



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
401 CHURCH STREET
L & C ANNEX 6TH FLOOR
NASHVILLE TN 37243

June 9, 2009

Certified Mail Receipt # 7005 1820 0001 5858 0949

Mr. David Diddick, Manager
Fall River Road WTP
P O Box 57
Leoma, TN 38468

Subject: **Incomplete NOI/Application**
NPDES Permit No. TN0080560
Fall River Road WTP
Lawrenceburg, Lawrence County, Tennessee

Dear Mr. Diddick:

The Division of Water Pollution Control (the division) acknowledges receipt on March 2, 2009, of a Notice of Intent (NOI) requesting modification of coverage under the *General NPDES Permit for Discharges of Filter Backwash and Sedimentation Basin Washwater from Water Treatment Plants, TNG640000*. The division has reviewed the NOI and determined that there is insufficient information on which to proceed to a new Notice of Coverage (NOC) for the increased scope of work. The division believes that the increased scope of work warrants individual permit coverage versus general permit coverage to protect the receiving waters. The division will use the NOI and the additional information requested below as basis for determining if individual permit coverage is necessary. No discharge, or increase in discharge, is authorized pursuant to the NOI received March 2, 2009.

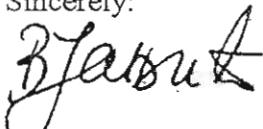
The proposed discharge of 40,000 gallons over a 30 minute period into a low-flow stream may pose a significant impact to receiving waters. In order to develop permit terms and conditions protective of the receiving stream, additional information relative to the nature of the discharge is required. The following information must be submitted to the division for review: 1) The latitude and longitude of the location where the filter backwash water will enter the Branch of Shoal Creek. 2) The anticipated discharge flow rate, in gallons per minute when discharging, at the location identified in item 1) based on the configuration of the outfall at that location. 3) A map of the projected outfall location between the WTP and the location identified in item 1). If, based on the review of the requested information, the division finds that an individual permit is still warranted, an application letter will be prepared with instructions for posting a public notice sign in accordance with Rule 1200-4-5-.06(1).

The processing of this application for permit coverage is contingent on the receipt of additional information from either you or from your design consultant on your behalf. If the information is not received within 90 days of the receipt of this letter, your request for permit modification may be denied pursuant to Rule 1200-4-5-.06(4).

Based on the NOI received May 28, 2008, you have coverage under the general permit for the discharge of 3,554 gallons of filter backwash water, over a 30 minute period once per week, via permit tracking number TN0080560. The NOC issued June 18, 2008, authorizes discharge to a Branch of Shoal Creek based on that scope of activity. At the present time, the division will continue to allow discharges conforming to the conditions specified in the May 2008 NOI and its corresponding NOC. The division reserves the right to rescind that coverage in the future based on the receipt of new information pursuant to Rule 1200-4-5-.07(2)(d).

If you have questions, please contact the division at the Columbia Environmental Field Office at 1-888-891-TDEC; or, at this office, please contact Mr. Wade D. Murphy at (615) 532-0666 or by E-mail at wade.murphy@tn.gov.

Sincerely:



Vojin Janjic
Manager, Permit Section

CC: DWPC, Permit Section & Columbia Environmental Field Office
Mr. Gene "Buddy" C. Koonce, Jr., Highers, Koonce & Associates, Inc., 3343 Perimeter Hill Dr., Suite 102, Nashville, TN 37211
Mr. W. Charles Doerflinger, Esq., W. Charles Doerflinger, P.O. Box 692, Lawrenceburg, TN 38464
Mr. Terry Robbins, Operator, Fall River Road Utility District, 1059 Crowder Road, Lawrenceburg, TN 38464

James and Sharron Tiedjens
210 Admiral Circle
Lawrenceburg, Tennessee 38464

July 7, 2009

Mr. James Giattina
Director of Environment and Conservation
Water Protection Division
61 Forsyth Street, South West
Atlanta, Georgia 30303

Subject: NPDES PERMIT TN 0080560
NOI May 28, 2008

Rule: 1200-3-3-04(16) Definition of Wet Weather Conveyance
Permit for Discharges of Filter Backwash
And Sedimentation Basin Waste Water
From Water Treatment Plants, TNG640000

Dear Mr. Giattina:

This letter is with regard to the above NPDES PERMIT TN 0080560,
Dated, May 28, 2008.

Our family owns a farm located at 1050 Crowder Road,
Lawrenceburg, Tennessee 38464, located directly across from this
Water Treatment Plant.

In June 2008 when the plant opened, considerable backwash was
descended onto our property site. At first, our family thought it was
merely a calibration process and would only take a day or two.
However, over the following months it became clear that this was not
the case.

In reviewing the original permit, The Fall River Road WTP was given
permission to discharge 3,554 gallons of filter backwash water over a

30-minute period once a week, via tracking number TN0080560. The NOC issued June 18, 2008 authorizes discharge to a Branch of Shoal Creek based on that scope of activity.

As of this writing, THE FALL RIVER ROAD WTP has descended over ONE MILLION GALLONS OF WATER ONTO OUR PROPERTY WITHOUT PERMIT FROM OUR FAMILY OR THE STATE OF TENNESSEE.

THIS HAS CAUSED CONSIDERABLE DAMAGE TO THE LAND, CREEKS, AND PROPERTY BEHIND OUR PROPERTY.

On June 9, 2009 Mr. Vojin Janjic, Manager, Permit Section of State of Tennessee, Dept. of Environment and Conservation states that the Fall River WTP does NOT have permission to increase this beyond the 3,554 gallons of backwash water over a 30 minute period once per week, however, the State has allowed the WTP to temporarily allow 40,000 gallons 2 times a week over a 24 hour period through September, 2009.

I am pleading for your help. The area that has been contaminated is far beyond reach of the above permit. The Branch of Shoal Creek is not even close to the area stated in the original permit. Our land is now contaminated way beyond the ADDITIVES stated in their original Permit.

Our Engineering Studies have produced far greater toxic waste information than is stated in their permit.

Our family has no desire to prevent Fall River Water District residents from garnering clean drinking water, however, at who's and at what expense?

Last week we lost FIVE calves due to BLACK LEG that is due to the spores being disrupted in the soil in the exact area of the backwash.

We have had cattle on this property for over eight years and never lost a calf – and can find no other farms with the same problem in our area.

I sincerely request that you get involved in this matter AS SOON AS POSSIBLE; AND DETERMINE HOW THIS MAY BE RECTIFIED.

We regret that this has happened, and again certainly do not want the residents of this district to not have clean water, BUT with the turn of one valve, this WTP could be turned off and the district could have water from the Lawrenceburg Water Utility District.

This farm was purchased 15 years ago for family land and future development. Our family WAS NEVER ASKED PERMISSION TO DUMP OVER ONE MILLION GALLONS ONTO OUR PROPERTY, RANGING FROM 34,000 GALLONS TO 50,000 PLUS GALLONS EVERY 30 HOURS ON MANY, MANY OCCASIONS.

The land has erosion marks from the extreme flow, and it by no means goes to the Branch of Shoal Creek in the area or space WTP outlined in their permit.

The permit states that the "Branch to Shoal Creek is less than ½ mile from the WTP", that is absolutely untrue. It is much father than that, perhaps as the "CROW" flies, but certainly not on foot walking our property to the creek beds.

I am enclosing copies of the letters from Mr. Vojin Janjic, Manager, Permit Section in the Nashville office of the EPA, also, the complaint filed by our attorney against The Fall River Utility District of Lawrence County, Tennessee.

I sincerely appreciate your understanding in this matter and respect your desire to keep our Soil and Water free of toxic infusion.

I REQUEST THAT YOU HAVE THE FALL RIVER WTP CEASE IMMEDIATELY THIS PROCESS UNTIL THEY CAN FIND AN ALTERNATIVE TO THE MISTAKES THEY MADE IN THIS PROCESS.

I look forward to an immediate reply to our request.

Sincerely,

James and Sharron Tiedjens
931-762-4990

Photos and Documentations
Available upon request

Enclosures:

June 9, 2009, Letter
State of Tennessee
Dept. of Environment and Conservation
Mr. Vojin Janjic, Manager, Permit Section
401 Church Street
L & C Annex 6th Floor
Nashville, Tenn. 37242

June 19, 2009 Letter
State of Tennessee
Dept. of Environment and Conservation
Mr. Vojin Janjic Manager, Permit Section
401 church Street
L & C Annex 6th floor
Nashville, Tenn 37343

Complaints No. CC-2286-09
James J Tiedjens and Wife, Sharron M. Tiedjens
Vs.
The Fall River Utility District of
Lawrence County, Tennessee.

Carbon Copies of this document have been filed with the following individuals or groups:

Environmental Protection Agency
Office of Inspector General
Bill A. Roderick, Acting Inspector General
1200 Pennsylvania Ave. North West
Washington, D C. 34060

Rep. Bart Gordon
Committee on Energy and Commerce
2308 Rayburn HOB
Washington, D.C. 20515

Rep. Jim. Cooper
605 Church Street
Nashville, Tenn. 37218

Mr. John Boozman
Sub-Committee on Water Resources
And Environment
B375 Rayburn HOB
Washington, D.C. 20515

Sen. Bob Corker
3322 West End Avenue, Suite 610
Nashville, Tenn. 37203

Sen. Lamar Alexander
3322 West End Avenue, Suite 120
Nashville, Tenn. 37203

Mr. Vojin Janjic
Manager, Permit Section
State of Tennessee
Department of Environment and Conservation
401 Church Street
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Nashville, Tenn. 37243

Mr. W. Charles Doerflinger, Esq.
P. O. Box 692
Lawrenceburg, Tenn. 38464

Mr. Leon Parker
40 White Oak Drive
Lawrenceburg, Tenn. 38464

Rep., Dr. Joey Hensley
507 Main Street
Hohenwald, Tenn. 38462-1319

Congressman Lincoln Davis
1804 Carmack Blvd., Suite A
Columbia, Tenn. 38401