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## Stormwater Enforcement: Tennessee Department of Environment and Conservation Director's Order/Assessment Addressing Adamsville, Tennessee Special Products Saw Mill

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The Tennessee Department of Environment and Conservation ("TDEC") issued an August 21st Director's Order and Assessment ("Order") to Gambrell Hickory Mill, LLC ("GHM").

The Order addresses a special products saw mill ("Mill") in Adamsville, Tennessee.

The Mill is stated to have been without coverage under the Tennessee Multi-Sector General Permit ("TMSP") associated with industrial activity.

TMSP coverage is required for the discharge of stormwater runoff associated with industrial activity.

Personnel from the Division of Water Resources ("Division") of TDEC are stated to have conducted an initial inspection of the Mill on November 3, 2015. They are stated to have determined that the Mill committed a violation by operating without TMSP coverage. A Notice of Violation was stated to have been issued to GHM requiring that an application of TMSP coverage be submitted along with annual testing on or before January 22, 2016.

Division personnel are stated to have conducted another inspection on February 26, 2019, in response to an allegation that pollutants were being discharged into Gattis Creek from the Mill. They are stated to have observed black discharge originating from a sawdust and ash pile on the west side of the Mill. GHM was required to submit to the Division a Corrective Action Plan to eliminate the unpermitted discharge. Further, the Mill was informed that coverage under the TMSP was required.

A subsequent Notice of Violation was issued.

Division personnel are stated to have conducted an additional site inspection on April 16, 2019, and determined the ash and sawdust pile had been removed. However, Division personnel are stated to have photographed and documented runoff flowing down-gradient from the Mill in a wet weather conveyance and entering Gattis Creek. Further, best management practices were stated to have not been implemented to eliminate or mitigate runoff from the Mill.

The Order states the Division has incurred \$621.64 in damages. The Division is stated to have determined that the economic benefit to GHM gained by failing to obtain TMSP coverage and conduct required sampling is \$2,260.

The Order alleges violations of the Tennessee Water Quality Control Act which includes discharging wastewater without permit coverage and causing a condition of pollution.

The Order requires that on or before the 31st day after receipt of the document that the Mill submit a Notice of Intent permit application fee and a complete, site-specific Stormwater Pollution Prevention Plan. Further, it specifies certain required monitoring within 60 days from receipt of the Order.

A civil penalty of \$10,940 is assessed.

GHM has certain appeal rights pursuant to Tennessee law.

A copy of the Order can be downloaded [here](#).