GULF RESTORATION NETWORK
healthygulf.org

UNITED FOR A HEALTHY GULF

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August 19, 2015

Public Participation Group
Louisiana Dept. of Environmental Quality
PO Box 4313
Baton Rouge, LA 70821-4313
DEQ.PUBLICNOTICES@LA.GOV

RE: Draft Water Discharge Permit
Harveston Wastewater District, LLC / Harveston Wastewater Treatment Facility
AI 187293
Permit Number LA0126845
Activity Number PER20130001

Dear Public Participation Group:

The Gulf Restoration Network (GRN) respectfully submits the following comments on the Draft Water Harveston Wastewater District, LLC / Harveston Wastewater Treatment Facility, Permit Number LA0126845 (Draft Permit). GRN reserves the right to rely on all public comments submitted, request a written response to our comments, and request written notification when any action is taken on this Draft Permit (issuance, denial, remand, etc.).

1. **New discharge of BOD, nitrogen, and phosphorus should not be permitted in a waterbody impaired for Biochemical Oxygen-Demanding substances**
   a. **Weakened limits should not be permitted.**
   Page 4 of the Statement of Basis (SOB) states that Subsegment040201, Bayou Manchac – headwaters to Amite River is impaired for Chlorides, Sulfates, and Totals Dissolved Solids; Biochemical Oxygen-Demanding Substances, and Fecal Coliform. The SOB goes on to state that Since this is wetland assimilation, they do not have to abide by the TMDL. The rationale is that the wetland assimilation "should" assimilate the pollutants. This is does not constitute reasonable assurance that the discharger will not cause or contribute to the existing impairment.

   b. **No evidence the limits of 5mg/l BOD5 / 2mg/l NH3-N / 5 mg/l DO will be reached at end of assimilation area.**
   Also according to the SOB, they claim that new dischargers should normally subject to the above limits. In order to permit this, LDEQ or the applicant must demonstrate that these limits will be reached at least at the end of the assimilation area.

c. **According to the LPDES application, much more stringent limits can be reached.**
   According to p. 15 of the NSI "Process Flow Report" attached to the LPDES application, the proposed waste water treatment system (we assume this is before wetland assimilation) can achieve the following water quality:

Design wastewater flow:	500,000 gallons per day	
Effluent water quality:	Effluent Class: Tertiary Disinfected	
	BOD:	*<10* mg/l
	TSS:	*<10* mg/l
	Total Nitrogen:	*<23* mg/l
	Fecal Coliforms:	*<22 CFU/ml*

   According to this report, the 5mg/l BOD5 / 2mg/l NH3-N / 5 mg/l DO limits should be achievable for this plant. Further they should still be required in case through adaptive management, it is found that the assimilation does not work or is not as efficient as anticipated. That way this discharger may be able to continue to discharge into local waterbodies without significantly contributing to existing and potential water quality problems.

2. Downstream impacts not analyzed

The SOB states that the wetlands "should assimilate the pollutants prior to reaching the receiving waterbody." There are two problems with this statement:

a. the wetlands *are* the receiving water and not part of the formal treatment process, therefore the "end of the pipe" is the discharge into the wetlands. That is where limits must be met.
b. There is no analysis on the impact of the secondary and tertiary receiving waterbodies (Selene Bayou and Bayou Fountain). Therefore this statement is not based in any data.

3. Management plan must be included

It seems that an important aspect of this system is that there will be 3 different discharge "cells" into the assimilation area. One could interpret that this is so discharge can be rotated among the 3 cells to better mimic natural conditions. However there is not any discussion of how this rotation might happen. "Adaptive management" is not enough. A thorough discussion of any management must be included.

4. Receiving area may not be appropriate for wetland assimilation

a. **Receiving wetlands are bottom land hardwood, not swamp**
   According to the SOB, the monitoring of these wetlands is based on "The Use of Louisiana Swamp Forests for Application of Treated Municipal Wastewater: Standard Operating Procedures for Monitoring the

Effects of Effluent Discharge." However, the receiving wetlands are classified as bottomland hardwood (according to LPDES application, p. 9 of 26). Therefore, we question the appropriateness of using guidelines established for "swamps" for this different type of wetland.

b. **Water levels will be permanently altered.**
According to the Application, the receiving wetlands are "typically flooded only during winter and major storm events." However a sewage plant will be running pretty much constantly. This will result in areas that are permanently flooded, which could drastically change the ecology of the area, as was seen at the Hammond sewage assimilation site. This must be analyzed before any permit is given.

5. **Monitoring below-ground root growth should be regularly monitored.**

Some have argued that discharging wastewater effluent into wetlands can discourage below-ground growth due to the fact that the plants don't have to dig as deep to get their nutrients. This could weaken the wetland plants. We request that the monitoring protocol include below-ground growth to be used as a metric to determine success.

6. **Primary contact may be occurring in this area.**

The application states that "there is no primary contact anticipated," but it is stated that it is leased to hunters annually. Hunters very well might wade in these areas when flooded with rain water or effluent. This is considered primary contact.

7. **Number of reference sampling plots conflicts with LDEQ requirements.**
Section IV.G of submitted "LPDES Permit Application to Discharge Treated Sanitary Wastewater into a Natural Wetland for Wetland Assimilation" says you need "Three main sampling plots in a control/reference area," however there only seems to be one. This is not an adequate control to assess the success of this project.

Due to the many concerns outlined above and by others, we request that LDEQ not grant this permit as written. We look forward to your response.

For a healthy Gulf,

Matt Rota
Senior Policy Director