



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 11, 2023

Mr. Joshua Adair, Owner / Operator
Adair Funeral & Cremation Service
e-copy: adairservices.24@gmail.com
786 Columbia Highway
Hohenwald, TN 38462

Re: State Operating Permit No. SOP-18018
Adair Services, LLC and Joshua Clark Adair
Adair Funeral & Cremation Service
Hohenwald, Lewis County, Tennessee

Dear Mr. Adair:

In accordance with the provisions of the Tennessee Water Quality Control Act, Tennessee Code Annotated (T.C.A.), Sections 69-3-101 through 69-3-120, the Division of Water Resources hereby issues the enclosed State Operating Permit. The continuance and/or reissuance of this Permit is contingent upon your meeting the conditions and requirements as stated therein.

Please be advised that a petition for permit appeal may be filed, pursuant to T.C.A. Section 69-3-105, subsection (i), by the permit applicant or by any aggrieved person who participated in the public comment period or gave testimony at a formal public hearing whose appeal is based upon any of the issues that were provided to the commissioner in writing during the public comment period or in testimony at a formal public hearing on the permit application.

Additionally, for those permits for which the department gives public notice of a draft permit, any permit applicant or aggrieved person may base a permit appeal on any material change to conditions in the final permit from those in the draft, unless the material change has been subject to additional opportunity for public comment.

Any petition for permit appeal under this subsection (i) shall be filed with the technical secretary of the Water Resources Board within thirty (30) days after public notice of the commissioner's

decision to issue or deny the permit. A copy of the filing should also be sent to TDEC's Office of General Counsel.

TDEC has activated a new email address to accept appeals electronically. If you wish to file an appeal, you may do so by emailing the appeal and any attachments to TDEC.Appeals@tn.gov. If you file an appeal electronically, you do not have to send a paper copy. If you have questions about your electronic filing, you can call 615-532-0131. Electronic filing is encouraged, but not required.

If you have questions, please contact the Columbia Environmental Field Office at 1-888-891-TDEC; or, at this office, please contact Ms. Priyaa Dhasarathy at (615) 913-0076 or by E-mail at Priyaa.Dhasarathy@tn.gov.

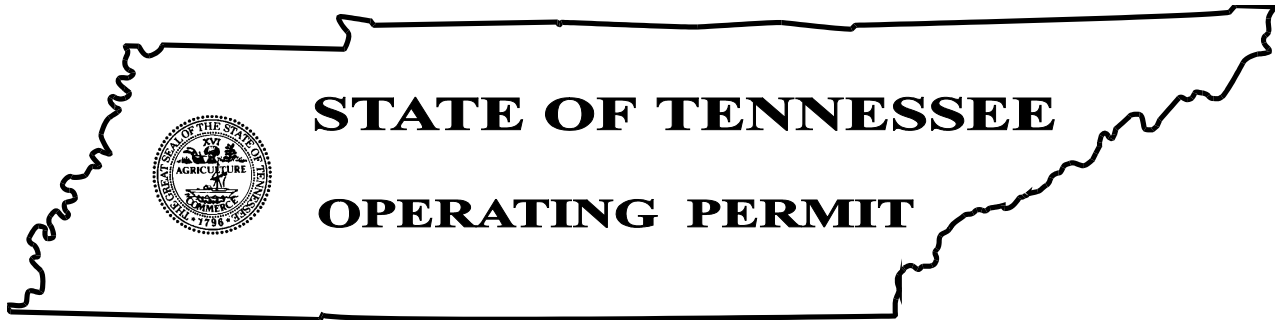
Sincerely,



Vojin Janjić
Manager, Water-based Systems

Enclosure

cc/ec: Water-based Systems File
Columbia Environmental Field Office
Honorable Danny McKnight, Mayor, City of Hohenwald, dmcknight@hohenwald.com
Mr. Jeff Dye, Chief WWTP Operator, City of Hohenwald, jdye@hohenwald.com



No. SOP-18018

Issued By
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

In accordance with the provisions of Tennessee Code Annotated Section 69-3-108 and regulations promulgated pursuant thereto, permission is hereby granted to:

**Adair Services, LLC
dba Adair Funeral & Cremation Services**

for the operation of: **a collection and temporary storage system for process wastewater (embalming fluids) for pickup, transport, and disposal by authorized treatment facilities**

from facility located at: **1537 Linden Highway, Hohenwald, Lewis County, Tennessee**

adjacent to waters named: **N/A.**

This permit shall become effective on: November 1, 2023

This permit shall expire on: October 31, 2028

Issuance date: August 11, 2023

for Jennifer Dodd
Director
RDA 2366

Adair Services, LLC and Joshua Clark Adair in Hohenwald, Lewis County, Tennessee is hereby authorized to operate temporary storage system for process wastewater (embalming fluids), located at 1537 Linden Highway, latitude 35.550372 and longitude -87.622735. This authorization is in accordance with the application filed on June 21, 2023. This authorization is consistent with approved plans (WPN 18.0787), specifications and other data submitted to the department in support of the above application, all of which are filed with and considered as a part of this permit, together with the following named conditions and requirements.

This permit allows the operation of a collection and temporary storage system for process wastewater (embalming fluids) for pickup, transport, and disposal by authorized treatment facilities. The operation should be such that there is no discharge of wastewater to any surface or subsurface stream, watercourse, or drainage ditch because of an overflow, spills, and/or because of the occurrence of any other condition, that singly or in combination with any of the aforementioned conditions, causes such discharge to any surface or subsurface stream, watercourse, or drainage ditch. In addition, said system must be operated in a manner preventing the creation of a public health hazard.

PART I

PERMIT CONDITIONS AND REQUIREMENTS

This pump and haul collection system shall be exclusively used for management of wastewater directly related to embalming and cremation. This permit neither authorizes, nor implies authorization of any collection and storage of toilet or lavatory wastes now or in the future.

This permit does not authorize any alteration of the existing subsurface disposal system located on property identified as Map 037 and Parcel 038.01 or any subdivided portion of the parcel.

The system must be operated and maintained in a fashion, which will ensure that the system does not cause any violations of the conditions or requirements of this permit.

The discharge of wastewater in any way to waters of the state from any portion of the facility constitutes a violation of this permit.

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Division of Water Resources. All records and information required by this permit must be kept at the facility for review by the Division of Water Resources.

Sludge or any other material removed by the wastewater treatment system must be disposed of in a manner, which prevents its entrance into or pollution of any surface or subsurface waters. Additionally, the disposal of such sludge or other material must be in compliance with the Tennessee Solid Waste Disposal Act, TCA 68-31-101 et seq. and the Tennessee Hazardous Waste Management Act, TCA 68-46-101 et seq. The permittee must keep records of the Publicly Owned Treatment Works or treatment facility that receives the wastewater discharge.

All records and monitoring required by this permit must be kept by Adair Services, LLC and Joshua Clark Adair for review by the Division of Water Resources. A copy of these records must be sent to the Water Resources Columbia Environmental Field Office within fifteen days of the request.

This permit is subject, at any time, to review by the Tennessee Department of Environment and Conservation, Division of Water Resources.

The permittee must keep a log of the following:

- i. date of pump and haul
- ii. facility name where wastewater is disposed/hailed
- iii. facility address where wastewater is disposed/hailed
- iv. amount of wastewater hauled
- v. amount of sludge generated
- vi. how sludge is disposed
- vii. any operational problems encountered during pump and haul must be noted in the log.

Notwithstanding this permit, permittee shall remain liable for any damages sustained by the State of Tennessee, including but not limited to fish kills and losses of aquatic life and/or wildlife, as a result of the discharge or spill of wastewater to any surface or subsurface waters. Additionally, it shall be the responsibility of the permittee to conduct its wastewater treatment and/or disposal activities in a manner such that public or private health hazards or nuisances will not be created.

When pump and haul system is used the following conditions shall be followed:

- i. The wastewater must be disposed of at a facility, which has been approved by the Columbia Environmental Field Office. The transport and ultimate disposal of the wastewater must be documented by a manifest system on forms approved by the Columbia Environmental Field Office. The permittee shall also record on the manifest forms, the number of loads hauled, the volume of each load, the dates of hauling, and the names of people present. A copy of the manifest must be submitted to the Columbia Environmental Field Office monthly. If there is no wastewater disposed of during any given month, this shall be documented and submitted to the Environmental Field Office as well.
- ii. The permittee must provide for wastewater to be pumped from the collection and retention system on a regular schedule sufficient to ensure that a reasonable margin of safety is provided against the possibility of an overflow.
- iii. Records of when pumping takes place must be kept at the facility for review by the Division of Water Resources. Monthly operation reports will be submitted to the Columbia Environmental Field Office by the 15th day of the month following data collection.
- iv. A representative of the facility shall be always present when waste is being transferred to the haul truck to ensure that waste spills do not occur. The residuals should be treated or remediated in a manner approved by the Columbia Environmental Field Office.
- v. The permittee or his waste hauling contractor must clean up any spillage of wastewater that results from the operation of this pump and haul system.
- vi. It is the responsibility of the permittee to ensure that his pump and haul contractor performs his/her work relative to this system in accordance with this permit and good operating procedures.

Noncompliance with the no discharge provision of this permit due to excessive rainfall, equipment failure, etc., must be reported within 24 hours to the nearest Water Resources Environmental Field Office by telephone. A written submission must be provided within five days to the local Division of Water Resources office address:

**Columbia Environmental Field Office
Division of Water Resources
1421 Hampshire Pike
Columbia, TN 38401**

ADDITION OF WASTE LOADS

The permittee shall not add waste loads from other sources without approval by the Division.

PART II

A. GENERAL PROVISIONS

1. Duty to Reapply

The permittee is not authorized to operate after the expiration date of this permit. In order to receive authorization to operate beyond the expiration date, the permittee shall submit such information and forms as are required to the director no later than 180 days prior to the expiration date.

2. Right of Entry

The permittee shall allow the Director of the Division of Water Resources, or authorized representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises where an effluent source is located or where records are required to be kept under the terms and conditions of this permit, and at reasonable times to copy these records; to review the record/logbooks of the permittee; and
- b. To inspect at reasonable times any collection, transport, treatment, and pollution management equipment; and
- c. To collect samples at reasonable times of any discharge of wastewater pollutants.

3. Availability of Reports

All reports and logbooks submitted in accordance with the terms of this permit shall be available for public inspection at the offices of the Division of Water Resources. All reports and data shall be kept for minimum of three years by the permittee.

4. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems (and related appurtenances) for collection and treatment which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. This provision requires the operation of backup or auxiliary facilities or similar systems, which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

5. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

6. Severability

The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, then the application of such provision to other circumstances and to the remainder of this permit shall not be affected thereby.

7. Other Information

If the permittee becomes aware that he failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the director, then he shall promptly submit such facts or information.

B. CHANGES AFFECTING THE PERMIT

1. Permit Modification, Revocation, or Termination

a. This permit may be modified, revoked and reissued, or terminated for cause as described in Tennessee Code Annotated 69-3-108(f).

b. The permittee shall furnish to the director or his representative, within a reasonable time, any information which may be requested to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit. The permittee shall also furnish to the director, upon request, copies of records required to be kept by this permit.

2. Change of Ownership

This permit may be transferred to another person by the permittee if:

a. The permittee notifies the director in writing of the proposed transfer at least 30 days in advance of the proposed transfer date;

b. The notice includes a written agreement between the existing and the new permittees containing a specified date for transfer of permit responsibility, coverage, and liability between them; and

c. The director, within 30 days, does not notify the current permittee and the new permittee of his intent to modify, revoke and reissue, or terminate the permit and to require that a new application be filed rather than agreeing to the transfer of the permit.

3. Change of Mailing Address

The permittee shall promptly provide to the director written notice of any change of mailing address or contact information. In the absence of such notice the original address and telephone number(s) of the permittee will be assumed to be correct.

C. NONCOMPLIANCE

1. Effect of Noncompliance

Any permit noncompliance constitutes a violation of applicable State and Federal laws and is grounds for enforcement action, permit termination, permit modification, or denial of permit reissuance.

2. Reporting of Noncompliance

a. 24-Hour Reporting

In the case of any noncompliance, which would cause a threat to public drinking supplies, or any other discharge, which could constitute a threat to human health or the environment, the required notice of noncompliance shall be provided to the appropriate Division Field Office within 24 hours from the time the permittee becomes aware of the circumstances. (The Field Office should be contacted for names and phone numbers of emergency response personnel.)

A written submission must be provided within five days of the time the permittee becomes aware of the circumstances unless this requirement is waived by the director on a case-by-case basis. The permittee shall provide the director with the following information:

- i. A description of the discharge and cause of noncompliance;
- ii. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
- iii. The steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

This written notice shall not be considered as excusing or justifying the failure to comply with this permit.

b. Scheduled Reporting

For instances of noncompliance which are not reported under subparagraph 2. a. above, the permittee shall report the noncompliance on an annual basis. The report shall contain all information concerning the steps taken, or planned, to reduce,

eliminate, and prevent recurrence of the violation and the anticipated time the violation is expected to continue.

4. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to the waters of Tennessee resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge. It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

D. LIABILITIES

1. Civil and Criminal Liability

The permittee is subject to civil and criminal liability for violation of this permit. Notwithstanding this permit, the permittee shall remain liable for any damages sustained by the State of Tennessee, including but not limited to fish kills and losses of aquatic life and/or wildlife, as a result of the discharge of wastewater to any surface or subsurface waters. Additionally, notwithstanding this Permit, it shall be the responsibility of the permittee to conduct its wastewater treatment and/or discharge activities in a manner such that public or private nuisances or health hazards will not be created.

2. Liability Under State Law

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law.

RATIONALE

**Adair Services, LLC and Joshua Clark Adair
Adair Funeral & Cremation Service**

**STATE OPERATION PERMIT NO. SOP-18018
Hohenwald, Lewis County, Tennessee**

**Permit Writer: Priyaa Dhasarathy
July 03, 2023**

FACILITY CONTACT INFORMATION:

Mr. Joshua Adair

Owner

Phone 931-628-0434

adairservices.24@gmail.com

Activity Description:

A collection and temporary storage system for waste products created during the embalming process for intermittent pickup, transport, and disposal by others. Waste generation is estimated at 3-20 gallons per embalming with 2-5 embalming cases expected per week. At the time of permit application, the permittee is having process wastewater hauled by 2 C's Septic Cleaning & Portable Toilet Rentals (TDEC License # 677), on an as-need basis. The septage hauler has permission to dispose of wastes at the Hohenwald Publicly Owned Treatment Works (POTW).

Domestic sewage generated at the funeral home is disposed of in an onsite subsurface sewage disposal system (SSDS). That SSDS could not be modified or extended to include the embalming waste when the property was redeveloped from a church to a funeral home in 2018.

Compliance Summary:

Gary Horne with the Columbia Field Office conducted a compliance evaluation inspection (CEI) on September 3, 2020. He found the system in compliance with its permit. At that time, the facility had generated no pumping records. To supplement the permit application, Mr. Adair submitted monthly pumping

reports from September 2022 through May 2023. They show that the tank was pumped last in September 2022, and 1,000 gallons of wastewater had been removed.

- Facility location:** 1537 Linden Highway, Hohenwald
- Name of the nearest stream:** South Fork Cane Creek (TDEC Segment ID #TN06040004031_0500).
- Treatment system:** None. A 1,500-gallon, concrete, holding tank with visual and audible high level alarms and pumping connections.
- Permit period:** This permit will be issued for a five-year period effective from the issuance date on the title page.
- Terms & Conditions:** This permit only authorizes management of waste waters directly related to embalming and cremation.
- Financial Security:** Privately-owned systems must post financial security pursuant to TCA 69-3-122 not to exceed \$75,000.00. The security for this activity is set at zero dollars for the following reasons: 1) The system serves only the commercial need of the proprietor, so system maintenance is accounted for as a business function, 2) The proprietor has capability to temporarily cease business in the event of a system failure which is readily remedied by replacement of system components, and 3) The system does not support any building construction (i.e. establishment with plumbing for domestic sewage).
- Annual Maintenance Fee:** An annual maintenance fee, pursuant to Rule 0400-40-11, is \$350.00 for non-discharging facilities with influent flow less than 0.075 MGD. The fee is due upon receipt of an invoice.