



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES

William R. Snodgrass - Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243-1102

August 7, 2023

Certified Letter
7020 3160 0001 2284 6550

Charles LaMotte
American Water Professionals
349 Terry Point Road,
Dandridge, TN 37725

Re: **NOTICE OF VIOLATION (Case #127701)**
Unlicensed Installation/Maintenance/Repair of Water Well Treatment Systems

To Mr. Charles LaMotte:

The Tennessee Department of Environment and Conservation, Division of Water Resources (Division) issued you a Notice of Violation (NOV) on March 9, 2022, for unlicensed installation/maintenance/repair of water well pump/pumping system and unlicensed installation/maintenance/repair of water well treatment systems ([Enclosure 1](#)). According to the USPS, you received this NOV on March 16, 2022.

Furthermore, this matter was discussed during a phone call on April 21, 2022, during which you had questions about the application process. You informed Division staff that you would email your questions and you planned to apply for a water well treatment license. The email and license application were never received.

The Division received notice in March 2023, that you were still involved in the occupation of installing and/or maintaining water well treatment systems in the State of Tennessee.

The Division issued you an advisement letter on April 11, 2023, for unlicensed installation, maintenance, and repair of water well pumps/pumping systems and unlicensed installation, maintenance, and repair of water well treatment systems ([Enclosure 2](#)). According to the United States Postal Service, the letter was never accepted and was returned to the Division.

The Division again received notice that you were still involved in the occupation of installing and/or maintaining water well treatment systems in the State of Tennessee. Therefore, you were issued a 3rd Notice on May 11, 2023, to cease all unlicensed water treatment installation ([Enclosure 3](#)).

On May 30, 2023, the Division received your application for a Water Well Treatments System Installer's license. While reviewing your application to obtain a Tennessee Water Treatment installation license, it was noted that you continued to install treatment systems on water wells without a Tennessee license after

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receiving and responding to the March 9, 2022 NOV in which you were directed to cease all unlicensed treatment installations (See Below).

2/09/2023 – 209 Beech Branch Road, Gatlinburg, TN (Banner Baptist Church): WT installation
2/13/2023 – 1804 Wears Valley Rd, Pigeon Forge, TN (Wears Ridge Cabins): WT installation
2/20/2023 – 1912 Sante Fe, Dandridge, TN (Conley Residence): WT installation
3/6/2023 – 3504 Mountain Glenn Way, Sevierville, TN (Foran Residence): WT installation
3/9/2023 – 2759 Overholt Trail, Sevierville, TN (Williams Residence): WT installation
3/21/2023 – 1217 N. Spring Hollow Ct., Sevierville, TN (Huan Residence): WT installation
3/21/2023 – 1507 Oldhams Spring Way, Sevierville, TN (Stenbakken Residence): WT installation
5/3/2023 – 4346 Henrytown Rd, Sevierville, TN (Ogle Residence): WT installation

Furthermore, since you are still not a licensed individual for installing, maintaining, or repairing water well pumps or water treatment systems within the State of Tennessee, you must **immediately cease** installing and performing maintenance on water well pump systems and water well treatment systems until you obtain the proper license(s).

You continue to be in violation of the following regulation:

T.C.A 69-10-102 WELL DRILLER and INSTALLER LICENSE REQUIRED

(d) It is unlawful, except if it is done by a licensed individual:

*(1) To engage in the business of installing, removing or repairing geothermal wells or **water well pumps** or drop lines in geothermal wells or water wells; or*

*(2) To engage in the business of **repairing, servicing or installing filters and water treatment devices** on geothermal wells or water wells.*

Rule 0400-45-09-.01 DEFINITIONS

“Installation of pumps” means the procedure employed in the placement and preparation for operation of pumps and pumping equipment in water wells, including all construction involved in making entrances to the well and establishing seals.

*“Repair” means work involved in deepening, reaming, sealing, installing, or changing casing depths, perforating, screening, or cleaning, acidizing, or redevelopment of a well excavation, or any other work which results in **breaking or opening a well seal**.*

“Water Treatment Equipment” means any equipment, devices or filters utilized in altering the characteristics or quality of ground water for its intended use

“Well seal” means an approved arrangement or device used to cap a well or to establish and maintain a junction between the casing of a well and the piping or equipment installed therein, the purpose or function of which is to prevent pollutants from entering the well at the upper terminal.

Please be advised that every person who intends to engage in the business of installing or repairing water well pumps for use in withdrawing or obtaining groundwater or engage in the business of installing water treatment devices on or in water wells within the State of Tennessee must annually obtain an Installer's License from the Division.

T.C.A. 69-10-110 Violations – Enforcement – Penalties

(d) Any person who violates or fails to comply with provisions of this chapter, any order of the commissioner issued pursuant to this chapter, or any rule, regulation, or standard adopted pursuant to this chapter shall be subject to a civil penalty of not less than fifty dollars (\$50.00) nor more than five thousand dollars (\$5,000.00) per day for each day of violation. Each day such violation continues is a separate violation. In addition, such person shall also be liable for any damages to the state resulting from the violation, without regard to whether any civil penalty is assessed.

Due to your continued violation of the Water Well Licensing Regulations and Well Construction Standards and T.C.A. 69-10-101 et seq., your case has been forwarded to the Division's Compliance & Enforcement Unit.

At this point, your application is considered complete; however, please review the conditions set forth in the Director's Order (Case No. DWS23-0066, mailed from the Compliance and Enforcement Division under separate cover) due to your continued non-compliance. If you have not received this notice from the Division of Compliance and Enforcement, please notify this office.

If you have any questions regarding this correspondence, please contact me at (615) 532-0159 or Anna.R.Sartors@tn.gov.

Sincerely,



Anna R. Sartors, Manager
Drinking Water Unit

cc: Jessica Murphy, Compliance and Enforcement Unit, Water Resources NCO
Knoxville EFO – Chris Maner

enclosures:

LaMotte NOV letter – Unlicensed Installation, March 9, 2022
LaMotte PBA Letter - Unlicensed Installation, April 11, 2023
LaMotte NOV letter – Unlicensed Installation, May 11, 2023