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## Wastewater Enforcement: Tennessee Department of Environment and Conservation and Knox County Travel Center/Service Station Enter into Consent Order

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The Tennessee Department of Environment and Conservation (“TDEC”) and TA Operating, LLC (“HPTTA”) entered into a December 2nd Consent Order and Assessment (“Consent Order”) addressing an alleged violation of a Clean Water Act National Pollution Discharge Elimination System (“NPDES”) permit. See Case No. WPC 19-130.

The Consent Order provides that TA owns a travel center (“Center”) and service station in Knox County, Tennessee.

TA is stated to have acquired the Center on or around January 29, 2019. The Center is stated to have been issued an NPDES permit on July 12, 2018, to HPT Properties Trust. The NPDES permit is stated to authorize the discharge of fuel island washdown from Outfall 001 and stormwater runoff from Outfall SW1 to a waterbody denominated Turkey Creek.

The permittee is stated to have appeared on the United States Environmental Protection Agency Quarterly Non-Compliance Report for multiple quarters during the monitoring periods beginning January 1, 2019, and ending June 30, 2020 for alleged:

- Effluent limitation exceedances
- Failing to conduct monitoring
- Failing to comply and/or timely comply with the narrative conditions in the permit

HPT TA is stated to have self-reported effluent limitation exceedances that are specified in a table in Paragraph IX of the Consent Order. It is also alleged that TA failed to conduct monitoring and submit and/or timely submit notice of completion of good management practices required by the NPDES permit.

TA is stated to have provided notification that it intends to transfer the NPDES permit from HPT TA Properties Trust to TA.

The Consent Order assesses a civil penalty. Further, it is required that TA submit a corrective action plan/engineering report no later than 90 days after entry into the Consent Order specifying what steps will be taken to eliminate the alleged violations. A timeline and written final report are required, including

maintenance of substantial compliance with the NPDES permit for a period of two years after completion of the previously referenced corrective action plan and engineering report.

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