exhibit.
- o 2025.07.25 – Email about Grasslands SSO & Photos.
- o 2025.07.29 – Limestone Response to NOV.
- o 2025.08.13 – July 2025 Monthly Operation Report (MOR) – non-compliance with permit limits for CBOD5 (daily \leq 10mg/L) and Ammonia N (daily \leq 4mg/L).
- Hideaway Wastewater System (Cartwright Creek).
 - o 2024.11.18 – Notice of BOD Exceedance.
 - o 2025.05.20 WPC23-0125 Director's Order Assessment (civil penalties assessed)
- Laurel Creek.
 - o 2025.07.02 – Final Inspection Letter – Plans not followed. Need corrected as-built plan filed.

Rule 1220-04-13-.17(2)(e) Financial Capability

1. **Rule 1220-04-13-.17(2)(e)2.** The rule asks for pro forma income statements for the wastewater utility for the first three (3) years of operations or for an expanded amended CNN, the first three years after the latest year-end financials. In the calculations of utility revenues show the number of consumers and the rates used in the calculations. Show operation and maintenance expenses by account number and provide the basis and/or assumptions used to arrive at these amounts. The Consumer Advocate reviewed Exhibit 12 and the schedule does not include O&M account numbers or the assumptions. File corrected Exhibit 12 in the Docket.
2. **Rule 1220-04-13-.17(2)(e)6.** The rule asks for the total estimated detailed cost of construction of the wastewater system to be constructed for the proposed service area. If the wastewater system will be constructed in phases, provide detailed construction cost estimates for each phase. Indicate whether the developer or the applicant will pay for the construction of the system. The Consumer Advocate could not locate in Confidential Exhibit 18 an indication of whether the developer (Wade Howell) or applicant will pay for construction. DSH is mentioned in the exhibit and not Wade Howell. Please, provide the required information and confirmation that per the exhibit there will be 140 rooms in the 10 homes. Also, provide any spreadsheet in the native Excel format.
3. **Rule 1220-04-13-.17(2)(e)9.** The rule asks for estimates of costs and customers added by month for the first five (5) years based upon the construction build-out schedule for developers in the service area of the proposed wastewater system. For each year, by month, provide an estimated number of customers by customer class anticipated to be served by the wastewater system. Include the utility's basis and assumptions used for this projection. Provide this information in a spreadsheet in Microsoft Excel format with all assumptions clearly documented. The Company states that since the

development is in one phase, this requirement is not applicable. Confirm the number of customers. Is it 10 or 140?

4. ***Rule 1220-04-13-.17(2)(e)11.*** This rule requires a performance bond from the developer or builder of the wastewater system made to ensure construction of the wastewater system. The performance bond should be for an amount equal to or greater than the cost of the system as provided in contracts between builder, developer and/or utility. In the Petition's Appendix, the Company states that it has funding from CSWR, if it is needed. This response does not appear to comply with the intent of the rule which is to ensure that the Company and its ratepayers are left with the funding to complete a system. Provide a copy of a performance bond from the developer. [NOTE: this is in Staff's DR 1]
4. ***Rule 1220-04-13-.17(2)(e)12.*** The rule asks for a list of all funding sources available to the applicant for the wastewater system proposed by the applicant. In the Petition, page 5 of Appendix A, it states the developer will fund all necessary construction and will provide assurance in the form of the bond as soon as available. Provide the missing Exhibit or provide an estimate of the date in which the bond will be provided.

Rule 1220-04-13-.17(2)(f) Sworn Testimony

1. ***Rule 1220-04-13-.17(2)(f)1.*** The rule asks for evidence that public need exists for the wastewater services in the proposed service area. Exhibit 9, in Testimony at 14-15 the statement is not sufficient. It is the opinion of Mr. Thomas and lacks evidence of need.



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

Davy Crockett Tower, 9th Floor
500 James Robertson Parkway
Nashville, Tennessee 37243

October 4, 2024

Mr. Arthur Faiello
Regional Manager
Limestone Water Utility Operating Company, LLC
e-copy: arthur@cwsrgroup.com
1630 Des Peres Road Suite 140
Des Peres, MO 63131

Subject: **Draft of State Operating Permit No. SOP-24023**
Limestone Water Utility Operating Company, LLC
Campbell Hollow Treatment Facility
Sevierville, Sevier County, Tennessee

To whom it may concern:

Enclosed please find one copy of the draft state operating permit SOP-24023, which the Division of Water Resources (the Division) proposes to issue. The issuance of this permit is contingent upon your meeting all of the requirements of the Tennessee Water Quality Control Act and the rules and regulations of the Tennessee Water Quality, Oil and Gas Board.

TDEC's approval of this land application waste treatment system shall not be construed as creating a presumption of correct operation nor as warranting by the commissioner that the approved facilities will reach the designated goals. T.C.A. § 69-3-108(i). Similarly, TDEC's issuance of a state operating permit in no way guarantees that this land application system will function properly. Notwithstanding these approvals, owners and operators are required to ensure that operation of this system does not result in pollution of waters of the state, including groundwater.

If you disagree with the provisions and requirements contained in the draft permit, you have thirty (30) days from the date of this correspondence to notify the division of your objections. If your objections cannot be resolved, you may appeal the issuance of this permit. This appeal should be filed in accordance with Section 69-3-110, Tennessee Code Annotated.

If you have questions, please contact the Knoxville EFO at 1-888-891-TDEC; or, at this office, please contact Bryan Pope at (931) 224-3098 or by E-mail at bryan.pope@tn.gov.

Sincerely,



Brad Harris, P.E.
Manager, Land-Based Systems

Enclosure

cc: Permit File
Knoxville Environmental Field Office (EFO)
Jo Anna McJahon, Director - Environmental Health & Safety, Limestone Water Utility Operating Company LLC, jmcmahon@cswrgroup.com

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

Davy Crockett Tower-9th Floor
500 James Robertson Parkway
Nashville, Tennessee 37243

Permit No. SOP-24023

PERMIT

For the operation of Wastewater Treatment Facilities

In accordance with the provision of Tennessee Code Annotated section 69-3-108 and Regulations promulgated pursuant thereto:

PERMISSION IS HEREBY GRANTED TO

Limestone Water Utility Operating Company, LLC
Campbell Hollow Treatment Facility
Sevierville, Sevier County, Tennessee

FOR THE OPERATION OF

Recirculating Media Filter with fencing and disinfected drip dispersal system located at latitude 35.83222 and longitude -83.424981 in Sevier County, Tennessee to serve approximately 10 homes in the Campbell Hollow subdivision. The design capacity of the system is .014 MGD and will be dispersed on approximately 1.5 acres of suitable soils.

This permit is issued as a result of the application filed on September 4, 2024, in the office of the Tennessee Division of Water Resources. This permit is contingent on the submission and department approval of construction plans, specifications and other data in accordance with rules of the department. Updated plans and specifications must be approved before any further construction activity.

This permit shall become effective on:

This permit shall expire on:

Issuance date:

for April Grippo
Director

A. GENERAL REQUIREMENTS

The treatment system shall be monitored by the permittee as specified below:

<u>Parameter</u>	<u>Sample Type</u>	<u>Daily Maximum</u>	<u>Monthly Average</u>	<u>Measurement Frequency</u>
Flow *	Totalizer			Daily
BOD ₅	Grab	45 mg/l	N/A	Once/Year
Ammonia as N	Grab	Report	N/A	Once /Quarter
<i>E. Coli</i>	Grab	941 colonies/100 ml	N/A	Once /Quarter

No E. Coli monitoring if fields are fenced

* Report average daily flow for each calendar month.

Sampling requirements in the table above apply to effluent being discharged to the drip irrigation plots.

This permit allows the operation of a wastewater collection, treatment, and storage system with disposal of treated wastewater through approved land application areas. There shall be no discharge of wastewater to any surface waters or to any location where it is likely to enter surface waters. There shall be no discharge of wastewater to any open throat sinkhole. In addition, the drip irrigation system shall be operated in a manner preventing the creation of a health hazard or a nuisance.

TDEC's approval of this land application waste treatment system shall not be construed as creating a presumption of correct operation nor as warranting by the commissioner that the approved facilities will reach the designated goals. T.C.A. § 69-3-108(i). Similarly, TDEC's issuance of a state operating permit in no way guarantees that this land application system will function properly. Notwithstanding these approvals, owners and operators are required to ensure that operation of this system does not result in pollution of waters of the state, including groundwater.

The land application component shall be operated and maintained to ensure complete hydraulic infiltration within the soil profile, transmission of the effluent away from the point of application, and full utilization of the soil profile as a portion of the treatment system.

Instances of surface saturation, ponding or pooling within the land application area as a result of system operation are prohibited. Instances of surface saturation, ponding or pooling shall be promptly investigated and noted on the Monthly Operations Report. The report shall include

details regarding location(s), determined cause(s), the actions taken to eliminate the issue, and the date the corrective actions were made. Any instances of surface saturation, ponding or pooling not associated with a major precipitation event not corrected within three days of discovery shall be reported to the local Environmental Field Office at that time for investigation. Surface saturation, ponding or pooling resulting in the discharge of treated wastewater into Waters of the State or to locations where it is likely to move to Waters of the State shall be immediately reported to the local Environmental Field Office, unless the discharge is separately authorized by a NPDES permit.”

All drip fields shall be fenced sufficiently to prevent or impede unauthorized entry as well as to protect the facility from vandalism. Fencing shall be a minimum of four feet in height. Fencing shall be constructed of durable materials. Gates shall be designed and constructed in a manner to prevent or impede unauthorized entry. All designs are subject to division approval. Fence shall be installed prior to beginning of operation.

The permittee must disinfect the wastewater in order to meet the above *E. Coli* limit.

All drip lines shall be buried and maintained 6 to 10 inches below the ground surface.

The site shall be inspected by the certified operator or his/her designee, at a minimum, once per fourteen days (default) OR in accordance with an operating and maintenance inspection schedule in the permit administrative file record. The default inspection frequency will apply if an operating and maintenance inspection schedule is not submitted to be a part of the permit administrative file record. The operating and maintenance inspection schedule shall at a minimum evaluate the following via onsite visits or telemetry monitoring or a combination of the two:

- the condition of the treatment facility security controls (doors, fencing, gates, etc.),
- the condition of the drip area security controls (doors, fencing, gates, etc.),
- the condition of the site signage,
- the operational status of the mechanical parts of the treatment system (pumps, filters, telemetry equipment, etc.)
- the condition of the UV bulbs (if applicable)
- the condition of the land application area including the location of any ponding
- the name of the inspector
- the description of any corrective actions

Submission of the schedule, or revisions to the schedule, may be submitted to the division electronically. The schedule shall be submitted on or before the effective date of the permit. The permittee is responsible for maintaining evidence that the schedule, or revisions, have been submitted to the division.

B. MONITORING PROCEDURES

1. Representative Sampling

Samples and measurements taken in compliance with the monitoring requirements specified above shall be representative of the volume and nature of the monitored discharge, and shall be taken at the following location(s):

Effluent to drip irrigation plots.

2. Test Procedures

Unless otherwise noted in the permit, all pollutant parameters shall be determined according to methods prescribed in Title 40, CFR, Part 136.

C. DEFINITIONS

The "daily maximum concentration" is a limitation on the average concentration, in milligrams per liter, of the discharge during any calendar day.

The "*monthly average concentration*", other than for *E. coli* bacteria, is the arithmetic mean of all the composite or grab samples collected in a one-calendar month period.

A "grab sample" is a single influent or effluent sample collected at a particular time.

For the purpose of this permit, "*continuous monitoring*" means collection of samples using a probe and a recorder with at least one data point per dosing cycle.

A "quarter" is defined as any one of the following three-month periods: January 1 through March 31, April 1 through June 30, July 1 through September 30, and/or October 1 through December 31.

"Wastewater" for the purpose of this permit means "sewage" as defined in TCA 69-3-103

D. REPORTING

1. Monitoring Results

Monitoring results shall be recorded consistent with the general requirements imposed in Part A above OR in accordance with the operating and maintenance inspection schedule in the permit administrative file record and submitted quarterly.

Submittals shall be postmarked no later than 15 days after the completion of the reporting period. A copy should be retained for the permittee's files. Monitoring results shall be reported in a format approved by the division. Operation reports and any communication regarding compliance with the conditions of this permit must be sent to:

Division of Water Resources
Knoxville Environmental Field Office
3711 Middlebrook Pike
Knoxville, TN 37921

Sampling results may be submitted electronically to: DWRWW.Report@tn.gov.

The first operation report is due on the 15th of the month following the quarter containing the permit effective date. Until the construction of the treatment system is complete and the treatment system is placed into operation, operational reports shall report "monitoring not required".

2. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Rule 0400-40-05-.07(2)(h)2, the results of such monitoring shall be included in the calculation and reporting of the values required in the Quarterly Operation Report. Such increased frequency shall also be indicated.

3. Falsifying Reports

Knowingly making any false statement on any report required by this permit may result in the imposition of criminal penalties as provided for in Section 69-3-115 of the Tennessee Water Quality Control Act.

4. Signatory Requirement

All reports or information submitted to the commissioner shall be signed and certified by the persons identified in Rules 0400-40-06-.03 (4) (a-c).

PART II

A. GENERAL PROVISIONS

1. Duty to Reapply

The permittee is not authorized to discharge after the expiration date of this permit. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit such information and forms as are required to the Director of Water Resources (the "Director") no later than 180 days prior to the expiration date.

2. Right of Entry

The permittee shall allow the Director, or authorized representatives, upon the notification of permittee and presentation of credentials:

a. To enter upon the permittee's premises where an effluent source is located or where records are required to be kept under the terms and conditions of this permit, and at reasonable times to copy these records;

b. To inspect at reasonable times any monitoring equipment or method or any collection, treatment, pollution management, or discharge facilities required under this permit; and

c. To sample at reasonable times any discharge of pollutants.

3. Availability of Reports

All reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Division of Water Resources.

4. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems (and related appurtenances) for collection and treatment which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory and process controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit. Backup continuous pH and flow monitoring equipment are not required.

The monitoring frequency stated in this permit shall not be construed as specifying a minimum level of operator attention to the facility. It is anticipated that visits to the treatment facility by the operator will occur at intervals frequent enough to assure proper operation and maintenance, but in no case less than one visit every fourteen days OR in accordance with an operating and maintenance inspection schedule in the permit administrative file record. If monitoring reports, division's inspection reports, or other information indicates a problem with the facility, the permittee may be subject to enforcement action and/or the permit may be modified to include increased parameter monitoring, increased monitoring frequency or other requirements as deemed necessary by the division to correct the problem. The permittee shall ensure that the certified operator is in charge of the facility and observes the operation of the system frequently enough to ensure its proper operation and maintenance regardless of the monitoring frequency stated in the permit.

Dilution water shall not be added to comply with effluent requirements.

5. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

6. Severability

The provisions of this permit are severable. If any provision of this permit due to any circumstance, is held invalid, then the application of such provision to other circumstances and to the remainder of this permit shall not be affected thereby.

7. Other Information

If the permittee becomes aware that he failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, then he shall promptly submit such facts or information.

B. CHANGES AFFECTING THE PERMIT

1. Planned Changes

The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility.

2. Permit Modification, Revocation, or Termination

a. This permit may be modified, revoked and reissued, or terminated for cause as described in Section 69-3-108 (h) of the Tennessee Water Quality Control Act as amended.

b. The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

3. Change of Ownership

This permit may be transferred to another person by the permittee if:

a. The permittee notifies the Director of the proposed transfer at least 30 days in advance of the proposed transfer date;

b. The notice includes a written agreement between the existing and new permittees containing a specified date for transfer of permit responsibility, coverage, and liability between them; and

c. The Director, within 30 days, does not notify the current permittee and the new permittee of his intent to modify, revoke or reissue, or terminate the permit and to require that a new application be filed rather than agreeing to the transfer of the permit.

4. Change of Mailing Address

The permittee shall promptly provide to the Director written notice of any change of mailing address. In the absence of such notice the original address of the permittee will be assumed to be correct.

C. NONCOMPLIANCE

1. Effect of Noncompliance

Any permit noncompliance constitutes a violation of applicable State laws and is grounds for enforcement action, permit termination, permit modification, or denial of permit reissuance.

2. Reporting of Noncompliance

a. 24-Hour Reporting

In the case of any noncompliance which could cause a threat to public drinking supplies, or any other discharge which could constitute a threat to human health or the environment, the required notice of non-compliance shall be provided to the appropriate Division environmental field office within 24 hours from the time the permittee becomes aware of the circumstances. (The environmental field office should be contacted for names and phone numbers of emergency response personnel.)

A written submission must be provided within five days of the time the permittee becomes aware of the circumstances unless this requirement is waived by the Director on a case-by-case basis. The permittee shall provide the Director with the following information:

- i. A description of the discharge and cause of noncompliance;
- ii. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
- iii. The steps being taken to reduce, eliminate, and prevent recurrence of the non complying discharge.

b. Scheduled Reporting

For instances of noncompliance which are not reported under subparagraph 2.a. above, the permittee shall report the noncompliance on the Quarterly Operation Report. The report shall contain all information concerning the steps taken, or planned, to reduce, eliminate, and prevent recurrence of the violation and the anticipated time the violation is expected to continue.

3. Overflow

a. "**Overflow**" means the discharge of wastewater from any portion of the collection, transmission, or treatment system other than through permitted outfalls.

b. Overflows are prohibited.

c. The permittee shall operate the collection system so as to avoid overflows.

d. No new or additional flows shall be added upstream of any point in the collection system, which experiences chronic overflows (greater than 5 events per year) or would otherwise overload any portion of the system. Unless there is specific enforcement action to the contrary, the permittee is relieved of this requirement after: 1) an authorized representative of the Commissioner of the Department of Environment and Conservation has approved an engineering report and construction plans and specifications prepared in accordance with accepted engineering practices for correction of the problem; 2) the correction work is underway; and 3) the cumulative, peak-design, flows potentially added from new connections and line extensions upstream of any chronic overflow point are less than or proportional to the amount of inflow and infiltration removal documented upstream of that point. The inflow and infiltration reduction must be measured by the permittee using practices that are customary in the environmental engineering field and reported in an attachment to a Monthly Operating Report submitted to the local TDEC Environmental Field Office on a quarterly basis. The data measurement period shall be sufficient to account for seasonal rainfall patterns and seasonal groundwater table elevations.

e. In the event that more than 5 overflows have occurred from a single point in the collection system for reasons that may not warrant the self-imposed moratorium or completion of the actions identified in this paragraph, the permittee may request a meeting with the Division of Water Resources EFO staff to petition for a waiver based on mitigating evidence.

4. Upset

a. "**Upset**" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

b. An upset shall constitute an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the permittee

demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- i. An upset occurred and that the permittee can identify the cause(s) of the upset;
- ii. The permitted facility was at the time being operated in a prudent and workman-like manner and in compliance with proper operation and maintenance procedures;
- iii. The permittee submitted information required under "Reporting of Noncompliance" within 24-hours of becoming aware of the upset (if this information is provided orally, a written submission must be provided within five days); and
- iv. The permittee complied with any remedial measures required under "Adverse Impact."

5. Adverse Impact

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.

6. Bypass

- a. "**Bypass**" is the intentional diversion of wastewater away from any portion of a treatment facility.
- b. Bypasses are prohibited, unless:
 - i. The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - ii. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - iii. For anticipated bypass, the permittee submits prior notice, if possible at least ten days before the date of the bypass; or
 - iv. For unanticipated bypass, the permittee submits notice of an unanticipated bypass within 24 hours from the time that the permittee becomes aware of the bypass.

c. A bypass that does not cause effluent limitations to be exceeded may be allowed only if the bypass is necessary for essential maintenance to assure efficient operation.

d. "Severe property damage" when used to consider the allowance of a bypass means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

D. LIABILITIES

1. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Notwithstanding this permit, the permittee shall remain liable for any damages sustained by the State of Tennessee, including but not limited to fish kills and losses of aquatic life and/or wildlife, as a result of the discharge of wastewater to any surface or subsurface waters. Additionally, notwithstanding this Permit, it shall be the responsibility of the permittee to conduct its wastewater treatment and/or discharge activities in a manner such that public or private nuisances or health hazards will not be created.

2. Liability Under State Law

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law.

PART III OTHER REQUIREMENTS

A. CERTIFIED OPERATOR

The waste treatment facilities shall be operated under the supervision of a Biological Natural System certified wastewater treatment operator and collection system shall be operated under the supervision of a the grade I certified collection system operator in accordance with the Water Environmental Health Act of 1984.

B. PLACEMENT OF SIGNS

The permittee shall place a sign at the entrance to the land application area if fenced or all reasonable approaches to the land application area. The sign should be clearly visible to the public. The minimum sign size should be two feet by two feet (2' x 2') with one inch (1") letters. The sign should be made of durable material

**RECLAIMED WASTEWATER
DRIP IRRIGATION
(PERMITTEE'S NAME)
(PERMITTEE'S PHONE NUMBER)
TENNESSEE DIVISION OF WATER
RESOURCES
Knoxville Environmental Field Office
PHONE NUMBER: 1-888-891-8332**

No later than sixty (60) days from the effective date of the permit, the permittee shall have the above sign(s) on display in the location specified. New facilities must have the signs installed upon commencing operation.

C. ADDITION OF WASTE LOADS

The permittee may not add wasteloads to the existing treatment system without the knowledge and approval of the division.

D. SEPTIC (STEP) TANK OPERATION

The proper operation of this treatment system depends, largely, on the efficient use of the septic tank. The solids that accumulate in the tank shall be removed at a frequency that is sufficient to insure that the treatment plant will comply with the discharge requirements of this permit.

E. SEPTAGE MANAGEMENT PRACTICES

The permittee must comply with the provisions of Rule 0400-48-01-.22. If the septage is transported to another POTW for disposal, the permittee shall note the amount of septage wasted in gallons and name of the facility the hauler intends to use for disposal of the septage on the monthly operation report. Sludge or any other material removed by any treatment works must be disposed of in a manner which prevents its entrance into or pollution of any surface or subsurface waters. Additionally, the disposal of such sludge or other material must be in compliance with the Tennessee Solid Waste Disposal Act, TCA 68-31-101 et seq. and Tennessee Hazardous Waste Management Act, TCA 68-46-101 et seq.

F. OWNERSHIP OF THE TREATMENT FACILITIES

a. The permittee shall own the treatment facilities (and the land upon which they are constructed) including the land to be utilized for wastewater dispersal. A perpetual easement (properly recorded) may be accepted in lieu of ownership. Evidence of ownership of the treatment facility land application site(s) and/or a copy of the perpetual easement(s) must be furnished to the division for approval prior to construction of the wastewater collection and dispersal system. Signed agreements stating the intent of the existing landowner to transfer ownership may be provided to support permit issuance. Evidence of such ownership or access rights must be provided to, and approved by, the Commissioner prior to commencement of operation.

b. Where the treatment facility serves private homes, condominiums, apartments, retirement homes, nursing homes, trailer parks, or any other place where the individuals being served have property ownership, rental agreements, or other agreements that would prevent their being displaced in the event of abandonment or noncompliance of the sewerage system, ownership of the treatment facilities must be by a municipality, a public utility, a wastewater authority, or a privately owned public utility (having a Certificate of Convenience and Necessity from the Tennessee Public Utility Commission) or another public agency.

Attachment 1

RATIONALE

Limestone Water Utility Operating Company, LLC
STATE OPERATION PERMIT NO. SOP-24023
Sevierville, Sevier County, Tennessee

Permit Writer: Bryan Pope

FACILITY CONTACT INFORMATION:

Arthur Faiello
Regional Manager
Phone: (314) 736-4672
arthur@cwsrgroup.com
1420 Campbell Hollow Road
Des Peres, MO 63131

Activity Description: Treatment of domestic wastewater via a decentralized waste water system to support construction of Campbell Hollow Treatment Facility

Facility location: Latitude 35.83222 and Longitude -83.424981

Name of the nearest stream: No discharge allowed.

Treatment system: RMF fenced and disinfected drip dispersal on 1.5 acres of suitable soil.

Permit period: This permit will be issued for a five year period effective from the issuance date on the title page.

Terms & Conditions: BOD₅ is a standard measure of sewage strength. The 45 mg/L daily maximum limit is the required treatment standard for domestic waste water in Tennessee. Ammonia and BOD₅ reporting serve to demonstrate the treatment system is meeting minimum treatment standards. Land application, versus stream discharge, enables reduced monitoring frequency for these parameters. Narrative conditions for drip disposal and septage management are proposed in support of proper system operation to prevent runoff to streams and avoidance of nuisance conditions. E.coli limits apply when the disposal area is not fenced.

Financial Security: Privately-owned public utilities provide financial security to the Public Utility Commission to comply with TCA 69-3-122.

Annual Maintenance Fee:

An annual maintenance fee for the permit will apply after permit issue and upon receipt of an invoice. The fee is currently \$350.00 for non-discharging facilities with influent flow less than 0.075 MGD.

**Items Requisite for
Operation:**

This draft permit proposes terms and conditions for planning purposes and to seek public comment on the potential water quality impacts of the proposed activity. Actual operation of the sewerage system is contingent on the following items (items may occur in any order):

- Approval of sewerage system construction plans and specifications per TCA 69-3-108(i),
- Final construction inspection and submission of O & M manual per Rule 0400-40-02-.09,
- Issuance of a Certificate of Convenience and Necessity (CCN) by the Public Utility Commission,
- Utility ownership of sewerage system assets consistent with Rule 0400-40-16-.02(8). Sewerage system assets broadly consist of those units integral to the collection, treatment and disposal of both the solid and liquid component of sewage (i.e. septic tanks and pumps, collection lines, treatment system and drip irrigation area and related appurtenances), and
- Final issue of the permit.

CA MFR Review Exhibit 2 - Dana Douglas

From: [Larry Quattlebaum](#)
To: [Daniel Pleasant](#)
Cc: [Chris Carroll](#)
Subject: [EXTERNAL] Quarterly Reports
Date: Wednesday, January 15, 2025 5:01:56 PM
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)

This Message Is From an External Sender

This message came from outside your organization.

Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security

Mr Pleasant,

I wanted you to know that we may be late on the Quarterly reports for Arrington, Hideaway and Hardemañ facilities. The main reason being is that the individual that was doing those Reports, Dana Douglas left the company and he had not filled out any data at all. We have been diligently searching through our highpoint system and other data systems to get flows and samples. I have reached out to waypoint to get their results for October and November. This is not normal for us and we sincerely apologize . I am personally setting these reports up to give access to several operations persons so this will not happen like this again. This has been a great lesson for us all. I will do my best to have the report in by close of business tomorrow. Again I apologize for this inconvenience .Please feel free to contact me by phone at 615-607-7899

Sincerely,

CWS-Logo-Process copy (1).jpg



LARRY QUATTLEBAUM
Project Manager

larry.quattlebaum@clearwatersolutions.com
www.clearwatersolutions.com

CA MFR Review Exhibit 2 - Dana Douglas

STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

IN THE MATTER OF:)	DIVISION OF WATER RESOURCES
)	
DEPARTMENT OF ENVIRONMENT)	
AND CONSERVATION,)	
<i>Petitioner,</i>)	
)	CASE NUMBER DWS24-0053
v.)	
)	
LIMESTONE WATER UTILITY)	
OPERATING COMPANY, LLC,)	
<i>Respondent.</i>)	

SETTLEMENT AGREEMENT AND ORDER

Director's Order No. DWS24-0053 ("Order") was issued to Limestone Water Utility Operating Company, LLC ("Respondent"). The Respondent filed a timely appeal. Pursuant to sections 4-5-105 and 68-221-714 of the Tennessee Code Annotated, the Commissioner and the Respondent have reached a settlement. To implement this settlement: (1) the Commissioner has agreed and by entering into this Settlement Agreement and Order does hereby also dismiss the Order; and (2) the Respondent has agreed and by entering into this Settlement Agreement and Order does also hereby waive its right to a contested case hearing before the Board in this matter and withdraws its appeal of the Order. This Settlement Agreement and Order resolves and supersedes the Order. The Parties stipulate and agree to the following:

CA MFR Review Exhibit 3 -Complaints & Enforcement

PARTIES

I.

David W. Salyers, P.E., is the duly appointed Commissioner of the Department. The Commissioner is responsible for administering the Water Quality Control Act, Tenn. Code Ann. §§ 69-3-101 to -148 (hereinafter the "Act").

II.

The Respondent owns, operates and/or controls a community public water system existing in Hardeman County, Tennessee. The System's Public Water System Identification (PWSID) number is TN0000797. Process may be served on the Respondent through its registered agent, C T Corporation, at 300 Montvue Road, Knoxville, Tennessee 37919

JURISDICTION

III.

Whenever the Commissioner has reason to believe that a violation of the Act has occurred, is occurring, or is about to occur, the Commissioner may order corrective action be taken. Tenn. Code Ann. §§ 68-221-705 and 68-221-712. Further, the Commissioner has authority to assess civil penalties against any violator of the Act. Tenn. Code Ann. §§ 68-221-705 and 68-221-713. The Commissioner also has authority to assess damages incurred by the State resulting from the violation. Tenn. Code Ann. § 68-221-713. The Board of Water Quality, Oil, and Gas has promulgated rules governing operation of public water systems. Tenn. Comp. R. & Regs. Chapter 0400-45-01. The Commissioner may delegate to the Director any of the powers, duties, and responsibilities of the Commissioner under the Act, Tenn. Code Ann. § 68-221-705(12), and has delegated such authority to April Grippo.

IV.

The Respondent is a “person” under the Act. Tenn. Code Ann. § 68-221-703(17). The Respondent is a “supplier of water” under the Act, because it owns, operates, and/or controls a “public water system.” Tenn. Code Ann. §§ 68-221-703(22) and 68-221-703(19). The System is a “community water system.” Tenn. Comp. R. & Regs. 0400-45-01-.04(11).

FACTS

V.

The Respondent obtains its water from one well that is classified as not under the direct influence of surface water, commonly referred to as “true groundwater.” The Respondent serves 105 connections and a population of approximately 308 persons.

VI.

The System has historically been served by one well, which is a violation of Rule 0400-45-01-.17(13) for systems serving more than 50 connections. The Division issued NOVs and Director’s Orders DWS10-0013 and DWS17-0052 against the previous owner—Candlewood Lakes Property Owners Water Works, LLC—for this violation. Candlewood Lakes Property Owners Water Works, LLC did not ever resolve the violation.

In the fall of 2020, the Division became aware that the Respondent was going to purchase the System. In a letter dated December 23, 2020, the Division notified the Respondent of the outstanding violation and the requirement to install a backup well. On or about May 11, 2023, the Respondent purchased the System from Candlewood Lakes Property Owners Water Works, LLC. The Respondent informed the Division about the purchase in a letter dated May 11, 2023.

CA MFR Review Exhibit 3 -Complaints & Enforcement

Division personnel performed a sanitary survey on the System on March 12, 2024, and issued a letter to the Respondent on March 20, 2024, which notified the Respondent that the System was still in violation for not having a duplicate well.

VII.

The Division incurred \$24.80 in damages while investigating this violation.

VIOLATIONS

VIII.

By failing to install a duplicate well since its acquisition of the System in May 2023, the Respondent violated Rule 0400-45-01-.17(13), which states:

(13) All community water systems serving 50 connections or more shall install duplicate pumps for the raw water, finished water, and distribution pumping stations. A water system will not be required to have duplicate pumps in a distribution pumping station under the following conditions: limited number of service connections, availability of replacement pumps, maintaining adequate flows and pressures without the pumping station, and for emergency use only. All community public water systems using ground water supplies and having more than 50 service connections must have duplicate wells and/or duplicate pumps in a spring supply unless fed by gravity flow.

ORDER AND ASSESSMENT

IX.

Pursuant to the authority vested by sections 68-221-712 and -713 of the Act, the Department and Respondent agree to the below Settlement Agreement and Order:

- (1) **The Respondent shall pay \$24.80 in damages to the Division on or before the thirty-first day after the Effective Date of this Settlement Agreement and Order.**

CA MFR Review Exhibit 3 -Complaints & Enforcement

- (2) The Respondent is assessed a total civil penalty of \$22,668.00. **The Respondent shall pay \$4,534.00, which is the upfront portion of the total civil penalty, on or before the thirty-first day after the Effective Date of this Settlement Agreement and Order.** The Respondent shall pay the remaining \$18,134.00 only if the Respondent fails to comply with the following corrective action items.
- (3) Within 30 days of the Effective Date of this Settlement Agreement and Order, the Respondent shall engage the services of a certified professional engineer to design the installation of the duplicate well and infrastructure and provide a copy of the contract to the Division. The Respondent shall pay a penalty of \$1,000.00 for the failure to timely submit a copy of the contract to the Division to the Division addresses listed above.
- (4) Within 60 days of the Effective Date of this Settlement Agreement and Order, the Respondent shall submit to the Division design plans for the installation of the duplicate well and necessary infrastructure. The required fees for plans review shall be submitted to the Drinking Water Unit. The Respondent shall pay a penalty of \$1,000.00 for the failure to timely submit the design plans.
- (5) Within 90 days of the Effective Date of this Settlement Agreement and Order, the Respondent shall have obtained the services of driller holding a Tennessee license for the drilling of the well and pump installation and submit a copy of the contract to the Division. The Respondent shall pay a penalty of \$4,000.00 for the failure to timely submit a copy of the contract.
- (6) Within 545 days of Effective Date of this Settlement Agreement and Order, the Respondent shall have installed the well and infrastructure, shall have connected it to the

CA MFR Review Exhibit 3 -Complaints & Enforcement

distribution system, and shall notify the Division of the completion of the well and infrastructure. The Respondent shall pay a penalty of \$12,134.00 for the failure to timely submit documentation of the well installation and connection to the distribution system.

All payments shall be made payable to the "Treasurer, State of Tennessee," with the case number, DWS24-0053, written in the check memo line. Such payments shall be sent to:

**Treasurer, State of Tennessee
Department of Environment and Conservation
Division of Fiscal Services - Consolidated Fees Section
Davy Crockett Tower, 6th Floor
500 James Robertson Parkway,
Nashville, Tennessee 37243**

The Effective Date of this Settlement Agreement and Order shall be the date it is signed by April Grippo, Director of the Division of Water Resources. The Director of the Division may, for good cause shown, extend the compliance dates contained within this Settlement Agreement and Order. To be eligible for this time extension, the Respondent shall submit a written request to be received in advance of the compliance date. The written request must include sufficient detail to justify such an extension and include at a minimum the anticipated length of the delay, the precise cause or causes of the delay, and all preventive measures taken to minimize the delay. Any such extension by the division will be in writing. Should the Respondent fail to meet the requirement by the extended date, any associated Civil Penalty shall become due 30 days thereafter.

CA MFR Review Exhibit 3 -Complaints & Enforcement

Failure to comply with any of the requirements of this Settlement Agreement and Order could lead to further enforcement actions which may include additional civil penalties, assessment of damages and/or recovery of costs.

X

The Parties agree the foregoing Settlement Agreement and Order is a fair and reasonable resolution of this case.

DEPARTMENT'S RESERVATION OF RIGHTS

XI.

In entering this Settlement Agreement and Order, the Department does not implicitly or expressly waive any provision of the Act or the regulations promulgated thereunder or the authority to assess costs, civil penalties, and/or damages incurred by the State against the Respondent. The Department expressly reserves all rights it has at law and in equity to order further corrective action, assess civil penalties and/or damages, and to pursue further enforcement action including, but not limited to, monetary and injunctive relief. Compliance with this order will be considered as a mitigating factor in determining the need for future enforcement action(s).

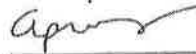
AUTHORITY TO SIGN

XII.

The undersigned representatives of the Department and the Respondent hereby represent and warrant that they are fully authorized and competent to execute this Consent Order and Agreement on behalf of the entity for which they are signing.

CA MFR Review Exhibit 3 -Complaints & Enforcement

Agreed to by Limestone Water Utility Operating Company, LLC, as evidenced by the signature below, and executed by the Director of the Division of Water Resources, on this 5th day of February, 2025.



April Grippo (Feb 5, 2025 12:36 CST)

April Grippo, Director, Division of Water Resources
Tennessee Department of Environment and Conservation



Michael Duncan, Vice President
Limestone Water Utility Operating Company, LLC


Reviewed by:



Samantha Buller-Young (Feb 5, 2025 13:28 EST)

Samantha Buller-Young
BPR # 040466
Assistant Counsel
Department of Environment & Conservation
Knoxville Environmental Field Office
3711 Middlebrook Pike
Knoxville, TN 37921
(865) 440-8303
Samantha.Buller-Young@tn.gov

Reviewed by:



Gary Rikard (Jan 24, 2025 09:24 CST)

Gary Rikard
BPR # 028614
Attorney
Butler Snow
Ridgeland Office
1020 Highland Colony Pkwy #1400
Ridgeland, Mississippi 39157
Gary.Rikard@butlersnow.com

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TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Water Resources
JACKSON ENVIRONMENTAL FIELD OFFICE
1625 Hollywood Drive
JACKSON, TENNESSEE 38305
PHONE (731) 512-1300 STATEWIDE 1-888-891-8332 FAX (731) 661-6283

March 27, 2025

Certified Mail #: 9589 0710 5270 0389 7537 47

Jo Anna Brown, Vice President
Limestone Water Utility Operating Company, LLC
e-copy: JoAnna@cswrgroup.com
1630 Des Peres Rd., Suite 140
Des Peres, MO 63131

Re: Notice of Violation/Compliance Evaluation Inspection
State Operating Permit No. SOP-94011
Shiloh Falls Sprayfield
Counce, Hardin County, Tennessee

Dear Mrs. Jo Anna Brown:

On March 5, 2025, as representatives of the Tennessee Department of Environment and Conservation, Jackson Environmental Field Office, Brad Smith and Libby Williams conducted a compliance evaluation inspection (CEI) of the Shiloh Falls Wastewater Treatment System and Sprayfield to evaluate compliance of your State Operating Permit (SOP). The Division thanks Mark Rodgers and Chad Keeton for their time and assistance.

I. Permit

This permit allows the operation of a wastewater collection system, lagoons, UV disinfection, and fenced spray irrigation system located at latitude 35.030556 and longitude -88.229187 in Hardin County. The design capacity of the system is 0.055 MGD, and is land applied to an estimated 3.3 acres of suitable soil. This system serves approximately 400 connections in the Limestone Water Utility Operating Company service area of Pickwick Dam/Counce.

II. Facility Site Review, Self-Compliance Program, Operation & Maintenance, and Sanitary Sewer Overflows

Shiloh Falls operates a 3-cell facultative lagoon system with a post pressure filtration and UV disinfection settling pond. The media within the sand filter was replaced in August 2024. A new facility for the UV disinfection system and the pressure filter has been installed. There is a total of 24 spray heads at the sprayfield site and signage was properly displayed at the surrounding area. The division recommends keeping back up parts available in case of emergency situations, such as UV disinfection bulbs, back up motor for effluent pump, spare spray nozzles, etc. There are 13 total lift stations in the system, with 2 having been taken out of service. The operator in charge, Mark Rodgers, holds a BNS license and Mr. Chad Keeton holds a grade 2 Collections license.

CA MFR Review Exhibit 3 -Complaints & Enforcement

Compliance Evaluation Inspection
Shiloh Falls Sprayfield
3/27/2025
Page 2

III. Flow Measurement

Effluent flow to the sprayfield is measured by a turbine type water meter.

IV. Laboratory

All monitoring parameters required by the SOP are being subcontracted to Waypoint Analytical in Jackson, TN. The subcontract laboratory was not evaluated as part of this inspection.

V. Additional Comments and Recommendations

A sludge judge test was performed in May of 2024 and found that sludge levels did not warrant any further action. Limestone Water Utility Operating Company is working with Ascend Engineering to convert the existing sprayfield system to a drip field with additional surrounding acreage in order to try to remedy the current overburdened system.

VII. Violations

On February 6, 2025, Mr. Rudy Collins with the Division of Water Resources, Jackson Environmental Field Office, received a call from a complainant regarding the Shiloh Falls spray field located in Counce, TN. The complaint stated that the nearby stream, Houston Branch, had an odor to it and the Shiloh Falls spray field discharge was running off. Mr. Collins observed the spray irrigation system operating with runoff being visible at three points (see attached photos) on the southwest side of the sprayfield. The runoff appeared clear and did not have a noticeable odor with previous rainfall events having occurred. The sprayfield was turned off that afternoon per Division request.

Ms. Tammy Miller and Ms. Libby Williams met with Shiloh Falls operators, Mark Rodgers, Chad Keeton and Lynn Starrett, on the morning of February 7, 2025. During the investigation, the lower southwest sprayfield was noted to be saturated, and areas of possible runoff were noted. The upper southeast side of the sprayfield was found to be less saturated with no visible signs of runoff. The division was made aware that the lagoon levels were critically high on February 6, 2025, and spraying was necessary to lower the lagoon level, despite the wet conditions due to previous rainfall. When viewed on February 7, 2025, the lagoon level was still high and heavy rain was forecasted for the following weekend. The division advised to spray only on the upper, less saturated southeast side of the sprayfield to lower the lagoon levels and suspend spraying on the lower, southwest side until wet conditions subside.

Please be advised that the discharge of treated wastewater into waters of the state or to locations where it is likely to move to Waters of the State is a violation of your state operating permit. Per your State Operating Permit – 94011: **“Instances of surface saturation, ponding or pooling within the land application area as a result of system operation are prohibited. Instances of surface saturation, ponding or pooling shall be promptly investigated and noted on the Monthly Operations Report. Surface saturation, ponding or pooling resulting in the discharge of treated wastewater into Waters of the State or to locations where it is likely to move to Waters of the State shall be immediately reported to the local Environmental Field Office, unless the discharge is separately authorized by a NPDES permit.”**

CA MFR Review Exhibit 3 -Complaints & Enforcement

Compliance Evaluation Inspection
Shiloh Falls Sprayfield
3/27/2025
Page 3

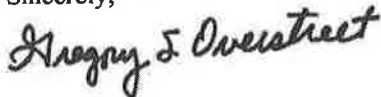
VII. Required Action

On November 19, 2022, plans were approved by the division to convert from a spray field system to an eight-zone drip system in effort to alleviate various permit violations and bring the system into substantial compliance. To date, construction to a drip system has not been initiated. **Please respond, in writing, by April 20, 2025**, with a corrective action plan to operate and maintain the lagoon and spray field to avoid overspraying. Please include future plans for the drip field additions with time frames for completion.

VIII. Conclusion

Compliance with your SOP helps ensure there will be no unpermitted discharge of wastewater to any surface stream or other location where it is likely to enter surface waters. On behalf of the Division, I want to thank you and your staff for your efforts to ensure permit compliance and to protect state water quality. If you have any questions regarding this letter or required response, please contact Ms. Libby Williams at (731) 695-4581 or via email at Libby.Williams@tn.gov.

Sincerely,



Gregory S Overstreet
Environmental Program Manager
TDEC-Division of Water Resources

Jackson Environmental Field Office

Enclosure: Photolog

Copy: Mark Rodgers, Mark.Rodgers@clearwatersolutions.com
Chad Keeton, Chad.Keeton@clearwatersolutions.com
Lynn Starrett, Lynn.Starrett@clearwatersolutions.com
Waterlog

CA MFR Review Exhibit 3 -Complaints & Enforcement



TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
JACKSON ENVIRONMENTAL FIELD OFFICE
1625 HOLLYWOOD DRIVE JACKSON, TENNESSEE 38305-4316
PHONE (731) 512-1300 STATEWIDE 1-888-891-8332 FAX (731) 661-6283

PHOTOLOG

DATE: 2/6/2025 and 2/7/2025

Site: Shiloh Falls Spray Field SOP-94011

Personnel Present on 2/6/2025: Rudy Collins (TDEC)

Personnel Present on 2/7/2025: Tammy Miller (TDEC), Libby Williams (TDEC), Mark Rodgers (Operator), Chad Keeton (Collections), Lynn Starrett (Manager)

Subject: Spray field run-off complaint

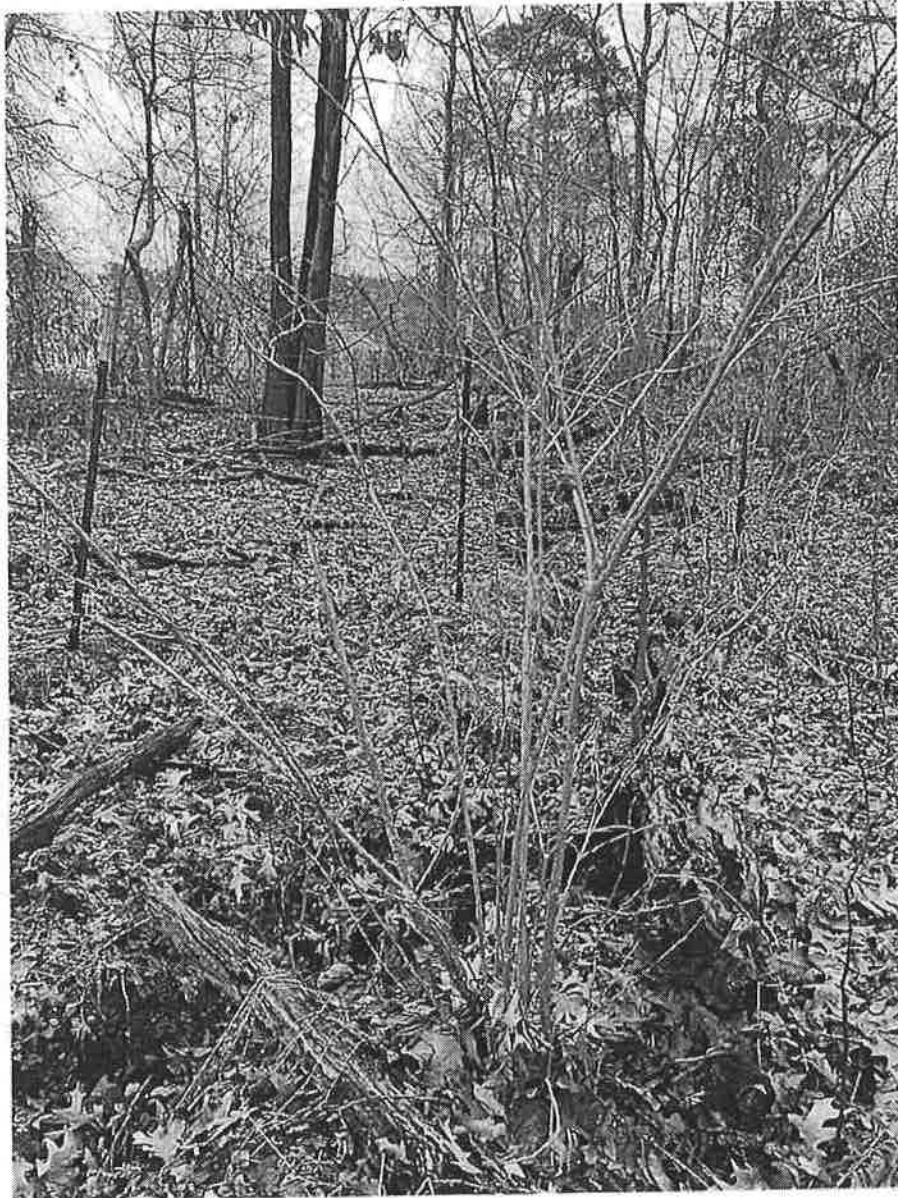
Picture 1



Date of Photo: 2/6/2025 Photo taken by: Rudy Collins. Location/Site Name: Shiloh Falls. TDEC Personnel Present: Rudy Collins. Remarks: Pooling and runoff of the sprayfield.

CA MFR Review Exhibit 3 -Complaints & Enforcement

Picture 2



Date of Photo:2/6/2025 Photo taken by: Rudy Collins. Location/Site Name: Shiloh Falls. TDEC Personnel Present: Rudy Collins. Remarks: Runoff from spray field at southwest fence line.

CA MFR Review Exhibit 3 -Complaints & Enforcement

Picture 3



Date of Photo: 2/6/2025 Photo taken by: Rudy Collins. Location/Site Name: Shiloh Falls. TDEC Personnel Present: Rudy Collins. Remarks: Runoff at fence line of southwest corner to nearby creek.

Picture 4



Date of Photo:2/7/2025 Photo taken by: ELW. Location/Site Name: Shiloh Falls. TDEC personnel Present: ELW, TLM. Remarks: Soft, muddy area, possible run off site towards the creek (past the fence)

Picture 5



Date of Photo: 2/7/2025 Photo taken by: ELW. Location/Site Name: Shiloh Falls. TDEC personnel Present: ELW, TLM. Remarks: Oversaturated, muddy area along the fence line, possible run off site.

Picture 6



Date of Photo: 2/7/2025 Photo taken by: ELW. Location/Site Name: Shiloh Falls. TDEC personnel Present: ELW, TLM. Remarks: The creek past the fence, low/no flow (day after the complaint)

Picture 7



Date of Photo:2/7/2025 Photo taken by: ELW. Location/Site Name: Shiloh Falls. TDEC personnel Present: ELW, TLM. Remarks: Lagoon levels high

Picture 8



Date of Photo:2/7/2025 Photo taken by: ELW. Location/Site Name: Shiloh Falls. TDEC personnel Present: ELW, TLM. Remarks: Lagoon levels high

CA MFR Review Exhibit 3 -Complaints & Enforcement

April 15, 2025

Ms. Libby Williams
TDEC - Division of Water Resources
Jackson Environmental Field
Office 1625 Hollywood Drive
Jackson, Tennessee 38305

**RE: Shiloh Falls WWTP
SOP No. SOP-94011
Counce, Hardin County, TN**

Dear Ms. Williams,

This letter is submitted in response to your March 27th, 2025 Notice of Violation and Compliance Evaluation Inspection (CEI) regarding the Shiloh Falls Wastewater Treatment System and Sprayfield. We appreciate the time and guidance provided by your staff during the recent inspections and subsequent communications.

Please find below our detailed response and proposed corrective action plan:

1. Drip Field Expansion and System Conversion

Limestone Water Utility Operating Company, LLC is actively engaged with CDG Engineering to finalize a revised design for the expansion of the drip dispersal field. The plan includes converting the current sprayfield system to a subsurface drip system to mitigate oversaturation and runoff issues. The prior drip field design, approved in 2022, has expired, and per your direction, a new design is in development.

2. Design Capacity & Acreage

The updated engineering proposal increases the drip field application area from the current 5.7 acres specified in the permit to 7.16 acres, allowing for improved effluent dispersal and compliance.

3. Communication with TDEC Engineering

After a discussion with TDEC Engineering on a separate facility, CDG Engineering discovered that the previous calculations for Shiloh Falls had deficiencies that warranted a rework of plans. TDEC Engineering was informed of the issue and are awaiting a new submittal for review.

CA MFR Review Exhibit 3 -Complaints & Enforcement

4. **Topographic Survey and Site Preparation**

A topographic survey is being pursued to verify land suitability and finalize field layout. Quotes for material access, clearing of vegetation, and other site preparation are underway.

5. **Timeline for Compliance**

We anticipate a deadline of June 1st 2025 to submit final design plans to TDEC for approval. Upon approval, we estimate a one-year timeline to fully implement and commission the expanded drip field system.

6. **Interim Operational Measures**

While awaiting construction, the following interim actions are being taken to avoid further violations:

- Effluent will only be sprayed on the areas that remain unsaturated during significant rain events.
- The southwest portion of the sprayfield, identified as oversaturated, remains offline during high rain events.
- Continued monitoring of lagoon levels and weather forecasts to prevent the need for emergency spraying.
- Monthly reporting will include detailed site observations per SOP guidelines.

7. **Request for Guidance on Interim Operation**

We respectfully request written guidance from the Division on any additional interim corrective actions or temporary operational authorizations to ensure continued compliance while awaiting project completion.

We appreciate your consideration of this corrective action plan and remain committed to resolving these compliance matters responsibly and promptly. Please do not hesitate to contact me via email at JJJOHNSON@CSWRGROUP.COM should you require additional documentation or clarification.

Sincerely,



Joe Johnson

CSWR – EHS Compliance Coordinator

CA MFR Review Exhibit 3 -Complaints & Enforcement

**STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION**

IN THE MATTER OF:)	DIVISION OF WATER RESOURCES
)	
)	
LIMESTONE WATER UTILITY OPERATING COMPANY, LLC,)	
)	
)	
RESPONDENT.)	CASE NO. WPC22-0086

CONSENT ORDER AND ASSESSMENT

This Consent Order and Assessment is entered into between the Department of Environment and Conservation ("Department") and Limestone Water Utility Operating Company, LLC ("Respondent"), for the purpose of resolving the issues set forth herein. The parties stipulate and agree as follows:

PARTIES

I.

The Commissioner is responsible for administering and enforcing the Water Quality Control Act, Tenn. Code Ann. §§ 69-3-101 to -148 ("Act"). The Commissioner may delegate to the Director any of the powers, duties, and responsibilities of the Commissioner under the Act, Tenn. Code Ann. § 69-3-107(13), and has delegated such authorities to Jennifer Dodd.

II.

The Respondent owns and operates the Grasslands sewage treatment plant ("Plant") and the associated collection system in Williamson County, Tennessee. The Respondent is duly registered with the Secretary of State to conduct business in Tennessee. Process may be served on the Respondent through its Registered Agent, C T Corporation System, 300 Montvue Rd, Knoxville, Tennessee 37919.

JURISDICTION

III.

Whenever the Commissioner has reason to believe that a violation of the Act has occurred, is occurring, or is about to occur, the Commissioner may issue a complaint to the violator and the Commissioner may order corrective action be taken. Tenn. Code Ann. § 69-3-109(a). Further, the Commissioner has authority to assess civil penalties against any violator of the Act, Tenn. Code Ann. § 69-3-115, and has authority to assess damages incurred by the State resulting from the violation, Tenn. Code Ann. § 69-3-116. The Board of Water Quality, Oil and Gas ("Board") has promulgated rules governing general water quality criteria and use classifications for surface waters. Tenn. Comp. R. & Regs. Chapters 0400-40-03 and 0400-40-04.

IV.

The Respondent is a "person" under the Act. Tenn. Code Ann. § 69-3-103.

V.

Harpeth River and its tributaries constitute "waters" of the state and "streams." Tenn. Code Ann. §§ 69-3-103 (41) and (45). Harpeth River has been classified by the Board for the following uses: domestic water supply, industrial water supply, fish and aquatic life, recreation, irrigation, and livestock watering and wildlife. Harpeth River in Williamson County, Tennessee is included on the 2020 303(d) list of impaired streams due to elevated levels of total phosphorus and low concentrations of dissolved oxygen.

VI.

Any person engaged in or planning to engage in the discharge of sewage, industrial wastes, or other wastes into waters, or to a location from which it is likely that the discharged substance will move into waters, must obtain and comply with a permit from the Department. Tenn. Code

Ann. § 69-3-108. Each permit requires a set of effluent limitations to indicate adequate operation or performance of treatment units used and to appropriately limit those harmful parameters present in the wastewater. Tenn. Comp. R. & Regs. 0400-40-05-.08. The permittee shall at all times properly operate and maintain all facilities and systems (and related appurtenances) for collection and treatment which are installed or used by the permittee to achieve compliance with the conditions of the permit. Tenn. Comp. R. & Regs. 0400-40-05-.07. It is unlawful for any person to violate the conditions of a discharge permit issued by the Department. Tenn. Code Ann. §§ 69-3-108(b) and -114(b).

FACTS

VII.

On August 30, 2021, the Division issued National Pollutant Discharge Elimination System (NPDES) permit TN0027278 ("Permit") to Cartwright Creek, LLC. The Permit became effective December 1, 2021, and expires November 30, 2026. A minor modification transferred the Permit to the Respondent on January 1, 2022. The Permit authorizes the discharge of treated domestic wastewater from Outfall 001 to Harpeth River at mile 68.8 in accordance with all effluent limitations and monitoring requirements set forth.

VIII.

On May 17, 2022, Division staff conducted a Compliance Evaluation Inspection (CEI) of the Plant. Staff noted discrepancies in the operational monitoring data submitted for February, March, and April, 2022, and determined that information was not transferred accurately from laboratory bench sheets to Monthly Operation Reports (MORs) to Discharge Monitoring Reports (DMRs). Staff noted several other instances of reporting, transcription, and calculation errors, and that a Standard Operating Procedure (SOP) was not available on site for review.

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During inspection of the treatment processes, staff noted significant corrosion of the above ground units, such that the structural integrity of the treatment unit walls and equipment was questionable. During an interview with Division staff, the operator stated that an inflow and infiltration ("I/I") project completed in 2019 and 2020 had improved I/I issues during the summer months, but not during winter months when rainfall was heaviest.

Staff observed that no influent screening mechanism existed. Inorganic material was removed by hand and disposed of in a dumpster, which was periodically hauled off site, and an "island" of inorganic solids remained in the aeration basin. Staff observed that the interior walls surrounding the digester unit were rusted to the point where the unit was inoperable; digester function had been replaced by a polyethylene tank which held solids until they were trucked from the Plant. Staff noted that the clarifier was in poor condition: algae had accumulated on the weirs; no skimmer arm was present; grit, grease, pin floc, and debris floated on the clarifier surface.

Staff observed that chlorination and dechlorination processes were conducted in what was previously the above ground, "tertiary filtration" unit of the Plant. Staff observed grit and grease floating in the basin. In the interview, the operator stated that the internal components of this unit were removed years ago. Staff noted that the operator used chlorine gas for disinfection of effluent, manually adjusting chlorine dosing based on flow and the results of chlorine residual testing. The operator achieved dechlorination by similar manual dosing adjustments of sulfur dioxide gas.

During review of the laboratory and lab processes, staff observed that the temperature of the *E. coli* incubator was not within the correct range. Staff observed that the bottle containing distilled water was discolored and was contaminated with mold. Staff also observed dead insects in the pH storage solution cup. The cap on the meter used to measure dissolved oxygen (DO) was scratched, and no extra caps were available on site. A comparator, necessary for comparing *E. coli*

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test results to distinguish threshold positive results from negative results, was not available on site.

Staff found food and drink items next to lab samples in the same refrigerator.

IX.

On June 8, 2022, the Division issued a Notice of Violation (NOV) to the Respondent detailing the violations noted during the inspection of May 17, 2022. The NOV advised the Respondent that operation and maintenance of the facility must improve, and instructed the Respondent to:

- review MORs and DMRs for February, March, and April 2022, and make appropriate corrections;
- develop an SOP and keep it at the facility;
- change pH storage solution on a regular basis;
- change or thoroughly clean distilled water containers;
- keep a spare cap for the DO meter on site;
- purchase an IDEXX Quanti-Tray comparator;
- purchase a separate refrigerator for storage of lab samples;
- adjust the *E. coli* incubator to the proper temperature;
- on lab bench sheets, include the analysis method number, or reference the current edition of Standard Methods for Water and Wastewater Analyses.

The NOV further instructed the Respondent to submit a plan of action detailing the corrective actions necessary to address the violations and conditions noted to the Division by July 15, 2022.

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X.

From January 2022 through July 15, 2022, the Plant incorrectly reported the following tests on its DMRs, resulting in non-receipt violations:

Parameter	Monitoring Period	Number of Test Values Incorrectly Reported
Carbonaceous BOD, 5-day	February 2022	2
	March 2022	4
	April 2022	3
<i>E. coli</i>	February 2022	2
Nitrogen, Ammonia Total	February 2022	2
	March 2022	4
	April 2022	3
Settleable Solids	February 2022	1
	March 2022	1
	April 2022	1
Chlorine, Total Residual	March 2022	1
	April 2022	1
Phosphorus, Total	March 2022	2
Suspended Solids, Total	April 2022	2
Total Violations		29

The Respondent submitted corrections for all these violations on June 21, 2022, following receipt of the NOV.

XI.

From January 2022 through July 15, 2022, the Plant reported the following effluent limitation exceedances on its Discharge Monitoring Reports:

Parameter	Effluent Exceedances
Carbonaceous BOD, 5-day	4
Chlorine, Total Residual	1
Nitrogen, Ammonia Total	5
Total	10

VIOLATIONS

XII.

By failing to properly operate and maintain the treatment facility (missing screening structures, digester, clarifier, tertiary filtration unit), failing to properly maintain laboratory

CA MFR Review Exhibit 3 -Complaints & Enforcement

equipment, and manually adjusting chlorine dosing, the Respondent has violated the Permit, which states in relevant part:

Section 2.1.3 a

The permittee shall at all times properly operate and maintain all facilities and systems (and related appurtenances) for collection and treatment which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory and process controls and appropriate quality assurance procedures.

XIII.

By discharging pollutants to waters of the state in excess of permitted effluent limitations, and by failing to properly report the results of required monitoring, the Respondent has violated the Act:

Tenn. Code Ann. § 69-3-108(b):

It is unlawful for any person, other than a person who discharges into a publicly owned treatment works or a person who is a domestic discharger into a privately owned treatment works, to carry out any of the following activities, except in accordance with the conditions of a valid permit:

- (3) The increase in volume or strength of any wastes in excess of the permissive discharges specified under any existing permit;

Tenn. Code Ann. § 69-3-114(b):

In addition, it is unlawful for any person to act in a manner or degree that is violative of any provision of this part or of any rule, regulation, or standard of water quality promulgated by the Board of any permits or orders issued pursuant to this part; or fail or refuse to file an application for a permit as required in § 69-3-108; or to refuse to furnish, or to falsify any records, information, plans, specifications, or other data required by the Board or the Commissioner under this part.

ORDER AND ASSESSMENT

XIV.

Pursuant to sections 69-3-109, -115, and -116 of the Act, the Director orders, and the Respondent agrees, as follows:

For all payments submitted, please include reference to case number **WPC22-0086**.

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1. The Respondent is assessed a **total civil penalty of \$63,264.00. The Respondent shall pay \$10,544.00 to the Division as an upfront allocation of this penalty on or before the thirty-first day following the effective date of this Order.** The remaining \$52,720.00 shall only become due if the Respondent fails to comply with Items 2-6, listed below:
2. On or before the ninetieth day following the effective date of this Order, the Respondent shall develop and submit to the Division for approval an SOP for the monitoring of operational parameters at the Plant. The SOP shall include processes for the collection of samples, recording of sample data, maintenance of monitoring records, maintenance of laboratory stores and equipment, and appropriate quality assurance/quality control practices, according to EPA-approved procedures. The approved SOP shall be kept on the Plant premises available for review. If the Respondent fails to comply with this Item, the Respondent shall pay \$ 231.00 to the Division for each day the SOP is late, not to exceed a total of \$6,930.00.
3. On or before the ninetieth day following the effective date of this Order, the Respondent shall submit to the Division a corrective action plan / engineering report (CAP/ER) describing all steps necessary to address the degraded conditions of treatment structures, laboratory conditions, observations noted in section VIII above, and the effluent limitation exceedances listed in section XI. The CAP/ER shall include a schedule with a specific date of completion for each action. Any changes or modifications to the CAP/ER requested by the Division shall be submitted by the Respondent within 30 days following the request. Final completion of all actions in the CAP/ER shall not exceed three years from Division approval. If the Respondent fails to comply with this Item, the Respondent shall pay \$232.00 to the Division for each day the CAP/ER is late, not to exceed a total of \$6,960.00.

CA MFR Review Exhibit 3 -Complaints & Enforcement

4. Upon Division approval of the CAP/ER, each milestone date of the project schedule shall become an enforceable component of this Order. For each calendar quarter – ending March 31, June 30, September 30, and December 31 – the Respondent shall write a concise progress report detailing the actions taken to that point. The Respondent shall submit each report to the Division not later than the fifteenth business day of the month following the end of the previous quarter. If the Respondent fails to comply with this Item, the Respondent shall pay \$575.00 for each quarterly report that is late, not to exceed a total of \$6,900.00.
5. Within 180 days following completion of all measures in the CAP/ER, the Respondent shall submit a Final Report to the Division for approval. The Final Report shall describe the completion of each scheduled action and shall include a detailed study evaluating the success of the CAP/ER in achieving substantial compliance with the Permit. If the Respondent fails to comply with this Item, the Respondent shall pay \$231.00 for each day that the Final Report is late, not to exceed a total of \$6,930.00.
6. For one year following completion of the CAP/ER, the Respondent shall maintain substantial compliance with the Permit. If the Respondent fails to comply with this Item, as evidenced by effluent violations on the Discharge Monitoring Reports, the Respondent shall pay \$5,000.00 per effluent violation, not to exceed a total of \$25,000.00.

All payments shall be made payable to the “Treasurer, State of Tennessee” and sent to the Division of Fiscal Services - Consolidated Fees Section, Tennessee Department of Environment and Conservation, 10th Floor Snodgrass Bldg., 312 Rosa Parks Avenue, Nashville, Tennessee

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37243. The case number, **WPC22-0086**, should be written on all correspondence regarding this matter.

This Order shall be considered closed one year after Division receipt of the Final Report, so long as the Respondent has complied with all Order requirements, all penalties owed have been paid, and the Respondent is in substantial compliance with the Act.

The Effective Date of this Order shall be the date it is signed by Jennifer Dodd, Director of the Division of Water Resources. The Department may, for good cause shown, extend the compliance dates contained within this Order. To be eligible for this time extension, the Respondent shall submit a written request to be received in advance of the compliance date. The written request must include sufficient detail to justify such an extension and include at a minimum the anticipated length of the delay, the precise cause or causes of the delay, and all preventative measures taken to minimize the delay. Any such extension by the Department will be in writing. Should the Respondent fail to meet the requirement by the extended date, any associated civil penalty shall become due 30 days thereafter.

Failure to comply with any of the requirements of this Order could lead to further enforcement actions, which may include additional civil penalties, assessment of damages, and/or recovery costs.

DEPARTMENT'S RESERVATION OF RIGHTS

In entering into this Consent Order, the Department does not implicitly or expressly waive any provision of the Act or the regulations promulgated thereunder or the authority to assess costs, civil penalties, and/or damages incurred by the State against the Respondent. The Department expressly reserves all rights it has at law and in equity to order further corrective action, assess civil penalties and/or damages, and to pursue further enforcement action including, but not limited

CA MFR Review Exhibit 3 -Complaints & Enforcement

to, monetary and injunctive relief. Compliance with this Order will be considered as a mitigating factor in determining the need for future enforcement action(s).

WAIVER OF RIGHT TO APPEAL

The Respondent understands that it has the right to appeal this Order pursuant to sections 69-3-109, -115, and -116 of the Act. By signing below, the Respondent knowingly and voluntarily waives any right it may have to appeal this Order.

RESPONDENT'S RESERVATION OF RIGHTS


The Respondent does not admit or deny the factual allegations or the alleged violations of law contained in this Order. The Respondent reserves its rights to contest the factual allegations and alleged violations contained in this Order in any proceeding other than a proceeding brought by the Department to enforce the terms of this Order.

AUTHORITY TO SIGN


The undersigned representatives of the Department and the Respondent represent and warrant that they are fully authorized and competent to execute this Consent Order and Agreement on behalf of the entity for which they are signing.

Agreed to by Limestone Water Utility Operating Company, LLC, as evidenced by the signature below, and issued by the Director of the Division of Water Resources, on this

13th day of February, 2023.


Jennifer Dodd (Feb 13, 2023 TEACST)

Jennifer Dodd, Director
Division of Water Resources
Department of Environment and
Conservation


(Representative) Josiah Cox
Limestone Water Utility Operating
Company, LLC

CA MFR Review Exhibit 3 -Complaints & Enforcement

Reviewed by:

Samantha Buller-Young

Samantha Buller-Young
BPR # 040466
Assistant General Counsel
Department of Environment & Conservation
Knoxville Environmental Field Office
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Knoxville, TN 37921
p. (865)-440-8303
Samantha.Buller-Young@tn.gov

Reviewed by:

Katherine Barnes

Katherine Barnes
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**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

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

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Cartwright Creek – Grasslands STP

NPDES# TN0027278

July 25, 2025

Page 2 of 3

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.

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Cartwright Creek – Grasslands STP

NPDES# TN0027278

July 25, 2025

Page 3 of 3

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

CA MFR Review Exhibit 3 -Complaints & Enforcement

TDEC Dataviewer for DWR Complaints about Limestone (checked on 7/30/2025). -

Clear out two filters that limits to "received in the last three months" & "open complaints" & search "Limestone"

Link: <https://dataviewers.tdec.tn.gov/dataviewers/f?p=2005:34250:891929751521::::>

https://dataviewers.tdec.tn.gov/dataviewers/f?p=2005:34250:891929751521::::

DataViewer - Division of Water Resources (DWR)

Home Permits Documents **Complaints** Inspections Engineering Plans Hydrologic Determinations Exposed Waters Ambient Monitoring QLP Data Water WQS Certified Operators Septic Systems

Home > DWR Complaints

Site ID	Site	EPO	County	Permit No	Complaining	Status	Received	Investigated	Completed
100000	Limestone Water Utility Operating Company - Grasslands STP	Nashville	Williamson	TN0027219	Other	NOV	10-03-2023	24-03-2025	25-01-2025
100000	Limestone Water Utility Operating Company - Grasslands STP	Nashville	Williamson	TN0027219	Other	NOV	10-03-2023	24-03-2025	25-01-2025
100000	Limestone Water Utility Operating Company - Grasslands STP	Nashville	Williamson	TN0027219	Other	NOV	10-03-2023	24-03-2025	25-01-2025
100000	Limestone Water Utility Operating Company - Grasslands STP	Nashville	Williamson	TN0027219	Septage System / Overflow	Issue Resolved	18-FEB-2025	20-FEB-2025	21-FEB-2025
100000	Limestone Water Utility Operating Company - Grasslands STP	Nashville	Williamson	TN0027219	Septage System / Overflow	Issue Resolved	01-FEB-2025	04-FEB-2025	05-FEB-2025
100000	Limestone Water Utility Operating Company - Grasslands STP	Nashville	Williamson	TN0027219	Pollution / Spills / Other Discharge	Issue Resolved	30-DEC-2024	02-JAN-2025	03-JAN-2025
100000	Limestone Water Utility Operating Company - Grasslands STP	Nashville	Williamson	TN0027219	Pollution / Spills / Other Discharge	Issue Resolved	30-DEC-2024	02-JAN-2025	03-JAN-2025

1. Primary Report

Rows 25

Received is in the last 3 months

Open Complaints

CA MFR Review Exhibit 3 -Complaints & Enforcement

Complaint # #134863– 12/30/2024

Complaint	Location based on SITE ID	Investigation Results	Complaint Description and Writings
<p>Complaint Number 134863</p> <p>Drift Program Area WPC</p> <p>Date Received 12/30/2024</p> <p>User Name/Email Email</p> <p>Concerning Pollution / Spill / Leak Discharge</p> <p>Concerning (Other)</p> <p>Assigned on 12/30/2024</p> <p>Record Last Updated 20-FFB-2025 055079M</p>	<p>Site ID 5277</p> <p>Site Lewistown Water Utility Operating Company - Grasslands STP</p> <p>Location River Bear Subdivision</p> <p>City Frederick</p> <p>Description Treatment of domestic sewage</p> <p>County Williamson</p> <p>EPO Name Hathaway</p> <p>Site Owner Lewistown Water Utility Operating Company</p>	<p>Issue Resolved</p> <p>Date Investigation 1/2/2025</p> <p>Reporting Party Central States Water Resources</p> <p>Complaint on 1/2/2025</p> <p>Referred To</p> <p>Referred on</p> <p>Impact</p>	<p>Complaint Description and Writings</p> <p>Complaint Description and Writings We have been receiving reports of a problem with our sewer system in the area of the River Bear Subdivision. The problem is that the sewer system is not working properly and we are getting a lot of sewage in our area. We have been trying to fix the problem for a long time but we have not been successful. We are now looking for a new contractor to fix the problem. We are also looking for a new contractor to fix the problem. We are also looking for a new contractor to fix the problem.</p> <p>On 1/2/2025, EPO observed the facility's main lift station for the treatment plant has failed. Current contractors are providing approximate repairs in order to make the station. No collection of pollution were observed in surrounding and weather consequences of repairing observed. Providers update to the complainant via email.</p>

CA MFR Review Exhibit 3 -Complaints & Enforcement

Complaint # #134864– 12/30/2024

Complaint	Location based on SITE ID	Investigation Results	Complaint Description and Writing
<p>Complaint Number 134864</p> <p>DWR Program Area WPC</p> <p>Date Received 12/30/2024</p> <p>How Reported Email</p> <p>Concerning Pollution / Spills / Risk Discharge</p> <p>Reporting CODES</p> <p>Assigned to 12/30/2024</p> <p>Report Unit/Contact 2024-1-123-1234567</p>	<p>Site ID S217</p> <p>Site Limestone Water Utility Operating Company - Clearlands STP</p> <p>Location River Street Subdivision</p> <p>City Franklin</p> <p>Description Treatment of domestic sewage</p> <p>County Wilkeson</p> <p>EPO Name Nathaniel</p> <p>Site Owner Limestone Water Utility Operating Company</p>	<p>Status Issue Resolved</p> <p>Date Investigated 1/3/2025</p> <p>Responding Party Central State Water Resources</p> <p>Completed on 1/3/2025</p> <p>Assigned to</p> <p>Referred on</p> <p>Phone</p>	<p>Complaint Description and Writing</p> <p>Good Evening, I wrote this a holiday season, but we have been having the sewage again from Limestone our wastewater treatment plant that is in the area of Franklin. I wrote you the last and hoped us the last time this happened I really appreciated it and am concerned we have the same issue.</p> <p>There was a moving stream of waste water from the street leading towards the soccer field which eventually ends in the creek which flows into the River. I was about 100 yards. Please come check it out, since they just fixed the plant from Comstock Creek a couple of years ago, there have been actually no upgrades. I know they were over capacity years ago, but there have been no upgrades in the sewage plant. I am attaching a picture of the truck which pumps out of the plant.</p> <p>On 5-JAN-25, DWP observed the facility's main influent line to the treatment plant had failed. Current discharges are providing appropriate treatment in order to repair the 36" diameter. No concerns of pollution were observed in surrounding wet weather conditions or receiving streams. Treatment update is completed via email.</p>

CA MFR Review Exhibit 3 -Complaints & Enforcement

Complaint #135198 – 2/3/2025

Complaint	Location based on RTE ID	Investigation Results	Complaint Description and Writup
<p>Complaint Number 135198</p> <p>2024 Program Area WPC</p> <p>Date Received 2/3/2025</p> <p>How Reported Email</p> <p>Concerning Sewage bypass / Overflow</p> <p>Concerning Other</p> <p>Assigned on 2/3/2025</p> <p>Record last updated 06-FEB-2025 03:06PM</p>	<p>Site ID 8212</p> <p>Site Limestone Water Utility Operating Company - Graylands STP</p> <p>Location Eyer West Subdivision</p> <p>City Franklin</p> <p>Description Treatment of domestic sewage</p> <p>County Williamson</p> <p>EPO Name MarkyRie</p> <p>Site Owner Limestone Water Utility Operating Company</p>	<p>Status Issue Resolved</p> <p>Date Investigated 2/4/2025</p> <p>Assigned Party Cecilia Waters Water Resources</p> <p>Completed on 2/5/2025</p> <p>Referred to -</p> <p>Referred on -</p> <p>Phone -</p>	<p>Complaint Description and Writup</p> <p>Complainant states: "My name is XXXX, I am reaching out as a resident and HOA board member for Eyer West Estates in Franklin, Tennessee.</p> <p>Our community currently is a sewage treatment plant owned and operated by Limestone, but currently called Catfish Creek LLC in between. Complaint and how: Years ago experienced a major leak and noticed to trouble the sewage utility. The main lines burst and repaired the main per their contractors. However it was and continues to still smell probably the sewage and we are concerned about the level of contamination. This is also the first time that an overflow or backflow occurred on the property.</p> <p>We would like to have someone come and test the water contamination levels as quickly as possible. Please advise what your organization can do to help us protect our community space as well as the water way (Catfish Creek) and ensure proper water delivery to our community."</p> <p>On February 4, 2025, DGP contacted the facility supervisor regarding the nature of the complaint and Limestone. There was no indication of any recent burst or leak from the area of concern. On February 5, 2025, the supervisor followed up with DGP over the phone regarding the source of the odor was due to manholes being left open when the facility's main line changes were undergoing repairs, and inspections. Facility staff will ensure and maintain the manhole lid closed while work is not actively ongoing during the repairs and inspections. Staff reported that for the past week, a previous overflow occurred in late December 2024 on adjacent area.</p>

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Complaint #135388 – 2/18/2025

Complaint	Location based on SITE ID	Investigation Results	Complaint Description and Writings
<p>Complaint Number 135388</p> <p>Complaint Type WPC</p> <p>Date Received 2/18/2025</p> <p>How Received CALL</p> <p>Concerning Sanitary Issues / Overflow</p> <p>Concerning (Other)</p> <p>Assigned on 2/19/2025</p> <p>Report Last Updated 2/19/2025 10:28:00</p>	<p>Site ID 5317</p> <p>Site Livermore Water Utility Operating Company - Grandlands STP</p> <p>Location River Rest Subdivision</p> <p>City Franklin</p> <p>Description Treatment of domestic sewage</p> <p>County Williamson</p> <p>EFO Name Nashville</p> <p>Site Owner Livermore Water Utility Operating Company</p>	<p>Status Issue Resolved</p> <p>Date Investigated 2/19/2025</p> <p>Responsible Party Central States Water Resources</p> <p>Completed on 2/19/2025</p> <p>Referred to</p> <p>Referred to</p> <p>Referred to</p>	<p>Complaint Description and Writings</p> <p>I live in River Rest and the sewage treatment plant, Livermore, was overflowing over the side of the plant and causing a big cloud of bad sewage to billow over the local field in our community. This is a very big health hazard and the treatment plant is right beside the Harpeth River.</p> <p>DSP investigated the site on February 19, 2025. DSP assessed the various fault points of Coughlin Creek and west of the Harpeth River and several areas where rainfall and runoff from the treatment facility. I also observed the source field, including the facility's main lift station also known as a "wet well" and several A distribution of the facility's permitted discharge location "Outlet 101", and the various pathways of the STP. The mainline adjacent to the source field along the southeast entrance to the field and a section of the fence adjacent to the treatment facility with evidence of domestic sewage leaving the system. DSP spoke with Cedar Creek District regional supervisor, and it seems the District expects both affected areas to be cleaned and corrected immediately. The supervisor will respond to DSP when this is completed.</p>

CA MFR Review Exhibit 3 -Complaints & Enforcement

Complaint #137377 – 7/10/2025

Complaint	Location based on SITE ID	Investigation Results	Complaint Description and Writings
<p>Complaint Number 137377</p> <p>CAWTHURST AVE WPC</p> <p>Case Number 7/10/2025</p> <p>New Technical Bill</p> <p>Complaint Other</p> <p>Overseeing Officer Sewage and Sanitary Sewer Overflow</p> <p>Assigned 7/10/2025</p> <p>Record Last Updated 20/07/2025 19:30:00</p>	<p>Site ID 5272</p> <p>Site Limestone Water Utility Operating Company - Gladlands SFP</p> <p>Location Free River Subdivision</p> <p>City Franklin</p> <p>Description Treatment of domestic sewage</p> <p>County Williamson</p> <p>EFO Name Machynne</p> <p>Site Owner Limestone Water Utility Operating Company</p>	<p>Site NOV</p> <p>Date Investigated 7/24/2025</p> <p>Responsible Party</p> <p>Investigation on 7/24/2025</p> <p>Returned to</p> <p>Asbestos on</p> <p>Phone</p> <p>Yes</p>	<p>Complaint Description and Writings</p> <p>Good morning, I live in River Ridge Estates in the Gladlands area of Franklin. For the past month, we have experienced a lot of strong sewage smells in the neighborhood. It's been a constant odor, not like when the wind blows. You have had many issues with the COWCO treatment plant, but you are getting worse. Our neighborhood pool built up to the treatment plant and smells awful. Also, my children frequently play in Carlsberg Creek and fish in the stream, but with the high levels of E. coli, they have not been able to enjoy it.</p> <p>Any help you can provide would be greatly appreciated.</p> <p>On July 24, 2025, DOP conducted a site investigation. We observed an active Sanitary Sewer Overflow (SSO) entering Carlsberg Creek. Proper documentation was performed, video captured, and photos of Violation 20020 provided to the Permittee the following day.</p> <p>On July 28, 2025, DOP conducted a site investigation regarding the July 24, 2025, investigation to determine County Emergency Management Agency (NCEM) VIDEA, along with Williamson Emergency Management Agency (WEMA) personnel, throughout the day confirming the DOP's findings. WEMA observed the SSO ceased entering Carlsberg Creek at approximately 12:45 hours. Some sewage had the potential to enter the creek after hours from ongoing repairs and clearing of blocked water lines. The creek was fenced in at approximately 1:30 hours. No sewage was entered the creek during the follow-up investigation. Signs and public notices were issued to protect the public from bacteria associated with the SSO observed on July 24, 2025.</p> <p>On July 28, 2025, a Mass Cleanup of Carlsberg Creek and adjacent areas was conducted with E. coli samples taken by the City. E. coli samples are reported daily until normal levels return. This is a requirement from the NOV issued on July 25, 2025.</p>

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Complaint #137378 – 7/10/2025

Complaint	Location based on SITE ID	Investigation Results	Complaint Description and Writups
Complaint Number 137378	Site ID S217	Date NOV	Complaint Description and Writups We're getting a bad March and we under expectation. Just thought you might know. Hopefully, then we'll have had meeting will be productive.
Over Program Area WPC	Site Limestone Water Utility Operating Company - Grasslands STP	Date (YYYYMM) 7/16/2025	Stage 1 Investigation Summary: Engineer visited Limestone Water Utility location, observing existing & the water-use forecast model. Thanks.
Date Received 7/16/2025	Location River Bend Substation	Assigned Party John E. Gifford	On July 24, 2025, DWR conducted a site investigation. He observed an active discharge from Overlook Creek at Nightingale Creek. Photo documentation was obtained, study continued, and notice of violation (NOV) issued to the Permittee the following day.
How Received Email	City Franklin	Completion 7/25/2025	On July 29, 2025, DWR provided information regarding his July 24 visit, investigation by Williamson County Emergency Management Agency (WCEMA), WCEMA, along with Williamson Community (MCA) conducting multiple investigations throughout the day confirmed the discharge. The MCA observed the TSD caused by the discharge. Current Creek at approximately 12:15 hours. Storm sewage had the potential to enter the creek after rainstorm began passing region and clearing of embankment lower lines. The Creek was released at approximately 1:15 hours. The people are entering the creek during the follow-up investigation. Barriers and public notices were placed to protect the public from hazards associated with the TSD documented on July 24, 2025.
Contacting Official	County Williamson	Assigned To	On July 28, 2025, a State University of Connecticut Creek and adjacent area was identified with E. Coli bacteria found by the visitors. E. Coli samples are required daily until control of health status. This is a requirement from the NOV issued on July 25, 2025.
Cooperating Parties Seawall International, Seawall Civilian	EFO Name Nashville	Revised On	
Assigned on 7/16/2025	Site Owner Limestone Water Utility Operating Company	Project Yes	
Point of Contact BB-JUL 2025 09:51AM			

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Complaint #137380 – 7/10/2025

Complaint		Location based on SITE ID	Investigation Results	Complaint Description and Writups
<p>Complaint Number 137880</p> <p>Date Reported 06/19/2025</p> <p>Date Rec'd 7/10/2025</p> <p>Date Resolved 7/10/2025</p> <p>Case Number [redacted]</p> <p>Reporting Office</p> <p>Reporting Office Sewage Operations/Sanitary Sewer Division</p> <p>Date Closed 7/15/2025</p> <p>Last Updated 28-JUL-2025 10:31AM</p>		<p>Site ID 5217</p> <p>Site Limestone Water Utility Operating Company - Grasslands SLP</p> <p>Location River Bend Subdivision</p> <p>City Franklin</p> <p>Description Treatment of domestic sewage</p> <p>County Williamson</p> <p>EPO Name Nashville</p> <p>Site Owner Limestone Water Utility Operating Company</p>	<p>Status NOV</p> <p>Date Investigated 7/24/2025</p> <p>Responding Party Ashley Cox (CSWR)</p> <p>Collected on 7/25/2025</p> <p>Refused To</p> <p>Referred on</p> <p>Priorities Yes</p>	<p>Completed Description and Writups Once evening.</p> <p>Interior Limestone is already on the water, and we have directly written the owner from the facility and advise it is a sewerage. It is confirming and we can smell it only they turn backyards and live the road in front of house, at least 250 yards from the treatment plant. I did inspect it on Friday when I don't my dogs to walk through the value-I am extremely fortunate. My dog barks in that creek. I was able aware of the Property Company along our station at an elevated level for EWSK.</p> <p>I saw 00000000000000000000. The there is an agreement to protect the creek forever 00000000000000000000. Please email someone out ASAP.</p> <p>We are also attaching the same smell from the pathway lot at the treatment plant, is there no records for us as homeowners or a community? We enjoy the help of the White House advice.</p> <p>On July 24, 2025, CSWP conducted a site investigation. The results of an active Sanitary Sewer Overflow warning Callout Creek. Photo documentation was obtained, utility informed, and Video of Violation (MOV) issued to the Residents the following day.</p> <p>On July 29, 2025, CSWP provided information regarding July 24, 2025, investigation to Williamson County Emergency Management Agency (WCEMA), WCEMA, along with Williamson Urban water utility, conducted multiple investigations throughout the day continuing the City's findings. WCEMA observed the SDS (sanitary sewer overflow) Creek at approximately 12:15 hours. Those sewage told the potential to enter the creek after rainstorm causing noise and clearing of impacted areas near. The Creek was impacted at approximately 17:00 hours, so sewage was entering the creek during the follow-up investigation. Employee and public notice were placed in order to the public. Some footage occurred before the SDS documents on July 24, 2025.</p> <p>On July 28, 2025, a State clean-up of Callout Creek and impacted areas was conducted since. Our companies by the city. If Cpl samples are received daily until rainfall levels return. This is a requirement from the MOV is used on July 25, 2025.</p>

CA MFR Review Exhibit 3 -Complaints & Enforcement

From: [Dana Douglas](#)
To: [Christina Wingett](#)
Cc: [Jo Anna Brown](#)
Subject: [EXTERNAL] Hideaway BOD Exceedance
Date: Monday, November 18, 2024 5:51:58 PM
Attachments: [C2 signature cwslogoprocesscopy 0b085280-d203-40db-a914-a790a7838017.jpg](#)
[C2 signature facebook 32x32 196f4353-9a68-4fbb-ba82-4d7a1b35c123.png](#)
[C2 signature linkedin 32x32 3c76a089-da45-461d-afc4-e9b19ac0d0fd.png](#)

This Message Is From an External Sender

This message came from outside your organization.

Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security

Christina, it appears the monthly BOD limit was exceeded for the month of November 2024. The results are 55 mg/L. We have been having trouble with the Cambrian unit maintaining continuous operations and have been in contact with Cambrian support, they intend to have tech support both on site and remote Thursday and Friday of this week to troubleshoot the system and return to normal operations.

If you have any questions, please reach out.

DD



DANA DOUGLAS
STATE DIRECTOR
615-856-9159

dana.douglas@clearwatersolutions.com
www.clearwatersolutions.com

CA MFR Review Exhibit 3 -Complaints & Enforcement



State of Tennessee
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES
William R. Snodgrass - Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243-1102

July 3, 2025

Mr. Arthur Faiello
e-copy: arthur@cwsrgroup.com
1630 Des Peres Road Suite 140
Des Peres, MO 63131

Subject: **Final Construction Inspection Laurel Creek**
WPN: 22.0282R2 under Permit No. SOP-22008
Sevierville, Sevier County, Tennessee

Dear Mr. Faiello:

On Tuesday, July 1, 2025, representatives with the Division of Water Resources conducted a final construction and start up inspection of the Laurel Creek wastewater treatment plant and land application site. The Division would like to thank site personnel for their courtesy, willingness to work with the Division, and timely responses to Division requests.

The treatment and disposal system consists of a .005 MGD Orenco Advantex AX-100 (1-pod) treatment facility with UV disinfection and land application across one acre (two drip zones).

Inspection of these facilities and this summary shall not be construed as creating a presumption of correct operation or as warranting by the commissioner that the approved facilities will reach the designed goals.

The following observations should not impede commissioning of the facility; however, they should be addressed as soon as possible:

1. It was noted that the wastewater plant was rotated approximately 90 degrees from the site plan on file.

As-builts documenting the change should be sent to DWR.Engineering@tn.gov. Further questions regarding permitting can be directed to Brad Harris, PE at brad.harris@tn.gov, for engineering, contact Tim Hill, PE at timothy.hill@tn.gov.

Sincerely,

A handwritten signature in cursive script that reads "Angela Jones".

Angela Jones, P.E.
Manager, Engineering Services Unit

cc: Dr. Doug Hodge, DSH& Associates, hodge.dsh@gmail.com
Ms. Shari Winburn, Field Office Manager, TDEC Division of Water Resources, shari.winburn@tn.gov

CA MFR Review Exhibit 3 -Complaints & Enforcement

July 29, 2025

TDEC - Division of Water Resources
Nashville Field Office
711 R.S. Gass Blvd
Nashville, Tennessee 37216

**RE: Limestone Water UOC – Grassland STP
Permit No. – TN0027278
Franklin, Williamson County, TN**

To the Tennessee Division of Water Resources,

This letter is submitted in response to the Sanitary Sewer Overflow (SSO) violation reported by the Division of Water Resources on Thursday, July 24, 2025, and will outline the corrective actions taken by Limestone along with the additional measures required to remediate this incident.

A representative of the Division conducted a site investigation on July 24, 2025, in response to complaints filed on July 10, 2025, regarding odors being emitted from the treatment facility and the surrounding area. It was discovered that a collection system overflow was active and flowing down to Cartwright Creek. Several trails with public access were observed to be affected due to the overflow. The Division notified Clearwater Solutions, Limestone's contract operator for the affected area, at approximately 6:15 pm local time on July 24, 2025.

Once notified by the Division, the Clearwater Solutions team responded immediately. In fact, when Limestone contacted Clearwater Solutions its technicians were already enroute to the site in response to a call received from one of Limestone's customers. Once onsite, Clearwater Solutions discovered a line blockage caused by grease deposits and an accumulation of disposable wipes. The line was cleared on July 25, 2025, to ensure proper flow was returned to the system.

Due to the contaminated area being available for public access, the Division advised that the area be corded off with caution tape and that informative warning signage be placed to ensure public safety. Limestone's team complied with the Division's request on the morning of July 25, 2025, as can be seen in the attachments below. The Division representative also required an *E. coli* analysis to be conducted within the impacted area of the receiving stream (along with an upstream control) once per day until normal conditions are restored. Daily testing of the site is continuing.

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After the line was returned to operational on July 25, 2025, remediation began. Those efforts are documented as follows,

- Commencing on July 25, 2025, operations crews used pumps and hoses to agitate waterways and extracted the debris and concentrated spillage. Debris has been placed into containment bins and disposed of as a Class I solid waste as per **TN Rule 0400-11-01-.04(2)**. Those activities are ongoing.
- Commencing on July 25, 2025, all contaminated areas in the woods, where overflow reached the creek, have been shoveled, treated with lime, and covered with straw to prevent the lime from dispersing. Crews will remove any straw visible from the walking trails by August 8. However, straw at the primary overflow site will remain in place through at least August 15 to help with lime stabilization and bacterial neutralization. This area will be cleaned and restored afterward, with a berm installed around the manhole.

After an inspection by Limestone, it has been determined that the efforts made have restored the area to a safe and aesthetic condition. This inspection revealed that there are no longer any detectable odors or visible signs of discharge present.

We value our customers and the communities we serve. We appreciate them reaching out to TDEC, and we appreciate TDEC promptly alerting us. Our aim is to proactively prevent such occurrences, even at aging facilities, and to respond quickly to resolve any issues when they do occur. Further, we look forward to the approval of the pending facilities' proposed replacement so that we may proceed expeditiously with the necessary capital improvements.

We appreciate your understanding of this matter. Limestone Water UOC remains committed to resolving these compliance matters responsibly and promptly. Please do not hesitate to contact me via email at JJOHNSON@CSWRGROUP.COM should you require additional documentation or clarification.

Sincerely,



Joe Johnson

CSWR – EHS Compliance Coordinator

CA MFR Review Exhibit 3 -Complaints & Enforcement



CA MFR Review Exhibit 3 -Complaints & Enforcement

From: [Daniel Pleasant](#)
To: [Lynn Starrett](#); [env.comp@cswwgroup.com](#)
Cc: [Kenneth Rollins](#); [Michael P. Murphy](#); [Tim Jennette](#); [Joshua Walter](#)
Subject: Re: Sanitary Sewer Overflow Investigation 7-25-2025 TN0027278 - Grasslands STP
Date: Friday, July 25, 2025 12:12:00 PM
Attachments: [image001.png](#)
[IMG_5804.JPG](#)
[IMG_5780.JPG](#)
[IMG_5838.JPG](#)
Importance: High

Good afternoon Ms. Starrett & Ms. Brown,

On July 24th, 2025, I conducted a site investigation regarding complaints filed with the Division of Water Resources (Division) earlier this month regarding odors surrounding the facility and nearby Cartwright Creek, located approximately 1/8th of a mile north of the treatment facility. Attached are photos documenting a sanitary sewer overflow I observed entering Cartwright Creek, of which I documented the entire wet-weather conveyance from Cartwright Creek to an active sewer overflow being a submerged manhole (3rd photo). Cartwright Creek and several trails with public access and activity have been impacted by this overflow. I informed Mr. Rollins of my findings at approximately 6:15 pm local time yesterday. I advised that caution tape and signage informing the public of the health hazards should be posted immediately at all approaches, which includes the Creek since it is used for public recreation. These informational barriers must be in place until normal conditions in the area return to normal levels.

The facility must begin sampling for *E. coli*, at a minimum, once per day within the impacted areas of Cartwright Creek until conditions return to normal. *E. coli* sample(s) should also be taken at a defensible location, upstream from the impacted areas within Cartwright Creek, to provide a control sample, which will determine normal conditions. Please contact me at your earliest convenience to acknowledge these instructions. I am requesting a read receipt for this notification.

My Regards,



Daniel Pleasant | Environmental Scientist
Division of Water Resources
Nashville Field Office
711 R.S. Gass Blvd

CA MFR Review Exhibit 3 -Complaints & Enforcement

Nashville TN 37216

Phone 615-970-1222

Daniel.Pleasant@tn.gov

Tell us how we're doing! Please take a few minutes to complete the TDEC Customer Service Survey

<https://www.tn.gov/environment/about-tdec/contact-tdec-customer-service-form.html>

Electronic 40 Code of Federal Regulations Part 136 Table I & II: This document outlines the approved methods for wastewater analysis and proper sample holding times.

Fleming Training Center: This site is an excellent resource for documents and information on how to sign up for operator training.

TN Public Data Viewer: View public data on different permit types.

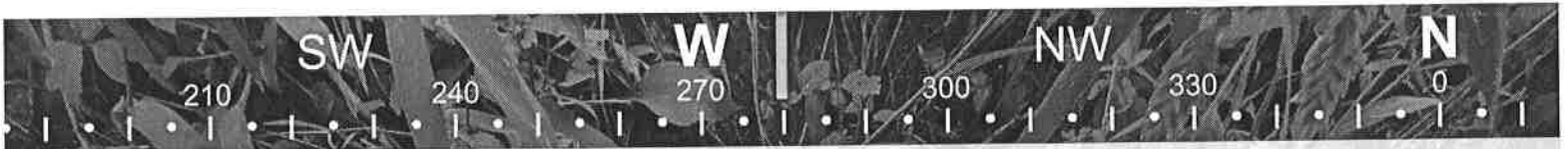


☉ 280°W (T) LAT: 36.012726 LON: -86.894903 ±13ft ▲ 581ft



Daniel Pleasant | TDEC DWR

Thursday Jul 24, 2025
16:26:28 CDT



☉ 280°W (T) LAT: 36.012726 LON: -86.894903 ±13ft ▲ 581ft



Daniel Pleasant | TDEC DWR

Thursday Jul 24, 2025
16:26:28 CDT



☉ 172°S (T) LAT: 36.012034 LON: -86.895053 ±13ft ▲ 585ft



Daniel Pleasant / TDEC DWR

Thursday, Jul 24, 2025
7:07:32 CDT