Celebrating the Clean Water Act's Impact on

GEORGIA'S WATER

2022 GEORGIA'S DIRTY DOZEN SPECIAL EDITION

UNITED STATES AND THE STATE OF GEORGIA V. DALTON UTILITIES

Carpet Capital's Sewage Woes Illustrate Pitfalls of Land Application Systems, Forever Chemicals

INTRODUCTION

In Dalton, known as the "Carpet Capital of the World," the 1970s and 1980s were heady days. More than 50 carpet mills churned out shag by the millions of square feet, and it was said there were more millionaires per capita in Dalton than any other U.S. city. The late 1980s saw the introduction of stain-resistant carpet, and with this miracle product, the future looked bright for the carpet capital. But in the midst of this boom, pollution from the carpet mills decimated the Conasauga River. Effluent routinely turned the river the color of carpet dyes; the pollution was so bad that in the early 1980s the downstream city of Calhoun spent millions building a new drinking water intake on the nearby Coosawattee River rather than continue drawing water from rivers polluted by upstream industries. Finally, in the early 1980s, prompted by the Clean Water Act and the federal funds made available through the legislation, Dalton embarked on an ambitious effort to upgrade its sewage system. The project—blessed by both state and federal environmental regulators as the "wave of the future" in wastewater treatment—involved spraying treated sewage and sewage sludge on thousands of acres of fields and forests along the Conasauga River. The land, it was believed, would absorb nutrients and further purify the water before it reached any water body. Less than two decades after the system began operation, the same state and federal regulators that initially blessed the system, sued its operator, Dalton Utilities, for polluting the Conasauga River. More than 20 years after resolution of that case, pollution from the same land application system is still vexing downstream water users and calling into question the efficacy of land application systems for industrial and municipal waste.

THE WATER BODY

The Conasauga and the river it flows into, the Oostanaula, are known for their rich aquatic biodiversity. Part of the larger Upper Coosa River basin, no other river system in North America has a higher percentage of endemic species than does the Upper Coosa. Thirty species of mussels, snails, crayfishes and fishes can be found in the waters of the Coosa and nowhere else on Earth. Federally protected snails and mussels including the interrupted rocksnail, Coosa moccasinshell and Georgia pigtoe and fishes like the Conasauga logperch,

In a recent study of some 300 rivers in 11 southern states, the Conasauga ranked as the seventh most imperiled watershed because of its rich biodiversity. The larger Upper Coosa River Basin has a higher percentage of endemic aquatic species (30 species that are found nowhere else in the world) than does any other river system in North America. Species that can be found in the Conasauga River, include the bronze darter, and the washboard mussel.

trispot darter and amber darter all find homes there. In a recent study of some 300 river systems in 11 Southern states, the Conasauga ranked as the seventh most imperiled watershed because of its rich biodiversity. Northwest Georgia's and Northeast Alabama's human population is also dependent upon clean water flowing in these rivers. Rome, Georgia, along with Centre and Gadsden, Alabama all secure their drinking water from these streams originating in Northwest Georgia.

THE CASE

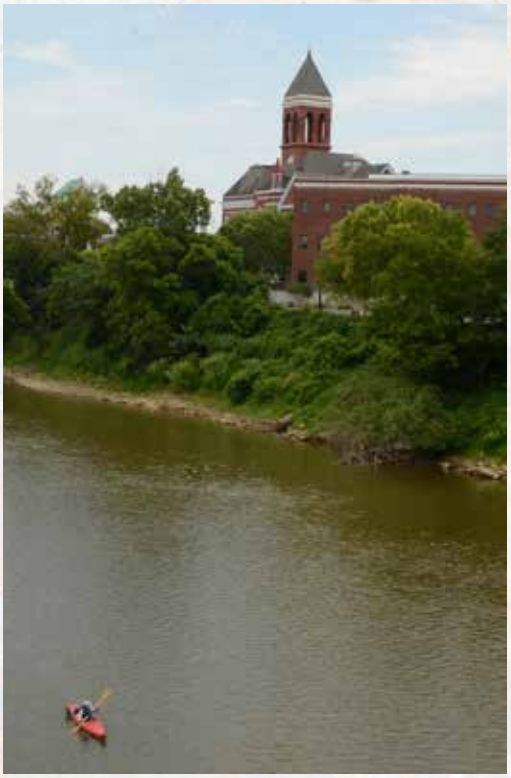
The optimism that accompanied the construction of Dalton Utilities' land application system is tragically ironic. Touting the "technology" that would allow Mother Nature to complete treatment of Dalton's sewage, the then general manager of the utility told reporters in 1986: "When in full operation, Dalton's discharge...into the Conasauga River will be zero. I'm sure the people in Rome, who get our water, will appreciate that."

Though the system eliminated the direct discharge of inadequately treated industrial and municipal sewage and improved the health of the Conasauga and Oostanaula rivers, multiple failures of the system soon drew the attention of regulators.

During the first 20 years of its operation, Dalton Utilities was cited 15 times for significant violations of the Clean Water Act. Finally in 1998, state and federal regulators filed suit after finding that the land application system was, in fact, discharging into the Conasauga through polluted runoff. They further found the system was polluting groundwater.

Dalton Utilities ultimately agreed to a consent decree in which the public utility paid a $6 million penalty, at the time the largest such fine in the history of the Clean Water Act. The utility also agreed to spend tens of millions upgrading its entire sewer system and improving its methods for applying the sewage to its 9,600-acre site surrounded by a large bend in the Conasauga. The decree also led to requirements that industries provide initial treatment of their wastewater before sending it to the municipal sewer system. Finally, the utility was hit with a $1 million fine for filing false operating reports required under the Clean Water Act.

Once considered the solution to wastewater pollution, land application systems have fallen out of favor. Problems like those at Dalton and other of the state's more than 200 land application systems, coupled with the recognition that water needed to be returned to its original source for use by downstream communities and wildlife, have led regulators to steer wastewater operators to more traditional facilities with direct discharges to the state's streams and rivers.



The City of Rome, which draws its drinking water from the Oostanaula River downstream from Dalton, has been impacted by pollution from the carpet capital since the mid-1900s. The city recently sued Dalton Utilities as well as several carpet and chemical companies because of the presence of PFAS in the city's drinking water. The man-made chemicals used to make stain resistant carpet since the late 1980s and linked to negative health impact in humans have been discharged to the Conasauga River for more than three decades.

Today, downstream water users are still impacted by Dalton Utilities' land application system, ironically by the very chemicals that made possible stain-resistant carpet and continued Dalton's carpet boom in the late 1980s: per- and polyfluoroalkyl substances, known as PFAS. Called "forever chemicals" because they persist in the environment for years, PFAS are linked to multiple negative health impacts in humans. They have been spread on Dalton Utilities' land application system for more than three decades.

Moving into the Conasauga through surface water runoff and likely via groundwater as well, PFAS are now turning up in drinking water supplies downstream in Rome and Centre and Gadsden, Alabama. Those cities have not, as predicted in 1986, "appreciated" Dalton's land application system. Recently, all three have sued Dalton Utilities and multiple carpet and chemical manufacturers in an effort to recoup expenses incurred in upgrading their water treatment systems to remove PFAS.

GEORGIA WATER COALITION