

Resources Division of the Department of Natural Resources ("Fisheries") conducted a fish kill investigation; and

WHEREAS, from September 26 to September 29, 2022, EPD communicated with the Respondent and Fisheries to discuss potential causes of the fish kill, which included hydraulic oil released during contractor activities, decommissioning of a boiler on the Valdosta State University (VSU) campus, and raw sewage; and

WHEREAS, on September 30, 2022, Fisheries emailed EPD the Fish Kill Investigation Report (the "Fish Kill Report") which noted that the fish kill began just downstream of a temporary sewage line crossing and that sewage was likely a contributing factor to the fish kill, as indicated in Attachment D; and

WHEREAS, the Fish Kill Report also noted that the Respondent's representative on-site believed that an unknown fuel/fluid had leaked from equipment in a parking lot near the crossing of North Oak Street over One Mile Branch and could have contributed to the fish kill, however, dead fish were observed upstream of this location on One Mile Branch and the Fish Kill Report concluded that any spill from the downstream fluid site would not have resulted in fish dying upstream of that location; and

WHEREAS, on October 3, 2022, EPD emailed the Fish Kill Report to the Respondent; and

WHEREAS, on October 20, 2022, EPD met with the Respondent virtually to discuss the findings of the Fish Kill Report and next steps; and

WHEREAS, on October 21, 2022, EPD sent an email to the Respondent requesting information and documentation following the meeting to continue its investigation of the fish kill, including additional sampling results along the impacted stream, information related to a temporary sewer line and bypass pump being operated by the Respondent in the area of the impacted stream, and information about an herbicide applied in the area of the impacted stream by Valdosta State University ("VSU"); and

WHEREAS, on October 21, 2022, the Respondent confirmed that the requested sampling would be scheduled and that it would forward additional information collected to EPD; and

WHEREAS, on October 21, 2022, EPD replied to the Respondent's confirmation email and requested an expected date by which the requested documentation would be submitted; and

WHEREAS, on October 31, 2022, EPD sent a follow-up email requesting the documentation from the October 21, 2022 email by November 4, 2022; and

WHEREAS, on November 1, 2022, the Respondent emailed the requested documentation from the October 21, 2022 email and notified EPD that closed-circuit television (CCTV) inspection footage of the of the gravity sewer main undergoing repair/replacement by the Contractor would be sent on a flash drive via mail; and

WHEREAS, on November 4, 2022, the Respondent notified EPD of an illicit discharge of process wastewater through a storm drain discovered from a VSU laundry facility that it believed may have contributed to the September fish kill; and

WHEREAS, on December 6, 2022, EPD received the flash drive described in the November 1, 2022 email from the Respondent; and

WHEREAS, on December 7, 2022, EPD sent an email to the Respondent requesting status updates on its projects, including an update on the sewer line repair work that had necessitated the installation of the temporary sewer line near the stream impacted by the fish kill, and the Respondent responded to EPD on December 7 that work had not begun in the area, but that EPD would be notified when work