GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

Summary Page

Permit Name General NPDES Permit for Mining and Processing Facilities

NPDES Permit No. GAG300000

This is a reissuance of the General NPDES Permit for Mining and Processing Facilities. The general permit covers certain discharges from facilities engaged in operations classified under the following Standard Industrial Classification Codes:

- SIC Code: 1411 – Dimension Stone
- SIC Code: 1422 – Crushed and Broken Limestone
- SIC Code: 1423 – Crushed and Broken Granite
- SIC Code: 1429 – Crushed and Broken Stone, Not Elsewhere Classified
- SIC Code: 1459 – Clay, Ceramic, and Refractory Minerals, Not Elsewhere Classified
- SIC Code: 3272 – Concrete Products, Except Block and Brick
- SIC Code: 3273 – Ready-Mixed Concrete

EPD held a stakeholder meeting on June 4, 2026 to begin the process of reissuing the general permit. EPD presented the stakeholders with a preliminary draft of the general permit, outlined significant changes in the proposed permit, and proposed a timeline for public notice and permit issuance.

The permit was placed on public notice from XXXX to XXXX.

Please Note The Following Changes to the Proposed NPDES Permit From The Existing Permit

Part I.A. – Eligibility and Permit Coverage

- ☐ Combined Parts I.A (Permit Coverage), I.B (Eligibility), and I.C (Discharge(s) to Impaired Waters) of the previous permit into Part I.A (Eligibility and Permit Coverage) of the proposed permit and revised the narrative language to provide further clarity regarding permit eligibility.
- ☐ Modified the eligibility statement to clarify that the general permit covers facilities *engaged in operations* [emphasis added] classified under the subsequently listed SIC codes.
- ☐ Revised the eligibility requirements to only cover discharges from fire-fighting activities where aqueous film-forming foams (AFFF) are not used.

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Part I.B.4 – NOI For Transfer of Ownership or Control

- ☐ Combined Part I.D.4 (NOI for Change of Ownership) and Part III.B.2 (Transfer of Ownership or Control) of the previous permit into Part I.D.4 of the proposed permit and modified the boilerplate condition to correct conflicting language expressed in the two sections of the permit.

Part II.A. – Effluent Limitations and Monitoring Requirements

- ☐ Modified the daily maximum total suspended solids (TSS) effluent limit from 75 mg/L to 50 mg/L based on the requirements of 40 CFR 411 Subpart C.
- ☐ Added ammonia, total Kjeldahl nitrogen, organic nitrogen, nitrate-nitrite, and total nitrogen monitoring requirements to determine nutrient speciation and to quantify nutrient loadings to waters of the State.
- ☐ Added total phosphorus and orthophosphate, as P monitoring requirements to determine nutrient speciation and to quantify nutrient loadings to waters of the State.

Part II.D.2 – Other Electronic Reporting

- ☐ Removed the December 21, 2025 deadline for the electronic reporting of reports listed in this section of the permit. The US EPA has granted EPD an extension past the December 21, 2025 federal deadline to continue building the tools for the electronic reporting of these reports.

Standard Conditions & Boilerplate Modifications

The permit boilerplate includes modified or added language consistent with other NPDES permits.

Final Permit Determinations and Public Comments

☐ Final issued permit did not change from the draft permit placed on public notice.

☐ Public comments were received during public notice period.

☐ Public hearing was held.

☐ Final permit includes changes from the draft permit placed on public notice. See attached permit revisions and/or permit fact sheet revisions document(s)

GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

Jeffrey W. Cown, Director

Watershed Protection Branch
2 Martin Luther King, Jr. Drive
Suite 1470A, East Tower
Atlanta, Georgia 30334
404-463-1511

July 29, 2026

Persons who are interested in
General NPDES Permit No. GAG300000

RE: Draft General Permit for Mining and Processing Facilities
General NPDES Permit GAG300000

To Whom it May Concern:

The Georgia Environmental Protection Division (EPD) is considering the reissuance of the NPDES General Permit for Mining and Processing Facilities (GAG300000). The proposed General Permit will authorize point source discharges of certain wastewaters associated with nonmetallic mining operations and concrete production within the State of Georgia, subject to specific pollutant limitations and special conditions. The proposed NPDES General Permit area is statewide.

Before the permit can be reissued, EPD must complete the public notice participation requirements. The draft permit will be placed on the upcoming EPD public notice. Once posted, the public notice may be viewed on EPD's website at: https://epd.georgia.gov/watershed-protection-branch-public-announcements. Upon completion of the public notice period, EPD will make a determination on the reissuance of the general permit.

Enclosed is a copy of the draft permit and additional documents. If you have comments or questions concerning the draft permit, please contact Ian McDowell at 470.604.9483 or *ian.mcdowell@dnr.ga.gov.*

Sincerely,

Ian McDowell

Ian McDowell, Manager
Industrial Permitting Unit

Enclosure(s): Draft Permit, Permit Fact Sheet

Permit No. GAG300000
Issuance Date: DRAFT

GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR MINING AND PROCESSING FACILITIES

In compliance with the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended), hereinafter called the State Act; the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), hereinafter called the Federal Act; new and existing mining and processing facilities within the State of Georgia, upon receipt of a Notice of Coverage (NOC) and approval of an Antidegradation Analysis (for new or expanding dischargers or new sources) from EPD, are authorized to discharge treated process wash water, process wastewater, mine dewatering water, process wastewater commingled with stormwater discharges associated with industrial activities, waters used to wash vehicles where detergents are not used, water used to control dust, uncontaminated groundwater or spring water, and discharges from fire-fighting activities where aqueous film-forming foams (AFFF) are not used from mining and processing facilities to the waters of the State of Georgia in accordance with effluent limitations, monitoring requirements and other conditions set forth in the permit and with the statements and supporting information submitted with the application.

This permit shall become effective on XXXX XX, XXXX.

This permit and the authorization to discharge shall expire at midnight XXXX XX, XXXX.

Jeffrey W. Cown, Director
Environmental Protection Division

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PART I Coverage Under This General Permit

A. Eligibility and Permit Coverage

1. To obtain authorization under this permit, the facility discharging or proposing to discharge wastewater must be engaged in operations classified under one of the following Standard Industrial Classification (SIC) 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. 3272 – Concrete Products, Except Block and Brick; or
g. 3273 – Ready-Mixed Concrete;

2. This permit authorizes, subject to the conditions of this general permit, discharges of the following, except where prohibited in Part I.A.3.:

a. Treated process wash water;
b. Process wastewater;
c. Mine dewatering water;
d. Process wastewater comingled with stormwater discharges associated with industrial activities defined in Part I.A.1 of this permit;
e. Waters used to wash vehicles where detergents are not used;
f. Water used to control dust;
g. Uncontaminated ground water or spring water; and
h. Discharges from fire-fighting activities where aqueous film-forming foams (AFFF) are not used.

3. Discharge(s) To Impaired Waters

a. This Permit does not authorize discharges of pollutants of concern into impaired waters. Discharges that include pollutants of concern must be consistent with an EPA-approved or EPA/EPD established Total Maximum Daily Load (TMDL) and applicable State Law. Impaired waters are those that do not meet applicable water quality standards and are identified by an EPA-approved or EPA/EPD established TMDL and/or the State of Georgia's 303(d) list. Pollutants of concern are those pollutants for which the water body is listed as impaired, and which contribute to the listed impairment.

b. A facility otherwise eligible for coverage, or currently covered, under this Permit must determine whether its discharge(s) contributes directly or indirectly to the impairment of a water body that is included on the latest 303(d) list or otherwise designated by EPD as impaired or is included in an EPA/EPD-approved or EPA/EPD established TMDL. If the facility has discharges meeting this criterion, it must obtain an individual permit.

B. Authorization – Notice of Intent Requirements

1. NOI for Existing Discharges Already Covered Under Applicable General Permit

a. Permittees that are currently covered under the existing NPDES general permit that are seeking renewed coverage under this permit must submit a complete application (NOI) to the Georgia EPD within 180 days of the expiration date of this permit. For any facility covered under the existing NPDES general permit that meets this deadline, authorization under this general permit is automatically continued until coverage is granted under this permit. If a complete NOI is not submitted within 180 days of this permit expiration date, permit coverage will be terminated.

b. 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 applicants 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 applications.

2. NOI for Existing Discharges Already Covered Under an Individual Permit

a. 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. Such NOI shall be on forms as provided by EPD. Coverage under this general permit shall be effective upon the date of the Notice of Coverage (NOC) letter as provided by EPD.

b. 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 applications.

3. NOI for New or Expanding Discharges or New Sources

a. 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. Coverage under this general permit shall be effective upon the date of the NOC letter as provided by EPD.

b. 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, or the need for additional effluent limits, or of the request for submission of an individual NPDES permit application or alternative general permit applications.

4. NOI For Transfer of Ownership or Control

Permit coverage may be transferred to another person by a permittee if:

a. The permittee notifies the Director of EPD in writing of the proposed transfer;

b. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) and an NOI from the new permittee are submitted to the Director at least 30 days in advance of the proposed transfer; and

c. The Director, within 30 days, does not notify the current permittee and the new permittee of EPD's intent to terminate coverage and require that a new application be filed for coverage under another permit.

Failure to submit the information required in Part I.B.4.a and Part I.B.4.b above may be considered a violation of this permit and an unauthorized discharge to waters of the State.

5. Termination of Coverage

a. 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).

b. 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 30 days after the activity has permanently ceased.

PART II. Effluent Limitations and Monitoring Requirements

A. The permittee is authorized to discharge through outfalls identified in the notice of coverage letter: treated process wash water, process wastewater, mine dewatering water, process wastewater commingled with stormwater discharges associated with industrial activities, waters used to wash vehicles where detergents are not used, water used to control dust, uncontaminated groundwater or spring water, and discharges from fire-fighting activities where aqueous film-forming foams (AFFF) are not used. Such discharges shall be limited and monitored as follows:

Effluent Characteristics (Units)	Discharge Limitations (mg/L)		Monitoring Requirements[1]		
	Daily Avg.	Daily Max.	Measurement Frequency	Sample Type	Sample Location
Flow (MGD)	Record	Record	1/Month	Instant	Effluent
Total Suspended Solids	50	50	1/Month	Grab	Effluent
Oil & Grease	10	15	2/Year	Grab	Effluent
Turbidity (NTU)	50	75	1/Month	Grab	Effluent
Rainfall (inches/month)[2]	Report	Report	Daily	Calculated	See Footnote[2]
Ammonia, as N[3]	Report	Report	1/Quarter	Grab	Effluent
Total Kjeldahl Nitrogen, as N[3]	Report	Report	1/Quarter	Grab	Effluent
Organic Nitrogen, as N[3]	Report	Report	1/Quarter	Calculated	Effluent
Nitrate-Nitrite, as N[3]	Report	Report	1/Quarter	Grab	Effluent
Total Nitrogen, as N[3]	Report	Report	1/Quarter	Calculated	Effluent
Total Phosphorus, as P[4]	Report	Report	1/Quarter	Grab	Effluent
Orthophosphate, as P[4]	Report	Report	1/Quarter	Grab	Effluent

The pH of the final effluent shall not be less than 6.0 standard units nor greater than 8.5 standard units and shall be monitored at the final effluent by analyzing grab samples taken once per month.

There shall be no discharges of floating solids or visible foam.

(1) All the parameters must be monitored if there is any discharge. If there is no discharge, state such in the discharge monitoring report in accordance with the reporting requirements in Part II.C. of this permit.

(2) Rainfall (inches) shall be recorded either by an onsite-rain gauge at the facility or at an approved location each day of the month and reported on the OMR in accordance with Part II.C of this permit.

(3) Ammonia, total Kjeldahl nitrogen, organic nitrogen, and nitrate-nitrite must be analyzed or calculated from the same sample. Organic nitrogen = TKN – ammonia, as N. Total nitrogen is the sum of all nitrogen and is calculated as follows: TN = TKN + nitrate + nitrite.

(4) Total phosphorus and orthophosphate, as P must be analyzed from the same sample.

B. Monitoring

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. The permittee shall maintain a written sampling plan and monitoring schedule.

2. Sampling Period

a. Unless otherwise specified in this permit, quarterly samples shall be taken during the periods January-March, April-June, July-September, and October-December.

b. Unless otherwise specified in this permit, semiannual samples shall be taken during the periods January-June and July-December.

c. Unless otherwise specified in this permit, annual samples shall be taken during the period of January-December.

3. Monitoring Procedures

Analytical methods, sample containers, sample preservation techniques, and sample holding times must be consistent with the techniques and methods listed in 40 CFR Part 136. The analytical method used shall be sufficiently sensitive. EPA-approved methods must be applicable to the concentration ranges of the NPDES permit samples.

4. Detection Limits

All parameters will be analyzed using the appropriate detection limits. If the results for a given sample are such that a parameter is not detected at or above the specified detection limit, a value of "NOT DETECTED" will be reported for that sample and the detection limit will also be reported.

5. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

a. The exact place, date, and time of sampling or measurements, and the person(s) performing the sampling or the measurements;

b. The dates and times the analyses were performed, and the person(s) performing the analyses;

c. The analytical techniques or methods used;

d. The results of all required analyses.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report. Such increased monitoring frequency shall also be indicated. EPD may require, by written notification, more frequent monitoring or the monitoring of other pollutants not required in this permit.

7. Records Retention

The permittee shall retain records of all monitoring information, including all records of analyses performed, calibration and maintenance of instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a minimum of three (3) years from the date of the sample, measurement, report or application, or longer if requested by EPD.

8. Penalties

The Federal Clean Water Act and the Georgia Water Quality Control Act provide that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine or by imprisonment, or by both. The Federal Clean Water Act and the Georgia Water Quality Control Act also provide procedures for imposing civil penalties which may be levied for violations of the Act, any permit condition or limitation established pursuant to the Act, or negligently or intentionally failing or refusing to comply with any final or emergency order of the Director of EPD.

C. Reporting Requirements

1. NetDMR Reporting

The permittee must electronically report the DMR, OMR and additional monitoring data using the web based electronic NetDMR reporting system, unless a waiver is granted by EPD.

a. The permittee must comply with the Federal National Pollutant Discharge Elimination System Electronic Reporting regulations in 40 CFR §127. The permittee must electronically report the DMR, OMR, and additional monitoring data using the web based electronic NetDMR reporting system online at: https://cdx.epa.gov/

b. Monitoring results obtained during the calendar month shall be summarized for each month and reported on the DMR. The results of each sampling event shall be reported on the OMR and submitted as an attachment to the DMR.

c. The permittee shall submit the DMR, OMR and additional monitoring data no later than 11:59 p.m. on the 15th day of the month following the sampling period.

d. All other reports required herein, unless otherwise stated, shall be submitted to the EPD Office listed on the permit issuance letter signed by the Director of EPD.

2. Other Electronic Reporting

Upon notification by EPD, the permittee must electronically report the following compliance monitoring data and reports using the online web based electronic system (or other method) approved by EPD:

a. Sewer Overflow/Bypass Event Reports;
b. Noncompliance Notification;
c. Other noncompliance; and
d. Bypass

3. Other Reports

All other reports required in this permit not listed above in Part II.C.2. or unless otherwise stated, shall be submitted to the EPD Office listed on the permit issuance letter signed by the Director of EPD.

4. Other Noncompliance

All instances of noncompliance not reported under Part II.C. and Part III.A.2. shall be reported at the time the operation monitoring report is submitted.

5. Signatory Requirements

All reports, certifications, data or information submitted in compliance with this permit or requested by EPD must be signed and certified as follows:

a. Any State or NPDES Permit Application form submitted to the EPD shall be signed as follows in accordance with the Federal Regulations, 40 C.F.R. 122.22:

1. For a corporation, by a responsible corporate officer. A responsible corporate officer means:

i. a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision making functions for the corporation, or

ii. the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or

3. For a municipality, State, Federal, or other public facility, by either a principal executive officer or ranking elected official.

b. All other reports or requests for information required by the permit issuing authority shall be signed by a person designated in (a) above or a duly authorized representative of such person, if:

1. The representative so authorized is responsible for the overall operation of the facility from which the discharge originates, e.g., a plant manager, superintendent or person of equivalent responsibility;

2. The authorization is made in writing by the person designated under (a) above; and

3. The written authorization is submitted to the Director.

c. Any changes in written authorization submitted to the permitting authority under (b) above which occur after the issuance of a permit shall be reported to the permitting authority by submitting a copy of a new written authorization which meets the requirements of (b) and (b.1) and (b.2) above.

d. Any person signing any document under (a) or (b) above shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

PART III. Operational Requirements and Standard Conditions

A. Management Requirements

1. Notification of Changes

a. The permittee shall provide EPD at least 90 days advance notice of any planned physical alterations or additions to the permitted facility that meet the following criteria:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b);

2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1); or

3. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

b. The permittee shall give at least 90 days advance notice to EPD of any planned changes to the permitted facility or activity which may result in noncompliance with permit requirements.

c. Following the notice in paragraph a. or b. of this condition the permit may be modified. The permittee shall not make any changes, or conduct any activities, requiring notification in paragraph a. or b. of this condition without approval from EPD.

d. The permittee shall provide at least 30 days advance notice to EPD of:

1. any planned expansion or increase in production capacity; or

2. any planned installation of new equipment or modification of existing processes that could increase the quantity of pollutants discharged or result in the discharge of pollutants that were not being discharged prior to the planned change

If such change was not identified in the permit application(s) upon which this permit is based and for which notice was not submitted under paragraphs a. or b. of this condition.

e. All existing manufacturing, commercial, mining, and silvicultural dischargers shall notify EPD as soon as it is known or there is reason to believe that any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant not limited in the permit, if that discharge will exceed (i) 100 µg/L, (ii) five times the maximum concentration reported for that pollutant in the permit application, or (iii) 200 µg/L for acrolein and acrylonitrile, 500 µg/L for 2,4 dinitrophenol and for 2-methyl-4-6-dinitrophenol, or 1 mg/L antimony.

f. All existing manufacturing, commercial, mining, and silvicultural dischargers shall notify EPD as soon as it is known or there is reason to believe that any activity has occurred or will occur which would result in any discharge on a nonroutine or infrequent basis, of any toxic pollutant not limited in the permit, if that discharge will exceed (i) 500 µg/L, (ii) ten times the maximum concentration reported for that pollutant in the permit application, or (iii) 1 mg/L antimony.

g. The permittee shall submit to EPD an annual certification in June of each year certifying whether or not there has been any change in processes or wastewater characteristics as described in the submitted NPDES permit application that required notification in paragraph a., b., or d. of this condition. The permittee shall also certify annually in June whether the facility has received offsite wastes or wastewater and detail any such occurrences.

2. Noncompliance Notification

If, for any reason, the permittee does not comply with, or will be unable to comply with any effluent limitation specified in this permit, the permittee shall provide EPD with an oral report within 24 hours from the time the permittee becomes aware of the circumstances followed by a written report within five (5) days of becoming aware of such condition. The written submission shall contain the following information:

a. A description of the discharge and cause of noncompliance; and

b. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

3. Facility Operation

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

4. Adverse Impact

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. Bypassing

a. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to EPD at least 10 days (if possible) before the date of the bypass. The permittee shall submit notice of any unanticipated bypass with an oral report within 24 hours from the time the permittee becomes aware of the circumstances followed by a written report within five (5) days of becoming aware of such condition. The written submission shall contain the following information:

1. A description of the discharge and cause of noncompliance; and

2. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

b. Any diversion or bypass of facilities covered by this permit is prohibited, except (i) where unavoidable to prevent loss of life, personal injury, or severe property damage; (ii) there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime (this condition is not satisfied if the permittee could have installed adequate back-up equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance); and (iii) the permittee submitted a notice as required above. The permittee shall operate the treatment works, including the treatment plant and total sewer system, to minimize discharge of the pollutants listed in Part II of this permit from combined sewer overflows or bypasses. Upon written notification by EPD, the permittee may be required to submit a plan and schedule for reducing bypasses, overflows, and infiltration in the system.

6. Sludge and Solids Disposal and Reuse Requirements

The following requirements apply to treatment systems that produce sludge and/or reusable solids:

a. Sludge and solids dredged from the wastewater pond(s) shall be disposed of according to the regulations and guidelines established by the EPD and the Federal Act section 405(d) and (e), and the Resource Conservation and Recovery Act (RCRA), or shall be sold and/or reused as described in Part III.A.6.b. below.

b. Sludge and solids dredged from the wastewater pond(s) must be disposed of in a permitted landfill or reused by one of the following methods:

1. Dredged material from the wastewater pond(s) may be used to create berms in accordance with the *Georgia Manual for Sediment and Erosion Control* and the facility's approved Land Use Plan;

2. Dredged material or blended dredged material from the wastewater pond(s) may be sold in accordance with the rules for Surface Mining and/or Solid Waste;

3. Dredged material from the wastewater pond(s) may be used for the purpose of reclamation in accordance with the rules for Surface Mining and the facility's approved Land Use Plan; or

4. Sediment may be left in the wastewater pond(s), if there have been no chemical additions, if permit conditions and effluent limitations are met, and if it is approved as part of the reclamation process in accordance with the rules for Surface Mining and the facility's approved Land Use Plan.

c. If sludge generated at the facility or solids dredged from the wastewater pond(s), are not disposed of in a permitted landfill or by one of the approved methods listed in Part III.A.6.b., then the permittee must seek an individual permit.

d. The permittee shall develop and implement procedures to ensure adequate year-round sludge disposal. The permittee shall monitor and maintain records documenting the quantity of sludge removed from the facility. The total quantity of sludge removed from the facility during the reporting period shall be reported on the Discharge Monitoring Reports as required under Part II.C. of this permit. The quantity shall be reported on a dry weight basis (dry tons).

e. This general permit does not authorize permittees to dispose of sludge through land application.

7. Power Failures

Upon the reduction, loss, or failure of the primary source of power to said water pollution control facilities, the permittee shall use an alternative source of power if available to reduce or otherwise control production and/or all discharges in order to maintain compliance with the effluent limitations and prohibitions of this permit.

If such alternative power source is not in existence, and no date for its implementation appears in Part II, the permittee shall halt, reduce or otherwise control production and/or all discharges from wastewater control facilities upon the reduction, loss, or failure of the primary source of power to said wastewater control facilities.

8. Operator Certification Requirements

The permittee shall ensure that, when required, a certified operator is in charge of the facility in accordance with the Georgia Certification of Water and Wastewater Treatment Plant Operators And Laboratory Analysts Act, as amended, and as specified by Subparagraph 391-3-6-.12 of the Rules and Regulations for Water Quality Control.

9. Laboratory Analyst Certification Requirements

The permittee shall ensure that, when required, the person in responsible charge of the laboratory performing the analyses for determining permit compliance is certified in accordance with the Georgia Certification of Water and Wastewater Treatment Plant Operators and Laboratory Analysts Act, as amended, and as specified by Subparagraph 391-3-6-.12 of the Rules and Regulations for Water Quality Control.

B. Responsibilities

1. Right of Entry

The permittee shall allow the Director of EPD, the Regional Administrator of EPA, and/or their authorized representatives, agents, or employees, upon the presentation of credentials:

a. To enter upon the permittee's premises where a discharge source is located or in which any records are required to be kept under the terms and conditions of this permit; and

b. At reasonable times, to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and to sample any substance or parameters in any location.

2. Availability of Reports

Except for data deemed to be confidential under O.C.G.A. § 12-5-26 or by the Regional Administrator of the EPA under the Code of Federal Regulations, Title 40, Part 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at an office of EPD. Effluent data, permit applications, permittee's names and addresses, and permits shall not be considered confidential.

3. Permit Modification

After written notice and opportunity for a hearing, this permit may be modified, suspended, revoked or reissued in whole or in part during its term for cause including, but not limited to, the following:

a. Violation of any conditions of this permit;

b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;

c. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge; or

d. To comply with any applicable effluent limitation issued pursuant to the order of the United States District Court for the District of Columbia issued on June 8, 1976, in Natural Resources Defense Council, Inc. et.al. v. Russell E. Train, 8 ERC 2120(D.D.C. 1976), if the effluent limitation so issued:

1. is different in conditions or more stringent than any effluent limitation in the permit; or

2. controls any pollutant not limited in the permit.

4. Toxic Pollutants

The permittee shall comply with effluent standards or prohibitions established pursuant to Section 307(a) of the Federal Clean Water Act for toxic pollutants, which are present in the discharge within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

5. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

6. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Federal Clean Water Act.

7. Water Quality Standards

Nothing in this permit shall be construed to preclude the modification of any condition of this permit when it is determined that the effluent limitations specified herein fail to achieve the applicable State water quality standards.

8. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

9. Expiration of Permit and Duty to Reapply

This permit will expire five (5) years from the effective date. The permittee must re-apply for permit coverage 180 days prior to the expiration of this permit unless the permit has been terminated consistent with 40 CFR § 122.64(b). If this permit is not reissued or replaced prior to the expiration date, the permit will be administratively continued and remain in force and effect. Any permittee who has submitted a completed NOI 180 days prior to the expiration date of the permit and has been granted permit coverage will automatically remain covered by the administratively continued permit until the earlier of:

a. Reissuance or replacement of this permit, at which time the permittee must comply with the application conditions of the new permit to maintain authorization to discharge;

b. Issuance of an individual permit for the discharges;

c. A formal decision by the permitting authority not to reissue this general permit, at which time the permittee must seek coverage under an individual permit; or

d. The permitting authority grants the permittee's request for termination of permit coverage.

10. Contested Hearings

Any person who is aggrieved or adversely affected by an action of the Director of EPD shall petition the Director for a hearing within 30 days of notice of such action.

11. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

12. Best Management Practices

The permittee will implement best management practices to control the discharge of hazardous and/or toxic materials from ancillary manufacturing activities. Such activities include, but are not limited to, materials storage, in-plant transfer, process and material handling, loading and unloading operations, plant site runoff, and sludge and waste disposal.

13. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

14. Duty to Provide Information

a. The permittee shall furnish to the EPD Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish upon request copies of records required to be kept by this permit.

b. When the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or any report to the Director, it shall promptly submit such facts and information.

15. Duty to Comply

a. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Georgia Water Quality Control Act (O.C.G.A. § 12-5-20 et. seq.) and is grounds for enforcement action; for permit termination; revocation and reissuance, or modification; or for denial of a permit renewal application. Any instances of noncompliance must be reported to EPD as specified in Part II.C and Part III.A. of this permit.

b. Penalties for violations of permit conditions. The Federal Clean Water Act and the Georgia Water Quality Control Act (O.C.G.A. § 12-5-20 et. seq.) provide that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this permit, makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine or by imprisonment, or by both. The Georgia Water Quality Control Act (Act) also provides procedures for imposing civil penalties which may be levied for violations of the Act, any permit condition or limitation established pursuant to the Act, or negligently or intentionally failing or refusing to comply with any final or emergency order of the Director.

16. Upset Provisions

Provisions of 40 CFR 122.41(n)(1)-(4), regarding "Upset" shall be applicable to any civil, criminal, or administrative proceeding brought to enforce this permit.

PART IV. General Permit Conditions

A. Previous Permits

1. All previous State wastewater permits issued to this facility, whether for construction or operation, are hereby revoked by the issuance of this permit. This action is taken to assure compliance with the Georgia Water Quality Control Act, as amended, and the Federal Clean Water Act, as amended. Receipt of the permit constitutes notice of such action. The conditions, requirements, terms and provisions of this permit authorizing discharge under the National Pollutant Discharge Elimination System govern discharges from this facility.

B. Schedule of Compliance

1. The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule: N/A

2. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress, or in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

C. Special Conditions

1. 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.

2. When applicable, the permittee shall implement and adhere to industry recognized Best Management Practices (BMPs) in accordance with *Georgia's Best Management Practices for Mining* (2008). Document(s) describing industry recognized BMPs can be found on EPD's website.

3. When applicable, the permittee shall implement and adhere to the most recent edition of the *Georgia Manual for Sediment and Erosion Control*.

4. 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 discharges of pollutants from the permittee's mining activities into waters of the State, except as allowed in this permit.

5. 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.

D. Biomonitoring and Toxicity Reduction Requirements

1. The permittee shall comply with effluent standards or prohibitions established by section 307(a) of the Federal Act and with chapter 391-3-6-.03(5)(e) of the State Rules and may not discharge toxic pollutants in concentrations or combinations that are harmful to humans, animals, or aquatic life.

If toxicity is suspected in the effluent, EPD may require the permittee to perform any of the following actions:

a. Acute biomonitoring tests;

b. Chronic biomonitoring tests;

c. Stream studies;

d. Priority pollutant analyses;

e. Toxicity reduction evaluations (TRE); or

f. Any other appropriate study.

2. EPD will specify the requirements and methodologies for performing any of these tests or studies. Unless other concentrations are specified by EPD, the critical concentration used to determine toxicity in biomonitoring tests will be the effluent instream wastewater concentration (IWC) based on the representative plant flow of the facility and the critical low flow of the receiving stream (7Q10). The endpoints that will be reported are the effluent concentration that is lethal to 50% of the test organisms (LC50) if the test is for acute toxicity, and the no observed effect concentration (NOEC) of effluent if the test is for chronic toxicity.

The permittee must eliminate effluent toxicity and supply EPD with data and evidence to confirm toxicity elimination.

Part V. Definitions

A. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

B. "CFR" means Code of Federal Regulations.

C. "Daily Average" concentration means the arithmetic average of all the daily determinations of concentrations made during a calendar month. Daily determinations of concentration made using a composite sample shall be the concentration of the composite sample.

D. "Daily Maximum" concentration means the daily determination of concentration for any calendar day.

E. "Department" means the Georgia Department of Natural Resources

F. "Director" means the Director of the Environmental Protection Division of the Department of Natural Resources, State of Georgia

G. "DMR" means Discharge Monitoring Report

H. For the purposes of this permit "Discharge of a Pollutant" means any addition of any "pollutant" or combination of pollutants to "waters of the States" from any "point source". This definition includes additions of pollutants into waters of the (United) States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which does not lead to a treatment works; and discharges through pipes, sewers, or other conveyances leading into privately owned treatment works. This term does not include an addition of pollutants by any "indirect discharger"

I. "EPA" means the U.S. Environmental Protection Agency

J. "EPD" means the Environmental Protection Division of the Department of Natural Resources.

K. "Federal Act" means The Clean Water Act.

L. "Grab Sample" an individual sample of at least 100 milliliters collected at a randomly selected time over a period not exceeding 15 minutes.

M. "General Permit" means an NPDES permit issued under Title 40 of the Code of Federal Regulations (40 CFR), Part 122.28 authorizing a category of discharges under the Federal Clean Water Act (Federal Act) within a geographical area.

N. "Indirect Discharger" means a nondomestic discharger introducing "pollutants" to a "publicly owned treatment works."

O. "Industrial Wastes" means any liquid, solid, or gaseous substance, or combination thereof, resulting from a process of industry, manufacture, or business or from the development of any natural resources.

P. "Instantaneous" means a single reading, observation, or measurement.

Q. "MGD" means million gallons per day.

R. "Mine" means an area of land, surface or underground, actively mined for the production of crushed and broken stone from natural deposits and sand and gravel from natural deposits.

S. "Mine Dewatering" means any water that is impounded or that collects in the mine and is pumped, drained, or otherwise removed from the mine through the efforts of the mine operator. However, if a mine is also used for treatment of process generated waste water, discharges of commingled water from the facilities shall be deemed discharges of process generated waste water.

T. "NOC" means Notice of Coverage.

U. "NOI" means Notice of Intent.

V. "NOT" means Notice of Termination.

W. "OMR" means Operational Monitoring Report.

X. "Point Source" means any discernible, confined, or discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Y. "Pollutant" means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, industrial wastes, municipal waste, and agricultural waste discharged into the waters of the state.

Z. "Process Generated Wastewater" means any water used in the slurry transport of mined material, air emissions control, or processing exclusive of mining. The term shall also include any other water which becomes commingled with such waste water in a pit, pond, lagoon, mine, or other facility used for treatment of such wastewater. The term does not include wastewater used for the suction dredging of deposits in a body of water and returned directly to the body of water without being used for other purposes or combined with other wastewater.

AA. "Process Wastewater" is any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

BB. "Rules" as used herein means the Georgia Rules and Regulations for Water Quality Control.

CC. "Severe Property Damage" means substantial physical damage to property, damage to treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

DD. "State Act" as used herein means the Georgia Water Quality Control Act (Official Code of Georgia Annotated; Title 12, Chapter 5, Article 2).

EE. "Sewage Sludge" means solid, semi-solid, or liquid residue generated during the treatment of domestic sewage or a combination of domestic sewage and industrial wastewater in a treatment works. Sewage sludge includes, but is not limited to scum or solids removed in primary, secondary, or advanced wastewater treatment processes. Sewage sludge does not include ash generated during the firing of sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, treated effluent, or materials excluded from definition of "sewage sludge" by O.C.G.A. § 12-5-30-.3(a)(1).

FF. "Sludge" means any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply.

GG. "Stormwater Discharges Associated with Industrial Activity" means the discharge from any conveyance which is used for collecting and conveying stormwater and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges form facilities or activities excluded from the NPDES program. The term includes, but is not limited to, stormwater discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carries of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined in 40 CFR 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater. For the purposes of this paragraph, material handling activites include the storage, loading and unloading, transporation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with stormwater drained form the above described areas. Industrial facilities include those facilities designated under 40 CFR 122.26(b)(14)(i)-(iv) and (xi).

HH. "Sufficiently sensitive" means (1) The method minimum level (ML) is at or below the level of the effluent limit established in the permit for the measured pollutant or pollutant parameter; or (2) The method has the lowest ML of the analytical methods approved under 40 CFR Part 136 or required under 40 CFR chapter I, subchapter N or O for the measured pollutant or pollutant parameter.

II. "Waters of Georgia or Waters of the State" - any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, wetlands, and all other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State which are not confined and retained completely upon the property of a single individual, partnership, or corporation.

GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

The Georgia Environmental Protection Division proposes to reissue the General NPDES Permit GAG300000, which authorizes point source discharges associated with nonmetallic mining operations and concrete production. The draft permit places conditions on the discharge of pollutants to waters of the State.

Technical Contact: Ian McDowell (*ian.mcdowell@dnr.ga.gov)*
470-604-9483

Draft permit:

- ☐ First issuance
- ☐ Reissuance with no or minor modifications from previous permit
- ☒ Reissuance with substantial modifications from previous permit
- ☐ Modification of existing permit
- ☒ Requires EPA review

1.0 GENERAL INFORMATION

1.1 NPDES Permit No.: GAG300000

1.2 Permit Coverage

To obtain authorization under this permit, the facility discharging or proposing to discharge wastewater must be engaged in operations classified under one of the following Standard Industrial Classification Codes:

1. 1411 – Dimension Stone;
2. 1422 – Crushed and Broken Limestone;
3. 1423 – Crushed and Broken Granite;
4. 1429 – Crushed and Broken Stone, Not Elsewhere Classified;
5. 1459 – Clay, Ceramic, and Refractory Minerals, Not Otherwise Classified;
6. 3272 – Concrete Products, Except Block and Brick
7. 3273 – Ready-Mixed Concrete;

1.3 Limitations on Coverage

1. This permit does not authorize coverage for any other facilities, other than facilities that are engaged in operations classified under one of the SIC codes mentioned above.

    a. 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's Effluent Limit Guidelines established in 40 CFR Part 436.

    b. Facilities associated with excluded SIC codes must obtain an individual NPDES permit to discharge to waters of the State.

2. This General Permit does not cover coal mining, metals mining, oil and gas extraction, and kaolin mining.

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.

1.4 Eligibility

This permit authorizes the following discharges;

1. Treated process wash water;
2. Process wastewater;
3. Mine dewatering water;
4. Process wastewater commingled with stormwater discharges associated with industrial activities defined in Part I.A.1 of this permit;
5. Water 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 where aqueous film-forming foams (AFFF) are not used.

1.5 Type of Wastewater Discharge

☒ process wastewater ☒ stormwater

☐ domestic wastewater ☒ combined

☒ other (mine dewatering water, water used to wash vehicles where detergents are not used, water used to control dust, uncontaminated ground water or spring water, and discharge from fire-fighting activities where AFFF are not used)

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 POTW)	Non-Process Water Discharges	40 CFR 122 40 CFR 125 40 CFR 127 40 CFR 136
	Process Water Discharges	40 CFR 122 40 CFR 125 40 CFR 127 40 CFR 136 40 CFR 411 40 CFR 436

2.3 Industrial Effluent Limit Guideline(s)

40 CFR 436 – Mineral Mining and Processing Point Source Category
Subpart B – Crushed Stone Subcategory

40 CFR 411 – Cement Manufacturing Point Source Category
Subpart C – Materials Storage Piles Runoff Subcategory

3.0 WATER QUALITY STANDARDS & RECEIVING WATERBODY INFORMATION

Section 301(b)(1)(C) of the Clean Water Act (CWA) requires the development of limitations in permits necessary to meet water quality standards. Federal Regulations 40 CFR 122.4(d) require that conditions in NPDES permits ensure compliance with the water quality standards which are composed of designated use classifications, numeric and or narrative water quality criteria and an antidegradation policy. The designated use classification system identifies the designated 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 designated use for each water body. The antidegradation policy represents an approach to maintain and to protect various levels of water quality and uses. Section 391-3-6-.3(5) of the GA Water Quality Control Act provide General Criteria for All Waters, commonly referred to as the narrative water quality standards, and Specific Criteria for Specific Designated Uses. In addition to the General Criteria the Specific Criteria in Section 3.1 below are deemed necessary and shall be required for the specific designated uses.

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:

1. For the months of May through October, when primary water contact recreation activities are expected to occur, culturable E. coli not to exceed a geometric mean of 126 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. 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.

2. For the months of November through April, culturable E. coli not to exceed a geometric mean of 265 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. There shall be no greater than a ten percent excursion frequency of an E. coli statistical threshold value (STV) of 861 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. If it is determined that the "natural condition" in the water body is less than the values stated above, then the criteria will revert to the "natural condition" and the water quality standard will allow up to a 10% deficit from the "natural" dissolved oxygen value if it is demonstrated that resident aquatic species shall not be adversely affected.

(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: Primary contact recreational activities that occur year round such as swimming, diving, whitewater boating (class III and above), water skiing, and surfing, 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:

(i) Bacteria:

1. Coastal and estuarine waters: Culturable enterococci not to exceed a geometric mean of 35 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. 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 based on at least four samples collected from a given sampling site over a 30-day period at intervals not less than 24 hours. 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. If it is determined that the "natural condition" in the water body is less than the values stated above, then the criteria will revert to the "natural condition" and the water quality standard will allow up to a 10% deficit from the "natural" dissolved oxygen value if it is demonstrated that resident aquatic species shall not be adversely affected.

(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; primary contact recreation in and on the water for the months of May - October, secondary contact recreation in and on the water for the months of November - April; or for any other use requiring water of a lower quality.

(i) Bacteria:

1. Estuarine waters:

   For the months of May through October, when primary water contact recreation activities are expected to occur, culturable enterococci not to exceed a geometric mean of 35 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. 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.

   For the months of November through April, culturable enterococci not to exceed a geometric mean of 74 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. There shall be no greater than a ten percent excursion frequency of an enterococci statistical threshold value (STV) of 273 counts per 100 mL in the same 30-day interval.

2. All other fishing waters:

   For the months of May through October, when primary water contact recreation activities are expected to occur, culturable E. coli not to exceed a geometric mean of 126 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. 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.

   For the months of November through April, culturable E. coli not to exceed a geometric mean of 265 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. There shall be no greater than a ten percent excursion frequency of an E. coli statistical threshold value (STV) of 861 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.

4. 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.

(ii) 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. If it is determined that the "natural condition" in the water body is less than the values stated above, then the criteria will revert to the "natural condition" and the water quality standard will allow up to a 10% deficit from the "natural" dissolved oxygen value if it is demonstrated that resident aquatic species shall not be adversely affected.

(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.

***Coastal Fishing*:** For waters designated in 391-3-6-.03(14) as "Coastal Fishing," site specific criteria for dissolved oxygen will be assigned. All other criteria and uses for the fishing designated use will apply for coastal fishing.

(i) Dissolved Oxygen: A daily average of 5.0 mg/L and no less than 4.0 mg/L at all times. If it is determined that the "natural condition" in the waterbody is less than the values stated above, then the criteria will revert to the "natural condition" and the water quality standard will allow for a 0.1 mg/L deficit from the "natural" dissolved oxygen value. Up to a 10% deficit will be allowed if it is demonstrated that resident aquatic species shall not be adversely affected.

***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.

Wild River: For all waters designated in 391-3-6-.03(13) as "Wild River", there shall be no alteration of natural water quality from any source.

Scenic River: For all waters designated in 391-3-6-.03(13) as "Scenic River", there shall be no alteration of natural water quality from any source.

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 PERMIT CONDITIONS AND EFFLUENT LIMITATIONS

4.1 Water Quality Based Effluent Limitations (WQBELs) & Technology Based Effluent Limits (TBELS)

When drafting a National Pollutant Discharge Elimination System (NPDES) permit, a permit writer must consider the impact of the proposed pollutants in a discharge on the quality of the receiving water. Water quality goals for a waterbody are defined by state water quality criteria or standards. By analyzing the effect of a pollutant in the 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 or protect downstream users. 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 water quality standards are met in the receiving water and the designated use and downstream uses are protected. On the basis of the requirements of 40 C.F.R §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.

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 State. TBELs are developed independently of the potential impact of a discharge on the receiving water, which is addressed through water quality standards and WQBELs. The NPDES regulations at 40 C.F.R. §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 requires permit writers to 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 (ELGS), the permit writer must identify any needed TBELS and utilize best professional judgment to establish TBELS 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.

4.2 Reasonable Potential Analysis (RPA)

EPA regulations at 40 C.F.R. §122.44(d)(1)(i) state, "Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines are or may be discharged at a level that will *cause*, have the *reasonable potential to cause*, or *contribute* to an excursion above any [s]tate water quality standard, including [s]tate narrative criteria for water quality." [emphasis added]

EPA regulations at 40 C.F.R. §122.44(d)(1)(ii) require 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 criterion 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 has reasonable potential procedures, based upon the specific category of pollutants and/or specific pollutant of concern. 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 GA Rules and Regulations for Water Quality Control, Chapter 391-3-6 in the evaluation of a permit application and in the evaluation of the reasonable potential for a discharge to cause an exceedance in the numeric or narrative criteria.

The term "pollutant" is defined in CWA section 502(6) and 40 C.F.R. §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 40 C.F.R.§401.16 (five day-biochemical oxygen demand (BOD5), total suspended solids (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, but not limited to, chlorine, ammonia, nitrogen, phosphorus, chemical oxygen demand (COD), and whole effluent toxicity (WET).

EPD evaluates the data provided in the application and supporting documents. If a pollutant is listed in the following sections of this fact sheet below, the permit writer determined the pollutant is 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 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 may be if the applicant reported "not detect" or "below detection limit".

Upon identification of a pollutant of concern by the permit writer, in accordance with 40 C.F.R. §122.44(d)(1)(ii), the permit writer must then perform a reasonable potential analysis using a procedure which has accounted for any combination of the following criteria: existing controls on point and nonpoint sources of pollution, the variability of the pollutant or pollutant parameter in the effluent, the sensitivity of the species to toxicity testing (when evaluating whole effluent toxicity), and where appropriate, the dilution of the effluent in the receiving water to determine if the pollutant and its discharge has the reasonable potential to cause, or contribute to an in-stream excursion above the allowable ambient concentration of a state narrative or numeric criteria within the state's water quality standard for an individual pollutant.

In accordance with 40 C.F.R. §122.44(d)(1)(iii), if the permit writer has determined, using a reasonable potential procedure the pollutant of concern in the discharge causes, has the reasonable potential to cause, or contributes to an in-stream excursion above the allowable ambient concentration of a state numeric or narrative criteria within a state water quality standard for an individual pollutant, the permit must contain effluent limits for that pollutant. If the permit writer has determined there is insufficient data, the permit writer might also consider monitoring requirements to collect the additional data related to the presence or absence of a specific pollutant to provide information for further analyses for the development of appropriate numeric or narrative standard.

The conventional, nonconventional, and toxic pollutants listed in the following sections have been identified by the permit writer as pollutants of concern and the permit writer has determined through current practices and procedures one of the following: no additional monitoring or numeric and/or narrative effluent limits are needed; additional monitoring is required; or numeric and/or narrative effluent limits are necessary to protect the receiving water body and its downstream users and those limits have been included in the permit.

The monitoring and sampling locations are prescribed in the permit and determined by the permit writer after considering, at a minimum, the following: type of discharge, specific pollutant, discharge frequency, location of the discharge, receiving waterbody, downstream users, etc.

The sample type, grab vs. composite, is prescribed in the permit and determined by the permit writer after considering, at a minimum, the analytical method required in 40 C.F.R. §136, the type of pollutant, retention time, etc. Grab samples are required for the analysis of pH, temperature, cyanide, total phenols, residual chlorine, oil and grease, fecal coliform (including *E. coli*), or volatile organics.

4.3 Whole Effluent Toxicity

The permittee shall comply with effluent standards or prohibitions established by section 307(a) of the Federal Act and with chapter 391-3-6-.03(5)(e) of the State Rules and may not discharge toxic pollutants in concentrations or combinations that are harmful to humans, animals, or aquatic life.

If toxicity is suspected in the effluent, EPD may require the permittee to perform acute or chronic whole effluent toxicity testing and/or require the facility to obtain an individual NPDES permit.

4.4 Conventional Pollutants

Pollutants of Concern	Basis
pH	Technology based effluent limitations (TBELs) of no less than 6.0 s.u. nor greater than 9.0 s.u. are required for the mining and processing of crushed stone in accordance with 40 CFR 436 Subpart B, as well as for materials storage pile runoff from cement manufacturing facilities in accordance with 40 CFR 411 Subpart C. However, to be protective of Georgia's Water Quality Standards, water quality based effluent limitations (WQBELs) of no less than 6.0 s.u. nor greater than 8.5 s.u. have been included in the permit for pH.
Total Suspended Solids	Georgia has narrative Water Quality Standards for total suspended solids. A narrative condition stating, "there shall be no floating solids or visible foam" has been included in the permit. Technology Based Effluent Limits (TBELs) of "not to exceed 50 mg/L" for total suspended solids are required for materials storage pile runoff from cement manufacturing facilities in accordance with 40 CFR 411 Subpart C. Additionally, EPD evaluated the demonstrated performance of mining and processing facilities covered under the general permit GAG300000 from August 2021 through January 2026 by reviewing the facilities' discharge monitoring reports (DMRs). Combining the data from all facilities allowed for consistency and provided the best representation of the industry's demonstrated performance. After consideration of the applicable effluent limitation guidelines and the demonstrated performance of the mining and processing facilities, EPD has established effluent limitations of 50 mg/L daily average and 50 mg/L daily maximum in the permit. The limits are based on EPD's best professional judgement, on a case-by-case basis in accordance with 40 C.F.R. 125.3(c).

Oil and Grease	Oil and grease has been identified as a pollutant of concern for mining and processing facilities due to the amount of truck washing that occurs at these facilities. Georgia has a narrative water quality standard for oil and grease at Ga. R. & Regs. 391-3-6-.03(5)(b) that states that all waters shall be free from oil, scum and floating debris associated with municipal or domestic sewage, industrial waste or other discharges in amounts sufficient to be unsightly or to interfere with the designated use of the water body. The long standing technology based effluent limits of 10 mg/L daily average and 15 mg/L daily maximum are representative of the concentration at which a visible oil sheen is likely to occur and may have the reasonable potential to cause or contribute to a violation of the WQS.

4.5 Nonconventional Pollutants

Pollutants of Concern	Basis
Turbidity	There is reasonable potential for the covered discharges to cause or contribute to an excursion above the narrative Water Quality Criteria for turbidity, established in Ga. R. & Regs. 391-3-6-.03(5)(c-d). The Rules state that all waters should be free from material related to municipal, industrial or other discharges which produce turbidity which interfere with the designated use of the water body and which results in a substantial visual contrast in a water body due to a man-made activity. Turbidity limits of 50 NTU daily average and 75 NTU daily maximum are derived from the narrative water quality criteria and have been included in the permit.
Ammonia, as N, Total Kjeldahl Nitrogen, Organic Nitrogen, Nitrate-Nitrite, Total Nitrogen	Discharges of total nitrogen directly to or within the watershed upstream from waterbodies with total nitrogen water quality standards must undergo an analysis to determine if the discharge has the reasonable potential to cause or contribute to instream water quality standard violations. Insufficient data is available to determine the presence or absence of total nitrogen in the discharges from mining and processing facilities. Monitoring has therefore been included for ammonia, TKN, organic nitrogen, and nitrate-nitrite to calculate total nitrogen, quantify nutrient loadings, and provide information for

	further analyses and development of appropriate numeric or narrative effluent limits. Total nitrogen is the sum of all nitrogen forms or TN = TKN + nitrate + nitrite Organic nitrogen, as N = TKN – ammonia, as N Ammonia, TKN, organic nitrogen, and nitrate-nitrite must be analyzed or calculated from the same sample to correctly calculate total nitrogen.
Total Phosphorus, Orthophosphate, as P	Total phosphorus measures all forms of phosphorus in a sample (orthophosphate, condensed phosphate, and organic phosphate). Orthophosphate, or reactive phosphorus is the amount of phosphorus available to chemically or biologically react. Discharges of total phosphorus directly to or within the watershed upstream from waterbodies with total phosphorus water quality standards must undergo an analysis to determine if the discharge of the pollutants has the reasonable potential to cause or contribute to an instream violation of the water quality standard. Insufficient data is available to determine the presence or absence of total phosphorus in the discharges from mining and processing facilities. Monitoring has therefore been included for total phosphorus and orthophosphate, as P to quantify nutrient loadings, and provide information for further analyses and development of appropriate numeric or narrative effluent limits.

4.6 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	6.0 – 9.0	WQBEL – WQS
Total Suspended Solids (mg/L)	Narrative	50/50	TBEL
Oil and Grease (mg/L)	10/15	None	WQBEL – WQS
Turbidity (NTU)	50/75	None	WQBEL – WQS

5.0 OTHER PERMIT REQUIREMENTS AND CONSIDERATIONS

5.1 Special Conditions

Special conditions regarding the implementation of best management practices have been included to supplement the numeric effluent limitations by implementing practices which are reasonably necessary to achieve the effluent limitations. These best management practices, designed primarily for erosion and sedimentation control have been included in order to achieve the numeric effluent limitations for total suspended solids and turbidity.

1. 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.

2. When applicable, the permittee shall implement and adhere to industry recognized Best Management Practices (BMPs) in accordance with *Georgia's Best Management Practices for Mining* (2008). Document(s) describing industry recognized BMPs can be found on EPD's website.

3. When applicable, the permittee shall implement and adhere to the most recent edition of the *Georgia Manual for Sediment and Erosion Control*.

4. 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 discharges of pollutants from the permittee's mining activities into waters of the State, except as allowed in this permit.

5. 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.

5.2 Compliance Schedules

The permittee shall attain compliance with all limits on the effective date of the permit or upon notification of coverage for new dischargers or new sources.

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.

5.4 Antidegradation Analysis

Ga. R. & Regs. 391-3-6-.03(2)(b)(ii)2 require that "Before allowing any lowering of high quality water the division shall find, after an analysis of alternatives, that such a lowering is necessary to accommodate important economic or social development in the area in which the waters are located. The analysis of alternatives shall evaluate a range of practicable alternatives that would prevent or lessen the degradation associated with the proposed activity. When the analysis of alternatives identifies one or more practicable alternatives, the division shall only find that a lowering is necessary if one such alternative is selected for implementation." New or expanding discharges or new sources seeking coverage under this general permit must submit an antidegradation analysis at least 30 days prior to the date of desired coverage.

5.5 Sludge Disposal Requirements

The permit authorizes several beneficial uses for sludge which exist both on- and off-site. At the site, dewatered sludge may be used to create berms or used for reclamation purposes. The solids may also remain in the pond as long as the permit conditions and effluent limitations are met. Off-site, it may be sold for road construction or other purposes. The material has multiple uses that will prevent the need for its landfill. The permit does not authorize the permittee to dispose of sludge through land application (or any other method not specifically approved in the 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 Public Comment Period

For the purposes of a draft permit, the determinations, including effluent limitations and special conditions, are tentative. Within 30 days of the initiation of the public comment period, persons wishing to comment upon or object to the proposed determinations may submit those in writing to the EPD at 2 Martin Luther King Jr. Drive, Suite 1470A East, Atlanta, Georgia 30334, or via e-mail at *EPDcomments@dnr.ga.gov*. All comments received prior to the end of the public comment period are considered in the formulation of final determinations regarding the application.

The outlined public notice process is for the draft General NPDES permit; applications for coverage under this general permit from existing or new facilities do not require a separate public notice process.

The permit, fact sheet, notices of intent, and other information are available for review at the address above between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. For additional information, contact Ian McDowell at 470-604-9483, or *ian.mcdowell@dnr.ga.gov*.

9.2 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 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 are 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 is issued and becomes 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.

9.3 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

9.4 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.