

**EPD Response to Comments on  
2022 Industrial Stormwater General Draft Permit (IGP) No. GAR050000**

Permit Part	Comment/Requested Change	EPD Response
<b>Introduction</b>	Please clarify specifically when new permit requirements are to take place, especially since SWPPP is required to be updated in 90 days, and fully implemented in 180 days. New requirements such as monitoring, sign, etc. are not yet included in the SWPPP. These should be required to be included in the SWPPP and implemented along with the SWPPP as scheduled. If they are to be implemented earlier or on different schedule, please clarify SPECIFICALLY when they should take place (when should sign be in place? When should new monitoring occur? When is first instance of electronic reporting, etc.)	The new permit requirements are to take effect upon the reissuance of the IGP. However, the requirement to post a sign has been removed from the permit and the permit has been revised to provide for the implementation of indicator monitoring starting January 2023. Clarification regarding the electronic reporting schedule is provided below in response to a comment on Permit Part 7.1.
<b>Cover Page</b>	The commenter requested that the state extend the current permit to 6/30 (1 month) and make the effective date of the new permit 7/1 so that coverage under the new permit starts on the first day of a new quarter.	Permit coverage can be continued under an expired general permit only for those existing dischargers who obtained coverage under the permit prior to the expiration date. EPA has consistently interpreted the Clean Water Act to prohibit issuing new coverage under an expired general permit. EPD believes this proposed change would be unfairly burdensome to new dischargers.  No change made.
<b>1.1.3 – 1.1.4 (Allowable Non-Stormwater Discharges and Limitations)</b>	The commenter requests for an exception to be made for certain non-stormwater discharges not explicitly stated in Part 1.1.3 to be authorized by this permit.  There are many examples where minor, non-routine, intermittent, non-stormwater, and uncontaminated discharges, such as non-contact cooling water, can enter a stormwater discharge system. These events are generally non-routine and do not present an environmental risk due to the uncontaminated and relatively minor volume of water nature of the water. One example is water from hydrostatic testing, or from RICE pumps associated with fire control	Part 1.1.3 of the Permit explicitly allows for the discharge of hydrostatic test water as an allowable non-stormwater discharge.  According to EPA’s NPDES Storm Water Program - Question and Answer Document - Volume 1, 1992, EPA 833-F-93-002, non-contact cooling waters are considered a non-process wastewater. A discharger of once-through noncontact cooling water with no chemical additives may submit an NOI to obtain coverage under the NPDES Cooling Water General Permit (GAG200000).

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	<p>equipment that must be periodically tested for safety reasons. Such an exception would relieve permittees from the substantial burden of gathering and otherwise managing this water with no real environmental gain. Another example is fire system testing. While fire hydrant flushing and discharges from firefighting activities are allowable under General Permit Parts 1.1.3.a. and b., fire system testing is not specifically included. A facility that has a fire water tank or fire water pond that supports a fire suppression system will periodically test the system. This activity would not fall under potable water line flushing because, while uncontaminated, this water would probably not meet potable standards because of being contained in a pond or tank.</p> <p>A potential remedy for this situation would be inclusion of a permit condition that allows independent review and approval of these types of non-explicit discharges under Part 1.1.3. Precedent has been set by other state agencies to allow such discharge.</p>	<p>Upon evaluation of all other applicable permits within US EPA Region 4 states, South Carolina is the only state that reserves the right to allow certain non-stormwater discharges not explicitly stated in the permit upon written request and approval.</p> <p>South Carolina DHEC provided EPD with information regarding the requests for non-stormwater discharges not otherwise explicitly stated in their permit and the general frequency with which this allowance is being granted. EPD is committed to evaluating the appropriate process to potentially implement a similar provision and will investigate what evaluation would need to be undertaken by staff.</p> <p>EPD has received feedback that regular meetings with stakeholders and permittees would be helpful for permit implementation and to discuss potential permit changes. EPD agrees that these regular meetings would be valuable and will set up routine meetings for the duration of the permit. EPD will put this item on the agenda for the first meeting and will evaluate potential permit changes (modification or at reissuance) based on thorough discussion of the topic.</p>
<p><b>1.3.7 (Requirement to Post a Sign of Permit Coverage)</b></p>	<p>The commenter believes that signposts of this nature do not provide for any additional environmental controls, benefits, or improvements, but often only serve as a general complaints' avenue for the specific facility.</p> <p>The more cost-effective and efficient trend in public notification is, and should be, to move to online resources.</p>	<p>EPD received numerous comments during the stakeholder and public comment period regarding the proposed language for posting a sign. In consideration of the comments received, EPD revised the February 2022 draft to provide for an exemption from posting if no publicly accessible location is in close proximity to the facility. However, based on additional comments received during the draft permit comment period, EPD determined that currently the intent of transparency and visibility is well served by using EPD's existing online</p>

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	<p>EPD should consider the overall cost of installation and maintenance of a sign to industry (and potentially multiple signs) against a yet unproven environmental benefit.</p> <p>The commenter requests that the new requirement for Permit Coverage Sign posting be removed.</p>	<p>tools, which allow the public to search and locate industrial permittees by address and this tool will provide the most current facility information. In addition, EPD already has established procedures to be responsive to citizen inquires and comments and to investigate complaints. Part 1.3.7 has been removed.</p>
<b>1.3.7 (Requirement to Post a Sign of Permit Coverage)</b>	<p>The draft IGP still requires a permittee to post a notice of permit coverage at its facility with information encouraging members of the public to contact EPD or the permittee to “report observed indicators of stormwater pollution” or to request a copy of the SWPPP.</p> <p>The commenter reiterates that this would burden the regulated community and, as noted above, encourage a barrage of complaints that are not based on valid evidence or conclusions. The commenter can discern no clear benefit to the protection of water quality in mandating the posting of these notices as provided for in the draft IGP.</p>	<p>As noted in the comment response above, Part 1.3.7 has been removed.</p>
<b>1.3.7 (Requirement to Post a Sign of Permit Coverage)</b>	<p>It is assumed that posting of the public signage in Part 1.3.7 will not be required until the updated SWPPP is completed (i.e., 180 days following the effective date of the Permit). Please verify this timeline, as public meeting discussions seemed to indicate that a sign would be required immediately upon permit issuance. Facilities will need time to evaluate the contents of the sign, procure the sign, and install the sign.</p> <p>Please confirm that the sign in Part 1.3.7 is only required if the public can access the facility, even if there is an entrance off of a public road.</p>	<p>As noted in the comment response above, Part 1.3.7 has been removed.</p>
<b>3.4 (Documenting Corrective Actions)</b>	<p>Part 3.4 requires notification to EPD “in writing” if additional time is required for corrective action completion before the end of 90 days corrective action period. GA EPD clarified during the 3/28/2022 public meeting that “in writing” indicates that it must be mailed to the street address</p>	<p>Permit Part 7.7 (Submittals and EPD Notification) has been updated to provide for e-mail notification.</p>

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	<p>indicated in the Permit. Please provide an e-mail address where corrective action notifications can be submitted as an alternative to mailing, such as <a href="mailto:industrial.sw@dnr.ga.gov">industrial.sw@dnr.ga.gov</a>.</p>	
<p><b>4.1.1, 4.2.1, 4.3.1.1 (Corrective Action Procedures)</b></p>	<p>The draft General Permit has added the following language, “the permittee must initiate the corrective action procedures in Part 3, “whenever a routine facility inspection (Part 4.1.1) or the visual assessment (Parts 4.2.1 and 4.3.1.1) shows “evidence of stormwater pollution due to industrial activity in the discharge.” The commenter considers the proposed language too broad. The commenter is concerned that this additional language now requires the discharge be free from <i>any</i> amount of color, odor, turbidity, floating debris, settled solids, suspended solids, foam, scum, oil sheen, or any other obvious indicator of stormwater pollutants, irrespective of whether the same discharge meets permit limits or benchmarks. Industrial activity by itself should not be considered a causal factor to a corrective action.</p> <p>The commenter suggests the following additional language: “Whenever [a routine facility inspection or visual assessment] shows evidence of industrial stormwater pollution in the discharge <u>exceeding background, normal, or historical observations</u>, the permittee must initiate the corrective action procedures in Part 3.</p>	<p>The Clean Water Act aims to prevent, reduce, and eliminate pollution in the nation's water in order to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters", as described in CWA section 101(a). The language proposed by the commenter could allow excessive amounts of pollution related to industrial activities, if a common occurrence, for example, to enter waters of the State without triggering the need for review and evaluation of existing control measures.</p> <p>Based on comments made during the stakeholder process, Parts 4.1.1, 4.2.1 and 4.3.1.1 were revised to add the qualifier “due to industrial activities” to ensure a narrowing of the circumstances which would warrant additional corrective actions.</p> <p>No additional change made.</p>
<p><b>4.2.2.f (Quarterly Visual Assessment)</b></p>	<p>The added terms "relative quality, quantity, or degree" can be argued as to require the permittee to provide a numeric rank or score, which will result in inconsistent reporting as to "degree" from inspector to inspector within a single Facility, industry and throughout the State. The inclusion of any requirement for a quantitative attribute for a qualitative and subjective parameter will lead to significant confusion by all parties (permittees, EPD, MS4s and interested third parties) involved. We believe it is the Georgia EPD's intent for the inspector to provide a description of the "relative magnitude"</p>	<p>Quarterly visual assessments are not intended to create a ‘free-from’ standard but are intended to provide dischargers with a timely and inexpensive means to evaluate the effectiveness of their control measures.</p> <p>In addition, Part 3.1 states that results from quarterly visual assessments trigger corrective actions when permittees find that control measures are not being properly operated or maintained, or when permittees become aware that existing control measures are not</p>

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	<p>of any observed pollutant. However, if ANY "evidence of stormwater pollution" is documented, the permittee must complete all corrective action procedures detailed in Part 3 of the permit. This could include descriptions of "slight, minor, minimal, etc." Therefore, any quantification of "relative quality, quantity, or degree" other than "none" will trigger corrective actions. The commenter asks that this new requirement be removed from the IGP. In addition, the commenter asks the EPD provide guidance on the visual assessment procedures with emphasis on when Corrective Actions are required. We recommend the permit include a notation that additional guidance has been provided by the Georgia EPD.</p>	<p>stringent enough to sufficiently minimize pollutants to ensure that the receiving waterbody doesn't exceed applicable Water Quality Standards.</p> <p>Permit Part 4.2.2.f. has been revised to remove "quality, quantity or degree" and replaced with "magnitude".</p>
<p><b>5.1.3 (Site Description)</b></p>	<p>Determining the size and material of all stormwater conveyances, including underground piping is an excessive requirement that may not provide any beneficial information. In addition, providing the exact actual size of a storm pond, etc. would require surveying. The design size and approximate size of these structures may be available, but the "actual" size," if required, would require detailed surveying, etc. The commenter asks that this requirement be removed from the IGP or include "if available" for each of the three paragraphs.</p>	<p>EPD acknowledges the significant difficulty and cost associated with complying with reporting this level of detail if data is not currently available. As a result, Part 5.1.3.3 has been updated to clarify that size and material type should be provided only if available.</p>
<p><b>5.1.3 (Site Description)</b></p>	<p>During the public meeting on 3/28/2022, it was noted that listing the size and material details for structural controls, conveyances, inlets, and outfalls on the site map(s), as proposed in Part 5.1.3, will be difficult for large facilities that have thousands of feet of underground infrastructure. For larger, older sites, with hundreds of structures, the requirements of Part 5.1.3 will require an extensive survey, which comes at a high financial burden and additional time needed to meet the compliance requirement. GA EPD personnel indicated the requirement for size and material information was only intended for outfalls. Please update the</p>	<p>EPD believes that noting the location of stormwater inlets on a facility map is critical to understanding the flow path of stormwater associated with industrial activity.</p> <p>As noted in the comment response above, Part 5.1.3.3 has been updated to clarify that size and material type should be provided only if available.</p>

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	<p>permit language to include this specificity at the outfalls only, and not for the entirety of the facility. It is recommended that Part 5.1.3.e be removed, and Part 5.1.3.i be reworded to remove “inlets” such that it refers only to “location, size, and material type of stormwater outfalls which discharge stormwater associated with industrial activity...”</p>	
<b>5.1.3 (Site Description)</b>	<p>Part 5.1.3.i requires information be provided on the Site Map indicating if the permittee is treating one or more outfalls as "substantially identical." We believe this information is better presented and explained under the Site Description section of the SWPPP and not on the Site Plan. The Georgia EPD did add the notation that some of the Site Plan information could be added as an attachment to the site map. However, an attachment to a site map (which itself is an attachment to the SWPPP) would be complicated and/or confusing. The commenter asks that the IGP be revised to include this information in the SWPP rather than the Site Plan.</p>	<p>Part 5.1.3.3. has been revised to allow for incorporation of some site map information in the Site Description section of the SWPPP.</p>
<b>5.1.3 (Site Description)</b>	<p>The draft IGP adds a requirement to include in a site map the “size and material type” of existing structural control measures, stormwater conveyances including ditches, pipes and swales, and stormwater inlets and outfalls that discharge stormwater. This level of detail creates an additional burden on permittees for no discernible benefit.</p>	<p>As noted in the comment response above, Part 5.1.3.3 has been updated to clarify that size and material type should be provided only if available.</p>
<b>5.1.3 (Site Description)</b>	<p>The commenter requested that the state clarify the language in part 5.1.3 so that it reflects their intent as stated in the public meeting.</p>	<p>As noted in the comment response above, Part 5.1.3.3 has been updated to clarify that size and material type should be provided only if available.</p>
<b>5.1.3 (Site Description)</b>	<p>The draft General Permit has added the following language, “size and material type” to the SWPPP site map requirements. The proposed requirement produces unnecessary resources expenditures and the prospect of technical non-compliance with no beneficial impact to the environment. Regulatory inspectors routinely rely on the exact wording of the General Permit when inspecting sites. Further, this requirement is excessively burdensome, very costly, and will be a compliance</p>	<p>EPD acknowledges the significant difficulty associated with complying with reporting this level of detail if data is not currently available, even if only for the visible outfall structures. As a result, Part 5.1.3.3 has been updated to clarify that size and material type of structural control measures, conveyances, inlets and outfalls should be provided only if available.</p>

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	<p>challenge for many as it will require industries to professionally survey and CCTY video inspect their entire stormwater conveyance system to obtain accurate “size and material type” information and then update their site maps to include said information.</p> <p>The commenter believes this new requirement is unnecessary and provides no beneficial information to demonstrate permit compliance or effective Best Management Practices (BMPs). If EPD strongly believes it needs to remain, then the permit language must be modified to reflect that only the visible outfall structure need be considered.</p> <p>The commenter believes EPD has not considered that certain stormwater conveyance systems may not be owned by the permitted facility. MS4s are a system of conveyances that are owned by a state, city, town, village, or other public entity, not by the permitted entity. It should not be the permitted entity’s responsibility to professionally survey a MS4. Finally, the draft General Permit Part 5.1.4.4 already provides for a mechanism to evaluate and document the presence of non-stormwater discharges. Additional documentation is redundant. The commenter requests the removal of this new requirement.</p>	<p>The level of detail provided should be appropriate to ensure that maintenance is being conducted in a suitable manner. Collection of additional measurements or surveys is not necessary.</p> <p>Regarding Municipal Separate Storm Sewer Systems (MS4s), the requirements of Part 5.1.3 (Site Description) are limited to activities occurring at the facility and, more specifically, providing the name of the MS4 to which a facility discharges, if applicable. Providing detailed information regarding the MS4 conveyance systems is not required.</p>
<p><b>5.1.3 (Site Description)</b></p>	<p>The commenter requests clarification on which stormwater structures are required to have size and materials detailed on maps, and what level of detail is expected. (i.e., determining materials/size of underground pipes, do we have to go measure the width of ditches? Species of grass in grass swales?)</p>	<p>Structural controls, stormwater conveyances and inlets and outfalls should have size and material type reported, if available. Species of grass would not be necessary to report as it would not affect the maintenance procedures.</p>
<p><b>6.2.1 (Indicator Monitoring)</b></p>	<p>Please consider allowing implementation of Indicator Monitoring to commence in 2023. Many facilities that have not had to conduct analytical sampling previously will need to contact laboratories for pricing and contracting, train</p>	<p>EPD received several comments detailing the planning that facilities will have to undertake in order to successfully execute the indicator monitoring requirements of the permit (i.e.: budgeting, contracting a</p>

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	<p>personnel on qualifying rain events and sampling procedures, and modify contracts with consultants as needed. These contracting changes cannot be conducted based on a draft permit, and therefore, will need to wait until the Permit is final. In addition, many facilities have likely already conducted their annual training and expended their annual budget for this task. New training will be required for new sampling. It is unreasonable to assume that all facilities can commence sampling efforts in June 2022 with no contract mechanism in place, even if negotiations were to begin now.</p> <p>Commencement in 2023 also allows streamlined training and contracting with personnel who will be submitting data in NetDMR. As SWPPP updates must be implemented by November 2022, this is a much more appropriate timeline that allows facilities to better understand requirements prior to potentially poorly implementing the regulation and providing inaccurate data.</p>	<p>laboratory, staff training, etc.). In order to allow for the additional time needed to complete those activities, Part 6.2.1.1 has been updated to reflect indicator monitoring to begin January 1, 2023.</p>
<p><b>6.2.1 (Indicator Monitoring)</b></p>	<p>The draft IGP still requires indicator monitoring of stormwater discharges for three parameters – pH, Total Suspended Solids (“TSS”) and Chemical Oxygen Demand (“COD”) – for all permittees. The commenter believes this requirement is too broadly applied and creates a burden on facilities with no history of problems with these parameters. Requiring this type of monitoring by all permittees regardless of the nature and history of each facility would create unnecessary costs on industry generally with very little likely benefits to water quality.</p> <p>In addition, Section 6.2.4 continues to require many facilities to send samples to an offsite laboratory for TSS and COD analysis. This has never been required before and would create a novel and significant burden on permittees if they are not already required to do this – or if they have to provide</p>	<p>EPD reviewed the 2019 National Research Council National Academies of Sciences Industrial Stormwater Study and agreed with the recommended industry-wide monitoring for pH, TSS and COD as basic indicators of the effectiveness of stormwater control measures employed on site. These three parameters are appropriate as broad, low-cost indicators of stormwater pollution.</p> <p>The requirement to have monitoring data prepared by an accredited laboratory is an existing provision in the 2017 IGP.</p> <p>EPD estimates that approximately 700 facilities (<math>\frac{1}{3}</math> of existing permittees) will be subject to monitoring requirements for the first time. EPD evaluated the general financial impact of this addition including considerations of average number of outfalls, frequency</p>



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	<p>additional training or hire a water / wastewater licensed professional to do this <i>in situ</i>.</p> <p>The IGP already has monitoring requirements for impaired streams and pollution-probable sectors and this new requirement seems overly broad and expensive. It will place a burden on smaller and mid-sized companies. Even for those with experienced environmental managers, the costs could become prohibitive. For example, some facilities have multiple outfalls and that, despite the size of the company, there is not enough personnel at all locations to perform the requirements of this indicator monitoring provision – nor in all cases do the employees have the sampling expertise required. This will necessitate the hiring of contractors and costs in the thousands of dollars.</p> <p>The commenter is unaware of any other state taking this approach and questions why Georgia would want to be the first to do so. Being out of step with our neighboring states could place Georgia companies at a competitive disadvantage. The commenter encourages EPD to share with stakeholders its cost / benefit analysis used in drafting this provision so that further dialogue regarding the wisdom of its adoption can take place.</p>	<p>of sampling, consideration of typical analytical costs, and reporting costs associated with implementing the permit requirement to report via NetDMR.</p>
<p><b>6.2.1 (Indicator Monitoring)</b></p>	<p>The commenter stated that EPD has inappropriately defaulted to incorporating provisions newly added to the EPA 2021 MSGP as the EPA 2021 MSGP implemented indicator monitoring for only <i>certain</i> named sectors and not all sectors.</p> <p>The certain named sectors in the EPA 2021 MSGP that require pH, TSS, and COD indicator monitoring correspond to only the 22 subsectors that previously did not have any sector-specific benchmarks, but as currently written EPD has applied</p>	<p>EPD reviewed the 2019 National Research Council National Academies of Sciences Industrial Stormwater Study and agreed with the recommended industry-wide monitoring for pH, TSS and COD as basic indicators of the effectiveness of stormwater control measures employed on site. These three parameters are appropriate as broad, low-cost indicators of stormwater pollution.</p> <p>An indicator is a pointer or index that shows something while a benchmark is a standard by which something is</p>

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	<p>indicator monitoring of pH, TSS, and COD to <u>all</u> sectors indiscriminately.</p> <p>The commenter believes indicator monitoring of pH, TSS, and COD is an unnecessary permit addition, is benchmark monitoring in disguise, and requests that indicator monitoring be removed for everyone, or at the very least for those facilities already performing some form of permit limit or benchmark monitoring.</p>	<p>evaluated or measured against. The indicator monitoring is “report-only” and does not have a threshold or baseline value for comparison nor does it require formal follow-up actions by the permittee. EPD is not contemplating establishing universal benchmarks for pH, TSS or COD at this time.</p> <p>However, over the term of the permit EPD intends to evaluate indicator monitoring data to determine if a reduction or removal of quarterly visual assessments would be appropriate and warranted given that indicator monitoring parameters serve a similar purpose as broad indicators of stormwater pollution and may be used for a general evaluation of the effectiveness of on-site control measures.</p> <p>No change made.</p>
<p><b>6.2.1 (Indicator Monitoring)</b></p>	<p>EPD has newly proposed "indicator monitoring of stormwater discharges for polycyclic aromatic hydrocarbons (PAHs) for certain sectors/activities". In the EPA 2021 MGSP Fact Sheet, EPA noted they evaluated options for developing a benchmark for PAHs. After conducting the cost analysis, "EPA concluded in the proposal that COD was the most cost-effective option as a surrogate for PAHs, and since COD was already being proposed under the new 'universal benchmark monitoring,' no additional monitoring for PAHs was explicitly proposed." The currently effective General Permit already includes COD sampling, testing, and reporting for certain sectors and the draft General Permit includes COD sampling, testing, and reporting of all sectors. Further, PAH indicator monitoring requires monitoring for sixteen, separate PAHs. PAH laboratory testing is considerably more expensive than COD testing. With no stated goal of PAH sampling and testing from EPD, no PAH benchmark or standard, and the EPA stated</p>	<p>The 2019 National Research Council National Academies of Sciences Industrial Stormwater Study states “While both COD and TOC are gross measures of organic pollution, they are not specific enough or sensitive enough to detect possible excursions of toxic pollutants (e.g., polycyclic aromatic hydrocarbons [PAHs]) at moderate/low concentrations.” and “It may appear that COD can be used as a surrogate for PAHs, but PAHs can be toxic at concentrations orders of magnitude lower than the COD benchmark (120 mg/L).”</p> <p>The commenters reference to the statement in EPA’s Fact Sheet was related to the Proposed MSGP, was specific to developing a benchmark for PAHs and does not reflect the actual requirements of the final MSGP. EPA’s final 2021 MSGP includes a new provision that requires certain operators to conduct “report-only” indicator analytical</p>

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	<p>relationship between COD and PAH, it is the commenter's position that PAH sampling and testing is unnecessary and therefore should be removed from the stakeholder draft General Permit. This comment should apply to Sector Specific Requirements in Tables 8.A-1, 8.B-1, and 8.C-1 as monitoring for COD may still be required as an indicator monitoring parameter.</p>	<p>monitoring for PAHs bi-annually (twice per year) during their first and fourth years of permit coverage. This requirement applies to operators in certain sectors and operators in all sectors with stormwater discharges from paved surfaces that will be sealed or re-sealed with coal-tar sealcoat where industrial activities are located.</p> <p>No change made.</p>
<p><b>6.2.1.1 (Schedule of Indicator Monitoring)</b></p>	<p>This paragraph requires Indicator Monitoring to be conducted "beginning in the first full quarter of permit coverage." This will require sampling before the Facility has updated the SWPPP which details the sampling required, applicable outfalls, and other sampling requirements. The commenter recommends modifying the phrase to "within one of the first two full quarters of permit coverage." We believe that this reasonable request will ensure that permittees have enough time to adequately update their SWPPP and identify site specific sampling requirements, contract with analytical labs and attain the correct sampling supplies and provide updated training on modified sampling requirements.</p>	<p>Part 6.2.1.1 has been updated to reflect indicator monitoring to begin January 1, 2023, and to allow for indicator monitoring to be conducted during one of the first two quarters of the calendar year, providing for consistency with the benchmark monitoring schedule.</p>
<p><b>6.1.7.1 (Monitoring Periods)</b></p>	<p>Commenter requested a review of the formatting of the list of quarters.</p>	<p>Formatting of the list of quarters was reviewed. No change made.</p>
<p><b>6.2.2.2. (Benchmark Monitoring Schedule)</b></p>	<p>The draft General Permit requires implementation of, after four quarters of benchmark exceedances, "additional pollution prevention/good housekeeping control measures, considering good engineering practices, beyond what was done in the initial response that would reasonably be expected to bring the exceedances below the parameter's benchmark threshold unless a determination is made that no further pollutant reductions are technologically available and economically practicable and achievable in light of best industry practice." No such measures exist if the permittee has already determined that no further pollutant reductions are "technologically available and economically practicable"</p>	<p>In accordance with current language in Part 6.2.2.2.b.ii., the determination that no further pollutant reductions are technologically available and economically practicable may be made at any point after a benchmark exceedance and may be relied upon for the duration of the permit. Additional determinations are not needed for additional benchmark exceedances. Part 6.2.2.2.b.iii. was clarified in the stakeholder version of the permit to specifically allow for documentation of why no corrective action is required consistent with Part 6.2.2.2.b.ii. In response to comments made during the stakeholder process, language was added in Part 6.2.2.2.b.iii to clarify</p>

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	as required in Part 6.2.2.2.b.ii. By default, the remaining measures are unavailable or impracticable.	that determinations may be made if benchmark exceedances continue after additional pollution prevention/good housekeeping measures were implemented.  No additional change made.
<b>6.2.1 (Indicator Monitoring)</b>	Are pH measurements for indicator monitoring required to be an average of four measurements, similar to the Benchmark Monitoring requirement in Part 6.2.2.2.c? Or is one measurement sufficient?	pH measurements for indicator monitoring are single samples.
<b>6.2.2.2. (Benchmark Monitoring Schedule)</b>	If exceedances continue, the permittee "must install structural source controls (e.g., permanent controls such as permanent cover, berms, and secondary containment), and/or treatment controls (e.g., sand filters, hydrodynamic separators, oil-water separators, retention ponds, and infiltration structures)... " The mandatory language here effectively converts the benchmarking process from one of thoughtful, iterative improvements to especially stringent non-numeric effluent limitations. Thus, this new requirement is in direct conflict with the explanation in the draft General Permit and the currently effective General Permit that "benchmark concentrations are not effluent limitations." Note also that the new mandatory provisions are tied to technologies (structural controls or treatment) and thus do not necessarily reflect protections tied to water quality standards. Even the technology standards mentioned are vague enough to invite second-guessing of nearly every permittee's chosen solution, especially to the extent that they must be deemed "appropriate" and "more rigorous" than any past corrections. In addition, the new provisions do not take into consideration the site-specific nature of source control and what might be the most effective or appropriate solution for each site; they have no correlation to issues at hand or their potential solution. Further, EPD does not take into	In accordance with Part 6.2.2.2.b.ii., the determination that no further pollutant reductions are technologically available and economically practicable may be made at any point after a benchmark exceedance and may be relied upon for the duration of the permit. Implementation of structural source controls and/or treatment controls is not required if a facility has made a determination that no further pollutant reductions are technologically available and economically practicable at any point during the permit term. In addition, Part 6.2.2.2.b.iii. was revised to specifically allow for documentation of why no corrective action is required consistent with Part 6.2.2.2.b.ii.  No change made.

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	<p>consideration that structural source controls and treatment controls are the costliest corrective measure alternatives. Per the EPA 2010 NPDES Permit Writers' Manual, "EPA must consider the industry-wide economic achievability of implementing the technology and the incremental costs in relation to the pollutant reduction benefits." The addition of the requirement to install additional structural source and treatment controls beyond what has already been determined to be technologically available and economically practicable is excessively burdensome, potentially debilitatingly costly, or simply infeasible.</p>	
<p><b>7.1 (Reporting Monitoring Data to EPD)</b></p>	<p>The public draft of the IGP includes details to begin using NetDMR for data reporting beginning January 1, 2023. We are glad EPD has added time to make sure all information from the new NOI's have been properly entered into the NetDMR system and ensure correct system functions. We only ask the EPD confirm that they believe all information will be correctly processed and verified by that deadline to ensure a smooth transition for all permit holders without costly and burdensome errors, corrections, and delays. Since the data will be reported on online forms, which typically do not have flexibility in handling data outside of a tightly prescriptive format, periods, etc., we ask EPD to ensure that the NetDMR system will handle the expected data submissions, including multiple samples collected during one permit term.</p>	<p>The delayed implementation of NetDMR reporting was included to allow for significant time to properly process and verify the data requirements. In addition, EPD has been soliciting volunteers (current permittees) to assist with testing the system prior to full deployment in 2023 in order to ensure a smooth transition. If your facility is interested in assisting EPD with testing, please send an email to <a href="mailto:industrial.sw@dnr.ga.gov">industrial.sw@dnr.ga.gov</a>.</p> <p>EPD is also providing the following clarification regarding reporting due dates:</p> <p>05/15/2023 First quarter (samples collected January – March) reporting due in NetDMR</p> <p>08/15/2023 Second quarter (samples collected April – June) reporting due in NetDMR</p> <p>11/15/2023 Third quarter (samples collected July – September) reporting due in NetDMR</p> <p>02/15/2024 Fourth quarter (samples collected October – December) reporting due in NetDMR</p>
<p><b>7.2 (Submission Deadline for Indicator, Benchmark and</b></p>	<p>If a facility is only required to sample annually, each month they still need to submit a report via NetDMR. This is overburdensome and time consuming for facilities who are</p>	<p>The permit was revised to require quarterly reporting to align with the most stringent sampling schedules prescribed in the permit and allows EPD to review data submittals at a much greater frequency.</p>

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<b>Impaired Waters Monitoring and Sampling Data)</b>	not required to sample frequently, and the commenter would like to pretention that be removed.	No change made.
<b>7.2 (Submission Deadline for Indicator, Benchmark and Impaired Waters Monitoring and Sampling Data)</b>	The deadline for submitting monitoring data through NetDMR was modified to once per quarter and the deadline was extended to 45 days, which was necessary due to long delivery times for lab data. However, the commenter still believes that quarterly reporting is still overly burdensome considering many facilities regulated by this permit will only be required to perform sampling one time per year. If the Georgia EPD does not plan to "use" this data in any meaningful way every quarter, the permittees should not be required to submit the data online with that frequency. The commenter asks that the reporting frequency be changed to Annual.	Quarterly reporting aligns with the most stringent sampling schedules prescribed in the permit and allows EPD to review data submittals at a much greater frequency.  No change made.
<b>7.2 (Submission Deadline for Indicator, Benchmark and Impaired Waters Monitoring and Sampling Data)</b>	The quarterly reporting requirement produces unnecessary resource expenditures and the prospect of technical non-compliance with no beneficial impact to the environment, with additional complications in the federal Enforcement Compliance History Online (ECHO) database that have been historically and remain difficult to get EPA to correct when substantive errors are Identified.  The commenter supports the transition to the use of the federal NetDMR system to report monitoring data. However, if the NetDMR application cannot support a reporting frequency less than quarterly, then NetDMR needs to be modified to support such frequency or it is the wrong application for stormwater reporting. Industry should not bear the burden of the use of an inappropriate reporting application. The commenter recommends that the reporting frequency be consistent with the frequency of sampling.	Quarterly reporting aligns with the most stringent sampling schedules prescribed in the permit, allows EPD to review data submittals at a much greater frequency and will result in greater permit compliance.  No change made.
<b>Sector L</b>	Under Sector L, the GA EPD has clarified that construction general permit compliance is required for construction of new cells. Can GA EPD also add clarification that the IGP covers	Part 8.L.2.1 is specific to On-site Borrow Areas and details that stormwater discharges from such borrow pit activities are covered under this permit, as long as the

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	<p>stormwater discharges from on-site soil borrow areas that are being used for soil cover? It is unclear how the Surface Mining Permit (SMP), construction general permit, and industrial general permit interact for stormwater discharges at soil mining facilities for purposes of landfill soil cover – particularly if they are not located directly on or adjacent to the landfill property.</p>	<p>removed soil is not transferred to others for use elsewhere.</p> <p>Borrow pits covered by the Construction Stormwater General Permit are not subject to the IGP because discharges from a single outfall cannot be covered under multiple NPDES permits.</p> <p>However, EPD is supportive of greater collaboration regarding the implementation of the IGP is willing to provide additional guidance where needed.</p> <p>No change made.</p>
<p><b>Sector S</b></p>	<p>More clarification is needed for an airport with multiple tenants that discharge to common outfalls. For example, an airport tenant (who has filed an NOI with the GA EPD for coverage) discharges to an outfall located downstream of their facility. This outfall also receives stormwater discharge from other adjacent airport tenants, and the airport has historically been responsible for collecting the required monitoring samples. Will the airport tenant still be required to report the sampling data, or is the overall airport required to submit the outfall sampling data as part of monitoring data reporting? If the tenant can assign the airport as the preparer as indicated in the Stakeholder Comments, will the airport be required to fill in their data for themselves as well as each individual tenant, or will they be able to submit one time for themselves and all associated tenants?</p>	<p>Each tenant must submit their own NOI and is responsible for ensuring all requirements of its own permit coverage are met regardless of whether a comprehensive SWPPP allocates the actual implementation of any of those responsibilities to another entity.</p> <p>Inspection/reporting requirements are specific to each permittee; however, if data is collected by the airport, it should be provided to the tenant for reporting.</p> <p>There is no waiver in reporting requirements for airport tenants.</p>
<p><b>Appendix C</b></p>	<p>The wording used to describe an impaired stream segment in this paragraph (discharge to a stream segment impaired...) does not match the specific wording used in the first paragraph of Appendix C ("discharge into an impaired stream segment...") which specifically defines the applicable stream segments covered under this Appendix. We suggest that this</p>	<p>Part C.2.4 has been revised to match the language used in the first paragraph in Appendix C.</p>

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	<p>language exactly match the first paragraph to ensure the proper definition is used for impaired stream segments.</p> <p>The commenter recommends that the language from this paragraph be modified to match the specific language in the first paragraph as indicated below.</p> <p>"Facilities that discharge <del>to a</del> into an impaired stream segment <del>impaired or listed as assessment pending for</del> bacteria (fecal coliform, E. coli, enterococci) are required to conduct sampling for the current bacterial indicator."</p>	
<p><b>Appendix C.2.4.1</b></p>	<p>This paragraph was modified to include stream segments "with a TMDL including a Bacterial Wasteload Allocation." This is a significant change to the IGP and is not consistent with the intent of Appendix C, which is titled Impaired Stream Segment Sampling and Requirements. If a stream segment is delisted from the list of impaired waters, which is specifically detailed in Section C.12, the stream may still be listed in a TMDL and therefore subject to all of the requirements of Appendix C even though it is no longer listed as impaired. Therefore, this proposed new requirement is not consistent with the intent of Appendix C (regulating impaired waters) or the intent of Section C.12, which allows even encourages, stream testing and delisting where appropriate. In addition, this requirement is also inconsistent with requirements for streams impaired for other constituents. Bacteria should be treated the same as other parameters. Otherwise, a select group of facilities, such as animal handling facilities, bears significantly increased regulatory requirements as compared to facilities discharging to streams impaired for other constituents.</p> <p>The commenter recommends removing the added language "or with a TMDL including a Bacterial Wasteload Allocation."</p>	<p>The addition of "with a TMDL including a Bacterial Wasteload Allocation" was intended to capture waters currently impaired by fecal coliform that will be affected once the fecal coliform bacteria criteria is updated to <i>E. coli</i> or enterococci.</p> <p>Fecal coliform TMDLs will remain in place and include addendums with WLA and LA for both fecal coliform and <i>E. coli</i> or enterococci. The bacteria impairment will be reassessed as new <i>E. coli</i> or enterococci data are collected, and an assessment can be conducted using the new pathogen indicator.</p> <p>Additional information regarding EPD's bacteria equivalency strategy can be found at <a href="https://epd.georgia.gov/document/document/20211102-bacteria-strategy-final-draftpdf/download">https://epd.georgia.gov/document/document/20211102-bacteria-strategy-final-draftpdf/download</a> or visit the NPDES Permitting Strategy portion of the Georgia Water Quality Standards webpage at <a href="https://epd.georgia.gov/watershed-protection-branch/georgia-water-quality-standards#toc-npdes-permitting-strategy">https://epd.georgia.gov/watershed-protection-branch/georgia-water-quality-standards#toc-npdes-permitting-strategy</a>.</p>



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		Part C.2.4.1. has been revised to add “unless monitoring with the appropriate indicator bacteria has shown that the waterbody is supporting its designated uses” in order to clarify that permittees that discharge to any previously delisted water body or waterbody that becomes delisted after the implementation of the new bacteria criteria are not subject to Impaired Stream Segment monitoring for this parameter.
<b>Appendix C</b>	Will certified data for documenting that a discharge will not cause or contribute to an exceedance of a Water Quality Standard in accordance with Part C.1.3 under a prior permit term be acceptable for this permit term? Conducting these studies can be costly, and if no substantial changes have been made at the facility it seems appropriate to allow previous studies to be acceptable under the 2022 IGP.	Data collected and certified documenting that the discharge will not cause or contribute to an exceedance of a Water Quality Standard under a previous permit term may be resubmitted if there has been no new construction or change in design, operation, or maintenance at the facility that significantly changes the nature of pollutants discharged in stormwater from the facility or significantly increases the quantity of pollutants discharged.
<b>Hardness</b>	GA EPD has indicated that hardness data will be required on the NOI. How recent must this data be? If a facility submitted hardness data under prior permit terms, will that be acceptable to continue implementation of alternate benchmark limits?	Hardness data collected under a prior permit is acceptable so long as it is less than 10 years old.
<b>General/NetDMR</b>	GA EPD indicated in their Response to Stakeholder Comments that preparers and authorized users will be able to access the NetDMR system. Please clarify the roles and responsibilities of these users. Will there be a similar mechanism to GEOS where a preparer cannot submit, or will the preparer be able to submit quarterly data? Is an authorized user able to submit data, or will that be submitted to the Responsible Official for final submittal, similar to a preparer? For example, military bases are often structured with a consultant who collects data, an environmental manager who reviews and submits data, and an RO who is the commander of the facility. It is recommended that in these instances, the environmental	Additional training resources (presentations, quick guides, reference material and videos) related to NetDMR can be found here: <a href="https://epd.georgia.gov/forms-permits/eservices/netdmr-technical-assistance">https://epd.georgia.gov/forms-permits/eservices/netdmr-technical-assistance</a> including a document titled “Understanding NetDMR Roles” found here: <a href="https://epd.georgia.gov/netdmr-quick-guides">https://epd.georgia.gov/netdmr-quick-guides</a>

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	<p>manager is able to submit data in NetDMR to maintain these roles and avoid the requirement of the commander submitting quarterly monitoring reports.</p>	
<p><b>General Comment</b></p>	<p>The commenter encourages EPD to reexamine its current practice of using the MSGP as a model for drafting a general permit and instead tailor the General Permit to the needs of Georgia. Otherwise, Georgia industry will need to engage and comment upon the MSGP renewal for which it does not, or should not, have any direct impact.</p> <p>We believe that the goal of the IGP should be protecting the environment while carrying out business operations in a reasonable manner. We notice that many of the provisions included in this draft do not appear in surrounding states which are economic competitors with the State of Georgia. Additionally, the agency appears to have relied on the new U.S. EPA National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Industrial Activity (MSGP) for many of the proposed changes included in the IGP Stakeholder Draft.</p>	<p>EPD conducted a thorough review of the 2019 National Academies of Sciences, Engineering, and Medicine study “Improving the EPA Multi-Sector General Permit for Industrial Stormwater Discharges” (<a href="https://doi.org/10.17226/25355">https://doi.org/10.17226/25355</a>) and EPA’s MSGP and only adapted permit provisions where water quality in Georgia would benefit.</p>
<p><b>General</b></p>	<p>The commenter asks EPD to provide guidance related to commingling of industrial storm water with process wastewater discharges. In various instances permittees have been required to make physical upgrades to stormwater and process water discharge systems due to the position that EPD has taken related to this issue. In some cases, expenditures have been significant and have not resulted in any significant water quality benefits. In some cases, water quality would have been improved by allowing the process wastewater to flow through the stormwater detention and other storm water control systems (e.g., cooling, solid removal). We believe that dual use of stormwater control systems for process discharges, where applicable, can maximize limited financial resources while at the same time providing "real"</p>	<p>No change made.</p> <p>EPD has received feedback that regular meetings with stakeholders and permittees would be helpful for permit implementation and to discuss potential permit changes. EPD agrees that these regular meetings would be valuable and will set up regularly scheduled meetings for the duration of the permit.</p>

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	<p>water quality benefits. We believe that EPD should work with stakeholders to develop a new strategy related to "commingling" that is technically and financially sound as well as properly balancing water quality protections with regulatory permitting needs and prepare a guidance document in this regard. The permit includes language that allows commingled discharges and allows monitoring of the comingled discharges, as long as separate monitoring is performed "to the extent practicable."</p>	
<b>General</b>	<p>While being protective of the environment, revisions to the IGP should be considered relative to other state permits approved by the United States Environmental Protection Agency. The commenter asks the Georgia EPD to evaluate the new provisions of the IGP to justify their inclusion in the proposed draft with a focus on whether the provisions have a direct impact on protection of the environment and how the provisions compare to the IGP's in other states.</p>	<p>EPD conducted a thorough review of the 2019 National Academies of Sciences, Engineering, and Medicine study "Improving the EPA Multi-Sector General Permit for Industrial Stormwater Discharges" (<a href="https://doi.org/10.17226/25355">https://doi.org/10.17226/25355</a>) and EPA's MSGP and only adapted permit provisions where water quality in Georgia would benefit.</p> <p>All NPDES permits must meet minimum technical and water quality-based requirements of the Clean Water Act (CWA). Permit requirements for authorized NPDES States, however, may vary considerably from each other because of state-specific considerations.</p>
<b>General</b>	<p>The commenter sees a huge lack of compliance with monitoring and reporting. The commenter believes that requiring regulated facilities to monitor in the first two quarters of the year and requiring data to be reported in NetDMR will improve compliance with the permit and require regulated facilities to examine their SWPPP more frequently and streamline enforcement by EPD, which will hopefully result in improved water quality in the state.</p>	<p>Comment noted.</p>
<b>General</b>	<p>The commenter supports the positive, sensible, and intelligent additions to the current draft, many which are based on the 2019 National Academy of Sciences report on industrial stormwater.</p>	<p>Comment noted.</p>

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<p><b>General</b></p>	<p>The commenter is disappointed that the provision to make facilities' SWPPPs publicly available did not make it into the final draft of the permit. The agency is well aware of the burdensome and inconsistent process currently in place for granting the public access to SWPPPs. Where a permitting program like the IGP is so dependent on self-reporting by the regulated community, we should always be striving for greater transparency and accountability, and that can only be achieved through ready access to SWPPPs, which contain vital information for assessing continued compliance. We would like to work with EPD and stakeholders to find a way to protect facilities' sensitive information while making SWPPPs easier to access by EPD and the public in future iterations of the permit.</p>	<p>Comment noted.</p>
<p><b>General</b></p>	<p>Several commenters expressed interest in establishing an Industrial Working Group made up of key stakeholders that would meet regularly to discuss implementation of the current permit and potential considerations for revisions in future permits. The Working Group should be structured in a similar manner to the Permit Fees Advisory Committee that provides recommendation regarding any changes to the Title V fee structure for air permits.</p>	<p>EPD is supportive of greater collaboration regarding the implementation of the IGP and engaging industry representatives to continue discussions on permit improvements and modifications on a regular basis. EPD agrees that regular meetings would be valuable and will set up meetings for the duration of the permit.</p>