

## FREQUENTLY ASKED QUESTIONS

### 1. *Who is King America?*

The King America Finishing plant in Dover, GA has been part of the South Georgia community since the mid-1960s. King America bought the plant in 2001, after it had been closed in bankruptcy. Today, King America employs over 500 people and is the largest private employer in Screven and Bulloch Counties. In recent years, King America has provided employment to many local workers whose previous jobs were lost due to closures of the plants of other companies in the area. In an age where most textile manufacturing jobs have gone overseas, King America is proud to be an American company with its finished product Made in the U.S.A.

### 2. *What does King America make at its plant?*

King America is a textile dyeing and finishing company. Since 2006, King America's facility in Dover, Georgia has been producing flame resistant fabrics used in clothing to protect workers in the electric utility, petrochemical, and steel mill industries.

### 3. *What is the current state of the water discharged from King America and its effect on the Ogeechee River?*

Since May 2011, King America's operations have been subject to the most stringent testing, monitoring, and reporting requirements in the state of Georgia. Daily independent testing shows that the chemicals discharged in King America's treated effluent quickly dissipate downstream and are not toxic to aquatic life either short term or long term.

### 4. *Isn't it true that King America's discharge caused fish kills in the Ogeechee River in May 2011 and May 2012?*

No. U.S. EPA, Georgia EPD & Georgia's Wildlife Resources Division all investigated the fish kills in the Ogeechee River. After thorough inspections and analysis, the agencies found no evidence of any accidental discharge, chemical spill, or other production upset from King America that could have caused the fish kills.

In the May 2011 fish kill, it was determined that the fish did not die from chemicals, but from an outbreak of a fish bacteria called *columnaris*. Columnaris is a common cause of fish kills in all types of bodies of water regardless of industrial activity. Columnaris causes fish kills in ponds, controlled fish farms, even home aquariums. Outbreaks are often associated with environmental stressors including low water flows, high temperatures, drought conditions, and spawning. Shortly after columnaris was determined to be the cause of the May

2011 fish kill, the Georgia Department of Natural Resources lifted all swim advisories and announced that “fish caught in the Ogeechee River are safe to eat.” EPD also stated that humans are not known to be affected by columnaris.

A May 2012 fish kill in the Ogeechee River, which involved less than 100 fish, was similarly investigated, and the Georgia EPD announced that drought conditions were the likely cause of the fish kill and that there were “no indications of problems with toxicity” from King America’s effluent and that King America “is operating in compliance with current requirements.”

5. *If King America was not the cause of the fish kill, how do you explain that it started downstream from King America’s discharge point in the Ogeechee River?*

No one can explain why the May 2011 fish kill started where it did. In its official report on its investigation of the cause of the fish kill, the U.S. EPA declared, “It may be impossible to ever know for certain exactly what happened.”

In a national radio interview in August 2012 about fish kills nationwide, a Fisheries Program Supervisor for the U.S. Fish & Wildlife Service stated that fish kills are “part of the natural cycle, but things like extreme heat and drought conditions can cause fish kills to be more frequent or, in some cases, worse.” He went on to note that in recent years fish kills have been “more widespread” and “more frequently occurring.” For example, in North Carolina alone in 2009, there were 33 fish kill incidents resulting in the loss of 13,794,083 fish. All of the North Carolina fish kills that year were attributed to natural causes. Six of North Carolina’s fish kills in 2009 were larger than the May 2011 Ogeechee River fish kill, in which approximately 38,000 fish died.

6. *I heard that King America was illegally discharging into the Ogeechee River without a permit for the flame-retardant (“FR”) production lines. Why didn’t King America get a new permit before installing the FR lines?*

King America obtained an air permit from Georgia EPD before installing the FR lines. Georgia EPD has determined that King America should have also provided Georgia EPD’s water division with separate notice under King America’s water permit in place at the time. Since then, King America has worked closely and cooperatively with Georgia EPD to get a revised permit in place, and has agreed to pay a substantial fine related to the past permit notice issue.

7. *I heard that King America should have been fined over \$90 million for causing the fish kill, but it only had to pay a \$1 million penalty?*

No governmental body has blamed King America for the fish kill or penalized King America for causing the fish kill. However, because Georgia EPD found that King America did not comply with its water permit, King America has agreed to pay one of the highest penalties ever imposed by the Georgia EPD for a permit

violation. As part of the Consent Decree between the company and Georgia EPD, King America will fund \$1 million in Supplemental Environmental Projects directly benefitting the health and maintenance of the Ogeechee River.

8. *Why is EPD still allowing King America to discharge despite not having a permit for the FR line discharge?*

Since May 2011, King America has been subject to the most stringent conditions and testing requirements in Georgia. King America has fully cooperated with the Georgia EPD to make operational changes and to implement a daily testing regime required by the environmental regulators. The Georgia EPD has attempted to issue a new permit implementing many of these strict standards, but environmental groups have legally challenged the permit, which has made it impossible to get the new permit in place. In the meantime, King America continues to operate under EPD's stringent standards, and is in routine communication with the Georgia EPD regarding its operations and test results.

9. *How do I know that King America's wastewater treatment plant is doing its job to protect what gets discharged into the River?*

Like the other wastewater treatment plants along the Ogeechee River Basin (for example, the municipal facilities for the cities of Millen and Richmond Hill), King America's wastewater treatment plant uses multiple processes to treat wastewater before it is discharged into the river. Since May 2011, King America has invested well over a million dollars in improvements and operational changes to its wastewater treatment facility. These improvements have been made under the supervision of the Georgia EPD.

The daily testing shows the real results, though. Since July 2011, more than 500 toxicity tests have been done on King America's effluent coming out of the wastewater treatment plant. King America has routinely met both acute (short term) and chronic (long term) criteria for the discharge for over a year. These criteria have been met by testing samples of 100% concentration of effluent, even though King America's discharge cannot be more than 10% of actual river flow, and is typically less than 3% of the river flow. During the Ogeechee River's recent flood stages, King America's effluent measured less than .1% – one tenth of one percent – of the river flow. In other words, King America is passing the toxicity tests at levels many, many times the concentration actually in the river. Repeated testing shows no toxic effects 25 feet below the discharge.

*10. What has been done to restore fish and wildlife to the Ogeechee River?*

The May 2011 fish kill in which 38,000 fish died did not extend the entire length of the Ogeechee River. Dead fish were found within a 77-mile stretch that ended just below the Highway 204 bridge crossing at the northwestern corner of Chatham County. In October 2011, the Georgia Wildlife Resources Division restocked that portion of the Ogeechee River with 300,000 fish of multiple species, including large-mouth bass, bluegill, and redbreast. The May 2012 fish kill was limited to fewer than 100 fish.

King America is also co-funding a 5-year project to increase the population of shad in the Ogeechee River.