



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

February 23, 2024

Mr. Jerry Byerley
532 Walnut Street
Mt. Carmel, TN 37645

SENT VIA ELECTRONIC MAIL TO: byerleyconstr@aol.com

Subject: NOTICE OF VIOLATION
BYERLEY CONSTRUCTION COMPANY
NPDES PERMIT TNG110140
SULLIVAN COUNTY, TENNESSEE

Dear Mr. Byerley,

The Tennessee Division of Water Resources (The Division) has conducted a routine Compliance Status Review of the Discharge Monitoring Reports (DMRs) for Byerley Construction Company, NPDES permit TNG110140. It has been noted that the facility failed to electronically submit the DMR for SW1 for the annual monitoring period of January 01, 2023, to December 31, 2023, as detailed in the attached Violations Report.

Please resolve the above violations within thirty (30) days of receipt of this letter by submitting the outstanding DMRs in NetDMR. Additionally, the Division 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. 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,

** (Feb 22, 2024 13:24 CST)

Sarah Elias, NPDES Compliance Manager
Compliance and Enforcement Unit

Cc: Mr. David Hale, Johnson City Environmental Field Office, David.Hale@tn.gov
Mr. Dane Cutshaw, Manager Johnson City Environmental Field Office, Dane.Cutshaw@tn.gov
Ms. Priyaa Dhasarathy, Nashville Central Office, Priyaa.Dhasarathy@tn.gov

Ms. Sarah Elias, Nashville Central Office, Sarah.Elias@tn.gov
Ms. Brandi Bomar, Nashville Central Office, Brandi.Bomar@tn.gov
DWR – Compliance File

DMR Non-Receipt Violations

Monitoring Period End Date	DMR Due Date	Limit Set	Parameter- ML- Season ID Parameter	DMR Value	Days Late
12/31/2023	01/15/2024	SW1-Y	00400- EG- 0 pH	C1 Daily Min	40
12/31/2023	01/15/2024	SW1-Y	00400- EG- 0 pH	C3 Daily Max	40
12/31/2023	01/15/2024	SW1-Y	00530- EG- 0 Solids, total suspended	C3 Daily Max	40
12/31/2023	01/15/2024	SW1-Y	01045- EG- 0 Iron, total [as Fe]	C3 Daily Max	40