

Safe Drinking Water Act Enforcement: Tennessee Department of Environment and Conservation Proposed Order Addressing Savannah Public Water System



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The Tennessee Department of Environment and Conservation (“TDEC”) issued a proposed September 20th Director’s Order and Assessment (“Order”) addressing Tennessee River Investors (“TRI”) alleging violation of the Tennessee Safe Drinking Water Act (“SDWA”) regulations. See Case No. DWS24-0068.

TRI is stated to own, operate, and/or control Paradise Point (“PP”).

PP is described as a transient non-community public water system (“System”) in Savannah, Tennessee.

The System is stated to serve 120 connections and an estimated population of 298 persons.

The System is stated to obtain its water from one well, with a second well currently inoperable. It required testing to determine whether the wells were under the direct influence of surface water or true groundwater before they are placed into service. This is stated to not have been performed, nor have the testing for source water approval been undertaken.

TDEC Division of Water (“Division”) personnel are stated to have performed a site visit on January 17, 2023. On April 11, 2023, the Division is stated to have sent the System a certified letter reaffirming the need to comply with regulations and requirements to apply for a site/source approval. The System was also stated to have been instructed that disinfection would be required and reminded of the requirement to hire a certified operator.

The System’s receptionist is stated to have been provided an email with a copy of the certified letter concerning the sample/testing requirements and required submittal of as-built plans for the wells and distribution system. An additional letter is stated to have been sent regarding site approval on June 9th.

The Division’s Engineering Services Unit are stated to have received a submission. However, it was stated to have been inadequate with only tap locations in the submittal, when there should have been specifications, details, calculations, well pump information, and water treatment. As a result, a correction request was sent to the System.

Division personnel recommended that the System engage the services of an engineer.

A property owner at PP is stated to have called Division personnel on or about June 27th, 2023, indicating that the System's water showed an iron concentration of 18.1 mg/L. The SDWA Maximum Contaminant Level for iron is 0.3 mg/L.

The System sampled the well water on August 7, 2023, and the test results are stated to have been total coliform positive. PP issued a boil water notice to its customers on August 10, 2023.

The Division sent the System a certified letter on August 15, 2023, requesting a compliance review meeting which PP attended. A Notice of Violation was provided to PP with requirements for taking samples within 15 days of receipt. Also required were submittal of as-built plans for the wells and distribution system layout.

Division personnel are stated to have performed testing for the secondary drinking water standards on February 22nd and results are stated to have indicated that water from well #1 violated the mcl for iron, manganese, color, and odor.

The Division is stated to have incurred \$2,093.54 in damages while investigation the alleged violations.

The proposed Order requires that PP pay the referenced damages to the Division and a civil penalty of \$12,800.00. However, \$10,400.00 of the civil penalty will not be assessed if the System complies with the corrective action items specified in the Order.

The corrective actions include submission of plans for initial disinfection, obtaining the services of a professional engineer, submission of required as-built plans and preliminary engineering report, performance of chemical monitoring, undertaking GWUDI testing, and acquiring a certified operator. Time periods are imposed on the various tasks.

The Order provides certain appeal rights.

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