

Phase I Large MS4 NPDES Stakeholder Draft Permit  
Major Changes from the 2019 Permit  
March 1, 2024

<b>Permit Section</b>	<b>Original Requirement from 2019</b>	<b>2024 Revision</b>
Part 2.1	The permit referenced the water quality standards from the State Rules.	The text was revised to clarify which parts of the water quality standards in Rules 391-3-6-.03(5) are applicable.
Table 3.3.1, BMP #1.a	The permit referred to MS4 Control Structures and did not include underground detention as one of the MS4 structures.	In BMP #1, the word “control” was removed for clarity and underground detention was added as one of the MS4 structures to be included in the inventory.
Table 3.3.1, BMP #5.b	The permit required permittees to reassess existing flood management projects every permit cycle.	Clarifications to the schedule were made. Additions were made to the text to provide clarity that existing flood management projects are not required to have a full reassessment for water quality impacts with each permit reissuance if an assessment was previously performed using the 2016 GSMM or latest edition.
Table 3.3.1, BMP #6.b	The permit did not address a frequency for how permittees with fewer than five municipal facilities should conduct inspections.	Additions were made to the text that specify that permittees with less than five municipal facilities must conduct 1 inspection each reporting period.
Table 3.3.2 BMP #2.b	The permit previously did not require the updated inventory to be submitted with each annual report.	Additions were made to the text to require the updated inventory to be reported in each annual report.
Table 3.3.2 BMP #6.a and #7.a	The permit requires the permittee to provide details but does not require documentation to be submitted.	Additions were made to both SWMP components to specify that the permittee must submit “details, including the date(s).”

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Table 3.3.3 BMP #2	The permit did not address a frequency for how permittees with fewer than five inventoried industrial facilities should conduct inspections.	Additions were made to the text that specify that permittees with less than five inventoried industrial facilities must conduct 1 inspection each reporting period.
Table 3.3.4, BMPs #2, #3.b #3.c, #4, #5	The permit did not address how permittees should implement procedures for construction site management if they are not a Local Issuing Authority nor did it request a list, table or documentation certification of active construction sites to assist with the oversight.	Additions were made to the text that specify how a permittee should implement procedures for construction site management if they are not LIAs. Additions were also made to the text to require better documentation of active construction site inspections and staff training certifications.
Table 3.3.5 BMP #2	The permit did not address a frequency for how permittees with fewer than five inventoried HVPS facilities should conduct inspections.	Additions were made to the text that specify that permittees with less than five inventoried HVPS facilities must conduct 1 inspection each reporting period.
Part 3.3.7	The permit requires that permittees with Impaired Waters that are non-supporting for fecal coliform revise their IWP and sample for <i>E. Coli</i> upon EPA approving the standard.	Additions were made to the text that require the permittee to submit the modified IWP in the subsequent annual report. US EPA approved Georgia's revised bacteria standards in August 2022 which updated the pathogen indicator organism from fecal coliform to <i>E. coli</i> and enterococci. Therefore, the sentence no longer applies.
Part 3.3.7	The permit requires that permittees with populations equal to or greater than 10,000 follow a specific bacterial monitoring protocol.	Language has been added to clarify that permittees with a population of less than 10,000 are exempt from the collection of four geometric means but are still required to address bacteria impairments in their Impaired Waters Plan (including conducting monitoring for that pollutant of concern). Language referring to fecal coliform bacteria has been broadened to "bacteria".

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Part 3.3.7	The permit requires that permittees with populations equal to or greater than 10,000 follow a specific bacterial monitoring protocol.	Language has been added to provide an additional monitoring option for permittees with a population equal to or greater than 10,000. Permittees may collect 4 geometric means or may collect monthly samples. The addition of this option aligns the permit with updates to the listing/delisting methodology EPD uses for the 305(b)/303(d) list of waters.
Part 3.3.8	The permit discussed municipal employee training but gave no specifics on details to be included in the SWMP.	The permit was revised to provide items to be included in the SWMP that pertains to employee training. Also the word “obtain” has been changed to “provide” so that internal training will be allowable.
Part 3.3.11	The permit allowed the permittees two options to achieve compliance with the stormwater runoff water quality/reduction performance standard.	The phase-in period to implement runoff reduction in the 2019 permit iteration has passed. All permittees must now use what was option (a) in the 2019 permit.
Table 3.3.11(b)(2)	The permit required permittees to continue to review and revise regulations to ensure they do not prohibit or impede the use of GI/LID practices.	The permit has been revised to specify the timing of the regulatory reviews.
Table 3.3.11(b)(2) BMP #3(a) and BMP #3(b)	The permit did not include wording that accounted for GI/LID structures that were publicly-owned by other entities.	In BMP #3(a) the text was revised to provide examples and clarification of what is considered “publicly-owned GI/LID structures owned by other entities” and “privately-owned non-residential GI/LID structures”. In addition, language was added to ensure that maintenance agreements are executed for structures constructed after the effective date of the permit.  In BMP #3(b) additions were made to the text to require reporting of GI/LID ownership.

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Table 3.3.11(b)(2) BMP #4(a) and BMP #4(c)	The permit did not include wording that accounted for GI/LID structures that were publicly-owned by other entities.	<p>In BMP #4(a) the text was revised to remove wording in order to make sure all three ownership types were inspected. Additions were made to the text that specify that permittees with less than five inventoried GI/LID structures must conduct 1 inspection each reporting period.</p> <p>In BMP #4(c) additions were made to the text to ensure the permittee had procedures to ensure the maintenance of GI/LID structures not owned by the MS4 and provides clarification for retention of maintenance agreements and reporting of maintenance activities.</p>
Appendix A	Definitions	A definition of GI/LID was added.
Appendix B	The permit included a list of permittees by population count.	The permit was updated based on the 2020 Census.