



Summary Page

Name of Facility Equinix, Inc. – AT10x

NPDES Permit No. GA0050350

This permit is an issuance of a new NPDES permit for Equinix, Inc. – AT10x. This facility is a data center and will discharge a maximum of 0.35 MGD of non-contact cooling water. This facility will discharge to Clear Creek in the Flint River Basin.

The permit was placed on public notice from **XXXX to XXXXX**.

Standard Conditions & Boilerplate

The permit boilerplate includes language consistent with other NPDES permits.

Final Permit Determinations and Public Comments

- | | | |
|--------------------------|---------------------------------|--|
| <input type="checkbox"/> | | Final issued permit did not change from the draft |
| <input type="checkbox"/> | permit placed on public notice. | |
| <input type="checkbox"/> | | Public comments were received during public notice |
| <input type="checkbox"/> | period. | |

Public hearing was held on **Date**.

Final permit includes changes from the draft permit placed on public notice. See attached permit revisions and/or permit fact sheet revisions document(s)



GEORGIA
DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

Jeffrey W. Cown, Director

Watershed Protection Branch
2 Martin Luther King, Jr. Drive
Suite 1470A, East Tower
Atlanta, Georgia 30334 404-463-1511

Mr. Michael Edwards Equinix,
Inc.
1 Lagoon Drive
Redwood City, CA 94065

February 25, 2026

RE: Draft Permit
Equinix, Inc. – AT10x
NPDES Permit GA0050350 Henry
County, Flint River Basin

Dear Mr. Edwards:

The Environmental Protection Division (EPD) has received your permit application to discharge treated wastewater to waters of the State of Georgia. We are processing your application and are considering the issuance of a National Pollutant Discharge Elimination System (NPDES) permit in accordance with the Georgia Water Quality Control Act and the Federal Clean Water Act.

Before EPD can issue the permit, we must post a public notice online for 30 days. The draft permit will be placed on the upcoming EPD public notice. The public notice may be viewed on EPD's website at: <https://epd.georgia.gov/watershed-protection-branch-public-announcements>. At the end of the 30-day public comment period, EPD will make a determination on the issuance of the permit.

Please review the attached draft permit, as it contains the proposed conditions for the final permit. If you have comments or questions concerning this draft permit, please contact Andrew Joyce at 470-524-0615 or andrew.joyce@dnr.ga.gov.

Sincerely,

A handwritten signature in cursive script that reads "Ian McDowell".

Ian McDowell, Manager
Industrial Permitting Unit

Enclosure(s): Draft Permit, Permit Fact Sheet with Appendices

CC: EPD Mountain District (Atlanta) Office – Dameco Moss (dameco.moss@dnr.ga.gov)
Equinix, Inc. – Michael Edwards (miedwards@equinix.com)
Thomas & Hutton – Katie McCoy (mccoy.k@tandh.com)



PUBLIC NOTICE

Notice of Application for National Pollutant Discharge Elimination System Permit to Discharge Treated Wastewater Into Waters of the State of Georgia.

The Georgia Environmental Protection Division has received a new NPDES permit application for the issuance of a new NPDES permit. Having reviewed such application, the Environmental Protection Division proposes to issue for a maximum term of five years the following permit subject to specific pollutant limitations and special conditions:

Equinix, Inc., 1 Lagoon Drive, Redwood City, California 94065, NPDES Permit No. GA0050350, for its AT10x data center located at 1100 Site Parkway, Hampton, Georgia 30228 in Henry County. A maximum of 0.35 MGD of non-contact cooling water will be discharged to Clear Creek in the Flint River Basin.

Persons wishing to comment upon or object to the proposed determinations are invited to submit same in writing to the EPD address below, or via e-mail at EPDcomments@dnr.ga.gov, no later than thirty (30) days after this notification. If you choose to e-mail your comments, please be sure to include the words “NPDES permit issuance – Equinix, Inc. – AT10x (Henry County)” in the subject line to ensure that your comments will be forwarded to the correct staff. All comments received prior to or on that date will be considered in the formulation of final determinations regarding the application. A public hearing may be held where the EPD Director finds a significant degree of public interest in a proposed permit or group of permits. Additional information regarding public hearing procedures is available by writing the Environmental Protection Division.

Individual draft permits, applications, supporting documents, and fact sheets are available on EPD’s website accessible through the publicly available Georgia EPD Online System (GEOS) at: <https://geos.epd.georgia.gov/GA/GEOS/Public/GovEnt/Shared/Pages/Main/Login.aspx> by searching for Submittal No: 912787.

A fact sheet or copy of the draft permit is also available by writing the Environmental Protection Division. A copying charge of 10 cents per page will be assessed. The permit application, draft permit, comments received, and other information are available for review at 2 MLK, Jr. Dr., Suite 1470A East, Atlanta, GA 30334, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

For additional information contact: Kelli-Ann Schrage, Wastewater Regulatory Program, phone (470) 607-3078 or e-mail kelli-ann.schrage@dnr.ga.gov.

Permit No. GA0050350
Issuance Date: **DRAFT**



GEORGIA

DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

National Pollutant Discharge Elimination System Permit

In accordance with the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended), hereinafter called the State Act; the Federal Water Pollution Control Act, as amended (33 U.S. C. 1251 et seq.), hereinafter called the Federal Act; and the Rules and Regulations promulgated pursuant to each of these Acts,

Equinix, Inc.
1 Lagoon Drive
Redwood City, California 94065

is issued a permit to discharge from a facility located at

Equinix, Inc. – AT10x
1100 Site Parkway
Hampton, Georgia 30228
Henry County

to receiving waters

Clear Creek in the Flint River Basin.

in accordance with effluent limitations, monitoring requirements and other conditions set forth in the permit.

This permit is issued in reliance upon the permit application signed on April 3, 2025, any other applications upon which this permit is based, supporting data entered therein or attached thereto, and any subsequent submittal of supporting data.

This permit shall become effective on **XXXX XX, XXXX**.

This permit and the authorization to discharge shall expire at midnight **XXXX XX, XXXX**.



Jeffrey W. Cown, Director
Environmental Protection Division

PART I

A.1. Effluent Limitations and Monitoring Requirements

During the period specified on the first page of this permit, the permittee is authorized to discharge from outfall number 001¹ (33.362664, -84.315149) – non-contact cooling water.

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristics (Units)	Discharge Limitations				Monitoring Requirements ²		
	Mass Based (lbs/day)		Concentration Based (mg/L)		Measurement Frequency	Sample Type	Sample Location
	Daily Avg.	Daily Max.	Daily Avg.	Daily Max.			
Flow (MGD)	Report	Report			Continuous	Instantaneous	Final Effluent ³
Temperature (°F)		90			1/Month	Grab	Final Effluent ³
Temperature Differential (°F) ⁴		5			1/Month	Grab	Instream ⁴
Total Residual Chlorine			Report	Report	1/Month	Grab	Final Effluent ³
Total Phosphorus ⁵	8.34	12.51			1/Month	Grab	Final Effluent ³
Orthophosphate, as p ⁵			Report	Report	1/Month	Grab	Final Effluent ³
Ammonia, as N ⁶			Report	Report	1/Month	Grab	Final Effluent ³
Total Kjeldahl Nitrogen ⁶			Report	Report	1/Month	Grab	Final Effluent ³
Organic Nitrogen ⁶			Report	Report	1/Month	Calculated ⁶	Final Effluent ³
Nitrate/Nitrite ⁶			Report	Report	1/Month	Grab	Final Effluent ³
Total Nitrogen ⁶			Report	Report	1/Month	Calculated ⁶	Final Effluent ³

The pH of the final effluent shall not be less than 6.0 standard units nor greater than 8.5 standard units and shall be monitored once per week by grab sample.

- 1 There shall be no discharge of floating solids or visible foam other than trace amounts.
- 2 All the parameters must be monitored, at a minimum, at the measurement frequency stated above if there is any discharge. If there is no discharge, state such in the discharge monitoring report in accordance with the reporting requirements in Part 1.D of this permit.
- 3 The final effluent sampling point shall be the nearest accessible point following the cooling water recirculation system, prior to discharging into Clear Creek.
- 4 The permittee shall measure instream temperature differential once per month, when there is sufficient flow in the receiving stream to take a measurement. The instream temperature differential shall be measured when the cooling system is in operation and discharging. The upstream temperature measurement shall be measured at the powerline right-of-way approximately 1,000 feet upstream from outfall 001. The downstream temperature measurement shall be measured at the powerline right-of-way approximately 1,200 feet downstream from outfall 001. The upstream and downstream temperature measurements shall be taken on the same day and the time between recording measurements shall coincide with time of travel between the two points. Temperature differential shall be calculated as:

$$T_d = T_u - T$$

Where T_d is the downstream temperature, and T_u is the upstream temperature

- 5 Total phosphorus and orthophosphate, as P shall be analyzed from the same effluent sample on the same day.
- 6 Ammonia, as N, total Kjeldahl nitrogen, organic nitrogen, nitrate/nitrite, and total nitrogen shall be analyzed or calculated from the same effluent sample on the same day. Organic nitrogen shall be calculated as $N = \text{TKN} - \text{Ammonia, as N}$. Total nitrogen is the sum of all nitrogen and calculated as follows: $\text{TN} = \text{TKN} + \text{nitrite} + \text{nitrate}$.

B. Monitoring

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. The permittee shall maintain a written sampling plan and schedule onsite.

2. Sampling Period

- a. Unless otherwise specified in this permit, quarterly samples shall be taken during the periods January-March, April-June, July-September, and October-December.
- b. Unless otherwise specified in this permit, semiannual samples shall be taken during the periods January-June and July-December.
- c. Unless otherwise specified in this permit, annual samples shall be taken during the period of January-December.

3. Monitoring Procedures

Analytical methods, sample containers, sample preservation techniques, and sample holding times must be consistent with the techniques and methods listed in 40 CFR Part 136. The analytical method used shall be sufficiently sensitive. EPA-approved methods must be applicable to the concentration ranges of the NPDES permit samples.

4. Detection Limits

All parameters will be analyzed using the appropriate detection limits. If the results for a given sample are such that a parameter is not detected at or above the specified detection limit, a value of "NOT DETECTED" will be reported for that sample and the detection limit will also be reported.

5. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The exact place, date, and time of sampling or measurements, and the person(s) performing the sampling or the measurements;
- b. The dates and times the analyses were performed, and the person(s) performing the analyses;
- c. The analytical techniques or methods used;

d. The results of all required analyses.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report. Such increased monitoring frequency shall also be indicated. EPD may require, by written notification, more frequent monitoring or the monitoring of other pollutants not required in this permit.

7. Records Retention

The permittee shall retain records of all monitoring information, including all records of analyses performed, calibration and maintenance of instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a minimum of three (3) years from the date of the sample, measurement, report or application, or longer if requested by EPD.

8. Penalties

The Federal Clean Water Act and the Georgia Water Quality Control Act provide that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine or by imprisonment, or by both. The Federal Clean Water Act and the Georgia Water Quality Control Act also provide procedures for imposing civil penalties which may be levied for violations of the Act, any permit condition or limitation established pursuant to the Act, or negligently or intentionally failing or refusing to comply with any final or emergency order of the Director of EPD

C. Definitions

1. The "daily average" mass means the total discharge by mass during a calendar month divided by the number of days in the month that the production or commercial facility was operating. Where less than daily sampling is required by this permit, the daily average discharge shall be determined by the summation of all the measured daily discharges by weight divided by the number of days sampled during the calendar month when the measurements were made.
2. The "daily maximum" mass means the total discharge by mass during any calendar day.
3. The "daily average" concentration means the arithmetic average of all the daily determinations of concentrations made during a calendar month. Daily determinations of concentration made using a composite sample shall be the concentration of the composite sample.
4. The "daily maximum" concentration means the daily determination of concentration for any calendar day.
5. A "calendar day" is defined as any consecutive 24-hour period.
6. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
7. "Severe property damage" means substantial physical damage to property, damage to treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
8. "EPD" as used herein means the Environmental Protection Division of the Department of Natural Resources.
9. "State Act" as used herein means the Georgia Water Quality Control Act (Official Code of Georgia Annotated; Title 12, Chapter 5, Article 2).
10. "Rules" as used herein means the Georgia Rules and Regulations for Water Quality Control.

D. Reporting Requirements

1. The permittee must electronically report the DMR, OMR and additional monitoring data using the web based electronic NetDMR reporting system, unless a waiver is granted by EPD.
 - a. The permittee must comply with the Federal National Pollutant Discharge Elimination System Electronic Reporting regulations in 40 CFR §127. The permittee must electronically report the DMR, OMR, and additional monitoring data using the web based electronic NetDMR reporting system online at: <https://netdmr.epa.gov/netdmr/public/home.htm>
 - b. Monitoring results obtained during the calendar month shall be summarized for each month and reported on the DMR. The results of each sampling event shall be reported on the OMR and submitted as an attachment to the DMR.
 - c. The permittee shall submit the DMR, OMR and additional monitoring data no later than 11:59 p.m. on the 15th day of the month following the sampling period.
 - d. All other reports required herein, unless otherwise stated, shall be submitted to the EPD Office listed on the permit issuance letter signed by the Director of EPD.
2. Upon notification by EPD, the permittee must electronically report the following compliance monitoring data and reports using the online web based electronic system (or other method) approved by EPD:
 - a. Sewer Overflow/Bypass Event Reports;
 - b. Noncompliance Notification;
 - c. Other noncompliance; and
 - d. Bypass
3. Other Reports

All other reports required in this permit not listed above in Part I.D.2 or unless otherwise stated, shall be submitted to the EPD Office listed on the permit issuance letter signed by the Director of EPD.

4. Other Noncompliance

All instances of noncompliance not reported under Part I.B. and Part II. A. shall be reported to EPD at the time the monitoring report is submitted.

5. Signatory Requirements

All reports, certifications, data or information submitted in compliance with this permit or requested by EPD must be signed and certified as follows:

- a. Any State or NPDES Permit Application form submitted to the EPD shall be signed as follows in accordance with the Federal Regulations, 40 C.F.R. 122.22:
 1. For a corporation, by a responsible corporate officer. A responsible corporate officer means:
 - i. a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision making functions for the corporation, or
 - ii. the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
 3. For a municipality, State, Federal, or other public facility, by either a principal executive officer or ranking elected official.
- b. All other reports or requests for information required by the permit issuing authority shall be signed by a person designated in (a) above or a duly authorized representative of such person, if:
 1. The representative so authorized is responsible for the overall operation of the facility from which the discharge originates, e.g., a plant manager, superintendent or person of equivalent responsibility;
 2. The authorization is made in writing by the person designated under (a) above; and
 3. The written authorization is submitted to the Director.
- c. Any changes in written authorization submitted to the permitting authority under (b) above which occur after the issuance of a permit shall be reported to the permitting authority by submitting a copy of a new written authorization which meets the requirements of (b) and (b.1) and (b.2) above.

- d. Any person signing any document under (a) or (b) above shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

PART II

A. Management Requirements

1. Notification of Changes

- a. The permittee shall provide EPD at least 90 days advance notice of any planned physical alterations or additions to the permitted facility that meet the following criteria:
 1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b);
 2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1); or
 3. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- b. The permittee shall give at least 90 days advance notice to EPD of any planned changes to the permitted facility or activity which may result in noncompliance with permit requirements.
- c. Following the notice in paragraph a. or b. of this condition the permit may be modified. The permittee shall not make any changes, or conduct any activities, requiring notification in paragraph a. or b. of this condition without approval from EPD.
- d. The permittee shall provide at least 30 days advance notice to EPD of:
 1. any planned expansion or increase in production capacity; or
 2. any planned installation of new equipment or modification of existing processes that could increase the quantity of pollutants discharged or result in the discharge of pollutants that were not being discharged prior to the planned change

if such change was not identified in the permit application(s) upon which this permit is based and for which notice was not submitted under paragraphs a. or b. of this condition.

- e. All existing manufacturing, commercial, mining, and silvicultural dischargers shall notify EPD as soon as it is known or there is reason to believe that any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant not limited in the permit, if that discharge will exceed (i) 100 µg/L, (ii) five times the maximum concentration reported for that pollutant in the permit application, or (iii) 200 µg/L for acrolein and acrylonitrile, 500 µg/L for 2,4 dinitrophenol and for 2-methyl-4-6-dinitrophenol, or 1 mg/L antimony.
- f. All existing manufacturing, commercial, mining, and silvicultural dischargers shall notify EPD as soon as it is known or there is reason to believe that any activity has occurred or will occur which would result in any discharge on a nonroutine or infrequent basis, of any toxic pollutant not limited in the permit, if that discharge will exceed (i) 500 µg/L, (ii) ten times the maximum concentration reported for that pollutant in the permit application, or (iii) 1 mg/L antimony.
- g. Upon the effective date of this permit, the permittee shall submit to EPD an annual certification in June of each year certifying whether or not there has been any change in processes or wastewater characteristics as described in the submitted NPDES permit application that required notification in paragraph a., b., or d. of this condition. The permittee shall also certify annually in June whether the facility has received offsite wastes or wastewater and detail any such occurrences.

2. Noncompliance Notification

If, for any reason, the permittee does not comply with, or will be unable to comply with any effluent limitation specified in this permit, the permittee shall provide EPD with an oral report within 24 hours from the time the permittee becomes aware of the circumstances followed by a written report within five (5) days of becoming aware of such condition. The written submission shall contain the following information:

- a. A description of the discharge and cause of noncompliance; and
- b. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

3. Facility Operation

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

4. Adverse Impact

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. Bypassing

a. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to EPD at least 10 days (if possible) before the date of the bypass. The permittee shall submit notice of any unanticipated bypass with an oral report within 24 hours from the time the permittee becomes aware of the circumstances followed by a written report within five (5) days of becoming aware of such condition. The written submission shall contain the following information:

1. A description of the discharge and cause of noncompliance; and
2. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

b. Any diversion or bypass of facilities covered by this permit is prohibited, except (i) where unavoidable to prevent loss of life, personal injury, or severe property damage; (ii) there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime (this condition is not satisfied if the permittee could have installed adequate back-up equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance); and (iii) the permittee submitted a notice as required above. The permittee shall operate the treatment works, including the treatment plant and total sewer system, to minimize discharge of the pollutants listed in Part I of this permit from combined sewer overflows or bypasses. Upon written notification by EPD, the permittee may be

required to submit a plan and schedule for reducing bypasses, overflows, and infiltration in the system.

6. Sludge Disposal Requirements

Sludge shall be disposed of in accordance with the regulations and guidelines established by EPD, the Federal Clean Water Act, and the Resource Conservation and Recovery Act (RCRA). Prior to disposal of sludge by any method other than co-disposal in a permitted sanitary landfill, the permittee shall submit a sludge management plan to the Watershed Protection Branch of EPD for written approval. For land application of nonhazardous sludge, the permittee shall comply with the applicable criteria outlined in the most current version of EPD's "Guidelines for Land Application of Sewage Sludge (Biosolids) at Agronomic Rates" and with the State Rules, Chapter 391-3-6-.17. EPD may require more stringent control of this activity. Prior to land applying nonhazardous sludge, the permittee shall submit a sludge management plan to EPD for review and approval. Upon approval, the plan for land application will become a part of the NPDES permit upon modification of the permit.

7. Sludge Monitoring Requirements

The permittee shall develop and implement procedures to ensure adequate year-round sludge disposal. The permittee shall monitor the volume and concentration of solids removed from the plant. Records shall be maintained which document the quantity of solids removed from the plant. The ultimate disposal of solids shall be reported (in the unit of lbs) as specified in Part I.D of this permit.

8. Power Failures

Upon the reduction, loss, or failure of the primary source of power to said water pollution control facilities, the permittee shall use an alternative source of power if available to reduce or otherwise control production and/or all discharges in order to maintain compliance with the effluent limitations and prohibitions of this permit.

If such alternative power source is not in existence, and no date for its implementation appears in Part I, the permittee shall halt, reduce or otherwise control production and/or all discharges from wastewater control facilities upon the reduction, loss, or failure of the primary source of power to said wastewater control facilities.

9. Operator Certification Requirements

The permittee shall ensure that, when required, a certified operator is in charge of the facility in accordance with Georgia State Board of Examiners for Certification of Water and Wastewater Treatment Plant operators And Laboratory Analysts Rule 43-51-6.(b)

10. Laboratory Analyst Certification Requirements

The permittee shall ensure that, when required, the person in responsible charge of the laboratory performing the analyses for determining permit compliance is certified in accordance with the Georgia Certification of Water and Wastewater Treatment Plant operators and Laboratory Analysts Act, as amended, and the Rules promulgated thereunder.

B. Responsibilities

1. Right of Entry

The permittee shall allow the Director of EPD, the Regional Administrator of EPA, and/or their authorized representatives, agents, or employees, upon the presentation of credentials:

- a. To enter upon the permittee's premises where a discharge source is located or in which any records are required to be kept under the terms and conditions of this permit; and
- b. At reasonable times, to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and to sample any substance or parameters in any location.

2. Transfer of Ownership or Control

A permit may be transferred to another person by a permittee if:

- a. The permittee notifies the Director of EPD in writing of the proposed transfer at least thirty (30) days in advance of the proposed transfer;
- b. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) is submitted to the Director at least thirty (30) days in advance of the proposed transfer; and
- c. The Director, within thirty (30) days, does not notify the current permittee and the new permittee of EPD's intent to modify, revoke and reissue, or terminate the permit and to require that a new application be filed rather than agreeing to the transfer of the permit.

3. Availability of Reports

Except for data deemed to be confidential under O.C.G.A. § 12-5-26 or by the Regional Administrator of the EPA under the Code of Federal Regulations, Title 40, Part 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at an office of EPD. Effluent data, permit applications, permittee's names and addresses, and permits shall not be considered confidential.

4. Permit Modification

This permit may be modified, suspended, revoked or reissued in whole or in part during its term for cause including, but not limited to, the following:

- a. Violation of any conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge; or
- d. To comply with any applicable effluent limitation issued pursuant to the order of the United States District Court for the District of Columbia issued on June 8, 1976, in Natural Resources Defense Council, Inc. et.al. v. Russell E. Train, 8 ERC 2120(D.D.C. 1976), if the effluent limitation so issued:
 1. is different in conditions or more stringent than any effluent limitation in the permit; or
 2. controls any pollutant not limited in the permit.

5. Toxic Pollutants

The permittee shall comply with effluent standards or prohibitions established pursuant to Section 307(a) of the Federal Clean Water Act for toxic pollutants, which are present in the discharge within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

6. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Federal Clean Water Act.

8. Water Quality Standards

Nothing in this permit shall be construed to preclude the modification of any condition of this permit when it is determined that the effluent limitations specified herein fail to achieve the applicable State water quality standards.

9. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

10. Expiration of Permit

The permittee shall not discharge after the expiration date. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit such information, forms, and fees as are required by EPD at least 180 days prior to the expiration date.

11. Contested Hearings

Any person who is aggrieved or adversely affected by an action of the Director of EPD shall petition the Director for a hearing within thirty (30) days of notice of such action.

12. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

13. Best Management Practices

The permittee will implement best management practices to control the discharge of hazardous and/or toxic materials from ancillary manufacturing activities. Such activities include, but are not limited to, materials storage, in-plant transfer, process and material handling, loading and unloading operations, plant site runoff, and sludge and waste disposal.

14. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

15. Duty to Provide Information

- a. The permittee shall furnish to the EPD Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish upon request copies of records required to be kept by this permit.
- b. When the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or any report to the Director, it shall promptly submit such facts and information.

16. Duty to Comply

- a. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Georgia Water Quality Control Act (O.C.G.A. § 12-5-20 et. seq.) and is grounds for enforcement action; for permit termination; revocation and reissuance, or modification; or for denial of a permit renewal application. Any instances of noncompliance must be reported to EPD as specified in Part I. D and Part II.A. of this permit.
- b. Penalties for violations of permit conditions. The Federal Clean Water Act and the Georgia Water Quality Control Act (O.C.G.A. § 12-5-20 et. seq.) provide that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this permit, makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine or by imprisonment, or by both. The Georgia Water Quality Control Act (Act) also provides procedures for imposing civil penalties which may be levied for violations of the Act, any permit condition or limitation established pursuant to the Act, or negligently or intentionally failing or refusing to comply with any final or emergency order of the Director.

17. Upset Provisions

Provisions of 40 CFR 122.41(n)(1)-(4), regarding "Upset" shall be applicable to any civil, criminal, or administrative proceeding brought to enforce this permit.

PART III

A. Previous Permits

1. All previous State wastewater permits issued to this facility, whether for construction or operation, are hereby revoked by the issuance of this permit. This action is taken to assure compliance with the Georgia Water Quality Control Act, as amended, and the Federal Clean Water Act, as amended. Receipt of the permit constitutes notice of such action. The conditions, requirements, terms and provisions of this permit authorizing discharge under the National Pollutant Discharge Elimination System govern discharges from this facility.

B. Schedule of Compliance

1. The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:
 - a. The permittee must start-up all pollution control equipment required to meet the conditions of its permit before beginning to discharge and must meet all permit conditions within the shortest feasible time, which may not exceed 90 days.
2. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

C. Special Conditions

1. No later than 2 years from the commencement of discharge, the permittee must complete and submit to EPD Section IV (Effluent Characteristics) of EPA Form 2E for outfall 001. EPD will conduct a reasonable potential analysis and may reopen this permit to include additional effluent limits if the monitoring data suggests new limits are necessary. The completed form should be submitted to:

Georgia Environmental Protection Division
Wastewater Regulatory Program
2 Martin Luther King Jr. Drive Suite 1470A East
Atlanta, Georgia 30334
ATTN: Industrial Permitting Unit Manager

D. Biomonitoring and Toxicity Reduction Requirements

1. The permittee shall comply with effluent standards or prohibitions established by section 307(a) of the Federal Act and with chapter 391-3-6-.03(5)(e) of the State Rules and may not discharge toxic pollutants in concentrations or combinations that are harmful to humans, animals, or aquatic life.

If toxicity is suspected in the effluent, EPD may require the permittee to perform any of the following actions:

- a. Acute biomonitoring tests;
 - b. Chronic biomonitoring tests;
 - c. Stream studies;
 - d. Priority pollutant analyses;
 - e. Toxicity reduction evaluations (TRE); or
 - f. Any other appropriate study.
2. EPD will specify the requirements and methodologies for performing any of these tests or studies. Unless other concentrations are specified by EPD, the critical concentration used to determine toxicity in biomonitoring tests will be the effluent instream wastewater concentration (IWC) based on the representative plant flow of the facility and the critical low flow of the receiving stream (7Q10). The endpoints that will be reported are the effluent concentration that is lethal to 50% of the test organisms (LC50) if the test is for acute toxicity, and the no observed effect concentration (NOEC) of effluent if the test is for chronic toxicity.

The permittee must eliminate effluent toxicity and supply EPD with data and evidence to confirm toxicity elimination.

FACT SHEET



The Georgia Environmental Protection Division proposes to issue an NPDES permit to the applicant identified below. The draft permit places conditions on the discharge of pollutants from the wastewater treatment plant to waters of the State.

Technical Contact: Andrew Joyce (andrew.joyce@dnr.ga.gov)
470-524-0615

Draft permit: First issuance
Reissuance with no or minor modifications from previous permit
Reissuance with substantial modifications from previous permit
Modification of existing permit
Requires EPA review

Designated as a major facility

1 FACILITY INFORMATION

1.1. NPDES Permit No.: GA0050350

1.2. Name and Address of Owner/Applicant

Equinix, Inc.
1 Lagoon Drive
Redwood City, CA 94065

1.3. Name and Address of Facility

Equinix, Inc. – AT10x
1100 Site Parkway
Hampton, GA 30228
(Henry County)

1.4. Location and Description of the discharge (as reported by applicant)

FACT SHEET

Outfall ID	Latitude	Longitude	Receiving Waterbody
001	33° 21' 45.59" N (33.362664)	84° 18' 54.54" W (- 84.315149)	Clear Creek

1.5. Production Capacity

Not applicable

1.6. SIC Code & Description

7376 – Computer Facilities Management Services

1.7. Description of Industrial Processes

Equinix, Inc. will operate a data center in Hampton, GA (Henry County), consisting of four buildings at full build-out. The AT10x facility will utilize water to cool computer equipment at the data center. The AT10x data center will recirculate the non-contact cooling water before discharge.

1.8. Description of the Wastewater Treatment Facility

Outfall	Operation Description	Treatment Description
001	Non-contact cooling water	Discharge to surface water

1.9. Type of Wastewater Discharge

- process wastewater stormwater domestic
 wastewater combined
 other (non-contact cooling water)

1.10. Characterization of Effluent Discharge as Reported by Applicant

(Form 2C, Section V, Part A only. Please refer to the application for additional analysis)

1.10.1. Outfall No. 001 – Non-contact cooling water

FACT SHEET

Effluent Characteristics (as Reported by Applicant) ¹	Maximum Daily Value	Average Daily Value
Flow (MGD)	0.35	0.35
Biochemical Oxygen Demand, _{5-day} (mg/L)	Not Detected	Not Detected
Total Suspended Solids (mg/L)	<50	<50
Temperature, Winter (°F)	75	75
Temperature, Summer (°F)	75	75
Ammonia (mg/L)	0.5	0.5
Total Phosphorus (mg/L)	Not Provided	Not Provided

¹ Effluent characteristics based on system design parameters and estimates based on cycles of concentration. The facility will be required to submit a full effluent characterization based on actual wastewater after discharge has commenced.

2 APPLICABLE REGULATIONS

2.1 State Regulations

Chapter 391-3-6 of the Georgia Rules and Regulations for Water Quality Control

2.2 Federal Regulations

Source	Activity	Applicable Regulation
Industrial (Non POTW)	Non-Process Water Discharges	40 CFR 122
		40 CFR 125
		40 CFR 127
		40 CFR 136

2.3 Industrial Effluent Limit Guideline(s)

Not Applicable

3 WATER QUALITY STANDARDS & RECEIVING WATERBODY INFORMATION

Section 301(b)(1)(C) of the Clean Water Act (CWA) requires the development of limitations in permits necessary to meet water quality standards. Federal Regulations 40 CFR 122.4(d) require that conditions in NPDES permits ensure compliance with the water quality standards which are composed of designated use classifications, numeric and or narrative water quality criteria and an antidegradation policy. The designated use classification system identifies the designated uses that each waterbody is expected to achieve, such as drinking water, fishing, or recreation. The numeric and narrative water quality criteria are deemed necessary to support the designated use for each water body. The antidegradation policy represents an approach to maintain and to protect various levels of water quality and uses. Section 391-36-.3(5) of the GA Water Quality Control Act provide General Criteria for All Waters, commonly referred to as the narrative water quality standards, and Specific Criteria for Specific Designated Uses. In addition to the General Criteria the Specific Criteria in Section 3.1 below are deemed necessary for this waterbody and shall be required for the specific designated uses.

3.1 Receiving Waterbody Name and Specific Designated Use:

Name: Clear Creek

Designated Water Use: The designated water use for the Clear Creek is fishing.

[Specific Designated Use(s) [391-3-6-.03(6)]:

Fishing: Propagation of Fish, Shellfish, Game and Other Aquatic Life; primary contact recreation in and on the water for the months of May – October, secondary contact recreation in and on the water for the months of November – April; or for any other use requiring water of a lower quality.

(i) Bacteria:

1. Estuarine waters:

For the months of May through October, when primary water contact recreation activities are expected to occur, culturable enterococci not to exceed a geometric mean of 35 counts per 100 mL based on at least four samples collected from a given sampling site over a 30-day period at intervals not less than 24 hours. There shall be no greater than a ten percent excursion frequency of an enterococci statistical threshold value (STV) of 130 counts per 100 mL the same 30-day interval.

FACT SHEET

For the months of November through April, culturable enterococci not to exceed a geometric mean of 74 counts per 100 mL based on at least four samples collected from a given sampling site over a 30-day period at intervals not less than 24 hours. There shall be no greater than a ten percent excursion frequency of an enterococci statistical threshold value (STV) of 273 counts per 100 mL in the same 30-day interval.

2. All other fishing waters:

For the months of May through October, when primary water contact recreation activities are expected to occur, culturable E. coli not to exceed a geometric mean of 126 counts per 100 mL based on at least four samples collected from a given sampling site over a 30-day period at intervals not less than 24 hours. There shall be no greater than a ten percent excursion frequency of an E. coli statistical threshold value (STV) of 410 counts per 100 mL in the same 30-day interval.

For the months of November through April, culturable E. coli not to exceed a geometric mean of 265 counts per 100 mL based on at least four samples collected from a given sampling site over a 30-day period at intervals not less than 24 hours. There shall be no greater than a ten percent excursion frequency of an E. coli statistical threshold value (STV) of 861 counts per 100 mL in the same 30-day interval.

3. The State does not encourage swimming in these surface waters since a number of factors which are beyond the control of any State regulatory agency contribute to elevated levels of bacteria.

4. For waters designated as shellfish growing areas by the Georgia DNR Coastal Resources Division, the requirements will be consistent with those established by the State and Federal agencies responsible for the National Shellfish Sanitation Program. The requirements are found in National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish, 2007 Revision (or most recent version), Interstate Shellfish Sanitation Conference, U.S. Food and Drug Administration.

- (ii) Dissolved Oxygen: A daily average of 6.0 mg/L and no less than 5.0 mg/L at all times for water designated as trout streams by the Wildlife Resources Division. A daily average of 5.0 mg/L and no less than 4.0 mg/L at all times for waters supporting warm water species of fish.
- (iii) pH: Within the range of 6.0 - 8.5.
- (iv) Temperature: Not to exceed 90°F. At no time is the temperature of the receiving waters to be increased more than 5°F above intake temperature except that in estuarine waters the increase will not be more than 1.5°F. In streams designated as

FACT SHEET

primary trout or smallmouth bass waters by the Wildlife Resources Division, there shall be no elevation of natural stream temperatures. In streams designated as secondary trout waters, there shall be no elevation exceeding 2°F natural stream temperatures.

3.2 Ambient Information

Outfall ID	7Q10 (cfs)	1Q10 (cfs)	Hardness (mg/L as CaCO ₃)	Annual Average Flow (cfs)	Upstream Total Suspended Solids (mg/L)
001	0.07	0.06	35	1.8	Data Unavailable ¹

¹ For the Reasonable Potential Analysis calculations, EPD used 10 mg/l as a conservative value.

3.3 Georgia 305(b)/303(d) List Documents

Clear Creek is not listed in the Georgia 305(b)/303(d) list, and is assumed to be supporting a designated use of fishing.

3.4 Total Maximum Daily Load (TMDL)

There are no applicable TMDLs for this discharge.

3.5 Wasteload Allocation Date

Received from WPMP on July 18, 2025. See Appendix A of the Fact Sheet

4 PERMIT CONDITIONS AND EFFLUENT LIMITATIONS

4.1 Water Quality Based Effluent Limitations (WQBELs) & Technology Based Effluent Limits (TBELs)

When drafting a National Pollutant Discharge Elimination System (NPDES) permit, a permit writer must consider the impact of the proposed pollutants in a discharge on the quality of the receiving water. Water quality goals for a waterbody are defined by state water quality criteria or standards. By analyzing the effect of a pollutant in the discharge on the receiving water, a permit writer could find that technology-based effluent limitations (TBELs) alone will not achieve the applicable water quality standards or protect downstream users. In such cases, the Clean Water Act (CWA) and its implementing regulations require development of water quality-based effluent limitations (WQBELs). WQBELs help meet the CWA objective of restoring and maintaining the chemical, physical, and biological integrity of the nation's

FACT SHEET

waters and the goal of water quality that provides for the protection and propagation of fish, shellfish, and wildlife and recreation in and on the water (fishable/swimmable).

WQBELs are designed to protect water quality by ensuring water quality standards are met in the receiving water and the designated use and downstream uses are protected. On the basis of the requirements of 40 C.F.R. §125.3(a), additional or more stringent effluent limitations and conditions, such as WQBELs, are imposed when TBELs are not sufficient to protect water quality.

TBELs aim to prevent pollution by requiring a minimum level of effluent quality that is attainable using demonstrated technologies for reducing discharges of pollutants or pollution into the waters of the State. TBELs are developed independently of the potential impact of a discharge on the receiving water, which is addressed through water quality standards and WQBELs. The NPDES regulations at 40 C.F.R. §125.3(a) require NPDES permit writers to develop technology-based treatment requirements, consistent with CWA section 301(b), that represent the minimum level of control that must be imposed in a permit. The regulation also requires permit writers to include in permits additional or more stringent effluent limitations and conditions, including those necessary to protect water quality.

For pollutants not specifically regulated by Federal Effluent Limit Guidelines (ELGS), the permit writer must identify any needed TBELs and utilize best professional judgment to establish TBELs or determine other appropriate means to control its discharge if there is a reasonable potential to cause or contribute to a violation of the water quality standards.

4.2 Reasonable Potential Analysis (RPA)

EPA regulations at 40 C.F.R. §122.44(d)(1)(i) state, “Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines are or may be discharged at a level that will cause, have the reasonable potential to cause, or contribute to an excursion above any [s]tate water quality standard, including [s]tate narrative criteria for water quality.” [emphasis added]

EPA regulations at 40 C.F.R. §122.44(d)(1)(ii) require States to develop procedures for determining whether a discharge causes, has the reasonable potential to cause, or contributes to an instream excursion above a narrative or numeric criterion within a state water. If such reasonable potential is determined to exist, the NPDES permit must contain pollutant effluent limits and/or effluent limits for whole effluent toxicity. Georgia has reasonable potential procedures, based upon the specific category of pollutants and/or specific pollutant of concern. Chemical specific and biomonitoring data and other pertinent information in EPD’s files will be considered in accordance with the review procedures specified in the GA Rules and Regulations for Water Quality Control, Chapter 391-3-6 in the evaluation of a permit application and in the evaluation of the reasonable potential for a discharge to cause an exceedance in the numeric or narrative criteria.

FACT SHEET

The term “pollutant” is defined in CWA section 502(6) and 40 C.F.R. §122.2. Pollutants are grouped into three categories under the NPDES program: conventional, toxic, and nonconventional. Conventional pollutants are those defined in CWA section 304(a)(4) and 40 C.F.R.§401.16 (five day-biochemical oxygen demand (BOD₅), total suspended solids (TSS), fecal coliform, pH, and oil and grease). Toxic (priority) pollutants are those defined in CWA section 307(a)(1) and include 126 metals and manmade organic compounds. Nonconventional pollutants are those that do not fall under either of the above categories (conventional or toxic pollutants) and include parameters such as, but not limited to, chlorine, ammonia, nitrogen, phosphorus, chemical oxygen demand (COD), and whole effluent toxicity (WET).

EPD evaluates the data provided in the application and supporting documents. If a pollutant is listed in the following sections of this fact sheet below, the permit writer determined the pollutant is a pollutant of concern and there may be a reasonable potential to cause or contribute to an instream violation of the Georgia water quality standards. If a pollutant is not listed below, EPD determined the pollutant is not a pollutant of concern or has determined, based on the data provided in the application, there is no reasonable potential to cause or contribute to an instream violation of the Georgia water quality standards. An example may be if the applicant reported “not detect” or “below detection limit”.

Upon identification of a pollutant of concern by the permit writer, in accordance with 40 C.F.R. §122.44(d)(1)(ii), the permit writer must then perform a reasonable potential analysis using a procedure which has accounted for any combination of the following criteria: existing controls on point and nonpoint sources of pollution, the variability of the pollutant or pollutant parameter in the effluent, the sensitivity of the species to toxicity testing (when evaluating whole effluent toxicity), and where appropriate, the dilution of the effluent in the receiving water to determine if the pollutant and its discharge has the reasonable potential to cause, or contribute to an in-stream excursion above the allowable ambient concentration of a state narrative or numeric criteria within the state’s water quality standard for an individual pollutant.

In accordance with 40 C.F.R. §122.44(d)(1)(iii), if the permit writer has determined, using a reasonable potential procedure the pollutant of concern in the discharge causes, has the reasonable potential to cause, or contributes to an in-stream excursion above the allowable ambient concentration of a state numeric or narrative criteria within a state water quality standard for an individual pollutant, the permit must contain effluent limits for that pollutant. If the permit writer has determined there is insufficient data, the permit writer might also consider monitoring requirements to collect the additional data related to the presence or absence of a specific pollutant to provide information for further analyses for the development of appropriate numeric or narrative standard .

The conventional, nonconventional, and toxic pollutants listed in the following sections have been identified by the permit writer as pollutants of concern and the permit writer has

FACT SHEET

determined through current practices and procedures one of the following: no additional monitoring or numeric and/or narrative effluent limits are needed; additional monitoring is required; or numeric and/or narrative effluent limits are necessary to protect the receiving water body and its downstream users and those limits have been included in the permit.

The monitoring and sampling locations are prescribed in the permit and determined by the permit writer after considering, at a minimum, the following: type of discharge, specific pollutant, discharge frequency, location of the discharge, receiving waterbody, downstream users, etc.

The sample type, grab vs. composite, is prescribed in the permit and determined by the permit writer after considering, at a minimum, the analytical method required in 40 C.F.R. §136, the type of pollutant, retention time, etc. Grab samples are required for the analysis of pH, temperature, cyanide, total phenols, residual chlorine, oil and grease, or volatile organics.

4.3 Whole Effluent Toxicity

The permittee shall comply with effluent standards or prohibitions established by section 307(a) of the Federal Act and with chapter 391-3-6-.03(5)(e) of the State Rules and may not discharge toxic pollutants in concentrations or combinations that are harmful to humans, animals, or aquatic life.

If toxicity is suspected in the effluent, EPD may require the permittee to perform acute or chronic whole effluent toxicity testing.

4.4 Conventional Pollutants

Pollutants of Concern	Outfall ID	Basis
pH	001	<u>WQBEL</u> The instream waste concentration is 89%. When the instream waste concentration is greater than 50%, there is a reasonable potential to cause or contribute to violation of the instream Georgia Water Quality Standard; therefore, a limit of 6.0 s.u. to 8.5 s.u has been added.
		<u>TBEL</u> There is no applicable federal technology based effluent limit.
Total	001	<u>WQBEL</u>

FACT SHEET

Suspended
Solids

Georgia has a narrative Water Quality Standard for total suspended solids. A narrative permit condition stating, “there shall be no floating solids or visible foam other than in trace amounts” has been added.

TBEL

There is no applicable federal technology based effluent limit.

4.5 Nonconventional Pollutants

Pollutants of Concern	Outfall ID	Basis
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Temperature

001

WQBEL

Based on the nature of this specific type of industrial discharge (recirculated cooling water) and the instream waste concentration of 89%, temperature has been identified as a pollutant of concern with a reasonable potential to contribute to a violation of the instream water quality standard. Therefore, a temperature effluent limit of 90°F daily maximum has been included in the permit. Additionally, a temperature differential limit of 5°F daily maximum has been included in the permit.

Instream temperature monitoring points for demonstrating compliance with the temperature differential limit have been set at the nearest powerline rights-of-way upstream and downstream of outfall 001. These are the nearest accessible sampling points based on feasibility and safety.

FACT SHEET

TBEL

There is no applicable federal technology based effluent limit.

Total Residual 001

WQBEL

Chlorine The application indicates that the facility will use a biocide containing hypochlorous acids as a cooling water additive; therefore, monitoring for total residual chlorine has been included in the permit to collect data to determine if there is a reasonable potential for a violation of instream water quality standards.

TBEL

There is no applicable federal technology based effluent limit.

Total 001

Phosphorus and
Orthophosphate,
as P

WQBEL

Total phosphorus measures all forms of phosphorus in a sample (orthophosphate, condensed phosphate, and organic phosphate). Orthophosphate, or reactive phosphorus is the amount of phosphorus available to chemically or biologically react.

Discharges of total phosphorus directly to or within the watershed upstream from waterbodies with total phosphorus water quality standards must undergo an analysis to determine if the discharge of the pollutants has the reasonable potential to cause or contribute to an instream violation of the water quality standard.

Based on the pollutant being present in the waste stream, EPD has identified total phosphorus as a pollutant of concern for the following: POTWs, Private and Institutional Developments, CSO Control Facilities, and applicable Non-POTWs. Monitoring for orthophosphate has been included in the permit to provide information for further analyses and development of appropriate numeric or narrative effluent limits.

FACT SHEET

Total phosphorus effluent limits of 8.34 lbs/day daily average and 12.51 lbs/day daily maximum have been included in the permit based on EPD's Strategy for Addressing Phosphorus in NPDES Permitting (2011). The daily maximum limit is calculated by multiplying the daily average limit by 1.5.

TBEL

There is no applicable federal technology based effluent limit.

Ammonia, Total 001
Kjeldahl
Nitrogen,
Organic
Nitrogen,
Nitrate/Nitrite,
Total Nitrogen

WQBEL

Discharges of total nitrogen directly to or within the watershed upstream from waterbodies with total nitrogen water quality standards must undergo an analysis to determine if the discharge has the reasonable potential to cause or contribute to instream water quality standard violations.

Based on the pollutant being present in the waste stream, EPD has identified total nitrogen as a pollutant of concern for the following: POTWs, Private and Institutional Developments, CSO Control Facilities, and applicable Non-POTWs. Monitoring for ammonia, TKN, organic nitrogen, and nitratennitrite has been included in the permit to calculate total nitrogen, quantify nutrient loadings in the Flint River Basin, and provide information for further analyses and develop appropriate numeric or narrative effluent limits.

Total nitrogen is the sum of all nitrogen forms or $TN = TKN + \text{nitrite} + \text{nitrate}$.

Organic nitrogen, as N = $TKN - \text{ammonia, as N}$.

FACT SHEET

Ammonia, organic nitrogen, nitrate-nitrite, and TKN must be analyzed or calculated from the same sample to correctly calculate total nitrogen.

TBEL

There is no applicable federal technology based effluent limit.

4.6 Calculations for Water Quality Based Effluent Limits

4.6.1 Instream Waste Concentration (IWC)

$$\text{IWC} = \frac{\text{Effluent Flow (gal/day)}}{\text{Effluent Flow (gal/day)} + 7Q_{10} \text{ (gal/day)}}$$

$$\text{IWC} = \frac{350,000 \text{ (gal/day)}}{(350,000 \text{ (gal/day)} + 45,242 \text{ (gal/day)})}$$

$$\text{IWC} = 0.89 \text{ or } 89\%$$

4.7 Technology Based Effluent Limitation Calculations

There are several ways to calculate TBELs when developing case-by-case limitations. EPD can use an approach consistent with the statistical approach EPA has used to develop effluent guidelines or they can utilize several other mathematically and statistically accepted approaches depending on characteristics of the data. In general, EPD utilizes EPA's "NPDES Permit Writer Manual," September 2010, Section 5.2.3, "Case-by-Case TBELs for Industrial Dischargers" and EPA's "Technical Support Document for Water Quality Based Toxic Control," March 1991, Section 5.2, "Basis Principles of Effluent Variability," as guidance to develop limits.

If applicable, when there is no federal technology based effluent limit EPD evaluates the effluent data, operating records and discharge monitoring reports to calculate the long term average for the parameter. The long term average is then used to derive the effluent limits.

EPD recognizes there are several ways to calculate technology based limits and, when applicable, may deviate from the general practice.

4.8 Comparison & Summary of Water Quality vs. Technology Based Effluent Limits

After preparing and evaluating applicable technology-based effluent limitations and water quality-based effluent limitations, the most stringent limits are applied in the permit. Pollutants of concern with an effluent limit of monitor and report are not included in the below table.

FACT SHEET

Outfall 001:

Parameter	WQBELs	TBELs	Explanation
pH (s.u.)	6.0 – 8.5	None	WQBEL – WQS
Total Phosphorus (lbs/day)	8.34/12.51	None	WQBEL – Strategy for Addressing Phosphorus
Temperature (°F)	90	None	WQBEL – WQS
Temperature Differential (°F)	5	None	WQBEL – WQS

5 OTHER PERMIT REQUIREMENTS AND CONSIDERATIONS

5.1 Antidegradation Analysis

The antidegradation analysis submitted with the permit application includes the identification of potentially impacted communities in the area surrounding the discharge, discussion of the economic impact of the facility, and discussion of alternative treatment/disposal methods and their associated economic feasibility.

The analysis considers the option of discharging to the City of Hampton’s Bear Creek WRF, however the Henry County Water Authority has stated that the POTW is unable to accept the discharge from the facility, due to capacity concerns and concerns with sending intermittently high flows of nutrient-poor discharge to the POTW (which operates a land application system). Similarly, the antidegradation analysis considered the option of land applying wastewater but determined that the option was not feasible due to the nature of the cooling water discharge along with the cost of operating the system and the total sprayfield acreage required. Finally, the alternative of reusing reclaimed wastewater (beyond the designed cycles of concentration) would require the installation of additional reverse osmosis and ultrafiltration systems. Reject wastewater from these treatment systems was estimated to be between 7,000 and 70,000 gpd, and would also likely require the expansion of the POTW’s capacity.

The analysis sufficiently demonstrates that the project will accommodate economic and social development in the area and that there are no practicable alternatives to the proposed direct discharge.

5.2 Special Conditions

FACT SHEET

No later than 2 years from the commencement of discharge, the permittee must complete and submit to EPD Section IV (Effluent Characteristics) of EPA Form 2E for outfall 001. EPD will conduct a reasonable potential analysis and may reopen this permit to include additional effluent limits if the monitoring data suggests new limits are necessary. The completed form should be submitted to:

Georgia Environmental Protection Division
Wastewater Regulatory Program
2 Martin Luther King Jr. Drive Suite 1470A East
Atlanta, Georgia 30334
ATTN: Industrial Permitting Unit Manager

5.3 Compliance Schedules

The permittee must start-up all pollution control equipment required to meet the conditions of its permit before beginning to discharge and must meet all permit conditions within the shortest feasible time, which may not exceed 90 days.

6 REPORTING

The facility has been assigned to the following EPD office for reporting, compliance and enforcement.

Georgia Environmental Protection Division
Mountain District (Atlanta) Office
4244 International Parkway, Suite 114
Atlanta, GA 30354

6.1 E-Reporting

The permittee is required to electronically submit documents in accordance with 40 CFR Part 127.

7 REQUESTED VARIANCES OR ALTERNATIVES TO REQUIRED STANDARDS

Not applicable

8 PERMIT EXPIRATION

FACT SHEET

The permit will expire five years from the effective date.

9 PROCEDURES FOR THE FORMULATION OF FINAL DETERMINATIONS

9.1 Comment Period

The Georgia Environmental Protection Division (EPD) proposes to issue a permit to this applicant subject to the effluent limitations and special conditions outlined above. These determinations are tentative.

Georgia Environmental Protection Division
Wastewater Regulatory Program
2 Martin Luther King Jr. Drive
Suite 1470A East
Atlanta, Georgia 30334

The permit application, draft permit, and other information are available for review at 2 Martin Luther King Jr. Drive, Suite 1470A East, Atlanta, Georgia 30334, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday and on EPD's website accessible through the publicly available Georgia EPD Online System (GEOS) at: <https://geos.epd.georgia.gov/GA/GEOS/Public/GovEnt/Shared/Pages/Main/Login.aspx>. For additional information, you can contact 404-463-1511.

9.2 Public Comments

Persons wishing to comment upon or object to the proposed determinations are invited to submit same in writing to the EPD address above, or via e-mail at EPDcomments@dnr.ga.gov within 30 days of the initiation of the public comment period. All comments received prior to that date will be considered in the formulation of final determinations regarding the application. The permit number should be placed on the top of the first page of comments to ensure that your comments will be forwarded to the appropriate staff.

9.3 Public Hearing

Any applicant, affected state or interstate agency, the Regional Administrator of the U.S. Environmental Protection Agency (EPA) or any other interested agency, person or group of persons may request a public hearing with respect to an NPDES permit application if such request is filed within thirty (30) days following the date of the public notice for such application. Such request must indicate the interest of the party filing the request, the reasons

FACT SHEET

why a hearing is requested, and those specific portions of the application or other NPDES form or information to be considered at the public hearing.

The Director shall hold a hearing if he determines that there is sufficient public interest in holding such a hearing. If a public hearing is held, notice of same shall be provided at least thirty (30) days in advance of the hearing date.

In the event that a public hearing is held, both oral and written comments will be accepted; however, for the accuracy of the record, written comments are encouraged. The Director or a designee reserves the right to fix reasonable limits on the time allowed for oral statements and such other procedural requirements, as deemed appropriate.

Following a public hearing, the Director, unless it is decided to deny the permit, may make such modifications in the terms and conditions of the proposed permit as may be appropriate and shall issue the permit.

If no public hearing is held, and, after review of the written comments received, the Director determines that a permit should be issued and that the determinations as set forth in the proposed permit are substantially unchanged, the permit will be issued and will become final in the absence of a request for a contested hearing. Notice of issuance or denial will be made available to all interested persons and those persons that submitted written comments to the Director on the proposed permit.

If no public hearing is held, but the Director determines, after a review of the written comments received, that a permit should be issued but that substantial changes in the proposed permit are warranted, public notice of the revised determinations will be given and written comments accepted in the same manner as the initial notice of application was given and written comments accepted pursuant to EPD Rules, Water Quality Control, subparagraph 391-3-6-.06(7)(b). The Director shall provide an opportunity for public hearing on the revised determinations. Such opportunity for public hearing and the issuance or denial of a permit thereafter shall be in accordance with the procedures as are set forth above.

9.4 Final Determination

At the time that any final permit decision is made, the Director shall issue a response to comments. The issued permit and responses to comments can be found at the following address:

<http://epd.georgia.gov/watershed-protection-branch-permit-and-public-commentsclearinghouse-0>

9.5 Contested Hearings

Any person who is aggrieved or adversely affected by the issuance or denial of a permit by the Director of EPD may petition the Director for a hearing if such petition is filed in the

FACT SHEET

office of the Director within thirty (30) days from the date of notice of such permit issuance or denial. Such hearing shall be held in accordance with the EPD Rules, Water Quality Control, subparagraph 391-3-6-.01.

Petitions for a contested hearing must include the following:

1. The name and address of the petitioner;
2. The grounds under which petitioner alleges to be aggrieved or adversely affected by the issuance or denial of a permit;
3. The reason or reasons why petitioner takes issue with the action of the Director;
4. All other matters asserted by petitioner which are relevant to the action in question.

FACT SHEET

APPENDIX A – Wasteload Allocation



GEORGI
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIV

Through: Kelli-Ann Schrage
 From: Andrew Joyce
 Subject: Waste Load Allocation (WLA) for
 Equinix, Inc. (AT10x)
 NPDES Permit No. GA0050350
 Henry County, Flint River Basin

Memorandum

um

Date: July 9, 2025
 To: Josh Welte

Jeffery W. Cown, Director
 Watershed Protection Branch
 2 Martin Luther King, Jr. Drive
 Suite 1470A, East Tower
 Atlanta, Georgia 30334
 404-463-1511

WLA request for the issuance of the above-referenced facility. The analytical analyses accompanying the application for issuance of the NPDES permit indicated the presence of oxygen demanding constituents, nutrients or toxics above detectable limits and the Wastewater Regulatory Program is requesting water quality limits for the permit.

Wastewater Regulatory Program: Permit Information (for each outfall) (Duplicate this section for each outfall you need a WLA for)

Outfall No.: 001	Lat/Long: 33.363657, -84.314327
Name of Receiving Waters: Clear Creek	River Basin: Flint
Average Flow (MGD): 0.14	Maximum (Design) Flow (MGD): 0.35
Summer Temperature (min & max): 75°F	Winter Temperature (min & max): 75°F

Description of Industrial Processes:

Equinix, Inc. will operate a data center, consisting of 4 buildings at full build out in Hampton, Henry County, Georgia. The AT10x facility will utilize water to cool computer equipment at the data center. The AT10x data center will recirculate the non-contact cooling water before discharge.

Type of Wastewater Discharge:

- Process Wastewater
 Cooling Water
 Stormwater
 Domestic Wastewater
 Other (Describe)

Based on a review of the permit application, the following values were reported. WRP is requesting a waste load allocation for water quality limits to meet in-stream Water Quality Standards for the following constituents:

Provide daily average and daily maximum values reported on the application below, with units.

<input type="checkbox"/>	BOD ₅	<input type="checkbox"/>	Total Phosphorus
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input checked="" type="checkbox"/>	DO	<input checked="" type="checkbox"/>	TRC
_____		_____	_____
	NH ₃ <u>0.5 mg/L</u>		Temperature <u>75°F</u>

Watershed Planning and Monitoring Program

Please provide the following items about the receiving waters and indicate "NA" if an item does not apply.

<input checked="" type="checkbox"/>	7Q10 <u>0.07</u>	<input checked="" type="checkbox"/>	Receiving Stream Hardness
<input checked="" type="checkbox"/>	30Q3 <u>0.23</u>	<input checked="" type="checkbox"/>	Upstream TSS
<input checked="" type="checkbox"/>	1Q10 <u>0.06</u>	<input checked="" type="checkbox"/>	Chronic instream NH ₃ toxicity
Mean	<input checked="" type="checkbox"/>	Annual Stream Flow	<u>1.8</u>

Please provide the following items about Total Maximum Daily Loads applicable to the receiving waterbody/watershed and indicate "NA" if an item does not apply.

<input checked="" type="checkbox"/>	TMDL name and year	<u>NA</u>
<input checked="" type="checkbox"/>	WLA Provided to facility in TMDL	

For new facilities:

<input checked="" type="checkbox"/>	Available WLA which can be allocated to this facility	<u>NA</u>
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- [Outfall located in ecoregion 45b Southern Outer Piedmont](#)
- [Streamflow estimates \(cfs\) based on nearby Hampton 2020 WLA reissuance \(Bear Creek\)](#)

FACT SHEET

APPENDIX B – Reasonable Potential Analysis

FACT SHEET

Appendix B

Equinix - AT10x

NPDES Permit No. GA0050350

Outfall 001

Stream Data (upstream of the discharge):

Effluent Data:

TSS:mg/L	10
7Q10:ft ³ /s	3.46
1Q10:ft ³ /s	5.26
Mean flow:ft ³ /s	7.15

Average Effluent TSS:mg/L	50.0
Permitted Flow:gal/day	350,000
Flow:	0.54 ft ³ /s

Receiving Water Type:

Freshwater
Industrial

Stream data (downstream of the discharge):

Permit Type:

Hardness:mg/L

35.0

TSS (at 7Q10): 15.41 mg/L

Dilution factor (at mean annual flow): 14.20

IWC (at mean annual flow): 7.0

Dilution factor (at 7Q10): 7.39

IWC (at 7Q10): 13.5

Dilution factor (at 1Q10): 10.71

IWC (at 1Q10): 9.3

Acute Water Quality Criteria (WQC_{Acute}) - Metals:

Metal	K _{PO}	α	f _D	Number of samples	Maximum effluent C _T (µg/L)	Instream C _D (µg/L)	WQC _{Acute} (µg/L)	WQC _{Acute} (adjusted) ₍₁₎ (µg/L)	Action needed?
Arsenic	4.80.E+05	-0.729	0.00	0	0.0	0.0	340	170	no
Cadmium	4.00.E+06	-1.131	0.000	0	0.0	0.0	0.67	0	no
Chromium III	3.36.E+06	-0.930	0.00	0	0.0	0.0	241	121	no
Chromium VI	3.36.E+06	-0.930	0.00	0	0.0	0.0	16	8	no
Copper	1.04.E+06	-0.744	0.32	1	0.386	0.01	5.0	2	no
Lead	2.80.E+06	-0.800	0.00	0	0.0	0.0	20	10	no
Mercury	---	---	---	0	0.0	0.0	1.4	1	no
Nickel	4.90.E+05	-0.572	0.00	0	0.0	0.0	193	96	no
Selenium	---	---	---	0	0.0	0.0	N/A	N/A	no
Zinc	1.25.E+06	-0.704	0.00	0	0.0	0.00	48	24	no

NOTES:

(1) The "adjusted" WQC is the WQC applicable to a pollutant based on the number of samples used in the analysis. In accordance with Georgia EPD's NPDES Reasonable Potential Procedures, January 2003, when less than 10 samples are used, the effluent concentration shall be compared to 50% of the WQC.

1

$f_D \square 1$ _____ $\square K \square TSS$ _____
 (mg/L) ($1 \square \alpha$) $\square 6$ Instream $C_D \square$ Effluent C_T (mg/L) $\square f_D$ mg/L
 $\square 10$
 PO Instream DF

Q_{Stream} (ft³/sec) \square $Q_{Effluent}$ (ft³/sec)
 Dilution Factor \square _____₃
 $Q_{Effluent}$ (ft³/sec) Page 1

FACT SHEET
Appendix B
 Equinix - AT10x
 NPDES Permit No. GA0050350
 Outfall 001

Chronic Water Quality Criteria (WQC_{Chronic}) - Metals:

Metal	K _{PO}	α	f_D	Number of samples	Average effluent C_T (μ g/L)	Instream C_D (μ g/L)	WQC _{Chronic} (μ g/L)	WQC _{Chronic} (adjusted) ⁽¹⁾ (μ g/L)	Action needed?
Arsenic	4.80.E+05	-0.729	0.00	0	0.0	0.0	150	75	no
Cadmium	4.00.E+06	-1.131	0.000	0	0.0	0.0	0.33	0.16	no
Chromium III	3.36.E+06	-0.930	0.00	0	0.0	0.0	31	16	no
Chromium VI	3.36.E+06	-0.930	0.00	0	0.0	0.0	11	5.5	no
Copper	1.04.E+06	-0.744	0.32	1	0.386	0.02	3.7	1.8	no
Lead	2.80.E+06	-0.800	0.00	0	0.0	0.0	0.8	0.39	no
Mercury	---	---	---	0	0.0	0.0	0.012	0.006	no
Nickel	4.90.E+05	-0.572	0.00	0	0.0	0.0	21	11	no
Selenium	---	---	---	0	0.0	0.0	5.0	2.5	no
Zinc	1.25.E+06	-0.704	0.00	0	0.0	0.00	49	24	no

_____₁ Effluent C_T (mg/L) $\square f_D$
 $f_D \square 1 \square K_{PO} \square TSS$ Instream ($1 \square \alpha$) $\square 6$ Instream $C_D \square$ _____ mg/L
 (mg/L) $\square 10$ DF

Total Recoverable Metal Effluent Limit

Metal	C _S (µg/L)	Chronic C _T (µg/L)	Chronic C _T (lb/day)	Acute C _T (µg/L)	Acute C _T (lb/day)
Arsenic	0.0	N/A	N/A	N/A	N/A
Cadmium	0.0	N/A	N/A	N/A	N/A
Chromium III	0.0	N/A	N/A	N/A	N/A
Chromium VI	0.0	N/A	N/A	N/A	N/A
Copper	0.0	N/A	N/A	N/A	N/A
Lead	0.0	N/A	N/A	N/A	N/A
Mercury	0.0	N/A	N/A	N/A	N/A
Nickel	0.0	N/A	N/A	N/A	N/A
Selenium	0.0	N/A	N/A	N/A	N/A
Zinc	0.0	N/A	N/A	N/A	N/A

NOTES:

- Chronic and acute total recoverable metal effluent concentration (C_T) from EPA 823-B-96-007, June 1996, page 33:

$$\text{Chronic } C_T = \frac{WQC_{\text{Chronic}}}{f_D} \left(\frac{Q_E}{7Q_{10}} \right) \left(\frac{7Q_{10}}{C_S} \right)$$

$$\text{Acute } C_T = \frac{WQC_{\text{Acute}}}{f_D} \left(\frac{Q_E}{1Q_{10}} \right) \left(\frac{1Q_{10}}{C_S} \right)$$

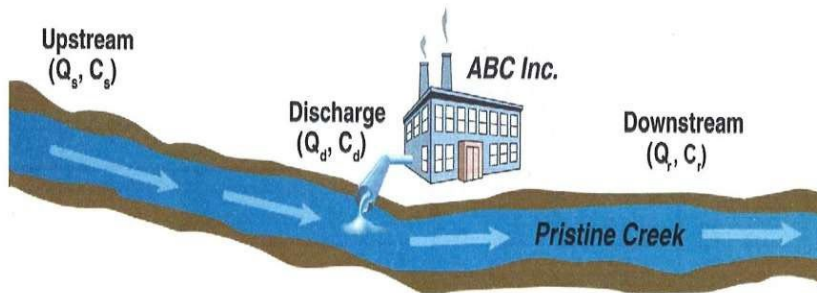
(1) In accordance with Georgia EPD's NPDES Reasonable Potential Procedures, January 2003, the effluent concentration shall be compared to 50% of the chronic WQC. The "adjusted" WQC is 50% of the chronic WQC.

Ammonia Reasonable Potential Analysis

General Information		
Facility	Equinix - AT10x	
Permit #	GA0050350	
Staff	A. Joyce	
Date	1.Oct.25	
Upstream Conditions		Basis
Flow, Q _s	0.23 cfs	30Q3 as determined by WPMP
Concentration, C _s	0.13 mg/L	background concentration generally ~0.13 mg/L or as specified by WPMP
Discharge Characteristics		Basis
Flow, Q _d	0.350 MGD	effluent flow rate effluent
Flow, Q _d	0.54 cfs	flow rate concentration
Concentration, C _d	0.50 mg/L	instream waste concentration
IWC	70.2 %	
Predicted Downstream		Basis

Flow, Q_r	0.77 cfs	calculated combined flow
Concentration, C_r	0.39 mg/L	calculated instream concentration
Applicable Criteria	2.00 mg/L	instream toxicity criteria as determined by WPMP
Ratio	19 %	predicted instream concentration as % of criteria
RP	No	is there reasonable potential to exceed criteria?
Action	None	what is appropriate permitting action?

Exhibit 6-14 Example of applying mass-balance equation to conduct reasonable potential analysis for conservative pollutant under conditions of rapid and complete mixing



Mass-Balance Equation: $Q_s C_s + Q_d C_d = Q_r C_r$

Dividing both sides of the mass-balance equation by Q_r gives the following:

$$C_r = \frac{(Q_d)(C_d) + (Q_s)(C_s)}{Q_r}$$