

Georgia Department of Natural Resources

205 Butler Street, S.E., East Floyd Tower, Atlanta, Georgia 30334

Lonice C. Barrett, Commissioner
Harold F. Reheis, Director
Environmental Protection Division

September 14, 1998

Big Canoe Property Owners Association
% Mr. Troy Ledbetter
Wolfscratch Village
Big Canoe, GA 30413

CERTIFIED MAIL # Z 797 102 164
RETURN RECEIPT REQUESTED

SUBJECT: Lake Petit Dam
Pickens County

Dear Mr. Ledbetter:

This is to inform you that you are in violation of the Safe Dams Act. Operation of a dam in violation of the Safe Dams Act may subject you to civil penalties of \$1000, plus \$500 per day for each day the violation persists.

It is our intention to pursue such penalties of judicial remedy at the appropriate time unless you agree to the terms of the attached consent order. We believe that it would be to our mutual advantage to settle the matter of the violations of the Safe Dams Act without costly litigation. Accordingly, we have prepared the attached consent order for your consideration.

Signing and returning the order within fourteen (14) days of the date of the letter (by September 28, 1998) would commit you to the following schedule:

1. Implement an effective Emergency Action Plan within five days after the execution of this order; and
2. Submit a plan of analysis and design within ten days after the execution of this order; and
3. Submit a completed design package by December 1, 1998; and
4. Start construction for the rehabilitation of the dam by April 1, 1999; and
5. Complete construction in accordance with the approved plans and specifications by December 1, 1999; and
6. Pay the EPD a fine of \$3000 for each missed deadline.

If you choose not to sign the consent order, your file will be forwarded to the Attorney General's office for legal action and you may be subject to the civil penalties as set forth above.

Sincerely,

Nolton G. Johnson, P. E., Chief
Water Resources Branch

NGJ:kf

cc: Robert S. Bomar

enclosure

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Issac Bryd

*EAP 9/18
Analysis 10/30
New 16-20 Comments 22.
make
Mid Oct Start design
Dec 16 Plan Submit*