

Georgia Department of Natural Resources

Environmental Protection Division • Watershed Protection Branch
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Richard E. Dunn, Director

July 21, 2016

Mr. Anthony H. Abbott, President
Consolidated Utilities, Inc.
119 West Oglethorpe Ave.
Savannah, GA 31404

RE: Response to Comments
Larchmont Estates
Water Pollution Control Plant (WPCP)
NPDES Permit No. GA0034819
Chatham County
Ogeechee River Basin

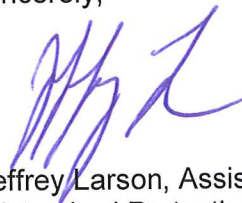
Dear Mr. Abbott:

Thank you for your letter regarding the permit for the Larchmont Estates WPCP. After consideration of your comments received during the public comment period, changes have been made to the permit based on your comments.

The modified permit meets all necessary requirements and is protective of water quality standards. Therefore, the Environmental Protection Division (EPD) has issued the permit. This determination was made after careful consideration of all the comments received by EPD.

Attached is a summary of comments from the public and our responses to the issues raised along with a fact sheet addendum. We appreciate your interest in this matter. If you have any questions, please contact Yilin Fan of my staff at 404-463-4936 or Yilin.fan@dnr.ga.gov.

Sincerely,



Jeffrey Larson, Assistant Branch Chief
Watershed Protection Branch

JL\yf

Attachments: Response to Comments & Fact Sheet Addendum

Public Comments and EPD Responses on Draft NPDES Permit
Larchmont Estates WPCP – GA0034819

COMMENTS RECEIVED	EPD RESPONSE
<p>Part I.B.2.b. Instream Surface Water Monitoring (page 8)</p> <p>The permit required weekly upstream and downstream monitoring of the Little Ogeechee River. This monitoring is excessive and will not provide useful information on the impacts of the treated wastewater discharge. The discharge is very small (1 MGD) and the Little Ogeechee River flow is very large. Also, the river is tidally influenced at the discharge point. Therefore, the significant impacts of the salt and other constituents pushed by the tide far overwhelm the minor impacts of the wastewater discharge. Also, the wastewater is treated to tertiary and reuse standards. It is far cleaner than the receiving stream. This monitoring requirement should be deleted or adjusted to quarterly.</p>	<p>Instream surface water monitoring of the Little Ogeechee River is required at the B.2. (1.0 MGD) and B.3 (1.0 MGD with 0.1 MGD reuse) effluent limitations. This monitoring is necessary to assess water quality of the receiving stream. A discharge of 1.0 MGD is considered a major discharge therefore instream monitoring will remain in the permit. However, monitoring for Temperature, Dissolved Oxygen, Specific Conductivity, and pH has been modified from year-round to weekly on a seasonal basis (during the months of May through October). The measurement frequency for Ammonia has been revised to quarterly.</p> <p>Further, we have included specific locations to monitor upstream and downstream of the discharge on the Little Ogeechee River in the permit.</p>

**Public Comments and EPD Responses on Draft NPDES Permit
Larchmont Estates WPCP – GA0034819**

COMMENTS RECEIVED	EPD RESPONSE
<p>Part I.C.8. Watershed Protection Plan (page 14)</p> <p>The requirement to perform a watershed protection plan (WPP) is not appropriate for this permit for several reasons. The requirement should be deleted.</p> <p>First, the purpose of a WPP is for local governments to adopt and enforce ordinances to protect streams from nonpoint source pollution. Larchmont Estates does not have the power to adopt and enforce ordinances for storm water. This lies within the authority of Chatham County. Therefore, a WPP prepared by Larchmont Estates is not implementable. Nonpoint source control is under the jurisdiction of Chatham County and any requirements for storm water fall onto Chatham County.</p> <p>Second, the Larchmont Estates service area is very small and is an insignificant piece of the Little Ogeechee River drainage basin. Even if Larchmont Estates was legally authorized to adopt and enforce a storm water ordinance (which it is not entitled to do), such nonpoint source controls would have no impact on the water quality of the Little Ogeechee River. Nonpoint source controls are effective only if implemented basin-wide by Chatham County.</p> <p>Third, EPD does not have the legal authority to require WPPs for wastewater systems which are not owned and operated by local governments. This is logical since only local governments have the land use control and storm water ordinance powers to implement WPPs.</p> <p>Larchmont Estates is not a local government and has no enforcement powers. Larchmont Estates does not have political boundaries. Larchmont Estates is recognized by Chatham County as a wastewater service provider, but its recognition does not make Larchmont Estates a local government with enforcement powers or political boundaries. Issuance of this NPDES permit modification with a WPP requirement is not authorized by the Water Quality Control Act and could be an illegal action.</p>	<p>EPD recognizes the unique situation that Larchmont Estates is a private utility and not a local government. However, due to the 0.65 MGD permitted flow of the wastewater treatment facility and that there are plans for plant expansion to 1.0 MGD, the facility is considered a significant contribution to the watershed and, therefore needs to develop a WPP.</p> <p>The WPP language in the permit has been modified to be more specific for the Larchmont Estates water pollution control plant and its service areas. The WPP will be used to describe the strategies to protect water quality and put in place best management practices to prevent future water quality standards violations for the facility (i.e.: spill prevention, inflow and infiltration, overflow, etc.). Due to the size of the WPCP (> 1.0 MGD) and its significant nature in the watershed, EPD is requiring that a WPP be developed for approval. The permittee will need to provide ongoing monitoring and work with the local jurisdiction (Chatham County) in addressing water quality violations.</p> <p>Upon approval of the watershed protection plan by EPD, the watershed protection plan shall be enforceable through the permit.</p>