

Georgia Department of Natural Resources

Environmental Protection Division

Environmental Protection Division • Watershed Protection Branch
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Judson H. Turner, Director

APR 20 2016

Persons who commented on
Draft NPDES Permit No. GA0001431

RE: Comments Received for
Georgia Power Plant McDonough –
Atkinson
NPDES Permit No. GA0001431
Smyrna, Cobb County

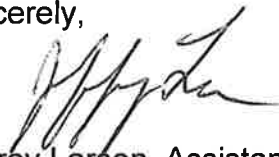
Dear Sir/Madam:

Thank you for your comments regarding the permit issuance for the Georgia Power Plant McDonough-Atkinson. Attached is a summary of comments from the public and our responses to the issues raised. In addition, we have attached a Permit Addendum and Permit Rationale Addendum documenting 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 Charles Neziyanya of my staff at 404-232-1567 or charles.neziyanya@dnr.ga.gov.

Sincerely,



Jeffrey Larson, Assistant Branch Chief
Watershed Protection Branch

JL/cn
Attachment: Response to Comments

**Public Comments and EPD Responses on Draft NPDES Permit
Georgia Power Plant McDonough-Atkinson Permit No. GA0001431**

COMMENTS RECEIVED	EPD RESPONSE
<p>Removal of permit conditions from the previous permit, also referred to as “backsliding,” is impermissible. The previous permit included limitations on temperature and total residual chlorine (TRC) that appear to be absent from this draft.</p>	<p>The previous permit contained limitations for a once-through cooling water discharge in Section A.1 of the permit. The facility has since installed a closed-cycle cooling system which will minimize thermal impacts to the receiving stream, and has eliminated the discharge of once-through cooling water, on which the temperature limitations and mixing zone were previously applied. Hence, the antibacksliding rule is not applicable since the circumstances upon which the previous permit was based have materially and substantially changed since the time the permit was issued in accordance with 40 CFR 122.44(I)(1). TRC limitations are applied to the cooling tower blowdown wastestreams, as specified in 40 CFR 423. Additionally, the permittee shall develop a CORMIX model to establish a revised designated mixing zone for temperature to ensure the in-stream water quality standards for temperature are met at all times.</p>
<p>The Chattahoochee has been designated as impaired for certain parameters including temperature.</p>	<p>A 9.5 miles (Peachtree Creek to Utoy Creek) stretch of the Chattahoochee River was impaired for temperature and listed on the 2002 303(d) list. A temperature total maximum daily load (TMDL) was developed in 2003 and was delisted for temperature in 2010.</p>
<p>EPD should require an antidegradation analysis for the discharge.</p>	<p>An antidegradation analysis is required when a new or expanded point source is proposed for discharge to state waters that will degrade or lower water quality. The discharges authorized by this draft permit are neither new nor expanded.</p>

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<p>EPD's reasonable potential analysis is inadequate</p>	<p>EPD utilizes the EPA-supported Form 2-C application for the reissuance of an existing NPDES permit. This form requires that at least 1 analytical result be provided for those pollutants suspected present in a given discharge. EPD's reasonable potential analysis (RPA) of the permit application did not indicate the presence of contaminants at levels of concern as defined in Georgia's Rules and Regulations for Water Quality Control (Rules), 391-3-6-.06(4).</p>
<p>This is an environmental justice issue because over 50% of the people living within 3 miles of the McDonough plant are African-American.</p>	<p>The permit was drafted in accordance with the State of Georgia Rules and Regulations for Water Quality Control, EPA regulation for Steam Electric Power Generating Point Source Category and the Clean Water Act (CWA). As part of the permit renewal process, EPD conducted public notice and hearing as an outreach to inform the community about the permit renewal.</p>
<p>EPD must strengthen provisions related to coal ash in order to protect human health and the environment.</p>	<p>In addition to EPD's water quality RPA conducted to ensure that the Water Quality Standards (WQS) are met, the coal ash pond discharge is a legacy wastewater which is regulated under the low volume waste discharge in accordance with EPA's Steam Electric regulation definition in 40 CFR 423.11(b). The effluent limits for coal ash pond discharges from outfalls 03, 04 and 09 on page 5 of 22 of the draft permit are based on the new best practicable control technology currently available (BPT) limits in the recently published EPA Rule for Steam Electric Power Generating Industry published in the Federal Register on November 3, 2015 and effective on January 4, 2016. The new EPA Rule (40 CFR 423) can be obtained at the following EPA web address: http://www.epa.gov/leg/steam-electric-power-generating-effluent-guidelines</p>

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<p>The ash pond impoundment integrity requirements must be strengthened to include safe guide for failure.</p>	<p>The requirements for ongoing assessment, operations, and maintenance of coal ash pond impoundments as specified in the NPDES permit have been developed based upon guidance from EPA Region 4 as well as guidance from regulatory authorities in other States. In addition to the Safe Dams Act Regulations, the EPA Administrator signed a final rule establishing a comprehensive set of requirements for the disposal of Coal Combustion Residuals (CCRs) or coal ash in landfills and ash ponds on December 19, 2014, under the Resource Conservation and Recovery Act (RCRA). The new EPA rule (40 CFR Parts 257 and 261), fact sheet and summary of the rule can be obtained at the following EPA web address: http://www2.epa.gov/coalash/coal-ash-rule.</p>
<p>EPD must provide limits that ensure water quality at the first surface water, it appears from a topography map that an ash pond discharges to surface water.</p>	<p>EPD has drafted the NPDES permit based on the submitted application and supporting documentation. The ash ponds have three outfalls (03, 04 and 09) locations based on the information submitted in the application and supporting documentation. The effluent limits for these legacy wastewaters are based on best practicable control technology currently available (BPT) for low volume waste discharges under the new EPA Steam Electric Rule in 40 CFR 423.12(b)(3).</p>
<p>Other states have included groundwater monitoring in their NPDES permits for coal-fired power plants.</p>	<p>As previously stated, the new RCRA Rule has established a comprehensive set of requirements for the disposal of CCRs and groundwater sampling and analysis requirements are detailed in 40 CFR 257.93. Please be advised, that Plant McDonough-Atkinson has since converted to natural gas and is no longer a coal-fired power plant.</p>

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<p>The coal ash waste should be stored in lined pits to limit toxic discharge. The permit should include a timeline for closure of the ash ponds. Dry storage should be the preferred method.</p>	<p>As stated in the NPDES permit rationale, Georgia Power is required to comply with Subtitle D of the new RCRA Rule 40 CFR Parts 257 and 261 regarding the closure of the ash ponds.</p>
<p>Groundwater and stormwater should be routed away from the ash ponds.</p>	<p>Georgia Power's existing stormwater/groundwater management system includes a discharge to ash pond no. 4. The large volume of the pond provides significant storage and equalization.</p>
<p>Technology-based effluent limits (TBELS) should be applied to the ash pond discharge. A Best Professional Judgment (BPJ) analysis should be conducted to develop TBELS for all toxic pollutants likely to be present in such discharges.</p>	<p>The effluent limits for coal ash pond discharges from outfalls 03, 04 and 09 (legacy wastewaters) on page 5 of 22 of the permit are based on Technology-based Effluent Limits (TBEL) in 40 CFR 423.23.12(b)(3). This is based on the best practicable control technology currently available (BPT) effluent limitations for low volume waste discharge. The regulation can be found at the following EPA website address: http://www.epa.gov/eg/steam-electric-power-generating-effluent-guidelines</p>

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<p>The draft permit does not clearly prohibit unauthorized discharges, i.e. seepage from ash ponds.</p>	<p>The draft permit only allows discharge(s) from the specific outfalls referenced in the permit application and identified in the permit. Chapter 391-3-6-.06(3)(a), (b) and (c) of the Rules, Waste Treatment and Permit Requirements, states that any person discharging or proposing to discharge into the waters of the State any pollutant from a point source or non-point source under any of the circumstances described in the Official Code of Georgia Annotated (O.C.G.A.) Section 12-5-30(a-b), shall obtain a permit from the EPD to make such discharge. Failure to obtain the appropriate permit would be a violation of the Rules and O.C.G.A.</p>
<p>The permit lacks any River-mile designation and the coversheet should be revised to reflect the river mile(s) of the various outfalls.</p>	<p>The permit and permit coversheet identifies the receiving stream for each final outfall. The latitude and longitude coordinates for each final outfall discharge is specified in the submitted EPA NPDES permit application Form 2C page 1 of 4.</p>
<p>There is no explanation describing chemical cleaning waste, analysis as to the constituents within the chemical waste or flow estimation.</p>	<p>Chemical metal cleaning waste is defined in 40 CFR 423.11(c) as any wastewater resulting from cleaning of any metal process equipment with chemical compounds, including, but not limited to, boiler tube cleaning. The chemical cleaning discharge is covered in the permit as an internal outfall number 03H on page 6 of 22 of the permit. The effluent limits in the permit for chemical metal cleaning discharge are based on the best available technology economically achievable (BAT) under 40 CFR 423.13(e). This regulation can be found at this website: http://www.ecfr.gov/cgi-bin/text-idx?SID=cca2e920ba34f7bc93f028f1caa200bd&mc=true&node=pt40.29.423&rgn=div5</p>

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<p>EPD must require the continuous operation of closed-cycle cooling in order to comply with 316(b).</p>	<p>The submitted permit application and supporting documents states that the permittee operates the closed-cycle cooling system as part of its process to generate power and thus will be continuously operated. If the permittee makes any changes from the information of which the permit is based on, the permittee must notify EPD in accordance with the permit requirements.</p>
<p>Ground/stormwater collection basin flow from the collection basin into the ash pond, EPD should require monitoring on flow from the collection basin into the ash pond.</p>	<p>Based on the submitted application and line diagram the ground/stormwater collection basin is listed as internal outfall 03G with a maximum flow rate of 290 gpm directly discharges into ash pond 4. Ash pond 4 wastewater, which discharges into the Chattahoochee River, is regulated in the permit under outfall 03 (legacy wastewater) on page 5 of 22 of the permit and the BPT effluent limits are based on 40 CFR 423.12(b)(3) for low volume wastewater.</p>
<p>Due to the significant changes to the facility, EPD should consider this permit as covering a new facility and must conduct all the requirements for a new facility.</p>	<p>The permittee's discharges do not meet the definition of new sources and new discharges in accordance with 40 CFR 122.29(b) and 40 CFR 122.2, which states that a new source has to be constructed at a site at which no other source is located; or it totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or it processes are substantially independent of an existing source at the same site.</p>
<p>EPD should require daily monitoring for temperature.</p>	<p>The permittee is required to conduct a temperature study as outlined in Part III.B.9 of the permit. As part of the study, the permittee shall collect daily effluent and instream temperature measurements and submit them to EPD.</p>

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EPD should require that Plant Scherer reduce its greenhouse gases output.	The NPDES permit renewal is for Plant McDonough-Atkinson and not for Plant Scherer.
Commend EPD for increasing monitoring frequencies	Comment noted
Commend EPD for including Coal Combustion Residual (CCR) language	Comment noted