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EPA has fined Wal-Mart for violations at supercenter sites

Erosion, storm-water issues concern local officials

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ANTIOCH - Mega-retailer Wal-Mart has run into environmental briar patches in recent years in at least two of its Tennessee supercenter construction sites, having been fined \$1 million by the Environmental Protection Agency for Clean Water Act violations at 17 store sites nationwide.

The retail chain is in the early stages of constructing a new Antioch superstore on a 37-acre site near Murfreesboro Pike and Hamilton Church Road, where Wal-Mart has plans to build the supercenter store.

Tennessee Excavating Co., contractor for Wal-Mart, recently was granted Metro permits for tree removal and six months of blasting as part of site preparations for the future supercenter at 3035 Hamilton Church Road.

Erosion and storm-water management are two major areas of concern for Metro Water Services and other government officials. These issues arise with a large-scale project where a substantial number of trees are removed, dirt is significantly graded and acres of asphalt for parking lots and roofing are going in.

Large expanses of nonporous surfaces, such as parking lots and massive rooftops, block storm water from being reabsorbed into the earth. This can create flooding conditions nearby or allow water that has been contaminated with oil or other chemicals to flow directly into streams, without the filtering benefits that occur when water crosses or is absorbed by grass and earth.

At the Wal-Mart site, the East Fork Hamilton Creek, which flows across Murfreesboro Pike and beneath Hamilton Church Road, probably would be the first environmental feature to be affected by sediment erosion or storm-water pollutants, officials say.

Jim Armstrong, a civil engineer with Metro Water Services, said the department has worked with Wal-Mart to come up with storm-water detention ponds on the site. The ponds are there to mitigate flood impacts and to serve as an initial holding area for storm-water runoff, which would then be cleaned "to some extent before it travels downstream."

"The other concern is dirt leaving the site and to see that proper erosion controls are put in," Armstrong said.

Soil erosion is the main cause of stream pollution in the Middle Tennessee region, according to officials at the state Department of Environment and Conservation.

Wal-Mart has proposed several new store locations in the Antioch area over the past

year. Metro Council members approved Wal-Mart's request to rezone the forested tract at Hamilton Church Road and Murfreesboro Pike in June. Meanwhile, council members turned down another proposed supercenter location off Old Hickory Boulevard amid intense opposition by residents.

Also, according to state environment and conservation officials, JDN Development apparently violated at least two conditions of its state-issued permit in building the 220,279-square-foot Franklin, Tenn., supercenter three years ago. The violations included diversion of the South Prong Spencer Creek without proper notification of the state department.

Despite the fines and violations, Wal-Mart spokeswoman Daphne Moore said Wal-Mart's environmental gaffes are few and far between.

"Those are isolated incidents when you consider we operate over 3,000 locations across the county," she said. "It certainly doesn't make it right, but it's not protocol. With every new development, we have every intention of complying with regulations in place."

A recent study by U.S. Public Interest Research Group, a national environmental and consumer advocacy group, Tennessee ranked third in the nation for percentage of large industrial, municipal and federal facilities that were in violation of their clean water permits. period. n

Top 10 violators

The 10 states with the highest percentage of major industrial, municipal and federal facilities found to have had significant environmental violations in a recent 15-month study were, in order:

Utah, Texas, Tennessee, Wyoming, the District of Columbia, Indiana, Rhode Island, Connecticut, Kansas and Ohio.