



# GEORGIA

DEPARTMENT OF NATURAL RESOURCES

## ENVIRONMENTAL PROTECTION DIVISION

**Jeffrey W. Cown, Director**

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**East Central District**  
3525 Walton Way Extension  
Augusta, Georgia 30909  
706-667-4343

March 7, 2024

Mr. Charles Tarbutton, President  
B-H Transfer Company  
750 Sparta Road  
Sandersville, GA 31082  
*-Via Email*

**RE: Complaint Investigation**  
Industrial Storm Water  
Complaint I.D. No. 107816  
B-H Transfer Company  
Waco Mill Road, Parcel 095 025  
Sandersville, Washington County

Dear Mr. Tarbutton:

On February 16, 2024, the Georgia Environmental Protection Division (EPD), received a complaint that alleged plastic pellet product from your above referenced transfer facility had flowed during a rain event to nearby Sun Hill Creek and further downstream. On February 19, 2024, EPD representatives investigated the complaint and observed plastic pellets on the ground at the facility and downstream on Sun Hill Creek. In addition, at the facility EPD representatives observed soda ash spilled on the ground and within the buffer of the onsite Sun Hill Creek.

It is the duty of the EPD to enforce the Georgia Water Quality Control Act (WQ Act), the Rules and Regulations for Water Quality Control (WQ Rules), the Georgia Erosion and Sedimentation Act (GESA) Georgia Air Quality Act (AQ Act), and the Rules and Regulations for Air Quality Control (AQ Rules).

***Violations:***

**Water Quality:**

The **O.C.G.A § 12-5-29(a)** states, *"It shall be unlawful to use any waters of the state for the disposal of sewage, industrial wastes, or other wastes, or to withdraw, divert, or impound any surface waters of the state, except in such a manner as to conform to and comply with this article and all rules, regulations, orders, and permits established under this article and applicable to the waters involved."* At the time of the investigation plastic pellet product was observed in Sun Hill Creek just downstream of the facility. In addition, plastic pellets were observed on the ground at the facility. Soda ash had also spilled on the ground at the facility and was within the buffer of Sun Hill Creek. The soda ash spillage may easily flow to the facility storm drains and on to the nearby Sun Hill Creek during a rain event.

**Air Quality:**

The O.C.G.A § 12-9-7(a)(2) states, "No person shall, and it shall be unlawful and a violation of this article to, construct, install, modify, own, or operate any facility or stationary source or any equipment, device, article, or process capable of causing or contributing to the emission of air contaminants from such source or facility or designed to prevent air pollution from such facility or source unless permitted by and in compliance with a permit from the director...". The EPD has no record B-H Transfer Company having an air quality permit for this facility. An air permit application must be submitted on our Georgia EPD Online System (GEOS) at

<https://geos.epd.georgia.gov/GA/GEOS/Public/GovEnt/Shared/Pages/Main/Login.aspx> for the transfer of bulk chemicals at the facility. If you have any questions related to the air quality permitting process, please contact our Stationary Source Chemical Permitting Manager, Ms. Wendy Troemel at 470.524.0664 or [wendy.troemel@dnr.ga.gov](mailto:wendy.troemel@dnr.ga.gov).

**Deficiencies:**

**Industrial Storm Water Discharge:**

Rule 391-3-6-.16 states, "*Storm Water Permit Requirements (3)(a) Authorization to Discharge. Storm water point sources, as defined in this Rule, are point sources subject to the NPDES permit program... (b)Applicability. The following discharges composed entirely of storm water are required to obtain an NPDES permit for the storm water discharge: 1. Associated with industrial activity;*" The Division has no record of the site having the required Industrial Storm Water permit coverage. The attached National Pollution Discharge Elimination System (NPDES) 2017 Version Industrial General Permit (IGP) Facility Information Form must be submitted to our Industrial Storm Water Unit Manager, Ms. Victoria Adams at [Victoria.Adams@dnr.ga.gov](mailto:Victoria.Adams@dnr.ga.gov) . If you have any questions related to the industrial storm water permitting process, please contact Ms. Adams.

**Stream Buffer:**

The O.C.G.A § 12-7-3 (2) states, "*\"Buffer\" means the area of land immediately adjacent to the banks of state waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat.*" Portions of the approximately 125 feet of Sun Hill Creek on the east side of the facility's parcel has been damaged due to the industrial activity at the facility. Stream buffer restoration must occur in the damaged areas. The City of Sandersville is an approved local issuing authority for erosion & sedimentation control and can assist you further regarding streambank or shoreline stabilization. Please contact the Sandersville Building & Zoning Department at 478-552-2626.

**Conclusions:**

Within fourteen (14) days of your receipt of this correspondence your consultant engineer must submit, for review, a Corrective Action Plan (CAP) for the clean-up of the spilled plastic pellets at the facility and downstream on Sun Hill Creek. In addition, the CAP must give details for the clean-up of the spilled soda ash at the site. Also, a commitment to gaining industrial storm water permit coverage and submittal of an air quality permit application must be stated in the CAP. Furthermore, the CAP must include a statement regarding a commitment to contact the Sandersville Building & Zoning Department regarding the needed Sun Hill Creek buffer restoration. The CAP must include a schedule for obtaining the needed permits and buffer restoration. Once the CAP is approved by the Division, you will be granted an additional fourteen (14) days to have the clean-up completed. All spilled plastics pellets that cannot be used or recycled must be properly disposed of in a Division approved landfill. All spilled soda ash must be properly disposed of and the resulting landfill tipping receipts must be submitted to the Division's East Central District office. The consultant engineer must by the deadline date submit a final clean-up report with photos and a statement that all spilled waste has been properly disposed of.

The Division's East Central District Office has scheduled an enforcement Conference for your attendance at 1:00 pm on Monday, March 18, 2024. The Division appreciates your continued cooperation in this matter. Please do hesitate to call me at (706) 667-4343 or Glenn Treadwell at (706) 840-5070.

Sincerely,



Sean Hayes  
Program Manager

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CC: East Central District Files /Washinton County/Sandersville/B-H Transfer Co  
B-H Transfer, VP of Operations and Dedicated Services, Mr. Keith Johnson – *via email*  
Sandersville Railroad Company, Freight Agent, Mr. Jason Carter – *via email*  
GA EPD Stationary Source Chemical Permitting Manager, Ms. Wendy Troemel – *via email*  
GA EPD Industrial Storm Water Unit Manager, Ms. Victoria Adams – *via email*

Attachment: National Pollution Discharge Elimination System (NPDES) 2017 Version Industrial General Permit (IGP) Facility Information Form