

**STATE OF GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION**

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM
GENERAL PERMIT NO. GAG300000
MINING AND PROCESSING FACILITIES
AUGUST 1, 2016

FACT SHEET

The 1972 amendments to the Federal Water Pollution Control Act (FWPCA, also referred to as the Clean Water Act or CWA) prohibit the discharge of any pollutant to waters of the United States from a point source unless the discharge is authorized by a National Pollutant Discharge Elimination System (NPDES) permit.

General Permit No. GAG300000 will authorize point source discharges associated from nonmetallic mining operations and concrete and asphalt production. This permit will provide coverage for discharges of process water, mine dewatering water, stormwater associated with certain types of mining operations, and concrete and asphalt production. Several of the Major Group 14 SIC codes or specific mining activities are excluded from this General Permit coverage because the mining activities are subject to more stringent effluent limits under EPA Effluent Limit Guidelines in 40 CFR Part 436. The facilities associated with the excluded SIC Codes must obtain an individual NPDES permit to discharge to waters of the State. Additionally, this General Permit does not cover coal mining, metal mining, oil and gas extraction, and kaolin mining.

The NOI will include specific information about the facility and the receiving waters for the discharge(s). The NOI shall be completed in its entirety and submitted to the EPD. Specific forms are available from EPD and must be used for the Notice of Intent. This permit will be valid for a maximum period of 5 years.

A. PERMIT COVERAGE

1. To obtain authorization under this permit, the facility discharging or proposing to discharge wastewater must be classified under one of the following Standard Industrial Classification Codes:
 - a. 1411 Dimension Stone;
 - b. 1422 Crushed and Broken Limestone;
 - c. 1423 Crushed and Broken Granite;
 - d. 1429 Crushed and Broken Stone, Not Elsewhere Classified;
 - e. 1459 Clay, Ceramic, and Refractory Minerals, Not Otherwise Classified;
 - f. 2951 Asphalt Paving Mixtures and Blocks, including recycle;
 - g. 3273 Ready-Mixed Concrete;
 - h. 3272 Concrete Pipe Manufacturing; or
 - i. 3272 Other Concrete Product Manufacturing

2. This permit does not authorize coverage to any other facilities, other than the facilities that have the SIC codes mentioned above.

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3. Coverage under this permit will not be granted for facilities discharging into 303(d) listed waters for parameters of concern for this category of discharges. If the facility's receiving waters become listed on the 303(d) list during the current General Permit cycle, the EPD will reach out to the facility on a case by case basis.

B. ELIGIBILITY

This permit authorizes the following discharges:

1. Treated process wash water;
2. Process wastewater;
3. Mine dewatering water;
4. Process wastewater comingled with stormwater discharges associated with industrial activities defined in Part I.A of this permit;
5. Waters used to wash vehicles where detergents are not used;
6. Water used to control dust;
7. Uncontaminated ground water or spring water; and
8. Discharges from fire-fighting activities.

C. NOTICE OF INTENT REQUIREMENTS

Any person wishing to obtain coverage under this General Permit shall submit a Notice of Intent (NOI) in accordance with the following schedule:

1. NOI For Existing Discharges Already Covered Under an Individual Permit

Facilities that currently have discharges covered under an individual NPDES or Land Application System LAS permit and seeking coverage under this General Permit shall submit a completed NOI in accordance with the requirements of this permit at least 180 days prior to their current permit's expiration date. At any time during the existing individual NPDES permit cycle, the permittee may submit a completed NOI in accordance with the requirements of this permit. Such NOI shall be on forms as provided by EPD at www.epd.georgia.gov. Coverage under this General Permit shall be effective upon the date of the Notice of Coverage (NOC) letter as provided by EPD.

EPD may delay the permittee's authorization for further review, may notify applicants that additional effluent limitations are necessary, or may deny coverage under this permit and require submission of an application for an individual or alternative General NPDES Permit. EPD will notify permittees in writing of the delay, of the need for additional effluent limits, or of the request for submission of an individual NPDES permit application or alternative General Permit NOI.

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2. NOI For New or Expanding Discharges or New Sources

New or expanding dischargers or new sources seeking coverage under this General Permit must submit a completed NOI and an Antidegradation Analysis at least 30 days prior to the date of desired coverage and before commencing discharge. Coverage under this General Permit shall be effective upon the date of the NOC letter as provided by EPD.

EPD may delay the permittee's authorization for further review, may notify permittees that additional effluent limitations are necessary, or may deny coverage under this permit and require submission of an application for an individual or alternative NPDES Permit. EPD will notify permittees in writing of the delay, or the need for additional effluent limits, or of the request for submission of an individual NPDES permit application.

3. NOI For Change of Ownership

When ownership of a facility that is covered by this General Permit changes, the new owner/operator must submit a new NOI to EPD in accordance with the requirements of this permit at least thirty (30) days prior to the change of ownership. Authorization to discharge will commence immediately upon the submittal of the completed NOI (i.e., on the day the complete NOI is received by EPD). Failure to submit the new NOI may be considered a violation of this permit.

4. Termination of Coverage

EPD may deny coverage under this permit based on an incomplete or incorrect NOI submittal. The Director may at any time revoke coverage under this permit in accordance with the State Rules, Section 391-3-6-.15(11).

Notice of Termination (NOT) – A permittee that has ceased operation of the activity for which the permit coverage was obtained must submit a NOT within thirty (30) days after the activity has permanently ceased.

D. PERMIT EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Mining area process wastewaters are generally recycled as a source of processing water, lost by evaporation or discharged to waters of the State. The process wastewaters that are not recycled or lost via evaporation are controlled by limitations in this draft permit. These discharges may consist of: stormwater associated with industrial activity which has come in contact with overburden, raw material, intermediate product, finished product, byproduct or waste product, process wastewater which may include water used in the process of washing mined materials, vehicle or equipment degreasing wastewater, miscellaneous plant cleanup wastewater and mine pit dewatering (which may include the above collected discharges

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along with accumulated groundwater that enters the mine).

Treatment for these wastewaters usually consists of sedimentation that takes place during retention in ponds and pH adjustment.

1. Effluent Limits

The discharge(s) from the sediment pond shall be limited and monitored by the permittee as specified.

- a. Flow (MGD) - Shall be monitored at a frequency of once per month and these samples shall be collected instantaneously from the effluent.
- b. Total Suspended Solids (TSS) - Shall not exceed a 50 mg/L daily average and a 75 mg/L daily maximum. The measurement frequency shall be once per month and the samples shall be collected as grab samples from the effluent.
- c. Oil & Grease - Shall not exceed a 10 mg/L daily average and a 15 mg/L daily maximum. The measurement frequency shall be twice per year and the samples shall be collected as grab samples from the effluent.
- d. Effluent Turbidity (NTU) - Shall be monitored at a frequency of once per month and the samples shall be collected as grab samples from the effluent.
- e. Instream Turbidity (NTU) – Shall be monitored at a frequency of once per month and samples shall be collected as grab samples at the effluent, upstream (when applicable) and downstream.
- f. pH - Shall not be less than 6.0 standard units nor greater than 8.5 standard units and shall be monitored on the final effluent by a grab sample once per month from the effluent.

2. Special Condition in Part IV.A. Which are Designed to Protect Water Quality

- a. Process wastewater shall be treated and recycled to the maximum extent practicable, consistent with demonstrated industry standard technology, for use in processing and dust suppression. The permittee shall maintain records onsite to document these actions.
- b. When applicable, the permittee shall implement and adhere to industry recognized Best Management Practices (BMPs). Document(s) describing industry recognized BMPs can be found on EPD's website at the following web address: <http://epd.georgia.gov/wastewater-mpdes-las-forms>

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- c. When applicable, the permittee shall implement and adhere to the most recent edition of the Georgia Manual for Sediment and Erosion Control.
- d. When applicable, the permittee shall implement and adhere to the erosion and sediment control measures described in its Surface Mine Land Use Plan in order to ensure that there will be no point source discharge of pollutants from the permittee's mining activities into waters of the state, except as allowed in this permit.
- e. If the permittee does not have coverage under Georgia's General Permit for Storm Water Discharges Associated with Industrial Activities and has an approved Surface Mine Land Use Plan, the permittee shall have a written Storm Water Pollution Prevention Plan onsite.

E. WATER QUALITY STANDARDS AND EFFLUENT STANDARDS APPLIED TO THE DISCHARGES

Reasonable Potential Analysis (RPA) was evaluated using data supplied in individual NPDES permit applications, data reported on Discharge Monitoring Reports and Operational Monitoring Reports for the aforementioned SIC codes. Pollutants of concern identified from RPA are pH, total suspended solids, turbidity and oil and grease. The remaining pollutants listed in Section V, Part B of Form 2C of the Individual NPDES permit will not be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above the State Water Quality Standard (WQS). This data is consistent with the findings reported in the EPA's "Development Document for Effluent Limitations and Guidelines and New source Performance Standard for the Mineral Mining and Processing Point Source Category."

1. pH

40 CFR 436, Subpart B establishes Technology Based Effluent Limitations for mineral mining and processing point sources (crushed stone subcategory). An effluent limit 6.0 – 9.0 s.u. has been established for pH. However, to be protective of all water of the State of Georgia, a Water Quality Based Effluent Limit for pH is based on Georgia's water quality standard of 6.0 – 8.5 s.u.

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2. Total Suspended Solids

The Technology Based Effluent Limits for total suspended solids are based on the ELG 40 CFR 411. The ELG allows for a daily average of 50 mg/L. The daily maximum of 75 mg/L is 1.5 times the daily average in accordance with the EPA NPDES Permit Writer's Manual. This limit is believed to be protective of all waters of the State.

3. Turbidity

Turbidity monitoring and limits are based on Best Professional Judgment, since there is the reasonable potential for discharges to cause or contribute to narrative Water Quality Criteria violations, stated in 391-3-6-.03(5)(c-d) of the Rules. The Rules state that all waters shall be free from turbidity which may interfere with the legitimate water use and which results in a substantial visual contrast in a water body due to a man-made activity. To ensure these narrative water quality criteria are achieved, turbidity monitoring of the effluent and instream numeric limits are required to protect all waters of the State.

4. Oil & Grease

Effluent limits for oil & grease are based on Best Professional Judgment determinations of best available demonstrated control technology for sediment ponds and are the same as limitations that have commonly been applied to mining and processing facilities. Oil and grease limits are being imposed due to the high presence of truck washing that occurs at these facilities.

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F. PROCEDURES FOR THE FORMULATION OF FINAL DETERMINATIONS

1. Comment Period

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

Georgia Department of Natural Resources
Environmental Protection Division
Wastewater Regulatory Program
2 Martin Luther King Jr. Drive
Suite 1152 East
Atlanta, Georgia 30334

Persons wishing to comment upon or object to the 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 fact sheet date. If you choose to e-mail your comments, please be sure to include the words "NPDES permit reissuance-" in the subject line to ensure that your comments will be forwarded to the correct staff. All comments received prior to that date will be considered in the formulation of final determinations regarding the application. The permit application number should be placed on the envelope next to the above address and also at the top of the first page of comments.

2. 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 reason 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 EPD 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.

The permit application, draft permit, comments received and other information are available for review at the Wastewater Regulatory Program, 2 Martin Luther King Jr. Drive, Suite 1152 East, Atlanta, Georgia 30334 between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. For more information contact: Audra Dickson, Wastewater Regulatory Program, Phone (404) 463-1511.

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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 EPD Director or his designee reserves the right to fix reasonable limits on the time allowed for oral statements and such other procedural requirements, as he deems appropriate.

Following a public hearing, the Director, unless a determination to deny the permit is made, may make such modifications in the terms and conditions of the proposed permit as may be appropriate and shall issue the permit. Notice of issuance or denial will be circulated via EPD's website to those persons who submitted written comments to the Director on the proposed permit and to all persons or groups included on the EPD mailing list.

3. 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 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:

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

4. Issuance of the Permit When No Public Hearing is Held

If no public hearing is held, and after review of the written comments received, the EPD Director determines that a permit should be issued and that his 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 circulated to those persons who submitted written comments to the Director on the proposed permit within thirty (30) days from the date of the public notice of such proposed permit; and to all persons or groups included on the EPD mailing list.

If no public hearing is held, but the EPD Director determines, after a review of the written comments received, that a permit should be issued by that substantial changed 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

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pursuant to EPD Rules, Water Quality Control, subparagraph 391-3-6-.06(7)(b). The EPD 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.