



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Division of Solid Waste Management
Nashville Environmental Field Office
711 R.S. Gass Blvd. Nashville, TN 37216
Phone: 615-687-7000 Fax: 615-687-7078

October 1, 2021

CERTIFIED MAIL # 7017 1000 0000 3290 2002
RETURN RECEIPT REQUESTED

Mr. Greg Guinn
Owner
1309 Tylertown Rd.
Clarksville, TN 37040

RE: COMPLIANCE EVALUATION INSPECTION
NOTICE OF VIOLATION
MPG Transport and Recycling
SWP630001571

Dear Mr. Guinn:

On September 27, 2021 the Division of Solid Waste Management (Division) conducted a Compliance Evaluation Inspection at the referenced facility. The inspection was conducted to evaluate the facility's compliance with the *Tennessee Solid Waste Disposal Act*, Tennessee Code Annotated § 68-211-101 *et seq.*, the facility's permit by rule notification and Tennessee's Solid Waste Regulations (Division Rule Chapter 0400-11-01) promulgated pursuant to that Act. During the inspection, violations of Tennessee's solid waste management regulations and the facility's permit by rule notification were identified. The attached Inspection Report/Notice of Violation (NOV) details the observations made by Division personnel during the inspection of the facility. Corrective measures for each violation must be implemented immediately and completed by December 31, 2021. A follow-up inspection will be conducted to confirm that the violations have been corrected.

The Division appreciates the courtesy and cooperation shown MPG Transport and Recycling during the inspection. If you have any questions or comments concerning this correspondence, please contact me by email Paul.Pleiman@tn.gov or by phone 615-829-3698.

Sincerely,


Paul Pleiman (Oct 1, 2021 11:17 CDT)

Paul Pleiman
Environmental Scientist II
Division of Solid Waste Management


Michael Horsley (Oct 1, 2021 13:29 CDT)

Michael Horsley
Environmental Field Office Manager
Division of Solid Waste Management

cc: Rob Ashe, Deputy Director, DSWM

SOLID WASTE INSPECTION REPORT

SITE/PHYSICAL LOCATION

MPG Transport and Recycling
SWP630001571
1309 Tylertown Rd.
Clarksville, TN 37040

PRIMARY CONTACT

David Adkins
Environmental Manager

DATE/TIME OF INSPECTION

September 27, 2021 at 12:30 p.m.

INSPECTION PARTICIPANTS

Paul Pleiman, Environmental Scientist II
Jeremy Hooper, Environmental Consultant

REPORT PREPARED BY

Paul Pleiman
Division of Solid Waste Management
711 R.S. Gass Boulevard
Nashville, Tennessee 37216
(615) 829-3698

PURPOSE OF INSPECTION

This inspection was conducted to evaluate the solid waste facility's compliance with the applicable requirements of the rules, regulations, and permit by rule notification promulgated pursuant to the *Tennessee Solid Waste Disposal Act*.

Facility Description:

MPG Transport and Recycling (SWP630001571), is a permitted Solid Waste Processing Facility.

INSPECTION FINDINGS

Failure to meet the required permit terms and conditions is a violation of the following:

Tennessee Code Annotated §§ 68-211-104 (3) and (4) provide:

It is unlawful to:

- (3) Construct, alter, or operate a solid waste processing or disposal facility or site in violation of the rules, regulations, or orders of the commissioner or in such a manner as to create a public nuisance.
- (4) Transport, process, or dispose of solid waste in violation of this chapter, the rules and regulations established under the provisions of this chapter or in violation of the orders of the commissioner or board.

Rule 0400-11-01-.02(2)(d) states:

- (2) Permits by Rule
 - (d) Duty to Comply - An owner or operator deemed permitted under this paragraph must comply with all requirements applicable to the facility or activity operated under this paragraph, unless otherwise authorized by the Commissioner in writing. Any noncompliance constitutes a violation of the Act.

During the course of the inspection the following violations were observed:

Division Rule 0400-11-01-.02(2)a(3)(ii) and (iii) states:

- (2) Permits by Rule
 - (a) Except as specifically allowed in part 1. of this subparagraph, the owner or operator of the facilities or activities listed in parts (b)1. through 7. of this paragraph shall be deemed permitted and are authorized to operate upon receipt of a written authorization from the Commissioner.
- 3. After receiving a written authorization from the Commissioner, pursuant to part 1. or 2. of this subparagraph, the owner or operator must:
 - (ii) Operate the facility or activity consistent with the notification submitted in accordance with part (c) 2. of this paragraph;
 - (iii) Notify the Commissioner of any substantive changes in the information submitted pursuant to part (c)2. of this paragraph, including but not limited to a change in ownership, location type of material received, storage capacity for a material, and method of processing, and receive an amended written authorization from the Commissioner prior to implementing the change

Observation: This facility has an approved storage capacity of 3,800 cubic yards for waste tires, but approximately 10,000 cubic yards of waste tires were observed onsite, underneath and around the two covered structures.


Paul Pleiman (Oct 1, 2021 11:17 CDT)

Paul Pleiman
Environmental Scientist II
Division of Solid Waste Management


Michael Horsley (Oct 1, 2021 13:29 CDT)

Michael Horsley
Environmental Field Office Manager
Division of Solid Waste Management

Attachments:

- (1) Facility Evaluation Form
- (2) Photographs of violations