

000842

After Recording Return to:

Georgia Environmental Protection Division  
Hazardous Waste Management Program  
2 Martin Luther King, Jr. Drive SE  
Suite 1052 East  
Atlanta, Georgia 30334

FILED & RECORDED

qW MAY 11 2017

1:30 PM  
Betsy Lyn Johnson  
CLERK, SUPERIOR COURT, BEN HILL CO., GA.

CROSS-REFERENCE: Deed Book: 813 Page: 33-42

### Amended Environmental Covenant

This instrument is an Amended Environmental Covenant executed pursuant to the Georgia Uniform Environmental Covenants Act, O.C.G.A. §§ 44-16-1, *et seq.* This Amended Environmental Covenant subjects the Property identified below to the activity and/or use limitations specified in this document. The effective date of this Amended Environmental Covenant shall be the date upon which the fully executed Amended Environmental Covenant has been recorded in accordance with O.C.G.A. § 44-16-8(a).

**Fee Owner of Property/Grantor:** Fitzgerald and Ben Hill County Development  
Authority  
121 E. Pine Street  
Fitzgerald, GA 31750

**Grantee/Holder:** Fitzgerald and Ben Hill County Development  
Authority  
121 E. Pine Street  
Fitzgerald, GA 31750

**Grantee/Entity with  
express power to enforce:** State of Georgia  
Department of Natural Resources  
Environmental Protection Division  
2 Martin Luther King Jr. Drive, SE  
Suite 1456 East Tower  
Atlanta, GA 30334

**Parties with interest in the Property:** Fitzgerald and Ben Hill County Development  
Authority  
121 E. Pine Street  
Fitzgerald, GA 31750

#### Property:

The property subject to this Amended Environmental Covenant is the "Delphi Property," located at 342 Perry House Road in Fitzgerald, Ben Hill County, Georgia (hereinafter "Property"). This Property was conveyed on June 28, 2013, from Delphi Automotive Systems to Fitzgerald and Ben Hill County Development Authority pursuant to that certain Quit Claim Deed recorded in Deed Book 826, Page 151, of the Ben Hill County Land Records. The Property is located at Land Lot 90 of the 3rd

BOOK 917 PAGE 144

District of Ben Hill County, Georgia and being a 106.357 acre +/- tract. A complete legal description of the Property is attached as Exhibit A, and a map of the Property is attached as Exhibit B.

A prior environmental covenant was granted by DPH-DAS LLC (hereinafter "Original Grantor") with respect to the Property and was filed and recorded on December 28, 2012 (hereinafter "Original Environmental Covenant"), recorded in Deed Book 813, Page 32 of the Ben Hill County Land Records.

**Tax Parcel Number(s):**

7 9 5 of Ben Hill County, Georgia

**Name and Location of Administrative Records:**

The environmental condition at the Property that is the subject of this Amended Environmental Covenant is described in the following document[s]:

Prospective Purchaser Compliance Status Report  
342 Perry House Rd  
Fitzgerald GA 31750  
HSI No. 10483

These documents are available at the following locations in the files for HSI No. 10483:

Georgia Environmental Protection Division  
2 MLK Jr. Drive, SE, Suite 1054 East Tower  
Atlanta, GA 30334  
M-F 8:00 AM to 4:30 PM, excluding state holidays

Fitzgerald and Ben Hill County Development Authority  
121 E. Pine Street  
Fitzgerald, GA 31750

**Description of Contamination and Corrective Action:**

This Property has been listed on the state's hazardous site inventory and has been designated as needing corrective action due to the presence of hazardous wastes, hazardous constituents, or hazardous substances regulated under state law. Contact the property owner or the Georgia Environmental Protection Division for further information concerning this Property. This notice is provided in compliance with the Georgia Hazardous Site Response Act.

This Amended Environmental Covenant is made pursuant to the Georgia Uniform Environmental Covenants Act, O.C.G.A. §§ 44-16-1 *et seq.*, by Grantor, its successors and assigns, Grantee, its successors and assigns, and the State of Georgia, Department of Natural Resources, Environmental Protection Division (hereinafter "EPD"), and its successors and assigns. This Amended Environmental Covenant is required because a release of lead occurred on the Property. Lead is a "hazardous constituent" and/or "regulated substance" as defined under the Georgia Hazardous Waste Management Act, O.C.G.A. Georgia §§ 12-8-60 *et seq.*, and the rules promulgated thereunder and the Hazardous Site Response Act, O.C.G.A. § 12-8-90 *et seq.*, and the rules promulgated thereunder (hereinafter "HSRA" and "Rules," respectively). Lead detected at the Property at concentrations above the site specific industrial use standard of 900 mg/kg has been removed. Contaminants at the site are

presently below cleanup standards applicable to industrial settings and have not been certified to cleanup standards applicable to residential settings. Since the concentration of contaminants has not been certified to the residential cleanup standards, the Property is restricted by institutional controls (limits property usage to nonresidential) to protect human health and the environment.

Grantor, Fitzgerald and Ben Hill County Development Authority, hereby binds Grantor and its successors and assigns to the activity and use restriction(s) for the Property identified herein and grants such other rights under this Amended Environmental Covenant in favor of the Fitzgerald and Ben Hill County Development Authority and EPD. EPD shall have full right of enforcement of the rights conveyed under this Amended Environmental Covenant pursuant to HWMA, O.C.G.A. Georgia §§ 12-8-60 *et seq.*, and HSRA, O.C.G.A. §§ 12-8-90 *et seq.*, and the rules promulgated thereunder. Failure to timely enforce compliance with this Amended Environmental Covenant or the use or activity limitations contained herein by any person shall not bar subsequent enforcement by such person and shall not be deemed a waiver of the person's right to take action to enforce any non-compliance. Nothing in this Amended Environmental Covenant shall restrict EPD from exercising any authority under applicable law.

Fitzgerald and Ben Hill County Development Authority makes the following declaration as to limitations, restrictions, and uses to which the Property may be put and specifies that such declarations shall constitute covenants to run with the land, pursuant to O.C.G.A. § 44-16-5(a); are perpetual, unless modified or terminated pursuant to the terms of this Amended Environmental Covenant pursuant to O.C.G.A. §§ 44-16-9 and 10; and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Property (hereinafter "Owner"). Should a transfer or sale of the Property occur before such time as this Amended Environmental Covenant has been amended or revoked, then this Amended Environmental Covenant shall be binding on the transferee(s) or purchaser(s).

The Amended Environmental Covenant shall inure to the benefit of EPD, Fitzgerald and Ben Hill County Development Authority, and their respective successors and assigns and shall be enforceable by the Director or his agents or assigns, Fitzgerald and Ben Hill County Development Authority or its successors and assigns, and other party(ies) as provided for in O.C.G.A. § 44-16-11 in a court of competent jurisdiction.

#### **Activity and/or Use Limitation(s)**

1. **Registry.** Pursuant to O.C.G.A. § 44-16-12, this Amended Environmental Covenant and any amendment or termination thereof, may be contained in EPD's registry for environmental covenants.
2. **Notice.** The Owner of the Property must give thirty (30) days advance written notice to EPD of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the land use restriction. The Owner of the Property must also give thirty (30) days advance written notice to EPD of the Owner's intent to change the use of the Property, apply for building permit(s), or propose any site work that would affect the Property.
3. **Notice of Limitation in Future Conveyances.** Each instrument hereafter conveying an interest in the Property subject to this Amended Environmental Covenant shall contain a notice of the activity and use limitations set forth in this Amended Environmental Covenant and shall provide the recorded location of the Amended Environmental Covenant.

4. Termination of the Original Environmental Covenant. The Original Environmental Covenant is by execution and recording of this Amended Environmental Covenant terminated, made null and void, and shall be of no further force and effect, and upon the execution and recording of this Amended Environmental Covenant, the Property shall be released from the Original Environmental Covenant and the terms, covenants, conditions and restrictions set forth therein without the requirement of recording any further or additional instrument.
5. Periodic Reporting. The Owner shall inspect the Property and applicable Property instruments at least annually, by no later than June 30, following the effective date of this Amended Environmental Covenant, to ensure compliance with this document. The Owner shall complete and submit to EPD the Annual Property Evaluation Form attached to this document as Exhibit C. The Owner's report should include photographs of the Property and will document maintenance and inspection activities and whether or not the activities and use limitations in this Amended Environmental Covenant are being abided by.
6. Activity and Use Limitation(s). The Property shall be used only for non-residential uses, as defined in Section 391-3-19-.02 of the Rules and defined in and allowed under the Ben Hill County zoning regulations as of the date of this Amended Environmental Covenant. Any residential use of the Property or use of the Property that would trigger a written explanation to EPD in accordance with Exhibit C is prohibited. Use of the Property shall comply with restrictions of the Limitation of Liability issued by EPD on October 24, 2012.
7. Right of Access. In addition to any rights already possessed by EPD and/or the Fitzgerald and Ben Hill County Development Authority, the Owner shall allow authorized representatives of EPD and/or Fitzgerald and Ben Hill County Development Authority the right to enter the Property at reasonable times for the purpose of evaluating the activity and use limitations, to take samples, to determine compliance with this Amended Environmental Covenant, and to inspect records that are related to the activities and use limitations.
8. Recording of Environmental Covenant and Proof of Notification. Within thirty (30) days after the date of the Director's signature, the Owner shall file this Amended Environmental Covenant with the Records of Deeds for Ben Hill County and send a file stamped copy of this Amended Environmental Covenant to EPD within thirty (30) days of recording. Within that time period, the Owner shall also send a file-stamped copy to each of the following: (1) Fitzgerald and Ben Hill County Development Authority, (2) each person holding a recorded interest in the Property subject to the Amended Environmental Covenant, (3) each person in possession of the real property subject to the Amended Environmental Covenant, (4) each municipality, county, consolidated government, or other unit of local government in which real property subject to this Amended Environmental Covenant is located, and (5) each owner in fee simple whose property abuts the property subject to the Amended Environmental Covenant.
9. Termination or Modification. The Amended Environmental Covenant may be amended or revoked in accordance with Section 391-3-19-08(7) of the Rules and O.C.G.A. §§ 44-16-1 *et seq.*
10. Severability. If any provision of this Amended Environmental Covenant is found to be unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired.
11. No EPD Interest in Property Created. This Amended Environmental Covenant does not in any way create any interest by EPD in the Property that is subject to the Amended Environmental Covenant. Furthermore, the act of approving this Amended Environmental Covenant does not in any way create any interest by EPD in the Property in accordance with O.C.G.A. § 44-16-3(b).

### **Representations and Warranties.**

Grantor hereby represents and warrants to the other signatories hereto:

- a) That the Grantor has the power and authority to enter into this Amended Environmental Covenant, to grant the rights and interests herein provided and to carry out all obligations hereunder;
- b) That the Grantor is the sole owner of the Property and holds fee simple title which is free, clear and unencumbered;
- c) That the Grantor has identified all other parties that hold any interest (e.g., encumbrance) in the Property and notified such parties of the Grantor's intention to enter into this Amended Environmental Covenant;
- d) That this Amended Environmental Covenant will not materially violate, contravene, or constitute a material default under any other agreement, document or instrument to which Grantor is a party, by which Grantor may be bound or affected;
- e) That the Grantor has served each of the people or entities referenced in Activity 8 above with an identical copy of this Amended Environmental Covenant in accordance with O.C.G.A. § 44-16-4(d).
- f) That this Amended Environmental Covenant will not materially violate or contravene any zoning law or other law regulating use of the Property; and
- g) That this Amended Environmental Covenant does not authorize a use of the Property that is otherwise prohibited by a recorded instrument that has priority over the Amended Environmental Covenant.

### **Notices.**

Any document or communication required to be sent pursuant to the terms of this Amended Environmental Covenant shall be sent to the following persons:

Georgia Environmental Protection Division  
Branch Chief  
Land Protection Branch  
2 Martin Luther King Jr. Drive SE  
Suite 1054 East Tower  
Atlanta, GA 30334

Fitzgerald and Ben Hill County Development Authority  
Attn. Executive Director  
121 E. Pine Street  
Fitzgerald, GA 31750

[REMAINDER OF PAGE INTENTIONALLY BLANK]

Grantor has caused this Amended Environmental Covenant to be executed pursuant to The Georgia Uniform Environmental Covenants Act, on the 14<sup>th</sup> day of April, 2017.

Signed, sealed, and delivered in the presence of:

[Signature]  
Unofficial Witness (Signature)

[Signature]  
Unofficial Witness Name (Print)

[Signature]  
Unofficial Witness Address (Print)

[Signature]  
Notary Public (Signature)

My Commission Expires: July 14, 2019

For the Grantor:

John R. Paulk  
Name of Grantor (Print)

**Fitzgerald and Ben Hill Development Authority**

[Signature]  
Grantor's Authorized Representative (Signature)

John R. Paulk  
Authorized Representative Name (Print)

Board Chair  
Title of Authorized Representative (Print)

Dated: 3/10/17  
(NOTARY SEAL)



Signed, sealed, and delivered in the presence of:

[Signature]  
Unofficial Witness (Signature)

Unofficial Witness Name (Print)

Sydney Brogden  
2 MLK Jr. Drive, Suite 1456  
Atlanta, GA 30304  
Unofficial Witness Address (Print)

[Signature]  
Notary Public (Signature)

My Commission Expires: Jan. 12, 2021

For the State of Georgia  
Environmental Protection Division:

[Signature]  
(Signature)

Richard E. Dunn  
Director

Dated: 4/14/17  
(NOTARY SEAL)



Signed, sealed, and delivered in the presence of:

[Signature]  
Unofficial Witness (Signature)

[Signature]  
Unofficial Witness Name (Print)

\_\_\_\_\_  
Unofficial Witness Address (Print)

[Signature]  
Notary Public (Signature)

My Commission Expires: July 14, 2019

**For the Grantee/Holder:**

John R PAULK  
Name of Grantor (Print)

**Fitzgerald and Ben Hill Development Authority**

[Signature]  
Grantor's Authorized Representative (Signature)

John R. Paulk  
Authorized Representative Name (Print)

Board Chair  
Title of Authorized Representative (Print)

Dated: 3/10/17  
(NOTARY SEAL)



## **Exhibit A**

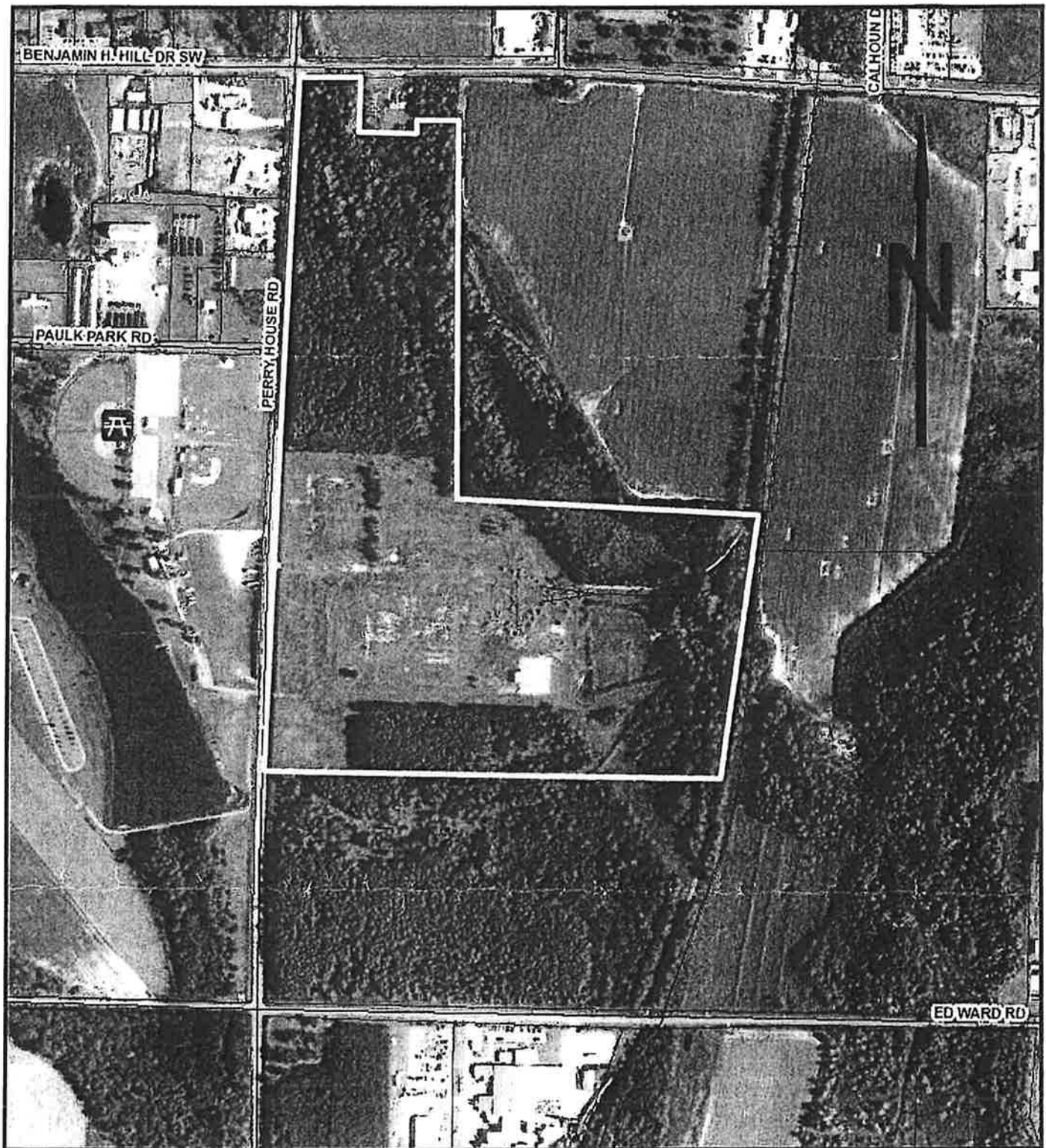
### **Legal Description**

All that tract or parcel of land containing 106.357 acres in land lot #90 of the Third Land District of Ben Hill County Georgia and being more particularly described as the follows,

To find point of beginning commence at the intersection of the East Right of the East Right of Way of Perry House Road and the North Right of Way of Ed Ward Road thence N-00\*-19'-23" E along the East Right of Way of Perry Houser Road a distance of 551.46 feet to a concrete marker, thence continuing along the East Right of Way of Perry House Road N-00\*-59'-27" E a distance of 405.29 feet to a concrete marker, thence continuing along the East Right of Perry House Road N-01\*-35'-34" E a distance of 191.29 feet to a rebar which is the point and place of beginning of the herein described parcel, thence continuing along the East Right of Way of Perry House Road N-01\*-35'-34"-E a distance of 1121.02 feet thence continuing along the East Right of Way of Perry House Road. N-01\*-27'-12"- E a distance of 279.15 feet to a concrete marker, thence continuing along the East Right of Way of Perry House Road N-01\*-33'-40"-E a distance of 2015.94 feet, thence N-62\*-12'-24"-E a distance of 85.89 feet to a point of the South Right of Way of Benjamin H. Hill Drive, thence along Benjamin H. Hill Drive N-89\*-34'-44"-E a distance of 215.91 feet thence S-02\*-02'-02"-W a distance of 282.83 feet, thence N-89\*-53'-24"-E a distance of 302.03 feet, thence N-01\*-53'-56"-E a distance of 83.00 feet, thence N-89\*-44'-57"-E a distance of 1211.06 feet, thence S-01\*-36'-41"-W 1881.18 feet, thence S-88\*-26'-20"-E a distance of 1473.24 feet to a point on the West Right of Way of CSX Railroad, thence along the West Right of Way of CSX Railroad S-05\*-48'-49"-W a distance of 1401.46 feet to an iron pipe, thence N-88\*-30'-25"-W a distance of 2169.42 feet to a rebar which is the point and place of beginning of the herein described parcel or tract of land.



Exhibit "B"  
Maps



**EXHIBIT C**  
Annual Property Evaluation Form

342 Perry House Road, Fitzgerald, Georgia: HSI  
Site No. 10483

TYPE	No.	CRITERIA RESPONSE	YES	NO
Land Use	1	Does this former HSRA site meet the definition of non-residential property as defined in HSRA Rule 391-3-19.02(2)?  "Non-residential property means any property or portion of a property not currently being used for human habitation or for other purposes with a similar potential for human exposure, at which activities have been or are being conducted that can be categorized in one of the 1987 Standard Industrial Classification major group..."		
	1a	If no to 1, provide a written explanation (attached) to the EPD within 30 days.		
Exposure	2	Are site workers expected to be directly exposed to soils that do not meet residential standards at this HSRA site in excess of 250 days per year?		
	2a	If yes to 2, are these same site workers expected to be exposed to soils at this HSRA site in excess of 25 years throughout their career?		
Erosion	3	Is there evidence of soil erosion in the remedial areas of the property?		
	3a	If yes to 3, is there evidence of erosion of these soils to off-property areas?		
	3b	If yes to 3a, are corrective measures being taken?		
	3c	If yes to 2, 3, 3a, and/or 3b, provide written explanation (attached) to the EPD within 30 days.		
Property Instruments	4	Do all leases or other property instruments for the site have the applicable deed notice language inserted into them.		
	4a	If no to 4, provide a written explanation (attached) to the EPD within 30 days.		
Inspection	5	Date of inspection:		
	5a	Name of inspector:		
	5b	Photographs showing current land use (attached) -		

Certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

**NAME (PLEASE TYPE OR PRINT)**

**TITLE**

**SIGNATURE**

**DATE**

November 21, 2024

**VIA ELECTRONIC MAIL ONLY**

MGKOZ Realty LLC  
ATTN: Marton Kozma  
832 Perry House Road  
Fitzgerald, Georgia 31750

Re: Concurrence Site Construction Notice  
342 Perry House Road (HSI Site 10483)  
Fitzgerald, Ben Hill County, GA, 31750

Dear Mr. Kozma:

The Georgia Environmental Protection Division (EPD) has reviewed your emails dated November 19, 2024, regarding the notice of the proposed addition to the existing building at the above referenced former Hazardous Site Inventory Site No. 10483. EDP concurs that your notice complies with Section 2 of the Activity and/or Use Limitations of the 2017 Amended Uniform Environmental Covenant (UEC) for the above referenced property.

Additionally, in your 2024 Activity Notice and Annual Property Evaluation Checklist dated April 26, 2024, you identified plans for additional rail to be developed and implemented in 2024 or early 2025. If the additional rail is also planned to be implemented in conjunction with the building addition, please provide confirmation pursuant to Section 2 of the Activity and/or Use Limitation of the Amended UEC.

Please document the completion of the building addition and property improvements in the next Annual Certification, which is to be submitted to EPD on or before June 30, 2025. If you have any questions or concerns regarding this matter, please contact David Smoak, P.G. at 470-524-0729.

Sincerely,



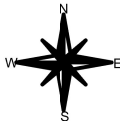
Kevin Collins  
Unit Coordinator  
Response and Remediation Program

File: 211-0014, HSI # 10483

INDUSTRIAL DRIVE

PERRY HOUSE ROAD

ED WARD ROAD



EXISTING RAIL

EXISTING RAIL

PROPOSED 150'x120'  
BUILDING EXTENSION  
OFF NORTH END OF  
BUILDING #1

EXISTING  
STORMWATER  
DRAINAGE

OLD DELPH SITE PROPERTY LINE

**From:** [Marton Kozma](#)  
**To:** [Smoak, David](#)  
**Cc:** [Lynsey Mullis](#); [jasondunn@fbcdanet.net](mailto:jasondunn@fbcdanet.net); [Collins, Kevin](#)  
**Subject:** RE: Site # 10483 342 Perry House Rd.- Former Delphi Site- Proposed Addition to Existing Building Approval  
**Date:** Tuesday, November 19, 2024 1:56:35 PM  
**Attachments:** [image001.png](#)  
[MDSI Bldg 21 Ext Prop Overview - Red Line 11-19-24.pdf](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi David,

Please see attached full property site plan and proposed location of addition to the existing building.

The property lines are in red. We will be sure include a full site plan for any future submittals.

Sorry for the confusion on our part.

Please call if you have any questions.

Best regards,

Marton Kozma



**Marton A. Kozma**  
President  
Modern Dispersions, Inc.  
302 Ed Ward Rd  
Fitzgerald, GA 31750  
229-423-9141

<http://www.moderndispersions.com>

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**From:** Smoak, David <david.smoak@dnr.ga.gov>  
**Sent:** Monday, November 18, 2024 2:27 PM  
**To:** Marton Kozma <mkozma@moderndispersions.com>  
**Subject:** RE: Site # 10483 342 Perry House Rd.- Former Delphi Site- Proposed Addition to Existing Building Approval

Marton,

Yes, you show the area of the building/proposed extension, but we also need the property/parcel boundary(ies) for the site be included. So, you will need to adjust scale to get the property boundary depicted on a site plan with the proposed construction.

Regards,  
-DSmoak

---

**From:** Marton Kozma <[mkozma@moderndispersions.com](mailto:mkozma@moderndispersions.com)>  
**Sent:** Monday, November 18, 2024 1:38 PM  
**To:** Smoak, David <[david.smoak@dnr.ga.gov](mailto:david.smoak@dnr.ga.gov)>  
**Cc:** Collins, Kevin <[Kevin.Collins@dnr.ga.gov](mailto:Kevin.Collins@dnr.ga.gov)>; Lynsey Mullis <[lmullis@moderndispersions.com](mailto:lmullis@moderndispersions.com)>; [jasondunn@fbcdanet.net](mailto:jasondunn@fbcdanet.net)  
**Subject:** Re: Site # 10483 342 Perry House Rd.- Former Delphi Site- Proposed Addition to Existing Building Approval

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi David,

It should have been on the last email as an attachment.  
Let me know if you didn't receive it.

Thanks- Marton  
Sent from my iPhone

On Nov 18, 2024, at 1:30 PM, Smoak, David <[david.smoak@dnr.ga.gov](mailto:david.smoak@dnr.ga.gov)> wrote:

Marton,  
I am confirming receipt of your e-mail. Please provide the construction area on a site plan which shows the property boundary and other structures. If you provide this within a day or two, EPD should have response letter back prior to 11/27.  
Best Regards,

**David E. Smoak, P.G.**  
Geologist  
Response & Remediation Program  
GA Environmental Protection Division  
2 Martin Luther King Jr. Drive, SE, Suite 1054  
Atlanta, Georgia 30334  
[david.smoak@dnr.ga.gov](mailto:david.smoak@dnr.ga.gov)  
470-524-0729  
<image002.png>

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**From:** Marton Kozma <[mkozma@moderndispersions.com](mailto:mkozma@moderndispersions.com)>  
**Sent:** Monday, November 18, 2024 1:18 PM  
**To:** Smoak, David <[david.smoak@dnr.ga.gov](mailto:david.smoak@dnr.ga.gov)>  
**Cc:** Collins, Kevin <[Kevin.Collins@dnr.ga.gov](mailto:Kevin.Collins@dnr.ga.gov)>; Lynseay Mullis <[lmullis@moderndispersions.com](mailto:lmullis@moderndispersions.com)>; [jasonduinn@fbcd.net](mailto:jasonduinn@fbcd.net)  
**Subject:** RE: Site # 10483 342 Perry House Rd.- Former Delphi Site- Proposed Addition to Existing Building Approval

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi David,

I am reaching back out to you to see if you received my last email regarding the approval for an addition to our building.  
Please see email below. Please let me know.

Best regards,

Marton Kozma

<image004.png>

**Marton A. Kozma**  
President  
Modern Dispersions, Inc.  
302 Ed Ward Rd  
Fitzgerald, GA 31750  
229-423-9141

<http://www.moderndispersions.com>

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**From:** Marton Kozma

**Sent:** Thursday, November 7, 2024 3:13 PM

**To:** Smoak, David <[david.smoak@dnr.ga.gov](mailto:david.smoak@dnr.ga.gov)>

**Cc:** Collins, Kevin <[Kevin.Collins@dnr.ga.gov](mailto:Kevin.Collins@dnr.ga.gov)>; Lynseay Mullis  
<[lmullis@moderndispersions.com](mailto:lmullis@moderndispersions.com)>; [jasondunn@fbcdanet.net](mailto:jasondunn@fbcdanet.net)

**Subject:** RE: Site # 10483 342 Perry House Rd.- Former Delphi Site- Proposed Addition to Existing Building Approval

Hi David,

I want to inform you that we are planning to construct an addition to our existing facility which currently extends into the former Delphi site.

The proposed addition would be 125' x 150' and would match up to our existing facility on the south side of the property.

Please see attached overhead view and dashed outline of proposed extension.

Construction would be a metal fabricated building on a 6 inch poured concrete slab foundation.

The extension to our facility would be used for storage of raw materials and possible light manufacturing operations and would comply with the environmental covenant guidelines.

At this point we have received quotes from our contractor and would like to proceed with a building permit.

Please let us know if we can proceed with securing a building permit. At this point we don't have an exact timeline from our contractor, but if all goes well, we expect to begin early 2025.

Since the footprint is somewhat small, we don't expect the construction to last longer than 8 weeks.

Please let us know if we can proceed. Please contact me if you have any questions.

Best regards,

Marton Kozma  
President  
229-423-9141 x249



<image004.png>

**Marton A. Kozma**  
President  
Modern Dispersions, Inc.  
302 Ed Ward Rd  
Fitzgerald, GA 31750  
229-423-9141

<http://www.moderndispersions.com>

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**From:** Smoak, David <[david.smoak@dnr.ga.gov](mailto:david.smoak@dnr.ga.gov)>  
**Sent:** Tuesday, June 18, 2024 1:51 PM  
**To:** Marton Kozma <[mkozma@moderndispersions.com](mailto:mkozma@moderndispersions.com)>  
**Cc:** Collins, Kevin <[Kevin.Collins@dnr.ga.gov](mailto:Kevin.Collins@dnr.ga.gov)>  
**Subject:** RE: Site # 10483 342 Perry House Rd.- Former Delphi Site

Good Day Marton,  
Attached is the acceptance letter for your 2024 certification submittal for the subject site.  
Please confirm your receipt and do not hesitate to contact me should you have any questions.  
Best Regards,

**David E. Smoak, P.G.**  
Geologist  
Response & Remediation Program  
GA Environmental Protection Division  
2 Martin Luther King Jr. Drive, SE, Suite 1054  
Atlanta, Georgia 30334  
[david.smoak@dnr.ga.gov](mailto:david.smoak@dnr.ga.gov)  
470-524-0729  
<image002.png>

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**From:** Collins, Kevin <[Kevin.Collins@dnr.ga.gov](mailto:Kevin.Collins@dnr.ga.gov)>  
**Sent:** Friday, May 10, 2024 3:33 PM  
**To:** Marton Kozma <[mkozma@moderndispersions.com](mailto:mkozma@moderndispersions.com)>  
**Cc:** Lynsey Mullis <[lmullis@moderndispersions.com](mailto:lmullis@moderndispersions.com)>; Smoak, David <[david.smoak@dnr.ga.gov](mailto:david.smoak@dnr.ga.gov)>  
**Subject:** RE: Site # 10483 342 Perry House Rd.- Former Delphi Site

Hello Marton,  
Thank you for forwarding this on to me. William Crane is no longer with EPD and a new compliance officer for the site was just recently assigned. The contact information for the new compliance officer, David Smoak, is listed below. You no longer need to submit hard copies; digital copies will suffice.

**David E. Smoak, P.G.**  
Geologist  
Response & Remediation Program

GA Environmental Protection Division  
2 Martin Luther King Jr. Drive, SE, Suite 1054  
Atlanta, Georgia 30334  
[david.smoak@dnr.ga.gov](mailto:david.smoak@dnr.ga.gov)  
470-524-0729

Please let me know if you have any questions or if I can be of further assistance.

Thanks,

**Kevin Collins**

Unit Manager  
Response & Remediation Program  
GA Environmental Protection Division  
2 Martin Luther King Jr. Drive, SE, Suite 1054  
Atlanta, Georgia 30334  
[kevin.collins@dnr.ga.gov](mailto:kevin.collins@dnr.ga.gov)

**470-524-0647**

<image005.png>

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**From:** Marton Kozma <[mkozma@moderndispersions.com](mailto:mkozma@moderndispersions.com)>  
**Sent:** Friday, May 10, 2024 1:58 PM  
**To:** Collins, Kevin <[Kevin.Collins@dnr.ga.gov](mailto:Kevin.Collins@dnr.ga.gov)>  
**Cc:** Lynseay Mullis <[lmullis@moderndispersions.com](mailto:lmullis@moderndispersions.com)>  
**Subject:** FW: Site # 10483 342 Perry House Rd.- Former Delphi Site

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Kevin,

I wanted to forward this to you as well. We sent this to William Crane on 4/26. I have tried several times by email to contact him, but have been unsuccessful. Is William still or contact?

Please let me know if your office would like to continue receiving hard copies or will digital format suffice.

I was holding off sending the hard copies until I heard back from.

Best regards,

Marton Kozma

<image004.png>

**Marton A. Kozma**  
President  
Modern Dispersions, Inc.  
302 Ed Ward Rd  
Fitzgerald, GA 31750  
229-423-9141

<http://www.moderndispersions.com>

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**From:** Marton Kozma

**Sent:** Friday, April 26, 2024 10:08 AM

**To:** Crane, William <[William.Crane@dnr.ga.gov](mailto:William.Crane@dnr.ga.gov)>

**Cc:** Lynseay Mullis <[lmullis@moderndispersions.com](mailto:lmullis@moderndispersions.com)>; [jasondunn@fbcda.net](mailto:jasondunn@fbcda.net)

**Subject:** Site # 10483 342 Perry House Rd.- Former Delphi Site

Dear Mr. Crane,

I hope all is well. This is our annual correspondence for site #10483

Based on my previous discussions with EPD, I will be sending this information each year before June 30<sup>th</sup>.

We agreed that the notice of site activity would be high level and outline the next 12 months of planned projects.

Attached are as follows:

1. 2024 Site Activity Notice and Property Evaluation Form
2. Photos of activity and current state

I will also be sending hard copies to your office for your files.

***\*If you no longer wish to receive hard copies, please let me know.***

Please feel free to contact me at any time.

Best regards,

Marton Kozma  
JMGKOZ Realty, LLC./Modern Dispersions South, Inc.  
229-423-9141 x 249  
229-425-7444 cell

<image004.png>

**Marton A. Kozma**  
President  
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