



**STATE OF TENNESSEE**  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
**Division of Water Resources**

Nashville Environmental Field Office  
711 R.S. Gass Blvd.  
Nashville, Tennessee 37216

Phone 615-687-7000    Statewide 1-888-891-8332    Fax 615-687-7078

August 26, 2021

Mr. Nate Pulley | Owner  
Nate Pulley dba Yellow Creek Stone  
337 Huff Hollow Lane  
Tennessee Ridge, Tennessee 37178

**RE:    Notice of Violation**

Nate Pulley dba Yellow Creek Stone  
NPDES# TN0070661  
Houston County

Dear Mr. Pulley:

On Friday, August 20, 2021, Ms. Jenny Strobel with the Division of Water Resources (Division) inspected the area around the above referenced facility in response to a complaint. The following problem was noted:

- Loss of red clay sediment was observed on the southeast adjoining property and along the left bank of Yellow Creek. The sediment originated from the site, followed a wet weather conveyance to the southeast, entered a culvert under the road, and eventually ended in Yellow Creek.

Part II A. 8 of the NPDES permit states: "The permittee shall utilize Best Management Practices (BMPs) to prevent or minimize erosion and the contribution of suspended solids and sediment to surface waters and/or adjacent properties. Such practice(s) shall be implemented to reduce the impacts caused by disturbances created by the installation of culverts, the construction of haulroads, access roads, spoil storage, and stockpile areas, and other related activities." South of the haul road, between the southeast adjoining property, requires additional BMP placement to prevent potential loss of sediment to Waters of the State.

The loss of sediment to waters of the state constitutes a violation of the NPDES permit Part II. A. 4. b., which states "The permittee shall at all times properly operate and maintain all facilities and systems (and related appurtenances) for collection and treatment installed or used by the permittee

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to achieve compliance with the terms and conditions of this permit.” and the Tennessee Water Quality Control ack. This letter serves as your formal notice of violation.

**Action Items and Recommendations**

Immediately install or repair sediment and erosion control measures to eliminate the off-site migration of sediment. Work with neighboring landowners to remove deposited material from property. Evidence of these measures must be submitted to the Division no later than **October 1, 2021**.

Failure to comply with this notice will result in additional enforcement action.

If you have any questions or concerns, please contact Christopher Pracheil at 865-696-0211 | Christopher.Pracheil@tn.gov or Jenny Strobel at 615-289-0384 | Jenny.Strobel@tn.gov.

Sincerely,



Michael Murphy  
Program Coordinator  
Division of Water Resources

e-copy: Bryan Epperson, DWR-KEFO – Bryan.Epperson@tn.gov  
Christopher Pracheil, DWR-KEFO – Christopher.Pracheil@tn.gov

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