

any final order of the Director shall be liable for a civil penalty not to exceed \$25,000 per day for such violation; and

Background

WHEREAS, on September 5 2024, EPD received a complaint alleging open dumping of chicken litter, large trees, and soybean material at the Site; and

WHEREAS, on October 1, 2024, representatives of the EPD conducted an investigation at the Site, which revealed piles of soybean material, chicken litter, and tree debris; and

WHEREAS, on October 29, 2024, EPD conducted a joint site visit with the Georgia Department of Agriculture, which revealed the materials were brought onto the Site in July and August of 2024; and

WHEREAS, on November 12, 2024, EPD issued a Notice of Violation letter (NOV) to the Respondent for the violations documented during the investigations at the Site and requested all the chicken litter to be removed or land applied at agronomic rates within sixty (60) days of the dated letter; and

WHEREAS, on January 7, 2025, a representative of the EPD conducted a follow-up site visit at the Site, which revealed only half of the chicken litter had been removed, no soybean material had been moved, and the tree material had been mulched; and

WHEREAS, on March 11, 2025, EPD issued an NOV to the Respondent for failing to remove or land applied at agronomic rates all the chicken litter at the Site within sixty (60) days of November 12, 2024 NOV; and

WHEREAS, on May 1, 2025, a representative of EPD conducted a site visit that confirmed all the chicken litter at the Site had been removed; and

WHEREAS, on September 9, 2025, a representative of EPD requested records from the respondent demonstrating that seventy-five percent (75%) of the soybean material and tree debris had been sold, used, reused, or recycled during the 12-month period; and

WHEREAS, on September 17, 2025, representatives of EPD and representatives of Berrien County had a meeting with the Respondent at the Site to discuss a compliance plan. Records were not provided and EPD representatives were unable to discern if 75% of the material had been removed from the staging piles; and

Alleged Violations

WHEREAS, the Respondent does not have a Solid Waste Handling Permit and has been disposing of solid waste at the Site, which is in violation of the Solid Waste Rules Chapter 391-3-4-.02; and

WHEREAS, the Respondent accumulated waste at the site with no accurate documentation to demonstrate a known use, reuse, recycle, or sale potential, which is in violation of the Solid Waste Rules Chapter 391-3-4-.04(7).

Conditions

WHEREAS, the Director has determined that an amicable disposition of the alleged violations set forth herein is in the best interest of the citizens of the State of Georgia.