

**General NPDES
Stormwater Permit
No. GAR041000**



GEORGIA
DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

**AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

**STORMWATER DISCHARGES ASSOCIATED WITH
MUNICIPAL SEPARATE STORM SEWER SYSTEM**

GEORGIA DEPARTMENT OF TRANSPORTATION

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 Clean Water Act, as amended (33 U.S.C. 1251 et seq.), hereinafter called the "Clean Water Act," and the Rules and Regulations promulgated pursuant to each of these Acts, all new and existing stormwater point sources associated with the Georgia Department of Transportation municipal separate storm sewer system, upon submittal of a Georgia Notice of Intent, are authorized to discharge stormwater to the waters of the State of Georgia in accordance with the limitations, monitoring requirements and other conditions set forth in Parts 1 through 6 and the Appendices hereof.

This permit shall become effective on January 3, 2022.

This permit and the authorization to discharge shall expire at midnight, January 2, 2027.



Signed this 2 day of December, 2021.

R. H. [Signature]

Director,
Environmental Protection Division

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**STATE OF GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION**

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PART 1. COVERAGE UNDER THIS PERMIT

1.1 Coverage

- 1.1.1 This permit covers all new and existing point source discharges of stormwater from a municipal separate storm sewer system (MS4) (as defined in 40 CFR Part 122.26 (b)(16)(iii)) owned and/or operated by the Georgia Department of Transportation (GDOT) to the waters of the State of Georgia, except for those stormwater discharges identified under Part 1.1.5.
- 1.1.2 The permittee is authorized to discharge stormwater under the terms and conditions of this general permit if it:
 - 1.1.2.1 Owns or operates an MS4 within the permitted area, (i.e. areas of the State covered by a Phase I or Phase II MS4 NPDES Permit at the time of this permit issuance (see Appendix B)); and
 - 1.1.2.2 Submits a Georgia Notice of Intent (NOI) in accordance with Part 3 of this permit.
- 1.1.3 The permittee is liable for permit compliance and the implementation of its Stormwater Management Program (SWMP) for all discharges from the MS4 for which it is owner and/or operator.
- 1.1.4 In addition to general roadway drainage, the following facilities and/or activities within the permitted area are subject to the requirements of this permit:
 - 1.1.4.1 Maintenance Facilities;
 - 1.1.4.2 Sand/Salt Storage Yards;
 - 1.1.4.3 Welcome Centers/Rest Areas owned and/or operated by GDOT;
 - 1.1.4.4 Detention/Retention Ponds and other stormwater management structures for filtering, infiltration, and/or detention owned and/or operated by GDOT;
 - 1.1.4.5 Bridges and Bridge Drainage; and
 - 1.1.4.6 Any other municipal-type activities determined to have the potential to cause pollutant runoff, except those specifically exempted by this permit.
- 1.1.5 The following discharges are not regulated by this permit:
 - 1.1.5.1 NPDES permitted stormwater discharges associated with any of the industries covered by Industrial Stormwater General NPDES Permit No. GAR050000;

- 1.1.5.2 Conveyances that discharge stormwater runoff combined with municipal sewage;
- 1.1.5.3 Discharges from a Publicly Owned Treatment Works (POTW);
- 1.1.5.4 Stormwater discharges that enter the waters of the State other than from a point source;
- 1.1.5.5 Stormwater discharges from construction sites which result in a land disturbance of less than one acre; and
- 1.1.5.6 NPDES permitted non-stormwater discharges, such as process and non-process wastewater.

1.2. Definitions – See Appendix A

All terms used in this permit shall be interpreted in accordance with the definitions as set forth in the Georgia Water Quality Control Act, as amended, and the Federal Clean Water Act (CWA), as amended, unless otherwise defined in Appendix A.

PART 2. CRITERIA FOR RECEIVING WATERS

The permittee shall implement controls to reduce pollutants to the maximum extent practicable in discharges from the MS4 to the waters of the State, so as not to cause the general criteria to be exceeded in the receiving waters, per the Georgia Rules and Regulations for Water Quality Control (Rules) 391-3-6-.03(5).

PART 3. NOTICE OF INTENT

3.1 Obtaining Coverage

- 3.1.1 To be authorized to discharge stormwater from an MS4, the permittee must submit a NOI. The NOI must be signed and dated in accordance with Part 6.12 of this permit.
- 3.1.2 Where the operator changes, or where a new operator is added after submittal of an NOI, either a new NOI, or an amended NOI must be submitted. In the case of a Public/Private Partnership (P3), GDOT and the private entity must enter into a Memorandum of Agreement that defines the responsibilities for implementing the SWMP. A new or amended NOI is not required by either party (see Section 4.3.1).
- 3.1.3 The NOI form may be obtained by calling the NonPoint Source Program of EPD's Watershed Protection Branch at (404) 463-1511 or on EPD's website at <http://epd.georgia.gov>.

- 3.1.4 The completed NOI and signed copies of all reports required herein shall be submitted to the following address:

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

An electronic method of reporting is being developed. Once the system is available for use, EPD will notify the permittee and all documents will be required to be filed electronically.

3.2 Deadline for Notification

- 3.2.1 If the permittee was covered under previous permit iterations due to designation by EPD under 40 CFR Part 122.32 prior to issuance date of this permit, then they are required to submit a new NOI and SWMP within 180 days after the effective date of this permit.
- 3.2.2 If the permittee is newly designated by EPD under 40 CFR Part 122.32 after the issuance date of this permit, then they are required to submit an NOI and SWMP within 180 days of written notification from EPD.

PART 4. STORMWATER MANAGEMENT PROGRAM (SWMP)

The permittee shall implement and enforce a program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, in order to protect water quality and to satisfy the appropriate water quality requirements of the State Act and Rules (Chapter 391-6-.16). The permittee must comply with the requirements of this Permit. The SWMP shall be considered a supplement to the Permit, containing the standard operating procedures, schedules, inspection forms, and other documents needed to support the implementation of the Permit requirements (40 CFR Part 122.34(b)). EPD will review and approve the SWMP. The permittee must utilize the procedures and other supplemental documents contained in the SWMP during the activities performed to attain Permit compliance. The SWMP must include, at a minimum, the following information for each of the six minimum control measures:

4.1 Requirements

- 4.1.1 The best management practices (BMPs) that will be implemented for each of the six stormwater minimum control measures. The permittee may propose additional BMPs, but at a minimum, the SWMP must include the BMPs listed in each minimum control measure section below. The annual work for that BMP must be implemented by December 31st of each year.

- 4.1.2 The measurable goals set for each of the BMPs.
- 4.1.3 The method of documentation of activities performed during the reporting period in each annual report.
- 4.1.4 The implementation schedule for each BMP, including as appropriate, the date of implementation, the months and years in which each specific required action will be undertaken, any interim milestone dates, and/or the frequency of the action(s).
- 4.1.5 The office or position(s) responsible for implementing or coordinating the BMPs.
- 4.2 Minimum Control Measures
- 4.2.1 Public Education and Outreach on Stormwater Impacts
- The permittee must implement a Public Education Program to distribute educational materials to the community and/or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff.
- The program should consider topics, such as litter control, illicit discharges, and Green Infrastructure/Low Impact Development (GI/LID) techniques. Public education materials are available at numerous websites, including these suggested sites: U.S. EPA (www.epa.gov), Clean Water Campaign (www.cleanwatercampaign.org), and the Center for Watershed Protection (www.cwp.org).
- At a minimum, the permittee's education program should address the general public, contractors, and employees. The program shall, at a minimum, contain all the elements shown in Table 4.2.1, and the activities must be conducted at least annually, unless otherwise specified.

Table 4.2.1 Public Education - Best Management Practices

BMPs	Measurable Goals
1. Website education	<p>1.a. Maintain a stormwater and pollution prevention web page that educates the public on stormwater related topics (e.g. litter prevention, Adopt-A-Highway, illicit discharges).</p> <p>1.b. Using a counter, track the traffic on the website and include the number of "hits" during the reporting period in the annual report.</p> <p>1.c. Annually evaluate the website and provide specifics on any updates made during the reporting period in each annual report.</p>

<p>2. Training program for contractors and employees</p>	<p>2.a. Implement a training program that addresses contractors and employees on topics such as erosion and sedimentation control, good housekeeping and pollution prevention measures, spill prevention, illicit discharge identification, etc. If revised during the reporting period, submit the program to EPD for review and approval.</p> <p>2.b. Conduct at least one training event each reporting period. In each annual report, include:</p> <ul style="list-style-type: none">• Specifics on each training course held (e.g. topics, number of attendees)• Documentation of each training course (e.g. sign-in sheets, pictures).
<p>3. Educational materials</p>	<p>3.a. Implement a program for the distribution of educational materials to the public. The program should detail the types of materials, the methods of distribution, and the minimum number to be distributed annually. If revised during the reporting period, submit the program to EPD for review and approval.</p> <p>3.b. Provide the number of each type of educational material distributed during the reporting period in each annual report.</p>
<p>4. Educational program in high pedestrian areas</p>	<p>4.a. Maintain an educational program in high pedestrian areas, such as welcome centers/rest areas, maintenance facilities, and along sidewalks within a permitted area, including storm drain marking and/or the installation of pet waste stations. The program must describe the location and number of each activity. If revised during the reporting period, submit the program to EPD for review and approval.</p> <p>4.b. Implement the storm drain marking and/or pet waste station program. Provide the number of storm drains marked and/or pet waste stations installed during the reporting period and the total number of each of these in each annual report.</p>

5. Educational program targeting litter	<p>5.a. Implement an educational program that focuses on litter removal, such as the Keep It Clean Georgia program, or similar. Annually evaluate the program to determine if changes are needed to improve the effectiveness of the campaign.</p> <p>5.b. Provide a report on any educational program activities targeting litter that were implemented during the reporting period, and on any proposed changes to the program, in each annual report.</p>
6. Posting of SWMP	6.a. Post the latest version of the approved SWMP on GDOT's website. Provide documentation of the posting in each annual report.

4.2.2 Public Involvement/Participation

The permittee must develop and implement a public involvement/participation program. The permittee must, at a minimum, comply with State public notice requirements when implementing a public involvement/participation program. The permittee should include activities targeting litter removal by the public. The program shall, at a minimum, contain the elements shown in Table 4.2.2, and the activities must be conducted at least annually, unless otherwise specified.

Table 4.2.2 Public Involvement/Participation - Best Management Practices

BMPs	Measurable Goals
1. Litter Removal program	<p>1.a. Implement a litter removal program that encourages participation by the public, municipalities, and other entities (e.g. Adopt-A-Highway). Details on the program should be described in the SWMP. Annually evaluate the program to determine if revisions are needed to improve the effectiveness of the program.</p> <p>1.b. Track and report on the number of GDOT sponsored litter removal programs (e.g. number of miles adopted, litter removal events, number of participants) implemented during the reporting period, and on any proposed program changes, in each annual report.</p>

2. Public Information Open Houses (PIOHs)	<p>2.a. Develop a display that discusses GDOT's SWMP, present the display at each PIOH, and allow for public input into projects.</p> <p>2.b. Report on the number of open houses held during the reporting period and the location of the project in each annual report.</p>
3. Memorandum of Agreements (MOAs)	<p>3.a. Develop and enter into MOAs with other MS4s for sharing in operational activities related to the GDOT's MS4, where applicable, and in accordance with Part 4.3.</p> <p>3.b. Track the number of MOAs containing stormwater related tasks executed during the reporting period and include information on each MOA in each annual report.</p>

4.2.3 Illicit Discharge Detection and Elimination

The permittee must develop, implement and enforce a program to detect and eliminate illicit discharges (as defined in 40 CFR Part 122.26(b)(2)) into its MS4. The permittee must:

- 4.2.3.1 Develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and location of all waters of the State that receive discharges from those outfalls;
- 4.2.3.2 Prohibit through GDOT policy, non-stormwater discharges into the MS4 and implement appropriate procedures and actions for ensuring the discharges are eliminated to the MEP;
- 4.2.3.3 Develop and implement a plan to detect and address non-stormwater discharges including illegal dumping to the MS4;
- 4.2.3.4 Inform public employees, businesses, and the general public of the hazards associated with illegal discharges and improper disposal of wastes; and
- 4.2.3.5 Address the following categories of non-stormwater discharges or flows (i.e. illicit discharges) only if they are identified as significant contributors of pollutants to GDOT's MS4:
 - water line flushing;
 - landscape irrigation;
 - diverted stream flows;
 - rising ground waters;

- uncontaminated ground water infiltration (as defined in 40 CFR Part 35.2005(20));
- uncontaminated pumped ground water;
- discharges from potable water sources;
- foundation drains;
- air conditioning condensation;
- irrigation water;
- springs;
- water from crawl space pumps;
- footing drains;
- lawn watering;
- individual residential car washing;
- flows from riparian habitats and wetlands;
- dechlorinated swimming pool discharges;
- street wash water; and
- flows from fire-fighting activities.

The program shall, at a minimum, contain all the elements shown in Table 4.2.3, and the activities must be conducted at least annually, unless otherwise specified.

Table 4.2.3 Illicit Discharge Detection and Elimination - Best Management Practices

BMPs	Measurable Goals
1. Outfall Map and Inventory	<p>1.a. Annually update the inventory and map showing the location of all outfalls and names and locations of all waters of the State receiving discharges from those outfalls. For those receiving streams with a trout stream designation, indicate this designation on the map.</p> <p>The inventory and map must show any outfalls added during the reporting period through new construction or field identification. Complete mapping of outfalls within the 2017 permitted areas by December 31, 2023. Complete mapping of those newly permitted areas shown in Appendix B by December 31, 2023. EPD will notify GDOT of any additional newly permitted areas added due to incorporation and/or designation after the effective date of this permit. Within 90 days of receipt of the notification, GDOT must submit a schedule to EPD for mapping the newly permitted areas. EPD will review the schedule for approval or denial.</p> <p>1.b. Provide the inventory and map, the number of outfalls added during the reporting period and the total number of outfalls in each annual report.</p>

2. Policy	2.a. Continue to implement the policy prohibiting non-stormwater discharges into the MS4. Evaluate the policy at least once each reporting period. If revised during the reporting period, submit the policy to EPD with that year's annual report.
3. IDDE Plan	<p>3.a. Implement an IDDE Plan, following procedures described in the SWMP, to detect and address non-stormwater discharges to the MS4. The IDDE Plan should include field screening procedures to be used for outfall inspection, and procedures for GDOT District offices to provide information to the Central office in a timely manner.</p> <p>3.b. Conduct dry weather screening inspections on the outfalls during the mapping of the MS4. After preliminary mapping is completed on December 31, 2023, conduct inspections on the outfalls included on the inventory at a minimum rate of 5% of the outfalls inspected annually, with 100% of the outfalls inspected within a 10-year period. If the inspections are done by a geographical area, then one area must be inspected each year, so that at least 5% of the total outfalls are inspected each reporting period. Submit documentation of the outfall inspections conducted during the reporting period with each annual report.</p>
4. Procedures for tracing and eliminating any identified illicit discharges	<p>4.a. Implement investigative and follow-up procedures for tracing and eliminating any identified illicit discharges. The procedures must include notification of an adjacent MS4 whether the discharge or spill is from GDOT's MS4 to the adjacent MS4 or from the adjacent MS4 to GDOT's MS4. If the procedures are revised during the reporting period, submit the revised procedures to EPD for review and approval.</p> <p>4.b. Submit information on the number of illicit discharges identified, steps taken to eliminate the illicit discharges, and the number eliminated during the reporting period. If the illicit discharges are determined to be from an adjacent MS4, submit the relevant information to EPD for follow-up in a timely manner as outlined in the approved procedures. Submit the information on illicit discharge elimination in each annual report.</p>

5. Education	5.a. Continue to implement a public education program in accordance with Table 4.2.1, BMP #1 and/or BMP #3, that in part addresses the hazards of illicit discharges. Provide documentation of any activities conducted during the reporting period in each annual report.
6. Complaint Response	<p>6.a. Maintain procedures for receiving, investigating, and tracking illicit discharge complaints. If the procedures are revised, submit the revised procedures to EPD for review and approval.</p> <p>6.b. Implement the complaint response procedures. Provide a report to EPD on each illicit discharge related complaint received and investigated during the reporting period (e.g. complaint date, nature of the complaint, complaint status) in each annual report.</p>
7. Spill Response	<p>7.a. Maintain procedures for responding to and cleaning up spills to the MS4, where GDOT has received notification of such spill. If revised, submit the procedures to EPD for review and approval during that year's annual report.</p> <p>7.b. Implement the spill response procedures. Provide a report to EPD on any spills to the MS4 where GDOT has received notification, including the substance and amount, that occurred during the reporting period in each annual report.</p>

4.2.4 Construction Site Stormwater Runoff Control

The permittee must develop, implement and enforce a program to reduce pollutants in any stormwater runoff to the MS4 from the permittee's construction activities that result in a land disturbance of greater than or equal to one acre. Stormwater discharges from the permittee's construction activity disturbing less than one acre must be included in the permittee's program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. The program must include the following:

- 4.2.4.1 A contractual obligation mechanism to require erosion and sediment controls consistent with the Manual for Erosion and Sediment Control in Georgia and the Construction General Permits, as well as penalties to ensure compliance, to the extent allowable, under State or local law;
- 4.2.4.2 Requirements for construction site operators to implement erosion and sediment control best management practices;

- 4.2.4.3 Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse water quality impacts;
- 4.2.4.4 Procedures for site plan review that incorporate consideration of potential water quality impacts;
- 4.2.4.5 Procedures for receipt and consideration of information submitted by the public; and
- 4.2.4.6 Procedures for site inspection and enforcement of control measures.

The program shall, at a minimum, contain all the elements shown in Table 4.2.4, and the activities must be conducted at least annually, unless otherwise specified.

Table 4.2.4 Construction Site Stormwater Runoff Control - Best Management Practices

BMPs	Measurable Goals
1. Contractual obligation mechanism	1.a. Maintain a contractual obligation mechanism that requires erosion and sedimentation controls consistent with the Manual for Erosion and Sediment Control in Georgia and the Construction General Permits, as well as penalties to ensure compliance, to the extent allowable under State or local law. Evaluate the mechanism at least once during the reporting period. If revised during the reporting period, submit the revised contractual obligation mechanism to EPD with that year's annual report.
2. Erosion, Sedimentation and Pollution Control Plans (ESPCPs)	2.a. Ensure 100% of construction projects have an ESPCP that complies with the requirements of the most recent Construction Activity Permits, which identify the Manual for Erosion and Sediment Control in Georgia (Green Book) and stream buffer requirements. 2.b. Submit a summary list of construction NOIs/ESPCPs submitted to EPD during the reporting period with each annual report.

3. Erosion and sedimentation complaints	<p>3.a. Maintain procedures for receiving and responding to erosion and sedimentation complaints. If revised during the reporting period, submit the revised procedures to EPD for review and approval.</p> <p>3.b. Implement complaint investigation and response procedures. Provide a report to EPD on complaints handled during the reporting period (e.g. complaint date, nature of complaint, status) in each annual report.</p>
4. Site plan review procedures	<p>4.a. Maintain site plan review procedures. If revised during the reporting period, submit the revised procedures to EPD for review and approval.</p> <p>4.b. Implement the site plan review procedures and provide a list of plans reviewed or submitted to EPD for review during the reporting period in each annual report.</p>
5. Site inspection procedures	<p>5.a. Maintain site inspection procedures in accordance with the Construction Activity Permits. If the procedures are revised during the reporting period, submit the revised procedures to EPD for review and approval.</p> <p>5.b. Implement the construction site inspection procedures. Provide a list of active construction sites and a list of inspections performed by the Environmental Compliance Bureau Compliance Specialist on the active sites during the reporting period in each annual report.</p>
6. Construction Site Waste	<p>6.a. Ensure through contracts or other mechanisms that construction site operators control waste that may cause adverse water quality impacts in accordance with the Construction Activity Permits. In each annual report, provide the number of contracts executed during the reporting period that contain waste control requirements.</p>
7. Compliance with contract requirements	<p>7.a. Implement procedures for bringing contractors back into compliance with contract requirements, including any enforcement-type actions available. If the procedures are revised during the reporting period, submit the revised procedures to EPD for review and approval.</p>

	7.b. Implement the procedures to ensure enforcement-type actions are taken for all Construction Activity Permit violations. Provide a list of enforcement-type actions taken during the reporting period in each annual report.
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4.2.5 Post-Construction Stormwater Management

4.2.5.1 Design Requirements for New Development and Redevelopment -

The permittee must develop, implement and enforce a program to address stormwater runoff into the MS4 from GDOT's new development and redevelopment projects. The program must ensure that controls are in place that will prevent or minimize water quality impacts.

GDOT engages in these general categories of activities:

- Major roadway projects: Examples include new road construction, major widening and reconstruction of roadways, interchange construction and improvement, bridge construction or replacement, and existing roadway projects (re-alignment, adding capacity, etc.);
- Site development projects: Examples include construction of offices, rest areas, park and ride lots, toll plazas, and weigh stations; and
- Maintenance and safety improvements: Examples include repaving, maintenance projects that do not add impervious surface area, driveway access paving, shoulder paving and building, fiber optic line installation, sign addition, safety barrier installation, multi-use projects used solely for recreational purposes and separate from transportation projects (e.g. bike lanes on roads), and sound barrier installation.

Section 4.2.5.1(a) shall apply to the site development and major roadway project categories. It shall not apply to maintenance and safety improvements.

For MS4 areas added in the 2012 and 2017 Permit iterations:

Plans or projects that were exempt from complying with Section 4.2.5.1(a) in GDOT's previous MS4 permits, dated 2012 and 2017, shall remain exempt. In addition, projects in areas added to GDOT's permit during the 2022 permit iteration, if any, that have been awarded or received concept approval within 365 days from the effective date of the permit or within 365 days of when the new area was added to the permit, whichever is later, are exempt from complying with Section 4.2.5.1(a).

At a minimum, the post-construction program to address new development and redevelopment projects must include:

- 4.2.5.1(a) Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for the community, including the implementation of the applicable parts of the latest version of the Georgia Stormwater Management Manual (GSMM) and Coastal Stormwater Supplement (CSS) (as applicable) or an equivalent stormwater management design manual.

At a minimum, the permittee shall apply the standards for new development and redevelopment to any site that meets one or more of the following criteria:

- New site development that creates or adds 5,000 square feet or greater of new impervious surface area, or that involves linear roadway projects that disturb 1 acre or greater.
- Site redevelopment that creates, adds, or replaces 5,000 square feet or greater of impervious surface area, or that involves linear roadway projects that disturb 1 acre or more, including projects less than one acre if they are part of a larger common plan of development or sale.

For sites meeting the above criteria, the permittee shall ensure that the minimum performance standards are applied during the site plan preparation process and/or review process. The performance standards must be implemented to the maximum extent practicable. The performance standards to be implemented are as follows:

Stormwater Runoff Quality/Reduction:

Stormwater runoff shall be retained onsite or adequately treated prior to discharge. Stormwater runoff that must be retained or treated does not apply to flows that originate outside of GDOT's right of way or diverted flows from undisturbed areas. The stormwater management system shall be designed to retain the first 1.0 inch of rainfall on the site, to the maximum extent practicable as defined in the EPD-approved GDOT stormwater design manual and the feasibility program described in 4.2.5.1(b). If the 1.0 inch of rainfall can be retained on site using runoff reduction methods, then additional water quality treatment is not required. If the 1.0 inch cannot be retained onsite,

the remaining runoff from a 1.2-inch rainfall event must be treated to remove at least 80% of the calculated average annual post-development total suspended solids (TSS) load or equivalent as defined in the Georgia Stormwater Management Manual or in the equivalent manual. Compliance with this requirement may be demonstrated through use of the EPD-approved GDOT stormwater design manual and the feasibility program described in 4.2.5.1(b). The program calls for the evaluation of selected runoff reduction and other water quality practices.

Stream Channel/Aquatic Resource Protection:

Stream channel and/or aquatic resource protection shall be provided by using the following approaches: 1) 24-hour extended detention storage of the 1-year, 24-hour return frequency storm event; 2) erosion prevention measures such as energy dissipation and velocity control; and 3) preservation of the applicable stream buffer.

Overbank Flood Protection:

Downstream overbank flood protection shall be provided by controlling the post-development peak discharge rate to the predevelopment rate for the 25-year, 24-hour storm event.

Extreme Flood Protection:

Extreme flood protection shall be provided by controlling the 100-year, 24-hour storm event such that flooding is not exacerbated.

Trout Stream Protection

For receiving waters with a trout stream designation, which contain GDOT outfalls, GDOT must address the protection of the trout waters from impacts from the MS4 outfalls due to elevated temperature. Compliance with this requirement may be demonstrated through compliance with the Stormwater Runoff Quality/Reduction requirement.

- 4.2.5.1(b) GDOT shall use the EPD-approved program as required by Table 4.2.5.4 for determining infeasibility. If GDOT determines it is infeasible to implement the standards in Section 4.2.5.1(a) in certain site development or major roadway projects due to one or more of the factors listed below, then GDOT shall submit the determination of

infeasibility to EPD with the associated set of proposed plans. The factors affecting infeasibility include:

- Additional costs of 10% or greater than the total project costs, including right-of-way acquisition, construction, and utility relocation costs. This waiver criteria is not applicable for projects that discharge within one linear mile upstream of and within the same watershed as a designated trout stream except when additional project costs are 30% or greater than the total project cost;
- Project delays of 90 days or greater due to the implementation of post-construction controls. This waiver criteria is not applicable for projects that discharge within one linear mile upstream of and within the same watershed as a designated trout stream;
- If BMPs incidental to the design of the roadway provide treatment to remove at least 80% of the calculated average annual post-development total suspended solids load for a 1.2-inch rainfall event, then runoff reduction will be waived. For the purpose of this permit, incidental BMPs shall include filter strips, grass channels, and porous asphalt. This waiver is not applicable for projects that discharge within one linear mile upstream of and within the same watershed as a designated trout stream;
- Loss of habitat for endangered or threatened species;
- Significant damage to a cultural resource, such as a historical site, archeological site, or cemetery;
- Significant damage to a community resource, such as a park, wildlife refuge, trail, or school;
- Implementation would result in the displacement of a residence or business;
- Implementation would result in the violation of a State or Federal law or regulation; and/or
- Site limitations – the determination to be made using criteria in the GSMM and/or the CSS:
 - Site has shallow bedrock, contaminated soils, high groundwater, utilities, or underground facilities (if avoidance or relocation is infeasible);
 - soil infiltration capacity is limited;

- site is too small to infiltrate a significant volume;
- site does not allow for gravity flow to the appropriate BMP.

The determination of infeasibility must include the reason the standard implementation was considered infeasible, including specifics (e.g. additional costs, number of days for project delays, map showing site limitations). The determination of infeasibility must be signed by the Chief Engineer, or a duly authorized representative of the Chief Engineer. Authorization must be provided to a representative through a formal statement signed by the Chief Engineer. EPD shall have the right to disapprove a determination of infeasibility within 60 days of receipt. GDOT shall have the right to appeal within 30 days of receipt of the EPD decision in writing. EPD will review addenda for previous submitted determination of infeasibility within 30 days of receipt.

4.2.5.2 Regulatory Mechanism

Implement a policy or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under State or local law.

4.2.5.3 Long-term Operation and Maintenance

Ensure adequate long-term operation and maintenance of the BMPs.

The program shall, at a minimum, contain the elements shown in Table 4.2.5, and the activities must be conducted at least annually, unless otherwise specified.

Table 4.2.5 Post-Construction Stormwater Management - Best Management Practices

BMPs	Measurable Goals
1. Inventory	1.a. Annually update the inventory and map of post-construction structures, designed for filtering and/or detention, as new structures are identified, either through new construction or field identification. The inventory shall include information on the structures (e.g. location, type). Complete mapping of the post-construction structures within the 2017 permitted areas by December 31, 2023. Complete mapping of those newly permitted areas shown in Appendix B by December 31, 2023. EPD will notify GDOT of any additional newly permitted areas added due to incorporation and/or designation after the effective date of this permit. Within 90 days of receipt of the notification, GDOT must submit a schedule to EPD for

	<p>mapping the newly permitted areas. EPD will review the schedule for approval or denial. Ensure all new post-construction structures are added to the inventory and map.</p> <p>1.b. Provide the updated inventory and map of post-construction stormwater management structures, including those structures added during the reporting period to EPD with each annual report.</p>
2. Policy or other regulatory mechanism	<p>2.a. Implement the policy or regulatory mechanism to address post-construction runoff. Evaluate the policy or mechanism at least once each reporting period. If the document is updated during the reporting period, submit the policy or regulatory mechanism to EPD for review with that year's annual report.</p>
3. Operation and Maintenance	<p>3.a. Implement the program for the long-term operation and maintenance of post-construction structures, including inspecting 100% of the structures within a 5-year period. At a minimum, the permittee must conduct inspections on at least 5% of the structures annually so that some inspections are performed each reporting period. If a low percentage of inspections is conducted one reporting period, then the permittee must increase the inspection frequency in subsequent reporting periods to ensure that 100% of the structures are inspected within a 5-year period. If the permittee determines that inspections will be performed by geographical area, then one entire area must be inspected during a reporting period. Provide documentation of the inspections conducted during the reporting period in each annual report.</p> <p>3.b. The post-construction structures must be maintained as needed to ensure functionality. Maintenance must be performed to the maximum extent practicable. Provide a list of structures maintained, the type of maintenance performed, and documentation of maintenance activities performed during the reporting period in each annual report.</p>
4. BMP Feasibility Analysis	<p>4.a. Implement a BMP Feasibility Analysis program, including a checklist, to be used to document the post-construction BMPs to be included in each set of plans. At a minimum, the feasibility analysis must be performed on all projects meeting the criteria in Part 4.2.5.1(a). For those projects meeting the Part 4.2.5.1(a) criteria and potentially discharging to streams impaired for Bio F, Bio M, and any trout streams, the permittee must perform the feasibility analysis and prepare a feasibility</p>

	<p>report to be submitted to EPD for review. If the BMP Feasibility Analysis program is revised during the reporting period, submit the program to EPD for review and approval.</p> <p>4.b. A completed checklist must be submitted to EPD with each set of plans to demonstrate the evaluation of the feasibility of including post-construction BMPs.</p> <p>4.c. A table summarizing each set of plans prepared during the year and the post-construction BMPs utilized at each site must be submitted with each annual report.</p>
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4.2.5.4 Green Infrastructure/Low Impact Development

EPD encourages the use of green infrastructure practices and approaches on both new and redeveloped sites. The permittee shall review all projects during the design phase to ensure the plans consider the use of green infrastructure practices, including infiltration, reuse, and evapotranspiration. The program shall, at a minimum, contain the elements shown in Table 4.2.5.4 and the activities must be conducted at least annually, unless otherwise specified.

Table 4.2.5.4. Green Infrastructure/Low Impact Development

Program Elements	Measurable Goals
1. Green Infrastructure/Low Impact Development (GI/LID) feasibility determination	<p>1.a. Implement a program for ensuring the use of a stormwater design manual and determining the feasibility of including GI/LID structures for each project. At a minimum, GDOT must complete a feasibility determination on all projects meeting the Part 4.2.5.1 (a) criteria. For those projects meeting the Part 4.2.5.1(a) criteria and potentially discharging to streams impaired for Bio F, Bio M, and any trout streams, the permittee must perform the feasibility analysis and prepare a feasibility report to be submitted to EPD for review. The program shall include a checklist detailing the feasibility determination. If the program is revised during the reporting period, submit the program to EPD for review and approval.</p> <p>1.b. Submit a copy of the completed checklist to EPD with each set of plans. The checklist must show which GI/LID practices are included in the project and must detail why each listed practice was not considered feasible for the project.</p> <p>1.c. Track the type and number of each GI/LID practice incorporated into each set of plans during the reporting period and include in each annual report.</p>

	1.d. Inspect and maintain the GI/LID structures in accordance with the program described in Table 4.2.5, BMP #3, including providing documentation of inspections conducted and maintenance performed during the reporting period in each annual report.
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Design information on GI/LID practices can be found on the Atlanta Regional Commission's website (<http://www.atlantaregional.com/>) for the Georgia Stormwater Management Manual and the Coastal Stormwater Supplement. Additional information on GI/LID and better site design can be found on numerous websites, including these suggested sites: U.S. EPA (www.epa.gov), Center for Watershed Protection (www.cwp.org), Georgia Coastal Resource Division's "Georgia's Green Growth Guidelines" (<https://coastaldnr.org/GGG>) and Green Infrastructure Center (www.gicinc.org). In addition, you may want to consult the following webpage on EPA's website: www.epa.gov/nps/lid.

4.2.6 Pollution Prevention/Good Housekeeping for Municipal-Type Operations

The permittee must develop and implement an operation and maintenance program that includes a training component with the ultimate goal of preventing or reducing pollutant runoff from municipal-type operations. Using training materials available from the USEPA and other organizations as guidance, the permittee must, as a part of this program, include employee training to prevent and reduce stormwater pollution from activities such as open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance. The program shall, at a minimum, contain all the elements shown in Table 4.2.6 and the activities must be conducted annually, unless otherwise specified.

Table 4.2.6 Pollution Prevention/Good Housekeeping for Municipal-Type Operations - Best Management Practices

BMPs	Measurable Goals
1. Municipal-type Facility Inventory	1.a. Annually update the inventory of municipal-type facilities with the potential to cause pollution. Submit the updated inventory of facilities with each annual report.
2. Municipal-type Facility Inspections	2.a. Implement the program for inspecting GDOT facilities. If the program is revised during the reporting period, submit the program to EPD for review and approval. 2.b. Conduct inspections of 100% of the municipal-type facilities within the 5-year permit period. At a minimum, the permittee must inspect at least 5% of the municipal type facilities annually or if inspections are performed by geographical area, then one entire area must be inspected. The site inspection must include a comprehensive evaluation of the

	<p>entire facility, including any outfalls located at the facility. Ensure deficiencies noted during the inspection are corrected in a timely manner. Documentation of the facility inspections and any corrective actions taken should be submitted with each annual report.</p>
<p>3. Facilities Stormwater Pollution Prevention Plan (F-SWPPP)</p>	<p>3.a. Annually evaluate the F-SWPPP detailing procedures for routine maintenance activities at municipal-type operations to prevent pollutant runoff. Update the manual as needed. If the manual is updated during the reporting period, submit the manual to EPD for review and approval. Ensure the manual addresses, at a minimum:</p> <ul style="list-style-type: none"> • Salt & de-icing material application and storage • Equipment/Vehicle washing • Storage and disposal of chemicals and waste materials • Road surface maintenance • Storm sewer system repair • Landscaping • Herbicide spraying/fertilizer application and material storage • Bridge repair and maintenance • Right-of-way embankment stabilization • Vegetation control, cutting, removal, and disposal of the cuttings • Vehicle/equipment maintenance and repair <p>3.b. Implement the procedures detailed in the manual during routine maintenance activities to prevent pollutant run-off.</p>
<p>4. MS4 Structure Inventory and Map</p>	<p>4.a. Annually update an inventory and map of the MS4 control structures. At a minimum, the inventory and map must include catch basins, ditches, and pipes. Complete mapping of the MS4 control structures within the 2017 permitted areas by December 31, 2023. Complete mapping of those structures within those newly permitted areas shown in Appendix B by December 31, 2023. EPD will notify GDOT of any additional newly permitted areas added due to incorporation and/or designation after the effective date of this permit. Within 90 days of receipt of the notification, GDOT must submit a schedule to EPD for mapping the newly permitted areas. EPD will review the schedule for approval or denial.</p>

	<p>4.b. Provide the updated inventory and map, the number of structures added during the reporting period, and the total number of each type of structure to EPD with each annual report.</p>
5. Inspection and Maintenance	<p>5.a. Update the procedures as needed. If revised during the reporting period, submit the procedures to EPD for review and approval.</p> <p>5.b. Complete inspections of the MS4 control structures during the mapping of the MS4. After preliminary mapping is completed on December 31, 2023, conduct inspections on the MS4 structures included on the inventory at a rate of at least 5% of the structures inspected annually, with 100% of the structures inspected within a 10-year period. If the inspections are done by a geographical area, then one area must be inspected each year, so that at least 5% of the total inventoried structures are inspected each reporting period. Provide a summary of the number of inspections conducted on each structure type and documentation of the inspections (e.g. data management spreadsheet) in each annual report.</p> <p>5.c. The MS4 structures must be maintained as needed to ensure functionality. Maintenance must be performed to the maximum extent practicable. Provide a list of structures maintained, and the type of maintenance performed during the reporting period in each annual report.</p>
6. Employee Training	<p>6.a. Conduct at least one training program related to preventing and reducing stormwater pollution from GDOT facilities and activities annually. In each annual report, include:</p> <ul style="list-style-type: none"> • Specifics on each training course held (e.g. topic, number of attendees) • Documentation of each training course (e.g. sign-in sheet or other)
7. Complaint Response	<p>7.a. Maintain procedures for receiving, investigating, and tracking complaints related to MS4 structures. If revised during the reporting period, submit the procedures to EPD for review and approval.</p> <p>7.b. Implement the complaint response procedures. Provide a report to EPD on each complaint received and investigated during the reporting period (e.g. complaint date, nature of the complaint, complaint status) in each annual report.</p>

4.3 Sharing Responsibility

- 4.3.1 The permittee may share implementation of one or more of the SWMP minimum control measures with another entity, or the entity may assume full responsibility for that measure. However, the permittee may rely on another entity only if:
- 4.3.1.1 The other entity is either implementing or will be implementing the control measure;
- 4.3.1.2 The particular control measure or component of that measure is at least as stringent as the corresponding permit requirement; and
- 4.3.1.3 The other entity agrees to implement the control measure on the permittee's behalf through a written agreement, memorandum of understanding, memorandum of agreement, contract, or other signed document that establishes the obligations of each party.
- 4.3.1.4 Written acceptance of this obligation is mandatory and must be maintained as a part of the SWMP. Conducting maintenance on a structure does not imply that the entity conducting the maintenance is the owner or operator of that structure. Even though the permittee may contract with another entity for control measure implementation, it is the permittee's responsibility to submit all NOIs, Annual Reports, Certification Statements, or any other information requested by EPD.
- 4.3.2 If the other entity fails to implement the control measure on the permittee's behalf, the permittee remains liable for any enforcement actions due to the failure to implement and/or report.

4.4 Stormwater Management Program Modifications

- 4.4.1 The SWMP may be modified by the permittee at any time. Written notification of substantial modifications must be submitted and EPD approval of the modification received.
- 4.4.2 EPD may require the permittee to modify the SWMP as needed to comply with the goals and requirements of the State Act, but specifically for any of the following reasons:
- 4.4.2.1 A change has occurred which will significantly impact the potential for the discharge of pollutants to the waters of the State of Georgia;
- 4.4.2.2 The permittee's program proves ineffective in controlling pollutants from the MS4 to the maximum extent practicable;
- 4.4.2.3 An adverse impact to water quality has been documented as a result of discharges from the MS4; or

- 4.4.2.4 To include more stringent requirements necessary to comply with new State or Federal statutory or regulatory requirements.

The Director shall notify the permittee of the required modification in writing and set forth a schedule for the permittee to develop and implement the modification(s). The permittee may propose alternative SWMP modifications to EPD.

PART 5. MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

5.1 Annual Report

The permittee shall prepare and submit an annual report to EPD. The report shall cover the period from January 1 – December 31 and shall be submitted by March 31st following the reporting period. EPD is preparing an electronic method of reporting (eReporting). EPD will notify the permittee when the system is available for use. Upon notification, the permittee will be required to resubmit the NOI electronically and begin submitting the annual report electronically. The report must include for each BMP, at a minimum, the following:

- 5.1.1 The activities conducted during the reporting period, progress towards achieving the measurable goal(s), and compliance with the implementation schedule;
- 5.1.2 Any information necessary to support documentation of the activities completed during the reporting period;
- 5.1.3 A summary of the stormwater activities proposed for the next reporting period, including implementation schedules;
- 5.1.4 A summary of any proposed changes to a BMP, measurable goal, implementation schedule, or any other changes to any of the minimum control measures; and
- 5.1.5 Notice if the permittee is relying on another entity to satisfy some portion of the permit obligations (as applicable).

5.2 Monitoring Requirements

Water quality monitoring, except for illicit discharge detection screening specified in Section 4.2.3, and monitoring of impaired waters specified in Section 5.4, is not required by this permit. If, however, the permittee conducts water quality monitoring at its MS4, it is required to comply with the following:

- 5.2.1 Samples and measurements taken for the purpose of monitoring shall be representative. Monitoring must be conducted according to approved test procedures set forth in 40 CFR Part 136, unless other approved test procedures have been specified, excluding IDDE field screening procedures.

- 5.2.2 Parameters shall be analyzed to the detection limits specified by EPD. If a parameter is not detected at or above the detection limit, then a value of "Not Detected" should be reported for that sample and the detection limit must also be reported.
- 5.2.3 If the permittee monitors any parameter at the designated location(s) more frequently than required by the permit, the permittee must analyze all samples using approved methods specified in Part 5.2.1 of this permit. EPD may require more frequent monitoring or the monitoring of other parameters not specified in this permit or the SWMP by written notification to the permittee.
- 5.2.4 All monitoring data not prepared in situ shall be prepared by a laboratory accredited by the State of Georgia in accordance with EPD's Rules for Commercial Environmental Laboratories 391-3-26, or, where the permittee does their own analysis with their own personnel, by a Laboratory Analyst certified in compliance with the Georgia State Board of Examiners for Certification of Water and Wastewater Treatment Plant Operators and Laboratory Analysts Act. In situ means that the sample is analyzed at the point of collection and has not been transported any distance.
- 5.3 Retention of Records
- 5.3.1 The permittee shall retain copies of all reports required by this permit, including all monitoring information and records of all other data required by or used to demonstrate compliance with this permit, for a period of at least three years. These periods may be modified by the Director by written notification at any time.
- 5.3.2 Records of monitoring information shall include:
- The date, exact place, time of sampling or measurement;
 - The individual(s) who performed the sampling or measurement ;
 - The date(s) analyses were performed;
 - The individual(s) who performed the analyses;
 - The analytical techniques or methods used; and
 - The results of the analyses.
- 5.3.3 The permittee must submit its records to EPD upon written request. The permittee must make its records, including the NOI and SWMP, available to the public as required by open records requirements.
- 5.3.4 The permittee must implement the latest version of the SWMP for which it is responsible, while retaining a copy of the previous version of the program on file for a period of at least three years. These time periods may be modified by the Director, upon written notification, at any time.

5.4 Impaired Waters

In accordance with the mapping schedule provided under Table 4.2.3, BMP #1, the permittee must identify in that year's annual report those impaired waters within the existing Phase I and Phase II MS4 NPDES permitted areas, using the latest approved Georgia 305(b)/303(d) List of Waters (<http://epd.georgia.gov/georgia-305b303d-list-documents>), which contain GDOT outfalls or are within one (1) linear mile downstream of GDOT outfalls and within the same watershed. Also, the pollutant of concern must be identified. For those impaired waters, the permittee shall propose an Impaired Waters Plan (IWP) addressing each pollutant of concern. The permittee must check annually whether an impaired water within its permitted area has been added to the latest 305(b)/303(d) list. Newly listed waters must be addressed in the IWP and the SWMP must be revised accordingly. The permittee must submit a modified IWP for any newly listed waters in subsequent annual reports. If a TMDL containing a wasteload allocation specific to one or more of the permittee's outfalls is approved, then the wasteload allocation must be incorporated into the SWMP. All previous, newly approved, or amended TMDLs within the permitted areas must be included in either the proposed IWP or a revision to the existing IWP.

The IWP shall include:

- Sample location, whether samples are collected instream (i.e. upstream and downstream), from outfalls during wet weather events, or a combination of both locations. If the permittee chooses to conduct outfall sampling and there are multiple outfalls located on an impaired water, then the permittee may choose representative outfalls for sampling in place of sampling all outfalls;
- Sample type, frequency, and any seasonal considerations. For those waters listed as impaired for Bio F or Bio M and receiving discharges from GDOT outfalls, the permittee must conduct sampling for total suspended solids;
- Implementation schedule to start monitoring for each pollutant of concern;
- Map showing the location of the impaired waters, the monitoring location, and all identified GDOT outfalls located on the impaired waters or occurring within one linear mile upstream of these waters (within the Phase I and Phase II permitted areas), or a schedule for confirming the location of these outfalls; and
- Description of proposed BMPs to be used to control and reduce the pollutant(s) of concern and a schedule for implementation of these BMPs.

GDOT should coordinate with the Phase I and Phase II MS4 permittees. If monitoring is being performed or is required to be performed by the Phase I or Phase II MS4, then GDOT does not need to conduct monitoring. If impaired water monitoring is not being performed (i.e. Phase II MS4s with a population <10,000), then GDOT must perform monitoring for the pollutant of concern. If GDOT performs any impaired water monitoring, then the data shall be available to the other MS4 permittees upon request. If monitoring is already being performed by a Phase I MS4 or Phase II MS4 on an impaired water, on which GDOT also has outfalls, then GDOT shall develop a modified IWP. The modified IWP shall include a map showing the impaired water, the GDOT outfalls and a

description of proposed BMPs. However, the modified Plan does not need to include sampling procedures.

For those impaired waters where GDOT can demonstrate that they are not a contributor of the pollutant of concern (e.g. bacteria) due to the nature of their practices and activities, then the modified IWP does not need to include sampling procedures or a description of proposed BMPs, but shall include the demonstration material.

For those waters where GDOT is conducting monitoring in accordance with the IWP, each Annual Report will include:

- Any monitoring data collected during the reporting period;
- An assessment of the data trends over time for each pollutant of concern. The assessment shall initially include a characterization of baseline conditions. The data assessment must include a written evaluation of whether water quality is improving, declining, fluctuating, or remaining constant. This assessment can be provided in the method chosen by the permittee (e.g. line graphs, narrative). If the monitoring identifies that an upstream MS4 is the source of the pollutant of concern, then the permittee must notify the immediately adjacent MS4.
- An assessment to determine the effectiveness of the BMPs employed, and what, if any, additional adaptive BMP measures may be necessary to return the water to compliance with State water quality standards.

In the event that monitoring is performed in accordance with an EPD approved Sampling Quality and Assurance Plan, and a water is removed from the 303(d) list of impaired waters, then monitoring conducted under the IWP may cease. Monitoring for the purpose of de-listing an impaired water will benefit the permittee through reduced expenses with long-term testing.

5.5 Special Condition for Trout Streams

The permittee must prepare and implement a study plan that evaluates the impacts of roadway runoff through GDOT outfalls to trout streams. The plan must focus on impacts to temperature and dissolved oxygen levels. During development of the study plan, GDOT should determine representative locations to conduct instream monitoring. A map showing the location of the chosen representative trout streams, the monitoring location(s), and all GDOT identified outfalls located on the chosen trout streams or occurring within one linear mile upstream of these waters should be included in the study plan. The plan should address sample type, frequency, and include procedures for ensuring that a percentage of the samples are collected during wet weather events. The ultimate goal of the study plan is to determine if GDOT discharges are impacting trout streams and if so, to determine BMPs that can be used to mitigate these impacts. The study plan will be implemented in accordance with the following schedule:

- The proposed study plan must be submitted with the 2022 annual report, due March 31, 2023. EPD will review and approve the study plan and notify GDOT of approval.

- Upon notification of approval, GDOT must begin implementation of the study plan. In each subsequent annual report, GDOT must provide a status report on implementation of the plan and the results of any collected data, if available.
- During the last year of this permit iteration, GDOT should evaluate if the discharges from GDOT outfalls are causing an adverse impact to trout streams. If a determination cannot be made due to inadequate data, then GDOT must provide a modified study plan describing the continuing collection of data and the proposed end date of the study. EPD will review this modified plan and provide approval. If sufficient data is available to determine that impacts are or are not occurring, then GDOT must submit a final report stating the method used to make this determination no later than December 31, 2026. If the discharges from GDOT outfalls are causing an impact, then the final report must include BMPs proposed to be used by GDOT to reduce any further impacts to trout streams.

PART 6. STANDARD PERMIT CONDITIONS

6.1 Duty to Comply

6.1.1 The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and the State Act and is grounds for:

- Enforcement action;
- Permit termination, revocation and reissuance, or modification; or
- Denial of a permit renewal application.

6.1.2 The Clean Water Act and the State Act both provide that any person who falsifies or tampers with, or knowingly renders inaccurate any monitoring device or method required under this permit, or who makes any false statement, representation, or certification in any record submitted or required by this permit, including monitoring reports or reports of compliance or noncompliance, shall, if convicted, be punished by a fine or by imprisonment, or by both. Both Acts include procedures for imposing civil penalties for violations or for negligent or intentional failure or refusal to comply with any final or emergency order of the Director.

6.1.3 If, for any reason, the permittee does not comply with, or will be unable to comply with any condition 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. The written submission shall contain:

- Description of the noncompliance and its cause;
- Exact dates and times of noncompliance 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 noncompliance.

6.1.4 The permittee shall give written notice to EPD at least ten (10) days before any planned changes in the permitted activity, which may result in noncompliance with permit requirements.

6.2 Duty to Reapply/Continuation of an Expired General Permit

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit by submitting an NOI in accordance with the requirements of Part 3 of this permit, using an NOI form provided by EPD. The NOI must be submitted at least thirty (30) days prior to the expiration date of this permit to remain covered under the continued permit.

If this permit is not reissued or replaced prior to the expiration date, it may be administratively continued in accordance with the Administrative Procedures Act and remain in force and effect. Any permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until one of the following occurs:

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

6.2.2 Issuance of an Individual permit for the permittee's discharge; or

6.2.3 A formal permit decision by the Director not to reissue this general permit. At that time, the permittee must seek coverage under an alternative permit or an individual permit.

6.3 Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the 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.

6.4 Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

6.5 Proper Operation and Maintenance

The permittee shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances), owned or operated by the permittee to achieve compliance with the terms and conditions of this permit and with the requirements of the SWMP. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of adequate backup or auxiliary facilities or similar systems which are

installed by a permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

6.6 Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for permit modification, revocation and reissuance, termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

6.7 Property Rights

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

6.8 Duty to Provide Information

The permittee shall provide to EPD, within a reasonable time frame, any information which the Director may request to determine compliance with this permit. The permittee shall also provide EPD with any requested copies of records required by this permit.

6.9 Other Information

If the permittee becomes aware of a failure to submit any relevant facts or of a submission of incorrect information in the NOI, Annual Report, or any report to EPD, the permittee shall promptly submit the relevant facts or information.

6.10 Inspection and Entry

The permittee shall allow the Director, the Regional Administrator of USEPA, or their authorized representatives, agents, or employees, after presentation of credentials to:

- 6.10.1 Enter the permittee's premises where a regulated facility or activity is located or conducted, or where records are kept under the terms and conditions of this permit;
- 6.10.2 Have access to and copy, at reasonable times, any records required under the terms and conditions of this permit;
- 6.10.3 Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- 6.10.4 Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

6.11 Availability of Reports

Except for data determined by EPD to be confidential under Section 16 of the State Act or by the Regional Administrator of the USEPA under the Code of Federal Regulations, Title 40, Part 2, all reports prepared according to the terms of this permit shall be available for public inspection at an office of EPD under the Georgia Open Records Act. All monitoring data, permit applications, permittees' names and addresses, and permits shall not be considered confidential.

6.12 Signatory Requirements

6.12.1 The NOI or permit application submitted to EPD must be signed by either a principal executive officer or senior executive official.

6.12.2 All other information that this permit requires the permittee to maintain shall be signed by either the person designated in 6.12.1 or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- The authorization is made in writing by the official person described above and submitted to EPD.
- The authorization specifies either an individual or a position having responsibility for the overall operation of the SWMP such as the position of manager, operator, superintendent, or position of equivalent responsibility.
- If an authorization is no longer accurate because of a different individual or position having been authorized, then a new authorization must be submitted to EPD prior to or together with any report, information, or application signed by the authorized representative.
- Any person signing documents under this section 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."

6.13 Severability

The provisions of this permit are severable. If any permit provision or the application of any permit provision to any circumstance is held invalid, the provision does not affect other circumstances or the remainder of this permit.

6.14 Other Applicable Environmental Regulations and 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 Clean Water Act. Nothing in this permit, unless explicitly stated, exempts the permittee from compliance with other applicable local, State and Federal ordinances, rules, regulations, and laws.

No condition of this permit shall release the permittee from any responsibility or requirements established under any other environmental law or regulation.

6.15 Contested Hearings

Any person who is aggrieved or adversely affected by any action of the Director shall petition the Director for a hearing within thirty (30) days of notice of this action.

6.16 Civil and Criminal Liability

The permittee is liable for civil and criminal penalties for noncompliance with this permit and must comply with applicable State and Federal laws. The permit cannot be interpreted to relieve the permittee of this liability even if it has not been modified to incorporate new requirements.

6.17 Transfer of Ownership

This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

Appendix A

Definitions

Annual Report – the document submitted by the permittee on an annual basis summarizing the SWMP activities conducted during the previous reporting period.

Best Management Practice or BMP - both structural devices to store or treat stormwater runoff and non-structural programs or practices which are designed to prevent or reduce the pollution of the waters of the State of Georgia.

Construction Activity - the disturbance of soils associated with clearing, grading, excavating, filling of land, or other similar activities which may result in soil erosion.

Construction General Permits - the Georgia NPDES Permit for Stormwater Discharges Associated with Construction Activity Nos. GAR100001, GAR100002, and GAR100003, which identify the Manual for Erosion and Sediment Control in Georgia (Green Book) and stream buffer requirements.

Control Measure - any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to the waters of the State of Georgia.

Clean Water Act or CWA - the Federal Clean Water Act (formerly known as the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972), as amended.

Director - the Director of the Environmental Protection Division of the Department of Natural Resources, State of Georgia.

Discharge - discharge of a pollutant.

Discharge related activities - includes activities which cause, contribute to, or result in stormwater point source pollutant discharge; and measures to control stormwater discharges, including the siting, construction and operation of BMPs to control, reduce or prevent stormwater pollution.

EPA or USEPA - the United States Environmental Protection Agency.

EPD - the Environmental Protection Division of the Department of Natural Resources, State of Georgia.

GDOT - Georgia Department of Transportation.

Green Infrastructure/Low Impact Development (GI/LID) – management approaches, such as better site design or conservation design, or systems and practices that use or mimic natural

processes to reduce runoff and pollutant loading, that result in infiltration, evapotranspiration, or the harvesting and use of stormwater.

Illicit Connection - any man-made conveyance connecting a non-stormwater discharge directly to a municipal separate storm sewer system.

Illicit Discharge - any discharge or indirect non-stormwater discharge to a municipal separate storm sewer system including, but not limited to, sewage, process wastewater, and washwater. The discharge may be continuous or intermittent in occurrence.

Maximum Extent Practicable or MEP - the controls necessary for the reduction of pollutants discharged from a municipal separate storm sewer system. These controls may consist of a combination of BMPs, control techniques, system design and engineering methods, and such other provisions for the reduction of pollutants discharged from the MS4 as described in the Stormwater Management Program.

Municipal Separate Storm Sewer System or MS4 - a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels or storm drains, owned or operated by a municipality or other public body, designed or used for collecting or conveying stormwater runoff and is not a combined sewer or part of a Publicly Owned Treatment Works. This term includes systems similar to municipal MS4s, such as systems at military bases, large hospitals, universities, prison complexes, and highways or other thoroughfares. This definition does not include separate storm sewers in very discrete areas, such as individual buildings.

National Pollutant Discharge Elimination System or NPDES - the program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements under Sections 307, 402, 318, and 405 of the CWA.

Notice of Intent or NOI - the mechanism used to register for coverage under this general permit.

Outfall - the most downstream point (i.e. the final discharge point) on an MS4 where it discharges to waters of the State. It does not include cross-drain structures or culverts installed under a road that function only to maintain the natural flow of surface waters and drainage. However, a structure that collects or diverts drainage that has contacted road surfaces for discharge into waters of the State is considered an outfall under this Permit.

Owner or Operator - the owner or operator of any MS4 or any activity subject to regulation under the NPDES program.

Permitted Area - those areas of the State covered by a Phase I or Phase II MS4 NPDES Permit at the time of this permit issuance (see Appendix B).

Point Source - any discernible, confined and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock,

concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged into the waters of the State of Georgia. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

Pollutant - dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended), heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.

POTW - Publicly Owned Treatment Works.

Public Private Partnership (P3) - an agreement between GDOT and a private entity in which GDOT transfers construction, operations, and maintenance responsibilities to the private entity.

State Act - the Georgia Water Quality Control Act, as amended.

State Rules or Rules – the Georgia Rules and Regulations for Water Quality Control.

Stormwater - stormwater runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Discharge Associated with Industrial Activity - the discharge from any conveyance which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing, or raw materials storage areas of an industrial plant and is associated with any of the industries covered by NPDES Permit(s) for Stormwater Discharges Associated with Industrial Activity.

SWMP or Program - the Stormwater Management Program required to be developed under the terms and conditions of this permit to manage the quality of stormwater discharged from an MS4.

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 entirely confined and retained completely upon the property of a single individual, partnership, or corporation.

Appendix B
Permitted Areas

Phase I MS4s

Acworth	Duluth	Norcross
Alpharetta	East Point	Palmetto
Atlanta	Fairburn	Pine Lake
Augusta-Richmond County	Forest Park	Pooler
Austell	Forsyth County	Port Wentworth
Avondale Estates	Fulton County	Powder Springs
Berkeley Lake	Garden City	Riverdale
Bloomington	Grayson	Roswell
Buford	Gwinnett County	Savannah
Chamblee	Hapeville	Smyrna
Chatham County	Jonesboro	Snellville
Clarkston	Kennesaw	Stone Mountain
Clayton County	Lake City	Sugar Hill
Cobb County	Lawrenceville	Suwanee
College Park	Lilburn	Thunderbolt
Columbus	Lithonia	Tybee Island
Dacula	Lovejoy	Union City
Decatur	Macon-Bibb County	
DeKalb County	Marietta	
Doraville	Morrow	

Phase II MS4s

Counties

Athens-Clarke	Fayette	Madison ¹
Barrow	Floyd	Murray ¹
Bartow	Glynn	Newton
Carroll ¹	Hall	Oconee
Catoosa	Henry	Paulding
Cherokee	Houston	Peach
Columbia	Jackson ¹	Rockdale
Coweta	Jones	Spalding
Dawson ¹	Lee	Walker
Dougherty	Liberty	Walton
Douglas	Long	Whitfield
Effingham ¹	Lowndes	

Cities

Albany (Dougherty Co.)	Hoschton (Jackson Co.) ¹
Allenhurst (Liberty Co.)	Johns Creek (Fulton Co.)
Auburn (Barrow Co.)	Leesburg (Lee Co.)
Bogart (Oconee Co.)	Locust Grove (Henry Co.) ¹
Braselton (Jackson Co.) ¹	Loganville (Walton Co.)
Brookhaven (DeKalb Co.) ¹	Lookout Mountain (Walker Co.)
Brunswick (Glynn Co.)	McDonough (Henry Co.)
Byron (Peach Co.)	Milton (Fulton Co.)
Canton (Cherokee Co.)	Mountain Park (Fulton Co.)
Cartersville (Bartow Co.) ¹	Newnan (Coweta Co.)
Centerville (Houston Co.)	Oakwood (Hall Co.)
Chatsworth (Murray Co.) ¹	Oxford (Newton Co.)
Chickamauga (Walker Co.)	Peachtree City (Fayette Co.)
Conyers (Rockdale Co.)	Peachtree Corners (Gwinnett Co.)
Cordele (Crisp Co.)	Perry (Houston Co.) ¹
Covington (Newton Co.)	Porterdale (Newton Co.)
Cumming (Forsyth Co.)	Remerton (Lowndes Co.)
Dallas (Paulding Co.)	Richmond Hill (Bryan Co.) ¹
Dalton (Whitfield Co.)	Ringgold (Catoosa Co.)
Douglasville (Douglas Co.)	Rome (Floyd Co.)
Dunwoody (DeKalb Co.)	Rossville (Walker Co.)
Emerson (Bartow Co.)	Sandy Springs (Fulton Co.)
Eton (Murray Co.) ¹	Senoia (Coweta Co.) ¹
Euharlee (Bartow Co.) ¹	South Fulton (Fulton Co.) ²
Fayetteville (Fayette Co.)	Stockbridge (Henry Co.)
Flemington (Liberty Co.)	Temple (Carroll Co.)
Flowery Branch (Hall Co.)	Tunnel Hill (Whitfield Co.)
Fort Oglethorpe (Catoosa Co.)	Tyrone (Fayette Co.)
Gainesville (Hall Co.)	Valdosta (Lowndes Co.)
Griffin (Spalding Co.)	Varnell (Whitfield Co.)
Grovetown (Columbia Co.)	Villa Rica (Carroll Co.)
Hahira (Lowndes Co.) ¹	Walnut Grove (Walton Co.)
Hampton (Henry Co.)	Walthourville (Liberty Co.)
Hephzibah (Richmond Co.)	Warner Robins (Houston Co.)
Hinesville (Liberty Co.)	Watkinsville (Oconee Co.)
Hiram (Paulding Co.)	Winterville (Clarke Co.)
Holly Springs (Cherokee Co.)	Woodstock (Cherokee Co.)

¹Added to GDOT's permitted area with the 2017 permit iteration.

²Added to GDOT's permitted area based on EPD designation after the 2017 permit issuance.