

My name is Lee Becker. I am president of Friends of Barber Creek, an organization organized under the provisions of Georgia's Nonprofit Corporation Code.

I also live on Barber Creek, at 1050 Scott Terrace.

Thank you very much for granting our request for this public hearing.

I and the Board of Directors of the Friends of Barber Creek will submit to you tonight a copy of these prepared comments as well as documentation of irregularities in the procedures that Oconee County and the EPD have followed in preparation of this draft permit that we wish to have incorporated into the public record of this meeting.

Specifically, we are submitting to you documents that show:

1. That the receiving stream is not named correctly in the Draft Permit you have provided in response to this request by Oconee County. The receiving stream, we have been informed by a representative of the Oconee County Utility Department, will be an unnamed tributary to Barber Creek, yet the permit says that the receiving stream will be Barber Creek itself.
2. That attachment 1 to the Permit Application incorrectly identifies the Discharge Point. The discharge point will be to the unnamed tributary of Barber Creek on the western line of the property owned by the county, not to Barber Creek, again based on written comment from a representative of the Oconee County Utility Department.
3. That on page 5 of the Permit Application the receiving waters for the effluent from the Rocky Branch treatment plant is incorrectly identified as Barber Creek. It should indicate that the receiving waters are an unnamed tributary of Barber Creek.
4. That the Waste Load Allocation letter of August 10, 2005, from Samuel J. Shepherd of EPD to Mr. Gary Dodd of the Oconee County Utility Department incorrectly identifies the receiving stream as Barber Creek.
5. That the Public Meeting Notice published in The Oconee Enterprise on February 9, 2006, inviting the public to attend a meeting on March 14, 2006, to discuss the Rocky Branch Water Reclamation Facility Improvements did not mention either an unnamed tributary of Barber Creek or Barber Creek. The notice makes no mention at all of the receiving waters.
6. That the Public Meeting Notice published in The Oconee Enterprise on February 23, 2006, inviting the public to attend a meeting on March 14, 2006, to discuss the Rocky Branch Water Reclamation Facility Improvements did not mention either an unnamed

tributary of Barber Creek or Barber Creek. The notice makes no mention at all of the receiving waters.

We are attaching to this statement the following materials to document these deficiencies in the procedures and records regarding this permit:

1. An e-mail message sent to me from Mr. Chris Thomas, assistant director of the Oconee County Utility Department and copied to Mr. Gary Dodd, director of the Oconee County Utility Department. In the e-mail message Mr. Thomas states that the discharge from the Rocky Branch Plant will be “into the feeder creek,” not directly to Barber Creek.
2. The plat for the property owned by the County showing that the property does not border Barber Creek. The “feeder creek” is in the northwest section of the map.
3. A map taken from the draft permit showing the location of Barber Creek and the incorrect identification of the discharge point.
4. A copy of a letter from Jordan Jones & Goulding requesting a waste load allocation for Barber Creek and the accompanying map, which identifies the discharge point as Barber Creek.
5. A copy of the letter to Mr. Gary Dodd informing him that a waste load allocation has been granted for discharge into Barber Creek.
6. A copy of the draft permit which names Barber Creek as the receiving waters.
7. A copy of the public notice of February 23, 2004, and a copy of the public notice of February 9, 2006. The notices do not name any receiving waters.
8. A copy of the newsletter of the Oconee County Utility Department that discusses the upgrade of the Rocky Branch Plant and also fails to inform the public that the County is seeking to discharge effluent into Barber Creek.

Because of the improper public notice, compounded by the incorrect notification in the newsletter of the Utility Department, we believe that citizens of Oconee County were not properly and adequately informed that the discharge from the Rocky Branch waste treatment plant would first go to an unnamed tributary of Barber Creek and, after a distance of approximately one half miles in duration, to Barber Creek itself. We believe the public should have been notified that this unnamed tributary and Barber Creek were receiving waters of the effluent of the proposed plant.

We ask that you withdraw the draft permit at this time. The County should be informed it may submit a WLA request for the unnamed tributary to Barber Creek. If the County is granted a WLA for this stream, the County should hold a public hearing after posting public notices in which the stream is correctly identified. Any future draft permit should be correctly written to reflect the receiving waters, and citizens should have the opportunity to review and comment on such a revised draft permit.

We also find fault with the draft permit for other important reasons:

We believe that the EPD has erred in not examining the condition of Barber Creek and the unnamed tributary to Barber Creek before issuing a Waste Load Allocation. Oconee County officials have repeatedly asserted that Barber Creek already is polluted, raising questions about the appropriateness of calculating a Waste Load Allocation based solely on inferences about the quality of the water in the Creek from a theoretical model.

We believe the EPD has erred in not incorporating into the assessment of the appropriateness of the application the adverse effects of an increase flow of water in Barber Creek brought about by the introduction of effluent from the Rocky Branch waste treatment plant. Barber Creek frequently floods. Any increase in water at flood stage will adversely affect the property of citizens downstream from the plant and increase the possibility of loss of life and injury.

The failure to properly identify the receiving waters in the Draft Permit also raises significant issues as to whether the Waste Load Allocation was conducted for the appropriate water body. Please confirm that the Waste Load Allocation was conducted based on the actual receiving water, the unnamed tributary to Barber Creek.

Again, I thank you very much for your willingness to meet with citizens of Oconee County this evening and ask that you withdraw the draft permit under consideration tonight.

These comments are submitted on behalf of Friends of Barber Creek and also on behalf of the following individuals:

Lee B. Becker, President

Shanler Cronk, Vice President

Karen Kimbaris, Secretary/Treasurer

Tim Price, Board Member