Walnut Creek

Watershed Coalition

Public Comments and Request for Public Hearing
NPDES Permit No. GA0050350
Equinix AT10x Data Center
1100 Site Parkway
Hampton, Georgia 30228

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

Any 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 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.

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 (due March 29, 2026). 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.

Now comes forth the citizens of Henry County and the Walnut Creek Watershed Coalition. We are objecting to the issuance of the NPDES permit for the 263-acre Equinix AT10x Data Center located in Hampton, Henry County, Flint River Watershed, Georgia (See Figure 1: Henry County Tax Assessor Map). Via the attached review, we have demonstrated the project's unacceptable environmental impacts and have demonstrated a significant degree of public interest. We compel the Director of EPD to deny the permit as proposed and to hold a public hearing regarding the Equinix AT10x Data Center in Henry County, GA.

Signed,

Mark LaRue

Walnut Creek Watershed Coalition
Henry County, GA
(wc2creekkeeper@gmail.com)

Permit Review and Background

This project is already under construction and has been issued a Land Disturbance Permit and NPDES Storm Water permit, along with a pending State Air Permit Application 29899 for operation of 149 diesel fuel-fired engine generators and one diesel fuel-fired fire pump engine. The project is one of numerous Data Centers in the City of Hampton and Henry County. The additional Data Centers will have massive effects on the citizens of Hampton, Henry County, and the Flint Watershed. See Figure 2: City of Hampton Map.

This current NPDES Discharge permit would allow the discharge of a maximum of 0.35 MGD (to vary by day and season) of non-contact cooling water to Clear Creek (a high quality First order Stream) that is in the Flint River Basin. As detailed in our comments here, due to the impacts of the project on human health and welfare, the natural environment, and stress on local infrastructure, we believe via submittal of this objection letter, that we have demonstrated a significant degree of public concern and interest on this project and request the EPD Director to hold a public hearing for this permit.

The Atlanta Regional Commission's Requirements for Data Centers were established in November 2025. However, the AT10x Data Center was approved prior to their establishment and therefore was not required to undergo a DRI. The Development of Regional Impact (DRI) is a Process that mandates Developers to provide detailed estimates of their projects' expected energy and water usage. Analyzing energy and water usage ensures responsible planning and resource management in affected areas. According to Atlanta Regional Commission, the DRI process allows community members and local officials to assess and comment on large projects before they proceed. In this way, the public gains access to crucial information about proposed data centers and avoids developments proceeding without adequate scrutiny. This lack of DRI review and public involvement places no accountability on the data center to protect the public's interest and we request EPD grant relief to the citizens by holding a public hearing.

The land disturbance from the project has impacted 85.6-Acres of Nationally Listed Prime Farm Land and 66.5-acres of Farmland of Statewide Importance (See Figure 3: USDA Prime Farm

Lands). Therefore, approximately 60% of this site was formerly prime lands for forestry and agricultural production that has been converted to impervious industrial surfaces.

The Discharge permit for the AT10x Data Center is flawed because it assumes a normal creek flow and fails to include the stormwater impacts from the impervious surfaces. The NPDES stormwater permit is already impacting Clear Creek *and* Bear Creek with discharges from at least two detention basins (See Figure 4: Detention Basin Discharge). The Target Distribution Center located immediately to the north is also discharging storm water into Bear Creek and Clear Creek. Stormwater runoff disrupts the chemical balance and flow regime of receiving waters. The discharge of storm water into these creeks influences the calculations for pollutant loading and flow regimes that are not addressed in the projections for this discharge permit. The AT10x storm water and erosion controls have been inspected by the City of Hampton resulting in approximately nine Notices of Violation documenting the release of stormwater and sediment into Clear Creek and Bear Creek.

Additionally, Equinix/TH characterizes the discharge as Clear Water Discharge (CWD) that is 1/7 the volume of intake and with impurities being 7-10 times more concentrated from intake. This is a significant increase in pollutants being discharged into the water system. See table 5 and our independent analysis.

First-order streams like Clear Creek typically have small, shallow channels, low discharge, and due to their small size are highly sensitive to environmental impacts. These streams often represent the highest number of streams in a drainage basin, covering a significant portion of total stream miles. Clear Creek has a State Designated use for Fisheries. First-order streams are critical for water quality, providing cold, clean water and essential habitat for organisms. Indeed it can be assumed, Clear Creek was locally named for its high quality water. Furthermore, Clear Creek and Bear Creek have adjacent valuable forested wetlands whose water quality will be degraded by the discharges allowed by the issuance of this permit (See Figure 5: NWI Map).

Equinix contracted with Thomas&Hutton, Inc. to prepare an anti-degradation study for the project. It is required by Georgia Rule 391-3-6.03(2)(b)(ii)2 that "Before allowing any lowering

of high-quality water the division shall find, after an analysis of alternatives, that such a lowering of quality is necessary to accommodate important economic social development in the area in which the waters are located." The T&H document is referenced herein.

Project Strains Local Water Supplies and Water Treatment Systems

This project risks limiting access to quality water and affordable power for local residents as it lacks a guaranteed water and power source. The project's water will have to be supplied by three sources – Henry County Water Authority, City of Griffin, and City of Hampton (via purchase from HCWA). None of the suppliers have the individual ability to meet the demand for 3.5 Million Gallons per Day (MGD at final build out. The project will require its own substation which has not yet been built meaning it could rely on its 149 backup generators for start-up if adequate power is not available in time. Yet the project is currently under construction, without an adequate water source or power infrastructure.

This project could result in an interbasin transfer of up to 3.5 million gallons of water depending on where the water is supplied. Hampton purchases its water from Henry County which comes from the Ocmulgee watershed. However, Griffin gets its water from the Flint River. Because you could have two watersheds supplying the water for the data center, there is a chance for an interbasin transfer of up to 3.5 million gallons of water from the Ocmulgee into the Flint River basin. This kind of inter-basin transfer results in the overall dewatering of the Ocmulgee basin and adds an enormous amount of water into Cleer Creek, a small first order stream. There is no benefit to the Flint River basin from this anthropogenic inter-basin transfer.

It is also extremely important to note that AT10x is requiring use of 3.5MGD and is discharging 350,000 gallons per day. This results in a significant loss of 90% or 3.15MGD of valuable potable water to the atmosphere via cooling tower(s). A drought management plan for conserving water resources and minimizing discharge is not included in the permit application.

T&H Alternatives Analysis for Discharge

Lack of adequate POTW

As per T&H Table 7: The Hampton sewer system is near capacity and cannot accommodate the full discharge from the site without high-cost upgrades to their system. The Henry County Sewer System is near capacity and cannot accept the full discharge from this site and would also require extensive system improvements.

T&H also reviewed the potential for Land Application of waste water and reducing water use and discharge use by utilizing Cooling Water Reuse (aka Closed Loop System). The final preferred alternative, and notably (but not surprisingly), the cheapest alternative was a direct discharge of waste water to Clear Creek and the Flint River Basin.

From T&H Report

Table 7: *Alternatives Summary of Cost*

ALTERNATIVE	CAPITAL COSTS	ANNUAL OPERATION & MAINTENANCE COSTS
Land Application System Option 1	$ 34,800,000	$ 475,000
Land Application System Option 2	$ 37,400,000	$ 475,000
Land Application System Option 3	$ 15,400,000	$ 475,000
Land Application System Option 4	$ 22,800,000	$ 475,000
Discharge to City of Hampton Sewer System	$ 18,000,000	$ 140,700
Discharge to Henry County Sewer System	$ 5,000,000	$ 109,000
Cooling Water Reuse	$ 3,973,200	$ 560,000
Cooling Water Direct Discharge	$ 300,000	$ 18,000

Equinix/TH Table 5 characterizes the discharge as Clear Water Discharge (CWD) that is 1/7 the volume of intake and with impurities being 7-10 times more concentrated from intake.

Table 5: *Estimated Water Quality Characteristics*

PARAMETER	UNITS	POTABLE MAKEUP WATER SAMPLING DATA	ESTIMATED CWD WATER QUALITY DATA
pH	S.U.	7.9	8.64
Calcium	ppm	41	410
Copper	ppm	0.00	0.000386
Magnesium	ppm	8.4	84.0
Total Iron	ppm	0.02	0.2
Manganese	ppm	0.009	0.09
Chloride	ppm	11	110
Sulfate	ppm	8.40	84.4
Silica	ppm	15	150
M-Alkalinity	ppm	34.0	290
Sodium	ppm	0.00	2.50
Potassium	ppm	2.90	29.0
Orthophosphate	ppm	0.400	4.25

Our Independent Review

Georgia Water Quality Standards (Surface Waters)

Parameter	State Standard	Comments
pH	6-8.5	Projected discharge is 8.64 and exceeds State Standards. pH levels in streams significantly affect aquatic life, influencing the availability of nutrients and the toxicity of metals. Changes in pH can lead to harmful conditions for fish and invertebrates, potentially causing shifts in species composition and overall ecosystem health.
Calcium	None	Projected discharge of 410 ppm. Calcium levels directly

		influence the biodiversity of aquatic habitats. Excessively high calcium levels can lead to issues in aquatic environments, such as reduced growth and reproductive success in fish.
Copper:	None	Discharge of 0.00036 ppm. The Georgia Environmental Protection Division (EPD) establishes site-specific limits based on the receiving water's quality standards and the facility's "reasonable potential" to exceed them. Copper is an essential nutrient at low concentrations but is toxic to aquatic organisms at higher concentrations. In addition to acute effects such as mortality, chronic exposure to copper can lead to adverse effects on survival, growth, reproduction as well as alterations of brain function, enzyme activity, blood chemistry, and metabolism.
Magnesium	None	Projected 84 ppm discharge. Typical concentrations in freshwater streams are normally around 4 ppm. Excess magnesium can lead to imbalances in water chemistry, potentially harming sensitive species such as certain fish and invertebrates. Increased magnesium can facilitate nutrient loading, contributing to algae blooms that deplete oxygen levels when they decay, harming fish and other aquatic species. Changes in magnesium levels may favor certain species over others, disrupting the natural balance and diversity of the ecosystem.
Total Iron	1ppm	Projected discharge of 0.2 ppm. In natural freshwater ecosystems, iron influences productivity and the structure of aquatic communities. Iron hydroxide precipitates can physically clog the gills of fish and macroinvertebrates, restricting respiration. High concentration can lead to oxidative stress, damaging DNA, and cell membranes in various aquatic organisms. Iron precipitates often coat the substrate of streams, reducing the availability of benthic habitats and destroying spawning grounds.
Manganese	None	Projected discharge is 0.09 ppm. General freshwater guidelines often suggest a limit of 0.1 ppm to protect marine organisms, particularly mollusks which can bioaccumulate the metal.
Chloride	Flexible	Proposed discharge is 110 ppm. While limits are site-

		specific, standard daily maximums for Total Residual Chlorine are often set at 0.011 ppm (daily maximum) as a common standard to remain protective of water quality. High chloride levels (above 230–860 ppm) are harmful or fatal to fish, macroinvertebrates, and amphibians. Even at non-lethal levels, chloride can inhibit reproduction and stunt the growth of aquatic organisms.
Sulfate	Flexible	Projected Discharge is 84.4 ppm. For industrial facilities and wastewater treatment plants, sulfate limits are typically not set as a universal "blanket" number across the state. Instead, they are determined on a site-specific basis through the National Pollutant Discharge Elimination System (NPDES) permit process. Sulfate pollution in freshwater streams causes severe ecological damage by inducing osmotic stress, promoting toxic methylmercury production, and triggering eutrophication through the release of phosphorus from sediments. High sulfate concentrations cause osmotic stress and direct toxicity, especially in soft waters with low calcium and magnesium. Sulfate enhances the release of internal phosphorus from sediments, which promotes algal blooms and degrades water quality. Sulfate stimulates bacteria that convert inorganic mercury into methylmercury, a potent neurotoxin that accumulates in the food chain.
Silica	None	Projected discharge of 150 ppm. While silica is essential for diatoms (a type of algae), massive fluctuations or excessive amounts can impact on the balance of nutrients, such as nitrogen and phosphorus, altering the aquatic ecosystem. Natural waters/stream usually contain 5-25 ppm of silica.
M-Alkalinity	None	Projected discharge of 290 ppm. M-alkalinity is a measure of the total acid-neutralizing capacity of water, representing the concentration of bicarbonates, carbonates, and hydroxides. In stream ecosystems, it serves as a critical chemical buffer that stabilizes water quality against external stressors. Higher alkalinity can shift the composition of benthic algae and diatom communities and can result in toxic algal blooms in downstream water bodies.
Sodium	None	Projected discharge of 2.5 ppm. While sodium itself is not

		listed as a toxic priority pollutant, EPD regulations focus on controlling total dissolved solids (TDS) and ions that affect stream health. Water Quality Standards: If a stream fails to meet designated uses due to high salinity (indicated by high sodium/chloride), it may be placed on the Georgia 303(d) list for impairment. Sodium in freshwater streams causes "Freshwater Salinization Syndrome," which increases salinity and alkalinity, harms aquatic life, and releases toxic metals from soil. High sodium levels impair the survival, growth, and reproduction of fish, invertebrates, and microorganisms, reducing biodiversity.
Potassium	None	Projected discharge of 29ppm. Excessive potassium in freshwater streams causes freshwater salinization syndrome, which disrupts ionic balance, harms aquatic life, and degrades water quality. High levels of potassium are toxic to aquatic organisms—particularly invertebrates and fish—by interfering with cellular ion regulation. It can also trigger harmful algal blooms, reduce biodiversity, and inhibit the growth of freshwater mussels.
Orthophosphate	Flexible	Projected discharge of 4.5 PPM. In Georgia, regulatory limits for phosphorus are generally established as Total Phosphorus (TP) rather than strictly for orthophosphate, with limits often set at 4.6– 5.0 ppm. Orthophosphate levels exceeding 0.1 ppm are generally considered to exceed EPA guidelines, posing risks to aquatic ecosystems. As a readily available form of phosphorus, excess orthophosphate acts as a fertilizer in water bodies, driving excessive algae growth, decreased oxygen levels (hypoxia), reduced water clarity, and the destruction of aquatic habitats.

The applicant/permit characterizes the discharge as a harmless "Clear Water Discharge." Our review suggests there are undeniable harmful effects to Clear Creek from this excessive "Brine Discharge." It is extremely important to note that during low stream flows, this harmful brine will comprise 90% of stream flow. The water quality of Clear Creek and its aquatic organisms will suffer severe damage and death from this proposed discharge. Further, the applicant has not obtained any actual stream data to establish current in-stream levels of these pollutants and the true effects of this discharge into Clear Creek.

Additional Discharge Pollutants

Typical Data Center cooling systems can contribute pollutants from noncontact cooling water primarily from chemical treatments added to prevent bacterial growth and corrosion, as well as

the concentration of minerals during evaporation. These additives include Biocides including chemicals like chlorine, bromine, isothiazolinones, and glutaraldehyde that are used to prevent bacteria, mold, and algae growth in the warm, moist environment of cooling towers. Corrosion Inhibitors substances such as phosphates and molybdates are added to protect system metal components. Heavy Metals including copper, zinc, and chromium can enter the water supply through the corrosion and degradation of the cooling system pipes and components.

Evaporative cooling concentrates minerals and salts, resulting in high levels of TDS in the discharged water.

Thermal Pollution: The water discharged is often significantly warmer than the receiving water body, which can adversely affect aquatic ecosystems.

Recent concerns have been raised regarding the use of per- and polyfluoroalkyl substances in some cooling systems.

The permit requires the facility to submit a full effluent characterization based on actual wastewater *after discharge has commenced.* This after-the fact monitoring is unacceptable and does not protect the water quality of Clear Creek and the Flint River. The AT10x site is already under construction, and the applicant has had ample opportunity sample Clear Creek for its natural condition and to develop a specific impact model for the concentrated brine discharge and other potential pollutants in the wastewater.

AT10x NPDES Permit Pollutants and Monitoring Requirements

Rather than assess the full actual impacts of the AT10x Facility, EPD has instead chosen a harmful minimalist approach that fails to protect Clear Creek and the Flint River Basin. The effluent parameters and schedule do not include a thorough analysis of potential pollutants and dangers. The permit states that 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.

This is a flawed after-the-fact approach that potentially allows years of degrading the stream with only a possibility of re-opening of the permit. We have competently demonstrated that toxicity is suspected in the effluent, and request that the EPD require the permittee to immediately perform all the following actions to protect the high quality fishing waters of Clear Creek and the Flint River Basin:

i. Acute biomonitoring tests;

ii. Chronic biomonitoring tests;

iii. Stream studies;

iv. Priority pollutant analyses;

v. Toxicity reduction evaluations (TRE); or

vi. Any other appropriate study.

From The Permit Application

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]

2

Added Permit Conditions: 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. There shall be no discharge of floating solids or visible foam other than trace amounts. 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.

We believe this NPDES permit as proposed, violates the "Anti-Degradation" clause of the Clean Water Act and an appropriate "Reasonable Potential Analysis (RPA) is required by U.S. EPA for this permit.

> Georgia Rule 391-3-6.03(2)(b)(ii)2 that "Before allowing any lowering of high-quality water the division shall find, after an analysis of alternatives, that such a lowering of quality is necessary to accommodate important economic social development in the area in which the waters are located."
>
> 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 State water quality standard, including State narrative criteria for water quality."
>
> 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.

Conclusion

We believe this NPDES permit as proposed, violates the "Anti-Degradation" clause of the Clean Water Act and an appropriate "Reasonable Potential Analysis (RPA) is required by U.S. EPA for this permit. The Anti-degradation study prepared by AT10x is inadequate and heavily places emphasis on financial cost saving measures without fully considering the costs to human welfare and the environment. Issuance of this permit as proposed will have severe consequences on the communities in Hampton and Henry County with subsequent environmental damage to Clear/Bear Creeks, and the Flint River Watershed.

We are verified interested and affected parties and request EPD to deny this inadequate environmentally harmful permit application and request the Director of EPD to hold a public hearing with respect to the AT10x Data Center.

Walnut Creek Watershed Coalition - Henry County, GA.

Figure 1

Site Boundary Map
AT10x Property
Henry County Tax Assessor

Figure 2

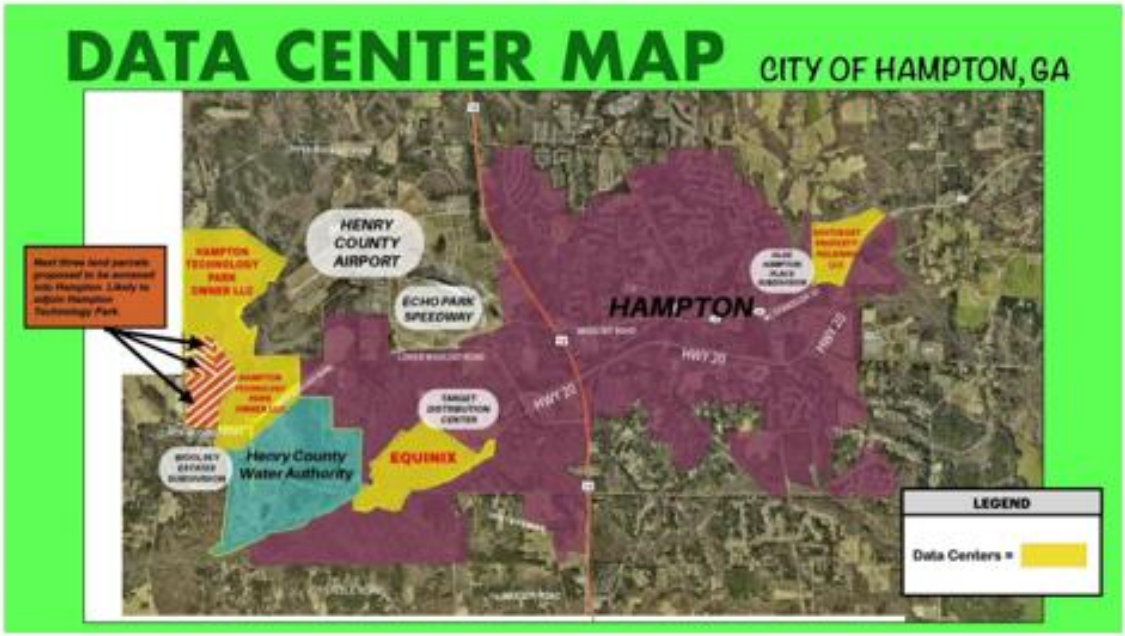
DATA CENTER MAP
CITY OF HAMPTON, GA
HENRY COUNTY AIRPORT
ECHO PARK SPEEDWAY
HAMPTON
HWY 20
HWY 20
HWY 23
Henry County Water Authority
EQUINIX
LEGEND
Data Centers =

Figure 3

Site Soils Map
U.S. Department of Agriculture
Web Soil Survey
Green = Nationally Listed Prime Farmland Soils (85.6-Acres)
Blue = Farmlands of Statewide Importance (66.5-acres)
Red = Not Prime Farmlands

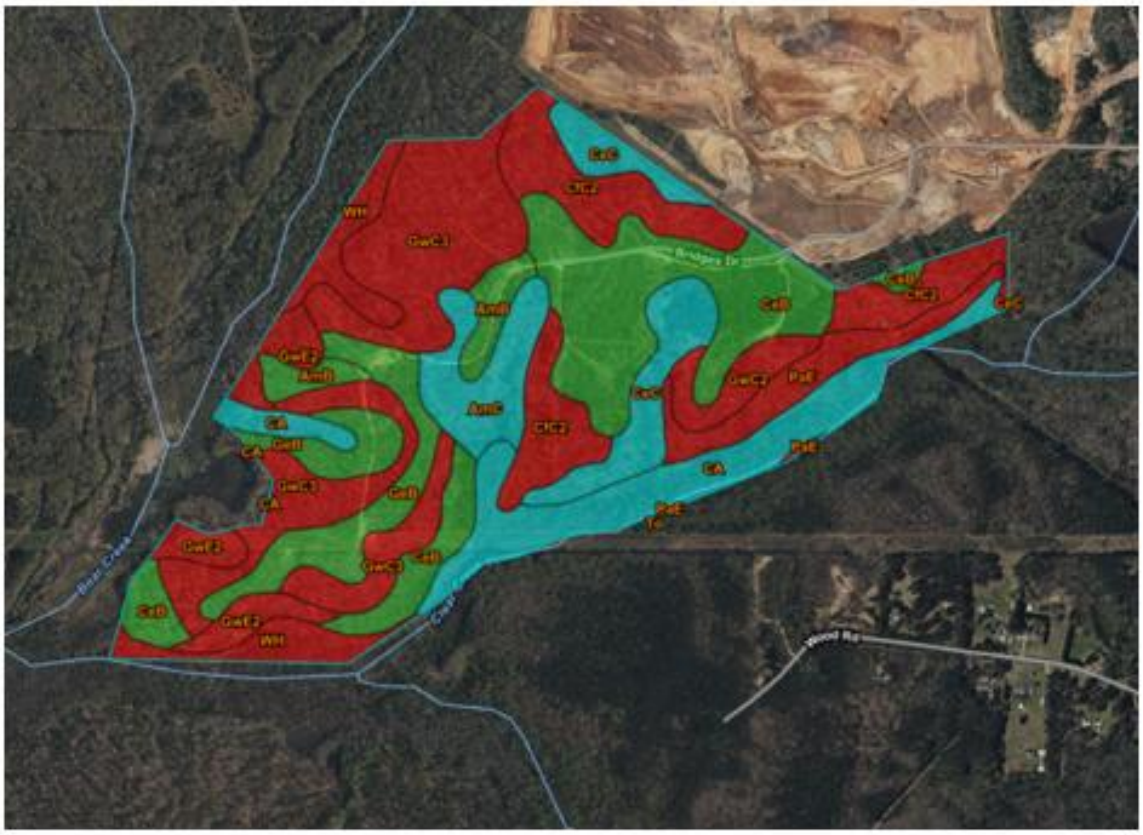

Figure 4

Detention Basin Location

Equinix AT10x Facility Currently Under Construction

Figure 5

National Wetlands Inventory Map
U.S. Fish and Wildlife Serve
Equinix AT10x Facility Currently Under Construction