

Midland Lakes, LLC

147 Cypress Drive
Rincon, GA 31326
912-667-9765

March 5, 2024

David M. Lyle
Program Manager
Georgia Department of Natural Resources
Environmental Protection Division
Coastal District
1050 Canal Road
Brunswick, GA 31525-6856

RE: Notice of Violation
Midland Lakes Borrow Pit
Unpermitted Discharge to Waters of the State
Effingham County, Georgia

Dear Mr. Lyle:

This letter is in response to the letter that you sent to Mr. Jon G Burns, Jr. on February 29, 2024. Mr. Burns is the owner of the property, whereas Midland Lakes, LLC is the permitted operator and has the firsthand knowledge of the operation of the permitted borrow pit. Therefore, I thought it proper for me to respond.

I had previously sent an email to on February 22, 2024, to Ms. Heather Lowery of your office, describing the meeting we had with Effingham County and the steps we were taking to alleviate discharge issue. This will serve as our formal response to your request.

We were approached by Effingham County on February 21, 2024, and at that time, we shutdown our pumping operation. We met with Effingham County on the morning of February 22, 2024, to discuss our plan moving forward with remedying the discharge of water from the site. Just to insert a note here, all water that had been exiting the site was crystal clear and did not show any visual signs of sediment or pollution of any kind. With that being said, we reached an agreement with Effingham County that satisfied their concerns, and they allowed us to continue our normal operations after the meeting.

During the meeting we outlined our plan for continued operations without the necessity of the pumping operation. Our plan is to build a dike on the interior of the borrow pit which will effectively increase the size of the sediment pond from a tenth of an acre area to a 13.5-acre area. The new larger sediment pond has an approximate 20' freeboard that will take an extended time to fill with water. We will continue operations in the other area of the pit until we deplete the remaining

inventory of material to be mined. By adding the dike, we will effectively decrease our borrow area and the amount of area we will need to control the water in, will be minimized. If need be, we can pump into the greatly increased area of the larger sediment pond. In our estimation it will be many months before the water in the large sediment pond will rise enough to reach the point of needing to outflow. We will monitor these levels and stop any pumping of water from the front to the back before it reaches the point of outflow. This will keep us from having any discharge problem again. We have already begun constructing the dike and removing the last of the inventory of good materials from the area of the new enlarged sediment pond. In our estimation, depending on weather conditions, we should complete the dike in the next two to three weeks. Please remember our pumping operations have been stopped since the afternoon of February 21, 2024, and no water has exited our site since that date. The water in the small sediment pond was already five feet below the outfall that exits the site when I checked it late last week.

Another factor is that we have decided not to mine an approximate 3-acre area near the front of the pit which will allow us to complete operations in this site earlier than expected. We anticipate completing all operations in this pit within the next 6 to 8 months, with 12 months being the longest. This will include our reclamation operations as well. This plan will stop any discharge from our site due to any pumping operations and should allow us enough time to complete mining and reclamation. It should also satisfy the neighbor that filed a complaint with the County and EPD. If he still has a water problem, and we are not pumping, then he may have other issues with beavers as do many other landowners in Effingham County. We always try very hard to be a good neighbor.

I hope this plan meets with your approval, and if you should have any questions or require any further information, please don't hesitate to contact me at 912-667-9765.

Thank you,

Perry R, Mincey
Managing Partner
Midland Lakes, LLC
912-667-9765