Environmental Protection Agency

Division of Surface Water
Response to Comments

Facility: Licking Regional Water District Raccoon Creek WWTC
Permit #: 4PQ00007*AD **November 5, 2025**

Agency Contacts for this Project

Division Contact: David Brumbaugh, 614-644-2138, david.brumbaugh@epa.ohio.gov

Ohio EPA held a public comment period from May 6 to July 2, 2025 regarding an NPDES permit application and associated antidegradation addendum for Raccoon Creek WWTC (4PQ00007*AD). This document summarizes the comments and questions received during the associated comment period and hearing. Ohio EPA reviewed and considered all comments received during the public comment period. In an effort to help you review this document, the questions are grouped by topic and organized in a consistent

Comment 1: **Impact to Surrounding Area**

- I disagree with the location of this project. We cannot have large, waste-carrying trucks running all day long through our neighborhood, and Wesleyan Church Road and Outville Road. This creates serious issues for all residents and the infrastructure around us.

- Appendix A of the proposal states: "It is important to note that with this proposed approach, it will be necessary to haul decanted, digested sludge in liquid form from the Raccoon WWTC to the Gale Road ECF for processing and disposal until the Dewatering Facilities are completed in Phase 1B." … 267 tanker trucks delivering digested sludge over the course of 8 hours, would mean 1 truck every 2 minutes will be travelling 2 lane highways not designed for that load.

- Most of us [here] are going to be affected by this proposed wastewater treatment plant, but it won't actually be serving us. I am going to strongly push with this comment that they really consider the outlying communities and those of us that will be affected by it, that won't be served by it.

Response 1: Ohio EPA does not have legal authority to regulate zoning, which determines land use. This authority lies with local governments and not the State of Ohio.

Comment 2: **Additional Expansion - LRWD's application lists an initial discharge of 3 million gallons per day (MGD). However, their own documents refer to future expansion to 6 MGD and ultimately 10 MGD. Approving this permit now opens the door to more than tripling the discharge volume later. And**

any future increases in discharge volume must trigger a new application, new public review, and new hearing-with no automatic approvals.

Response 2: The current application requests authorization to discharge up to 3 MGD. Any future application requesting to increase pollutant loading to the receiving stream - such as expansion to 6 or 10 MGD - would trigger another antidegradation review and associated public notice period.

Comment 3: **Impact During Low Flow**

- Moots Run is a seasonal run which is dry or low flow for a significant portion of the summer and fall. 3 MGD will increase erosion and transport sediment. It will alter the flow dynamics of the run thus leading to both habitat and water quality degradation.

- In dry months, Moots Run often dries up completely. During those times, discharge water would stagnate, encouraging algae and oxygen-depleting bacteria.

- During "low flow" conditions…there will be no assimilative mixing. An average discharge rate of 3 mgd will scour the stream bed and create significant erosion, thereby decimating the natural habitat of Moots Run (and perhaps portions of Raccoon Creek), destroying the macroinvertebrates and fish habitat.

Response 3: The application is for a continuous discharge, which Ohio EPA anticipates would maintain flow through the stream and prevent stagnation. Ohio EPA's NPDES effluent quality evaluations, formally known as reasonable potential analyses, are required to assess the impact of the discharge to the stream under critical low flow conditions. As noted in comments, critical low flow conditions in Moots Run mean very little flow, which offers almost no dilution in the receiving stream. As a result, any water-quality based effluent limits applied in a permit would be such that the applicant would basically have to meet water quality standards at the outfall location. Additionally, the application proposes that the technology to be installed includes nutrient removal technologies intended to mitigate excess primary production in the stream. The proposed design flow rate of 3 MGD (5.5 cfs) is comparable to the median flow rate observed in Moot's Run (4.85 cfs) and is not expected to scour the stream bed during dry weather flow.

Comment 4: **Impact During High Flow**

- Both public parks in Granville, Wildwood Park and Raccoon Park, are nearby to Raccoon Creek which has flooded on nearly a yearly basis. Likewise, floods from Raccoon Creek in recent years and caused extensive damage to local residents. Erosion is a big problem. Raccoon Creek already eaten away at its banks regularly, threatening the TJ Evans bike path. As a frequent bike path user, I have witnessed 6 or 7 wash outs of the banks along the bike path over the past few years, which have caused portions of the bike path to be closed until repairs are complete.

- Moots Run and Raccoon Creek typically and periodically flood in the spring, including flooding near the point where Moots Run flows into Raccoon Creek. Adding 3 MGD, particularly at the confluence of Moots and Raccoon, will only add to what is already a serious environmental concern with known impact on public safety.

- Concerns about increased flooding and stream impacts have been repeatedly raised. However, the independent study commissioned by the South Licking Watershed Conservancy District concluded that the projected discharge from the facility would constitute less than one percent of the total flow during a 100-year flood event on Moots Run.

Response 4: Local and County governments are typically responsible for floodplain management. We note that the South Licking Watershed Conservation District has engaged many of the local governments in support of their flood evaluation efforts, which are documented in the *Raccoon Creek Flood Damage Reduction Study* report provided during the comment period and we encourage continued collaboration.

Comment 5: **<u>Industrial Contributions</u>**

- The high volume of water intended for industrial use raises serious questions about what will be in the water that comes from these facilities. Historically, chip production involves PFAs and other dangerous chemicals. Former chip producing sites are now part of Superfund clean up sites. Special precautions need to be taken to both protect our steams and creeks, and also to protect our underground water reserves upon which thousands of current Licking County residents rely.

- The community has a sincere concern about industrial waste. Language in the antidegradation report, then and now, which indicates that 2591 of the 2980 acres designated as the 161 corridor will be industrial. While

LRWD's acknowledgement of EPA requirements for pretreatment processes is consoling, given the fact that the size and placement of this plant is likely to engender industrial interest, the lack of thoughtful planning for this likely outcome is again, worrisome.

Response 5: The State of Ohio has water quality criteria for a broad spectrum of pollutants to protect human health, aquatic life, and recreation in Ohio's waters. Through an NPDES permit, the proposed discharger would be obligated to operate and maintain their treatment systems such that effluent water quality is protective of all water quality criteria. If this discharge were to be authorized by Ohio EPA, the size of the proposed facility indicates that it would be designated as a major discharger and would therefore be obligated to monitor their effluent for 101 "priority pollutants". Moreover, as this area is expected to attract industrial users, Ohio EPA would work with the applicant to develop a pretreatment program when needed to regulate the industrial users and focus on the particular pollutants contributed by those industries.

Comment 6: **<u>Unique Habitat</u>**

- According to the ODNR, this area is home to several at risk species including: the Tiger Spiketail, a dragonfly identified as a species of concern; the Green-faced Clubtail, also a dragonfly identified as threatened, the Slippershell Mussel, a mollusk identified as threatened, and the Eastern Massasauga, which is endangered but also is one of the largest salamanders in natural water. It almost goes without saying that the EPA has a responsibility to respect the threat to the habitats of these species. Based on potential and unevaluated impact on species that are endangered, threatened, and at risk, the application should be denied.

- Raccoon Creek was named an Ohio scenic river by Governor DeWine just about six or eight months ago, due to its abundant plant and wildlife.

Response 6: Through an NPDES permit, the discharge would be required to comply with water quality standards for a wide variety of pollutants, which are scientifically-based values intended to protect aquatic life in Ohio's waters. These standards are derived from studies that evaluated the impact of individual pollutants on a variety of fish and macroinvertebrate species. Any effluent limits applied in a permit would be protective of these water quality standards in critical low flow conditions, when the receiving stream is effluent-dominated.

Ohio EPA is currently engaged in a rulemaking to incorporate new water quality criteria for ammonia that are protective of mussels. When these criteria rules are finalized, NPDES permit effluent limits will be updated to be protective of the new standards. The rule has recently been through Early Stakeholder Outreach; there will be more opportunities for public participation in the process, so we encourage any interested parties to follow this rulemaking effort.

The Eastern Massasauga is a rattlesnake and not considered to be an aquatic species. The Raccoon Creek recently designated as a scenic river is located in Vinton, Meigs, and Gallia counties.

Comment 7: **<u>Potential for Aquifer Contamination</u> - The Villages of Granville and Alexandria obtain their drinking water from an aquifer recharged by Raccoon Creek. The ODNR has designated the aquifer, at least in part due to its sensitive geology, as having the highest potential (on the DRASTIC scale) for contamination. Adding treated sewage water can only exacerbate a sensitive environmental concern that directly impacts public health.**

Response 7: In response to public comments, the permittee evaluated the potential for contamination of the aquifer from Raccoon Creek, discussion of which is in Section 2.1.6 of the applicant's antidegradation report. The discharge site is outside the management zone of the well field, though additional studies are also being completed in the area. Pending additional information, Ohio EPA could consider, for future versions of the permit, inclusion of effluent limits to be protective of a downstream public water supply (PWS). Nitrate is a common public water supply pollutant of concern; the application proposes to install nitrogen treatment that would be protective of nitrate PWS criteria.

Comment 8: **<u>Ohio EPA Watershed Assessment</u> - A lot has happened in the watershed since the last *[watershed survey]* in 2008, and current baseline assessments are therefore indicated prior to any major change to waste water service. We know that a Total Maximum Daily Load study is scheduled for this watershed in 2029 but given the number of permits already being requested, it seems prudent to accelerate that study to inform the decision making before permits are granted so that a uniform standard is applied to all.**

Response 8: Ohio EPA recently conducted a survey of the Licking River watershed in the summer of 2025. Evaluation of the survey data is ongoing. The study results will be published in a biological and water quality report, however this

process is not anticipated to be completed for some time. If impairments are identified by the survey data, a TMDL may be developed. However, TMDL development is a long process and a potential TMDL would not be ready in 2029.

Ohio EPA's antidegradation rules require that any authorized increase in pollutant loading must not result in loss of use. Based on historically-elevated nutrient levels and past enrichment-caused impairments in the watershed, Ohio EPA conducted an assessment of the impact that nutrient loading from the new facility would have on the receiving streams. Ohio EPA advised the applicant that stringent effluent limits for total phosphorus and dissolved inorganic nitrogen would be necessary to reduce the amount of additional nutrient load to protect against enrichment-caused impairment. The applicant incorporated this need in their design and proposed the recommended effluent limits in the application.

Comment 9: **<u>Benefits Gained vs. Lost</u> - LRWD interprets this growth as a benefit because it assumes industry will bring jobs to the area. Yet, there is no guarantee that the jobs brought by the incoming industries will be long term or even accessible to the local population. LRWD has limited its description of negative impacts to increased sewer rates (which would be a new expense for many in the region) and decreased farmland (which is the livelihood of many in the community). It has largely ignored the negative impacts that directly result from increased industry and housing such as pollution, congestion, increased taxes to support increased infrastructure needs, etc.**

Response 9: Significant development in the service area of the proposed facility is expected in the coming years. Given the current rural nature of the area, significant investment in all infrastructure, including wastewater collection and treatment, will be necessary. Based on a review of the economic, social, and environmental benefits and negative impacts of the project, the Director made the determination that proceeding with the permit drafting process to authorize the discharge is appropriate.

Comment 10: **<u>Project Financing</u>**

- The proposed facility, as already noted calls for a significant investment (over $88 million with an additional $100 million for the additional phases. Based on exorbitant spending (over $200 million) and a not yet demonstrated need, the permit should be denied.

- The application suggests that the initial development surge will be in Jersey Township. To service Jersey Township from this location, the District will need to install nearly seven miles of force mains and sewers connected by multiple pump stations to start providing service. According to the District's master plan, this will add $112M in startup collection system costs to the WWTP cost before the plant can service a single customer. Inasmuch as LRWD has yet to provide detail plans for the Raccoon Creek WWTC, there is legitimate reason to fear that LRWD's projected cost of $200,000,000 is not realistic. Even at a price of $200,000,000, there is ample cause for concern about LRWD's ability to pay its debt. A key component missing is a full evaluation of exactly how it will obtain the necessary funds to ensure that the debt payments for all existing and upcoming projects can be made.

Response 10: There is a recognition of the need for wastewater infrastructure in this part of the watershed to address anticipated growth. While there can be differing strategies to address this need, the Director has considered the application and antidegradation factors relative to social and economic impacts of the project, and has determined to move the draft permit forward at this time for additional public involvement opportunities.

Comment 11: **Water Reuse as an Alternative - LRWD could reduce environmental impact by exploring purple pipe systems that allow wastewater reuse for non-potable purposes in commercial or industrial applications.**

Response 11: Water reuse is an emerging strategy in Ohio and Ohio EPA encourages consideration and application of this approach in appropriate situations. Where and how reuse can be advantageous is very case-specific and, at the moment, limited opportunities for reuse exist in the area.

Comment 12: **Lack of Cooperation - Little collaboration has occurred between the applicant and some local governments. Maybe a different path would be found through collaboration.**

Response 12: Ohio EPA encourages collaboration and wants local solutions that represent all affected stakeholders. However, there are no regulations that require such collaboration. The application is consistent with the State's Water Quality Management Plan (i.e. 208 Plan), which designates the applicant as the wastewater service provider in this area.

Comment 13: **Water Withdrawal - LRWD intends to build a water treatment facility on this site and will withdraw water from Raccoon Creek. This variable**

creates serious complexities in overall lowering of water quality in Raccoon Creek. Granville and Alexandria both have existing NPDES permits and withdrawing water from this stream network will lower the regions' ability to assimilate future flows and will limit growth opportunities.

Response 13: Ohio EPA has not received an application for such a withdrawal, therefore this impact to the receiving stream was not factored into the evaluation.

Comment 14: **<u>Water Quality Sampling</u> - LRWD has failed to conduct any recent sampling of the water quality and biota in the receiving streams, or to assess what uses—e.g., fishing, wading, swimming—are currently made of them. The most recent data and study referenced was conducted over 17 years ago in 2008. Therefore, it is impossible to determine, much less quantify, the nature and magnitude of the adverse impacts the proposed facility will have.**

Response 14: Given that the receiving streams were determined to be in full attainment of the designated uses by the last evaluation, no water quality reasons precluded submission of the application. Upon receipt of the revised application, the Director made the determination to proceed with drafting a permit based on the information available. Please also see Response #8.

Comment 15: **<u>Mitigative Alternative</u> - LRWD's response does not indicate what measures will be taken to ameliorate the damage that the Raccoon Creek WWTC will cause, only that some unspecified project(s) may be taken some time in the future at an undetermined location.**

Response 15: Ohio EPA understands that this action is responsive to public comments and project planning takes time. We will continue to track the details of the mitigative alternative and have incorporated a permit condition requiring the applicant to submit an annual progress report.

Comment 16: **<u>Regionalization</u> - Each alternative to divert service area flow was assessed in a vacuum, disregarding a feasible combination of routing the projected flow to two or more of the existing plants. And LWRD's accounting of the costs of utilizing nearby municipal WWTPs fails to acknowledge the ancillary costs associated with the proposed Raccoon Creek WWTC. The distances, costs, and complexity of installing sewers and related infrastructure for the two options are roughly comparable. If LRWD was genuinely interested in assessing other alternatives, it would have contacted other potential providers. However, it did not contact**

either Johnstown or Granville, which are feasible and far less expensive alternatives.

Response 16: While there are scenarios in which existing municipally owned plants could be employed to serve portions of anticipated growth in this area, a plan to address growth in this fashion has not materialized. As such, the current 208 Plan assigns management authority to LRWD, therefore the application is consistent with the 208 Plan.

End of Response to Comments

Sincerely,

Walter Ariss, P.E.
NPDES Permit and 208 Program Manager
Division of Surface Water
Central Office

WA/DB