

Greg ; Jenny D. ; JH
January 31, 2022

Commissioner David W. Salyers
Tennessee Department of Environment and Conservation
312 Rosa L. Parks Ave
Nashville, TN 37243

RECEIVED

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cc: Vojin Janjic Vojin.Janjic@tn.gov

Division of Water Resources, Manager Water-Bases Systems

**ENVIRONMENT AND CONSERVATION
COMMISSIONER'S OFFICE**

Dear Commissioner Salyers:

We are writing on behalf of residents and property owners in the vicinity of Lick Creek in Hickman regarding a proposal for a new sewage discharge in our area. Recently some of us noticed signs on the Highway 7 bridge over Lick Creek that has caused great concern and confusion. The signs appeared sometime in January, and after some investigation led us to a letter dated December 29, 2021 from Mr. Janjic of your department to Mr. Adams of the Water Authority of Dickson County.

That letter acknowledged receipt of a permit application and instructed the applicant to provide public notice per department rules at Chapter 0400-40-5-.06 (1) which require:

"For an individual application for a new or expanded discharge, the applicant shall notify the public of the application by posting a sign near the point of entrance to such facility and within view of a public road. The sign shall contain provisions as specified by the commissioner. The sign shall be of such size that is legible from the public road. Also the sign shall be maintained for at least thirty days following submittal of the application to the division."

Signs were placed at either end of the bridge over Lick Creek. As we have now determined, that is not near the proposed facility, understood to be somewhere along Highway 100 about 10 miles away. The signs were undated and did not contain the name of the applicant, only initials. The signs were not legible from the public road, and one could only read the contents by pulling over or getting out on a dangerous stretch of a narrow two-lane highway by a bridge.

Those who risked reading the sign saw that they could submit comments "...on or before the date of expiration of the comment period..." and request a public hearing "...within the comment period...", however the signs were undated and no comment period was specified. A few days ago, someone added a back-date to the signs with a black marker in an apparent attempt to try and remedy this shortcoming, but this doesn't not rectify the problems.

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The letter to the applicant also attached "Instruction for the Public Notice of Application Sign" with further details and requirements, citing also to section of the rules at 0400-40-5-.06 (10). Some of the additional provision of this rule were also not complied with.

For these reasons, and in the interest of fairness and promotion of public participation in this important matter, we request that you take action to stop this process from going forward at this time, notify the applicant of the violations, and require compliance with the notice rules.

Please let me know as soon as possible what will be done on this so I can inform others in this community.

Sincerely,



H. Rodes Hart, Jr
Lick Creek Farm
425 Westview Ave
Nashville, TN 37205



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Cc: Barry Sulkin
Environmental Consultant

**Please respond via email and mail*

