

United States Environmental Protection Agency
Emergency Response and Removal Branch
Waste Management Division
61 Forsyth St. SW,
Atlanta, GA 30303

Date 03 MAY 05

To: EXPLORER TRANSPORT

SUBJ: Notice of Federal Interest in a Pollution Incident

* LAT: N 34.81166°
LONG: W 083.74406°
APPROXIMATE ORIGIN OF SPILL

Dear: TOM BOWERS, ANDY WILLIAMS OR ASSIGNS

This is to inform you that a pollution incident that has occurred or threatens to occur at SWALLOW CREEK WMA (Facility) located at GA 75 * (address), for which you may be financially responsible. Under federal statutes, the United States Government has an interest in this incident and may take appropriate action to minimize damages which are threatened or which may be caused by this incident.

The discharge of a harmful quantity of oil or a hazardous substance is a violation of the Clean Water Act, As amended. Under this act, the owner or operator of the source may undertake removal action. If he refuses to take adequate removal action, he may be held financially responsible for action taken by the Federal Government to remove the pollutant and adequately mitigate its effects. Removal is being done properly if it is performed in a manner consistent with the National Contingency Plan. If you undertake removal action, the adequacy of such action shall be determined by the federal On-Scene Coordinator (OSC). The OSC for this incident is RICK JARDINE (Name), OSC.

So long as you are taking adequate actions in this matter, federal activity will be limited to monitoring the progress of your actions and providing guidance as necessary.

If it is determined that you are not taking prompt and appropriate action to clean up. Contain and remove the pollutant(s), federal response may be initiated. You may then be held responsible for costs incurred by the Federal Government as set forth in Section 311(f) of the Clean Water Act, as amended.

Should you require further information concerning this matter, please contact the OSC by telephone at (404)-562-8700 or in writing at:

On-Scene Coordinator
U.S. Environmental Protection Agency
Sam Nunn Federal Center
61 Forsyth St., SW
Atlanta, Georgia 30303

Sincerely,


On-Scene Coordinator

Received and Acknowledged By:

Signature:  ON BEHALF OF EXPLORER TRANSPORT

Date Received: 5/3/05 Time Received: 4:35

Printed Name and Address: Name: BARRY D. HOLBERT
Address: 338 TOWN POINT DR, SUITE 140
City: KENNESAW State GA