

Greenville News 2/15/10

EPA keeps strict rules on Golden Creek

EPA: Permit 'is not stringent enough'

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The Environmental Protection Agency decided Monday to deny a permit that would have relaxed state and federal limits on the amount of fecal coliform bacteria that can be released from a wastewater treatment plant into a

Pickens County stream that flows into Lake Hartwell.

The relaxed provisions in the permit fail to comply with the Clean Water Act, according to a general objection signed by James Giattina, director of the EPA's Water Protection Division.

The permit "includes an effluent limit for fecal coliform that

is not stringent enough to ensure compliance with South Carolina water quality standards, including protection of designated uses," Giattina said in the objection.

Easley Combined Utilities, which operates the treatment plant, had asked that up to 10 percent of samples be allowed to exceed limits on the amount of the bacteria found in human and animal waste that can be released in-

EPA OBJECTIONS

■ Read the EPA's general objection online with this story at GreenvilleOnline.com.

to Golden Creek.

The creek is a tributary of the Twelve Mile River that flows into Lake Hartwell, a source of recreation and drinking water for tens

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of thousands of Upstate residents.

Joel Ledbetter, manager of Easley Combined Utilities, which serves about 10,000 homes and businesses primarily in the city of Easley, received notice of EPA's objection late Monday and said he wants to discuss this latest turn of events with legal counsel before commenting on what the utility's next move might be.

The 10 percent standard is in existing regulations and applies elsewhere, Ledbetter said.

The EPA has until April 25 to follow its general objection with a specific objection that would include actions needed to eliminate the federal agency's objec-

tions to the state permit.

The state Department of Health and Environmental Control will then have 90 days to either request a hearing or submit a revised proposed final permit. If DHEC doesn't act, then authority to issue a permit passes to EPA, according to the EPA document.

DHEC spokesman Adam Myrick said it is premature to comment because DHEC officials had just received the information late Monday.

DHEC had denied the utility's original request and was overruled by Administrative Law Judge Carolyn Matthews, who ruled that up to 10 percent of total samples over any 30-day period could exceed the permitted daily maximum limit. The 10 percent provision is allowed in other places, the judge said in a court document.

Chris Starker, rural wa-

ter project associate with Upstate Forever, which had asked the EPA to object to the permit, said, "We're very pleased with EPA's decision."

Starker said the administrative law judge's ruling could make it difficult for the public to protect waters. Relaxing pollution rules would set a precedent that could lead to degraded waters in South Carolina and throughout the nation, Starker said.

Ledbetter said the utility needed "some relief from 100 percent" and that it poses no threat.

The concentration of contaminants in wastewater can vary dramatically, making 100 percent compliance with fecal coliform standards impossible, Ledbetter said. The Golden Creek plant has been out of compliance 1 percent of the time or less over the past five years, he said.