



**STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
JACKSON ENVIRONMENTAL FIELD OFFICE
1625 HOLLYWOOD DRIVE
JACKSON, TENNESSEE 38305-4316
PHONE (731) 512-1300 STATEWIDE 1-888-891-8332 FAX (731) 661-6283**

February 7, 2024

Certified Mail
7019 2280 0000 9737 8582

Mr. Gus E. Naranjo (Lic.# 643)
Gus Well Drilling
P. O. Box 202
Clinton, KY 42031

Re: **NOTICE OF VIOLATION** (Case #130315)
Failure to Submit Notice of Intent (NOI), Failure to Submit NOI Fee, Failure to affix driller tags (x3), Failure to submit well completion reports (x3), Failure to adhere to minimum setback from a potential source of contamination (x3)
1230 Hwy 124 Greenfield, TN 38230

Re: Mr. Naranjo:

The Division of Water Resources (Division) performed surface inspections on the wells located at the above referenced address on January 26, 2024. Will Little, an inspector at the Jackson Environmental Field Office (JEFO), noted three water supply wells with no identification tags, a failure to submit the well completion reports to the Division, and the failure to adhere to the minimum safe distance of 100' from the potential source of contamination. The three wells are located approximately 50 feet from the chicken barns. You were contacted by Will Little (JEFO) on January 31, 2024 and it was asked of you to return to the site and properly mark the well heads with identification tags and submit the completion reports to the Division.

Division Rule 0400-45-09-.10(1)(b) states:

Every well driller, within sixty (60) days after completion of a water well, shall submit a report on the construction or reconstruction of the well to the Department. The well completion report shall be made on a form provided by the Department, or a reasonable facsimile approved by the Department.

Division Rule 0400-45-09-.10(1)(c) states:

A Notice of Intent to drill a water well must be submitted by the property owner or the licensed well driller to the Director in the manner prescribed by the Department, prior to commencement of drilling a water well in Tennessee. The licensed driller is required to have sufficient documentation that a Notice of Intent was submitted to the Division of Water Resources before beginning operations at a drill site.

1. Fee receipt of the Notice of Intent.

2. Confirmation number of the Notice of Intent or other approved format approved by the Director and issued by the Department.

Division Rule 0400-45-09-.10(1)(d) states:

The Notice of Intent fee or copy of the receipt for a Notice of Intent fee shall accompany the submission of the driller's report. No well or borehole shall be drilled unless the driller has documentation that a Notice of Intent has been filed. All well reports shall be submitted with documentation of the Notice of Intent fee being paid. Documentation of the fee being paid shall consist of the receipt originating from a Notice of Intent or money collected and enclosed with the original driller's report by the driller for the Notice of Intent. A Notice of Intent and fee is not required for well closure, deepening or reworking any water well or closed loop geothermal borehole. The amount of the Notice of Intent fee shall be reviewed by the Department at least every five (5) years and shall currently be scheduled as follows:

1. Water wells for production of water per property site \$75

Violations:

You are in violation of the following rules:

0400-45-09-.15(1) DATA AND RECORDS REQUIRED (1)

A "Report of Well Driller" (well completion report) shall be submitted to the Department on a form provided or approved by the Department within sixty (60) days after completion of the drilling, construction, reconstruction or closure of each water well.

0400-45-09-.14 WELL REGISTRATION – IDENTIFICATION (1)

Each water well constructed or reconstructed shall be equipped before the drill rig leaves the site with an identification tag or decal bearing a registration number. The tag and registration number shall be supplied by the Department.

0400-45-09-.10 WELL CONSTRUCTION STANDARDS (2)(a)

The construction of a water well is prohibited at other than a safe distance from any known potential source of contamination. The minimum safe distances shown in Table A shall apply for the sources of contamination listed therein.

TABLE A
MINIMUM DISTANCES TO SEPARATE WATER WELLS
FROM POTENTIAL SOURCES OF CONTAMINATION

SOURCES OF CONTAMINATION

MINIMUM DISTANCES

Animal pens or feed lots

100 feet

Corrective Actions:

You are required to attach the identification tags along with providing photographic evidence to Will Little (JEFO) and to submit the well completion reports to the Division. The corrective actions should be completed by no later than February 21, 2024. Once the completion reports are received, the Division will

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review the reports and determine if any additional corrective actions are required due to the wells being constructed less than 100 feet from the chicken barns.

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.

If you have any questions regarding this correspondence, please contact Will Little at Will.N.Little@TN.gov or (731) 202-6948, Ashby Barnes at Ashby.Barnes@tn.gov or (615) 532-0176, or Richard Rogers at Richard.Rogers@tn.gov or (615) 218-7781

Sincerely,

A handwritten signature in blue ink, appearing to read "Daniel Pillow".

Daniel Pillow, Environmental Manager 2
Division of Water Resources
Jackson Environmental Field Office
cc: DWR - Nashville