



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

Jackson Environmental Field Office

1625 Hollywood Drive

Jackson, TN 38305

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December 20, 2021

Mr. Nathan Musser, Owner & Developer

K and N Farms

e-copy: nathan@m-mirrigation.com

2186 Rayburn Road

Murray, KY 42071

Subject: **NPDES Construction General Permit Tracking No. TNR122563**
Master Tracking Number TNR122563
Pennington Pork Barns LLC
Pennington Pork Barns LLC
Puryear, Henry County, Tennessee

Dear Mr. Musser:

The Division of Water Resources (the division) acknowledges receipt of the Notice of Intent (NOI) form for the above referenced project. The NOI was received on November 24, 2021. The NOI was submitted to obtain coverage under a General NPDES Permit for Storm Water Discharges Associated with Construction Activity.

A review of the submitted form showed that the NOI was incomplete. We have assigned this project NPDES Permit tracking number TNR122563. No discharges of stormwater associated with construction activity are authorized by the general permit until the completed NOI is submitted and Notice of Coverage (NOC) issued by the division.

Storm Water Pollution Prevention Plan (SWPPP)

The division acknowledges receipt of your SWPPP as fulfillment of the SWPPP submittal requirement for this construction site. However, the SWPPP was found not to satisfy requirements stated in part 3 of the General Permit. Silt fence does not contain all limits of disturbance and areas to be stabilized as shown in SWPPP. Environmental review is pending pertaining to Threatened species in this immediate area..

Contractor Information

The division does not normally transmit a copy of this letter to your contractor(s). You should make sure that all contractors listed on the NOI are aware of the General Permit requirements.

Threatened and Endangered Species

The receiving stream for a construction site for which the NOI was submitted has Federal or State listed threatened and endangered species in the area, or downstream of your project. Stormwater discharges and stormwater discharge-related activities that are not protective of legally protected listed or proposed threatened or endangered aquatic fauna in the receiving stream; or discharges or activities that would result in a 'take' of a Federally listed endangered or threatened fish or wildlife species are not authorized by the General Permit. If the division finds that stormwater discharges or stormwater related activities are likely to result in any of the above effects, the division will deny the coverage under this general permit unless and until project plans are changed to protect the listed species. In addition, discharges from your construction site that result in harm to such species may incur additional fines and penalties from the US Fish and Wildlife Service and/or the Tennessee Wildlife Resources Agency.

We appreciate your attention to the general construction stormwater permit and its requirements. We believe this does make a difference to the quality of state waters. If you have any questions, please contact Mr. Brian Wallace at (731) 571-1280 or by e-mail at Brian.Wallace@tn.gov.

Sincerely,

A handwritten signature in blue ink that reads "Conner Franklin". The signature is written in a cursive, flowing style.

Conner Franklin
Environmental Program Manager

CC: DWR, Jackson EFO Permit File