



**STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES**

Nashville Environmental Field Office

711 R.S. Gass Boulevard

Nashville, TN 37216

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September 18, 2023

Ivan Bell
5499 Courtland Road
Springfield TN, 37172

Re: **NOTICE OF VIOLATION**
Complaint # 128413
Cattle Trails Estates
TNCGP Tracking Number(s): TNR244178
Robertson County, Tennessee

Dear Mr. Bell:

On August 16, 2023, staff from the Division of Water Resources (division) conducted a complaint investigation of Cattle Trails Estate residential subdivision project site and identified violations in need of corrective action(s). Additional information related to these violations, corrective action time frames and request for information can be found below.

Because unauthorized stream alterations and/or including unauthorized discharges may impact the usefulness of the stream and its designated uses, including support of fish and aquatic life, livestock and wildlife watering, recreation, and irrigation; they are violations of the *Tennessee Water Quality Control Act of 1977*. Therefore, this letter serves as a formal Notice of Violation. Failure to remedy these violations within the specified timeframes may result in possible further action, which may include monetary penalties.

To bring this site into compliance the terms and conditions of the 2021 general NPDES permit for discharges of stormwater associated with construction activities, the division requests that you immediately implement and maintain all necessary measures to ensure this site's stormwater discharge(s) have been treated to the maximum extent practicable. If any corrective actions or stabilization measures have already been implemented, please submit photographic documentation of them along with your written response to this letter.

The division does not authorize access to private property and arrangements concerning the removal of sediment or other remediation efforts on adjoining properties must be settled between

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you and the adjacent landowners. No further work should be done in any stream or wetland areas until you have written authorization from the division.

The division identified the following violations in need of corrective actions:

- Absence and failure of erosion prevention and sediment control (EPSC) measures (EPSCs) to prevent untreated, down-gradient stormwater discharges and sedimentation offsite (see §5.5.3.1. a., b. & i. of the 2021 CGP).
- Failure to maintain sediment basin allowing discharge of sediment into an unnamed tributary of Long Branch and creating a condition of pollution.

Please submit a CAP documenting the completion of the following items to the Nashville Environmental Field Office within 15 days of receipt of this letter:

1. Immediately install and repair effective EPSC measures to ensure adequate treatment of the site's stormwater discharge. Provide photos showing improved EPSCs.
2. Within 7 days of receipt of this letter, remove any sediment deposited in the stream. This work must be done without the use of heavy equipment where surface water is present (e.g. using only a shovel and bucket or tools that can be carried by hand).
3. Within 20 days, submit a Corrective Action Plan (CAP). The CAP should outline the improvements to EPSCs (structural and non-structural) to prevent sediment from leaving the site, timelines for addressing the issues, and explain how you intend to prevent future impacts.

Be advised, failure to provide the requested items and address the site's non-compliance within the specified timeframes above, will result in the division initiating enforcement actions, which may include monetary penalties. If you have any questions regarding this correspondence, please contact me at Virginia Lawrence at (615) 714-0730 or by E-mail Virginia.Lawrence@tn.gov.

Sincerely,



Division of Water Resources

cc: Timmy Jennette, DWR Field Office
Jessica Murphy, DWR Compliance and Enforcement



Attachment 1: View of failed sediment basin in need of maintenance.



Attachment 2: sedimentation of unnamed tributary to Long Branch at outfall located below failed sediment basin

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Supporting Documentation



Attachment 3: sediment deposition approximately 4 inches at outfall

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Attachment 4: sedimentation of unnamed tributary to Long Branch



Attachment 5: view of sedimentation of unnamed tributary to Long Branch