

## DEPARTMENT OF ENVIRONMENT AND CONSERVATION

PETITION FOR DECLARATORY ORDER  
NOTICE OF HEARING

(As required Under T.C.A. § 4-5-224)

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1. **Petitioner's Name:** Sierra Club
2. **Petitioner's Attorney:** Brian Paddock  
360 Roberts Hollow Ln.  
Cookeville, TN 38501  
931-268-2938

3. **Background:**

On July 29, 2016, the Department issued ARAP No. NRS14.305, which authorizes the alteration of 3.26 acres of wetlands, 2.76 acres of which constitute Exceptional Tennessee Waters, at a proposed development site on Interstate Drive in Cookeville, Tennessee. On August 15, 2016, the Department issued UIC Authorization by Rule No. PUT0000063 for the same site.

4. **Summary of the relief requested:**

The Petitioner has requested a ruling from the Board that the ARAP and UIC Authorization by Rule violate the Tennessee Water Quality Control Act, T.C.A. § 69-3-101 *et seq* and Tennessee's Antidegradation Statement, Rule 0400-40-03-.06.

The Board will convene a contested case hearing in this matter on February 21-22, 2017.

If you are interested in intervening or participating in this case in any way or think that you may be affected by the possible outcome of this case, you must file a Petition to Intervene, stating your specific interest(s) in the case and your legal position/argument regarding those interests and identifying DOCKET No. 04.30-139461A.

**Your petition must be filed with:**

Judge Steven Darnell  
Tennessee Secretary of State  
Administrative Procedures Division  
312 Rosa L. Parks Avenue  
8<sup>th</sup> Floor, William R. Snodgrass Bldg.  
Nashville, TN 37243

**Copies must also go to:**

Stephanie A. Durman  
Tennessee Dept. of Environment & Conservation  
Office of General Counsel  
312 Rosa L. Parks Avenue  
2nd Floor, William R. Snodgrass Bldg.  
Nashville, TN 37243