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www.ogeecheeriverkeeper.org
Working Together to Protect the Ogeechee, Canoochee and Coastal Rivers

July 18, 2025

Via E-Mail

Georgia Environmental Protection Division
Watershed Protection Branch
2 MLK Jr. Dr., 1470A East Tower,
Atlanta, Georgia 30334
EPDcomments@dnr.ga.gov

Re: Pretreatment Permit No.: GAP050374 for HL-GA Battery Company LLC

To whom it may concern:

Ogeechee Riverkeeper 501(c)(3) (ORK) works to protect, preserve, and improve the water quality of the Ogeechee River basin, which includes the Canoochee River, tributary streams, and all of the streams flowing out to Ossabaw Sound and St. Catherine's Sound. The Ogeechee River system drains more than 5,500 square miles across 20 counties in Georgia. ORK works with local communities to retain the ecological and cultural integrity of rivers, streams, wetlands, and related habitats throughout the Basin. One of ORK's primary roles is as watchdog on permits throughout the watershed that could pose a significant threat to its water quality and aquatic environments.

ORK's comments on the pretreatment permit issuance for the HL-GA facility address three concerns. First, the initial monitoring period should be extended and tied to facility operations rather than an arbitrary time deadline. Second, some clarification is needed to explain the selection of different pollution parameter limitations between this HL-GA facility permit and the Hyundai Motor Group Metaplant America facility permit (No.: GAP050365). Third, PFAS monitoring is desperately needed at this industrial facility, as well as every other industrial facility in the state. These minor adjustments and additions will improve this pretreatment permit, ensure that pollutants are more successfully controlled, and ensure that our shared waters are protected for current and future generations of Georgians.

As the initial pretreatment permit is the first in a likely long series of permits at this significant and important industrial site, it is crucial that EPD takes all steps necessary to fully ensure that the Ogeechee River, the eventual receiving water for this industrial wastewater, will not be degraded. The permit terms should be guided by significant caution, gather all relevant information to fully describe the operations of this facility, and only consider relaxed monitoring frequency and discharge limitations requirements after consistent compliance is demonstrated. ORK strongly urges EPD to approach this facility and this initial pretreatment permit carefully.

1. Increased monitoring requirements tied to facility operations

In this initial pretreatment permit, it is vital that EPD is cautious in its approach. As a new facility, EPD has no history of effluent makeup or pollution issues at the site to guide its oversight. As such, close and careful monitoring and oversight is necessary. This is especially important as the applicant's reporting of Characterization of Effluent Discharge is not fully provided and is only speculative. Additionally, much of the technical specifications throughout the Bryan County Megasite have not been shared, and potentially novel or innovative battery manufacturing techniques could cause unexpected discharge results. This leaves significant questions about the actual effluent makeup and whether the North Bryan Water Reclamation Facility (NBWRF) will be able to successfully and sufficiently treat the wastewater before discharge. As such, ORK asks that the arbitrary one-month conclusions on the initial monitoring period instead be replaced with an operations-related finish date.

The one-month period of increased monitoring in Part I Section A.1.a is too short for EPD to sufficiently monitor a new and unestablished source of effluent. While ORK agrees that an initial period of increased monitoring and reporting frequency is absolutely necessary, the one-month limitation does not appear to be based on any scientific justification or other established timeline and will not allow for sufficient information gathering. Worse, the one-month period starts at the effective date of the permit. It is entirely possible that the HL-GA facility does not operate at all during this one-month period, effectively voiding this period of increased monitoring and providing EPD with no information to help guide its oversight. Further, the permitted discharge location - the NBWRF - is not yet completed and operational. Even if HL-GA does start operating at production levels, which it is not expected to do until "early 2026,"¹ in the first month following the permit's effective date, it will not be able to discharge to the NBWRF, given the receiving facility has yet to begin its own operations. As such, the one-month initial monitoring period could easily become entirely pointless and fail to achieve its goals of information gathering and demonstrating initial compliance.

ORK suggests that the initial monitoring period described in Part I Section A.1.a be directly tied to the facility's actual operations. To gather the most relevant information and demonstrate compliance, this period of increased monitoring should take into account 'fully operational' conditions and discharge to the NBWRF. A truly reflective effluent characterization profile can only be gathered once the facility is fully operating. Starting from 'fully operational' conditions, the permittee should be required to monitor and report the effluent under Part I Section A.1.a requirements until it can demonstrate one month of continuous and consecutive compliance with all of the discharge limitations.

Proposed language changes for:

Part I Section A.1.a: Upon the effective date of the permit and continuing until confirmation of one month of consecutive compliance with discharge limitations following full operational conditions at the facility, the permittee is authorized to discharge...

¹ HL-GA Battery Company. "About" page. <https://hlgabattery.com/about/>

Part I Section A.1.b: Effective following confirmation of one month of consecutive compliance with discharge limitations following full operational conditions at the facility and continuing until the expiration date of the permit, the permittee is authorized to discharge...

Waiting for full operations and requiring demonstration of compliance will ensure that any unexpected or unforeseen issues with operating a new facility will be frequently and closely monitored, allowing for quicker responses and less pollution ultimately entering the aquatic environment. ORK urges EPD to add these suggested changes or implement similar changes that will achieve the same goals before issuing this permit.

2. Clarification on EPD's selection of pollution parameter limitations

Ogeechee Riverkeeper requests EPD's clarification about its choice and designation of discharge limitation included in this draft permit. First, ORK requests an explanation as to why mass-based concentrations are not included in Part I Section A.1.a. or A.1.b. Unlike the HMGMA draft permit (No.: GAP050365), EPD does not include these concentration parameters. Second, ORK requests an explanation as to why HL-GA appears to be required to monitor for more pollutants that HMGMA is required to monitor (compare the list of pollutants in each permits' Part I Section A.1.a as well as HMGMA Part I Section A.2.a). Third and finally, ORK requests an explanation as to why pH is not required to be monitored in Part I Section A.1.a. or A.1.b

3. Need for PFAS monitoring and reporting

PFAS parameters should be added to the monitoring requirements for this facility. PFAS present a long-term pollution and human health concern. Determining the presence of this pollution in wastewater not only helps to prevent its introduction into the aquatic environment through treatment, prevention, and mitigation measures, but it also helps to pinpoint potential sources of PFAS in need of remediation. This is especially important for this new source of industrial wastewater. To gather this information, a PFAS monitoring parameter should be added to multiple permit terms. Quarterly monitoring of a broad selection of PFAS will allow the operators and EPD to respond quickly to the discovery of PFAS in the wastewater. To achieve this, **ORK suggests adding PFAS to the following permit terms:**

- **Part 1 Section A.1.a** - (Permit Page 2 of 24)
 - Effluent Characteristic = Per- and polyfluoroalkyl substances (PFAS) (parts per trillion, or nanograms)
 - Discharge Limitation = [TBD]
 - Measurement Frequency = One Day/Quarter
 - Sample Type = Grab
 - Sample Location = Final Effluent
- **Part 1 Section A.1.b** - (Permit Page 5 of 24)
 - Effluent Characteristic = Per- and polyfluoroalkyl substances (PFAS) (parts per trillion, or nanograms)
 - Discharge Limitation = [TBD]
 - Measurement Frequency = One Day/Quarter
 - Sample Type = Grab

- Sample Location = Final Effluent

Thank you in advance for your time and consideration; please let me know if you have any questions:
ben@ogeecheeriverkeeper.org.

Ben Kirsch, Legal Director
Ogeechee Riverkeeper