

Stormwater Enforcement: Tennessee Department of Environment and Conservation Order/Assessment Addressing Evansville Ready Mix Concrete Facility



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The Tennessee Department of Environment and Conservation (“TDEC”) issued a December 17th Director’s Order and Assessment (“Order”) to Morgan Ready Mix LLC (“Morgan”) addressing alleged violation of failure to obtain coverage under the General National Pollutant Discharge Elimination System (“NPDES”) Ready Mix Concrete facilities Permit (“RMCP”). See Case No. WPC25-0132.

The Order provides that Morgan owns a ready mixed concrete facility in Evensville, Tennessee.

Such facilities are stated to require coverage under the RMCP for operation of a read mixed concrete facility with discharges of process wastewater and stormwater runoff, or operation of ready mixed concrete facilities with a no-discharge recycling system. Further, the RMCP is stated to require maintenance of a Stormwater Pollution Prevention Plan (“SWPPP”) at the site.

The TDEC Division of Water Resources (“Division”) is stated to have received a complaint regarding possible unpermitted ready mixed concrete plant operations.

The Division is stated to have performed an inspection on March 11, 2025, at the site. Staff are stated to have observed a drainpipe that reportedly drains the sediment pond and discharges into an area adjacent to Richland Creek. Further, Morgan is stated to have not developed nor implemented a SWPPP at the site.

Further, the Division is stated to have sent correspondence to Morgan regarding a non-discharging system. Various Notice of Violations are stated to have been provided to Morgan. Further, the Division is stated to have received Quarter 2, 2025 Discharge Monitoring Reports (“DMRs”) that were over 30 days late.

The Order proposes a civil penalty of \$23,800. Further, Morgan is required to as soon as possible, but not later than 31 days after receipt of the Order, to either:

- Submit a modified Notice of Intent for the RMCP coverage to discharge stormwater runoff and process wastewater; or,
- Complete modifications to the site such that the facility meets all requirements of a non-discharging system and submit a report of the activities completed to end discharges.

Electronic DMRs for certain periods are required to be submitted.

Within 90 days of receipt of the Order, a standard operating procedure manual detailing the actions required for routine compliance must be submitted.

The Order provides certain appeal rights.

A copy of the Order can be found [here](#).