



Department of
**Environment &
Conservation**

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

Year	Number Referred
2021 (through Oct. 31)	75
2020	110
2019	25
2018	20
2017	34

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

Year	Applications	Agreements	Letters of Completion
2021 (through Oct. 31)	53	29	45
2020	61	33	28
2019	75	31	56
2018	77	33	66
2017	77	25	63

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