



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

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

November 21, 2023

Mr. Kevin O'Toole  
2690 Memorial Boulevard, Suite D  
Murfreesboro, TN 37129

SENT VIA ELECTRONIC MAIL TO: [Kevin.OToole@oneatlas.com](mailto:Kevin.OToole@oneatlas.com)

Subject: NOTICE OF VIOLATION  
ATC GROUP SERVICES, LLC (BARNETT'S GROCERY)  
NPDES PERMIT TNG830265  
MCNAIRY COUNTY, TENNESSEE

Dear Mr. O'Toole,

The Tennessee Division of Water Resources (The Division) has conducted a routine Compliance Status Review of the Discharge Monitoring Reports (DMRs) for ATC Group Services, LLC NPDES permit TNG830265. It has been noted that the facility failed to conduct effluent analyses at Outfall 001 for the quarterly monitoring period of July 01, 2023 - September 30, 2023, as detailed in the attached Violations Report.

The Division of Water Resources requests a written explanation for the violations summarized above within 30 days of receipt of this Notice. The explanation should include the precise cause of the violations and the corrective action taken to avoid future violations. Documentation should be sent to the address listed above or you may email a copy to [DWRWater.Compliance@tn.gov](mailto:DWRWater.Compliance@tn.gov). If you believe the violations listed in the attached table have been identified incorrectly, please provide documentation to our office within fifteen (15) days of receiving this correspondence. Please be aware that failure to comply with your NPDES permit may subject you to enforcement action. Pursuant to T.C.A. §69-3-115, civil penalties may be assessed for each day a violation occurs or continues.

The Division appreciates your efforts to maintain water quality. If you have any comments or questions, please contact Brandi Bomar at (615) 970-2249.

Sincerely,

\*\* (Nov 16, 2023 12:50 CST)

Sarah Elias, NPDES Compliance Manager  
Compliance and Enforcement Unit

Cc: Ms. Johen Bowling, Jackson Environmental Field Office, [Johen.Bowling@tn.gov](mailto:Johen.Bowling@tn.gov)  
Mr. Conner Franklin, Manager Jackson Environmental Field Office, [Conner.Franklin@tn.gov](mailto:Conner.Franklin@tn.gov)  
Mr. Vojin Janjic, Nashville Central Office, [Vojin.Janjic@tn.gov](mailto:Vojin.Janjic@tn.gov)

Ms. Sarah Elias, Nashville Central Office, [Sarah.Elias@tn.gov](mailto:Sarah.Elias@tn.gov)  
 Ms. Brandi Bomar, Nashville Central Office, [Brandi.Bomar@tn.gov](mailto:Brandi.Bomar@tn.gov)  
 Ms. Geina Skinner, Nashville Central Office, [Geina.Skinner@tn.gov](mailto:Geina.Skinner@tn.gov)

### DMR Non-Receipt Violations

Monitoring Period End Date	DMR Due Date	Limit Set	Parameter- ML- Season ID Parameter	DMR Value	Reported NODI Code
09/30/2023	10/15/2023	001-G	00530-1-0 Solids, total suspended	C3 Daily Max	E-Failed to Sample/ Analysis Not Conducted
09/30/2023	10/15/2023	001-G	01114-1-0 Lead, total recoverable	C3 Daily Max	E-Failed to Sample/ Analysis Not Conducted
09/30/2023	10/15/2023	001-G	34010-1-0 Toluene	C3 Daily Max	E-Failed to Sample/ Analysis Not Conducted
09/30/2023	10/15/2023	001-G	34030-1-0 Benzene	C3 Daily Max	E-Failed to Sample/ Analysis Not Conducted
09/30/2023	10/15/2023	001-G	34371-1-0 Ethylbenzene	C3 Daily Max	E-Failed to Sample/ Analysis Not Conducted
09/30/2023	10/15/2023	001-G	45613-1-0 Floating solids, waste or visible foam-visual	C3 Daily Max	E-Failed to Sample/ Analysis Not Conducted
09/30/2023	10/15/2023	001-G	50050-1-0 Flow, in conduit or thru treatment plan	C3 Daily Max	E-Failed to Sample/ Analysis Not Conducted
09/30/2023	10/15/2023	001-G	81551-1-0 Xylene [mix of m+o+p]	C3 Daily Max	E-Failed to Sample/ Analysis Not Conducted