Division of Remediation
Enforcement Update
December 2021

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Enforcement Action Update

- 79 cases currently open with OGC
  - Cases consist of legal review, legal support, legal opinion, orders, and BVA/NLUR review

- Referrals to OGC

<table>
<thead>
<tr>
<th>Year</th>
<th>Number Referred</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021 (through Oct. 31)</td>
<td>75</td>
</tr>
<tr>
<td>2020</td>
<td>110</td>
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<td>2019</td>
<td>25</td>
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<td>2018</td>
<td>20</td>
</tr>
<tr>
<td>2017</td>
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</table>
Order Update

- **DOR18-0025 GreenTech Homes, LLC**
- Green Tech, Chattanooga, Hamilton County, DOR site ID 33-774
  - Site consists of 108 residential parcels located in the Jefferson Heights neighborhood and immediate surrounding area in Chattanooga
  - GreenTech either owned or conducted construction or renovation operations at the parcels identified as the site
- Director’s Order signed September 19, 2019
- Order for investigation and remediation of each identified parcel to meet remedial goals for lead and arsenic
- Contingent per day penalty
- Order final
- Two parcels uncompleted:
  - 1) Confirmation sampling dictated further removal needed
  - 2) TDEC assisted with access issues, respondent plans to begin work soon
Order Update

- **DOR18-0020 Everett Hannah Properties II, LLC et al.**
- Liberty Fibers, Morristown, Hamblen County, DOR site ID 32-504A
  - Respondents are Everett Hannah Properties II, LLC; Gilco International Lumber, LLC; and Daniel Stacy; LLM, LLC
  - Site is a smaller portion of the Former Liberty Fibers facility (DOR id 32-504)
  - Respondents were owners or operators of the site
- Commissioner’s Order signed January 29, 2021
- Order for characterization, corrective action, and land use restrictions
- Civil penalty of $14,040 and contingent per day penalty
- Order appealed
- Respondents have hired an environmental professional and are addressing the site
Order Update

- **DOR20-0088 Carwile Custom Cleaners, Inc.**
  - Carwile Cleaners, Memphis, Shelby County, DOR site ID 79-959A
    - Respondents are Carwile’s Custom Cleaners, Inc and Donald E. Carwile
    - Site operated as a commercial drycleaning business from 1965 until 2020
    - Respondents were owners or operators of the site
- Director’s Order signed April 14, 2021
- Order for investigation, remediation, and land use restrictions
- Contingent per day penalty
- Order appealed
- DOR working with OGC to resolve appeal
- Current owner, 2178 Central Avenue LLC, joined VOAP program
### Voluntary Program Update

<table>
<thead>
<tr>
<th>Year</th>
<th>Applications</th>
<th>Agreements</th>
<th>Letters of Completion</th>
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<tr>
<td>2017</td>
<td>77</td>
<td>25</td>
<td>63</td>
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2022 Enforcement Initiatives

• Develop Standard Operating Procedures (SOPs)
  – Listing/Delisting
  – Liens
  – IC/EC Compliance and Notice of Violation
  – Ability to Pay

• Continued focus on financials
  – Implement process for resolution of outstanding balances
  – Review and prioritize historical outstanding balances for collection
  – Annual lien notification letters

• Continue to explore efficiencies in identifying and contacting potentially liable parties

• Coordinate with Division of Water Resources on process regarding permit applications on properties with land use restrictions