



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
JACKSON ENVIRONMENTAL FIELD OFFICE
DIVISION OF WATER RESOURCES
1625 HOLLYWOOD DRIVE
JACKSON, TN 38305
PHONE 731-512-1300 STATEWIDE 1-888-891-8332 FAX 731-661-6283

Certified Mail # 7019 0700 0000 4158 7713

May 2, 2023

Mr. OB Garland
High Performance Properties, LLC
3950 Highway 41A South
Clarksville, TN 37043

Re: **Notice of Violation/Corrective Action**
High Performance Properties, LLC
Cleared Development Site – Hwy 79
Ctrl Map 064 – Parcel 004.03
Henry County

Dear Mr. Garland:

On April 25, 2023, Mr. Trent Riley conducted a complaint investigation of the above referenced development site. He noted that sediment has been lost to the NW corner of the site and the SE roadside culvert due to inadequate or a lack of erosion and sediment controls put in place to control stormwater runoff. In addition, Mr. Riley determined that more than one acre has been disturbed without permit coverage having been obtained under the TN Construction General Permit (TNCGP). The Federal Register (as stated at 40 CFR 122.26(b)(14)) requires all construction sites one acre or larger or those that are part of a larger plan of development, which includes clearing, grading, and excavation, to obtain permit coverage for storm water discharges. Also, please be aware that failure to obtain the necessary permit coverage is a violation of the TN Water Quality Control Act of 1977.

As a result of these, violations corrective actions are required to bring the site into compliance.

- Submit to this office **by May 30, 2023** a complete Notice of Intent, site specific Storm Water Pollution Prevention Plan (SWPPP) and proper fee to obtain coverage under the TN Construction General Permit (TNCGP). Information about the TNCGP and its requirements can be found at: <https://www.tn.gov/content/tn/environment/permit-permits/water-permits/npdes-permits/npdes-stormwater-permitting-program/npdes-stormwater-construction-permit.html>.
- Adequate Erosion Prevention and Sediment Control (EPSCs) measures must be installed immediately at this site to prevent sediment loss. Submit **by May 30, 2023** documentation, including photographs, of the erosions control measures that have been installed.

Mr. OB Garland
Notice of Violation
April 28, 2023
Page 2

This letter is a Notice of Violation, and in keeping with this Division's enforcement procedures will, by copy, notify our Enforcement and Compliance Section of the violations.

If you have any questions concerning the violations, permit requirements, or required actions please contact Mr. Riley at 731-458-7932 or by e-mail at Trenton.Riley@tn.gov.

Sincerely,

A handwritten signature in blue ink that reads "Conner Franklin". The signature is written in a cursive style with a small dot above the 'i' in Franklin.

Conner Franklin
Manager - Division of Water Resources
Jackson Environmental Field Office

cc: Shanda Hunt-TDEC/DOR, Shanda.Hunt@tn.gov
DWR
JEFO