

**Public Comments and EPD Responses on Draft Permit
City of Blairsville – Blairsville Water Pollution Control Plant
NPDES Permit No. GA0033375**

Comment	Response to Comment
Request for a public hearing	The draft permit was placed on EPD’s public notice on July 30, 2020 and the City posted a public notice on July 27, 2020 and published in the North Georgia News on July 29, 2020. During the comment period a public hearing was requested. EPD posted a notice for the public hearing on August 14, 2020 and the City posted a notice for the hearing on August 10, 2020 and published in the North Georgia News on August 19, 2020. As requested, a public hearing was held on September 23, 2020 and the comment period ended on September 25, 2020.
What testing was done on the landfill leachate and its impact(s) on the effluent and receiving stream (Butternut Creek)? Are there plans to regularly monitor and review the long-range environmental impact of the facility accepting leachate? Will there be testing upstream and downstream of the facility?	The City collected a sample of the leachate from Eagle Point Landfill for a heavy metals test (EPA Method 200.8) on August 21, 2019. All metals were “non-detect” except the following: Barium, Boron, Calcium, Chromium, Copper, Iron, Magnesium, Manganese, Nickel, Potassium, Sodium, Strontium, Tin, and Zinc. In addition, Georgia EPD and US EPA partnered to complete a per- and polyfluoroalkyl substances (PFAS) study on February 21, 2020. As mentioned in the fact sheet, the monitoring data indicated that PFAS were below the detection limit for water in Lake Nottely, raw water in the Notla Public Water System, and finished water in the Notla Public Water System, which are downstream of the discharge location. However, PFAS were detected in the effluent of the Blairsville WPCP. A copy of the results can be found in the draft permit.

On September 10, 2020, EPD was notified by the City that their facility stopped accepting and processing landfill leachate from Eagle Point Landfill on September 1, 2020. In addition, the City submitted an updated permit application that indicated landfill leachate was no longer being accepted and no longer remained at the plant.

The draft permit includes conditional chronic Whole Effluent Toxicity (WET), Priority Pollutant testing, and stream monitoring for hardness. Additionally, EPD has included a permit condition requiring the City to notify EPD prior to receiving landfill leachate and requiring EPD approval and potential permit modification before beginning to accept and treat landfill leachate at the facility.

The draft permit includes an expansion to 1.0 MGD when there is no projected increase in the amount of local-source sewage. Who initiated this expansion and when was it done? Is this expansion in response to a plan to accept larger amounts of leachate? Is this increase safe for Butternut Creek and, eventually, Lake Nottely? Can the expansion be limited to 0.5 MGD instead or prevented entirely?

The City initiated the request for an expansion to 1.0 MGD in 2008. Based on the information provided by the City in the 2008 Antidegradation Report, the expansion is for a projected increase in population and was not related to the acceptance of leachate from a landfill. EPD approved the City's Antidegradation Report on May 7, 2008 and modified their permit to include the expanded flow of 1.0 MGD for the first time. On December 12, 2013, the City's permit was reissued with both phases (0.4 & 1.0 MGD). The proposed draft permit is the third iteration of the permit with the expanded flow of 1.0 MGD.

EPD is responsible for issuing protective, legal, and enforceable permits in accordance with the applicable rules. The facility is designed to meet effluent limits for both flows, 0.4 & 1.0 MGD. EPD performs a thorough analysis, including water quality modeling, ensuring any increase in flow is protective of the receiving water body; therefore, at this time, there is no reason to prevent the expansion or to limit it to 0.5 MGD.

1. The consistently high-level bacterial contamination at the south end of Lake Nottely indicates that chemical contamination would remain concentrated as well which amplifies the need for an assessment of the long-term impacts of leachate. 2. Butternut Creek flows through Meeks Park, a county playground/park, which is less than a mile from the treatment plant. On a daily basis numerous children, drawn by its shallow depth, play in and around Butternut Creek. Is it safe for them to swim in the creek? Is it safe to swim in Lake Nottely?	High bacterial contamination in the lake may be the result of nonpoint source runoff and not directly related to the City's discharge into Butternut Creek, as the City treats the wastewater for bacteria prior to discharge. If the City begins to receive landfill leachate in the future, EPD may include stream monitoring requirements in the permit. Butternut Creek has a designated use of fishing and Lake Nottely has a designated use of drinking water supply; neither are designated as recreational waterbodies. In accordance with Section 391-3-6-.03(6) of the Rules and Regulations for Water Quality Control (Georgia Rules), the State does not encourage swimming in these surface waters since a number of factors which are beyond the control of any State regulatory agency and may contribute to elevated levels of bacteria.
1. Did EPD approve a limit on the amount of leachate Eagle Point Landfill could discharge into Blairsville WPCP? Does Eagle Point Landfill's discharge (i.e. leachate) require a pre-treatment permit? 2. Blairsville WPCP should stop accepting landfill leachate, remove any reference of leachate or "Industrial Discharge and Hazardous Wastes" from the permit and permit application, and EPD permanently ban leachate dumping at Butternut Creek and ultimately into Lake Nottely. 3. EPD should include language preventing Blairsville WPCP from accepting and treating landfill leachate into the future.	Eagle Point Landfill is considered an industrial user. Georgia Rules requires that any industrial user who discharges or proposes to discharge any pollutant into a publicly owned treatment works (POTW) then into waters of the State must be considered for a pretreatment permit by the control authority. In this case, EPD is the control authority for the City. If an industrial user is classified as a <u>Significant Industrial User</u> (SIU) by the control authority, their discharge will be covered under a pretreatment permit with discharge limits and prohibitions, based on a variety of factors including, but not limited to, EPA guidelines, federal categorical pretreatment standards, local ordinances, and local limits developed by the POTW.

The criteria that determine if an industrial user is considered a SIU includes the following:

- The industrial user is subject to categorical pretreatment standards;
- The industrial user discharges an average of 25,000 GPD or more of process wastewater to the POTW;
- The industrial user contributes a process waste stream which makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW's treatment plant; and
- The industrial user is designated by the control authority on the basis that the industrial user has the reasonable potential for adversely affecting the POTW's operations or for violating any pretreatment standard or requirement.

On October 12, 2018, Eagle Point Landfill submitted an industrial pretreatment permit application to EPD. EPD determined, as stated in an application withdrawal letter sent on February 17, 2020 to Eagle Point Landfill, that Eagle Point Landfill was not considered a Significant Industrial User for the City; therefore, their discharge did not require a pretreatment permit from EPD. However, the discharge was still subject to local ordinances, local limits, and general and specific prohibitions.

As mentioned above, EPD was notified by the City that their facility stopped accepting and processing landfill leachate from Eagle Point Landfill on September 1, 2020 and the City submitted an updated permit application that indicated landfill leachate was no longer being accepted and no longer remained at the plant to be processed.

EPD does not have the authority to permanently ban a municipality from receiving landfill leachate. However, the proposed permit includes a permit condition requiring the City to notify EPD prior to receiving landfill leachate and requiring EPD approval and potential permit modification before beginning to accept and treat landfill leachate at the facility. Also, additional monitoring requirements to better characterize the effluent if the facility receives landfill leachate has been included in the permit. If any pollutants are detected at levels of concern, or if effluent exhibits toxicity, the permit may be modified to include effluent limitations and/or a toxicity limit.	
As explained above, the discharge from Eagle Point landfill may require a pre-treatment permit if some thresholds are exceeded. The permit application (EPA Form 3510-2A) requires permittees to provide information on all significant industrial users (SIUs) and categorical industrial users (CIUs) that discharge pollutants into their wastewater treatment plant. EPD may include additional effluent limitations or monitoring requirements in the NPDES permit based on the information provided. The City submitted an application for reissuance in 2018. EPD became aware in 2019 that the City had plans to accept leachate at the facility. While working on the draft permit in 2020, EPD asked the City to update their 2018 application and provide information for <u>all</u> industrial users discharging to the facility, hereby exceeding the reporting requirements in EPA Form 3510-2A. As a result, the proposed permit includes additional monitoring requirements to better characterize the effluent if the facility receives landfill leachate. If <u>any</u> pollutants are detected at levels of	Below is a direct quote from Callie Moore with MountainTrue. If her statement is true who regulates leachate in Georgia and why did Blairsville Wastewater Treatment Plant have leachate added to their June 2018 application in 2020? “EPD only regulates the discharge, not Blairsville’s ability to treat or not treat landfill leachate. If Blairsville WPCP can treat it and still meet their regulated permit limits, it is allowable.”

	concern, or if effluent exhibits toxicity, the permit will be modified to include effluent limitations and/or a toxicity limit.
Does Blairsville WPCP have the specialized equipment and trained personnel to treat landfill leachate?	Part II.A.6.a. of the permit requires the person responsible for the daily operation of the City of Blairsville's wastewater treatment plant be a Class II Certified Operator. While it was received at the plant, the leachate was slowly released at the head of the plant and went through the existing wastewater treatment process.
Eagle Point Landfill sends landfill leachate to other facilities besides Blairsville WPCP (Young Harris, Ellijay and Jasper WPCPs) but there is no reference of leachate in their permit or permit application. Is there a requirement that leachate be mentioned in either of these documents? Can a facility start hauling leachate without a permit?	The NPDES permit application only requires <u>significant industrial users</u> (SIUs) to be listed (see response above for the criteria used to determine if an industrial user is considered significant). If the discharge from Eagle Point Landfill to these facilities does not meet any of the criteria explained above, the City does not have to report leachate from Eagle Point Landfill in the permit application. Industrial users are responsible for submitting an application to the control authority prior to sending industrial wastewater to a municipal wastewater treatment plant. A pre-treatment permit is required if the industrial user is considered a <u>significant industrial user</u>. EPD may also include additional monitoring requirements in the facility's NPDES permit to ensure all water quality standards are being met.
EPD should consider raising the minimum dissolved oxygen effluent concentration from 2.0 mg/L to 5.0 mg/L to better ensure adequate instream habitat conditions for aquatic life during periods of drought or low instream flow in Butternut Creek.	According to the steady-state dissolved oxygen Georgia DOSAG model, a dissolved oxygen limit of 2.0 mg/L is protective of the instream Water Quality Standard for dissolved oxygen during critical flow conditions in the receiving stream.

Does EPD have a policy for municipalities beginning to accept landfill leachate? If not, EPD should consider, before a municipality can begin accepting landfill leachate for treatment, a requirement for a permit modification to include quarterly Whole Effluent Toxicity (WET), PPS, PFAS and hardness monitoring in both the effluent and receiving waters downstream of the discharge for at least the first year of treatment. This would allow the public to be aware of the municipalities consideration of accepting and treating landfill leachate and collect data on any potential impacts of the leachate on the effluent and receiving stream.	EPD does not have a separate policy for municipalities that accept landfill leachate, as there are existing state and federal regulations governing waste that enters the municipality. Municipalities have local ordinances and regulations in addition to meeting the requirements in their wastewater permit. EPD encourages municipalities to inform the public and review wastewater characteristics from all industrial sources to ensure their treatment plant is capable of treating the waste appropriately. Requirements to conduct chronic WET tests and Priority Pollutant Scans have been included in the City of Blairsville's permit if the facility accepts leachate in the future. In addition, EPD has included a permit condition requiring the City to notify EPD prior to receiving landfill leachate and requiring EPD approval and potential permit modification before beginning to accept and treat landfill leachate at the facility.
1. Conduct WET tests immediately and without exception for effluent level. 2. Conduct Toxic and Manmade Organic Compounds and Priority Pollutant Scan testing and include the results in the amended permit application without exception for effluent level. 3. For the conditional testing if the facility is receiving landfill leachate, consider increasing the frequency of Priority Pollutant Scans (PPS) to quarterly from annually and adding an annual requirement for Per- and Poly-fluoroalkyl Substances (PFAS) testing and EPA's emerging contaminant list. In addition, also consider influent sampling for PPS and PFAS.	Municipalities without an approved industrial pre-treatment program and with a flow smaller than 1.0 MGD are not required to conduct Priority Pollutant Scans and WET tests. However, testing requirements have been included for the current phase (0.4 MGD) if facility receives leachate. EPD believes the monitoring frequency for PPS is appropriate for a facility of this size. At this time, EPD nor U.S. EPA has developed instream water quality standards for PFAS or for other pollutants in EPA's emerging contaminant list.

	To learn more about this class of chemicals and EPD's investigation and response to them, please visit our webpage at: https://epd.georgia.gov/pfoa-and-pfos-information EPD does appreciate and understand the concerns and also believes increasing the monitoring frequency of Priority Pollutant Scans (PPS) and Whole Effluent Toxicity (WET) tests from annually to quarterly will better ensure the protection of the receiving water when the facility is receiving landfill leachate.
EPD should conduct studies to determine the effect and harm that leachate dumping has caused to date on the water as well as the soil.	To EPD's knowledge, there was no leachate dumping in the receiving stream. While it was received at the plant, all leachate went through the treatment process before being discharged into Butternut Creek. On February 21, 2020, the Georgia EPD and U.S. EPA partnered to complete a PFAS study at the City's wastewater treatment plant, raw water from the lake, and finished water. As mentioned above, the City notified EPD that landfill leachate is no longer accepted at the treatment plant. For this reason, EPD does not plan to conduct any additional studies at this time.
Does Union County have a Watershed Protection Plan?	Union County does not have a Watershed Protection Plan.

The City of Blairsville did not notify and/or provide advance notice to the community of their decision to accept landfill leachate. Was a notice required?	The Georgia Water Quality Control Act, Chapter 391-3-6 does not require the City and/or the facility to notify the community of their decision to begin accepting wastewater from an industrial user. The City has their own local ordinances and procedures. EPD performed a preliminary review of the City's Sewer Use Ordinance and it does not appear there is a requirement to notify the community in advance of accepting landfill leachate. EPD did not perform an expansive review of the City's ordinances or procedures to determine if local regulations required notification. Part I.A.3. of the permit requires the City to notify EPD of any changes that may introduce new pollutants into the POTW. EPD included a permit condition in the final permit that if the City plans to begin receiving landfill leachate, the City will be required to notify EPD prior to receiving landfill leachate where EPD will review the information provided by the City. If EPD believes a permit modification is necessary, a 30-day public notice period would be provided in accordance with the applicable regulations.
Union County needs a multi-commissioner model, not a sole commissioner responsible for all environmental enforcement, transfer and recycling practices.	Comment noted but it is beyond the regulatory control of EPD and scope of the proposed permit.

Could the leachate be treated at Blairsville WPCP and discharged elsewhere? Could the effluent pipe from Blairsville WPCP discharge to a point below the Lake Nottely dam, thus bypassing Butternut Creek and Lake Nottely?	The City of Blairsville WPCP is not equipped to treat leachate separately from the domestic wastewater as the leachate was blended into the facility's domestic wastewater intake before going through the treatment system. Treating the landfill leachate separately and hauling it offsite would likely be cost prohibitive. Installing a discharge pipe to bypass Butternut Creek and Lake Nottely discharging at a point below the Lake Nottely dam could be evaluated if requested by the City. It may be cost prohibitive to install, what appears to be, a 10-mile pipe, in addition to land acquisition, lift stations, and ancillary equipment for the project.
Residents have noted strong sewage odor smells by Meeks Park and Butternut Creek and the drinking water has also smelled and had a mold taste.	Concerns about water quality in Butternut Creek should be reported at the time they are observed to EPD Mountain District (Cartersville office) at 770-387-4900. Concerns about drinking water quality in the distribution system should be directed to the drinking water utility for the area (Notla Water Authority).
Revoke the permit reissuance.	Comment noted. EPD is responsible for issuing protective, legal, and enforceable permits in accordance with the applicable regulations. At this time, there is insufficient rational to revoke the City's permit. The revocation of a permit, which currently protects the receiving waterbody from degradation of receiving raw domestic wastewater, would be nonsensical and could lead to greater degradation of the receiving waterbodies, as wastewater would still be generated and need to be discharged.

How long will this reissuance be in effect?	The term of the permit will be five (5) years, as this is the standard and maximum length of a direct discharge permit.
Can wastewater from one watershed be disposed of in another watershed?	Wastewater from one watershed can be disposed of in another watershed.
Pharmaceuticals and personal care products (PPCPs) have been found in leachate samples and are a unique group of environmental contaminants, due to their inherent ability to induce physiological effects in humans at low doses. Does Georgia EPD or US EPA have standards for these chemicals?	EPD nor U.S. EPA have developed instream water quality standards for these chemicals at this time. More information can be found on EPA's website at https://www.epa.gov/wqc/contaminants-emerging-concern-including-pharmaceuticals-and-personal-care-products .
EPD consider a maximum allowable headworks loading of non-detect for PFAS or prohibit discharge if the sample fails the test.	Prohibiting <u>effluent</u> discharge if an <u>influent</u> sample exceeds a certain level is not practicable as the facility is designed to treatment wastewater and discharge continuously.
TSS effluent concentration be held at 20 mg/L regardless of the permitted flow limit.	The TSS concentration limit of 30 mg/L for the current phase is in accordance with applicable technology-based effluent limitation for publicly owned treatment works.
EPD add a requirement of the Watershed Protection Plan (WPP) be approved by EPD prior to permitted action by the facility and that the WPP receive a public hearing with provisions for public comment.	The City of Blairsville is required to develop and implement a WPP and will not be authorized to start operation under the 1.0 MGD limits without an approved WPP. WPP are not subject to public comment period.

EPD should consider requiring the facility provide an updated anti-degradation analysis since the original is over 10 years old and the guidelines have been updated.	At this time, EPD does not require permittees to resubmit approved documents because EPD guidelines are updated. The City adequately demonstrated in 2008 under the applicable guidelines that a no-discharge alternative such as a land treatment system was not economically or practically feasible and that lowering water quality to accommodate important economic or social development in the area was necessary.
Request for a new, unbiased testing vendor for Blairsville WPCP's effluent as MountainTrue has a financial interest for more testing.	EPD is not involved in the selection of contractors by the City of Blairsville to conduct effluent monitoring.
Eagle Point Landfill build a treatment plant for their effluent (i.e. leachate) at their site and treat it there, not hauling the leachate across the state on public roads.	Comment noted.
Was there a cost analysis done by the City of Blairsville before beginning to accept landfill leachate from Eagle Point Landfill.	EPD was not involved in financial considerations made by the City of Blairsville before accepting leachate. However, EPD was provided a copy of a document called "Leachate Water Processing Involving The Water Authority, LLC – A Georgia Environmental Services Company and The City of Blairsville, Ga. WWTP" (May 10, 2019), providing revenue projections for the City. EPD has uploaded the document into the Georgia EPD Online System (https://geos.epd.georgia.gov/GA/GEOS/Public/GovEnt/Shared/Pages/Main/Login.aspx) for review. Enter Submittal ID No. 234763 to access the City's documents.

How good is the quality of the effluent from Blairsville WPCP into our streams and lake? Would the operators put a glass in and drink it?	Treated wastewater effluent from the City of Blairsville's WPCP was not designed to meet the maximum contaminant levels (MCL) for drinking water. EPD does not recommend drinking any effluent from a wastewater treatment plant ever. Based on a review of the discharge monitoring reports from 2019 and 2020, the facility appears to be in compliance with the numeric effluent limits, except for three (3) flow violations. Discharge Monitoring Reports can be accessed through EPA's ECHO website at the following web address: https://echo.epa.gov/trends/loading-tool/water-pollution-search
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