

Summary of Comments and Responses for the 2012 305(b)/303(d) List of Waters

Comment: The Henry County Water and Sewerage Authority questioned why two stream segments in their County (Tributary to Tussahaw Creek, Peeksville Creek) were placed on the “Not Supporting” list in 2012 for Bio F. They stated that these creeks are in the Tussahaw Creek Water Supply Watershed District and are protected by ordinances to protect water quality. It was suggested that the drought of 2007 and low stream flow may have been a cause of the poor fish scores.

EPD Response:

The Georgia Department of Natural Resources Wildlife Resources Division (WRD) sampled the fish communities in the Tributary to Tussahaw Creek and Peeksville Creek on May 9, 2007. The worst impacts of the 2007 drought were felt later in the summer of 2007 and the creeks were flowing when they were sampled by WRD. These same creeks were sampled in 1999, 2001, and 2003. Each time these creeks scored in the “fair” category which is the lowest category that is still considered to be supporting its use. In 2003, both sites scored toward the lower end of the “fair” category. When fish sampling is conducted, the habitat for the fish is also assessed. Habitat scores for both creeks were lower than they were for most of the other sites sampled in Piedmont in 2007 (Peeksville Creek had the 10th lowest score of 39 sites and the Tributary to Tussahaw Creek was 14th lowest of 39). Sediment and stream bank stabilization appeared to be major causes of habitat impairment. Poor habitat can contribute to poor fish scores.

Comment: Little Attapulugus Creek (Downstream Crescent Lake to Attapulugus Creek) should not be listed for toxicity. It has not been established whether BASF’s whole effluent toxicity tests were failed due to toxicity of the effluent or whether the failures were due to something else like ionic imbalance. Testing is ongoing to determine the cause of the test failures.

EPD Response:

EPD acknowledges that testing is ongoing to determine the cause of the WET test failures for BASF’s effluent. However, Georgia’s 2012 listing assessment methodology states that a water will be listed as impaired for toxicity “Tox” if effluent toxicity test(s) consistently predicted in-stream toxicity at critical 7Q10 low stream flow and/or if toxicity tests performed on receiving waters consistently indicated that the water is toxic. BASF consistently failed the C. dubia portion of its WET tests in 2010 and 2011. Failure of effluent WET tests is considered to be a prediction of instream toxicity. Determining the cause of WET test failure can be difficult. Listing a stream as being impaired for “Tox” before the cause of WET test failure is determined is a conservative measure to protect the stream and to allow the public to know about ongoing issues. Should it be determined that BASF’s effluent is not causing instream toxicity in Little Attapulugus based on future testing (such as toxicity identification work, instream toxicity testing,

instream biological assessments, etc.) then “Tox” will be removed as a cause of impairment.

Comment: The Tennessee Valley Authority has stated that they believe that Category 4b would be a better assessment category for the Bio F impairment for the Nottely River (Downstream Lake Nottely) if the cause of the impairment is the dam, as a TMDL would not be appropriate in this situation. They stated that if EPD believes that impairment to the fish community is due to factors other than the dam, then they would like “dam” removed as a cause in the 2012 list.

EPD Response:

At this time, EPD does not know with certainty what is causing the impairment to the fish community. EPD acknowledges that if the cause of the impact is the dam, then a TMDL is not an effective tool for addressing the issue. On the other hand, if the cause of impairment is a pollutant (like nutrients), then a TMDL would be appropriate. EPD is scheduled to develop the TMDL in 2013. At that time, EPD will work to determine the source of impairment and develop a TMDL if appropriate. If it is determined that the source of impairment is the dam, then EPD will plan to move the water to Category 4b for the 2014 305(b)/303(d) list and work with TVA to determine what if anything else can be done to improve the fish community.