



Georgia-Pacific Crossett LLC
Consumer Products

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May 6, 2016

Arkansas Department of Environmental Quality
Permits Branch – Water Division
5301 Northshore Drive
North Little Rock, AR 72118-5317

Attn: Ms. Loretta Reiber, P.E.

Subject: Georgia-Pacific Crossett LLC Comments
NPDES Permit No. AR0001210
AFIN 02-00013

Ms. Reiber:

Georgia-Pacific (GP) appreciates the opportunity to provide our comments to you for the preliminary Draft NPDES permit (AR0001210) for Georgia-Pacific Crossett LLC – Crossett Paper Operations. Based on our review of the preliminary draft permit, we provide the following comments for your consideration:

Permit cover page:

- Georgia-Pacific LLC should be changed to *Georgia-Pacific Crossett LLC*.
- For the description of the wastewater discharge, this should read the same as listed on the next page in Section A. Please see the language listed in the bullet below to be used on both the cover page and page 1 of Part IA.

Page 1 of Part IA:

- **Section A:** In order to be accurate, please modify this paragraph to read as follows:

OUTFALL 001 – process wastewater (from the Pulp and Paper Mill, Plywood plant, stud mill and Chemical plant operations including truck wash, backwash wastewater, and product stewardship waters), sanitary wastewater, landfill leachate, site stormwater¹, and treated effluent from the City of Crossett.

- Footnote 1 – Remove the reference to Condition No. 9 as this condition only applies to Cluster Rule BMP requirements and is not related to storm water.
- Footnote 4 – The footnote references Condition 7 of Part II, which if referenced is only listed as “Reserved”. This condition in the previously issued permit contains language relative to

the method, minimum level and the reporting of values less than the MQL and DL for 2,3,7,8 TCDD. Some of this information (method and minimum level) are now in Condition 8.

However, we request that Condition 7 now read:

For compliance purposes, the minimum quantification levels (MQLs) listed in Condition 8 below or lower detection levels (DL) shall be used for monthly average and daily maximum effluent concentrations, as applicable, for listed pollutants. Test results which are less than the respective MQL or DL may be reported as “zero”.

Page 3 of Part IA:

- Section A: We request the second paragraph be changed to read:

During the period beginning on the effective date of the permit and lasting until the date of expiration, the permittee is authorized to discharge from SMS 002. Such discharges shall be limited and monitored by the permittee as specified below.

- Last paragraph on the page: Replace “in the general area of...” with “at the flow measurement structure at...”
- Footnote 4 – Add to the end of the footnote “by mixing a minimum of 4 effluent portions collected at equal time intervals (but not closer than one hour apart) within a 24-hour period.”
- Since the ADEQ has taken the position that Mossy Lake is a water of the United States and the discharge from Mossy Lake is listed as a Stream Monitoring Station, we do not believe additional permit limits beyond BOD, TSS and pH are appropriate for this location. The 2004 permit listed only limitations for BOD, TSS and pH for SMS 002, which were also the only limitations in the 1991 permit.

The SMS 002 monitoring station always has been a point to ensure that the dissolved oxygen criteria for the Ouachita River are maintained per the water quality model that was done. The application of limits for the same parameters already regulated at Outfall 001 represents a significant additional and redundant monitoring expense as well. The measurement of these additional parameters at SMS 002 may not be representative of GP’s discharge given the watershed that drains into Mossy Lake, which is outside of GP’s control. GP requests that the limits and monitoring requirements for copper and zinc, and monitoring requirements for phosphorus and nitrate be completely removed from the permit for SMS 002.

Pages 5, 6 and 7 of Part IA:

- 2,3,7,8-Tetrachlorodibenzofuran is misspelled on each page.
- The sample type for “Flow” is described as “*Instantaneous*”. Since there is not a single discharge point from each bleach plant that is monitored with a flow measuring device, the determination of flow is actually a combination of flow measurements and calculations. We request that “*Instantaneous*” be changed to “*Calculated*” on pages 5, 6 and 7.

- In the permit application, GP requested a reduction in monitoring for all the chlorophenolics, chloroform, TCDD and TCDF for internal outfalls 101, 102 and 103. In the draft Fact Sheet, the Department states that it follows EPA's *Interim Guidance for Performance-Based Reductions of NPDES Permit Monitoring Frequencies*, then goes on to state that it does not further reduce monitoring frequencies which were reduced in the previous renewal. The referenced EPA Guidance document does not prohibit reductions in each ensuing permit: in fact, it states "The baseline monitoring frequencies in Table 1 of this guidance will normally be considered the level of monitoring in the existing effective NPDES permit." It does not in any way prohibit additional reductions in monitoring that are supported by good performance. We again request the reductions in monitoring frequency to semi-annually.
- Add footnote for 24-hour composite sampling to read "The 24-hr composite sample may consist of a minimum of 4 *effluent portions collected at equal time intervals (but not closer than one hour apart) within a 24-hour period.*"

Page 1 of Part IB:

- Condition 1: GP also maintains a general stormwater permit. A strict reading of this condition would mean these stormwater outfalls could be noncompliant discharges. We request the condition read:

Any discharge other than from permitted outfalls in this permit or in another permit is not authorized under this permit and shall be reported to ADEQ as a noncompliance event within 24 hours of occurrence.

- Condition 4: Please add in the third bullet after "40 CFR 136" the following phrase: "..., other EPA approved methods". This will cover situations such as allowing NCASI Method CP-86.07 for chlorophenolics, which is listed as approved in 40 CFR 430.02(g) but is not listed in 40 CFR 136.

Page 3 of Part II:

- Condition 11. B: Change the first sentence to read: "*The facility shall collect a minimum of three fish from predator species and a minimum of three fish from bottom feeder species from each station.*"

Page 4 of Part II:

- Condition 11.D: Change the second sentence to read: "*The Department reserves the right to require additional fish collection and tests if the testing yields greater than 5.33 ppt of 2,3,7,8 TCDD in fish tissue. This testing is required only at the Outfall station as described in 11.A.*"

Page 5 of Part II:

- Condition 15: We request striking the second sentence. While the second sentence is accurate in its statement, this permit has specific numeric limitations governing process wastewater and stormwater discharges.

- Condition 16: Add to the end of the first sentence, “*at previously approved sampling points.*”
- Condition 17: Please change “*Georgia-Pacific LLC*” to “*Georgia-Pacific*”.

Page 6 of Part II:

- Condition 19.a: The language about hydrogen peroxide should be removed since its usage rate has been removed. We are including information relative to the effectiveness of iron addition in the toxicity reduction evaluation that was previously performed. We have monitored for iron in our outfall during all addition of iron compounds, and that data has been provided to the Department. Iron salts are used in drinking water treatment, phosphorus precipitation and other advanced treatment techniques to facilitate coagulation of solids and other substances. Iron is only being added as a catalyst in small amount to speed the reaction of the peroxide action in treating sulfide. The present usage rates limit our ability to effectively treat. We believe that the usage rates for the organic iron catalyst should be removed as well. However, should Department choose to retain usage rates listed in the draft permit for iron, we request that the usage rates listed in the draft permit be doubled.

Page 8 of Part II:

- Section 2.a.ii and Section 2.a.iii: Add “*of notification*” after “*5 days*”.

Page 12 of Part II:

- Remove item 3.d.vii. The facility does not chlorinate as part of the treatment process.

Page 15 of Part II:

- Item 5.b: Insert “*of ADEQ approval*” after “*30 days*”.

Page 2 of Part III:

- Condition 4: In the first paragraph, change “*shall be modified*” to “*may be modified*”.
- Condition 4: By pulling in undefined and yet to be promulgated toxic standards, the Permit is vague and ambiguous and unfairly exposes the permittee to potential litigation over its compliance with undefined standards. Put another way, this provision potentially eviscerates our rights under the “permit shield” provision of the Clean Water Act. *See* 33 U.S.C. § 1342 (k). The permit shield affords “an absolute defense to a permit holder that complies with the conditions of its permit against citizen suits.” *Black Warrior Riverkeeper v. Black Warrior Minerals, Inc.*, 734 F.3d 1297, 1303 (11th Cir. 2013). Providing specific parameters for a permittee to follow “evidences the central role of the permitting system under the [Clean Water] Act,” which is designed to transform generally applicable requirements intended to protect water quality into enforceable obligations of individual dischargers. *See id.* 734 F.3d at 1301, 1303. We request the Department delete this language from the permit.

Page 3 of Part III:

- Condition 10: Insert “*requirements*” after “*federal*”.

Page 6 of Part III:

- Condition 6.B: There are no disposal practices listed in Part II of the permit, therefore, this section does not apply.

Page 11 of Part III:

- Georgia-Pacific Crossett LLC is a limited liability company, and the signatory requirements as drafted do not address this type of entity. We request that the Department clarify that the signatory requirements for corporations can be applied to limited liability companies in the absence of specific language to address LLC's.

Fact Sheet, Page 1:

- Change “*Georgia-Pacific LLC*” to “*Georgia-Pacific Crossett LLC*”.

Fact Sheet, Page 2:

- Request 1 Response: EPA’s guidance does not prohibit the further reduction of monitoring frequency after the first reduction in frequency. We again request the monitoring frequency reductions previously submitted to the Department in the permit application.

Fact Sheet, Page 4:

- Request 6 Response: We are providing additional information regarding iron’s effectiveness in the previous toxicity reduction evaluation. We have previously provided iron monitoring data for Outfall 001 that was done during periods of WET testing. Please see the previous discussion of iron for Page 6 of Part II.
- Site Visit Request Response: In the first paragraph, the reference to dieldrin should be removed since it is no longer required to be monitored. In the second paragraph, the TSS limit is described as a water quality based limit. It has no water quality basis and was actually a best professional judgment limit.

Fact Sheet, Page 8:

- Item 8.B: We request the removal to references about chemical addition in the various locations.
- Item 8.C: Change to match the previously used language:

Discharge Description: process wastewater (from the Pulp and Paper Mill, Plywood plant, stud mill and Chemical plant operations including truck wash, backwash wastewater, and product stewardship waters), sanitary wastewater, landfill leachate, site stormwater¹, and treated effluent from the City of Crossett.

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Fact Sheet, Page 9:

- Item 10: Please change the first sentence to: Sludge is placed in the facility's reclamation area or north landfill as necessary.

Fact Sheet, Page 11:

- The table incorrectly lists total recoverable zinc limitations that are different from the limits in the existing permit and the rest of the draft permit.

Fact Sheet, Page 17:

- Item G, 4th paragraph, last sentence: either remove the word "outlined" or add appropriate language to finish the sentence (e.g. "outlined *in their process*").

We appreciate the efforts of the ADEQ in processing this permit renewal. Should you have any questions about these comments, please contact Sarah Ross at (870) 567-8670 or Sarah.Ross@gapac.com.

Sincerely,



Sarah M. Ross
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