

**NOTICE OF INTENT TO TERMINATE PERMIT  
BLAYLOCK & BROWN CONSTRUCTION, INC. CLASS III LANDFILL**

The Commissioner of the Tennessee Department of Environment and Conservation (TDEC), Division of Solid Waste Management (DSWM), has tentatively decided to terminate the solid waste disposal facility permit issued to Blaylock & Brown Construction, Inc. The facility, identified as Blaylock & Brown Construction, Inc. Class III Disposal Facility (DML790000050), is located in Shelby County at 10636 Shelton Rd, Collierville, Tennessee (35.0853319858, -89.7108051805).

This facility is permitted for the disposal of farming wastes, landscaping and land clearing wastes, construction/demolition waste, shredded automotive tires, and/or certain wastes having similar characteristics and approved in writing by the Department. No hazardous wastes, as regulated by the Tennessee Hazardous Waste Management Act (Tennessee Code Annotated, Section 68-212-101, et seq.) and the Rules adopted pursuant to the Act, were allowed to be accepted for disposal at this facility. The permit also incorporated the terms and conditions under Rule 0400-11-01-.02(5)(a).

In December 2022, Blaylock & Brown Construction, Inc. ceased all facility operations and abandoned the site, thus failing to enact closure activities to prevent the releases of solid wastes and solid waste constituents to the environment. Blaylock & Brown Construction, Inc. has failed to take reasonable steps to minimize releases to the environment and carry out such measures as are reasonable to prevent adverse impacts on human health or the environment. The permittee has failed to properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. In the interim, DSWM staff and DSWM-hired contractors have been compelled to mobilize personnel and equipment to perform repair work, relocate waste, and prepare plans for closure. DSWM has taken possession of the financial assurance instrument on file to achieve oversight of these necessary activities. Pursuant to Tennessee Rule Chapter 0400-11-.01-.02(6)(c)3, the Commissioner has determined, based on the foregoing, that Blaylock & Brown Construction, Inc. is in significant noncompliance with the permit and that continuation of the permitted activity endangers human health and the environment and can only be regulated to acceptable levels by permit termination.

It is the present intent of the Commissioner, pending consideration of any information received during the public comment period ending on Wednesday, August 9, 2023, to terminate this permit. Visit [tn.gov/environment/notices/eplex](https://tn.gov/environment/notices/eplex) to review the fact sheet online. A copy of the fact sheet leading to this tentative decision may be reviewed at the TDEC Memphis Environmental Field Office, 8383 Wolf Lake Drive, Bartlett, TN 38133 (901-371-3000) and the DSWM Central Office, Tennessee Tower, 312 Rosa L. Parks Avenue, 14<sup>th</sup> Floor, Nashville, TN 37243 (615-532-0780).

DSWM invites the public to submit comments on the termination of the Blaylock & Brown Construction, Inc. Class III Landfill permit anytime during the comment period ending on Wednesday, August 9, 2023. To comment on the permit termination, contact Mr. Nick Lytle in DSWM's Central Office at the TN Tower, 312 Rosa L. Parks Avenue, 14<sup>th</sup> Floor, Nashville, TN 37243 (615-854-4581), email [Nickolaus.Lytle@tn.gov](mailto:Nickolaus.Lytle@tn.gov) or fax 615-532-0938. Comments must be received by 4:30 p.m. CDT on Wednesday, August 9, 2023, to assure consideration. Any request for a public hearing must be in writing and shall state the nature of the issues proposed to be raised in the hearing. After considering all public comments, the DSWM Director will issue a final decision, which can be viewed at the above web-link, the TDEC Memphis Environmental Field Office, and the DSWM Central Office, Tennessee Tower.

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EEO/AA/ADAAA inquiries or complaints may be directed to the ADAAA Coordinator, HR Division, at 615-532-0200. Hearing-impaired callers may use the Tennessee Relay Service (800-848-0298).

If it is hard for you to read, speak, or understand English, TDEC may be able to provide translation or interpretation services free of charge. Please contact Janelle Starke at 615-906-2950 for more information.

If you would like to receive notices like this directly, contact DSWM's Central Office for a Mailing List Request Form. Email [Solid.Waste@tn.gov](mailto:Solid.Waste@tn.gov) or call 615-532-0780.

NOTICE ISSUED: June 25, 2023