



The Georgia Environmental Protection Division (Division) proposes to reissue the general National Pollutant Discharge Elimination System (NPDES) permit GAR050000, which authorizes Stormwater Discharges Associated with Industrial Activity. The draft permit places conditions on the discharge of pollutants from industrial stormwater systems to waters of the State. This fact sheet describes the basis and procedures for reissuance of Georgia's NPDES General Stormwater Permit (GAR050000) for discharges of stormwater associated with industrial activity. This permit is referred to as the 2022 IGP.

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**Draft permit:**

<input type="checkbox"/>	First issuance
<input type="checkbox"/>	Reissuance with no or minor modifications from previous permit
<input checked="" type="checkbox"/>	Reissuance with substantial modifications from previous permit
<input type="checkbox"/>	Modification of existing permit
<input checked="" type="checkbox"/>	Requires EPA review

## **1.0 GENERAL PERMIT INFORMATION**

### **1.1 NPDES Permit No.: GAR050000 Background**

An NPDES permit was first issued for industrial stormwater in Georgia in 1993; it was reissued in 1998. In 2003, the 1998 permit expired and was administratively extended. A draft permit was issued for public comment in 2004, which was subsequently revised and reissued in 2005. The 2005 permit was appealed, and GAR000000 was issued August 1, 2006, incorporating the results of two settlement agreements. A draft permit was issued for public comment in June of 2011, then revised based on comments received, and a second draft issued in September of 2011. After further negotiations with affected parties, a third draft of the permit was issued for public comments in January of 2012, and the revised permit GAR050000 was issued in May of 2012. The 2012 IGP was revised and issued for public comment in November of 2016. Public comments were received in December of 2016 and a response to all comments and the final permit were issued in March of 2017 and became effective on June 1, 2017 (2017 IGP).

### **1.2 Eligibility for Coverage**

To be eligible for coverage under the 2022 IGP, operators of industrial facilities must meet the eligibility provisions described in Part 1.1 of the permit which include:

- The activities at the facility must be described by one of the SIC Codes or Narrative Descriptions included in Part 8 of the permit.
- Stormwater discharges must meet one of the conditions described in Part 1.1.2 of the permit.
- Non-Stormwater discharges must meet one of the conditions described in Part 1.1.3 of the permit.

- None of the conditions or activities are present at the facility listed in the exclusions described in Part 1.1.4 of the permit.

If they do not meet all the eligibility requirements, operators may not submit a Notice of Intent (NOI) to be covered by the 2022 IGP and they must obtain coverage for those discharges under another permit to comply with the CWA.

### **1.3 Description**

The 2022 IGP authorizes all new and existing stormwater point sources within Georgia to discharge stormwater associated with industrial activity, excluding construction and municipal separate storm sewer systems, to the waters of the State upon submittal of a NOI. The 2022 IGP complies with, and is based upon, the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended, “State Act”), the Federal Clean Water Act, as amended (33 U.S.C.1251 et seq., “CWA”), and the Rules and Regulations promulgated subsequent to each of these Acts.

The proposed permit is patterned after the U.S. Environmental Protection Agency (EPA) Multi-Sector General NPDES Permit (2021 MSGP) for industrial stormwater issued January 15, 2021, effective March 1, 2021. The 2021 MSGP is available at:

<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities-epas-2021-msgp>

and the EPA fact sheet for the 2021 MSGP is available at:

[https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_fact\\_sheet.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_fact_sheet.pdf)

The 2022 IGP maintains the same format and numbering scheme as the 2017 IGP, which is similar to the 2021 MSGP. Parts 1 through 7, and Appendices A, B, and D of the 2022 IGP contain information pertinent to all permittees. Part 8 contains the sector-specific requirements and at least one, and at most a few, of the sectors in Part 8 will apply to any one permittee. Appendix C contains information for permittees who discharge to impaired waters. Appendix E addresses testing for facilities with the hardness-dependent benchmark values for cadmium, copper, lead, nickel, and zinc.

### **1.4 Existing Facilities Continuing Coverage under the 2022 IGP**

The current permit (2017 IGP) expires May 31, 2022; however, the 2017 IGP continues in force and effect (Part B.2) until the proposed permit (2022 IGP) becomes effective. Current permittees are required to submit a new NOI to obtain coverage under the 2022 IGP and maintain coverage for discharging stormwater associated with industrial activities or submit a No Exposure Exclusion (NEE) to certify their exemption from permit coverage. Facilities covered under the 2017 IGP will have up to 30 days to submit a renewal NOI to be covered under the 2022 IGP (GAR050000) after the effective date of the permit. Existing facilities that filed a ‘No Exposure Exclusion’ (NEE) under the 2017 IGP must submit a renewal NEE no later than 30 days after the effective date of the 2022 IGP (Part 1.5.1) to retain NEE status.

### **1.5 New Facilities Seeking Coverage under the 2022 IGP**

New dischargers commencing discharge on or after the effective date of the 2022 IGP must submit an Initial Notification NOI for coverage 7 days prior to commencing discharge. New discharges must submit a new Facility Information Form so the new facility can be set up in the GEOS

database, prior to submitting the Initial Notification NOI. Facility Information Forms are available at the following website: <https://epd.georgia.gov/forms-permits/watershed-protection-branch-forms-permits/storm-water-forms/npdes-industrial-storm>.

### **1.6 Change of Ownership**

When ownership of a facility covered by this permit changes, the current or new owner / operator must submit a new Facility Information Form so the new facility can be set up in the GEOS database, and then submit a new NOI under the new facility name to the Division 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 submitted in GEOS). Failure to submit the new NOI is considered a violation of the permit.

### **1.7 Termination of Coverage**

The Division 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 found in Section 391-3-6-.16(12)(a).

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

When ownership of a facility covered by this permit changes, the current owner / operator must submit an NOT to the Division in accordance with the requirements of this permit at least thirty (30) days prior to the change of name or ownership.

### **1.8 Description of Stormwater Discharges**

The following table is the list of categories of industrial facilities that are required to obtain NPDES permit coverage for stormwater discharges as identified in 40 CFR Part 122.26(b)(14)(i) through (ix) and (xi):

Sector A: Timber Products	Sector O: Steam Electric Generating Facilities
Sector B: Paper and Allied Products	Sector P: Land Transportation and Warehousing
Sector C: Chemical and Allied Products Manufacturing	Sector Q: Water Transportation: Maintenance/Cleaning
Sector D: Asphalt Paving and Roofing Materials and Lubricant Manufacturing	Sector R: Ship and Boat Building and Repairing Yards
Sector E: Glass, Clay, Cement, Concrete, and Gypsum Products	Sector S: Air Transportation Facilities
Sector F: Primary Metals	Sector T: Treatment Works
Sector G: Transportation Equipment, Industrial or Commercial Machinery	Sector U: Food and Kindred Products

Sector H: Electronic, Electrical, Photographic, and Optical Goods	Sector V: Textile Mills, Apparel, and Other Fabric Products; Leather and Leather Products
Sector I: Oil and Gas Extraction	Sector W: Furniture and Fixtures
Sector J: Mining and Dressing	Sector X: Printing and Publishing
Sector K: Hazardous Waste Treatment, Storage, or Disposal Facilities	Sector Y: Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries
Sector L: Landfills, Land Application Sites, and Open Dumps	Sector Z: Leather Tanning and Finishing
Sector M: Automobile Salvage Yards	Sector AA: Fabricated Metal Products
Sector N: Scrap Recycling Facilities	Sector BB: Non-Classified Facilities

A more specific and detailed listing of facilities required to obtain coverage under the 2022 IGP is contained in Appendix D of the permit, which includes the SIC Codes associated with the facilities shown in the table above. In addition to the facilities classified as requiring coverage under the 2022 IGP by SIC Code, Sector BB of the permit allows the Division Director to designate a particular type of facilities to obtain coverage under the 2022 IGP even though the facility or facilities are not included in the category of activities generally required to be covered by the permit where there is a concern for the discharge to cause or contribute to an exceedance of a water quality standard.

### 1.9 Type of Stormwater Discharge

☐ Municipal ☒ Industrial

## 2.0 APPLICABLE REGULATIONS

### 2.1 State Regulations

Chapter 391-3-6 of the Georgia Rules and Regulations for Water Quality Control Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended, “State Act”).

### 2.2 Federal Regulations

Source	Activity	Applicable Regulation
Industrial Facilities	Stormwater Discharges	40 CFR 122 40 CFR 125

Section 301(a) of the Clean Water Act (CWA) provides that “the discharge of any pollutant by any person shall be unlawful” unless the discharge complies with certain other sections of the CWA [33 U.S.C. 131(a)]. The CWA defines “discharge of a pollutant” as (A) any addition of a pollutant to navigable waters from any point source, (B) any addition of any pollutant to the waters of the contiguous zone or the ocean from a point source other than a vessel or floating craft” [33 U.S.C. 1362(14)]. The term “pollutant” includes among other things, “garbage, chemical wastes, biological materials, and industrial, municipal and agricultural waste discharged into water: [33 U.S.C. 1362(6)].

A person may discharge a pollutant without violating Section 301 of the CWA by obtaining authorization to discharge under Section 402 of the CWA - National Pollutant Discharge Elimination System (NPDES). Under Section 402, except as provided by Section 1328 and 1344 under Title 402(a), the Division may “after opportunity for public hearing issue a permit for the discharge of any pollutants, or combination of pollutants, notwithstanding Section 1311(a) of this title”, upon meeting certain conditions of the CWA.

### **2.3 NPDES Permits**

An NPDES permit authorizes the discharge of a pollutant or pollutants into a receiving water under certain conditions. The NPDES program relies on two types of permits: individual permits and general permits. An individual permit is a permit specifically tailored for an individual discharger for a specific time period (not to exceed five (5) years). A general permit covers multiple facilities, sites, and activities within specific categories for a specific time period (not to exceed five (5) years). Both types of permits are subject to public comment prior to permit issuance.

### **2.4 Industrial Facilities Effluent Limit Guideline(s)**

Numeric effluent limitations for specific industrial discharges are taken from the following federal regulations:

- 40 CFR Part 429:
  - Subpart I – Wet Storage Subcategory
- 40 CFR Part 418
  - Subpart A – Phosphate Subcategory
- 40 CFR Part 443
  - Subpart A – Asphalt Emulsion Subcategory
- 40 CFR Part 411
  - Subpart C – Materials Storage Piles Runoff Subcategory
- 40 CFR Part 436
  - Subpart B - Crushed Stone Subcategory
  - Subpart C - Construction Sand and Gravel Subcategory
  - Subpart D - Industrial Sand Subcategory
- 40 CFR Part 445
  - Subpart A - RCRA Subtitle C Hazardous Waste Landfill
  - Subpart B - RCRA Subtitle D Non-Hazardous Waste Landfill
- 40 CFR Part 423 - Steam Electric Power Generating Point Source Category
- 40 CFR Part 449 - Airport Deicing Point Source Category

Industrial facilities must employ best management practices (BMPs) to eliminate or minimize, to the maximum extent practicable, the discharge of pollutants to the waters of the State from stormwater discharges. Permittees must submit an Annual Report to the Division demonstrating compliance with the effluent limits specified in the permit as well as the effectiveness of BMPs implemented at the facility. The Division has determined, based upon best professional judgment and guidance from EPA, the permit compliance can be evaluated through the Annual Report review and inspections.

### **3.0 PERMIT CHANGES**

The 2022 IGP has incorporated many of the elements from the U.S. EPA's 2021 Multi-Sector General Permit (MSGP) to stay current with improvements and national policy regarding industrial stormwater issues. The federal MSGP was initiated by Section 405 of the Water Quality Act of 1987 which added section 402(p) to the Clean Water Act (CWA) directing the EPA to develop a phased approach to regulate municipal and industrial stormwater discharges under the NPDES program. EPA published a final regulation on the first phase of this program on November 16, 1990, establishing permit application requirements for "stormwater discharges associated with industrial activity." See 55 FR 47990. EPA defined the term "stormwater discharge associated with industrial activity" in a comprehensive manner to cover a wide variety of facilities. See 40 CFR 122.26(b)(14). EPA issued the 2021 MSGP under this statutory and regulatory authority.

After EPA issued the 2015 MSGP in June 2015, several parties filed petitions for review of the permit which were consolidated in the United States Court of Appeals for the Second Circuit. A Settlement Agreement resulted from these discussions, which all parties signed on August 16, 2016. The Settlement Agreement can be found in the docket for the 2021 MSGP (Docket ID# EPA-HQ-OW-2019-0372).

As part of the Settlement Agreement, EPA funded a study conducted by the National Academies of Sciences, Engineering, and Medicine's (NAS) National Research Council (NRC) (NRC Study). The study was released in February 2019 and can be found at the following link: <https://www.nap.edu/catalog/25355/improving-the-epa-multi-sector-general-permit-for-industrial-stormwater-discharges>. In the Settlement Agreement, EPA agreed to consider all recommendations suggested in the NRC Study when drafting the proposed MSGP. In addition, where the completed NRC Study made recommendations regarding the sectors/subsectors, frequency, parameters, and/or parameter levels in the 2015 MSGP's benchmark monitoring provisions, EPA solicited comment on such recommendations in the proposed MSGP. EPA addressed the recommendations from the NRC Study in the 2021 MSGP.

The Division has reviewed the NRC Study recommendations, the 2021 MSGP, and either adopted, modified, or rejected the provisions for inclusion into the 2022 IGP. The proposed permit changes are discussed below.

#### **3.1 Requirement to Post a Sign for Permit Coverage (Part 1.3.7)**

The draft permit includes a new requirement for permittees to post a sign of permit coverage (except in the instance where other laws or local ordinances prohibit such signage) at a safe, publicly accessible location near the facility, as other NPDES permittees are required to do. This notice must include basic information about the facility (e.g., the NPDES ID number), information that informs the public on how to request the facility's Stormwater Pollution Prevention Plan (SWPPP), and how to contact the facility and the Division if stormwater pollution is observed in the stormwater discharge. By providing notice of permit coverage, interested parties are better informed and educated on how to contact the facility and the Division if stormwater pollution is observed in the discharge. Signage of facilities will increase public awareness of those facilities



that have coverage under the 2022 IGP. This requirement aligns with the NPDES program priority to enhance transparency and public accessibility.

### **3.2 Allowable Non-Stormwater Discharges (Part 1.1.3)**

The draft permit has been revised for clarification and to provide additional details regarding allowable non-stormwater discharges.

### **3.3 Documenting Quarterly Visual Assessments (Part 4.2.2)**

The draft permit has been revised to clarify that the permittee must “visually inspect or observe” the sample.

### **3.4 Site Description (Part 5.1.3)**

The draft permit has been revised to require that permittees include the size and material type for the following: ditches, pipes, swales, and stormwater inlets and outfalls which discharge stormwater associated industrial activity. This additional requirement has been added to ensure proper maintenance is taking place at the facilities and to facilitate structure identification.

### **3.5 Non-Stormwater Discharges (Part 5.1.4.4)**

The draft permit includes revised language to provide clarification on alternative tests.

### **3.6 Additional Documentation Requirements (Part 5.4)**

The draft permit has been revised to allow the use of online systems for maintaining facility documents, but requiring all documents be accessible to any regulatory inspector during working hours.

### **3.7 Monitoring Procedures for Substantially Identical Outfalls (Parts 4.2.3.3, 6.1.1)**

The draft permit has been revised to require substantially identical outfalls to be monitored on a rotating basis for benchmark monitoring, indicator monitoring, and visual assessments requiring all substantially identical outfalls to be monitored at least once during the permit cycle.

### **3.8 Indicator Monitoring – pH, TSS, and COD (Parts 6.2.1 and 8)**

The draft permit includes a new provision that requires permittees to conduct indicator analytical monitoring for pH, Total Suspended Solids (TSS), and Chemical Oxygen Demand (COD) once a year for the duration of the permit. This requirement applies to all permittees that do not currently monitor for those parameters under the benchmark or effluent monitoring requirements. Indicator monitoring is “report-only” and does not have a threshold or baseline value for comparison nor does it require follow-up actions. However, failure to monitor will result in a permit violation. These three parameters will provide operators and the Division with a baseline and comparable understanding of industrial stormwater discharge quality, broader water quality problems, and stormwater control measure effectiveness at these facilities.

### **3.9 Indicator Monitoring – PAHs (Part 6.2.1)**

The draft permit includes a new requirement for permittees to conduct “report-only” indicator analytical monitoring for polycyclic aromatic hydrocarbons (PAHs) once a year for the duration of the permit. This requirement applies to the following Sectors: A (facilities that manufacture, use, or store creosote or creosote-treated wood in areas that are exposed to precipitation), C (SIC

Code 2911), D, F, H, I, M, O, P (SIC Codes 4011, 4013, and 5171), Q (SIC Code 4491), R, and S. Indicator monitoring is “report-only” and does not have a threshold or baseline value for comparison nor does it require follow-up actions. However, failure to monitor will result in a permit violation.

### **3.10 Exception for Inactive and Unstaffed Sites (Part 6.2.1.2 and 6.2.2.4)**

The draft permit specifies that inactive and unstaffed sites will not be required to conduct indicator monitoring.

### **3.11 Corrective Actions for Benchmark Exceedances (Part 6.2.2.2.b.iii)**

The draft permit includes additional requirements, up to installation of structural controls, for continued benchmark monitoring exceedances and provides the permittee the ability to determine that no further pollutant reductions are technologically available and economically practicable and achievable. The draft permit also includes procedures for rotational sampling of a substantially identical outfall that exceeds the benchmark.

### **3.12 Monitoring Schedules for Indicator, Benchmark, Effluent and Impaired Waters Monitoring (Parts 6.2, 7.2 & C)**

The draft permit has been revised to require that benchmark and effluent monitoring occur within one of the first two quarters of the calendar year or in the first full quarter of permit coverage if sampling was not previously conducted during the calendar year and provides an allowance if a qualifying rain event doesn’t occur within the specified time frames. The draft permit also includes revised language requiring the permittee to submit monitoring results for indicator, benchmark, effluent limitations & impaired waters on a quarterly basis.

### **3.13 Reporting and Recordkeeping (Part 7)**

The draft permit has been updated to reflect implementation of E-Reporting requirements. Permittees will be required to submit all NOIs, NEEs, NOTs, Annual Reports, Discharge Monitoring Reports and other reporting information electronically.

### **3.14 Part 8**

The draft permit has been revised to require indicator monitoring for pH, TSS, COD and PAHs as applicable.

### **3.15 Part 8.L**

The draft permit has been revised include a definition for stormwater discharges associated with construction activities.

### **3.16 Appendix A – Definitions**

The following definitions have been added to or revised within the draft permit: Impaired Stream Segment; NetDMR; Uncontaminated Discharge.

### **3.17 Appendix C – Impaired Stream Segment Sampling and Requirements**

Appendix C has been revised for clarification and consistency with the water quality standards.

### **3.18 Specific Requirements for Discharges into a Stream Segment Impaired for Bacteria or with a TMDL including a Bacterial Wasteload Allocation (Part C.2.4)**



The draft permit has been revised to require permittees to conduct sampling for the current bacterial indicator (fecal coliform, *E. coli*, enterococci) and adds that the *E. coli* and enterococci benchmark values will be expressed at the seasonal Statistical Threshold Values found in Georgia Rule 391-3-6-.03.

### **3.19 Specific Requirements for Discharges into Water Bodies Impaired for Chlorophyll *a* (Part C.2.6)**

New language has been added to the draft permit to require permittees that discharge within a linear mile of an impaired water for Chlorophyll *a* to conduct biannual monitoring for total phosphorus and Nitrogen (Nitrate + Nitrite).

### **3.20 Benchmark for Hardness Dependent Metals (Appendix E)**

Appendix E has been revised for consistency with the water quality standards. The following benchmarks have been revised: cadmium, cyanide. In addition, the hardness ranges have been revised for the following: cadmium, lead, copper, nickel and zinc.

## **4.0 WATER QUALITY STANDARDS & RECEIVING WATERBODY INFORMATION**

Section 301(b)(1)(C) of the Clean Water Act (CWA) requires contaminant concentration limits be developed in permits necessary to meet water quality standards. Federal Regulations 40 CFR 122.26(d) require that conditions in NPDES permits ensure compliance with the water quality standards which are composed of use classifications, numeric and or narrative water quality criteria and an anti-degradation policy. The use classification system designates the beneficial 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 beneficial use classification for each water body. The antidegradation policy represents an approach to maintain and to protect various levels of water quality and uses.

### **4.1 Receiving Waterbody Classification and Information**

Water quality standards, found in Georgia's Rules and Regulations for Water Quality Control (Chapter 391-3-6-.03), include narrative and numerical standards for water quality in Waters of the State. General criteria apply to all Waters of the State as well as specific criteria for the following classes of water use:

- (a) Drinking Water Supplies
- (b) Recreation
- (c) Fishing
- (d) Wild River
- (e) Scenic River
- (f) Coastal Fishing

Discharges of stormwater from facilities covered under the 2022 IGP must meet these Water Quality Standards.

#### **4.2 Georgia 305(b)/303(d) List Documents**

To meet the requirements of sections 305(b) and 303(d) of the Clean Water Act, Georgia assesses its waters every two years and publishes the “Water Quality in Georgia” report. The 303(d) List are waters that are impaired and require a Total Maximum Daily Load (TMDL). Georgia combines the 305(b) and 303(d) reporting requirements into a single document called the Integrated Report. the 305(b)/303(d) list of waters is found in Appendix A of this report. Assessed waterbodies are placed into one of three categories: 1) supporting, 2) assessment pending, or 3) not supporting. If a waterbody is not supporting its Designated Use and does not have a Total Maximum Daily Load (TMDL), it is placed on the 303(d) List and will require a TMDL be developed. The 303(d) List contains the list of waters, pollutants causing the impairments, and a priority ranking. This list is organized by waterbody type (e.g. Rivers/Streams, Lakes/Reservoirs, etc.), provides the name, location, and assessment category. If the designated use is not being supported, causes of impairment are listed along with potential sources of pollutants.

Facilities covered under this permit must review the 303(d) / 305(b) Integrated Report annually to verify if they are discharging within one mile of an impaired stream. If so, they need to determine if the pollutant is present at the facility. If the pollutant is present at the facility, then they need to determine if they prevent exposure of the pollutant to stormwater, or if it is discharged to the impaired stream. If the facility discharges the pollutant to the impaired stream, then they need to provide evidence that they do not cause or contribute to an exceedance of a water quality standard in the waterbody. The facility can demonstrate they do not cause or contribute to the impairment by sampling for the pollutant as specified in Part C.2 of the permit.

#### **4.3 Total Maximum Daily Load (TMDL)**

The CWA requires that permits for stormwater discharges associated with industrial activity comply with section 301 of the CWA, including the requirement under section 301(b)(1)(C) to contain Water Quality Based Effluent Limits (WQBELs) to achieve water quality standards for any discharge that has the reasonable potential to cause or contribute to a water quality standard excursion. CWA section 402(p)(3)(A), 40 CFR § 122.44(d)(1)(iii). Using the procedures specified at 40 CFR § 122.44(d)(1)(ii), WQBELs as stringent as necessary to meet any applicable water quality standard for the pollutant that the discharge causes or has the reasonable potential to cause or contribute to an in-stream excursion of the water quality standards have been established in Appendix C of the 2022 IGP.

The 2022 IGP contains clear, specific, and measurable elements associated with implementing BMPs that will achieve water quality standards. Numeric benchmarks and associated monitoring protocols for estimating BMP effectiveness are also included in Appendix C of the 2022 IGP. While exceeding the benchmark is not generally a permit violation, exceeding the benchmark requires the permittee to evaluate the effectiveness of the BMPs, implement and/or modify BMPs, or provide additional measures to protect water quality. Therefore, failure to implement required corrective actions, including a corrective action for exceeding a benchmark, is a permit violation.

Where a TMDL has been established and there is an accompanying implementation plan that provides a schedule for a facility to implement the TMDL, or where a comprehensive, integrated plan addressing a facility’s stormwater obligations under the NPDES program has been developed, the permittee must take actions necessary to meet the WLAs in approved TMDLs and address

impaired waters. Part C.10 of the 2022 IGP specifies actions that the permittee must take if the BMPs are not performing properly or meeting expected load reductions thus causing exceedances of the impaired waters benchmarks.

## **5.0 EFFLUENT LIMITS**

### **5.1 Technology Based Effluent Limitations**

Technology based effluent limitations (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 United States. TBELs are developed independently of the potential impact of a discharge on the receiving water, which is addressed through water quality standards and water quality-based effluent limitations. As required by 40 CFR 125.3(a), technology-based treatment requirements, consistent with CWA section 301(b), have been developed in the 2022 IGP that represent the minimum level of control that must be maintained to prevent the discharge from causing or contributing to a violation of the water quality standards.

## **6.0 OTHER PERMIT REQUIREMENTS AND CONSIDERATIONS**

### **6.1 Anti-Degradation Analysis**

The proposed permit complies with the anti-degradation requirements in the Division's Rules and Regulations for Water Quality Control, subparagraph 391-3-6-.03. Existing water quality will not be degraded by the issuance of this permit. The stormwater discharges authorized by this permit have been on-going since the Federal regulations requiring an NPDES permit were adopted. This permit will reduce the current levels of pollution discharged from the industrial facilities through implementation of best management practices. The permit requires permittees to regularly review and refine their BMPs to reduce pollutants to the maximum extent practicable. The focus of the permit is a net reduction in pollutant loadings over the five-year permit term. Over the five-year permit term, water quality to Georgia's waters will be protected and improved which is consistent with the Division's antidegradation policy.

### **6.2 Compliance Schedules**

The permittee shall attain compliance with all permit requirements on the effective date of the permit.

### **6.3 Anti-Backsliding**

The requirements in this permit are in compliance with the 40 C.F.R. 122.44(l), which requires a reissued permit to be as stringent as the previous permit.

## **7.0 REPORTING**

### **7.1 Compliance Office**

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

Georgia Environmental Protection Division  
NonPoint Source Program, Stormwater Unit  
2 Martin Luther King Jr. Drive  
Suite 1462 East  
Atlanta, Georgia 30334

## **7.2 E-Reporting**

In accordance with 40 CFR Part 127, the permittee is required to electronically submit documents through the Georgia EPD Online System (GEOS) and the Network Discharge Monitoring Report (NetDMR).

## **8.0 REQUESTED VARIANCES OR ALTERNATIVES TO REQUIRED STANDARDS**

Not applicable

## **9.0 PERMIT EXPIRATION**

The permit will expire five years from the effective date.

## **10.0 PROCEDURES FOR THE FORMULATION OF FINAL DETERMINATIONS**

### **10.1 Comment Period**

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

The draft permit and other information are available electronically upon request or on the Division's website at <https://epd.georgia.gov/>. In addition, the documents are available for review on Tuesdays between 8:00 a.m. to 4:30 p.m. at the Georgia Environmental Protection Division, Watershed Protection Branch file room, 2 MLK Jr. Drive, SW, West Tower, Balcony, Suite 418, Atlanta, Georgia, 30334. To set an appointment, email [gorarequest.water@dnr.ga.gov](mailto:gorarequest.water@dnr.ga.gov) with your name, email and phone number and an associate will reach out to you. Copies may also be requested by contacting the Watershed Protection Branch at (404) 463-1511.

Georgia Environmental Protection Division  
NonPoint Source Program  
2 Martin Luther King Jr. Drive  
Suite 1462 East  
Atlanta, Georgia 30334

### **10.2 Public Comments**

Persons wishing to comment upon or object to the proposed determinations are invited to submit same in writing to the Division address above, or via e-mail at [EPDcomments@dnr.ga.gov](mailto:EPDcomments@dnr.ga.gov) no later than the close of business Monday, April 4, 2022. All comments received prior to that date will be considered in the formulation of final determinations regarding the application. The words "Draft IGP GAR050000" should be placed on top of the first page of comments and in the e-mail subject line (if sent via e-mail) to ensure that your comments will be forwarded to the appropriate staff.

### **10.3 Public Meeting/Hearing**

A virtual public meeting has been scheduled, with a public hearing held immediately following the public meeting. During the public meeting, the public is allowed to ask questions or offer comments. The purpose of the public hearing will be to present and receive formal comments on

the proposed permit for the official record. The public meeting/hearing will be held using a Zoom web conferencing platform:

**Zoom Meeting Details:**

March 28, 2022, beginning at 10:00 a.m.

Link to join:

<https://gaepd.zoom.us/j/92604073626?pwd=YTBUT2FBLzhzcTFyTU5MTDlXRUCxdz09>

Meeting ID: 926 0407 3626

Passcode: 754289

Those joining via computer can use their computer audio, or may also dial-in.  
Dial-in number: 1-877- 853-5247 (with same Meeting ID & Passcode as above)

During the public hearing, oral 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. Written comments must be received by close of business on April 4, 2022.

Following the 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. 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.

#### **10.4 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-comments-clearinghouse-0>

#### **10.5 Contested Hearings**

Any person who is aggrieved or adversely affected by the issuance or denial of a permit by the Division Director 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 Division 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.