



# GEORGIA

DEPARTMENT OF NATURAL RESOURCES

## ENVIRONMENTAL PROTECTION DIVISION

**Richard E. Dunn, Director**

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**Land Protection Branch**

4244 International Parkway  
Suite 104  
Atlanta, Georgia 30354  
404-362-2537

Nov 03, 2022

Mr. Jeff Retzke  
Senior Director of Environmental Services-Southeast  
Denali  
3308 Bernice Avenue  
Russellville, Arkansas 72802

RE: Draft Site Limitations for New Earth, LLC  
4833 U.S. Hwy 411 NE, Fairmount - Bartow County, Georgia  
Proposed Solid Waste Handling Facility  
GEOS ID No. 695571

Dear Mr. Retzke:

The Recovered Materials and Abatement Program of the Environmental Protection Division (EPD) has completed its review of the Site Assessment Report prepared by GeoRisk Management Associates, LLC. The GeoRisk Site Assessment Report is included as an attachment in GEOS Submittal ID No. 695571, *Application for Solid Waste Handling Permit Request for Site Suitability*. These documents can be accessed on the EPD web page at <https://epd.georgia.gov/public-announcements-0/land-protection-branch-public-announcements>.

Based on the data submitted, EPD has drafted "Site Limitations" which would form the basis for design of the proposed solid waste handling facility in a manner that complies with *Georgia's Rules for Solid Waste Management*. A copy of these is attached.

Comments on the proposed facility's site suitability report and the draft "Site Limitations" are welcome. However, if EPD is to consider such comments prior to determining if a Site Suitability Notice is warranted for this facility, they must be received within 30 days of the date of this letter. Please note that issuance of a Site Suitability Notice by EPD does not constitute a permitting decision for the proposed facility and comments regarding siting issues may be considered up to the time a final permitting decision is made.

Please feel free to contact Sarah Knapp at 470-524-0632 if you have any questions.

Sincerely,

Charles J. Mueller, Chief  
Land Protection Branch

cc: Sarah Knapp, Richard Posey, Mountain District EPD  
File: Bartow Co – New Earth, LLC. Solid Waste Handling Facility Permit

**Draft Site Limitations**  
**Bartow County- New Earth, LLC**  
**Proposed Solid Waste Handling Facility**  
**November 3, 2022**  
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1. The area considered for acceptability includes only the approximate 10-acre parcel shown on *Figure 1, Aerial Photograph of Project Area*, dated March 30, 2022, of the Rabolli Environmental Inc. inspection report for the presence of jurisdictional waters. Solid waste handling operations shall be restricted to the approximate 10-acre parcel.
2. Solid waste handling operations shall not be conducted in any wetlands, as defined by the US Corps of Engineers, unless evidence is provided to the Director, by the applicant, that use of such wetlands has been permitted or otherwise authorized under all other applicable state and federal law and rules. A statement certifying that wetlands will not be impacted as a result of construction activities at the site shall be submitted. This statement shall be signed and stamped by the professional engineer responsible for the Design and Operational Plan for the subject site. Wetland areas shall be delineated on the Design and Operational Plan, if applicable.
3. The facility shall not restrict the flow of the 100-year flood, reduce the temporary water storage capacity of the floodplain, or result in a washout of solid waste or material so as to pose a hazard to human health and the environment. Any modifications to the 100-year floodplain shall not cause a rise in the 100-year floodplain of more than 0.10 feet at any point.