



GEORGIA

DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

Richard E. Dunn, Director

Watershed Protection Branch
2 Martin Luther King, Jr. Drive
Suite 1152, East Tower
Atlanta, Georgia 30334
404-463-1511

Persons who commented on Draft NPDES Permit No. GAP050270

RE: EPD Response to Comments
Gold Creek Foods LLC
Pretreatment Permit No. GAP050270

To Whom it May Concern:

Thank you for your comments regarding the permit issuance for the Gold Creek Foods, LLC permit. Attached is a summary of comments from the public and our responses to the issue raised. In addition, we have attached the Revisions to Draft Permit document outlining the changes made to the attached permit. We appreciate your interest in this matter.

After consideration of your comments, EPD has determined that the permit is protective of water quality standards and we have issued the permit.

If you have any questions, please contact Kerby Wood of my staff at 404-651-5161.

Sincerely,

Audra Dickson, Manager
Wastewater Regulatory Program
Watershed Protection Branch

AHD/kw

Attachments: Response to Comments, Permit Addendum

**Public Comments and EPD Responses on Draft Pretreatment Permit
Gold Creek Food LLC – Permit No. GAP050270**

COMMENTS RECEIVED	EPD RESPONSE
1. Please deny their request. 2. I am writing to disagree with the permit issuance to Gold Creek Foods, LLC in Dawsonville GA.	EPD has evaluated the submitted permit application and supporting documentation and proposed a pretreatment permit in accordance with applicable Federal and State regulations ensuring the permit is protective, legal, and enforceable.
I live in town and this all goes to my drinking water.	Pretreated wastewater from this facility is discharged to the City of Dawsonville Waste Pollutions Control Plant, which holds an Land Application System permit issued by the EPD (permit number: GAJ020179) Therefore, there is no surface water discharge.
1. This facility has been caught multiple times doing wrong, and are still in business. A spill happened last month, killing fish in the area, and they didn't report it until they were caught when dead fish were floating everywhere. 2. They continue to operate carelessly and unethically. 3. After all of the violations of "Dumping" and "Not Reporting Spills" I do NOT agree with this permit to allow them to do empty into the City Of Dawsonville.	Part II.B.13 of the pretreatment permit requires Best Management Practices to control the discharge of hazardous and/or toxic materials from ancillary manufacturing activities. Additionally, Gold Creek Foods, LLC has a Storm Water Pollution Prevention Plan (SWPPP) that includes requirements for Spill Prevention and Countermeasures. The EPD sent a Notice of Violation to Gold Creek Foods LLC following the incident on March 20, 2018. They must develop and submit to EPD a corrective action document detailing changes they will make at their site to prevent such spills in the future.

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COMMENTS RECEIVED	EPD RESPONSE
Remove reference to 40 CFR 432: Page 1 of the draft permit states that the facility is subject to 40 CFR 432, Meat & Poultry Products Point Source Pretreatment Standards for Existing Sources. 40 CFR 432 contains 12 subparts, each of which applies to a specific type of meat and poultry product operations. 40 CFR 432, Part L applies to “poultry further processing,” which includes cutting and deboning, grinding, chopping, and forming, among other poultry processing activities. 40 CFR 432.124 under that subpart is entitled “Pretreatment standards for existing sources (PSES),” but the section is reserved and contains no regulatory text. Because there are no substantive provisions or requirements in the applicable federal regulation, Gold Creek therefore requests that the reference to 40 CFR 432 be removed from the draft permit to avoid ambiguity and confusion.	40 Code of Regulations 432, Part L applies to “poultry further processing,” which includes cutting and deboning, grinding, chopping, and forming, among other poultry processing activities. These activities are conducted at Gold Creek Foods, LLC facility. Therefore, this section is applicable to the facility. EPD recognizes that there are no numeric or narrative categorical standards in 40 CFR Part 432. The reference to the applicable federal regulation will be retained.
Define “back-up or auxiliary facilities”. Part II.A.3 of the draft permit requires “the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.” The draft permit does not define “backup system” or “auxiliary system,” nor does it provide any examples of such systems as it does for “proper operation and maintenance” in the same section. This requirement is therefore vague, ambiguous, and unclear, and Gold Creek requests that “back-up or auxiliary facilities” either be removed, defined or further explained.	The language cited is standard to all Pretreatment Permits issued by the EPD. The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance. “Back-up or auxiliary facilities or similar systems” are to be understood and chosen at the permittee’s discretion, when necessary, to achieve compliance with this provision and the conditions of the permit. The language in the permit is unchanged.

Public Comments and EPD Responses on Draft Pretreatment Permit
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COMMENTS RECEIVED	EPD RESPONSE
Revise ammonia limit to existing limit of 40 mg/1 monthly average, not to exceed 60 mg/1	EPD must issue pretreatment permits in accordance with all federal, state, and local regulations per Georgia rule 391-3-6-.08. The City of Dawsonville sewer use ordinance states the following: “A high strength wastewater is defined as wastewater which contains any of the following six primary pollutants above the lower levels set forth on a monthly average concentration basis and shall not exceed the maximum level on a daily average concentration basis... (3) Total ammonium nitrogen NH3-N mg/L above 30 mg/L, not to exceed a maximum of 60 mg/L.” This identifies the “lower levels” as “monthly average concentration[s].” Therefore the daily average (as defined in the permit) limit for ammonia will be retained at 30 mg/L.
Revise sample type for total phosphorous from “grab” to “composite”	EPD agrees and the total phosphorus sample type has been modified as requested.