



U.S. Environmental Protection Agency, Region 4
61 Forsyth Street SW, Atlanta, GA 30303

Compliance Inspection Report for Stormwater Discharges from Construction Activities (CGP)

FACILITY DATA

Site/Project Name: Ashmont Planned Development		NPDES Tracking Number: TNR155437		Date Coverage was Issued: April 10, 2023	
Name of Permittee (Developer/Operator): Ashmont Developer LLC					
Inspection Purpose: CGP compliance inspection					
Tennessee Department of Transportation (TDOT) Project? ☐ Yes ☒ No					
On-Site Representative: Ryan Jenkins, Project Manager – Moss Carpenter Construction			Responsible Official: Ryan Browning, Vice President – Browning Contractors		
Phone Number: (901) 626-8182	Email Address: rjenkins@moss carpenter.com		Phone Number: (901) 494-2827	Email Address: ryan@browningcontractorsinc.com	
On-Site Representative: Mark Delancey, Project Superintendent Moss Carpenter Construction			Responsible Official: Vince Smith, Manager Ashmont Developer, LLC		
Phone Number: N/A	Email Address: mdelancey@moss carpenter.com		Phone Number: (901) 489-5896	Email Address: kakivs@gmail.com	

INSPECTION ENTRY DATES/TIMES

Entry Date/Time: July 9, 2024 / 08:49 AM	Exit Date/Time: July 9, 2024 / 03:00 PM
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NAMES OF STATE AND LOCAL INSPECTORS

Name: Joellyn Brazile, Environmental Consultant 3 Tennessee Department of Environment and Conservation (TDEC)	
Phone Number: (901) 237-6000	Email Address: Joellyn.Brazile@tn.gov
Name: Kyle Mabry, Environmental Program Manager TDEC	
Phone Number: (901) 664-1464	Email Address: kyle.mabry@tn.gov
Name: Dylan Embree, City of Lakeland – Chief Construction Inspector	
Phone Number: (901) 867-5410	Email Address: dembree@lakelandtn.org
Name: Phillip Childs, City of Lakeland – Construction Inspector	
Phone Number: (901) 867-2717	Email Address: pchilds@lakelandtn.org

AREAS EVALUATED DURING INSPECTION (Check those areas evaluated)					
X	Permit		Self-Compliance Program		Pretreatment
X	Records		Compliance Schedule	X	Pollution Prevention
X	Facility Site Review		Laboratory	X	Storm Water
X	Effluent/ Receiving Waters	X	Operations & Maintenance		Combined Sewer Overflow
	Flow Measurement		Sludge Handling/ Disposal		Sanitary Sewer Overflow
INSPECTION SUMMARY					
On July 9, 2024, Jeremy Judd from EPA Region 4, Joellyn Brazile from TDEC, and two (2) contractors from Eastern Research Group (ERG), Taylor Fontaine and Ryan Marrero-Vila (the EPA Inspection Team), were accompanied by two (2) Moss Carpenter Construction representatives and three (3) City of Lakeland officials to conduct a construction general permit (CGP) inspection of the Ashmont Planned Development project.					
EPA AND CONTRACTOR REPRESENTATIVES					
Inspector Name:		Email Address:		Office/Phone Number:	
Jeremy Judd EPA Region 4		Judd.Jeremy@epa.gov		(206) 769-1789	
Signature:					
Taylor Fontaine Eastern Research Group		Taylor.Fontaine@erg.com		(703) 956-1977	
Signature: <i>Taylor Fontaine</i>					
Ryan Marrero-Vila Eastern Research Group		Ryan.Marrero-Vila@erg.com		(571) 439-6262	
Signature: <i>Ryan Marrero</i>					
Management Name:		Email Address:		Office/Phone Number:	
Ahmad Dromgoole EPA Region 4, Water Section Chief		Dromgoole.Ahmad@epa.gov		(404) 562-9212	
AHMAD Digitally signed by AHMAD DROMGOOLE Date: 2024.09.16 15:29:27 -04'00' Signature: DROMGOOLE					

NPDES Construction Stormwater Worksheet (Tennessee)

1. FACILITY LOCATION INFORMATION					
GPS Coordinates:	Latitude	35.2275°	Longitude	-89.7431°	
Receiving Water(s), blue line stream or MS4:	Oliver Creek and unnamed tributary to Oliver Creek		Weather Conditions: Approximately 79°F and partially cloudy. According to precipitation data from the National Oceanic and Atmospheric Administration (NOAA), the Arlington, TN area received 0.75 inches of rain the day of the inspection.		
Total site area acres & disturbed acres? Part 1.4.2	99.1 total acres/85.1 disturbed acres (per	Notice of Coverage Effective Date	4/10/2023	Notice of Coverage Expiration Date	9/30/2026

1. FACILITY LOCATION INFORMATION					
	the SWPPP)				
Total project size over 50 acres? Part 5.5.3.3	☒ Yes ☐ No				
NOI submitted? Part 1.4.	Yes, submitted April 6, 2023.			Discharge to 303(d) listed or TMDL waters	Yes (<i>e. coli</i> , nutrients, and sedimentation/siltation)
Email on NOI:	kakivs@gmail.com			Exceptional Tennessee Waters	No
Has Owner or Operator changed?	No	Has a new NOI been submitted?	No	Aquatic Resource Alteration Permit?	No

2. STORMWATER POLLUTION PREVENTION PLAN (SWPPP) AND EROSION PREVENTION AND SEDIMENT CONTROL (EPSC) PLAN (PLAN) INFORMATION AND SUPPORTING DOCUMENTS (A copy of the Plan may be brought back to the office for a complete review)			
PLAN TOPICS	YES	NO	N/A
a. Stormwater Pollution Prevention Plan (SWPPP) developed and available on-site (Parts 5.1, 5.3.4, and 7.2)?	X		
b. SWPPP developed by a qualified individual (Part 5.2)?	X		
c. SWPPP is signed by a duly authorized representative (Parts 5.3.3, 8.7.2, and 8.7.3)?	X		
d. SWPPP modified or updated to reflect current Site conditions (Part 5.4.1)? Most up to date SWPPP is from March 2024. However, the SWPPP is not reflective of the Site conditions observed during the inspection [Refer to Appendix C, Exhibit Log (Exhibit 1)]. Approximately five (5) unidentified outfalls were not labeled or numbered on the Site Erosion Prevention and Sediment Controls (EPSC) Plan and were observed during the Site inspection.		X	
e. SWPPP includes Site description (Part 5.5.1)? [nature of construction; description and timeline of sequence of activities; total area of Site and disturbed portion; peak discharge info of Site before and after construction.]	X		
f. SWPPP identifies source(s) of all non-stormwater discharge(s) (Part 5.5.3.12)?	X		
g. Erosion Prevention and Sediment Controls (EPSC) Plan developed and available in the SWPPP (Parts 5.5.2 and 5.5.3)? (Date of plan?) Revised EPSC plan developed June 20, 2024.	X		
h. SWPPP/EPSC Plan describe the intended sequence and includes a description of interim & permanent stabilization measures (Parts 5.5.1, 5.5.3.2, and 5.5.3.4)?	X		

2. STORMWATER POLLUTION PREVENTION PLAN (SWPPP) AND EROSION PREVENTION AND SEDIMENT CONTROL (EPSC) PLAN (PLAN) INFORMATION AND SUPPORTING DOCUMENTS

(A copy of the Plan may be brought back to the office for a complete review)

PLAN TOPICS	YES	NO	N/A
i. Was a site assessment conducted for each outfall draining 10 or more acres or 5 or more acres if draining to waters with unavailable parameters or Exceptional Tennessee Waters (Part 5.5.3.8)? Pre-developed Outfall #20 (now Outfall #18) and post-developed Outfalls #5, #9, and #18 drain more than 10 acres. The SWPPP and ESC did not include a site assessment for pre-developed Outfalls #1, #5, #7, #10, and #11.		X	

3. SITE DESCRIPTION AND PLAN

The Ashmont Planned Development Site is a commercial project that has two (2) major development areas, one (1) in the north portion of the Site and one (1) in the south portion of the Site. Each major development area will have a constructed road, with the northern development area's road connecting to Canada Road, and the southern development area's road connecting to Davies Plantation Road. Moss Carpenter Construction is the general contractor for the Site.

On March 4, 2024, Joellyn Brazile and Rebecca Park from the Tennessee Division of Water Resources (DWR)-Memphis Environmental Field Office (MEFO) conducted an inspection at the Site along with the City of Lakeland MS4 personnel in response to a complaint to the City of Bartlett on February 26, 2024 regarding sediment discharges offsite. The inspection *"revealed several locations/outfalls where sediment has discharged from the site in sufficient enough quantities that sediment has accumulated downgradient of the permitted outfall location, including off-site and within waters of the state. Sediment accumulation was observed off-site downgradient from outfall 20, near a wetland downgradient from outfall 7, within the wetland buffer zone downgradient from outfall 6, within Stream 2 downgradient from outfall 11 and within a wetland downgradient from outfall 10."* Based on that inspection, TDEC issued a written letter for a Notice of Violation (NOV), dated March 19, 2024, and set a meeting to address the Site issues [Refer to **Appendix C, Exhibit Log (Exhibit 2)**]. The meeting took place between Site representatives and TDEC on March 25, 2024. TDEC issued a follow up letter on April 3, 2024 requiring actions from the Site [Refer to **Appendix C, Exhibit Log (Exhibit 3)**]. The Site representatives issued a response letter to TDEC on April 29, 2024 addressing the issues [Refer to **Appendix C, Exhibit Log (Exhibit 4)**]. Ashmont Developer, LLC has yet to come into full compliance at the Site and resolve the issues documented in the NOV with TDEC.

At the time of the inspection: the Site was cleared of trees and large vegetation; grading activities were still being conducted; and Tyrone Construction, a third-party contractor, was installing sewer piping southwest of the Site's construction entrance off Canada Road.

The EPA Inspection Team observed the site to be generally sloped to the west, where the Site's receiving water, Oliver Creek, is located. Two (2) unnamed tributaries to Oliver Creek are within the Site boundary, with a wetland present in between them in the center of the Site. The Site's active construction areas contained unstabilized slopes, and a perimeter silt fence on the Site's western side was observed. Two (2) of the three (3) sediment basins were observed, each being located on the north and southern portions of the Site.

The Site's SWPPP, dated March 2024, identifies 20 predevelopment outfalls and 18 post development outfalls. All outfalls, both pre and post development, discharge either directly to the west or to the unnamed tributaries onsite which then convey to the west to Oliver Creek. Oliver Creek is tributary to the Loosahatchie River. Oliver Creek is listed on TDEC's 303(d) list as impaired for *e. coli*, nutrients, and sedimentation/siltation.

Note that all outfall numbers within the report are from EPSC plan 1 dated June 20, 2024 [Refer to **Appendix C, Exhibit Log (Exhibit 5)**].

4. RECORD REVIEW			
Record Review	YES	NO	N/A
a. Representative on-site: Record review was conducted at the TDEC office in Bartlett, TN, at 2:30 PM. The EPA Inspection Team, Ryan Browning, Ryan Jenkins, and Kyle Mabry from TDEC took part in the record review.	X		
b. Records available on-site or "readily available" (Part 5.3.4 and 7.2)? The SWPPP, the NOI, proof of coverage, and previous inspection reports conducted by Diann Kelley were located in a black mailbox at the Site off Canada Road.	X		
c. Has the Site submitted a Notice of Intent (NOI) (Part 1.4.1)?	X		
d. Was the NOI submitted and signed by an individual who has daily operational control (Parts 3.1.1 and 3.1.6)? NOI was signed by Ryan Browning, Vice President – Browning Contractors.	X		
e. Does the Site map include the following: Site acreage to be disturbed, all outfalls discharging runoff from the property, streams receiving the discharge, and storm sewer systems conveying the discharge from outfalls (Part 3.2.2)? Approximately five (5) unidentified outfalls were not labeled or numbered on the Site Erosion Prevention and Sediment Controls (EPSC) Plan and were observed during the Site inspection.		X	
f. Project exceeds 50 acres of disturbance (Part 5.5.3.3)? At the time of the inspection, the Site had been cleared of vegetation and grading activities were underway. According to the Site representative, approximately 40 acres at the Site were disturbed at the time of the inspection.		X	
g. If yes to 4.f., is the Permittee maintaining a rainfall log per calendar day? The Site representative did not provide a rainfall log to the EPA Inspection Team.			X
h. If yes to 4.f., are site inspections conducted at least twice weekly and following any rainfall event of more than 0.5 inches in 24 hours by authorized representative (Part 5.5.3.9 and 5.5.3.10)?			X
i. If yes to 4.f., is the Permittee conducting stormwater runoff monitoring shall be conducted at each outfall draining 10 or more acres (Section 5.5.3.5) or 5 or more acres if draining to waters with unavailable parameters or Exceptional Tennessee Waters (Section 6.4.1)?			X
j. If no to 4.f., are Permittee site inspections conducted at least twice weekly by authorized representative (Part 5.5.3.9 and 5.5.3.10)?	X		
k. Inspections documented on Construction Stormwater Inspection Certification Form? Part 5.5.3.11	X		

5. FIELD EVALUATION & PLAN IMPLEMENTATION		
Erosion Prevention and Sediment Controls (EPSCs)	Check BMPs Listed in the Plan	Note location, quantitative description, design issue, O&M deficiencies (including the nature and extent), and sediment off site in accordance with the <u>Tennessee Erosion Prevention & Sediment Control Handbook</u> .
a. Are all applicable EPSCs installed and maintained per the SWPPP per the current phase?	No	The EPA Inspection Team observed that throughout the entire Site's perimeter silt fence, there was evidence of improper installation, undercutting, overtopping, and significant sediment build up [Refer to <u>Appendix B, Photograph Log (Photographs 12-14, 19, 20, 24, 25, 28, 30, 35, 40, 48, 52, 62, and 66-68)</u>].
b. Are EPSCs functioning correctly at all disturbed areas/material storage areas?	N/A	The EPA Inspection Team observed undercutting of the wattles and silt fencing at Outfall #18 [Refer to <u>Appendix B, Photograph Log (Photographs 29 and 30)</u>]. The EPA Inspection Team observed sediment undercutting the silt fencing and the discharge of sediment offsite in areas south of Outfall #5 and west of Outfall #7. The EPA Inspection Team observed evidence of sediment discharge offsite at Outfalls #16, #14, and several unidentified outfalls that have not been assigned identification numbers in the EPSC plan [Refer to <u>Appendix B, Photograph Log (Photographs 11-14, 19, 24, 25, 40, 48, 50, 52, 62, 66-68)</u>, and <u>Appendix C, Exhibit Log (Exhibit 5)</u>]. Refer to Section 5.a., above.
c. Are EPSCs functioning correctly at outfall/discharge points such that there is no objectionable color contrast in the receiving stream, and no other water quality impacts?	No	The EPA Inspection Team observed evidence of turbid water discharging from Outfall #5 towards an adjacent wetland area, an unnamed tributary to Oliver Creek, and Oliver Creek [Refer to <u>Appendix B, Photograph Log (Photograph 16)</u>].
d. Are EPSCs functioning correctly at ingress/egress points such that there is no evidence of track out?	No	The EPA Inspection Team did not observe track out from the Site; however, the EPA Inspection Team observed the Site's rock track-out pad installed at the ingress/egress from Canada Road was not installed to the specification and detail in the Site's ESC plan [Refer to <u>Appendix B, Photograph Log (Photographs 1 through 3)</u>].
e. If applicable, have discharges from dewatering activities been managed by appropriate controls? (permit section 4.1.3) If "No," describe below the measure to be implemented to address deficiencies.	N/A	At the time of the inspection, no dewatering activities were observed at the Site.
f. If construction activity at any location on-site has	Yes	At the time of the inspection, the southern portion of the Site had temporarily ceased construction activities and was stabilized

5. FIELD EVALUATION & PLAN IMPLEMENTATION		
Erosion Prevention and Sediment Controls (EPSCs)	Check BMPs Listed in the Plan	Note location, quantitative description, design issue, O&M deficiencies (including the nature and extent), and sediment off site in accordance with the <u>Tennessee Erosion Prevention & Sediment Control Handbook</u> .
temporarily/permanently ceased, was the area stabilized within 14 days? (permit section 3.5.3.2) If yes, describe below each location and measures taken to stabilize the area(s).		[Refer to Appendix B, Photograph Log (Photographs 29, 30, and 31)]. According to the Site representative, the area had been inactive for more than two weeks.
g. Have pollution prevention measures been installed, implemented, and maintained to minimize the discharge of pollutants from wash waters, exposure of materials and discharges from spills and leaks per section 4.1.4? If "No," describe below the measure N/A Yes to be implemented to address deficiencies.	N/A	No pollutants from wash waters, exposure of materials, and discharges from spills and leaks were observed during the inspection.
h. If a concrete washout facility is located on site, is it clearly identified on the project and maintained? If "No," describe below the measures to be implemented to address deficiencies.	N/A	At the time of the inspection, a concrete washout facility was not present onsite.
i. Have all previous deficiencies been addressed? If "No," describe the remaining deficiencies in the Comments section.	Yes	The Permittee's stormwater inspection reports indicated previous deficiencies have been addressed.
j. Silt Fences	Yes	Silt fences were observed installed at the site at the time of the inspection. Refer to the "Are all applicable EPSCs installed and maintained per the SWPPP per the current phase?" section for more information on the condition of the silt fences.

5. FIELD EVALUATION & PLAN IMPLEMENTATION			
Erosion Prevention and Sediment Controls (EPSCs)	Check BMPs Listed in the Plan	Note location, quantitative description, design issue, O&M deficiencies (including the nature and extent), and sediment off site in accordance with the <u>Tennessee Erosion Prevention & Sediment Control Handbook</u> .	
k. Storm Drain Inlet/Outlet Protection (Specify: Filter Fabric, Gravel Bags, etc.)	N/A	At the time of the inspection, the Site had not yet installed storm drains.	
l. Construction Entrance & Exit Controls	No	A rock track-out pad was installed at the Site’s construction entrance/exit from Canada Road at the northeastern corner of the Site [Refer to Appendix B, Photograph Log (Photographs 1-3)]. However, the EPA Inspection Team observed the Site’s rock track-out pad installed at the ingress/egress from Canada Road was not installed to the specification and detail in the Site’s ESC plan. The construction entrance/exit was not identified in the EPSC plan [Refer to Appendix C, Exhibit Log (Exhibit 5)].	
m. Truck Wash Down Controls	N/A	A truck wash down area was not present at the Site at the time of the inspection.	
n. Concrete truck washout pit	N/A	At the time of the inspection, concrete work was not being done at the Site and no concrete washout pits were present at the inspection.	
o. Other Practices (e.g., fueling containment, control areas for maintenance, etc.)	N/A	None observed.	
p. Proper Storage & Control of Construction Debris & Chemicals (i.e., sand, litter, paint, solvents, petroleum, & etc.)	No	No storage of chemicals or solvents was observed during the inspection. The EPA Inspection Team observed one (1) hardened concrete bag on the ground surface west of the construction entrance off Canada Road [Refer to Appendix B, Photograph Log (Photograph 4)].	
Outfall, Stormwater Discharge & Receiving Water	YES	NO	
a. Number & location of stormwater		X	At the time of the inspection, the EPA Inspection Team was able to verify the majority of the locations of outfalls that have been

Outfall, Stormwater Discharge & Receiving Water	YES	NO	
discharge(s)/outfall(s) consistent with the Plan			identified with the EPSC. The EPA Inspection Team observed five (5) unidentified outfalls that were not labeled or numbered on the Site Erosion Prevention and Sediment Controls (EPSC) Plan on both sides of the unnamed tributaries to Oliver Creek [Refer to <u>Appendix B, Photograph Log (Photographs 24-26, 46-49, 52, 53, 55, 58, 59 and 64)</u>].
b. Evidence of off-site accumulation of sediment observed in receiving water	X		The EPA Inspection Team observed the unnamed tributary to Oliver Creek which runs through the center of the Site. The water was observed to be turbid and sediment laden. Sediment discharges from Outfalls #13 through 17 and unnamed outfalls were observed adjacent to the receiving water [Refer to <u>Appendix B, Photograph Log (Photographs 40, 43, 44, 49, 50, 59, and 62)</u>]. The EPA Inspection Team also observed sediment deposition offsite in areas south of Outfall #5, west of Outfall #7, and at Outfalls #14 and #16 [Refer to <u>Appendix B, Photograph Log (Photographs 11-14, 19, 24, 25, 40, 48, 50, 52, 62, 66-68)</u>].
c. Non-stormwater discharge observed	X		Refer to the above section 6.b.

7. Inspection Observations and Areas of Concern

Observations

- CGP, Part 5.5.3.1.c. states “[i]f sediment escapes the permitted area, off-site accumulations that have not reached a stream must be removed at a frequency sufficient to minimize off-site impacts (e.g., sediment that has escaped a construction site and collected in a street must be removed so that it does not subsequently wash into storm sewers and streams during the next rain...”

The EPA Inspection Team observed evidence of sediment discharge offsite at Outfalls #16, #14, and several unidentified outfalls that have not been assigned identification numbers in the EPSC plan [Refer to **Appendix B, Photograph Log (Photographs 11-14, 19, 24, 25, 40, 48, 50, 52, 62, 66-68)**, and **Appendix C, Exhibit Log (Exhibit 5)**].

- The construction entrance was not installed to the Construction Entrance Detail in the Site’s erosion and sediment control plan. The detail specifies clean washed stone sizes from 2 inches to 4 inches to a depth of at least 8 inches, underlain with geotextile fabric [Refer to **Appendix B, Photograph Log (Photographs 1, 2, and 3)**].
- The Site’s ESC Silt Fence Detail specifies that silt fence be trenched in and backfilled to a minimum depth of five inches. The EPA Inspection Team observed multiple instances where silt fence was not

entrenched, allowing stormwater to convey sediment under the silt fence and offsite [Refer to **Appendix B, Photograph Log (Photographs 6, 7, 8, 9, 12, 13, 19, 20, 21, 23, 24, 26, 27, 28, 34, 38, 39, 42, 46, 53, 57, 61, 63, and 65)**].

- SWPPP, Page 12 states “The technical basis for selection of the controls and practices used to minimize the pollution of storm water runoff from the Project include the Tennessee Erosion & Sediment Control Handbook [TDEC ESC Handbook] and good engineering practices proven in past experience to be effective when properly maintained.” SWPPP, Page 15 describes silt fence as “A temporary sediment control measure, composed of woven geotextile fabric supported by steel or wood posts, used to intercept sediment transported from areas where runoff occurs as sheet flow.” The TDEC ESC Handbook prohibits the installation of silt fence “across streams, ditches, waterways, or other concentrated flow areas.”

The EPA Inspection Team observed multiple instances where silt fence was installed across areas of concentrated stormwater flow [Refer to **Appendix B, Photograph Log (Photographs 11, 14, 16, 24, 25, 35, 38, 47, 48, 50, 52, 61, 62, 64, 66, 67, and 68)**].

- SWPPP, Page 23 states “Sediment will be removed from silt fences, rock silt screens, and other sediment controls as necessary, but at least when the design capacity of the control has been reduced by 40%.”

The EPA Inspection Team observed silt fence with sediment accumulation that reduced the capacity of the control by at least 40% [Refer to **Appendix B, Photograph Log (Photographs 8, 12, 13, 14, 16, 17, 19, 20, 24, 25, 28, 35, 40, 48, 52, 61, 62, 64, 66, 67, and 68)**].

Areas of Concern

- TDEC CGP, Part 5.5.3.4. states “Steep slopes shall be stabilized within one week after construction activity on the slope has temporarily or permanently ceased.”

The EPA Inspection Team observed disturbed slopes without temporary or permanent stabilization and rill or gully erosion [Refer to **Appendix B, Photograph Log (Photographs 12, 13, 14, 19, 40, and 48)**]. The EPA Inspection Team, however, did not determine which slopes met the Permit’s definition of steep slopes.

- The EPA Inspection Team observed that silt fence without backing, by itself and not as part of a stormwater treatment train, was not an adequate sediment control for northern and western Site perimeters [Refer to **Appendix B, Photograph Log (Photographs 8, 12, 13, 14, 17, 19, 20, 24, 25, 28, 35, 47, and 48)**].

The TDEC ESC Handbook silt fence design criteria specify the “maximum drainage area for a continuous fence without backing shall be 1/4 acre per 100 linear feet of fence length, up to a maximum area of 2 acres. The maximum slope length behind the fence on the upslope side should be 110 feet (as measured along the ground surface).

The TDEC ESC Handbook silt fence construction specifications state that ponding water depth shall not exceed 1.5 feet, ponding water depths approaching or exceeding 1.5 feet were observed at more than three (3) locations during the inspection (Refer to **Appendix B, Photograph Log (Photographs 8, 12, and 20)**].

Exit interview conducted with:

- TDEC representatives, the EPA Inspection Team, Ryan Jenkins, and Ryan Browning at the TDEC Bartlett field office.
- Discussed with Ryan Browning the scope of the inspection and the preliminary findings of sediment being transported from the Site to Oliver Creek and its tributaries.

Appendix A – Aerial Location

Appendix B – Photograph Log

Appendix C – Exhibit Log

**Appendix A
Aerial Location**

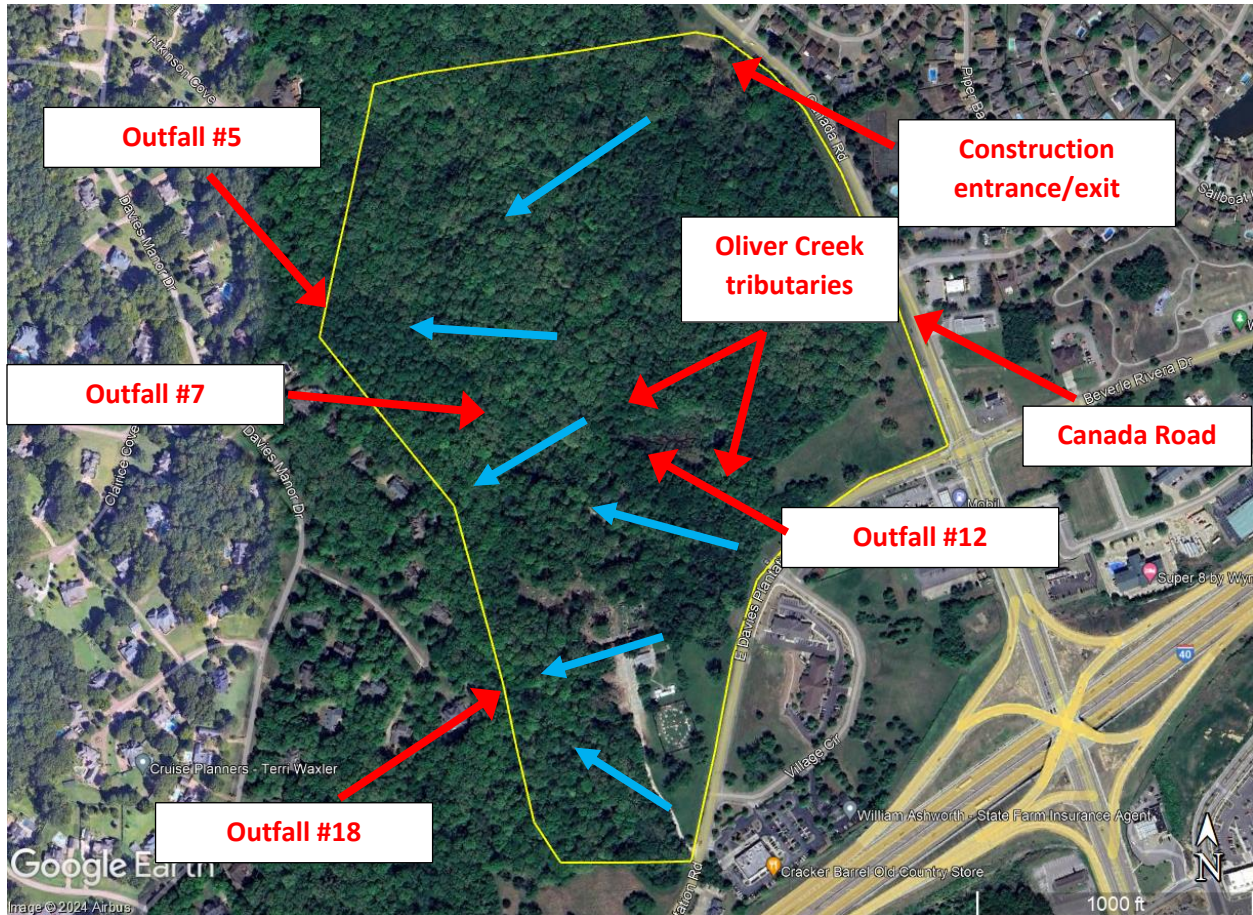


Figure 1. Aerial Image of the Ashmont Planned Development project (Lakeland, TN) from Google Earth (Dated 2024). The yellow line shows the approximate perimeter of the Site, and the blue lines show the directions of stormwater flow based on observed gradients at the Site.

Appendix B – Photograph Log

Ashmont Planned Development

All photos taken on a Nikon CoolPix AW110 Digital Camera
by Taylor Fontaine



Photograph 1. View, facing east, of the stabilized construction entrance/exit off Canada Road.



Photograph 2. View, facing southeast, of the stabilized construction entrance/exit off Canada Road. Minor sediment track out was observed. Bare spots were present between the stabilized entrance and Canada Road.



Photograph 3. View, facing west, of the stabilized construction entrance/exit off Canada Road.



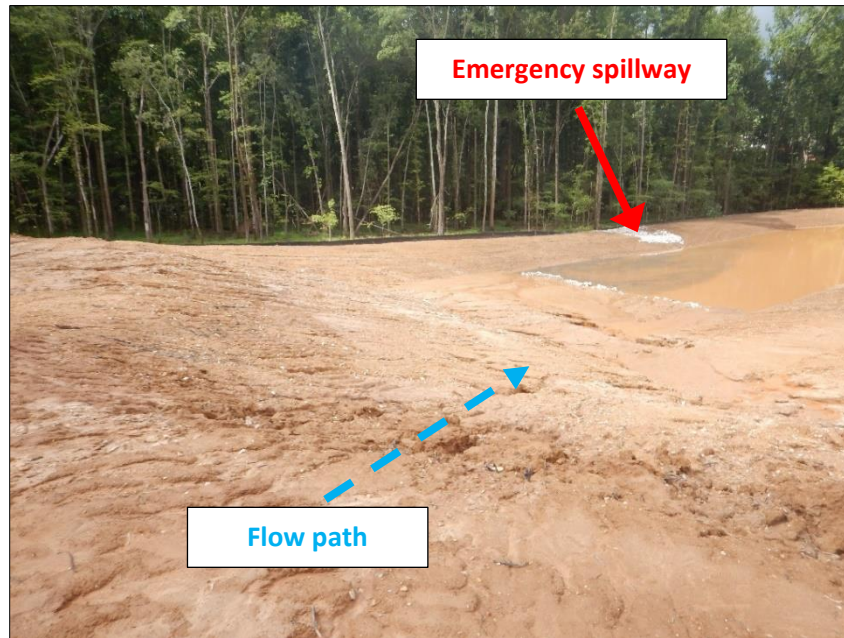
Photograph 4. View, facing west, of a hardened bag of concrete mix (red circle) on the ground surface in the northeastern portion of the Site.



Photograph 5. View, facing west, of the northwestern portion of the Site. This area was actively under construction at the time of the inspection.



Photograph 6. Downgradient view, facing west, of a permanent sediment basin located in the northwestern portion of the Site. Rill erosion was visible on the unstabilized slopes leading to the basin.



Photograph 7. View, facing west, of the permanent sediment basin in the northwest corner of the Site. Rill erosion was visible on the unstabilized slopes leading to the basin.



Photograph 8. View, facing south, of an unstabilized slope with rill erosion in the northern portion of the Site. The silt fence at the base of the slope had been overtopped by sediment and stormwater.



Photograph 9. View, facing north, of the basin shown in Photographs 6 and 7. Rill erosion was visible on the unstabilized slopes leading to the basin.



Photograph 10. View, facing northwest, of the sediment basin shown in Photographs 6, 7, and 9. The basin contained sediment-laden water but no discharge occurring at the time of the inspection.



Photograph 11. View, facing west, of the emergency spillway from the sediment basin. Silt fence was installed across the emergency spillway, an area of concentrated flow.



Photograph 12. View, facing south, of turbid water discharged from the Site at the base of a slope in the northwest portion of the Site. The base of the silt fence was not buried, therefore allowing sediment discharges to flow underneath the silt fence and offsite. An identified wetland is located approximately 75 feet west of the silt fence.



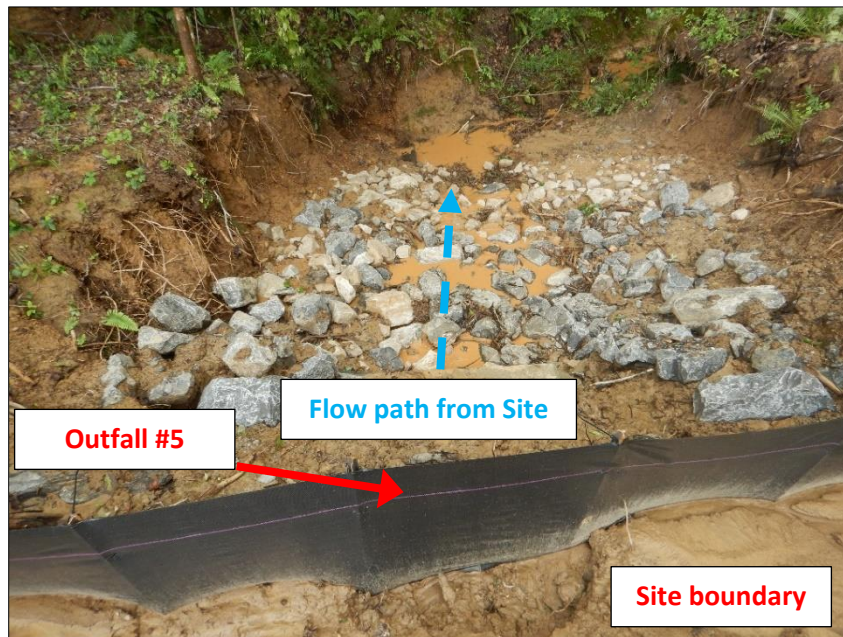
Photograph 13. View, facing north, of a location where the silt fence adjacent to the emergency spillway was incorrectly installed. Upgradient slopes were eroded and not stabilized. The base of the silt fence was not buried, therefore allowing sediment discharges to flow offsite. This area is approximately 75 feet east of an identified wetland area.



Photograph 14. Closer view of a location where concentrated stormwater flow conveyed sediment under the silt fence (refer also to [Photograph 13](#)) and offsite.



Photograph 15. View, facing east, of the sediment basin shown in Photographs 6, 7, 9, and 10. The riser (circled in red) in the middle of the basin discharges through Outfall #5. The basin contained sediment-laden water but no discharge occurring at the time of the inspection.



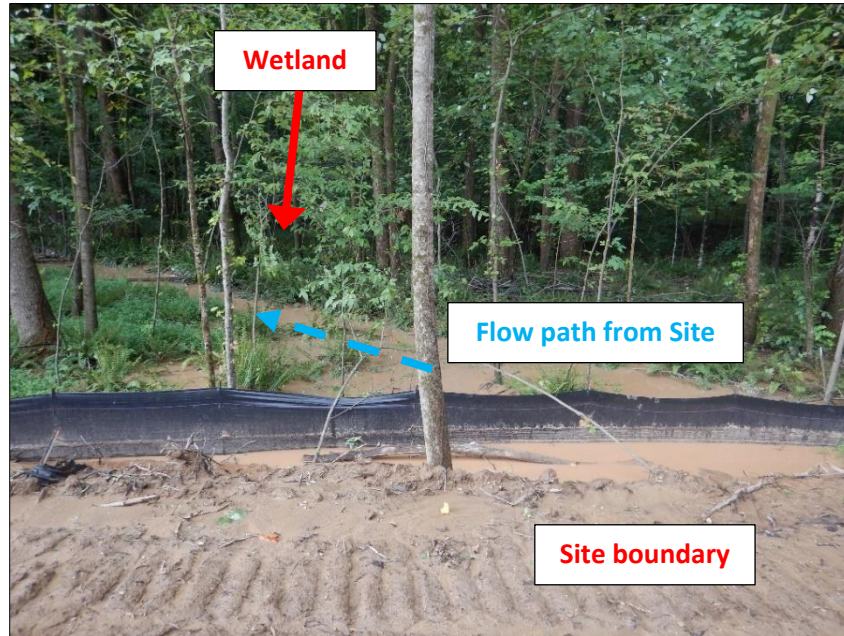
Photograph 16. Downgradient view, facing northwest, of constructed Outfall #5 that leads to Oliver Creek. The water flowing from the site was turbid and contained visible sediment. Silt fence was installed across Outfall #5, an area of concentrated flow.



Photograph 17. View, facing northwest, Oliver Creek running south to north adjacent to the Site.



Photograph 18. View, facing east, of the sediment basin shown in [Photographs 6, 7, 9, 10, and 15](#). The basin contained sediment-laden water but no discharge occurring at the time of the inspection.



Photograph 19. Downgradient view, facing west, of sediment discharge outside the limits of construction, along the northwestern boundary of the Site. The base of the silt fence was not buried, therefore allowing sediment discharges to flow offsite. Surface roughening was applied in the wrong direction and would increase flow velocity and channelization, not decrease velocity. Stormwater in this portion of the Site flows towards the identified wetland area.



Photograph 20. Downgradient view, facing west, of rill erosion on an unstabilized slope in the northwestern portion of the Site. Sediment had accumulated to more than half the height of the silt fence, on the up gradient side.



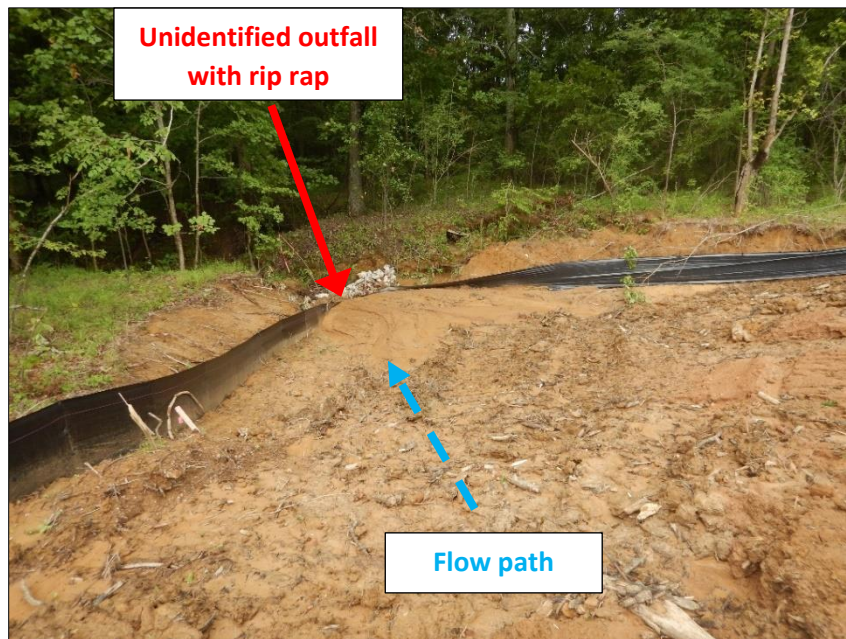
Photograph 21. Upgradient view, facing east, of unstabilized slopes shown in Photograph 20 with rill and gully erosion in the northwestern portion of the Site. Surface roughening was applied in the wrong direction and would increase flow velocity and channelization, not decrease velocity.



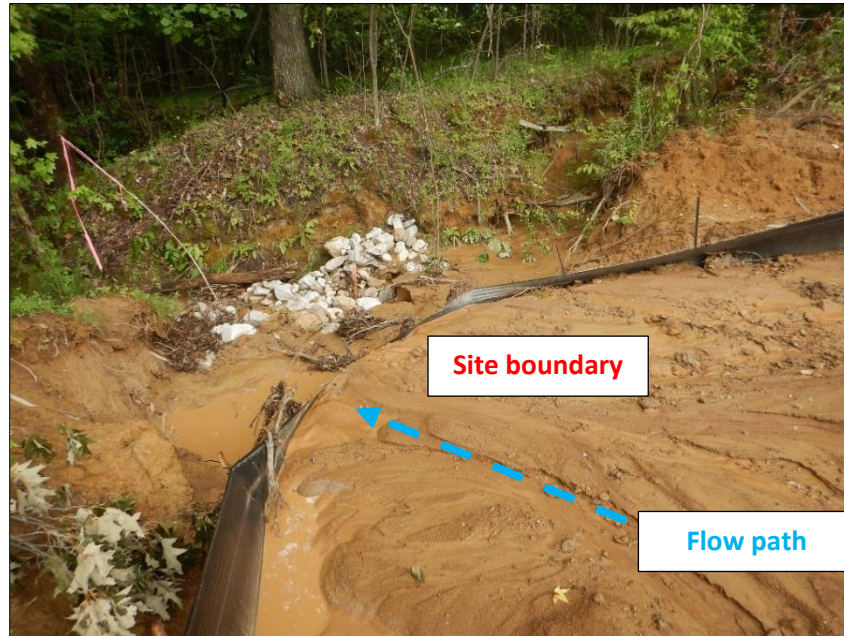
Photograph 22. View, facing south, of an active construction area in the western portion of the Site.



Photograph 23. View, facing west, of constructed Outfall #7 in the western portion of the Site. Slopes around the outfall were unstabilized and eroded.



Photograph 24. Downgradient view, facing west, of sediment overwhelming a silt fence approximately 100 feet north of Outfall #7 in the western portion of the Site. Silt fence was installed across this area of concentrated stormwater flow.



Photograph 25. Closer view of the offsite sediment discharge shown in Photograph 24. Sediment had overtopped silt fence and discharged offsite towards Oliver Creek. Silt fence was installed across this area of concentrated stormwater flow.



Photograph 26. Upgradient view of an unstabilized slope that leads to the unidentified discharge point shown in Photograph 25. Silt fence was installed along the slope, not along the contour, at this location and no other slope stabilization measures were installed or implemented. The operator had performed earthwork outside the perimeter silt fence.



Photograph 27. View, facing south, of Outfall #7. Note the unstabilized slope upgradient of the outfall.



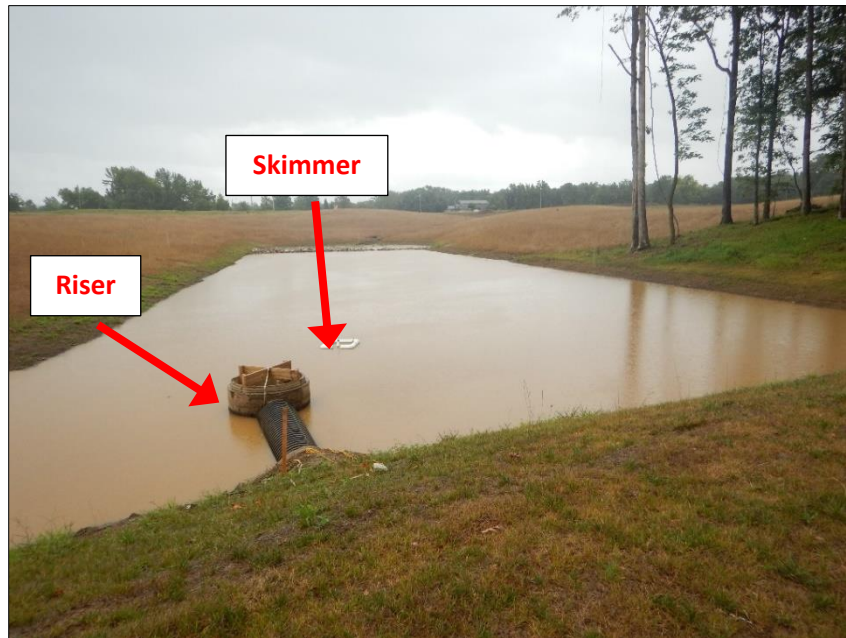
Photograph 28. Downgradient view of an unstabilized and eroded slope in the western portion of the Site. Sediment had overtopped the silt fence and discharged offsite.



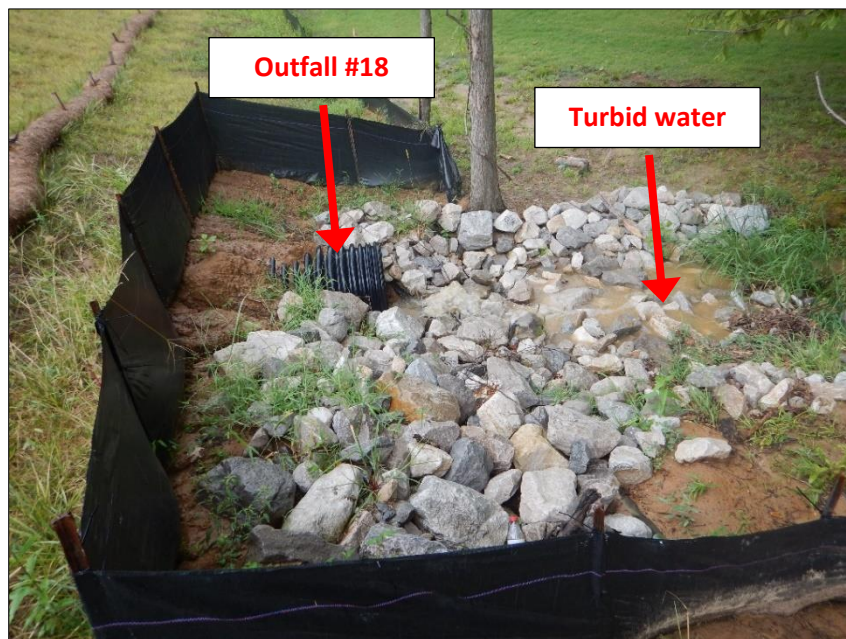
Photograph 29. Upgradient view, facing northeast, of a check dam and straw wattle erosion and sediment controls upgradient of Outfall #18.



Photograph 30. Downgradient view of Outfall #18 in the southwestern portion of the Site. Vegetative stabilization was not sufficient to prevent sediment from overtopping the silt fence adjacent to the outfall. Sediment was visible downgradient from Outfall #18.



Photograph 31. View, facing east, of a retention basin located upgradient of Outfall #18. The basin contained sediment-laden water; turbid discharge was observed at Outfall #18 (refer to **Photograph 32**).



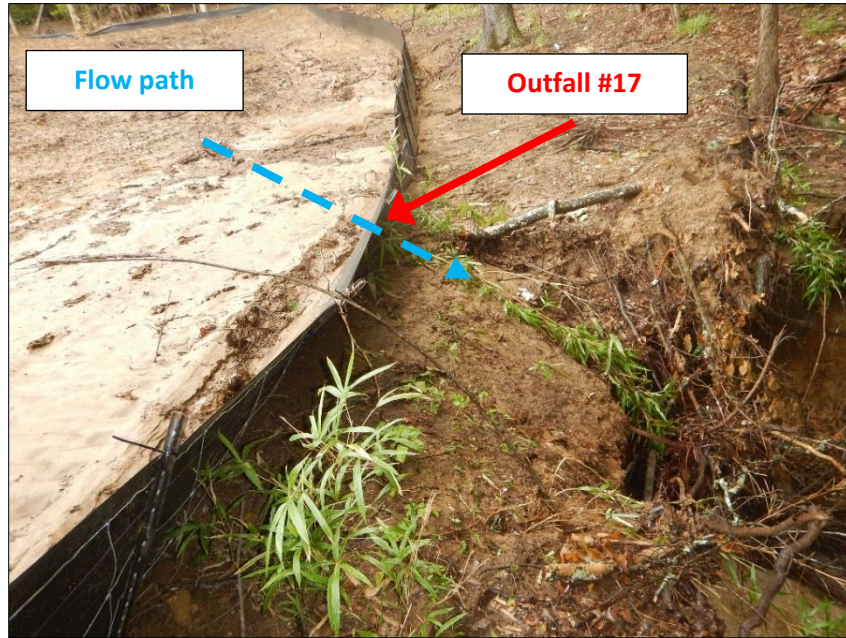
Photograph 32. View facing south, of Outfall #18. The water discharging from the outfall was turbid.



Photograph 33. Downgradient view of the stormwater flow path leading towards Outfall #18. Vegetative stabilization was not sufficient to prevent rill erosion on the slope leading to Outfall #18.



Photograph 34. Upgradient view of an unstabilized slope in the southern portion of the Site.



Photograph 35. View, facing west, of Outfall #17 in the center of the Site. A head cut was visible downgradient from Outfall #17. Silt fence was installed across Outfall #17, an area of concentrated flow.



Photograph 36. Closer view of Outfall #17 and the head cut. The water leading to an unnamed tributary of Oliver Creek downgradient of the outfall was turbid.



Photograph 37. View of a disturbed area upgradient of Outfall #17.



Photograph 38. Downgradient view of the flow path towards Outfall #16 in the center of the Site. Silt fence was installed across the channel downgradient from Outfall #16, an area of concentrated flow.



Photograph 39. Upgradient view of the flow path towards Outfall #16. The slopes were unstabilized and eroded. Stormwater and sediment had bypassed and undercut the check dam.



Photograph 40. View of offsite sediment discharge downgradient from Outfall #16. The base of the silt fence was not buried, therefore allowing sediment discharges to flow offsite



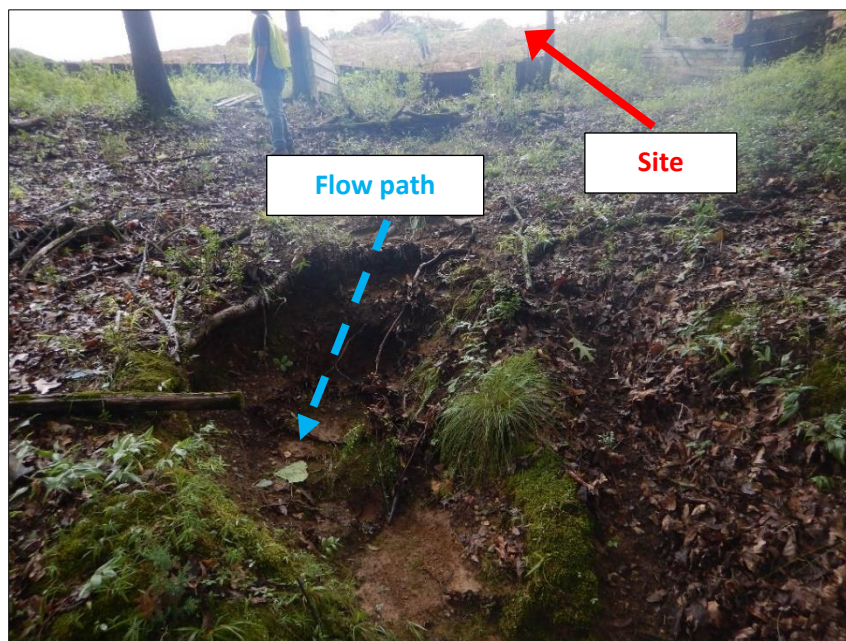
Photograph 41. View of an unnamed tributary to Oliver Creek. The water in the unnamed tributary to Oliver Creek downstream of the Site's Outfall #16 was turbid. The corrugated piping was not installed.



Photograph 42. Upgradient view of an unstabilized and eroded slope in the center of the Site.



Photograph 43. View of sediment that had discharged offsite in the center of the Site. Note that the area in this picture is entirely offsite.



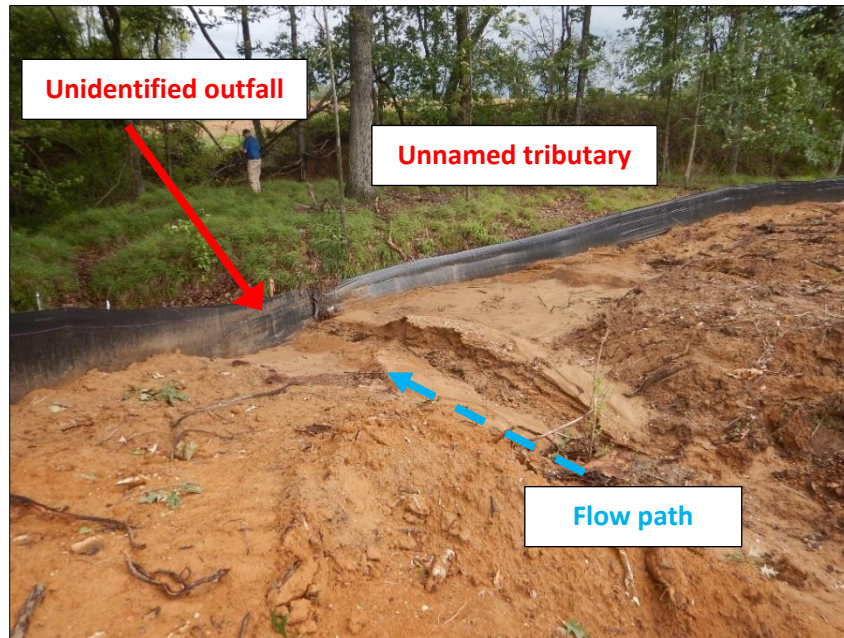
Photograph 44. View, facing south, of a head cut offsite in the middle portion of the Site approximately 100 feet east of Outfall #16.



Photograph 45. Downgradient view of the erosion shown in Photograph 44. The unnamed tributary to Oliver Creek runs adjacent to the Site in this location.



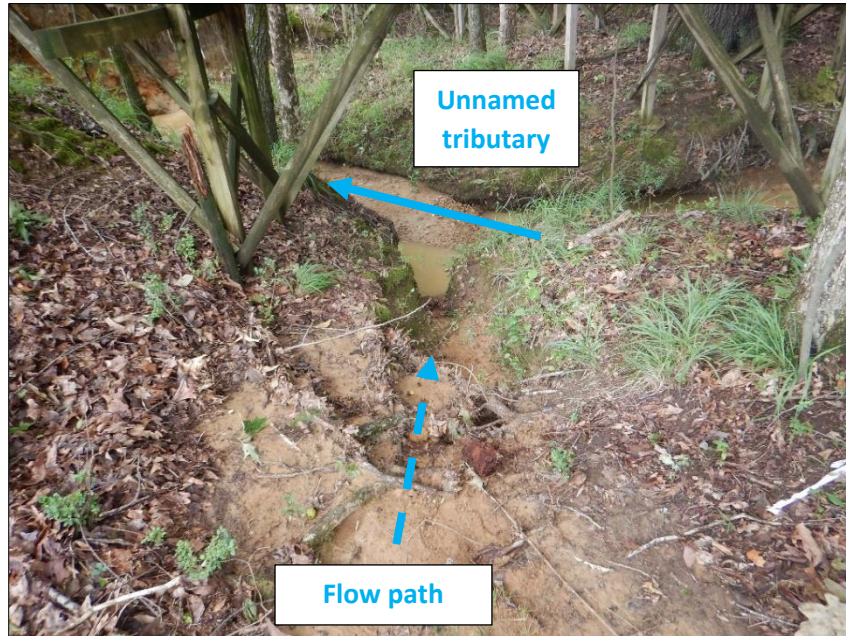
Photograph 46. Upgradient view of a concentrated flow path leading to an unidentified discharge point in the center of the Site. The slopes on either side of the concentrated flow path were unstabilized and eroded.



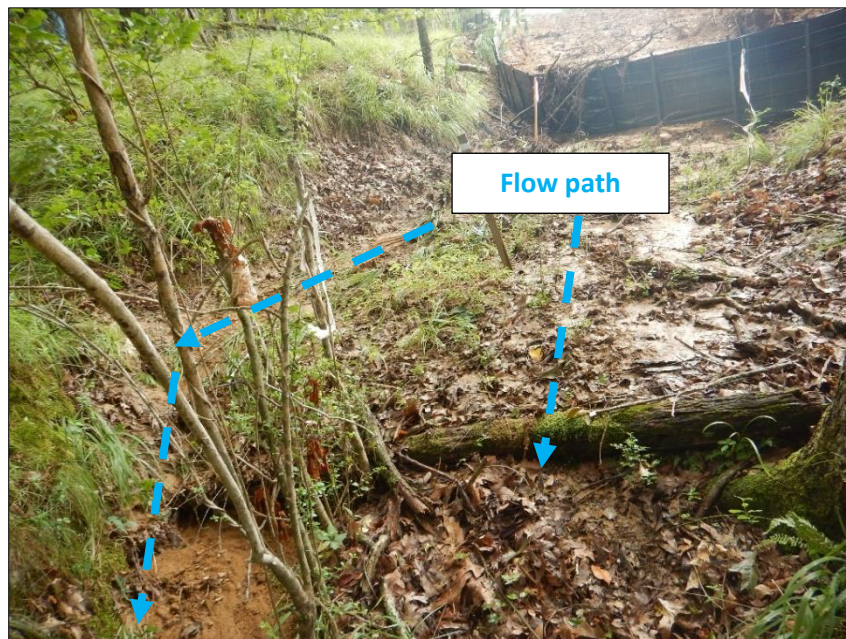
Photograph 47. View, facing north, of a stormwater discharge point in the center of the Site. The silt fence was installed across the discharge point, an area of concentrated flow.



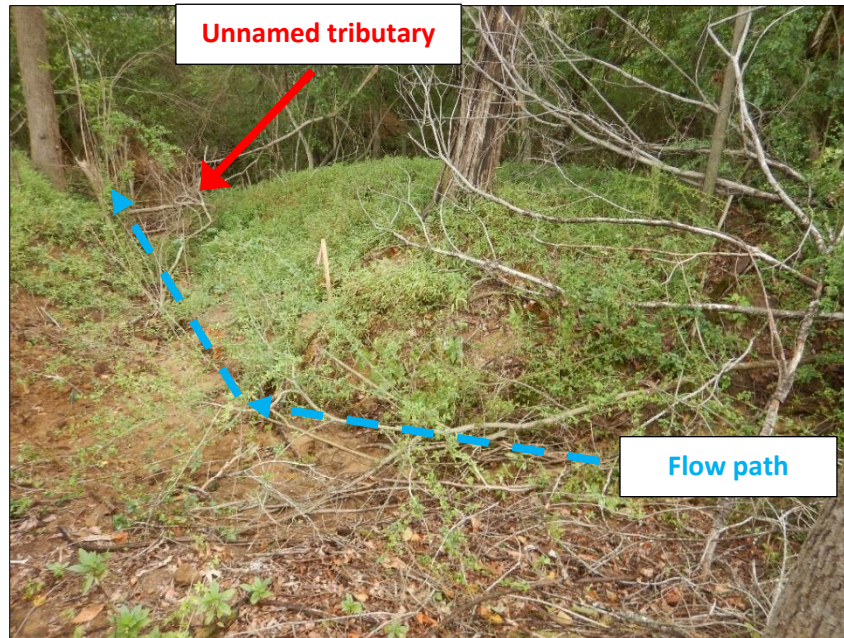
Photograph 48. View, facing east, of the discharge point shown in Photograph 47. The silt fence was not properly buried allowing sediment to undercut the silt fence and discharge offsite (circled in red). The silt fence was installed across the discharge point, an area of concentrated flow.



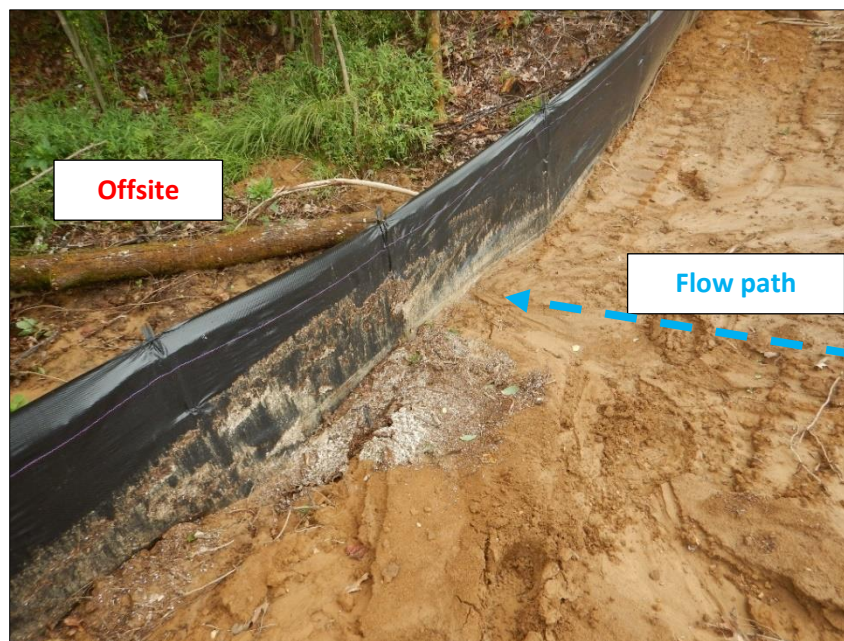
Photograph 49. View of an eroded slope downgradient of the discharge point shown in Photograph 48. The water in the unnamed tributary to Oliver Creek was turbid.



Photograph 50. Upgradient view of the concentrated flow path shown in Photograph 49. The silt fence was installed across the discharge point, an area of concentrated flow.



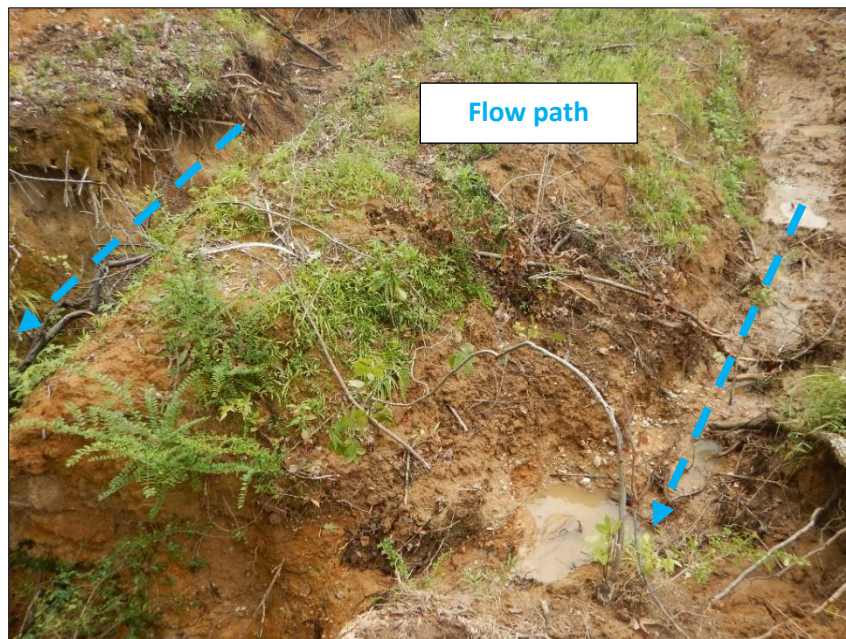
Photograph 51. Downgradient view of a stormwater flow path leading from the Site towards the unnamed tributary to Oliver Creek.



Photograph 52. View, facing east, of another stormwater discharge point in the center of the Site. The silt fence was installed across the discharge point, an area of concentrated flow.



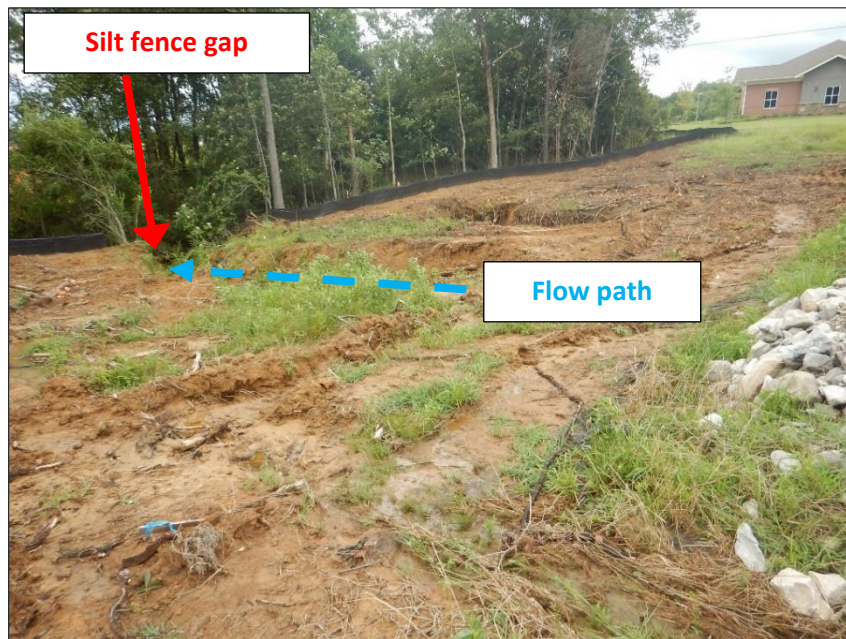
Photograph 53. Upgradient view of gully erosion on an unstabilized slope in the center of the Site. This flow path leads towards an unidentified discharge point shown in [Photograph 55](#).



Photograph 54. Closer view of the gully erosion shown in [Photograph 53](#).



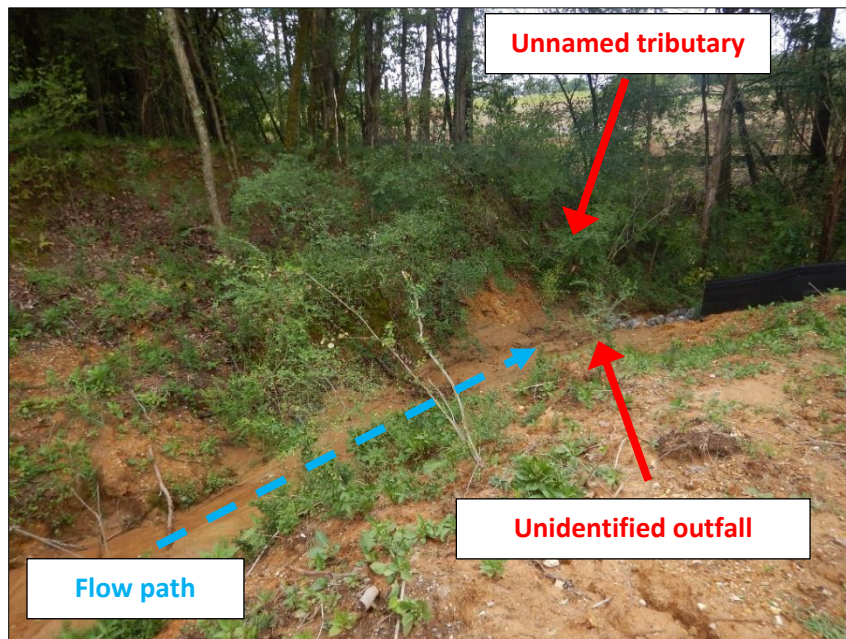
Photograph 55. View, facing northeast, of an unidentified discharge point and head cut in the center of the Site. There was a gap in the silt fence perimeter control in this location.



Photograph 56. Downgradient view of the stormwater flow path and gap in the silt fence shown in Photograph 55.



Photograph 57. View, facing northeast of the gully erosion in the center of the Site. The slopes on either side of the gully were unstabilized and eroded.



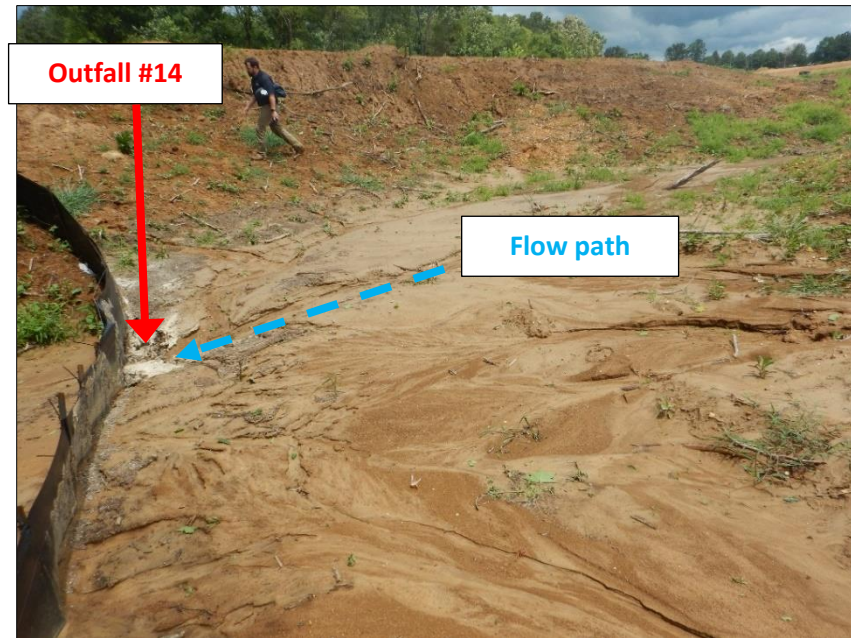
Photograph 58. Downgradient view of the stormwater flow path leading towards an unidentified discharge point in the center of the Site.



Photograph 59. Upgradient view of the stormwater flow path leading towards an unidentified discharge point in the center of the Site shown in [Photograph 58](#).



Photograph 60. View of offsite sediment discharge towards the unnamed tributary to Oliver Creek in the center of the Site.



Photograph 61. View, facing northwest, of the stormwater and sediment flow path leading towards Outfall #14 in the center of the Site. The slope was unstabilized and sediment had discharged offsite. The silt fence was installed across the outfall, an area of concentrated flow.



Photograph 62. Additional view of Outfall #14 shown in [Photograph 61](#). Sediment had discharged offsite. The silt fence was installed across the outfall, an area of concentrated flow.



Photograph 63. View, facing northwest, of a stormwater and sediment flow path leading towards an unidentified discharge point in the center of the Site. The slope upgradient from the discharge point was unstabilized.



Photograph 64. Closer view of the unidentified discharge point shown in [Photograph 63](#). The silt fence was installed across the discharge point, an area of concentrated flow.



Photograph 65. View, facing northeast, of an unstabilized and eroded slope in the center of the Site.



Photograph 66. View, facing southeast, of Outfall #12 in the center of the Site. It was unclear what the white substance on the ground was. The silt fence was installed across the outfall, an area of concentrated flow.



Photograph 67. View, facing west, of sediment overtopping the silt fence and discharging offsite in the center of the Site. The silt fence was installed across the discharge point, an area of concentrated flow.



Photograph 68. Additional view of the sediment overtopping the silt fence and discharging offsite in the center of the Site shown in Photograph 67. The silt fence was installed across the discharge point, an area of concentrated flow.



Photograph 69. View, facing northwest, of the Site's mailbox (circled in red) containing the Site's stormwater pollution prevention plan (SWPPP) and inspection records located off Canada Road.