



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
COOKEVILLE ENVIRONMENTAL FIELD OFFICE
DIVISION OF WATER POLLUTION CONTROL
1221 South Willow Avenue
Cookeville, TN 38506

July 3, 2012

Mr. Jose A. Tafoya
PO Box 133
Allons, TN 38541

RE: Complaint Reply

Dear Mr. Tafoya:

This is in response to your letter concerning issues at the poultry house facility on Charlie Melton Road in Allons, Tennessee. The Division of Water Pollution Control was able to address the portion of the letter concerning the withdrawal of water from the creek. The remaining issues listed were referred to the appropriate agency.

A site visit was conducted by division personnel on June 20, 2012. The facility was not withdrawing water at the time of the site visit. The facility does withdraw water from the creek at times throughout the year. This practice, per Rule 1200-4-7-.02 (2) of the Rules of the Tennessee Department of Environment and Conservation Water Quality Control Board Division of Water Pollution Control states in part:

Agriculture and forestry activities and activities necessary to the conduct thereof and lands devoted to the production of agricultural or forestry products are exempt from the requirements of the Act and these rules, unless there is a point source discharge, as provided in T.C.A. Section 69-3-120(g).

Please note that this rule only applies if the withdrawn water is used for agricultural purposes. In addition, this type of practice cannot create a condition of pollution to state waters.

Sincerely,

Greta Hurst
Environmental Specialist
Division of Water Pollution Control