



**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
MEMPHIS ENVIRONMENTAL FIELD OFFICE**

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August 16, 2013

CERTIFIED MAIL NO. 91 7108 2133 3932 2021 2876

Mr. Norman Brown
E-Plex
10636 Shelton Road
Collierville, Tennessee 38017

RE: NOTICE OF DEFICIENCY
Proposed Sanders Creek Sedimentation Remediation Plan
Collierville, Shelby County, Tennessee

Dear Mr. Milem:

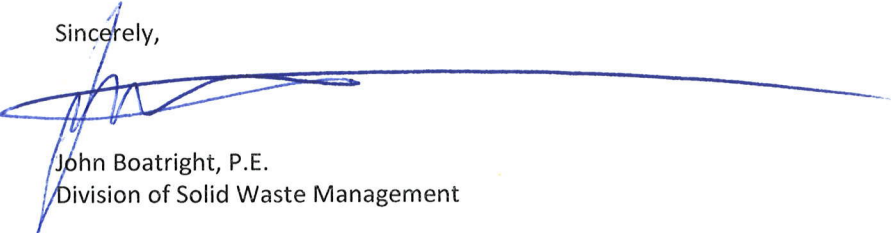
In accordance with the Regulations Governing Solid Waste Processing and Disposal in Tennessee, Rule Chapter 0400-11-01, the proposed Sanders Creek Sedimentation Remediation plan has been reviewed for compliance with the Regulations. Based on this review, the proposed remediation plan contains deficiencies and is not approved. No remediation work will be performed until a remediation plan is approved.

The items which are deficient in the proposed remediation plan are detailed in the attached comments for your review and action. A revised remediation plan or revised pages to the original submittal will be submitted to the Division of Solid Waste Management within 30 days of receipt of this letter.

Failure to submit a remediation plan may result in enforcement action by the Department. Enforcement action can consist of a civil order of correction and fines of up to \$5000 per violation, each day being a separate violation.

If you have any questions concerning this letter, please do not hesitate to contact me at 901/371-3011 or Lew Hoffman with the Division of Water Resources at 901/371-3019.

Sincerely,



John Boatright, P.E.
Division of Solid Waste Management

JWB/7908162013/admdw

cc: DSWM Nashville
DSWM, MFO File
DWR, MFO File
Mr. David Milem, P.E.

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1. The boundaries of the proposed cleanout area are not clearly defined. While the beginning of the project is clearly described as the end of the outlet pipe, neither the extent of the left and right banks of the channel to be remediated nor the downstream end of the area to be remediated are defined. Normally some effort to define the contaminated area would be made while developing a site remediation plan or be described in the remediation plan.
2. While the proposed remediation plan describes the dark contaminated sediment as the material to be removed, no criteria for determining when all of the contaminated media has been removed is given.
3. Run-on from the abandoned channel of Sanders Creek above the contaminated area is not addressed. Additionally, run-on to the project area from the drainage system for the Eplex Landfill is not addressed. The method for diverting or preventing run-on water from entering the project area should be described.
4. Information as to how the contaminated media will be removed from site and where the media will be disposed of is not included in the plan.
5. Information as to how the channel will be restored after the contaminated media is removed is not included in the plan.
6. The plan does not adequately address erosion prevention and sediment control measures to be utilized for areas disturbed within the channel or equipment staging and access areas. Specifically, the proposed locations for erosion prevention and sediment control measures are not shown on the plans.