



WEST VIRGINIA RIVERS

May 11, 2017

Division of Water and Waste Management
ATTN: Lori Devereux, Permitting Section
57th Street SE
Charleston, WV 25304-2345

Re: Permit WV0117579 Antero Landfill NPDES

Mr. Mandirola,

WV Rivers Coalition, on behalf of our members and the organizations signed below, respectfully submit the following comments on the Antero Landfill NPDES permit for your consideration.

The Permit Lacks Enforceable Discharge Limits. While we support the permit requirements for monitoring for over 40 different pollutants, the permit does not impose discharge limitations on any pollutants. Without pollutant limits in the discharge water, there is no legal enforceable limit that requires pollutants remain under safe levels. The permit includes benchmarks for the pollutants, but it is unclear whether the benchmarks are enforceable. There is no sensible rationale as to why WVDEP is not requiring pollutant discharge limitations. Additionally, benchmark values are only provided for 33 contaminants, whereas monitoring will occur at the outlets for 42 parameters. The permit includes reporting requirements to immediately report discharges that exceeds effluent limitations. However, since there are no effluent limitations, it is unclear whether immediate reporting of accidental discharges would still be required. We request that WVDEP impose stringent limits on pollutants in the discharge water for all the pollutants that require monitoring.

The benchmark values violate water quality standards. There are no consequences identified in the permit if monitoring results exceed the benchmark values. Additionally, some of the benchmark values are set so high that if those benchmarks are reached, it would exceed the State's water quality standards. For example, the benchmark value for Chloride is 860 mg/L which is the state's maximum allowable concentration for acute exposure to meet the aquatic life designated use. Furthermore, the Category A, human health criteria, standard is only 250 mg/L of Chloride. So if the discharge contains 860 mg/L of Chloride it will result in a violation of the state's water quality standard and cause harm to human and aquatic life. We request that WVDEP set the benchmark values below water quality standards to protect the water's designated use.

The permit places no limits on discharges in a Source Water Protection Area. There are 13 outlets that will discharge into Cabin Run a tributary of the Hughes River, and an unnamed tributary of Dotson Run another tributary of the Hughes River. The Hughes River provides the source water for the Hughes River Water Board. There are no requirements in the permit that limit pollutants discharged within the source water protection area. We request that WVDEP impose strict pollutant limits to protect Category A water quality standards for the Hughes River, a drinking water source for over two

thousand people in Harrisville, Pennsboro, Ellenboro, and Cairo.

Bromides should be included in the effluent monitoring of the Outlets. Bromide is included in the monitoring requirements for the monitoring wells; however, bromide is not included as a parameter to monitor in any of the stormwater discharge outlets. A spike in bromides in rivers and creeks could put public water suppliers into violation of federal safe drinking water standards because bromide facilitates formation of brominated trihalomethanes, also known as THMs, when it is exposed to disinfectant processes in water treatment plants. We request that WVDEP include bromide in the discharge monitoring requirements for all 13 outlets.

The Permit allows future modifications to monitoring requirements. The permit allows for future modifications that would decrease the pollutants required to be monitored. For permit reissuances, number 25 of Section C- Other Requirements allows modifications to the monitoring requirements if there are 4 consecutive monitoring events that are lower than the benchmark values. With quarterly monitoring events, the applicant could discontinue monitoring after one year of good results. We feel this is insufficient and will not adequately protect the water quality of the receiving streams. Without regular monitoring, a pollution event would go undetected. Monitoring should be required for the life of the facility and not discontinued in the reissuance of the permit if the facility can maintain one year of analytical values below the benchmarks set in the permit. For permit reissuances, we request that WVDEP adhere to the monitoring requirements for pollutant parameters identified in the original permit.

The Radioactivity detection system is not adequate. The radiation detection system proposed for the landfill detects gamma radiation; however, Radium 226 and 228 have very little gamma radiation meaning it will take a lot of it to trigger an alarm in the radiation detection system. Therefore, the radiation detection system will not be very effective. We request that WVDEP require monitoring of activity levels (pCi/g) for specific radioactive isotopes of Radium 226 and Radium 228 not only at the outlets and monitoring wells, but also in the incoming waste.

Accepting other wastes requires a Commercial Landfill Permit. The permit states that this landfill is classified as a Class F Private Industrial facility and Antero will only be disposing of waste generated and produced at their company's wells. If at any point in time, Antero begins accepting waste from other companies at their private facility, the permit should be revoked. If additional sources of waste are to be accepted, we request that WVDEP revoke the Class F permit, re-evaluate the waste stream, and require the applicant to obtain a commercial landfill permit.

The Application is incomplete. Upon reviewing the NPDES permit application, WV0117579, on WVDEP Electronic Submission System website, we noticed that Section XVII is missing from the application. Section XVIII states, "Provide a list of any toxic pollutant not otherwise listed in Item XVII-C..."; however there is no section XVII or XVII-C. We request that WVDEP provide this information for the public to review with an extension of the comment period.

A Public Hearing in Ritchie County is needed. We request that WVDEP host a public hearing in Ritchie County where the public water supply could be impacted from Antero's proposed facility.

Thank you for your consideration of these comments.

Sincerely,

Angie Rosser & Autumn Crowe
WV Rivers Coalition

Jim Shreves
Friends of the Hughes River Watershed Association, Inc.

Justin Raines
Glenville Environmental Organization

Julie Archer
WV Surface Owners' Rights Organization

Gary Zuckett
WV Citizen Action Group

Allen Johnson
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Beth Little
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Cindy Ellis & Cindy Rank
WV Highlands Conservancy

Natalie Thompson
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Doddridge County Watershed Association