

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE
November 5, 2025 Session

FILED

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Clerk of the
Appellate Courts

JAMESWAY CONSTRUCTION, INC. v. DAVID W. SALYERS, P.E.

**Appeal by Permission from the Court of Appeals
Chancery Court for Davidson County
No. 23-0419-II Anne C. Martin, Chancellor**

No. M2023-01704-SC-R11-CV

Jamesway Construction, Inc., filed a petition for judicial review in chancery court following an administrative law judge's denial of its motion to dismiss administrative proceedings. Jamesway argued the Tennessee Department of Environment and Conservation's appeal to the Board of Water Quality, Oil, and Gas was untimely, and therefore the Board lacked subject matter jurisdiction over the appeal. The chancery court and Court of Appeals found in Jamesway's favor on the issue of subject matter jurisdiction, yet the chancery court's own subject matter jurisdiction under Tennessee Code Annotated section 4-5-322(a)(1) was never questioned. After granting review, we subsequently directed the parties to brief whether the chancery court had jurisdiction under Tennessee Code Annotated section 4-5-322(a)(1) to review a preliminary, procedural, or intermediate agency decision. We find that the chancery court did not have subject matter jurisdiction under section 4-5-322(a)(1) because Jamesway has not shown that judicial review of the final agency decision would not provide an adequate remedy. We vacate the judgments of the lower courts and remand to the Board of Water Quality, Oil, and Gas for further proceedings.

**Tenn. R. App. P. 11 Appeal by Permission; Judgment of the Court of Appeals
Vacated**

DWIGHT E. TARWATER, J., delivered the opinion of the Court, in which JEFFREY S. BIVINS, C.J., and HOLLY KIRBY, SARAH K. CAMPBELL, and MARY L. WAGNER, JJ., joined.

Jonathan Skrmetti, Attorney General and Reporter; J. Matthew Rice, Solicitor General; Laura Wyatt, Senior Assistant Attorney General; and Harrison Gray Kilgore, Senior Assistant Attorney General, for the appellant, David W. Salyers, P.E., in his official capacity as Commissioner of the Tennessee Department of Environment and Conservation.

Sharon O. Jacobs, J. Patrick Clarke IV, and Autumn L. Gentry, Nashville, Tennessee, for the appellee, Jamesway Construction, Inc.

OPINION

I.

The Tennessee Department of Environment and Conservation (“TDEC”) and Jamesway Construction, Inc. (“Jamesway”) have been involved in litigation for several years over the alleged filling-in of wetlands on property in Coffee County. In 2015, Jamesway was providing construction services for a nearby steel manufacturer. Needing a place to dispose of the excess soil from the construction site, Jamesway made an arrangement with the property owner to place the soil from the construction site onto the property. Jamesway spread the soil on several acres of the property over several months until May 2016. Prior to Jamesway placing fill on the property, another company had placed fill on the property from a separate construction project.

A citizen made a complaint to TDEC in 2017 regarding the alleged filling-in of wetlands on the property, and TDEC conducted an investigation. As a result of the investigation, TDEC issued a commissioner’s order and assessment against Jamesway and other parties in September 2018. In the order and assessment, TDEC alleged Jamesway had violated the Water Quality Control Act by placing fill on 6.52 acres of wetlands and assessed natural resources damages of \$647,200 and civil penalties to Jamesway and other parties.

Under Tennessee Code Annotated section 69-3-110(a) (2019), a party alleged to have violated the Water Quality Control Act is first entitled to a contested case hearing before an administrative law judge. Whichever party loses before the administrative law judge has the right to file an appeal to the Board of Water Quality, Oil, and Gas (“the Board”). Tenn. Code Ann. § 69-3-110(a). If the party alleged to have violated the Water Quality Control Act loses before the Board, the party may seek judicial review of the Board’s final order by “filing a petition for review in the chancery court of Davidson County, or in the chancery court of the county in which the violation . . . occurred.” Tenn. Code Ann. § 69-3-111 (2019). However, TDEC may not appeal a final order of the Board. *Id.*

Here, the parties proceeded to a contested case hearing from September 27 through October 1, 2021, before an administrative law judge. In the initial order issued September 2, 2022, the administrative law judge found that TDEC failed to show by a preponderance of evidence that Jamesway and others had filled wetlands and dismissed the \$647,200 in assessed damages. But the judge assessed Jamesway a \$10,000 civil penalty for not obtaining a stormwater discharge permit.

The parties were given a “Notice of Appeal Procedures” which stated that the Administrative Procedures Division “must **receive** your written Appeal no later than 30 days after the entry of the Initial Order, which is no later than **October 3, 2022.**” (Emphasis in original.) TDEC then filed a notice of appeal to the Board of Water Quality, Oil, and Gas on September 27, 2022—twenty-five days after the administrative judge entered the initial order.

The Board set a hearing date for June 20, 2023, and a pre-hearing conference date for April 18, 2023. After TDEC filed its opening brief, Jamesway filed a motion to dismiss for lack of subject matter jurisdiction in February 2023. The motion alleged the Board lacked subject matter jurisdiction under two grounds: (1) TDEC’s notice of appeal was untimely because it fell outside of the Uniform Administrative Procedures Act’s (“UAPA”) 15-day appeal deadline under Tennessee Code Annotated section 4-5-315(b), and (2) TDEC did not comply with section 4-5-315(c)’s mandatory notice requirements. *See* Tenn. Code Ann. § 4-5-315(b), (c) (2021). Jamesway also filed a brief addressing the merits of the case in response to TDEC’s opening brief.

A different administrative law judge denied Jamesway’s motion to dismiss on March 3, 2023, finding the Water Quality Control Act’s 30-day deadline under Tennessee Code Annotated section 69-3-110 controlled the appeal.

Rather than proceeding to the hearing set for June 20, on April 3 Jamesway filed a petition for judicial review in the Davidson County Chancery Court regarding the denial of its motion to dismiss. Jamesway’s petition for judicial review and declaratory relief sought a declaration that the UAPA’s 15-day deadline controlled, and therefore TDEC’s appeal was untimely. The petition invoked Tennessee Code Annotated section 4-5-322 as its basis for subject matter jurisdiction: “Jurisdiction is proper in Chancery Court of Davidson County under Tenn. Code Ann. § 4-5-322 (2021). Although the decision of the [administrative law judge] is either a ‘preliminary, procedural or intermediate agency action,’ it is based on statutory and jurisdictional issues that cannot be resolved by final agency decision.” The petition repeated several times that “review of any final agency action would not provide an adequate remedy to Jamesway.” The petition continued that Jamesway’s claims were properly before the chancery court because the “claims are based upon improper procedure and are issues of law, which would mandate dismissal of the Department’s appeal.” Jamesway further alleged that jurisdiction in the chancery court was proper “because exhaustion of administrative remedies does not apply.” TDEC did not contest the chancery court’s subject matter jurisdiction under Tennessee Code Annotated section 4-5-322(a)(1).

Following a hearing, the chancery court agreed with Jamesway that the UAPA’s 15-day deadline controlled rather than the Water Quality Control Act’s 30-day deadline,

making TDEC's appeal to the Board untimely. The chancery court reversed the denial of Jamesway's motion to dismiss. The court found the second issue regarding sufficiency of TDEC's notice pretermitted.

TDEC appealed. A divided Court of Appeals panel likewise held that the UAPA's 15-day deadline controlled, depriving the Board of jurisdiction when TDEC filed its notice of appeal twenty-five days following the administrative law judge's initial order. *Jamesway Constr., Inc. v. Salyers*, No. M2023-01704-COA-R3-CV, 2024 WL 4252809, at *4 (Tenn. Ct. App. Sep. 20, 2024), *perm. app. granted*, No. M2023-01704-SC-R11-CV, 2025 WL 587069 (Tenn. Feb. 21, 2025). Like the chancery court, the Court of Appeals found Jamesway's second issue pretermitted. *Id.* at *4 n.4. The dissent found that the Water Quality Control Act's 30-day deadline controlled, and therefore TDEC's appeal to the Board was timely. *Id.* at *8 (Usman, J., dissenting).

We granted TDEC's application to determine whether the Water Quality Control Act's 30-day deadline or the UAPA's contradictory 15-day deadline controls. *Compare* Tenn. Code Ann. § 69-3-110(a) (providing 30-day appeal deadline under Water Quality Control Act), *with* Tenn. Code Ann. § 4-5-315(b) (providing 15-day appeal deadline under UAPA). However, we subsequently directed the parties to brief additional questions of subject matter jurisdiction: (1) what constitutes the basis for this Court's subject matter jurisdiction; (2) whether review of the final agency decision would provide Jamesway with an adequate remedy under Tennessee Code Annotated section 4-5-322(a)(1); and (3) whether party waiver, forfeiture, or agreement may satisfy section 4-5-322(a)(1)'s jurisdictional requirements.

II.

Whether a court has subject matter jurisdiction is a question of law that this Court reviews de novo, with no presumption of correctness given to lower court rulings. *Northland Ins. v. State*, 33 S.W.3d 727, 729 (Tenn. 2000).

III.

Because the supplemental questions we directed the parties to brief control this Court's subject matter jurisdiction over the remaining issues, we address them first. *See Osborn v. Marr*, 127 S.W.3d 737, 741 (Tenn. 2004) (stating that when an appellate court finds the trial court lacked subject matter jurisdiction, it must vacate the judgment below "without reaching the merits of the appeal" (quoting *Dishmon v. Shelby State Cmty. Coll.*, 15 S.W.3d 477, 480 (Tenn. Ct. App. 1999))). We find that the chancery court did not have subject matter jurisdiction over Jamesway's petition for judicial review of a "preliminary, procedural or intermediate" agency ruling because Jamesway has not shown that review of

the Board's final agency decision would not provide an adequate remedy. Tenn. Code Ann. § 4-5-322(a)(1).

A.

Subject matter jurisdiction addresses a court's lawful authority to hear and decide the matter before it. *Northland Ins.*, 33 S.W.3d at 729. Consequently, a challenge to subject matter jurisdiction may be raised at any time in any court, and courts may raise the issue even if not raised by the parties. See *Turner v. Turner*, 473 S.W.3d 257, 270 (Tenn. 2015). The onus of proving subject matter jurisdiction is on the party seeking to establish it. *Church of God in Christ, Inc. v. L.M. Haley Ministries, Inc.*, 531 S.W.3d 146, 161 (Tenn. 2017) (“[T]he plaintiff bears the burden of establishing that the court has subject matter jurisdiction over the case.”).

Both parties agree that Tennessee Code Annotated section 4-5-322(a)(1) provides the sole basis for the chancery court's—and consequently this Court's—subject matter jurisdiction. They also agree that subject matter jurisdiction under section 4-5-322(a)(1) cannot be conferred by party agreement, waiver, or forfeiture. See *In re Est. of Trigg*, 368 S.W.3d 483, 489 (Tenn. 2012) (“[P]arties cannot confer subject matter jurisdiction . . . by appearance, plea, consent, silence, or waiver.”). Where they disagree is on the second question posed by this Court: whether review of the agency's final decision would provide Jamesway an “adequate remedy.” Tenn. Code Ann. § 4-5-322(a)(1).

TDEC argues review of the Board's final decision would provide an adequate remedy because Jamesway could have obtained the “same relief” on the “same theories” following final agency decision that it has sought in its petition for review. In addition, TDEC argues “Jamesway has not demonstrated the existence of any extraneous circumstances that would render judicial review of a final agency decision inadequate here.”

Jamesway argues review of the Board's final decision would not provide an adequate remedy because it would not give Jamesway the relief it was seeking—immediate dismissal of TDEC's appeal due to TDEC's untimely filing. Jamesway also argues it would not provide an adequate remedy because it “would negatively impact Jamesway's due process rights.” Jamesway further argues that judicial review is warranted here because this is an important issue in need of resolution, and judicial economy weighs in favor of review.

When does judicial review of a final agency decision provide parties an “adequate remedy” under section 4-5-322(a)(1)? The section provides:

A person who is aggrieved by a final decision in a contested case is entitled to judicial review under this chapter, which shall be the only available method of judicial review. A preliminary, procedural or intermediate agency action or ruling is immediately reviewable *if review of the final agency decision would not provide an adequate remedy*.

Tenn. Code Ann. § 4-5-322(a)(1) (emphasis added). In other words, a party has a right to seek judicial review of a *final decision* of an administrative agency. *Id.* But a party may only seek judicial review of a preliminary, procedural, or intermediate agency decision if a reviewing court would not be able to provide the party an “adequate remedy” after the agency issues its final decision. Yet our Code does not define “adequate remedy” in the context of section 4-5-322(a)(1), and this Court has not previously addressed the question.

Nevertheless, we may ascertain the meaning of “adequate remedy” by determining how a reasonable member of the public would have understood the term at the time the statute was enacted. *See Lawson v. Hawkins Cnty.*, 661 S.W.3d 54, 59 (Tenn. 2023). The term “adequate remedy” was not pulled out of the ether with the enactment of Tennessee Code Annotated section 4-5-322 in 1974. Rather, the term has deep historical roots in our State’s jurisprudence. And when the legislature employs a statutory term that has a well-settled meaning under common law or in equity, we assume the legislature adopted that meaning “unless a different sense is apparent from the context, or from the general purpose of the statute.” *Lawson*, 661 S.W.3d at 59 (quoting *In re Estate of Starkey*, 556 S.W.3d 811, 817 (Tenn. Ct. App. 2018)).

We begin by examining the meaning of “adequate remedy” prior to Tennessee Code Annotated section 4-5-322’s enactment in 1974, and then examine how lower courts have applied that term in the context of section 4-5-322 following its enactment.

The term “adequate remedy” originated as a jurisdictional delineation between law and equity. “Adequate remedy” denoted the availability of monetary damages under the law “sufficient to make the plaintiff whole.” *Bowen v. Massachusetts*, 487 U.S. 879, 925 (1988) (Scalia, J., dissenting). An “adequate remedy” was one that was “[s]uitable, proportionate, or sufficient,” and “afford[ed] complete relief with reference to the particular matter in controversy.” *Adequate Remedy*, *Black’s Law Dictionary* 61 (4th ed. 1951). If a plaintiff could obtain a “plain, adequate, and complete remedy at law,” courts of equity had no jurisdiction and the plaintiff was barred from obtaining equitable relief. *Baird v. Goodrich*, 52 Tenn. (5 Heisk.) 20, 25 (1871) (quoting John Mitford, *Treatise on the Pleadings in Suits in the Court of Chancery*, by English Bill 2 n.1 (6th Am. ed. 1849)); *see also Gwathney v. Stump*, 2 Tenn. (2 Overt.) 308, 315 n.1 (1814); *Bowen*, 487 U.S. at 925 (Scalia, J., dissenting). But if the remedy at law was “inadequate or impracticable,” courts of equity had jurisdiction. *Gilson v. Gillia*, 321 S.W.2d 855, 866 (Tenn. Ct. App. 1958); *see also Baird*, 52 Tenn. at 25 (noting equity had jurisdiction where remedy was

“doubtful and obscure at law” (quoting Mitford, *supra*, at 2 n.1)); *Gwathney*, 2 Tenn. at 315 n.1 (noting equity had jurisdiction where remedy at law was “difficult, embarrassed or inadequate”).

When the Tennessee Uniform Administrative Procedures Act was enacted in 1974, it “preserved” the established meaning of the common law terms within. L. Harold Levinson, *Contested Cases under the Tennessee Uniform Administrative Procedures Act*, 6 Mem. St. U. L. Rev. 215, 223 (1976); see also Felix Frankfurter, *Some Reflections on the Reading of Statutes*, 47 Colum. L. Rev. 527, 537 (1947) (“[I]f a word is obviously transplanted from another legal source . . . it brings the old soil with it.”). Thus the Act preserved the established meaning of “adequate remedy” long present in our jurisprudence—a remedy that provides complete relief under law to litigants, even if that relief is delayed due to appeal. *Cf. Bowen*, 487 U.S. at 925 (Scalia, J., dissenting) (noting that although a litigant may prefer immediate equitable relief, “damages after the fact are considered an ‘adequate remedy’ in all but the most extraordinary cases”). In the context of Tennessee Code Annotated section 4-5-322(a)(1), this means that if a litigant is able to obtain complete relief following final agency decision, the chancery court has no jurisdiction over the intermediate petition for review.

We now turn to examine how lower courts have applied the term “adequate remedy” in the context of courts’ jurisdiction over petitions for review from an administrative agency under section 4-5-322(a)(1). The Court of Appeals has previously found subject matter jurisdiction under section 4-5-322(a)(1) where a party alleges potential injury sufficient to call into question a reviewing court’s ability to provide an adequate remedy. In *Xcaliber International Limited, LLC v. Tennessee Department of Revenue*, No. M2017-01918-COA-R3-CV, 2018 WL 4293364, at *5 (Tenn. Ct. App. Sept. 10, 2018), the plaintiff filed a petition for review under section 4-5-322(a)(1) regarding the administrative law judge’s denial of a motion to compel discovery. The Court of Appeals found that availability of an adequate remedy following final agency decision was “highly speculative,” as judicial review would

require the trial court to search for *the absence* of substantial and material evidence to support a decision in favor of the Department and trace that absence to the earlier discretionary administrative denial of [plaintiff’s] motion to compel, all while taking care not to substitute its judgment for the agency’s judgment concerning the weight to be given the evidence already established in the record.

Id. at *11. While the court noted that loss of plaintiff’s license, sales, and reputation due to a potential adverse agency outcome was a factor, the most persuasive considerations in *Xcaliber* involved the unlikelihood that the plaintiff would be able to amend any error

following final agency decision.¹ *Id.* at *14–15, *17. The court found that “[plaintiff’s] opportunity to establish evidence in the administrative record for judicial review is during the administrative proceedings and . . . the chance that it would be able to present additional evidence on remand following a final administrative decision is highly speculative.” *Id.* at *17. Therefore, the plaintiff “alleged potential injury that calls the adequacy of judicial review of a final administrative decision into question.” *Id.*

In other cases, the Court of Appeals has found that judicial review of a final agency decision *would* provide a party an adequate remedy, and thus the chancery court lacked jurisdiction over a petition for review from a preliminary, procedural, or intermediate agency ruling under section 4-5-322(a)(1). For example, in *Hyundai Motor America v. Tennessee Motor Vehicle Commission*, No. M2015-01411-COA-R3-CV, 2016 WL 7486362, at *1 (Tenn. Ct. App. Dec. 30, 2016), the plaintiff filed a petition for review under section 4-5-322(a)(1) following an administrative law judge’s denial of its motion to dismiss for lack of jurisdiction. The chancery court and Court of Appeals both found the court lacked subject matter jurisdiction to hear the intermediate petition for review under section 4-5-322(a)(1). *Id.* at *2, *6. Although the plaintiff argued review of the agency’s final decision would not provide an adequate remedy, the Court of Appeals found the agency would need to engage in further fact-finding, making the petition for judicial review premature. *Id.* at *5–6. In response to the plaintiff’s argument that it would have to incur substantial costs to defend itself against the agency’s “illegal” proceeding, the court emphasized that “the possibility that [plaintiff] will have to bear the costs associated with the administrative hearing is not the type of injury contemplated by Tennessee Code Annotated section 4-5-322(a)(1).” *Id.* at *4.

In *Applied Underwriters Captive Risk Assurance Company, Inc. v. Tennessee Department of Commerce and Insurance*, No. M2024-01239-COA-R3-CV, 2025 WL 2206818, at *2, *8, *10 (Tenn. Ct. App. Aug. 4, 2025), the Court of Appeals likewise found the plaintiffs did not meet their burden for immediate review under section 4-5-322(a)(1) after plaintiffs moved to dismiss the agency’s proceedings against them for alleged violations of their due process rights and lack of subject matter jurisdiction. Plaintiffs argued that review of a final agency decision would not provide an adequate remedy due to the risk the case would need to be retried following judicial review. *Id.* at *7. The court noted that while there was some risk that the case would need to be retried following review in the chancery court, “the risk that a case will need to be retried after judicial review of a final agency decision exists in all contested cases.” *Id.* at *9.

¹ The *Xcaliber* panel also found judicial economy a most persuasive consideration. *Id.* at *12, *17. As discussed further in this opinion, prudential considerations of judicial economy play no role in the jurisdictional determination under section 4-5-322 of whether an adequate remedy is available following review of a final agency decision.

Likewise, in *Nichopoulos v. Tennessee Board of Medical Examiners*, No. 01A01-0411-CH-00534, 1995 WL 145978, at *2 (Tenn. Ct. App. Apr. 5, 1995), the Court of Appeals found the plaintiff did not meet his burden of proving that judicial review of the agency’s final decision would not provide an adequate remedy. The plaintiff had sought to enjoin license revocation proceedings before the board of medical examiners due to an alleged illegality in the board’s composition. *Id.* at *1. The Court of Appeals reasoned that although it was possible that the board would revoke the plaintiff’s medical license following a hearing, “the Board could equally choose not to do so, rendering . . . any subsequent appeal unnecessary.”² *Id.* at *2. Even if the board were to revoke his license, he would be able to seek judicial review of the board’s decision and contest the legality of the board’s composition because the chancery court had authority to “reverse or modify the board’s decision if the petitioner’s rights have been prejudiced because the administrative decision is, *inter alia*, ‘in violation of constitutional or statutory provisions’ or ‘made upon unlawful procedure.’” *Id.* (quoting Tenn. Code Ann. § 4-5-322(h)).

These cases show that the risk that a litigant will have to bear the cost of the administrative proceeding is insufficient for judicial review of a preliminary, procedural, or intermediate agency decision under section 4-5-322(a)(1). *See Hyundai*, 2016 WL 7486362, at *4. Even the risk a party will have to retry a case has been found insufficient for judicial review. *See Applied Underwriters*, 2025 WL 2206818, at *9. Moreover, speculative injuries based on speculative unfavorable outcomes are present in any administrative proceeding. *See Nichopoulos*, 1995 WL 145978, at *2. In contrast, irreparable injury or loss of an opportunity to have a claim addressed in a meaningful manner has been found sufficient to justify immediate judicial review under section 4-5-322(a)(1).³ *See Xcaliber*, 2018 WL 4293364, at *11, *16; *Applied Underwriters*, 2025 WL 2206818, at *7, *9–10; *Nichopoulos*, 1995 WL 145978, at *2.

B.

Here, we find that Jamesway did not meet its burden of proving judicial review of the Board’s final decision would not provide an adequate remedy under section 4-5-

² The *Xcaliber* court found potential license revocation and resulting loss of income a factor favoring judicial review prior to final agency decision. *See Xcaliber*, 2018 WL 4293364, at *14. We need not reconcile the conflict between *Xcaliber* and *Nichopoulos*, as license revocation is not at issue here. Notably, the *Xcaliber* court found additional jurisdictional factors “most persuasive” in permitting immediate review of an agency decision in that case. *Id.* at *17.

³ That is not to say that these comprise the sole bases for judicial review under section 4-5-322(a)(1); other bases for judicial review may present themselves under facts different from those presented here. *Cf. Xcaliber*, 2018 WL 4293364, at *16 (noting *Hyundai*, 2016 WL 7486362, at *4, does not stand for proposition that irreparable injury is the “sole standard for determining judicial review to be an inadequate remedy”).

322(a)(1). Cf. *Church of God in Christ*, 531 S.W.3d at 161 (stating plaintiff has burden of establishing subject matter jurisdiction). Although Jamesway styled its petition as one for “declaratory relief,” the ultimate interest at stake was the assessment of monetary damages and penalties that Jamesway had been contesting from the initiation of administrative proceedings. And to be clear, administrative proceedings were still pending at the time Jamesway filed its petition for review in chancery court. The possibility remained that all damages and penalties assessed against Jamesway would be dismissed.

Yet Jamesway argues its petition merits judicial review prior to the Board’s final decision for four reasons: review of a final agency decision (1) would not provide Jamesway an adequate remedy, (2) “would negatively impact Jamesway’s due process rights,” (3) would create uncertainty regarding deadlines for administrative appeals, and (4) would work against the interests of judicial economy. Each of Jamesway’s arguments falls short, and we address each in turn.

First, Jamesway argues that review of the Board’s final decision would not provide an adequate remedy because the Board does not have authority to redress the administrative law judge’s denial of its motion to dismiss; thus sending the case back to the Board would be “an exercise in futility.” In other words, Jamesway argues it cannot obtain the remedy it seeks—*immediate* dismissal of TDEC’s appeal—at the agency level. We need not resolve this question of the Board’s authority, however, because Jamesway’s argument misses the point. Determining whether judicial review of a final agency decision provides an adequate remedy under section 4-5-322(a)(1) is not a question of whether a party can obtain the remedy it seeks at the agency level. It is a question of whether it can obtain an adequate remedy upon judicial review, following the agency’s final decision. See *Nichopoulos*, 1995 WL 145978, at *2. If Jamesway had lost before the Board and sought review in the chancery court after the Board issued its final decision, it would have been able to seek the same remedy as it has sought in its petition for review here—dismissal of TDEC’s appeal to the Board due to the alleged untimely filing and dismissal of TDEC’s assessed damages and penalties against Jamesway.

Next, Jamesway argues that its due process rights would be “negatively impact[ed].” In its brief, Jamesway did not expressly articulate what those due process rights were or how they would have been impacted. At oral argument, Jamesway clarified that the alleged due process violations at issue here relate to Jamesway’s right to present its claims “at a meaningful time and manner,” and Jamesway has not been able to do so because of the length of time it has taken to litigate this case. Yet Jamesway was unable to distinguish how this case differs from any other in which parties must spend time and resources litigating administrative proceedings. Jamesway acknowledged there has been no prohibition of a property or other interest due to this litigation. In addition, Jamesway was unable to identify any interest adversely affected other than the time, money, and burden of going through the administrative hearing. And “the possibility that [a party] will have

to bear the costs associated with the administrative hearing is not the type of injury contemplated by Tennessee Code Annotated section 4-5-322(a)(1).” *Hyundai*, 2016 WL 7486362, at *4.

Third, Jamesway argues that this Court should address the conflicting appeal deadlines under the UAPA and other sections of our law because this is an important area of the law in need of resolution. We agree that this is a question that needs answering in an appropriate case. But this has no bearing on whether a court has subject matter jurisdiction under section 4-5-322(a)(1). A court cannot overlook lack of subject matter jurisdiction because it believes an important question of law should be resolved.

Finally, Jamesway argues that the interests of judicial economy weigh in favor of permitting judicial review here. Jamesway argues that “sending the matter back to the Board to conclude TDEC’s appeal will ultimately bring no resolution to the matter at all.” Further, that judicial review is necessary to “avoid the costly expense and inefficiencies of litigating an administrative appeal” that does not “address the procedural issue of what is the deadline for appealing an initial order.”

We find that prudential considerations of judicial economy do not play a role in determining whether an adequate remedy exists under section 4-5-322(a)(1). While prudential considerations developed as judicially created discretionary exceptions to exhaustion of administrative remedies, section 4-5-322(a)(1)’s requirements are jurisdictional and mandatory. *See Colonial Pipeline Co. v. Morgan*, 263 S.W.3d 827, 838–39 (Tenn. 2008); *McCarthy v. Madigan*, 503 U.S. 140, 144–49 (1992). And historically, judicial economy considerations did not factor into the lack of an adequate remedy under law to trigger equitable jurisdiction. To the extent lower court decisions have found judicial economy a factor in determining whether a party has an adequate remedy under section 4-5-322(a)(1), we overrule those decisions. *See Xcaliber*, 2018 WL 4293364, at *12, *17; *Mosley v. City of Memphis*, No. W2019-00199-COA-R3-CV, 2019 WL 6216288, at *5 (Tenn. Ct. App. Nov. 21, 2019) (finding great risk to judicial economy sufficient to support jurisdiction under section 4-5-322(a)(1)); *Applied Underwriters*, 2025 WL 2206818, at *9 (finding case did not present an extreme risk to judicial economy).

Nevertheless, to the degree that Jamesway argues the strain on judicial resources from adjudicating what it considers a futile administrative appeal actually deprives Jamesway of an adequate remedy, we find that it does not. The same remedy is available to Jamesway following final agency decision despite the expenditure of judicial resources in the interim.

Our Court of Appeals has said that determining whether an adequate remedy exists under section 4-5-322(a)(1) “is a question turning on the facts of each case.” *Xcaliber*, 2018 WL 4293364, at *16 (quoting *Towns v. Lawson*, No. 01-A-01-9408-CH00378, 1995

WL 241329, at *1 (Tenn. Ct. App. Apr. 26, 1995)). In this case, neither Jamesway nor we have identified any interest affected other than the time, expense, and effort of going through an administrative hearing. Because that interest alone is insufficient to demonstrate that Jamesway lacks an adequate remedy upon review of the final agency decision, we find the chancery court lacked subject matter jurisdiction under section 4-5-322(a)(1). *See Hyundai*, 2016 WL 7486362, at *4. Jamesway has an adequate remedy because it is able to obtain complete relief upon review of the final agency decision.

CONCLUSION

The chancery court did not have jurisdiction to hear Jamesway's petition for judicial review under Tennessee Code Annotated section 4-5-322(a)(1) because Jamesway did not demonstrate that review of the final agency decision would not provide Jamesway an adequate remedy. We vacate the decisions of the Court of Appeals and Chancery Court, and remand to the Board of Water Quality, Oil, and Gas.

DWIGHT E. TARWATER, JUSTICE