

AUG 18 2017

Persons who commented on Draft NPDES Permit No. GA0001465

RE: EPD Response to Comments  
Georgia Power Company Plant Mitchell  
NPDES Permit No. GA0001465  
City of Albany, Dougherty County

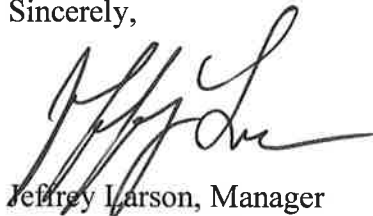
Dear Commenter:

Thank you for your comments regarding the permit issuance for the Georgia Power Company Plant Mitchell NPDES permit. Attached is a summary of comments from the public and our responses to the issues raised. In addition, we have attached the Permit and Permit Rational Addendums documenting 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 Audra Dickson of my staff at 404-463-4934.

Sincerely,



Jeffrey Larson, Manager  
Wastewater Regulatory Program  
Watershed Protection Branch

JL/ahd  
Attachment

**Permit Addendum**

**Name of Facility** Georgia Power Company Plant Mitchell

**NPDES Permit No.** GA0001465

Were there any revisions between the draft proposed NPDES permit placed on public notice and the final proposed NPDES permit? If yes, specify:  Yes  No

Part I.A.1 Added a footnote to the Sample Type “Estimation” to elaborate how the permittee would estimate the flow.

Increased the Monitoring Frequency for total suspended solids, oil and grease and pH from twice per month to once per week.

Added the following language to footnote no. 1 “at a minimum, at the measurement frequency stated above.”

Part I.A.2 Added a footnote to elaborate what an “emergency” can be to then allow a discharge from the applicable outfalls.

Added a footnote to the Sample Type “Estimation” to elaborate how the permittee would estimate the flow.

Revised the Measurement Frequency from “twice per month” to “once per day when discharging” for all pollutants of concern listed except for flow which was revised to “daily when discharging.”

Added monitoring for total dissolved solids, arsenic, total; cadmium, total; chromium, total; copper, total; lead, total; mercury; nickel, total; zinc, total; and selenium.

Added the following language to footnote no. 1 “at a minimum, at the measurement frequency stated above.”

Added a footnote for “adverse weather.”

**Permit Addendum**

- Part I.C.11 Added a definition for “Dewatering activity or dewatering activities.”
- Part I.C.12 Added a definition for “Adverse weather.”
- Part III.C.2 Revised the components of the Coal Ash Pond Dewatering Plan (Plan) including increased sampling frequencies for instream and the effluent discharge; requirements to submit draw down rates, a Notification Process and Corrective Measures Plan, and a requirement to begin stream sampling at the time the Plan is submitted to obtain background information.

The permittee has been made aware of these changes

**Fact Sheet Addendum**

**Name of Facility** Georgia Power Company Plant Mitchell

**NPDES Permit No.** GA0001465

Were there any revisions between the draft proposed NPDES permit fact sheet placed on public notice and the final proposed NPDES permit fact sheet? If yes, specify:  Yes  No

Section 4.5 Included additional monitoring for outfall nos. 01E and 04 (emergency ash pond overflows) for total dissolved solids; arsenic, total; cadmium, total; chromium, total; copper, total; lead, total; mercury, total; nickel, total; zinc, total; and selenium. Additional monitoring of outfall 01B (ash pond discharge) will be required in accordance with an approved Coal Ash Dewatering Plan when dewatering commences.

Section 5.1.c Revised the components of the Coal Ash Pond Dewatering Plan (Plan) including increased sampling frequencies for instream and the effluent discharge; requirements to submit draw down rates, a Notification Process and Corrective Measures Plan, and a requirement to begin stream sampling at the time the Plan is submitted to obtain background information.

The permittee has been made aware of these changes.

**Public Comments and EPD Responses on Draft NPDES Permit  
Georgia Power Company- Plant Mitchell Permit No. GA0001465**

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Due to the volume of comments received and the number of topics covered in a comment, EPD has summarized and grouped comments together based on the topic.

**Public Comments and EPD Responses on Draft NPDES Permit  
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**Acronyms**

BAT – Best Available Technology Economically Achievable  
BCT – Best Conventional Pollutant Control Technology  
BPT – Best Practicable Control Technology Currently Available  
CFR – Code of Federal Regulations  
CCR – Coal Combustion Residual  
ELG – Effluent Limit Guideline for Steam Electric Power Generating Facilities, Part 40 CFR Part 423  
EPD – Environmental Protection Division  
EPA – Environmental Protection Agency  
Permittee – Georgia Power Company – Plant Mitchell  
RCRA –Resource Conservation and Recovery Act  
RPA – Reasonable Potential Analysis  
Rules - Georgia Rules and Regulations for the Water Quality Control Act  
TBEL- Technology Based Effluent Limit  
WQBEL- Water Quality Based Effluent Limit  
WQS – State of GA Water Quality Standards

**Public Comments and EPD Responses on Draft NPDES Permit  
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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>EPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| <p align="center"><u>General Comments</u></p> <p>1. It is imperative that the citizens health and well-being be place above any consideration for cost to remediate this problem to the fullest. This is a cost of doing business to Georgia Power and whatever the cost of full and complete removal and remediation is then so be it.</p> <p>I have concerns about the risk of additional toxic chemicals entering the Flint River and the potential health effects that could ensue if this occurs. Coal ash is recognized as a major source of toxic elements that can persist for years in the environment.</p> <p>Coal ash contains Lead, Cadmium, Chromium, Arsenic, Mercury, Boron, Molybdenum, Thallium and Silica all of which have known toxicities to humans and the environment. These elements have been linked to neurologic impairment, kidney disease, developmental delays, kidney, skin and lung cancers, lung diseases, intestinal impairment, bone weakness and memory loss. These elements are bio-pervasive and bio accumulate so they represent not only a current threat if contacted but can affect children and unborn children. I implore you to apply the most stringent standard to assure water safety for water entering our Flint River as a result of the dewatering of these Coal Ash ponds. I am requesting that these standards be determined BEFORE permits are granted and made available for public review and comment.</p> <p>2. I know Southern Company is working on closing all of its Coal Ash</p> | <p>EPD is responsible for issuing protective, legal and enforceable permits in accordance with the applicable Rules.</p> <p>A reasonable potential analysis was conducted on the pollutant data submitted in the EPA Form 1 and Form 2C Applications and along with other supporting documents. The results of the RPA for the pollutants of concern, identified in Part III.C.2 of the permit, indicate there is no reasonable potential to cause or contribute to an instream WQS violation; hence water quality based effluent limits for the pollutants of concern are not needed in the permit for the applicable outfalls.</p> <p>The development of TBELs does take into account the cost of the best available technology; however the development of WQBELs does not take cost into account. All permits issued must and are protective of the applicable WQS.</p> <p>All documents transmitted or received by EPD are available for review through the Georgia Open Records Act, O.C.G.A § 50-18-70.</p> <p>Upon final approval of the Coal Ash Pond Dewatering Plan, the permittee will monitor the effluent and the stream for pollutants of concern and provide the results to EPD for evaluation. EPD will evaluate the data to determine if a reasonable potential exists and</p> |

**Public Comments and EPD Responses on Draft NPDES Permit  
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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>EPD RESPONSE</b>                                                                                    |
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| <p>ponds. However, I am concerned that Plant Mitchell may be one of the last plans Coal Ash producing plants to have its coal ash neutralized/retired. Please check and assure the public it is currently safe. Please help keep the flint safe for my children and grandchildren by having regulations that make run off water safe for the flint. We use the flint all the time swimming, fishing and boating. I am from fayette county and also have property on the Flint in Meriweather and Pike counties. We use the River in many locations.</p> <p>3. I write this title as it seems with all the abbreviations the goals and stated purpose for being have may be forgotten. Upcoming is the public input on the cleaning up of the coal ash ponds at Plant Mitchell. I regret that I cannot make the meeting in Albany on May 4th, but I do want my thoughts on further pollution registered. I do not think this waste should be allowed into the Flint River. Please make those who profited from this pay for the safe removal so that no pollution may harm the river and the people and the natural resources. I have read, which I cannot believe, that EPD draft permit is not protective of the Flint and thereby those downstream and is not open for the public to read. Before the EPD prepares a final draft permit, it needs to be open to full public assess.</p> <p>4. The draft permit does not provide concentration limits for heavy metals.</p> <p>5. Poorly regulated waters can cause harm to the health of people, the economy and the ecosystems downstream.</p> <p>6. The concern of the EPD as it develops a permit should not be cost.</p> | <p>take appropriate actions to ensure the discharge does not cause or contribute to WQ violations.</p> |



**Public Comments and EPD Responses on Draft NPDES Permit  
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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>EPD RESPONSE</b>                                                                                                                                                                                                                                                                                         |
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| <p>7. As a regular Flint River boater, fisher, and canoeist, I want to register grave concern about the discharge of the wastewater that will be produced from the de-watering process that will be used as a first step in disposing of the Plant Mitchell coal ash. I strongly urge Georgia EPD to develop <i>strong, solid, and cautious criteria</i> regarding and regulating coal ash wastewater toxins, heavy metals and other pollutants BEFORE issuing a discharge permit for Plant Mitchell or any other coal powered electric plant in the state of Georgia.</p> <p>The Flint River (or any other Georgia stream) should NOT be used as a convenient sewer for the discharge produced by de-watering coal ash ponds without such criteria in place. While it is true that Georgia Power has likely adhered to coal ash rules and regulations that are already in place, the proper protections from heavy metals, toxins, and other pollutants produced by coal ash are not in place OR strong enough. The coal ash de-watering water MUST be free of pollutants before a discharge permit is granted, but this will only be done if the Georgia EPD produces the proper criteria for such a process - that is open and influenced by public and factual science based facts. My genuine expectation is that EPD will act in the best interest of public and environmental health, NOT the best financial interest of power companies.</p> <p>Keep us safe.</p> | <p>EPD has evaluated the submitted permit application and supporting documentation and proposed a permit with appropriate effluent limits in accordance with the applicable Federal and State regulations ensuring the permit is legal, enforceable and protective of human health and the environment.</p> |
| <p>I write as a result of concerns regarding the “dewatering” and removal of coal ash from ponds at Plant Mitchell on the Flint River near the Dougherty/Mitchell County line. The coal ash contained in these ponds is very toxic and could cause very dangerous contamination if allowed to enter the river through leeching or a flood during this process. We need rigorous rules, set in advance, to protect the river</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>EPD has evaluated the submitted permit application and supporting documentation and proposed a permit with appropriate effluent limits in accordance with the applicable Federal and State regulations ensuring the permit is legal, enforceable and protective of human health and the environment.</p> |

**Public Comments and EPD Responses on Draft NPDES Permit  
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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>EPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <p>and wildlife and, indeed, water sources for cities and counties downstream of the plant during this process.</p> <p>While the draft permit is NOT available to the public, attorneys for various interested groups have reviewed it and have determined that it does not protect those interests.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>The draft permit is publicly available upon request to EPD. The draft permit was public noticed on March 31, 2017 by EPD, and the notice posted at the county courthouse and published in the Albany Herald on March 31, 2017 by the permittee.</p> <p>The public notice complied with all State and Federal requirements.</p> <p>All documents received, generated and transmitted to and from EPD are available upon request in accordance with the Georgia Open Records Act, O.C.G.A § 50-18-70.</p> |
| <ol style="list-style-type: none"> <li>1. I applaud Georgia Power for being a responsible corporate citizen to take on the cleanup of the site. However, ALL citizens are responsible for protecting the environment for ALL generations. The permitting helps reassure the public and gives Georgia Power specific guidelines to follow during the cleanup effort with EPD oversight, meaningful consequences if not properly followed, putting in place specific language to address the concerns before, during and after the cleanup effort. I urge the EPD to protect all of our state and particular the Flint river water shed during the cleanup effort of the Plant Mitchell Georgia Power plant site.</li> <li>2. We appreciate Georgia Power following up to remove the ash from the banks in Flint River.</li> <li>3. I hope EPD keeps this water clean, and I am willing to volunteer to help with monitoring if needed.</li> <li>4. Thankful to Georgia Power for removing the ash out of flood plain.</li> </ol> | <p>Comment noted.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

**Public Comments and EPD Responses on Draft NPDES Permit  
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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>EPD RESPONSE</b>                                                                                                                                                                                                |
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| <p>5. I applaud Georgia Power for taking the steps here to mitigate the pollution potential at this plant site, but they need to do it correctly to prevent damaging discharges from happening and spoiling their good intentions.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                    |
| <b><u>Landfill Disposal</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                    |
| <p>1. As I said in my comments at that hearing, I congratulate Georgia Power on closing Plant Mitchell, but we already have coal ash from TVA and from Florida in the landfill in Lowndes County Georgia where I live, but we don't want coal ash from Plant Mitchell in that landfill.</p> <p>2. Because Georgia requires no special permit for a landfill to receive coal ash, there was not even any notice that it was received in the Pecan Row landfill, owned successively over time by Onyx, Veolia, Advanced Disposal Services, and ADS investors in New York City. We do know GA-EPD issued a variance to permit the landfill owners to spread coal ash on internal roads at the landfill site. That was a bad idea, since that landfill is a quarter mile uphill from the Withlacoochee River.</p> <p>3. [We] do not want Plant Mitchell coal ash in any landfill in the Suwannee River Basin. That also applies to any other Georgia Power coal ash. Surely Georgia Power can find a place on its own property somewhere in the state of Georgia to safely dispose of the coal ash</p> | <p>EPD's Land Protection Branch is responsible for oversight of landfills in Georgia including landfills that receive or contain coal ash. EPD's NPDES permit does not provide legal authority over landfills.</p> |

**Public Comments and EPD Responses on Draft NPDES Permit  
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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>EPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| <p>Georgia Power generated.</p> <p>4. Georgia Power should not put its coal ash in Landfills located in the Suwannee River Basin or the Flint River Basin, and should store it somewhere on their own property.</p>                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>According to the Public Notice of March 31, 2017:<br/><i>“An antidegradation analysis is conducted, as applicable, for new or expanded point source discharges that are proposed. The analysis evaluates whether allowing lower water quality is necessary to accommodate important economic or social development in the area in which the waters are located.”</i></p> <p>Coal ash in local landfills serves no economic or social development purpose.</p>                                                                                                                      | <p>The antidegradation analysis, as stated in the public notice document, is applicable for new or expanding point source discharges of treated effluent to waters of the State. This permit does not involve a new or expanding point source discharge to waters of the State.</p>                                                                                                                                                                                                                                                                                                      |
| <p align="center"><b><u>Discharge Should Meet the Standards Already Imposed on Any Other Waste-Water Discharge</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>1. [We] commend Georgia Power for planning to move Plant Mitchell’s coal ash out of the Flint River floodplain, and in pointing out that GA-EPD should not be concerned with Southern Company’s losses at Kemper Coal in Mississippi and at Plant Vogtle on the Savannah River. GA-EPD should be concerned with doing it right, and should put the entire [dewatering] plan, or as much as possible, in front of the public now. Indeed, any water coming out of that coal ash pond should be at least as clean as water coming out of a municipal wastewater treatment plant.</p> | <p>Upon receipt of the Coal Ash Dewatering Plan, it will be available for review, upon request, as are all documents submitted to EPD under the Georgia Open Records Act. Part III.C.2 of the draft permit requires the Coal Ash Pond Dewatering Plan to be submitted 90 days prior to beginning the dewatering activity.</p> <p>Upon approval of the Coal Ash Pond Dewatering Plan, the Plan will be posted to EPD’s website at the following link:<br/><a href="https://epd.georgia.gov/coal-ash-pond-dewatering-plans">https://epd.georgia.gov/coal-ash-pond-dewatering-plans</a></p> |

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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>EPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| <p>2. Any coal ash dewatering plan for Plant Mitchell (or any other Georgia Power plant) should result in wastewater clean enough to go into the nearby waterways; at least as clean as municipal wastewater.</p> <p>3. The Flint River is a critical natural resource in GA. GA EPD must write a permit that is at least as protective of the Flint for heavy metal pollutants as a standard municipal permit for a wastewater treatment plant. It only makes good sense.</p> <p>4. PLEASE write a permit that is at least as protective of the Flint for heavy metal pollutants as a standard municipal permit for a wastewater treatment plant. If we as a state think that these toxins should be kept from city and county discharges, they should also be restricted from coal ash pond discharges.</p> <p>5. The current draft does not provide protections even equal to normal city and county use permits, much less protect the public from discharges of the type that would come from sources that include exposure to coal ash. Please provide real protections to those people and wildlife downstream from this extreme hazard.</p> <p>6. I understand that you will shortly be considering a renewal of the permit which will allow Georgia Power to “dewater” its coal-ash ponds at Plant Mitchell. I feel it would be totally inappropriate to blandly renew this permit with no defined standards for allowable discharge pollutants as prerequisite to its renewal. At the least, I believe allowable discharge should meet the standards already imposed on any other waste-water discharge facilities along any of Georgia’s streams and rivers.</p> | <p>NPDES Permit applications and supporting documentation from an industrial discharge and a municipal wastewater treatment system are evaluated using a similar review process and applicable WQS for the specific receiving water body. This is to ensure that all discharges authorized under an NPDES permit are protective of waters of the State.</p> <p>EPD has evaluated the submitted permit application and supporting documentation and proposed a permit with appropriate effluent limits in accordance with the applicable Federal and State regulations ensuring the permit is legal, enforceable and protective of human health and the environment.</p> <p>Industrial and municipal wastewater discharges have the same levels of water quality protection.</p> |

**Public Comments and EPD Responses on Draft NPDES Permit  
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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>EPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                          |
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| <p>7. The Flint River should be held to the same standards as already established and well known for municipal wastewater supporting high quality flows in many Georgia rivers. Any lowered standards or allowed degradation objectives for treatment and discharge of water from these and other coal ash ponds carries the threat of increased heavy metals and other pollutants in the river with their attendant adverse effects on most, if not all, uses of the river and its waters. Please uphold these strongest standards while writing the regulations for discharge of water from ash ponds of Plant Mitchell. Thank you for implementing these needed stringent requirements in your processing of this permit</p> |                                                                                                                                                                                                                                                                                                                                              |
| <p><b><u>Coal Ash Pond Dewatering Plan</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                              |
| <p>The draft permit from EPD does detail the information we were required to provide the EPD in the form of a dewatering plan in advance of the dewatering activities. Georgia Power will not proceed with dewatering activities until EPD has approved it. The permit is more stringent in that regard and Georgia Power does support the draft permit.</p>                                                                                                                                                                                                                                                                                                                                                                    | <p>Comment Noted.</p>                                                                                                                                                                                                                                                                                                                        |
| <p>There is no specific language in the permit currently for Heavy Metals, only language for a plan and monitoring practices, but no specific limits. Specific limits and language for heavy metals from the dewatering process should be included in the reissued permit.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>Part II.C.2 of the draft permit requires the permittee to submit a Coal Ash Pond Dewatering Plan that includes effluent and instream sampling for heavy metals in addition to other pollutants of concern. EPD will evaluate the submitted data and if reasonable potential exists, the permit will be reopened and an effluent limit</p> |

**Public Comments and EPD Responses on Draft NPDES Permit  
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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                             | <b>EPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| <p>The public deserves to see the de-watering plan before the treated waste is released through such plan.</p>                                                                                                                                                                       | <p>for the applicable pollutant of concern will be added.</p> <p>The approved Coal Ash Dewatering Plans for GA Power Company's Plant McManus and Plant McDonough are available on our website at the following address:<br/><a href="https://epd.georgia.gov/coal-ash-pond-dewatering-plans">https://epd.georgia.gov/coal-ash-pond-dewatering-plans</a></p> <p>EPD expects the Coal Ash Dewatering Plan for GA Power Company's Plant Mitchell to be similar. In response to comments received, EPD is increasing the effluent and instream sampling frequencies in the proposed permit from 2/month to 1/week for the effluent and 1/month to 2/month for instream sampling.</p> |
| <p>Hope to see [a protective dewatering plan] on the EPD website soon.</p>                                                                                                                                                                                                           | <p>Upon approval, EPD will post the Coal Ash Pond Dewatering Plan to our website at the following address:<br/><a href="https://epd.georgia.gov/coal-ash-pond-dewatering-plans">https://epd.georgia.gov/coal-ash-pond-dewatering-plans</a></p>                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>The Draft Permit's effluent limitations are not sufficient to cover future dewatering discharges, which result from a fundamentally different activity than the passive, gravity-based settling treatment method contemplated by the Draft Permit and underlying application.</p> | <p>The draft permit contains both effluent limits sufficient to cover the current and future dewatering activities, which does not result from a fundamentally different activity (see the Fact Sheet pgs. 16-18 and Appendix A for further discussion regarding the discharge of "legacy wastewater").</p> <p>EPD approved GA Power Company's Dewatering Plans for Plant McManus and Plant McDonough on January 10, 2017. Both of</p>                                                                                                                                                                                                                                           |

**Public Comments and EPPD Responses on Draft NPDES Permit  
Georgia Power Company- Plant Mitchell Permit No. GA0001465**

| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>EPPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <p>1. EPPD should evaluate the current quality of the water in the coal ash ponds to determine the treatment standards to which the permit should mandate.</p> <p>2. GA Power or GA-EPPD must have or should have already sampled water quality in and around the existing coal ash ponds, especially in the interstitial spaces, and that data should be considered in the permit process. It should be revealed to the public so that independent assessments of the risks posed by the proposed wastewater discharges can be made.</p> | <p>these facilities employ similar types of wastewater treatment technologies and perform effluent and instream monitoring to ensure there is no reasonable potential to cause or contribute to instream WQS violations of their respective receiving water bodies. EPPD evaluates the data received on a monthly basis. To date, there have been no indications that the discharges from the coal ash ponds at Plant McManus and Plant McDonough have caused or contributed to an instream WQS for their respective receiving waterbodies.</p> <p>EPPD believes that as long as similar and sufficient types of wastewater treatment technologies are employed at Plant Mitchell, the proposed NPDES permit limits are protective and sufficient to cover the future dewatering discharges.</p> <p>Prior to commencing dewatering activities, the permittee will submit a Coal Ash Dewatering Plan for review. The Plan will contain a wastewater treatment system to ensure the effluent discharge does not cause or contribute to instream water quality violations. To design and configure a treatment system, the permittee will have to sample the wastewater in the existing ponds to ensure the chosen method of treatment is sufficient. EPPD may request to review the influent data, if necessary, during our evaluation the Dewatering Plan.</p> |
| <p>[There is] an increasing tendency on the part of EPPD to "favor" corporate entities merely by operating just within the letter of the law</p>                                                                                                                                                                                                                                                                                                                                                                                          | <p>The draft NPDES permit complies with the applicable Federal and State regulations ensuring the permit is legal, enforceable and</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |



**Public Comments and EPD Responses on Draft NPDES Permit  
Georgia Power Company- Plant Mitchell Permit No. GA0001465**

| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>EPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| <p>(or regulation, or policy) and almost never in the spirit of protection of rivers and watersheds from actions by corporations known to produce pollutants. Your current announcement is that the Plant Mitchell Coal Ash permit will initially carry NO protection from toxic discharge for the Flint River and tributaries, but EPD "might" cover that in its later plan, which will not be available to the public. Such action is unacceptable, no matter what "legal umbrella" EPD hides under.</p> | <p>protective of human health and the environment.</p> <p>EPD has evaluated the submitted permit application and supporting documentation and proposed a permit with appropriate effluent limits based on the applicable Effluent Limit Guideline and the reasonable potential analysis conducted on the pollutants of concern submitted in the application and other supporting documents.</p> <p>EPD understands that when the coal ash ponds are being dewatered there may be a change in the effluent characterization provided on the application, hence EPD is proactively requiring the permittee to submit a Coal Ash Dewatering Plan, in Part III.C.2 of the draft permit, for review and approval to ensure the effluent discharged to the Flint River is not significantly changed and will not cause or contribute to instream WQS violations.</p> <p>Upon approval, EPD will post the Coal Ash Pond Dewatering Plan to our website at the following address:<br/><a href="https://epd.georgia.gov/coal-ash-pond-dewatering-plans">https://epd.georgia.gov/coal-ash-pond-dewatering-plans</a></p> |
| <p align="center"><b><u>Request for Permit Modification</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>1. Part III.C.2 of the Draft Permit improperly proposes to give Georgia Power <i>advance</i> authorization to discharge <i>all</i> of its impounded, coal ash-polluted wastewater—the accumulation of decades of on-site coal ash disposal—into the Flint River at some unspecified future date. The</p>                                                                                                                                                                                                | <p>EPD has evaluated the submitted permit application and supporting documentation and proposed a permit with appropriate effluent limits based on applicable Federal and State Regulations and the reasonable potential analysis conducted on the pollutants of</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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| <p>provisions contemplate that the wholesale emptying of the ponds' accumulated wastewater could occur without reopening the permit. The provisions would confer this advance blanket authorization even though Georgia Power did not in its application identify the complete release of impounded wastewater as an <i>operation</i> giving rise to discharges, nor did the Company identify any treatment method to address such wastestreams. Material changes to waste disposal practices, such as the complete draining of Plant Mitchell's coal ash waste ponds, require major permit modifications so that appropriate effluent limitations and other conditions can be imposed.</p> <p>2. The Draft Permit imposes just one condition on this fundamental change to how the ponds have historically been operated: Georgia Power must first submit a "Coal Ash Pond Dewatering Plan," which EPD will evaluate and may approve without undergoing public notice and comment as required by state and federal law.</p> <p>3. With wholesale dewatering the threat from toxic coal ash pollutants increases exponentially. This is because dewatering requires both the pumping of wastewater from within lower portions of the water column and the mechanical extraction of interstitial pore water from within the coal ash itself. Such processes will re-suspend removed and settled wastes, and the pollutants contained within them. Unless handled appropriately, these dewatering activities will produce a higher volume and concentration of polluted wastewater compared to ordinary plant operations.</p> <p>4. The draft permit reveals that Georgia Power has not submitted details concerning waste water treatment method of backwatering.</p> | <p>concern submitted in the Form 2C permit application and other supporting documents ensuring the permit is legal, enforceable and protective of human health and the environment. Upon issuance he permittee will be authorized to discharge treated wastewater from the permitted outfalls.</p> <p>EPD agrees there may be a potential for the concentration of pollutants discharged to increase during the dewatering activity using the current treatment system. EPD is requiring the permittee to submit a Coal Ash Dewatering Plan, in Part III.C.2 of the draft permit that will serve to address coal ash dewatering under the issued NPDES permit. The Coal Ash Dewatering Plan will allow EPD to review, comment and approve the proposed technologies the permittee believes are necessary to comply with all conditions of the issued NPDES permit.</p> |

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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>EPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| <p>1. Federal regulation, which is adopted and incorporated into Georgia's water quality control regulations, provides that "substantial alterations or additions to the permitted facility or activity (<i>including a change or changes in the permittee's sludge use or disposal practice</i>)" are cause for a permit modification. 40 C.F.R. § 122.62(a)(1) (emphasis added). Georgia law provides that EPD must determine whether a permit modification is necessary "<i>in accordance</i> with the provisions of Federal Regulations" ... "including, but not limited to, the enumerated causes listed in Federal Regulations, 40 C.F.R. [§] 122.62..." Ga. Comp. R. &amp; Regs. 391-3-6-.06(12)(b) (emphasis added).</p> <p>2. The draft permit enables EPD to decide for themselves that it is not necessary to reopen the permit to require better treatment technology or more advanced methods for treatment.</p> <p>3. Engage the public in every step of the process of decommissioning coal ash ponds including the development of the permit discharge levels and then later the notification of the public downstream when wastewater is discharged.</p> | <p>EPD agrees that 40 CFR § 122.62 allows the director to determine if cause exists to modify or revoke a permit, and that in particular § 122.62(a)(1) states that a cause for modification may include "material and substantial alterations or additions to the permitted facility or activity. . . ." (emphasis added). See also Ga. Comp. R. &amp; Regs. r. 391-3-6-.06(12)(b).</p> <p>Part III.C.2 of the draft permit addresses the potential for dewatering of the coal ash ponds on site, including a permit condition that mandates that the permittee submit to EPD a Coal Ash Dewatering Plan no fewer than ninety (90) days before beginning dewatering activities. EPD will review and approve any such Coal Ash Dewatering Plan, and will post the approved plan on EPD's website for ease of access by the public.</p> <p>Accordingly, the draft permit already addresses the potential for dewatering of the onsite coal ash ponds. EPD therefore disagrees that dewatering of the coal ash ponds included in the permit are a "material and substantial" alteration to the permitted activities, justifying a cause to modify the permit prior to coal ash pond dewatering. If, however, during the permit term EPD ever believes cause exists to modify the permit, EPD may modify the permit in accordance with all applicable laws and rules.</p> |
| <p>EPA Region IV has made clear that ash pond dewatering activities must be treated as a major modifications. For example, last year, Gulf Power sought a minor modification of its NPDES permit from the Florida Department of Environmental Protection (Florida "DEP") to</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>EPA Region IV did not state that ash pond dewatering activities must be treated as a major modification in their correspondence to FL DEP. EPD is not unilaterally declining to "open the permit to include applicable effluent limits to protect the receiving water</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>EPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <p>authorize changes to the Scholz Electric Generating Plant's coal ash disposal and wastewater treatment practices in order to facilitate closure of its coal ash ponds at its Pensacola Florida power plant. Upon notice of the proposed "minor revision" of Gulf Power's NPDES permit to authorize such changes, EPA Region IV instructed the Florida DEP that EPA would consider Gulf Power's request as a "major modification" of the permit, because the utility's proposed alterations to its coal ash disposal and wastewater treatment practices did not fit the specifically enumerated situations qualifying for a "minor modification" of the plant's NPDES permit under 40 C.F.R. § 122.63. In doing so, EPA Region IV <i>rejected</i> Florida DEP's August 2016 determination that Gulf Power's proposed alterations to its coal ash disposal and wastewater treatment practices, intended to facilitate the Scholz Plant's NPDES permit. Rather, because the changes entailed alterations, additions and changes to waste disposal and wastewater treatment practices at Plant Scholz, the NPDES permit must undergo major permit modification subject to full public notice and comment prior to authorizing pollutant discharges under that permit.</p> <p>Because similar plant alterations, additions and changes to disposal practices will be necessary to fully dewater the ponds at Plant Mitchell, and because these changes are specifically enumerated as cause for major permit modification, EPD may not unilaterally decline to "open the permit to include applicable effluent limits to protect the receiving water body." By purporting to give EPD such authority, Part III.C.2 of the Draft Permit violates 40 C.F.R. § 122.62(a)(1) and must be stricken for that reason. See Ga. Comp. R. &amp; Regs. 391-3-6-.06(12)(b) (requiring that permit provisions must be "in accordance with the</p> | <p>body." If during the permit term, EPD determines cause exists to modify the permit, EPD will reopen the permit in accordance with the applicable Rules.</p> <p>EPD has assessed the Gulf Power Scholz Electric Generating Plant's permit and determined that the situation is fundamentally different. Here, EPD is renewing an existing NPDES permit, not modifying the permit as was the case in Florida. Again, if during the permit term, EPD determines cause exists to modify the permit, EPD will reopen the permit in accordance with the applicable Rules.</p> |

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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>EPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <p>provisions of the Federal Regulations”).</p> <p align="center"><u><b>Request to Establish TBELs</b></u></p> <p>1. EPA recently updated ELGs for steam electric power plants. 80 Fed. Reg. 67,838 (Nov. 3, 2015) (codified at 40 C.F.R. Pt. 423).</p> <p>The Draft Permit’s effluent limitations remain subject to the far less stringent 1982-era ELGs for Outfall Nos. 01B, 1E and 04 for the now-retired Plant Mitchell.</p> <p>2. The Draft Permit sets <i>no</i> technology-based effluent limits on the discharge of pollutant-laden wastewater from the lower portions of the ash ponds, which will require pumping or other mechanized draining in order for the discharges to occur.</p> <p>For sources constructed prior to the passage of the Federal Water Pollution Control Act of 1972, such as Plant Mitchell, discharges of pollutants must be eliminated or controlled through application of Best Available Technology (“BAT”). See 33 U.S.C. § 1311(b)(2)(A). In accordance with the Act’s goal to eliminate all discharges of pollutants, BAT limits “shall require the elimination of discharges of all pollutants if the Administrator finds, on the basis of information available to him . . . that such elimination is technologically and economically achievable . . . .” 33 U.S.C. § 1311(b)(2)(A).</p> <p>3. The draft permit does not reflect the technology based standards</p> | <p>The following is language from the Preamble to 40 CFR Part § 423 regarding the applicable TBELs for the discharge of “legacy wastewater.”</p> <p>“Under this rule, legacy wastewater must comply with specific BAT limitations, which EPA is setting equal to the previously promulgated BPT limitations on TSS in the discharge of fly ash transport water, bottom ash transport water, and low volume waste sources.”</p> <p>Additionally, in Section 8.3.8 of the “Technical Development Document for Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category,” EPA-821-R-15-007, dated September 2015, it states the following “For purposes of the BAT limitations in this rule, EPA uses the term “legacy wastewater” to refer to FGD wastewater, fly ash transport water, bottom ash transport water, FGMC wastewater, or gasification waste water generated prior to the date determined by the permitting authority that is as soon as possible beginning November 1, 2018, but no later than December 31, 2023 (see Section 8.3.7). Under this rule, legacy wastewater must comply with specific BAT limitations, which EPA is setting equal to the previously promulgated BPT limitations on TSS in the discharge of</p> |

**Public Comments and EPPD Responses on Draft NPDES Permit  
Georgia Power Company- Plant Mitchell Permit No. GA0001465**

| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>EPPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| <p>specifically for dewatering.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>fly ash transport water, bottom ash transport water, and low volume waste sources.”</p> <p>Since the draft permit was placed on public notice, EPA has subsequently announced its decision to reconsider the final rule’s effective date of November 1, 2018 and administratively stay compliance dates that have not yet passed. See EPA April 12, 2017 Notice, delay of compliance deadlines. Docket ID No. EPA-HQ-OW-2009-0819, RIN 2040-AF14. The stay of the compliance dates does not affect EPA’s BAT determination for discharge of treated wastewater from coal ash ponds.</p> <p>See pages 16-18 and Appendix A of the Fact Sheet for further discussions regarding the EPA established BAT technology based effluent limit for the discharge of treated legacy wastewater from the coal ash ponds.</p> <p>The draft permit includes the applicable TBELs required under 40 CFR Part § 423.</p> |
| <p>Part III.C.2 of the draft Permit must be amended by inserting the following sentence to read as follows (hereinafter, the “Dewatering Condition”):</p> <p><i>EPPD will evaluate the submitted data and act in accordance with the requirements of EPA’s regulations for permit modification under 40 C.F.R. § 122.62(a), to develop appropriate effluent limitations and other conditions applicable to discharges comprising coal ash pond dewatering. EPPD will develop appropriate water-quality based effluent</i></p> | <p>Comment noted.</p> <p>EPPD does not believe this language is necessary and has not included the suggested language.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| <p><i>limitations or technology-based effluent limitations in accordance with 33 U.S.C. § 1311(b)(1)(C), 40 C.F.R. § 125.3(g); Ga. Comp. R. &amp; Regs. 391-3-6-.06(4)(a)(1), (a)(10), (d). No discharge of effluent associated with the large-scale decanting or dewatering of the ash ponds for closure purposes shall be authorized under this Permit prior to modification of this Permit in accordance with this Paragraph 2.</i></p>                                           |                                                                                                                                     |
| <p>Part II.A.1.c of the draft Permit must be amended by inserting the following language underlined below to read:</p> <p>Following notice in paragraph a. or b. of this condition, the permit may be modified <u>in accordance with 40 C.F.R. § 122.62 and any other applicable requirements imposed by law.</u> The permittee shall not make any changes, or conduct any activities, requiring notification in paragraph a. or b. of this condition without approval from EPD.</p> | <p>Comment noted.</p> <p>EPD does not believe this language is necessary and has not included the suggested language.</p>           |
| <p>EPD must use its Best Professional Judgment to establish TBELs for ash pond dewatering discharges. EPD's development of appropriate TBELs must occur in full compliance with the Clean Water Act's notice and public comment provisions, enabling not only interested members of the public, but EPA, the U.S. Fish and Wildlife Service and citizens of neighboring states to participate in this important agency determination. 33 U.S.C. §§ 1251(e).</p>                      | <p>EPD is not required to develop a TBEL when a federal categorical ELG already contains appropriate and applicable TBELs.</p>      |
| <p>1. Georgia's NPDES permit regulations provide that "[p]ublic notice of every complete permit application will be prepared and circulated in</p>                                                                                                                                                                                                                                                                                                                                   | <p>In April 2015, EPA published final regulations, known as the "CCR Rule" to address the disposal of coal combustion residuals</p> |

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| <p>a manner designated to inform interested and potentially interested persons of the proposed discharge and the proposed determination to issue or deny a permit for the proposed discharge.” Ga. Comp. R. &amp; Regs. 391-3-6-.06(7)(b). The proposed discharges at issue here are only those identified in Georgia Power’s NPDES permit application. The application does not identify or contemplate the complete pumping out of the coal ash ponds at Plant Mitchell.</p> <p>Upon receipt of Notice from Georgia Power of the proposed dewatering activities (which entail a material change in the waste generation and disposal practices), EPD must “inform interested and potentially interested persons of the <i>proposed</i> [dewatering] <i>discharge</i> and the proposed determination to issue or deny a permit for the <i>proposed</i> [dewatering] <i>discharge</i>.” <i>See id.</i> (emphasis added). Hence, the approach envisioned by Part III.C.2 of the Draft Permit is manifestly improper, because it contemplates allowing dewatering to go forward without public notice and comment, and without a BPJ determination by EPD. Ga. Comp. R. &amp; Regs. 391-3-6-.06(7)(b), (12)(b); 40 C.F.R. § 122.62(a).</p> | <p>stored in landfills and ponds.</p> <p>EPA recently updated ELGs for steam electric power plants. 80 Fed. Reg. 67,838 (Nov. 3, 2015) (codified at 40 C.F.R. Pt. 423).</p> <p>The permit application evaluated by EPD provided the necessary information and did “contemplate” the dewatering of the coal ash ponds to comply with the CCR and Revised Steam Electric Rule.</p> <p>The inclusion of the Permit Condition in Part III.C.2 Coal Ash Pond Dewatering Plan, specifically “contemplates” coal ash pond dewatering and the draft permit was then placed on public notice in accordance with the Rules.</p> <p>At the time the draft permit was developed and placed on public notice, there was a requirement to eliminate dry ash and bottom ash wastestreams within a specified period of time and close the coal ash ponds.</p> |
| <p>The Draft Permit erroneously omits the mandatory TBEL analysis from Part III.C.2 by only addressing water quality impacts stemming from dewatering discharges. Under the Clean Water Act, effluent limits imposed in a NPDES permit must reflect evaluation of <i>both</i> the applicable TBELs as well as water quality based effluent limitations (“WQBELs”), applying the more stringent of the two in the final permit.</p> <p>The final sentence within Part III.C.2 of the Draft Permit erroneously</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>EPD did not focus solely on water quality based impacts. EPD has already applied the “legacy wastewater” BAT TBELs. As stated above in the “EPD Response,” EPA developed a BAT TBEL for the discharge of “legacy wastewater” and it has been applied in the proposed permit in accordance with the Rules. The language in Part III.C.2 of the permit does solely focus upon WQBELs to ensure the treated discharge from the coal ash ponds does not cause or contribute to instream violations of the WQS.</p>                                                                                                                                                                                                                                                                                                                             |



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| <p>omits EPD’s mandatory determination of appropriate TBELs under the BAT standard using its BPI, focusing solely upon water quality based impacts stemming from future dewatering discharges. The WQBEL-only inquiry envisioned by Part III.C.2 is improper, and therefore cannot authorize the discharge of pollutants stemming from the large-scale drawdown, release and dewatering of coal ash ponds at Plant Mitchell at some unknown future date.</p>                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b><u>Typographical Error</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>Part III.C.2.e of the Draft Permit should be amended to correct a typographical error, striking internal reference to Part III.C.7.d and replacing the stricken reference with reference to Part III.C.2.d.</p>                                                                                                                                                                                                                                                                                                                                                  | <p>Comment noted and the reference has been corrected in the proposed permit.</p>                                                                                                                                                                                                                                                                                                                                                            |
| <b><u>Application “failures”</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>Georgia Power’s permit application fails to identify coal ash pond dewatering as an operation contributing to discharges, requiring effluent characterization.</p> <p>An applicant must identify the operation contributing to the effluent for which discharge authorization is sought. Ga. Comp. R. &amp; Regs. 391-3-6-.06(5)(a), (c); 40 C.F.R. §§ 122.21(e)(3), (f)(1), (g)(3), (g)(4), (g)(7). The applicant must additionally identify the proposed methods for treating those discharges. Ga. Comp. R. &amp; Regs. 391-3-6-.06(5)(a), (c); 40 C.F.R.</p> | <p>The ash pond wastestream is not a new wastestream. It is legacy wastewater. Because the dewatering discharge is not a new wastestream, the permittee was not required to separately address dewatering in its NPDES permit application Form 2C.</p> <p>The permittee identified the “contributing flow” as “Ash Pond Discharge” and provided the applicable “treatment” as “4A, 1U, 1G, 2C” on the NPDES permit application, Form 2C:</p> |

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| <p>§ 122.21(g)(3). Georgia Power’s application does not describe the type of operation that a future “dewatering plan” would contemplate: the mechanized pumping and draining of those ponds. Instead, the application merely identifies the same sort of operation that has been in place for decades – the passive treatment, by settling, of coal ash waste.</p> <p>Passive, gravity based settling (EPA Code 1U) and discharge from the upper portion of the water column from these coal ash ponds (EPA Code 4A) are the <i>only</i> wastewater treatment methods identified in the application for wastewater discharge from the permitted outfalls at Plant Mitchell – Outfall Nos. 01B, 01E, and 04. <i>None</i> of these wastewater treatment methods address the wholesale pumping out of the impounded wastewaters contained within AP-1, AP-2, or AP-A. Nor do these treatment methods address wastewater generated as a result of coal ash pond <i>closure</i> operations.</p> <p>While no information in the NPDES permit application discusses ash pond closure plans, Georgia Power has already disclosed its intent to close all of its ash ponds within the state, including those at Plant Mitchell. Neither the dewatering wastewater, nor the treatment to be applied to that wastewater is identified on the utility’s EPA Form 2C NPDES application for Plant Mitchell. Hence, as set forth above, the activities associated with dewatering would be fundamentally different than those reflected in Georgia Power’s NPDES Application.</p> <p>To be authorized by the permit, dewatering activities must be disclosed in the permit application. Because such activities are not disclosed in the current application, they must be disclosed in a future one, and EPD must then treat that application as a major modification that requires reopening</p> | <p><small>9. For each outfall, provide a description of (1) All operations contributing wastewater to the effluent, including process wastewater, settling wastewater, cooling water, and storm water runoff; (2) The average flow contributed by each operation; and (3) The treatment received by the wastewater. Continue on additional sheets if necessary.</small></p> <table border="1"> <thead> <tr> <th>1. OUTFALL NO. (100)</th> <th>2. OPERATION(S) CONTRIBUTING FLOW (100)</th> <th>3. AVERAGE FLOW (MGAL PER DAY)</th> <th>4. DESCRIPTION (100)</th> <th>5. LIST CODES FROM 2C-1 (100)</th> </tr> </thead> <tbody> <tr> <td>01B</td> <td>Ash Pond Discharge</td> <td>*</td> <td>3,000 GPM Maximum</td> <td>4A, 1U, 1G, 3C</td> </tr> <tr> <td>01E</td> <td>Ash Pond #1 Emergency Overflow - Storm water</td> <td>*</td> <td>8,000 GPM Maximum</td> <td>4A, 1U</td> </tr> <tr> <td>04</td> <td>Ash Pond #2 Emergency Overflow - Storm water</td> <td>*</td> <td>23,000 GPM Maximum</td> <td>4A, 1U</td> </tr> </tbody> </table> <p>Application Form 2C-1 identifies the following treatment codes as follows:</p> <p>4-A: Discharge to Surface Waters<br/>           1U - Sedimentation (settling)<br/>           1G - Flocculation<br/>           2C- Chemical Precipitation</p> <p>Additionally, the process flow diagram provided with the application identifies the “WW/T” (wastewater treatment system) of which all process wastewater will flow through prior to discharge to the Flint River.</p> | 1. OUTFALL NO. (100)           | 2. OPERATION(S) CONTRIBUTING FLOW (100) | 3. AVERAGE FLOW (MGAL PER DAY) | 4. DESCRIPTION (100) | 5. LIST CODES FROM 2C-1 (100) | 01B | Ash Pond Discharge | * | 3,000 GPM Maximum | 4A, 1U, 1G, 3C | 01E | Ash Pond #1 Emergency Overflow - Storm water | * | 8,000 GPM Maximum | 4A, 1U | 04 | Ash Pond #2 Emergency Overflow - Storm water | * | 23,000 GPM Maximum | 4A, 1U |
| 1. OUTFALL NO. (100)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 2. OPERATION(S) CONTRIBUTING FLOW (100)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 3. AVERAGE FLOW (MGAL PER DAY) | 4. DESCRIPTION (100)                    | 5. LIST CODES FROM 2C-1 (100)  |                      |                               |     |                    |   |                   |                |     |                                              |   |                   |        |    |                                              |   |                    |        |
| 01B                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Ash Pond Discharge                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | *                              | 3,000 GPM Maximum                       | 4A, 1U, 1G, 3C                 |                      |                               |     |                    |   |                   |                |     |                                              |   |                   |        |    |                                              |   |                    |        |
| 01E                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Ash Pond #1 Emergency Overflow - Storm water                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | *                              | 8,000 GPM Maximum                       | 4A, 1U                         |                      |                               |     |                    |   |                   |                |     |                                              |   |                   |        |    |                                              |   |                    |        |
| 04                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Ash Pond #2 Emergency Overflow - Storm water                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | *                              | 23,000 GPM Maximum                      | 4A, 1U                         |                      |                               |     |                    |   |                   |                |     |                                              |   |                   |        |    |                                              |   |                    |        |

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| COMMENTS RECEIVED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | EPD RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| <p>the permit.</p> <p>Georgia Power has not disclosed the volume of impounded wastewaters within AP-1 and AP-2 at Plant Mitchell, a portion of which is thereby in direct contact with, and is therefore saturated by, the impounded wastewater.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>Application Form 2C requires the permittee to disclose the volume of treated wastewater to be discharged. It does not require the permittee to disclose the volume of impounded water in Ash Pond 1 and Ash Pond 2.</p> <p>However, EPD will require this information be provided in the Coal Ash Pond Dewatering Plan, as in Part III.C.2.</p>                                                                                                                                                                                                                                                              |
| <p align="center"><b><u>EPA Region IV Comments to North Carolina's Department of Natural Resources</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>EPA Region IV has addressed the material distinction between discharge of coal ash pond effluent stemming from ordinary passive, gravity-based settling wastewater treatment methods versus the large scale decanting of coal ash ponds in connection with Duke Energy's request to decant 14 ponds. EPA informed North Carolina's Department of Natural Resources ("DENR") that Duke's request was unacceptable under the Clean Water Act, absent adherence with the applicable regulatory controls. EPA concluded that large scale decanting represents a major change in discharge activity as compared with discharges from the upper levels of these coal ash ponds during ordinary plant operations. As exemplified by the concerns raised by EPA Region IV with respect to the Duke coal ash ponds, the</p> | <p>In accordance with EPD's Memorandum of Agreement with EPA Region IV, signed in 2007 EPD transmitted the draft permit and supporting documentation to EPA for review. EPA provided comments for the draft permit, provided below in the "EPD Response to Comments – EPA Comments" section.</p> <p>EPA's comments did not address a purported material distinction between discharge of coal ash pond effluent stemming from ordinary passive, gravity-based settling wastewater treatment methods versus decanting or dewatering.</p> <p>The following is language from the Preamble to 40 CFR Part § 423</p> |

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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                       | <b>EPPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| <p>mechanical draining of ash ponds circumvents the treatment system envisioned by the Mitchell Draft Permit, including the methods of wastewater treatment identified in the NPDES Application at 1a – 4.</p> | <p>regarding the applicable TBELS for the discharge of “legacy wastewater.”</p> <p>“Under this rule, legacy wastewater must comply with specific BAT limitations, which EPA is setting equal to the previously promulgated BPT limitations on TSS in the discharge of fly ash transport water, bottom ash transport water, and low volume waste sources.”</p> <p>Additionally, in Section 8.3.8 of the “Technical Development Document for Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category,” EPA-821-R-15-007, dated September 2015, it states the following “For purposes of the BAT limitations in this rule, EPA uses the term “legacy wastewater” to refer to FGD wastewater, fly ash transport water, bottom ash transport water, FGMC wastewater, or gasification waste water generated prior to the date determined by the permitting authority that is as soon as possible beginning November 1, 2018, but no later than December 31, 2023 (see Section 8.3.7). Under this rule, legacy wastewater must comply with specific BAT limitations, which EPA is setting equal to the previously promulgated BPT limitations on TSS in the discharge of fly ash transport water, bottom ash transport water, and low volume waste sources.”</p> <p>Since the draft permit was placed on public notice, EPA has subsequently announced its decision to reconsider the final rule’s effective date of November 1, 2018 and administratively stay compliance dates that have not yet passed. See EPA April 12, 2017 Notice, delay of compliance deadlines. Docket ID No. EPA-HQ-</p> |

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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>EPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>OW-2009-0819, RIN 2040-AF14. The stay of the compliance dates does not affect EPA's BAT determination for discharge of treated wastewater from coal ash ponds.</p> <p>See pages 16-18 and Appendix A of the Fact Sheet for further discussions regarding the EPA established BAT technology based effluent limit for the discharge of treated legacy wastewater from the coal ash ponds.</p> <p>The draft permit includes the applicable TBELs required under 40 CFR Part § 423.</p>                                                                                                                                                  |
| <p><b><u>Comparison of Coal Ash Pond Dewatering Activities In the State</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>It appears that the concentrations of toxic pollutants in the ash pond dewatering effluent at other Georgia Power plants undergoing dewatering are materially higher than those disclosed on Georgia Power's NPDES permit applications for those facilities. For instance, monitoring records from plant McDonough since December 2016 reveal concentrations of Chromium in the dewatering effluent that are nearly three times higher than the values disclosed in the McDonough NPDES Form 3510-2C permit application. Likewise, concentrations of Selenium were detected in the pond dewatering effluent at 13 ug/l and 16 ug/l, <i>thirteen</i> and <i>sixteen</i> times the concentration identified in Georgia Power's effluent characterization for Plant McDonough as identified in the NPDES permit application for that facility. Importantly, these reported effluent concentrations were recorded at the</p> | <p>EPD approved the Coal Ash Dewatering Plans for GA Power Company's Plant McDonough-Atkinson and Plant McManus on January 10, 2017.</p> <p>Georgia Power has commenced dewatering of the ash ponds at Plant McManus in Glynn County and Plant McDonough-Atkinson in Cobb County for the purpose of closing them.</p> <p>For these facilities, Georgia Power provided advance notice to EPD of the dewatering activities in accordance with their NPDES permits and submitted detailed plans to EPD describing the water treatment controls, processes, and monitoring and reporting practices implemented to protect water quality.</p> |

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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>EPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| <p>outfall leading to the adjacent waterways <i>after</i> undergoing so-called “enhanced” wastewater treatment as described in a November 2016 coal ash pond “Dewatering Plan” subsequently approved by EPD (without notice or public comment). The concentration of pollutants within the effluent may only rise in the future, as water is drawn and pumped from lower levels of the ponds, and eventually from the interstitial pore water from within the saturated coal ash particles.</p>                                                                                                                                                           | <p>The approved Plans are available on our website at: <a href="https://epd.georgia.gov/coal-ash-pond-dewatering-plans">https://epd.georgia.gov/coal-ash-pond-dewatering-plans</a></p> <p>EPD is reviewing the monitoring data as we receive it and so far the data confirms that water quality is being protected. EPD understands there are concerns about some of the higher concentrations of pollutants being discharged and reported to EPD.</p> <p>EPD has evaluated the submitted data and determined that the increased level of pollutants does not cause or contribute to instream WQS violations; hence the increased level of pollutants discharged has not triggered the reasonable potential for an effluent limit in the NPDES permit.</p> <p>If, during the dewatering activities, the permittees discharge has the reasonable potential to cause or contribute to instream WQS violations, EPD will require the permittee to halt the dewatering activities until such time the permittee can demonstrate compliance.</p> |
| <p>The instream impact of dewatering discharges at another Georgia Power plant in coastal Georgia raises similar concerns. In the summer of 2016, a concerned citizen complained to EPD’s Coastal Division about dewatering discharges at Georgia Power’s Plant McManus in Brunswick, Georgia. Photos submitted by the resident documented the discharge and release of visible sediments, and/or floating solids from the ash pond dewatering discharges at Plant McManus. The photographs submitted to EPD depicted highly discolored effluent from the coal ash pond outfall at Plant McManus. These conditions were documented over the course of</p> | <p>EPD responded to complaints received on December 22, 2016 and June 22, 2016 at the Georgia Power Company Plant McManus facility. The Complaint Tracking System nos. are 81709 and 8013. EPD conducted site visits and follow-up site visits after each complaint was received.</p> <p>At the time of the December 2016 and January 2017 site visits, EPD determined, “I noticed no coal ash migration from the ash</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>EPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| <p>months, from the summer through winter of 2016.</p> <p>EPD personnel later confirmed the release of pollutants from the McMannus dewatering site. A subsequent site inspection in June 2016 confirmed “water leaving the [pond] outfall which was clear but foamy” adjacent to the ash pond outfall, where pond closure-related discharges were taking place. However, as demonstrated by the highly discolored, turbid plume depicted in photographs of the dewatering site, the effluent released from the ash ponds at Plant McMannus is anything but “clear.”</p> <p>The above examples illustrate how dewatering wastestreams are fundamentally different than those attendant to ordinary plant operations and treatment methods.</p> | <p>containment areas, and best management practices for their construction activities were installed.... At the time of the visit, adequate measures were in place to control both turbidity and foam in the discharge.”</p> <p>At the time of the June 2016 and July 2017 site visits, EPD determined “there was no visible evidence of sediment leaving the site by wind or water. No ash deposits were observed on marsh, dike or causeway vegetation. Neither was ash observed on the surface water.”</p> <p>The complete investigation reports are available upon request at the Coastal District Office in Brunswick.</p> |
| <p><b><u>EPA Region IV Comments</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>We recommend the permit require instream monitoring up- and downstream of the facility’s main outfall as soon as possible after the effective date of the permit. The monitoring should occur before dewatering commences, and the results should be used to revise the Reasonable Potential Analysis, as needed, to include appropriate water quality-based effluent limits.</p> <p>Subsequent instream monitoring should also be done sometime during the dewatering operation. This will provide data to demonstrate/verify that the dewatering event is not causing or contributing to a violation of instream water quality standards.</p>                                                                                             | <p>EPD concurs and has added a permit condition in the proposed permit requiring the permittee to sample instream, (up and down stream of the permitted outfalls) at the time of the Coal Ash Pond Dewatering Plan submittal and prior to dewatering to EPD to establish background conditions.</p> <p>Part III.C.2 of the draft permit already requires the permittee to submit a Coal Ash Dewatering Plan that includes instream sampling during the dewatering activities. EPD will require a minimum sampling frequency instream of 2/month while dewatering is occurring.</p>                                              |

**Public Comments and EPPD Responses on Draft NPDES Permit  
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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>EPPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| <p>The Reasonable Potential Analysis did not appear to incorporate background concentrations of pollutants of concern appropriate for this facility. The RPA attached to the permit fact sheet only used totals suspended solids and harness concentrations. However, it should have contained metals data to ensure appropriate water quality-based effluent limits were developed. By example, EPA was able to obtain data from several ambient water quality monitoring stations in the Flint River upstream of the facility; see the attached Excel spreadsheet. The RPA should be redone to incorporate existing instream data (such as the data EPA obtained) as well as any data the facility collects during instream monitoring (see comment 1, above.)</p> | <p>EPPD used available and representative data when performing the RPA. The data submitted with the EPA comments is well over 10 years old and EPPD does not believe that the limited number and age of the samples is representative of the background conditions in the receiving waterbody. As stated above, EPPD has included a permit condition to require the permittee to perform instream sampling prior to beginning dewatering activities to establish background conditions and the instream data will be used in the RPA.</p> |
| <p>The permit should specify the analytical test method numbers to be used for compliance. For example, the most sensitive method for mercury is EPA Method 1631E. Likewise, for other metals, EPA Method 245.7 is appropriate.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>Part I.B.3 of the permit requires the permittee to use the “sufficiently sensitive” test method as required in the 40 CFR Part 136.<br/><br/>Other than referencing 40 CFR Part 136 in the permit, EPPD does not believe the inclusion of the specific test methods for mercury and other metals is necessary and we have not included them in the proposed permit.</p>                                                                                                                                                                |
| <p>Page 19 of the permit includes requirements for the permittee to develop and submit a Coal Ash Pond Dewatering Plan. The permit should define the term “dewatering activity”. For example, clarify how to differentiate between a dewatering activity from a typical discharge or drawdown event.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>EPPD has included the below language describing the terminology “dewatering activity.”<br/><br/>“prior to the closure process beginning, ash pond discharges will not cause water levels to drop beyond normal historical operation, hence once the dewatering activity has begun, the water levels may</p>                                                                                                                                                                                                                            |



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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                       | <b>EPPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <p>Sampling to be performed during the dewatering operations should be a least weekly for the first few weeks and more often as the ash pond levels drops closer to the ash layer. This will ensure that instream water quality standards are not exceeded. Parameters should include pollutants common to ash pond discharges, such as: turbidity, TDS, Cu, Se, As, Hg, Cr, Pb, Cd, Zn, Ni, and hardness.</p> | <p>drop below historical operations.”</p> <p>The draft permit already included EPA’s list of pollutants to be monitored. Additionally, the draft permit had already expanded on the EPA proposed list of pollutants to include flow, pH, oil and grease, biochemical oxygen demand,<sup>5-day</sup>, total suspended solids, total residual chlorine, ammonia (as NH<sub>3</sub>), total kjeldahl nitrogen, organic nitrogen, phosphorus, and ortho-phosphorus.</p> <p>EPPD believes if the treatment system is operated appropriately and the continuous inline flow, pH, and turbidity effluent targets are maintained, there should no need to increase sampling frequencies. Additionally, another safeguard for water quality protection is provided with an automatic shutoff and return of the treated wastewater back to the coals ash pond or head of the treatment plant.</p> <p>However, EPPD does appreciate and understand the concerns and also believes that increased sampling will aide in our oversight of the operability of the treatment plant to ensure the discharge does not cause or contribute to an instream water quality violation. To that end, EPPD has increased the effluent sampling frequency from 2/month to 1/week and the instream sampling from 1/month to 2/month in Part III.C.2 of the proposed permit.</p> |
| <p>To ensure the integrity of the pond structure is not jeopardized if the pond water is drawn down too quickly, the permit should specify the drawdown</p>                                                                                                                                                                                                                                                    | <p>EPPD has included language in Part III.C.2, Coal Ash Pond Dewatering Plan, which will require the permittee to submit</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>EPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <p>rate during dewatering operations. We recommend you confer with Georgia's Dam Safety Department to determine the maximum draw down rate to ensure stability during releases.</p> <p>For the emergency ash pond outfalls (01E and 004), the permit should specify the rainfall event for which the discharges will be authorized. The permit application states that the emergency ponds are designed to retain the 100Y24H storm, so we recommend the permit only allow discharges from these ponds during that storm events. Monitoring during discharge should include metals/pollutants commonly found in ash pond effluents: TDS, Cu, Se, As, Hg, Cr, Pb, Cd, Zn, Ni, and hardness.</p> | <p>information regarding safe draw down rates to ensure the integrity of the ponds.</p> <p>EPD has added language to specify the conditions when it may be appropriate to discharge from the emergency ash ponds (outfall nos. 01E and 04). EPD believes there are several possible scenarios of which there should be discharges from the emergency outfalls, (1) a rainfall event that meets the 100 year, 24 hour storm event criteria, (2) several continuous or intermittent days of rainfall that may cause harm or jeopardize the stability of the impoundments and (3) unforeseen catastrophic weather events.</p> <p>EPD believes restricting the use of the emergency outfalls to only a 100 year, 24 hour storm event is unreasonable and too restrictive due to the specific types of weather events that can and have occurred in Georgia. EPD has included the following language in the proposed permit,</p> <p>“Discharges from this outfall shall consist of emergency overflows only. There shall be no discharge from the outfall except when an emergency presents, such as excessive rainfall that meets the 100 year, 24 hour storm water criteria, several continuous or intermittent days of excessive rainfall that may adversely impact the stability of the impoundments or unforeseen catastrophic weather events.”</p> <p>Additionally, EPD has added monitoring requirements for total dissolved solids, copper, total, selenium, total, arsenic, total,</p> |

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| <b>COMMENTS RECEIVED</b>                                                                                                                                                                                                                                                                                                                                                                         | <b>EPD RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <p>Sampling during an emergency discharge should be at least once daily during the first hour of the discharge (or some other specified time frame).</p>                                                                                                                                                                                                                                         | <p>mercury, total, chromium, total, lead, total, cadmium, zinc, total, and nickel, total, applicable only when there is a discharge from the emergency outfalls.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>For compliance purposes, the permit should specify how flow will be estimated for all outfalls.</p>                                                                                                                                                                                                                                                                                           | <p>EPD has revised the sampling frequency from “2/month” to “once per day when discharging”</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>The permit requires the permittee to perform routine inspections of the dike walls/berm; however, because there may be seeps which occur below the dike berms, we recommend the plan also require inspections for seepages from the ash pond which may be hydrologically connected to waters of the State. In which case, such discharges would need to be covered under an NPDES permit.</p> | <p>EPD has included footnotes to specify how “estimated” and “calculated” may be determined. The following language has been added, “best engineering practices or pump capacity/run times will be used to estimate the flow, and the specific methodology will be documented on site.”</p>                                                                                                                                                                                                                                                                                                                                                          |
| <p>The permit requires the permittee to perform routine inspections of the dike walls/berm; however, because there may be seeps which occur below the dike berms, we recommend the plan also require inspections for seepages from the ash pond which may be hydrologically connected to waters of the State. In which case, such discharges would need to be covered under an NPDES permit.</p> | <p>To date, EPD does not have any information indicating there are seeps which occur below the dike berms at Plant Mitchell, nor does EPD have information indicating that a seep would be hydrologically connected to waters of the State. Routine inspection of the dike walls/berm, etc. is to ensure coal ash pond impoundment integrity and that includes identifying areas of possible seepage.</p> <p>At this time, based on current information, EPD does not believe additional language is necessary when there is currently no indication that seeps are present.</p> <p>If during the permit term EPD believes there are unpermitted</p> |

**Public Comments and EPD Responses on Draft NPDES Permit  
Georgia Power Company- Plant Mitchell Permit No. GA0001465**

| <b>COMMENTS RECEIVED</b> | <b>EPD RESPONSE</b>                                                   |
|--------------------------|-----------------------------------------------------------------------|
|                          | discharges to waters of the State, EPD will take appropriate actions. |