February 3, 2025

Mr. Matthew Collins, Construction Manager

Serenbe Town Association

9110 Selborne Lane, Suite 210

Chattahoochee Hills, Georgia 30268

RE: **Notice of Violation**

Serenbe Water Pollution Control Plant

LAS Permit No. GAJ030725

Chattahoochee Hills, GA; Fulton County

Dear Mr. Collins:

This letter serves as a Notice of Violation (NOV) to the Serenbe Town Association for violations of Section 391-3-6 of the Georgia Rules and Regulations for Water Quality Control (Rules), Title 12, Chapter 5 of the Georgia Water Quality Control Act (Act), and Land Application System (LAS) Permit No. GAJ030725 (Permit).

Part I.B.3.a of the Permit states that, “groundwater leaving the land application system boundaries (as defined in this permit as the spray field) must not exceed the primary maximum contaminant levels for drinking water. The maximum contaminant level (MCL) for nitrate-nitrogen is 10 mg/L, as amended in the Safe Drinking Water Rules and Regulations”.

A review of EPD files indicates that from December 2022 through December 2024, the Serenbe Town Association has reported eight (22) permit violations of the drinking water MCL for nitrate-nitrogen in downgradient groundwater well D1, as indicated in Attachment A.

Within 90 days of the date of this letter, the following activities must be completed and appropriate documentation submitted to EPD for review:

1. Submit a Corrective Action Plan (CAP), signed by a Georgia-certified Professional Engineer or Geologist (PE/PG), that addresses the elevated nitrate-nitrogen levels in groundwater. The CAP must include, but not be limited to, the following:
2. Vertical and horizontal delineation of the extent of groundwater contamination so that a potentiometric surface map can be developed or updated to determine groundwater flow direction and whether contamination has left the LAS facility’s property boundary.
3. Demonstration that facility operations and associated nitrogen balance calculations are consistent with EPD Guidance and valid for current conditions at the facility.
4. Additional actions planned to completely resolve the nitrate violations and associated timelines for implementation, if applicable.
5. Actions planned to ensure that the nitrate violations do not recur.
6. Please provide a map to verify the locations of any nearby drinking water wells located within a half-mile radius of the wells showing elevated nitrate-nitrogen levels. The map should include the locations of the two (2) private on-site water wells owned by the HCWA as shown in the original Design Development Report (DDR) for the LAS. If the two private wells have been abandoned, please provide documentation of those activities, including the date they were completed.

3. Please provide any monitoring data collected since operation of the LAS began, including depth to groundwater, nitrate-nitrogen, specific conductivity, pH, and fecal coliform bacteria, for the drinking water wells identified in #2.

4. Conduct monitoring for ammonia in the discharge from the treatment facility to the storage pond three days per week for three (3) consecutive months and provide the sample monitoring data with monthly DMR submissions.

5. Conduct an investigation of the spray fields to confirm whether any monitoring wells have been compromised or fields improperly managed and provide a summary of the findings.

The proposed schedules in the CAP shall not exceed (12) months from the Division’s concurrence with the CAP. EPD will review this and any other information the city wishes to provide to determine if further enforcement action, including monetary penalty, is warranted.

Please be aware, additional enforcement actions will follow to address additional exceedances noted at the facility. Thank you for your attention to this matter. If you have any questions, please contact Fernanda Martinez at (770) 797-8375 or via email at fernanda.martinez@dnr.ga.gov.

Sincerely,



Program Manager

Mountain District- Atlanta office

cc: EPD Mountain District - Atlanta Office

Matthew Collins (mattcollins@serenbe.com)

Attachment A

December 2018 - December 2024

Serenbe Town Association LAS Downgradient Well Nitrate-Nitrogen Concentration >= MCL

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| No. | Date | Well I.D. | Violation | Permit Limit | Reported Value |
| 1 | December 2018 | D1 | Nitrate-Nitrogen | 10 mg/L | 10.5 mg/L |
| 2 | March 2019 | D1 | Nitrate-Nitrogen | 10 mg/L | 10.9 mg/L |
| 3 | June 2019 | D1 | Nitrate-Nitrogen | 10 mg/L | 13.1 mg/L |
| 4 | September 2019 | D1 | Nitrate-Nitrogen | 10 mg/L | 12.1 mg/L |
| 5 | December 2019 | D1 | Nitrate-Nitrogen | 10 mg/L | 10.7 mg/L |
| 6 | December 2020 | D1 | Nitrate-Nitrogen | 10 mg/L | 10.5 mg/L |
| 7 | March 2021 | D1 | Nitrate-Nitrogen | 10 mg/L | 17.2 mg/L |
| 8 | June 2021 | D1 | Nitrate-Nitrogen | 10 mg/L | 16.6 mg/L |
| 9 | September 2021 | D1 | Nitrate-Nitrogen | 10 mg/L | 13.7 mg/L |
| 10 | December 2021 | D1 | Nitrate-Nitrogen | 10 mg/L | 16.4 mg/L |
| 11 | March 2022 | D1 | Nitrate-Nitrogen | 10 mg/L | 15.9 mg/L |
| 12 | June 2022 | D1 | Nitrate-Nitrogen | 10 mg/L | 17.4 mg/L |
| 13 | September 2022 | D1 | Nitrate-Nitrogen | 10 mg/L | 14.2 mg/L |
| 14 | December 2022 | D1 | Nitrate-Nitrogen | 10 mg/L | 15.2 mg/L |
| 15 | March 2023 | D1 | Nitrate-Nitrogen | 10 mg/L | 14 mg/L |
| 16 | June 2023 | D1 | Nitrate-Nitrogen | 10 mg/L | 12.6 mg/L |
| 17 | September 2023 | D1 | Nitrate-Nitrogen | 10 mg/L | 12.9 mg/L |
| 18 | December 2023 | D1 | Nitrate-Nitrogen | 10 mg/L | 12.3 mg/L |
| 19 | March 2024 | D1 | Nitrate-Nitrogen | 10 mg/L | 12.7 mg/L |
| 20 | June 2024 | D1 | Nitrate-Nitrogen | 10 mg/L | 12.7 mg/L |
| 21 | September 2024 | D1 | Nitrate-Nitrogen | 10 mg/L | 13 mg/L |
| 22 | December 2024 | D1 | Nitrate-Nitrogen | 10 mg/L | 14 mg/L |

cc: EPD Mountain District - Atlanta Office

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