



The Georgia Environmental Protection Division proposes to reissue the General NPDES Permit GAG200000, which authorizes discharges of once-through noncontact cooling water with no chemical additives. The draft permit places conditions on the discharge of pollutants to waters of the State.

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Draft permit:

<input type="checkbox"/>	First issuance
<input checked="" type="checkbox"/>	Reissuance with no or minor modifications from previous permit
<input 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 FACILITY INFORMATION

1.1 NPDES Permit No.: GAG200000

1.2 Eligibility for Coverage

This General Permit will authorize discharges of once-through noncontact cooling water with no chemical additives to waters of the State.

1.3 Limitations of Coverage

This General Permit does not authorize coverage to the following National Pollutant Discharge Elimination Systems:

- Systems which discharge process wastewater
- Systems which discharge blowdown from recirculating systems
- Systems regulated under the Steam Electric Power Generating point source category 40 CFR 423.
- Facilities subject to the Clean Water Act 316(b) Cooling Water Intake Structure Rules.

Additionally, no discharge shall be allowed to Wild and Scenic Rivers.

1.4 Type of Wastewater Discharge

- process wastewater stormwater
- domestic wastewater combined
- other (noncontact cooling water with no chemical additives)

2.0 APPLICABLE REGULATIONS

2.1 State Regulations

Chapter 391-3-6 of the Georgia Rules and Regulations for Water Quality Control

2.2 Federal Regulations

Source	Activity	Applicable Regulation
Industrial	Non-Process Water	40 CFR 122
	Discharges	40 CFR 125

2.3 Industrial Effluent Limit Guideline(s)

Not applicable

3.0 WATER QUALITY STANDARDS & RECEIVING WATERBODY INFORMATION

3.1 Specific Water Quality Criteria for Classified Water Usage [391-3-6-.03(6)]:

Drinking Water Supplies: Those waters approved as a source for public drinking water systems permitted or to be permitted by the Environmental Protection Division. Waters classified for drinking water supplies will also support the fishing use and any other use requiring water of a lower quality.

- (i) Bacteria: The provisions of paragraph 391-3-6-.03(6)(a)(i)1. shall apply until the effective date of EPA's final approval of the criteria specified in paragraph 391-3-6-.03(6)(a)(i)2.
1. For the months of May through October, when water contact recreation activities are expected to occur, fecal coliform not to exceed a geometric mean of 200 counts per 100 mL based on at least four samples collected from a given sampling site over a 30-day period at intervals not less than 24 hours. Should water quality and sanitary studies show fecal coliform levels from non-human sources exceed 200 counts per 100 mL (geometric mean) occasionally, then the allowable geometric mean fecal coliform shall not exceed 300 counts per 100 mL in lakes and reservoirs and 500 counts per 100 mL in free flowing freshwater streams. For the months of November through April, fecal coliform not to exceed a geometric mean of 1,000 counts per 100 mL based on at least four

samples collected from a given sampling site over a 30-day period at intervals not less than 24 hours and not to exceed a maximum of 4,000 counts per 100 mL for any sample.

2. For the months of May through October, when water contact recreation activities are expected to occur, culturable E. coli not to exceed a geometric mean of 126 counts per 100 mL. The geometric mean duration shall not be greater than 30 days. There shall be no greater than a ten percent excursion frequency of an E. coli statistical threshold value (STV) of 410 counts per 100 mL in the same 30-day interval. Should water quality and sanitary studies show E. coli levels from non-human sources exceed 126 counts per 100 mL (geometric mean) occasionally, then the allowable geometric mean E. coli shall not exceed 189 counts per 100 mL in lakes and reservoirs and 315 counts per 100 mL in free flowing freshwater streams. For the months of November through April, culturable E. coli not to exceed a geometric mean of 630 counts per 100 mL. The geometric mean duration shall not be greater than 30 days. There shall be no greater than a ten percent excursion frequency of an E. coli statistical threshold value (STV) of 2050 counts per 100 mL in the same 30-day interval.
3. The State does not encourage swimming in these surface waters since a number of factors which are beyond the control of any State regulatory agency contribute to elevated levels of bacteria.
 - (ii) Dissolved oxygen: A daily average of 6.0 mg/L and no less than 5.0 mg/L at all times for waters designated as trout streams by the Wildlife Resources Division. A daily average of 5.0 mg/L and no less than 4.0 mg/L at all times for water supporting warm water species of fish.
 - (iii) pH: Within the range of 6.0 - 8.5.
 - (iv) No material or substance in such concentration that, after treatment by the public water treatment system, exceeds the maximum contaminant level established for that substance by the Environmental Protection Division pursuant to the Georgia Rules for Safe Drinking Water.
 - (v) Temperature: Not to exceed 90°F. At no time is the temperature of the receiving waters to be increased more than 5°F above intake temperature except that in estuarine waters the increase will not be more than 1.5°F. In streams designated as primary trout or smallmouth bass waters by the Wildlife Resources Division, there shall be no elevation of natural stream temperatures. In streams designated as secondary trout waters, there shall be no elevation exceeding 2°F of natural stream temperatures.

Recreation: General recreational activities such as water skiing, boating, and swimming, or for any other use requiring water of a lower quality, such as recreational fishing. These criteria are not to be interpreted as encouraging water contact sports in proximity to sewage or industrial waste discharges regardless of treatment requirements:

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- (i) Bacteria:
 - 1. Coastal and estuarine waters: Culturable enterococci not to exceed a geometric mean of 35 counts per 100 mL. The geometric mean duration shall not be greater than 30 days. There shall be no greater than a ten percent excursion frequency of an enterococci statistical threshold value (STV) of 130 counts per 100 mL in the same 30-day interval.
 - 2. All other recreational waters: Culturable E. coli not to exceed a geometric mean of 126 counts per 100 mL. The geometric mean duration shall not be greater than 30 days. There shall be no greater than a ten percent excursion frequency of an E. coli statistical threshold value (STV) of 410 counts per 100 mL in the same 30-day interval.
 - (ii) Dissolved Oxygen: A daily average of 6.0 mg/L and no less than 5.0 mg/L at all times for waters designated as trout streams by the Wildlife Resources Division. A daily average of 5.0 mg/L and no less than 4.0 mg/L at all times for waters supporting warm water species of fish.
 - (iii) pH: Within the range of 6.0 - 8.5.
 - (iv) Temperature: Not to exceed 90°F. At no time is the temperature of the receiving waters to be increased more than 5°F above intake temperature except that in estuarine waters the increase will not be more than 1.5°F. In streams designated as primary trout or smallmouth bass waters by the Wildlife Resources Division, there shall be no elevation of natural stream temperatures. In streams designated as secondary trout waters, there shall be no elevation exceeding 2°F natural stream temperatures.

Fishing: Propagation of Fish, Shellfish, Game and Other Aquatic Life; secondary contact recreation in and on the water; or for any other use requiring water of a lower quality.

- (i) Dissolved Oxygen: A daily average of 6.0 mg/L and no less than 5.0 mg/L at all times for water designated as trout streams by the Wildlife Resources Division. A daily average of 5.0 mg/L and no less than 4.0 mg/L at all times for waters supporting warm water species of fish.
- (ii) pH: Within the range of 6.0 - 8.5.
- (iii) Bacteria: The provisions of paragraph 391-3-6-.03(6)(c)(iii)1. shall apply until the effective date of EPA's final approval of the criteria specified in paragraphs 391-3-6-.03(6)(c)(iii)2 and 391-3-6-.03(6)(c)(iii)3.
 - 1. For the months of May through October, when water contact recreation activities are expected to occur, fecal coliform not to exceed a geometric mean of 200 counts per 100 mL based on at least four samples collected from a given sampling site over a 30-day period at intervals not less than 24 hours. Should water quality and sanitary studies show fecal coliform

levels from non-human sources exceed 200 counts per 100 mL (geometric mean) occasionally, then the allowable geometric mean fecal coliform shall not exceed 300 counts per 100 mL in lakes and reservoirs and 500 counts per 100 mL in free flowing freshwater streams. For the months of November through April, fecal coliform not to exceed a geometric mean of 1,000 counts per 100 mL based on at least four samples collected from a given sampling site over a 30-day period at intervals not less than 24 hours and not to exceed a maximum of 4,000 counts per 100 mL for any sample.

2. Estuarine waters: For the months of May through October, when water contact recreation activities are expected to occur, culturable enterococci not to exceed a geometric mean of 35 counts per 100 mL. The geometric mean duration shall not be greater than 30 days. There shall be no greater than a ten percent excursion frequency of an enterococci statistical threshold value (STV) of 130 counts per 100 mL the same 30-day interval. Should water quality and sanitary studies show enterococci levels from non-human sources exceed 35 counts per 100 mL (geometric mean) occasionally, then the allowable geometric mean enterococci shall not exceed 53 counts per 100 mL in lakes and reservoirs and 88 counts per 100 mL in free flowing freshwater streams. For the months of November through April, culturable enterococci not to exceed a geometric mean of 175 counts per 100 mL. The geometric mean duration shall not be greater than 30 days. There shall be no greater than a ten percent excursion frequency of an enterococci statistical threshold value (STV) of 650 counts per 100 mL the same 30-day interval.
3. All other fishing waters: For the months of May through October, when water contact recreation activities are expected to occur, culturable E. coli not to exceed a geometric mean of 126 counts per 100 mL. The geometric mean duration shall not be greater than 30 days. There shall be no greater than a ten percent excursion frequency of an E. coli statistical threshold value (STV) of 410 counts per 100 mL in the same 30-day interval. Should water quality and sanitary studies show E. coli levels from non-human sources exceed 126 counts per 100 mL (geometric mean) occasionally, then the allowable geometric mean E. coli shall not exceed 189 counts per 100 mL in lakes and reservoirs and 315 counts per 100 mL in free flowing freshwater streams. For the months of November through April, culturable E. coli not to exceed a geometric mean of 630 counts per 100 mL. The geometric mean duration shall not be greater than 30 days. There shall be no greater than a ten percent excursion frequency of an E. coli statistical threshold value (STV) of 2050 counts per 100 mL in the same 30-day interval.
4. The State does not encourage swimming in these surface waters since a number of factors which are beyond the control of any State regulatory agency contribute to elevated levels of bacteria.
5. For waters designated as shellfish growing areas by the Georgia DNR

Coastal Resources Division, the requirements will be consistent with those established by the State and Federal agencies responsible for the National Shellfish Sanitation Program. The requirements are found in National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish, 2007 Revision (or most recent version), Interstate Shellfish Sanitation Conference, U.S. Food and Drug Administration.

- (iv) Temperature: Not to exceed 90°F. At no time is the temperature of the receiving waters to be increased more than 5°F above intake temperature except that in estuarine waters the increase will not be more than 1.5°F. In streams designated as primary trout or smallmouth bass waters by the Wildlife Resources Division, there shall be no elevation of natural stream temperatures. In streams designated as secondary trout waters, there shall be no elevation exceeding 2°F natural stream temperatures.

Trout Streams: Streams designated as Primary Trout Waters are waters supporting a self-sustaining population of Rainbow, Brown or Brook Trout. Streams designated as Secondary Trout Streams are those with no evidence of natural trout reproduction, but are capable of supporting trout throughout the year. Trout streams are classified in accordance with the designations and criteria as follows:

- (i) There shall be no elevation of natural stream temperatures for Primary Trout Waters; 2°F or less elevation for Secondary Trout Waters.
- (ii) No person shall construct an impoundment on Primary Trout Waters, except on streams with drainage basins less than 50 acres upstream of the impoundment. Impoundments on streams with drainage basins less than 50 acres must be approved by the Division.
- (iii) No person shall construct an impoundment on Secondary Trout Waters without the approval of the Division.

3.2 Georgia 305(b)/303(d) List Documents

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.

4.0 EFFLUENT LIMITS AND PERMIT CONDITIONS

4.1 Reasonable Potential Analysis (RP)

Title 40 of the Federal Code of Regulations, 40 CFR 122.44(d) requires delegated States to develop procedures for determining whether a discharge causes, has the reasonable potential to cause, or contributes to an instream excursion above a narrative or numeric criteria within a State water. If such reasonable potential is determined to exist, the NPDES permit must contain pollutant effluent limits and/or effluent limits for whole effluent toxicity. Georgia's Reasonable Potential Procedures are based on Georgia's

Rules and Regulations for Water Quality Control (Rules), Chapter 391-3-6-.06(4)(d)5. The chemical specific and biomonitoring data and other pertinent information in EPD's files will be considered in accordance with the review procedures specified in the Rules in the evaluation of a permit application and in the evaluation of the reasonable potential for an effluent to cause an exceedance in the numeric or narrative criteria.

A Reasonable Potential Analysis was performed on the data submitted with the application and the results of those analyses are stated below in the following sections.

EPD evaluated the data provided in the application and supporting documents. If a pollutant is listed below, EPD determined it was a pollutant of concern and there may be a reasonable potential to cause or contribute to an instream violation of the Georgia Water Quality Standards. If a pollutant is not listed below, EPD determined that the pollutant is not a pollutant of concern or has determined, based on the data provided in the application, there is no reasonable potential to cause or contribute to an instream violation of the Georgia Water Quality Standards. An example would be if the applicant reported "not detect," "below detection limit," or a value that was below the detection limit for a pollutant.

4.2 Applicable Water Quality and Technology Based Effluent Limitations

Water Quality Based Effluent Limits (WQBELs)

When drafting a National Pollutant Discharge Elimination System (NPDES) permit, a permit writer must consider the impact of the proposed discharge on the quality of the receiving water. Water quality goals for a waterbody are defined by state water quality standards. By analyzing the effect of a discharge on the receiving water, a permit writer could find that technology-based effluent limitations (TBELs) alone will not achieve the applicable water quality standards. In such cases, the Clean Water Act (CWA) and its implementing regulations require development of water quality-based effluent limitations (WQBELs). WQBELs help meet the CWA objective of restoring and maintaining the chemical, physical, and biological integrity of the nation's waters and the goal of water quality that provides for the protection and propagation of fish, shellfish, and wildlife and recreation in and on the water (*fishable/swimmable*).

WQBELs are designed to protect water quality by ensuring that water quality standards are met in the receiving water and downstream uses are protected. On the basis of the requirements of Title 40 of the *Code of Federal Regulations* (CFR) 125.3(a), additional or more stringent effluent limitations and conditions, such as WQBELs, are imposed when TBELs are not sufficient to protect water quality.

The term *pollutant* is defined in CWA section 502(6) and § 122.2. Pollutants are grouped into three categories under the NPDES program: conventional, toxic, and nonconventional. Conventional pollutants are those defined in CWA section 304(a)(4) and § 401.16 (BOD₅, TSS, fecal coliform, pH, and oil and grease). Toxic (priority) pollutants are those defined in CWA section 307(a)(1) and include 126 metals and manmade organic compounds. Nonconventional pollutants are those that do not fall under either of the above categories (conventional or toxic pollutants) and include parameters such as chlorine, ammonia, nitrogen, phosphorus, chemical oxygen demand (COD), and whole effluent toxicity (WET).

Applicable Technology Based Effluent Limits (TBELs)

Technology-based effluent limitations 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. The NPDES regulations at Title 40 of the Code of Federal Regulations 125.3(a) require NPDES permit writers to develop technology-based treatment requirements, consistent with CWA section 301(b), that represent the minimum level of control that must be imposed in a permit. The regulation also indicates that permit writers must include in permits additional or more stringent effluent limitations and conditions, including those necessary to protect water quality.

For pollutants not specifically regulated by Federal Effluent Limit Guidelines, the permit writer must identify any needed technology-based effluent limitations and utilize best professional judgment to establish technology-based limits or determine other appropriate means to control its discharge if there is a reasonable potential to cause or contribute to a violation of the water quality standards.

4.3 Conventional Pollutants

Pollutants of Concern	Basis
pH	In accordance with Georgia's Water Quality Standards, pH shall be within the range of 6.0 s.u. to 8.5 s.u. A pH limit of 6.0 s.u. – 8.5 s.u. has been included in the permit.

4.4 Nonconventional Pollutants

Pollutants of Concern	Basis
Temperature	<p>Temperature in the receiving steam shall not exceed 90°F in accordance with Georgia's Water Quality Standards. A temperature effluent limit of 90°F has been included in the permit.</p> <p>In accordance with the Water Quality Standards, at no time is the temperature of the receiving waters to be increased more than 5°F above intake temperature except that in estuarine waters the increase will not be more than 1.5°F. In streams designated as primary trout or smallmouth bass waters by the Wildlife Resources Division, there shall be no elevation of natural stream temperatures. In streams designated as secondary trout waters, there shall be no elevation exceeding 2°F of natural stream temperatures. These conditions have been included in the permit.</p>

4.5 Comparison & Summary of Water Quality vs. Technology Based Effluent Limits

After preparing and evaluating applicable technology-based effluent limitations and water quality-based effluent limitations, the most stringent limits are applied in the permit. Pollutants of concern with an effluent limit of monitor and report are not included in the below table.

Parameter	WQBELs	TBELs	Explanation
pH (s.u.)	6.0 – 8.5	None	Water Quality Standard
Temperature (°F)	90	None	Water Quality Standard
Δ Temperature (°F)	5	None	Water Quality Standard
Δ Temperature (°F) <i>Estuarine waters</i>	1.5	None	Water Quality Standard
Δ Temperature (°F) <i>Secondary trout waters</i>	2	None	Water Quality Standard
Δ Temperature (°F) <i>Primary trout or smallmouth bass waters</i>	0	None	Water Quality Standard

5.0 OTHER PERMIT REQUIREMENTS AND CONSIDERATIONS

5.1 Special Conditions

Not applicable

5.2 Compliance Schedules

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

5.3 Anti-Backsliding

The limits 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.

6.0 REPORTING

6.1 Compliance Office

The compliance office will be identified in the Notice of Coverage letter.

6.2 E-Reporting

The permittee is required to electronically submit documents in accordance with 40 CFR Part 127.

7.0 REQUESTED VARIANCES OR ALTERNATIVES TO REQUIRED STANDARDS

Not applicable

8.0 PERMIT EXPIRATION

The permit will expire five years from the effective date.

9.0 PROCEDURES FOR THE FORMULATION OF FINAL DETERMINATIONS

9.1 Comment Period

The Georgia Environmental Protection Division (EPD) proposes to issue General NPDES permit GAG200000 subject to the effluent limitations and special conditions outlined above. These determinations are tentative.

The Notice of Intent, draft permit, and other information are available for review at 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 additional information, you can contact Whitney Fenwick at 404-656-2795, or *Whitney.Fenwick@dnr.ga.gov*.

9.2 Public Comments

Persons wishing to comment upon or object to the proposed 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 initiation of the public comment period. All comments received prior to that date will be considered in the formulation of final determinations regarding the application. The permit number should be placed on the top of the first page of comments to ensure that your comments will be forwarded to the appropriate staff.

9.3 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 reasons 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 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.

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 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.

Following a 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.

If no public hearing is held, and, after review of the written comments received, the Director determines that a permit should be issued and that the 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 made available to all interested persons and those persons that submitted written comments to the Director on the proposed permit.

If no public hearing is held, but the Director determines, after a review of the written comments received, that a permit should be issued but that substantial changes 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 pursuant to EPD Rules, Water Quality Control, subparagraph 391-3-6-.06(7)(b). The 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.

9.4 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>

9.5 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:

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.