

Appendix 5 – Permits and Reporting Environmental Violations and Concerns

Information on Permits

Aquatic Resource Alteration Permit (ARAP): http://environment-online.state.tn.us:8080/pls/enf_reports/f?p=9034:34001:0::NO.

National Pollutant Discharge Elimination System: http://environment-online.state.tn.us:8080/pls/enf_reports/f?p=9034:34001:0::NO.

TN Exceptional Waters: http://environment-online.state.tn.us:8080/pls/enf_reports/f?p=9034:34304:0::NO.

TN Polluted (303 d) Waters: <http://www.tn.gov/environment/water/docs/wpc/2012-final-303d-list.pdf>.

Reporting Environmental Violations and Concerns¹

Please help protect Tennessee’s environment by identifying and reporting environmental concerns and potential violations. If you think an individual or company is conducting an activity that harms the environment, or is in violation of a permit or Tennessee’s environmental regulations, you can file a complaint with the local [Environmental Field Office](#) (EFO). You may file a complaint by phone, in writing or by sending email to ask.TDEC@tn.gov.

Environmental Field Offices	Example Violations
Chattanooga (423) 634-5745	<ul style="list-style-type: none"> Waste disposal, burial and abandonment of waste (solid waste, hazardous waste, tires and construction and demolition debris). Dumping or discharging industrial or agricultural waste into rivers, lakes ditches, and storm sewers or to wastewater treatment plants. Malfunctioning wastewater treatment plants. Smoke or heavy dust emissions from industrial facilities. Drinking water with unusual tastes, odors or loss of water pressure. Burning of trash, garbage, oily wastes, tires and other materials. Destruction, draining and/or filling of wetlands. Destruction, dredging or construction in streams and ditches. Demolition projects in buildings containing
Columbia (931) 380-3371	
Cookeville (931) 432-4015	
Jackson (731) 512-1300	
Johnson City (423) 854-5400	

¹ The remainder of this Appendix was written / assembled by Karin Bynum with the Tennessee Department of Environment and Conservation.

Knoxville (865) 594-6035	asbestos. <ul style="list-style-type: none"> • Sediment discharge from clearing and grading of land. • Falsification of environmental documents such as manifests, sampling results, and discharge reports. • False statements made to regulatory personnel.
Memphis (901) 371-3000	
Nashville (615) 687-7000	

Our [TDEC] Environment Field Office staff offer advice and information, and assist anyone who wants to submit a non-emergency complaint or wants to report an alleged violation of Tennessee's environmental laws. When you talk with the Field Office staff, it is important to give as many details about the situation as you can, to help ensure that you get directed to the most appropriate division.

Remaining Anonymous

You do not have to provide any personal information in order for TDEC to review your complaint. However, by providing your name and contact information, TDEC will be able to contact you to clarify information or gather additional information from you to help investigate your concerns. In addition, it will allow the TDEC investigators to report back their findings, and what the Department's actions will be to remedy the situation. All the information submitted, including your contact information may be considered public information and may be released upon request.

Disclaimer: Information provided in a complaint may be used by TDEC to investigate and potentially seek penalties for violations of law. Therefore, the information provided must be true and accurate to the best of your knowledge. TDEC will use the information you provide to determine whether an investigation is warranted.

Once a complaint is filed, the appropriate TDEC division(s) follows up on the information by conducting a complaint investigation. You may wish to track complaint investigations on line in our [complaint data viewer](#). Investigations may lead to [enforcement](#) against individuals or facilities.

Submitting a 118a Complaint (see http://www.tn.gov/environment/water/water-quality_citizen-complaints.shtml).

The Tennessee Water Quality Control Act provides a process for submitting a formal signed complaint. In general, the formal complaint procedure should be used in instances where the initial complaint submitted to the EFO was not resolved satisfactorily, in the petitioner's opinion. The complaint must be in writing and labeled as "Formal" or "Tenn. Code Ann. § 69-3-118(a)" Complaint. An investigation of the allegations will be conducted. A copy of the complaint will

be served to the person named in the complaint. Procedure in Tenn. Code Ann. § 69-3-118(a) will be followed.

Title 69 Waters, Waterways, Drains And Levees
Chapter 3 Water Pollution Control
Part 1 Water Quality Control Act

Tenn. Code Ann. § 69-3-118 (2013)

69-3-118. Other remedies.

(a) (1) Any person may file with the commissioner a signed complaint against any person allegedly violating any provisions of this part. Unless the commissioner determines that such complaint is duplicitous or frivolous, the commissioner shall immediately serve a copy of it upon the person or persons named in the complaint, promptly investigate the allegations contained in the complaint, and notify the alleged violator of what action, if any, the commissioner will take. In all cases, the commissioner shall notify the complainant of the action or determination within ninety (90) days from the date of the commissioner's receipt of the written complaint.

(2) If either the complainant or the alleged violator believes that the commissioner's action or determination is or will be inadequate or too severe, such person may appeal to the board for a hearing, which will be conducted pursuant to § 69-3-110. The appeal must be made within thirty (30) days after receipt of the notification sent by the commissioner.

(3) If the commissioner fails to take the action stated in the notification, the complainant may make an appeal to the board within thirty (30) days from the time at which the complainant knows or has reason to know of such failure.

(4) The department shall not be obligated to assist a complainant in gathering information or making investigations or to provide counsel for the purpose of drawing up the complaint.

Environmental Emergency

An environmental emergency is an immediate and significant threat to public health and/or the environment due to the release of hazardous materials to the environment. While an emergency can also constitute a violation, **an emergency should be reported immediately to TEMA's 24-hour spill hotline at 615-741-0001.** Industrial chemicals when not properly managed can cause injury to human health and environmental problems; in addition, spills of materials that may seem harmless can cause environmental harm if not properly addressed. For example, large spills of milk and molasses can cause fish kills in Tennessee streams.

Examples of emergencies to be reported include:

- Petroleum or chemical spills;

- Fires involving chemicals and/or petroleum;
- Accidents causing the release of pollutants to Tennessee's waterways.