UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

August 27, 2012

CERTIFIED MAIL–RETURN RECEIPT REQUESTED: 7010 2780 0002 4356 4412

Mr. Jeremy Gantt
Jeremy Gantt 1 Broiler Farm
P.O. Box 844
Ruston, LA 71273

Re: Administrative Order, Docket Number: CWA-06-2012-1869
Facility Number: LAU000383

Dear Mr. Gantt:

Enclosed is an Administrative Order (AO) issued to you d/b/a Jeremy Gantt 1 Broiler Farm (farm), for violation of the Clean Water Act (CWA) (33 U.S.C. § 1251 et seq.). The violation alleged was identified during a June 26, 2012, inspection of your farm, conducted by the Environmental Protection Agency (EPA). The violation was discussed with you at the time of the inspection. The violation alleged is for the discharge of domestic sewage from the farm hand's mobile home that serves the broiler farm.

This AO does not assess a monetary penalty; however, it does require compliance with applicable federal regulations. The first compliance deadline is immediately upon receipt of this AO. The AO also contains other compliance deadlines and information demands. The EPA is committed to ensuring compliance with the requirements of the National Pollutant Discharge Elimination System (NPDES) program, and my staff will assist you in any way possible. Please reference AO Docket Number CWA-06-2012-1869 and NPDES Facility Number LAU000383 in your response.

Also enclosed is an "Information Sheet" related to the Small Business Regulatory Enforcement Fairness Act and a "Notice of Registrant's Duty to Disclose" relating to the disclosure of environmental legal proceedings to the Securities and Exchange Commission, that you may find useful.

If you have any questions, please contact Mr. Juan Ibarra, of my staff, at (214) 665-8493.

Sincerely,

John Blevins
Director
Compliance Assurance and
Enforcement Division

Enclosure

cc: Ms. Celena Cage, Administrator
Enforcement Division
Louisiana Department of Environmental Quality
P.O. Box 4312
Baton Rouge, LA 70821-4312

U.S. ENVIRONMENTAL PROTECTION AGENCY - REGION 6
1445 Ross Avenue, Suite 1200, Dallas, TX 75202
Docket No. CWA-06-2012-1869
FINDINGS OF VIOLATION, COMPLIANCE ORDER, AND
INFORMATION DEMAND

STATUTORY AUTHORITY

The following findings are made and Order issued under the authority vested in the Administrator of the United States Environmental Protection Agency ("EPA"), by Sections 309(a) and 308 of the Clean Water Act ("the Act"), 33 U.S.C. § 1319(a). The Administrator delegated the authority to issue this Order to the Regional Administrator of EPA Region 6, who further delegated such authority to the Director of the Compliance Assurance and Enforcement Division.

FINDINGS

1. Mr. Jeremy Gantt ("Respondent") is an individual doing business as Jeremy Gantt 1 Broiler Farm, and is, therefore, a "person," as defined by Section 502(5) of the Act, 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.

2. At all times relevant to the violation alleged herein ("relevant time period"), Respondent owned or operated a poultry operation located at 2228 Barnes Road, approximately 1.5 miles southeast of Athens, in Claiborne Parish, Louisiana ("facility"), designated as Facility Number LAU000383. The facility is an animal feeding operation as identified by 33 Louisiana Administrative Code ("LAC") § 2505 and a Concentrated Animal Feeding Operation as identified by Section 502(14) of the Act, 33 U.S.C. § 1362(14) and 33 LAC § 2505.

3. The facility's farm house sewage discharge lines act as "point sources," as defined by Section 502(14) of the Act, 33 U.S.C. § 1362(14).

4. During the relevant time period, it was unlawful under Section 30l(a) of the Act, 33 U.S.C. § 1311(a), for any person to discharge a pollutant from a point source to waters of the United States without a permit issued under Section 402 of the Act, 33 U.S.C. § 1342.

5. On June 26, 2012, an EPA inspector conducted an on-site investigation of the facility and observed the following violations:

a) Section 301 of the Act, 33 U.S.C. § 1311, and LAC Title 51, Part XIII, was violated in that the Respondent caused or allowed an unauthorized discharge of pollutants from facility's farm house domestic sewage lines to a water of the United States.

b) The farm house lacked a domestic sewage disposal system ("septic system"), which allowed raw sewage to flow down slope toward Leatherman Creek, thence to Black Lake Bayou, thence to Black Lake, which is considered a water of the United States.

SECTION 309(a)(3) COMPLIANCE ORDER

Based on these findings and pursuant to the authority of Section 309(a) of the Act, 33 U.S.C. § 1319(a), EPA orders that Respondent take the following actions upon receipt of this Order:

a) Upon receipt of this Order, Respondent shall properly install, operate and maintain a septic system and cease all discharges of pollutants to a water of the United States.
b) Within seven (7) days of receipt of this Order, Respondent shall properly remediate and clean-up areas where domestic sewage has pooled.

SECTION 308 INFORMATION DEMAND

Based on the foregoing findings and pursuant to Section 308 of the Act, EPA orders that Respondent is required to do the following:

Within thirty (30) days of receipt of this Order, Respondent shall submit to EPA and the Louisiana Department of Environmental Quality ("LDEQ") a certified summary, including photographs and receipts, to document that proper repairs have been made to the domestic sewage system and the discharge of raw sewage has been properly addressed and stopped. All correspondence should be addressed to:

EPA, Region 6
Water Enforcement Branch
Attn: Juan Ibarra (6EN-WR)
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

GENERAL PROVISIONS

Respondent may seek federal judicial review of the Order pursuant to Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706. Section 706, which is set forth at http://uscode.house.gov/download/pls/05C7.txt, states the scope of such review.

Issuance of this 309(a)(3) Compliance Order and Section 308 Information Demand shall not be deemed an election by EPA to forego any administrative, judicial, civil, or criminal action to seek penalties, fines, or any other relief appropriate under the Act for the violation cited herein. EPA reserves the right to seek any remedy available under the law that it deems appropriate.

Failure to comply with this Section 309(a)(3) Compliance Order, or the Section 308 Information Demand, or the Act can result in further administrative action, or a civil judicial action initiated by the U.S. Department of Justice.

This Order is not an NPDES permit, and compliance with the terms and conditions of this Order does not relieve the Respondent of its obligations to apply for and comply with any applicable permit, and comply with any applicable federal, state or local law or regulation.

The effective date of this Order is the date it is received by the Respondent.

8·27·12
Date

John Blevins
Director
Compliance Assurance and
Enforcement Division