

SUMMARY PAGE

Name of Facility: City of Gainesville – Linwood WPCP

NPDES Permit No.: GA0020168

This is a modification of the NPDES permit for the Linwood WPCP. The facility is permitted to discharge up to 5.0 MGD (monthly average) of treated domestic wastewater into Lake Sidney Lanier in the Chattahoochee River Basin. The permit is being modified to include a new total phosphorus loading limit in accordance with the 2017 TMDL for Lake Lanier in the Chattahoochee River Basin.

The permit was placed on public notice from August 15, 2019 to September 14, 2019.

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

Part I.B.:

- Added a mass loading limit for Total Phosphorus of 1,705 lb/year in accordance with the 2017 TMDL requirements for Lake Lanier in the Chattahoochee River Basin for chlorophyll *a*.

Standard Conditions & Boilerplate Modifications:

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

Final Permit Determinations and Public Comments:

- ☐ Final issued permit did not change from the draft permit placed on public notice.
- ☒ Public comments were received during public notice period.
- ☐ Public hearing was held on
- ☒ Final permit includes changes from the draft permit placed on public notice. See attached permit revisions and/or permit fact sheet revisions.

PERMIT REVISIONS

**City of Gainesville
Linwood Water Pollution Control Plant (WPCP)
Permit No. GA0020168
Hall County, Chattahoochee River Basin**

Were there any revisions between the draft and the final permit? ☒ Yes ☐ No

If yes, specify:

- Part I.B.1 Modified footnote number two (2) requiring the facility to report the total monthly load (lb) on each discharge monitoring report for total phosphorus.
- Part I.B.2 Modified footnote number two (2) requiring the facility to report the total monthly load (lb) on each discharge monitoring report for total phosphorus.



GEORGIA

DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

Richard E. Dunn, Director

Watershed Protection Branch
2 Martin Luther King, Jr. Drive
Suite 1152, East Tower
Atlanta, Georgia 30334
404-463-1511

Persons who commented on
Draft NPDES Permit No. GA0020168

NOV 07 2019

RE: EPD Response to Comments
City of Gainesville
Linwood Water Pollution Control Plant (WPCP)
Permit No. GA0020168
Hall County, Chattahoochee River Basin

Dear Sir/Madam:

Thank you for your comments regarding the permit issuance for the City of Gainesville - Linwood Water Pollution Control Plant National Pollutant Discharge Elimination System Permit. Attached is a summary of comments from the public and our responses to the issue raised. In addition, we have attached the Permit Revisions documenting the changes made to the attached permit. We appreciate your interest in this matter.

After consideration of your comments, EPD has determined that the permit is protective of water quality standards and we have issued the permit.

If you have any questions, please contact Benoit Causse of my staff at 404-463-1511.

Sincerely,

Audra Dickson, Manager
Wastewater Regulatory Program

AD/sr

Attachment: Response to Comments, Permit Revisions

**Public Comments and EPD Responses on Draft NPDES Permit
City of Gainesville (Linwood WPCP) – Permit No. GA0020168**

COMMENT RECEIVED	EPD RESPONSE
<p>In December 2017, EPD finalized the Total Maximum Daily Load Evaluation for Lake Lanier in the Chattahoochee River Basin (TMDL), which characterized current inputs for the purpose of determining the appropriate path forward for controlling nutrients. The purpose of reopening the permit at this time is to include the annual total phosphorus load of 1,705 lbs/year in accordance with the TMDL. We appreciate that EPD has included the new annual effluent limits for total phosphorus in Table B.1 and Table B.2 of the permit and not as a footnote. We also appreciate that the weekly average and monthly average concentration based effluent limits for total phosphorus are consistent with the annual load.</p> <p>Still, the permit is inconsistent as to how it represents weekly and monthly total phosphorus and the annual load of total phosphorus in Table B.1 and Table B.2. Weekly and monthly total phosphorus load is calculated in kg/day while the units on the annual load are in lbs/year. We believe that for consistency and for ease in understanding and meeting permit conditions, the annual load should be calculated in both kg/year and lbs/year.</p>	<p>Comment noted. The permit has weekly average and monthly average loading effluent limits in units of kg/day. The referenced TMDL included annual wasteload allocations for total phosphorus in the units of lbs/year. To convert kilograms to pounds, multiply the kilogram value by 2.2. No changes were made to the permit.</p>



GEORGIA

DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

Richard E. Dunn, Director

EPD Director's Office
2 Martin Luther King, Jr. Drive
Suite 1456, East Tower
Atlanta, Georgia 30334
404-656-4713

NOV 7 2019

Ms. Linda MacGregor, Director of Water Resources
City of Gainesville
757 Queen City Parkway SW
Gainesville, GA 30501

RE: Permit Modification
Linwood Water Pollution Control Plant
NPDES Permit No. GA0020168
Hall County, Chattahoochee River Basin

Dear Ms. MacGregor:

Pursuant to the Georgia Water Quality Control Act, as amended; the Federal Water Pollution Control Act, as amended; and the Rules and Regulations promulgated thereunder, we have today issued the attached National Pollutant Discharge Elimination System (NPDES) permit for the referenced wastewater treatment facility. The permit has been modified to implement the requirements from the Total Maximum Daily Load (TMDL) for Lake Lanier for chlorophyll- α completed in December 2017 in accordance with the Georgia Water Quality Control Act and the Federal Clean Water Act.

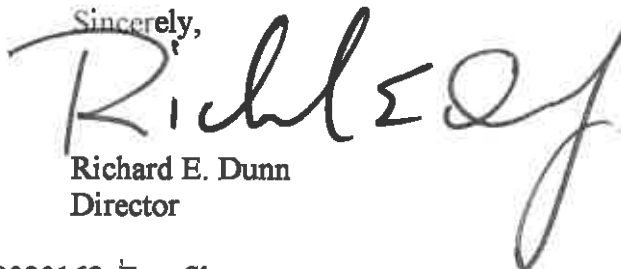
Your facility has been assigned to the following EPD office for reporting and compliance:

Georgia Environmental Protection Division
Watershed Compliance Program
2 Martin Luther King Jr. Drive
Suite 1152 East
Atlanta, GA 30334

Please be advised that on and after the effective date indicated in the attached NPDES permit, the permittee must comply with all the terms, conditions and limitations of this permit.

If you have any questions, please contact Stephanie Reed at 404-463-0665 or stephanie.reed@dnr.ga.gov.

Sincerely,



Richard E. Dunn
Director

RED\sr

Attachment: NPDES Permit No. GA0020168, Fact Sheet

cc: EPA Region IV Mailbox (R4NPDESPermits@epa.gov)
Marzieh Shabbaz, EPD Municipal Compliance Unit (Marzieh.shabbaz@dnr.ga.gov)
Hsin-Sheng Yeh, EPD Municipal Compliance Unit (Hsin-Sheng.Yeh@dnr.ga.gov)
Don Dye, City of Gainesville (ddye@gainesville.org)
Danny Ingram, City of Gainesville (d Ingram@gainesville.org)



ENVIRONMENTAL PROTECTION DIVISION

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

In accordance with the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended), hereinafter called the State Act; the Federal Water Pollution Control Act, as amended (33 U.S. C. 1251 et seq.), hereinafter called the Federal Act; and the Rules and Regulations promulgated pursuant to each of these Acts,

**City of Gainesville
757 Queen City Parkway SW
Gainesville, Georgia 30501**

is authorized to discharge from a facility located at

**Linwood Water Pollution Control Plant (WPCP)
500 Linwood Drive
Gainesville, Georgia 30501
(Hall County)**

to receiving waters

**Lake Sidney Lanier
(Chattahoochee River Basin)**

in accordance with effluent limitations, monitoring requirements and other conditions set forth in the permit.

This permit is issued in reliance upon the permit application signed on July 5, 2014, any other applications upon which this permit is based, supporting data entered therein or attached thereto, and any subsequent submittal of supporting data.

This is a modification of the permit originally issued on August 1, 2017 and subsequently modified on September 12, 2017. All compliance schedules outlined in this permit shall be based on the effective date of September 1, 2017.

This permit shall become effective on December 1, 2019.

This permit and the authorization to discharge shall expire at midnight, July 31, 2022.



**Director,
Environmental Protection Division**

PART I

EPD is the Environmental Protection Division of the Department of Natural Resources.

The Federal Act referred to is The Clean Water Act.

The State Act referred to is The Water Quality Control Act (Act No. 870).

The State Rules referred to are The Rules and Regulations for Water Quality Control (Chapter 391-3-6).

A. SPECIAL CONDITIONS

1. MONITORING

The concentration of pollutants in the discharge will be limited as indicated by the table(s) labeled "Effluent Limitations and Monitoring Requirements."

- a. The monthly average, other than for fecal coliform bacteria, is the arithmetic mean of values obtained for samples collected during a calendar month.
- b. The weekly average, other than for fecal coliform bacteria, is the arithmetic mean of values obtained for samples collected during a 7-day period. The week begins 12:00 midnight Saturday and ends at 12:00 midnight the following Saturday. To define a different starting time for the sampling period, the permittee must notify the EPD in writing. For reporting required by Part I.D.1. of this permit, a week that starts in one month and ends in another month shall be considered part of the second month. The permittee may calculate and report the weekly average as a 7-day moving average.
- c. Fecal coliform bacteria will be reported as the geometric mean of the values for the samples collected during the time periods in I.A.1.a. and I.A.1.b.
- d. Untreated wastewater influent samples required by I.B. shall be collected before any return or recycle flows. These flows include returned activated sludge, supernatants, concentrates, filtrates, and backwash.
- e. Effluent samples required by I.B. of this permit shall be collected after the final treatment process and before discharge to receiving waters. Composite samples may be collected before disinfection with written EPD approval.
- f. A composite sample shall consist of a minimum of 13 subsamples collected at least once every 2 hours for at least 24 hours and shall be composited proportionately to flow.
- g. Flow measurements shall be conducted using the flow measuring device(s) in accordance with the approved design of the facility. If instantaneous measurements are required, then the permittee shall have a primary flow measuring device that is correctly installed and maintained. If continuous recording measurements are required, then flow measurements

must be made using continuous recording equipment. Calibration shall be maintained of the continuous recording instrumentation to $\pm 10\%$ of the actual flow.

Flow shall be measured manually to check the flow meter calibration at a frequency of once a month. If secondary flow instruments are in use and malfunction or fail to maintain calibration as required, the flow shall be computed from manual measurements or by other method(s) approved by EPD until such time as the secondary flow instrument is repaired. For facilities which utilize alternate technologies for measuring flow, the flow measurement device must be calibrated semi-annually by qualified personnel.

Records of the calibration checks shall be maintained.

- h. If secondary flow instruments malfunction or fail to maintain calibration as required in I.A.1.g., the flow shall be computed from manual measurements taken at the times specified for the collection of composite samples.
- i. Some parameters will be reported as "not detected" when they are below the detection limit and will then be considered in compliance with the effluent limit. The detection limit will also be reported.

2. SLUDGE DISPOSAL REQUIREMENTS

Sludge shall be disposed of according to the regulations and guidelines established by the EPD and the Federal Act section 405(d) and (e), and the Resource Conservation and Recovery Act (RCRA). In land applying nonhazardous municipal sewage sludge, the permittee shall comply with the general criteria outlined in the most current version of the EPD "Guidelines for Land Application of Sewage Sludge (Biosolids) at Agronomic Rates" and with the State Rules, Chapter 391-3-6-.17. Before disposing of municipal sewage sludge by land application or any method other than co-disposal in a permitted sanitary landfill, the permittee shall submit a sludge management plan to EPD for written approval. This plan will become a part of the NPDES Permit after approval and modification of the permit. The permittee shall notify the EPD of any changes planned in an approved sludge management plan.

If an applicable management practice or numerical limitation for pollutants in sewage sludge is promulgated under Section 405(d) of the Federal Act after approval of the plan, then the plan shall be modified to conform with the new regulations.

3. SLUDGE MONITORING REQUIREMENTS

The permittee shall develop and implement procedures to ensure adequate year-round sludge disposal. The permittee shall monitor and maintain records documenting the quantity of sludge removed from the facility. Records shall be maintained documenting that the quantity of solids removed from the facility equals the solids generated on an average day. The total quantity of sludge removed from the facility during the reporting period shall be reported each month with the Discharge Monitoring Reports as required under Part I.D.1. of this permit. The quantity shall be reported on a dry weight basis (dry tons).

4. INTRODUCTION OF POLLUTANTS INTO THE PUBLICLY OWNED TREATMENT WORKS (POTW)

The permittee must notify EPD of:

- a. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to Sections 301 or 306 of the Federal Act if the pollutants were directly discharged to a receiving stream; and
- b. Any substantial change in the volume or character of pollutants from a source that existed when the permit was issued.

This notice shall include information on the quality and quantity of the indirect discharge introduced and any anticipated impact on the quantity or quality of effluent to be discharged from the POTW.

5. EFFLUENT TOXICITY AND BIOMONITORING REQUIREMENTS

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

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

- a. Acute biomonitoring tests;
- b. Chronic biomonitoring tests;
- c. Stream studies;
- d. Priority pollutant analyses;
- e. Toxicity reduction evaluations (TRE); or
- f. Any other appropriate study.

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

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

B.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Discharge to Lake Sidney Lanier - Outfall #001 (34.3279474° -83.8567901°):

The discharge from the water pollution control plant (WPCP) shall be limited and monitored by the permittee as follows beginning on the issuance date of the permit and continuing until EPD provides written approval of construction completion of the 7.0 MGD system upgrade as specified below:

Parameters	Discharge limitations in mg/L (kg/day) unless otherwise specified		Monitoring Requirements		
	Monthly Average	Weekly Average	Measurement Frequency	Sample Type	Sample Location
Flow (MGD)	5.0	6.25	Seven Days/Week	Continuous Recording	Effluent
Carbonaceous Five-Day Biochemical Oxygen Demand ⁽¹⁾	2.5 (47)	3.8 (59)	Five Days/Week	Composite	Influent & Effluent
Total Suspended Solids ⁽¹⁾	10 (190)	15 (237)	Five Days/Week	Composite	Influent & Effluent
Ammonia, as N ⁽²⁾	0.5 (9.5)	0.8 (11.9)	Five Days/Week	Composite	Effluent
Total Phosphorus, as P ⁽³⁾	0.13 (2.5)	0.20 (3.1)	Five Days/Week	Composite	Effluent
Fecal Coliform Bacteria (#/100 mL)	23	50	Three Days/Week	Grab	Effluent

⁽¹⁾ Numeric limits only apply to the effluent.

⁽²⁾ Ammonia, organic nitrogen, nitrate-nitrite, and total Kjeldahl nitrogen (TKN) must be analyzed or calculated from the same sample. Organic nitrogen, as N = TKN – ammonia, as N.

⁽³⁾ Total phosphorus and orthophosphate must be analyzed from the same sample.

(Effluent limitations continued on the next page)

B.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

(CONTINUED)

Discharge to Lake Sidney Lanier - Outfall 001 (34.3279474° -83.8567901°):

Parameters	Discharge limitations in mg/L unless otherwise specified	Monitoring Requirements		
		Measurement Frequency	Sample Type	Sample Location
Carbonaceous Five-Day Biochemical Oxygen Demand Removal, Minimum (%) ⁽¹⁾	85	See Below	See Below	See Below
Total Suspended Solids Removal, Minimum (%) ⁽¹⁾	85	See Below	See Below	See Below
pH, Daily Minimum – Daily Maximum (Standard Unit)	6.0 – 9.0	Seven Days/Week	Grab	Effluent
Dissolved Oxygen, Daily Minimum	7.0	Seven Days/Week	Grab	Effluent
Total Phosphorus, as P, Annual Maximum (lb/year) ^(2,3)	1705	One Day/Year	Calculated	Effluent
Orthophosphate, as P ⁽³⁾	Report	One Day/Month	Composite	Effluent
Organic Nitrogen, as N ⁽⁴⁾	Report	One Day/Month	Composite	Effluent
Nitrate-Nitrite, as N ⁽⁴⁾	Report	One Day/Month	Composite	Effluent
Total Kjeldahl Nitrogen, as N ⁽⁴⁾	Report	One Day/Month	Composite	Effluent
Chronic Whole Effluent Toxicity (%) ⁽⁵⁾	Report NOEC	Annually	Composite	Effluent
Temperature (°F) ⁽⁶⁾	Report	Five Days/Week	Grab	Effluent

- (1) Percent removal shall be calculated from monthly average influent and effluent concentrations. Influent and effluent samples shall be collected at approximately the same time.
- (2) The annual cumulative quantity of total phosphorus (lb/year) shall be reported on the March DMR. For reporting purposes, annual maximum quantity refers to the total amount of total phosphorus (lb/year) discharged between April 1 and March 31. On a monthly basis, the permittee shall calculate and report the monthly loading of total phosphorus (lb/month), as well as the cumulative quantity in the current annual reporting period.
- (3) Total phosphorus and orthophosphate must be analyzed from the same sample.
- (4) Ammonia, organic nitrogen, nitrate-nitrite, and total Kjeldahl nitrogen (TKN) must be analyzed or calculated from the same sample. Organic nitrogen, as N = TKN – ammonia, as N
- (5) Refer to Part I.C.9. **CHRONIC WHOLE EFFLUENT TOXICITY (WET).**
- (6) Effluent temperature shall be recorded continuously at 60 minute intervals (or higher frequency). The permittee will report minimum, maximum and monthly average on the Discharge Monitoring Reports.

B.2. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Discharge to Lake Sidney Lanier - Outfall #001 (34.3279474° -83.8567901°):

The discharge from the water pollution control plant (WPCP) shall be limited and monitored by the permittee as follows beginning the date that EPD provides written approval of construction completion of the 7.0 MGD system upgrade as specified below:

Parameters	Discharge limitations in mg/L (kg/day) unless otherwise specified		Monitoring Requirements		
	Monthly Average	Weekly Average	Measurement Frequency	Sample Type	Sample Location
Flow (MGD)	7.0	8.75	Seven Days/Week	Continuous Recording	Effluent
Carbonaceous Five-Day Biochemical Oxygen Demand ⁽¹⁾	2.5 (66)	3.8 (83)	Five Days/Week	Composite	Influent & Effluent
Total Suspended Solids ⁽¹⁾	10 (265)	15 (332)	Five Days/Week	Composite	Influent & Effluent
Ammonia, as N ⁽²⁾	0.5 (13.3)	0.8 (16.6)	Five Days/Week	Composite	Effluent
Total Phosphorus, as P ⁽³⁾	0.13 (3.5)	0.20 (4.3)	Five Days/Week	Composite	Effluent
Fecal Coliform Bacteria (#/100 mL)	23	50	Three Days/Week	Grab	Effluent

⁽¹⁾ Numeric limits only apply to the effluent.

⁽²⁾ Ammonia, organic nitrogen, nitrate-nitrite, and total Kjeldahl nitrogen (TKN) must be analyzed or calculated from the same sample. Organic nitrogen, as N = TKN – ammonia, as N.

⁽³⁾ Total phosphorus and orthophosphate must be analyzed from the same sample.

(Effluent limitations continued on the next page)

B.2. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

(CONTINUED)

Discharge to Lake Sidney Lanier - Outfall 001 (34.3279474° -83.8567901°):

Parameters	Discharge limitations in mg/L unless otherwise specified	Monitoring Requirements		
		Measurement Frequency	Sample Type	Sample Location
Carbonaceous Five-Day Biochemical Oxygen Demand Removal, Minimum (%) ⁽¹⁾	85	See Below	See Below	See Below
Total Suspended Solids Removal, Minimum (%) ⁽¹⁾	85	See Below	See Below	See Below
pH, Daily Minimum – Daily Maximum (Standard Unit)	6.0 – 9.0	Seven Days/Week	Grab	Effluent
Dissolved Oxygen, Daily Minimum	7.0	Seven Days/Week	Grab	Effluent
Total Phosphorus, as P, Annual Maximum (lb/year) ^(2,3)	1705	One Day/Year	Calculated	Effluent
Orthophosphate, as P ⁽³⁾	Report	One Day/Month	Composite	Effluent
Organic Nitrogen, as N ⁽⁴⁾	Report	One Day/Month	Composite	Effluent
Nitrate-Nitrite, as N ⁽⁴⁾	Report	One Day/Month	Composite	Effluent
Total Kjeldahl Nitrogen, as N ⁽⁴⁾	Report	One Day/Month	Composite	Effluent
Chronic Whole Effluent Toxicity (%) ⁽⁵⁾	Report NOEC	Annually	Composite	Effluent
Temperature (°F) ⁽⁶⁾	Report	Five Days/Week	Grab	Effluent
Long Term Biochemical Oxygen Demand ⁽⁷⁾	Report	See Below	Composite	Effluent
Priority Pollutants ⁽⁸⁾	Report	See Below	Composite	Effluent

- (1) Percent removal shall be calculated from monthly average influent and effluent concentrations. Influent and effluent samples shall be collected at approximately the same time.
- (2) The annual cumulative quantity of total phosphorus (lb/year) shall be reported on the March DMR. For reporting purposes, annual maximum quantity refers to the total amount of total phosphorus (lb/year) discharged between April 1 and March 31. On a monthly basis, the permittee shall calculate and report the monthly loading of total phosphorus (lb/month), as well as the cumulative quantity in the current annual reporting period.
- (3) Total phosphorus and orthophosphate must be analyzed from the same sample.
- (4) Ammonia, organic nitrogen, nitrate-nitrite, and total Kjeldahl nitrogen (TKN) must be analyzed or calculated from the same sample. Organic nitrogen, as N = TKN – ammonia, as N
- (5) Refer to Part I.C.9. CHRONIC WHOLE EFFLUENT TOXICITY (WET).
- (6) Effluent temperature shall be recorded continuously at 60 minute intervals (or higher frequency). The permittee will report minimum, maximum and monthly average on the Discharge Monitoring Reports.
- (7) Refer to Part I.C.11. LONG TERM BIOCHEMICAL OXYGEN DEMAND.
- (8) Refer to Part I.C.10. PRIORITY POLLUTANTS

C. MONITORING AND REPORTING

1. REPRESENTATIVE SAMPLING

Samples and measurements of the monitored waste shall represent the volume and nature of the waste stream. The permittee shall maintain a written sampling and monitoring schedule.

2. SAMPLING PERIOD

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

3. MONITORING PROCEDURES

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

4. RECORDING OF RESULTS

For each required parameter analyzed, the permittee shall record:

- a. The exact place, date, and time of sampling, and the person(s) collecting the sample. For flow proportioned composite samples, this shall include the instantaneous flow and the corresponding volume of each sample aliquot, and other information relevant to document flow proportioning of composite samples;
- b. The dates and times the analyses were performed;
- c. The person(s) who performed the analyses;
- d. The analytical procedures or methods used; and
- e. The results of all required analyses.

5. ADDITIONAL MONITORING BY PERMITTEE

If the permittee monitors required parameters at the locations designated in I.B. more frequently than required, the permittee shall analyze all samples using approved analytical methods specified in I.C.3. The results of this additional monitoring shall be included in calculating and reporting the values on the Discharge Monitoring Report forms. The permittee shall indicate the monitoring frequency on the report. The EPD may require in writing more frequent monitoring, or monitoring of other pollutants not specified in this permit.

6. RECORDS RETENTION

The permittee shall retain records of:

- a. All laboratory analyses performed including sample data, quality control data, and standard curves;
- b. Calibration and maintenance records of laboratory instruments;
- c. Calibration and maintenance records and recordings from continuous recording instruments;
- d. Process control monitoring records;
- e. Facility operation and maintenance records;
- f. Copies of all reports required by this permit;
- g. All data and information used to complete the permit application; and
- h. All monitoring data related to sludge use and disposal.

These records shall be kept for at least three years. Sludge handling records must be kept for at least five years. Either period may be extended by EPD written notification.

7. PENALTIES

Both the Federal and State Acts provide that any person who falsifies or tampers with 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 shall, if convicted, be punished by a fine or by imprisonment or by both. The 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 of the EPD.

8. WATERSHED PROTECTION PLAN

The permittee has a Watershed Protection Plan that has been approved by EPD. The permittee's approved Watershed Protection Plan shall be enforceable through this permit.

Each June 30th the permittee is to submit the following to EPD:

- a. An annual certification statement documenting that the plan is being implemented as approved. The certification statement shall read as follows: "I certify, under penalty of law, that the Watershed Protection Plan is being implemented. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
- b. All Watershed Plan data collected during the previous year in an electronic format. This data shall be archived using a digital format such as a spreadsheet developed in coordination with EPD. All archived records, data, and information pertaining to the Watershed Protection Plan shall be maintained permanently.
- c. A progress report that provides a summary of the BMPs that have been implemented and documented water quality improvements. The progress report shall also include any necessary changes to the Watershed Protection Plan.

The report and other information shall be submitted to EPD at the address below:

Environmental Protection Division
Watershed Planning and Monitoring Program
2 Martin Luther King Jr. Drive SE
Suite 1152 East
Atlanta, Georgia 30334

9. CHRONIC WHOLE EFFLUENT TOXICITY (WET)

B.1. Effluent Limitations

The permittee must conduct annual chronic Whole Effluent Toxicity (WET) tests. The testing must be conducted in accordance with the most current U.S. Environmental Protection Agency (EPA) chronic aquatic toxicity testing manuals. The referenced document is entitled Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, 4th Edition, U.S. EPA, 821-R-02-013, October 2002. Definitive tests must be run on the same samples concurrently using both an invertebrate species (i.e., *Ceriodaphnia dubia*) and a vertebrate species (i.e., *Pimephales promelas*). The testing must include a dilution equal to the facility's instream wastewater concentration (IWC) of 5.0%.

EPD will evaluate the WET tests submitted to determine whether toxicity has been demonstrated. An effluent discharge will not be considered toxic if the No Observed Effect Concentration (NOEC) is greater than or equal to the Instream Wastewater Concentration (IWC) of 5.0%. If the test results indicate effluent toxicity, the permittee may be required to perform additional tests or

studies in accordance with Part I.C.5 of the permit and/or the permit may be modified to include a chronic WET limit.

B.2. Effluent Limitations

The permittee must conduct annual chronic Whole Effluent Toxicity (WET) tests. The testing must be conducted in accordance with the most current U.S. Environmental Protection Agency (EPA) chronic aquatic toxicity testing manuals. The referenced document is entitled Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, 4th Edition, U.S. EPA, 821-R-02-013, October 2002. Definitive tests must be run on the same samples concurrently using both an invertebrate species (i.e., *Ceriodaphnia dubia*) and a vertebrate species (i.e., *Pimephales promelas*). The testing must include a dilution equal to the facility's instream wastewater concentration (IWC) of 5.0%.

EPD will evaluate the WET tests submitted to determine whether toxicity has been demonstrated. An effluent discharge will not be considered toxic if the No Observed Effect Concentration (NOEC) is greater than or equal to the Instream Wastewater Concentration (IWC) of 5.0%. If the test results indicate effluent toxicity, the permittee may be required to perform additional tests or studies in accordance with Part I.C.5 of the permit and/or the permit may be modified to include a chronic WET limit.

10. PRIORITY POLLUTANTS

The permittee must conduct one scan of the priority pollutants for three consecutive quarters after receiving EPD written authorization to commence operation under Part I.B.2 effluent limitations (7.0 MGD), with the first scan conducted within 90 days of the authorization. The priority pollutant scans must represent seasonal variation. Total recoverable mercury must be sampled and analyzed using EPA Method 1631E. If substances are measured at levels of concern, then the permittee may be required to perform additional priority pollutant analyses in accordance with Part I.C.5 or the permit may be modified to include effluent limitations for priority pollutants.

11. LONG-TERM BIOCHEMICAL OXYGEN DEMAND TESTING

The permittee shall perform a 120-day Long-Term BOD test once during the permit cycle. The test should be performed on an effluent sample collected during the critical period from June 1 through September 30. The results of this test shall be submitted to EPD at least 180 days prior to the permit expiration date to the following address:

Environmental Protection Division
Watershed Planning and Monitoring Program
2 Martin Luther King Jr. Drive SE
Suite 1152 East
Atlanta, Georgia 30334

12. OUTFALL UPGRADE COMPLIANCE SCHEDULE

The permittee shall complete upgrades of the outfall and diffuser at the WPCP. The upgrade shall be conducted in accordance with the following schedule:

- a. Within 6 months of the original date of the permit, the permittee shall submit a report to EPD with the configuration of the current diffuser and mixing characteristics. This report shall include data on nitrogen and temperature loading at the outfall and a Cormix model. EPD will notify the permittee in writing after review of the report required by 13.a. whether the items 13.b-e below shall be completed.

If it is determined by EPD that the mixing characteristics do not allow adequate mixing at the diffuser that will allow the WPCP to meet the applicable WQS at the outfall location and that a new diffuser and outfall upgrades are necessary, the permittee shall continue with items 13.b-e below.

- b. Within 12 months of the original effective date of the permit, the permittee shall submit a design development report (DDR) to EPD for a diffuser and outfall upgrades that will allow the WPCP to meet the applicable WQS at the outfall location.
- c. Within 20 months of the original effective date of the permit, shall submit plans and specifications in accordance with the approved DDR.
- d. Within 26 months of the original effective date of the permit, the permittee shall begin construction of the diffuser and outfall upgrades in accordance with the approved DDR and the plans and specifications.
- e. Within 34 months of the original effective date of the permit, the permittee shall submit a report updating the status of project construction.
- f. Within 42 months of the original effective date of the permit, the permittee shall complete construction and begin operation of the upgraded diffuser and outfall in accordance with the approved DDR.

If at any time during the 42-month compliance schedule the permittee believes that the facility will be able to consistently meet water quality standards without having to modify the outfall and diffuser, then the permittee may choose to write a letter to EPD stating this. The letter needs to include CORMIX modeling results or data supporting the permittee's position. Upon written notification by EPD, the permittee may be excused from completing any remaining items in the above compliance schedule. If the permittee does not receive written notification from EPD releasing it from the compliance schedule, then the permittee is required to complete all items in the schedule by the dates indicated and will be required to begin operation of the upgraded diffuser and outfall within 42 months of the issuance date of the permit.

D. REPORTING REQUIREMENTS

1. The permittee must electronically report the DMR, OMR and additional monitoring data using the web based electronic NetDMR reporting system, unless a waiver is granted by EPD.
 - a. The permittee must comply with the Federal National Pollutant Discharge Elimination System Electronic Reporting regulations in 40 CFR §127. The permittee must electronically report the DMR, OMR, and additional monitoring data using the web based electronic NetDMR reporting system online at: <https://netdmr.epa.gov/netdmr/public/home.htm>
 - b. Monitoring results obtained during the calendar month shall be summarized for each month and reported on the DMR. The results of each sampling event shall be reported on the OMR and submitted as an attachment to the DMR.
 - c. The permittee shall submit the DMR, OMR and additional monitoring data no later than 11:59 p.m. on the 15th day of the month following the sampling period.
 - d. All other reports required herein, unless otherwise stated, shall be submitted to the EPD Office listed on the permit issuance letter signed by the Director of EPD.
2. No later than December 21, 2020, the permittee must electronically report the following compliance monitoring data and reports using the online web based electronic system approved by EPD, unless a waiver is granted by EPD:
 - a. Sewage Sludge/Biosolids Annual Program Reports provided that the permittee has an approved Sewage Sludge (Biosolids) Plan;
 - b. Pretreatment Program Reports provided that the permittee has an approved Industrial Pretreatment Program in this permit;
 - c. Sewer Overflow/Bypass Event Reports;
 - d. Noncompliance Notification;
 - e. Other noncompliance; and
 - f. Bypass

3. OTHER REPORTS

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

4. OTHER NONCOMPLIANCE

All instances of noncompliance not reported under Part I.B. and Part II.A. shall be reported to EPD at the time the monitoring report is submitted.

5. SIGNATORY REQUIREMENTS

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

- a. Any State or NPDES Permit Application form submitted to the EPD shall be signed as follows in accordance with the Federal Regulations, 40 C.F.R. 122.22:
 1. For a corporation, by a responsible corporate officer. A responsible corporate officer means:
 - i. a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision making functions for the corporation, or
 - ii. the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
 3. For a municipality, State, Federal, or other public facility, by either a principal executive officer or ranking elected official.
- b. All other reports or requests for information required by the permit issuing authority shall be signed by a person designated in (a) above or a duly authorized representative of such person, if:
 1. The representative so authorized is responsible for the overall operation of the facility from which the discharge originates, e.g., a plant manager, superintendent or person of equivalent responsibility;
 2. The authorization is made in writing by the person designated under (a) above; and
 3. The written authorization is submitted to the Director.
- c. Any changes in written authorization submitted to the permitting authority under (b) above which occur after the issuance of a permit shall be reported to the permitting authority by submitting a copy of a new written authorization which meets the requirements of (b) and (b.1) and (b.2) above.
- d. Any person signing any document under (a) or (b) above shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified

personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

PART II

A. MANAGEMENT REQUIREMENTS

1. PROPER OPERATION AND MAINTENANCE

The permittee shall properly maintain and operate efficiently all treatment or control facilities and related equipment installed or used by the permittee to achieve compliance with this permit. Efficient operation and maintenance include effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. Back-up or auxiliary facilities or similar systems shall be operated only when necessary to achieve permit compliance.

2. PLANNED CHANGE

Any anticipated facility expansions, or process modifications which will result in new, different, or increased discharges of pollutants requires the submission of a new NPDES permit application. If the changes will not violate the permit effluent limitations, the permittee may notify EPD without submitting an application. The permit may then be modified to specify and limit any pollutants not previously limited.

3. TWENTY-FOUR HOUR REPORTING

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

- a. A description of the noncompliance and its cause; and
- b. The period of noncompliance, including the exact date and times; or, if not corrected, the anticipated time the noncompliance is expected to continue; and
- c. The steps taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

4. ANTICIPATED NONCOMPLIANCE NOTIFICATION

The permittee shall give written notice to the EPD at least 10 days before:

- a. Any planned changes in the permitted facility; or
- b. Any activity which may result in noncompliance with the permit.

5. OTHER NONCOMPLIANCE

The permittee must report all instances of noncompliance not reported under other specific reporting requirements, at the time monitoring reports are submitted. The reports shall contain the information required under conditions of twenty-four hour reporting.

6. OPERATOR CERTIFICATION REQUIREMENTS

The person responsible for the daily operation of the facility must be a Class I Certified Operator in compliance with the Georgia State Board of Examiners for Certification of Water and Wastewater Plant Operators and Laboratory Analysts Act, as amended, and as specified by Subparagraph 391-3-6-.12 of the Rules and Regulations for Water Quality Control. All other operators must have the minimum certification required by this Act.

7. LABORATORY ANALYST CERTIFICATION REQUIREMENTS

Laboratory Analysts must be certified in compliance with the Georgia State Board of Examiners for Certification of Water and Wastewater Treatment Plant Operators and Laboratory Analysts Act, as amended.

8. BYPASSING

Any diversion of wastewater from or bypassing of wastewater around the permitted treatment works is prohibited, except if:

- a. Bypassing is unavoidable to prevent loss of life, personal injury, or severe property damage;
- b. There are no feasible alternatives to bypassing; and
- c. The permittee notifies the EPD at least 10 days before the date of the bypass.

Feasible alternatives to bypassing include use of auxiliary treatment facilities and retention of untreated waste. The permittee must take all possible measures to prevent bypassing during routine preventative maintenance by installing adequate back-up equipment.

The permittee shall operate the facility and the sewer system to minimize discharge of pollutants from combined sewer overflows or bypasses and may be required by the EPD to submit a plan and schedule to reduce bypasses, overflows, and infiltration.

Any unplanned bypass must be reported following the requirements for noncompliance notification specified in II.A.3. The permittee may be liable for any water quality violations that occur as a result of bypassing the facility.

9. POWER FAILURES

If the primary source of power to this water pollution control facility is reduced or lost, the permittee shall use an alternative source of power to reduce or control all discharges to maintain permit compliance.

10. DUTY TO MITIGATE

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge disposal which might adversely affect human health or the environment.

11. NOTICE CONCERNING ENDANGERING WATERS OF THE STATE

Whenever, because of an accident or otherwise, any toxic or taste and color producing substance, or any other substance which would endanger downstream users of the waters of the State or would damage property, is discharged into such waters, or is so placed that it might flow, be washed, or fall into them, it shall be the duty of the person in charge of such substances at the time to forthwith notify EPD in person or by telephone of the location and nature of the danger, and it shall be such person's further duty to immediately take all reasonable and necessary steps to prevent injury to property and downstream users of said water.

Spills and Major Spills:

A "spill" is any discharge of raw sewage by a Publicly Owned Treatment Works (POTW) to the waters of the State.

A "major spill" means:

1. The discharge of pollutants into waters of the State by a POTW that exceeds the weekly average permitted effluent limit for biochemical oxygen demand (5-day) or total suspended solids by 50 percent or greater in one day, provided that the effluent discharge concentration is equal to or greater than 25 mg/L for biochemical oxygen demand or total suspended solids.
2. Any discharge of raw sewage that 1) exceeds 10,000 gallons or 2) results in water quality violations in the waters of the State.

"Consistently exceeding effluent limitation" means a POTW exceeding the 30 day average limit for biochemical oxygen demand or total suspended solids for at least five days out of each seven day period during a total period of 180 consecutive days.

The following specific requirements shall apply to POTW's. If a spill or major spill occurs, the owner of a POTW shall immediately:

- a. Notify EPD, in person or by telephone, when a spill or major spill occurs in the system.
- b. Report the incident to the local health department(s) for the area affected by the incident.

The report at a minimum shall include the following:

1. Date of the spill or major spill;
 2. Location and cause of the spill or major spill;
 3. Estimated volume discharged and name of receiving waters; and
 4. Corrective action taken to mitigate or reduce the adverse effects of the spill or major spill.
- c. Post a notice as close as possible to where the spill or major spill occurred and where the spill entered State waters and also post additional notices along portions of the waterway affected by the incident (i.e. bridge crossings, boat ramps, recreational areas, and other points of public access to the affected waterway). The notice at a minimum shall include the same information required in 11(b)(1-4) above. These notices shall remain in place for a minimum of seven days after the spill or major spill has ceased.
- d. Within 24 hours of becoming aware of a spill or major spill, the owner of a POTW shall report the incident to the local media (television, radio, and print media). The report shall include the same information required in 11(b)(1-4) above.
- e. Within 5 days (of the date of the spill or major spill), the owner of a POTW shall submit to EPD a written report which includes the same information required in 11(b)(1-4) above.
- f. Within 7 days (after the date of a major spill), the owner of a POTW responsible for the major spill, shall publish a notice in the largest legal organ of the County where the incident occurred. The notice shall include the same information required in 11(b)(1-4) above.
- g. The owner of a POTW shall immediately establish a monitoring program of the receiving waters affected by a major spill or by consistently exceeding an effluent limit, with such monitoring being at the expense of the POTW for at least one year. The monitoring program shall include an upstream sampling point as well as sufficient downstream locations to accurately characterize the impact of the major spill or the consistent exceedence of effluent limitations described in the definition of "Consistently exceeding effluent limitation" above. As a minimum, the following parameters shall be monitored in the receiving stream:
1. Dissolved Oxygen;
 2. Fecal Coliform Bacteria;
 3. pH;
 4. Temperature; and
 5. Other parameters required by the EPD.

The monitoring and reporting frequency as well as the need to monitor additional parameters, will be determined by EPD. The results of the monitoring will be provided by the POTW owner to EPD and all downstream public agencies using the affected waters as a source of a public water supply.

- h. Within 24 hours of becoming aware of a major spill, the owner of a POTW shall provide notice of a major spill to every county, municipality, or other public agency whose public water supply is within a distance of 20 miles downstream and to any others which could be potentially affected by the major spill.

12. UPSET PROVISION

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

13. OUTFALL UPGRADE COMPLIANCE SCHEDULE

The permittee shall complete upgrades of the outfall and diffuser at the WPCP in accordance with the following schedule:

- a. Within 6 months of the effective date of the permit, the permittee shall submit a report to EPD with the configuration of the current diffuser and mixing characteristics. This report shall include data on nitrogen and temperature loading at the outfall and a Cormix model. EPD will notify the permittee in writing after review of the report required by 13.a. whether the items 13.b-e below shall be completed.

If it is determined by EPD that the mixing characteristics do not allow adequate mixing at the diffuser that will allow the WPCP to meet the applicable WQS at the outfall location and that a new diffuser and outfall upgrades are necessary, the permittee shall continue with items 13.b-e below.

- b. Within 12 months of the effective date of the permit, the permittee shall submit a design development report (DDR) to EPD for a diffuser and outfall upgrades that will allow the WPCP to meet the applicable WQS at the outfall location.
- c. Within 20 months of the effective date of the permit, shall submit plans and specifications in accordance with the approved DDR.
- d. Within 26 months of the effective date of the permit, the permittee shall begin construction of the diffuser and outfall upgrades in accordance with the approved DDR and the plans and specifications.
- e. Within 34 months of the effective date of the permit, the permittee shall submit a report updating the status of project construction.
- f. Within 42 months of the effective date of the permit, the permittee shall complete construction and begin operation of the upgraded diffuser and outfall in accordance with the approved DDR.

If at any time during the 42-month compliance schedule the permittee believes that the facility will be able to consistently meet water quality standards without having to modify the outfall and diffuser, then the permittee may choose to write a letter to EPD stating

this. The letter needs to include CORMIX modeling results or data supporting the permittee's position. Upon written notification by EPD, the permittee may be excused from completing any remaining items in the above compliance schedule. If the permittee does not receive written notification from EPD releasing it from the compliance schedule, then the permittee is required to complete all items in the schedule by the dates indicated and will be required to begin operation of the upgraded diffuser and outfall within 42 months of the issuance date of the permit.

B. RESPONSIBILITIES

1. DUTY TO COMPLY

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

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

2. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE

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

3. INSPECTION AND ENTRY

The permittee shall allow the Director of the EPD, the Regional Administrator of EPA, and their authorized representatives, agents, or employees after they present credentials to:

- a. Enter the permittee's premises where a regulated activity or facility is located, or where any records required by this permit are kept;
- b. Review and copy any records required by this permit;
- c. Inspect any facilities, equipment, practices, or operations regulated or required by this permit; and
- d. Sample any substance or parameter at any location.

4. DUTY TO PROVIDE INFORMATION

The permittee shall furnish any information required by the EPD to determine whether cause exists to modify, revoke and reissue, or terminate this permit or to determine compliance with this permit. The permittee shall also furnish the EPD with requested copies of records required by this permit.

5. TRANSFER OF OWNERSHIP

A permit may be transferred to another person by a permittee if:

- a. The permittee notifies the Director in writing at least 30 days in advance of the proposed transfer;
- b. An agreement is written containing a specific date for transfer of permit responsibility including acknowledgment that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on. This agreement must be submitted to the Director at least 30 days in advance of the proposed transfer; and
- c. The Director does not notify the current permittee and the new permittee within 30 days of EPD intent to modify, revoke and reissue, or terminate the permit. The Director may require that a new application be filed instead of agreeing to the transfer of the permit.

6. AVAILABILITY OF REPORTS

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

7. PERMIT ACTIONS

This permit may be modified, terminated, or revoked and reissued in whole or in part during its term for causes including, but not limited to:

- a. Permit violations;
- b. Obtaining this permit by misrepresentation or by failure to disclose all relevant facts;
- c. Changing any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
- d. Changes in effluent characteristics; and
- e. Violations of water quality standards.

The filing of a request by the permittee for permit modification, termination, revocation and reissuance, or notification of planned changes or anticipated noncompliance does not negate any permit condition.

8. CIVIL AND CRIMINAL LIABILITY

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

9. 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 or any invasion of personal rights, or any infringement of Federal, State or local laws or regulations.

10. DUTY TO REAPPLY

The permittee shall submit an application for permit reissuance at least 180 days before the expiration date of this permit. The permittee shall not discharge after the permit expiration date. To receive authorization to discharge beyond the expiration date, the permittee shall submit the information, forms, and fees required by the EPD no later than 180 days before the expiration date.

11. CONTESTED HEARINGS

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

12. 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.

13. OTHER INFORMATION

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

14. PREVIOUS PERMITS

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

PART III

A. APPROVED INDUSTRIAL PRETREATMENT PROGRAM FOR PUBLICLY OWNED TREATMENT WORKS (POTWs)

1. The permittee's approved pretreatment program shall be enforceable through this permit. The permittee shall also comply with the provisions of 40 CFR 403.
2. The permittee shall administer the approved pretreatment program by:
 - a. Maintaining records identifying the character and volume of pollutants contributed by industrial users to the POTW.
 - b. Enforcing and obtaining appropriate remedies for noncompliance by any industrial user with any applicable pretreatment standard or requirement defined by Section 307(b) and (c) of the Federal Act, 40 CFR Part 403.5 and 403.6 or any State or local requirement, whichever is more stringent.
 - c. Revising the adopted local limits based on technical analyses to ensure that the local limits continue to prevent:
 1. Interference with the operation of the POTW;
 2. Pass-through of pollutants in violation of this permit;
 3. Municipal sludge contamination; and
 4. Toxicity to life in the receiving stream.

Within 180 days of the effective date of this permit issuance or reissuance (excluding permit modifications), the permittee shall review the local limits of the program and submit to EPD a written technical evaluation of the need to revise the local limits.

- d. Ensuring that industrial wastewater discharges from industrial users are regulated through discharge permits or equivalent individual control mechanisms. Compliance schedules will be required of each industrial user for the installation of control technologies to meet applicable pretreatment standards and the requirements of the approved program.
- e. Inspecting, surveying, and monitoring to determine if the industrial user is in compliance with the applicable pretreatment standards.
- f. Equitably maintaining and adjusting revenue levels to ensure adequate and continued pretreatment program implementation.
- g. Preparing a list of industrial users which, during the previous twelve months, have been in significant noncompliance with the pretreatment requirements enumerated in 40 CFR Part 403.8(f)(2)(viii). This list will be published annually in the newspaper with the largest circulation in the service area during December and each December thereafter.

B. APPROVED PRETREATMENT PROGRAM ANNUAL REPORT

1. Within 30 days of the close of the reporting period (December 1 through November 30), the permittee shall submit a report to the EPD (due each December) that includes:
 - a. An updated list of POTW industrial users;
 - b. The results of POTW sampling and analyses required by the EPD;
 - c. A summary of POTW industrial user inspections;
 - d. A summary of POTW operations including information on upsets, interferences, pass through events, or violations of the permit related to industrial user discharges;
 - e. A summary of all activities to involve and inform the public of pretreatment requirements;
 - f. A summary of the annual pretreatment program budget;
 - g. A descriptive summary of any compliance activities initiated, ongoing, or completed against industrial users which shall include the number of administrative orders, show cause hearings, penalties, civil actions, and fines;
 - h. A list of contributing industries using the treatment works, divided into Standard Industrial Classification Code (SIC) categories, which have been issued permits or similar enforceable individual control mechanisms, and a status of compliance for each industrial user. The list should also identify the industries that are categorical or significant industrial users;
 - i. The name and address of each industrial user that has received a conditionally revised discharge limit;
 - j. A list of all industrial users who were in significant noncompliance with applicable pretreatment standards and requirements;
 - k. A list of all industrial users showing the date that each was notified that a categorical pretreatment standard had been promulgated by EPA for their industrial category and the status of each industrial user in achieving compliance within the 3 year period allowed by the Federal Act; and
1. A description of all substantial changes proposed for the program. All substantial changes must first be approved by the EPD before formal adoption by the POTW. Substantial changes shall include but not be limited to:
 1. Changes in legal authority;
 2. Changes in local limits;
 3. Changes in the control mechanisms;
 4. Changes in the method for implementing categorical pretreatment standards.

5. A decrease in the frequency of self-monitoring or reporting required of industrial users;
 6. A decrease in the frequency of industrial user inspections or sampling by the POTW;
 7. Significant reductions in the program resources including personnel commitments, equipment, and funding levels;
 8. Changes in confidentiality procedures; and
 9. Changes in the POTW sludge disposal and management practices.
2. Reports submitted by an industrial user will be retained by the permittee for at least 3 years and shall be available to the EPD for inspection and copying. This period shall be extended during the course of any unresolved litigation concerning the discharge of pollutants by an industrial user or concerning the operations of the program or when requested by the Director.

C. INDUSTRIAL PRETREATMENT STANDARDS

Effluent limitations for the permittee's discharge are listed in Part I. Other pollutants attributable to industrial users may also be present in the discharge. When sufficient information becomes available, this permit may be revised to specify effluent limitations for these pollutants based on best practicable technology or water quality standards. Once the specific nature of industrial contributions has been identified, data collection and reporting may be required for parameters not specified in Part I.

D. REQUIREMENTS FOR EFFLUENT LIMITATIONS ON POLLUTANTS ATTRIBUTABLE TO INDUSTRIAL USERS

1. The permittee shall require all industrial dischargers to the POTW to meet State pretreatment regulations promulgated in response to Section 307(b) of the Federal Act. Other information about new industrial discharges may be required and will be requested from the permittee after the EPD has received notice of the discharge.
2. The permittee may be required to supplement the requirements of the State and Federal pretreatment regulations to ensure compliance with all applicable effluent limitations listed in Part I. Supplemental actions by the permittee concerning some or all of the industries discharging to the POTW may be necessary.

E. RETAINER

EPD may require the permittee to amend an approved pretreatment program to incorporate revisions in State Pretreatment Regulations or other EPD requirements. Any approved POTW pretreatment program identified by EPD that needs to modify its program to incorporate requirements that have resulted from revision to the Rules shall develop and submit those revisions to EPD no later than one (1) year of notification by EPD to modify the Program. Any modifications made to the approved pretreatment program must be incorporated into the permit and the program pursuant to Chapter 391-3-6-.09(7) of the State Rules. Implementation of any revision or amendments to the program shall be described in the subsequent annual report to the EPD.



The Georgia Environmental Protection Division proposes to issue an NPDES permit to the applicant identified below. The draft permit places conditions on the discharge of pollutants from the wastewater treatment plant to waters of the State.

Technical Contact:

Stephanie Reed, Environmental Specialist
stephanie.reed@dnr.ga.gov
404-463-0665

Draft permit:

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

Modifications to the permit:

Part I.B.

- Added total phosphorus annual loading limit of 1705 lb/year in accordance with the 2017 TMDL for Lake Lanier in the Chattahoochee River Basin for chlorophyll-*a*

Refer to sections below for more information on the proposed modifications.

1. FACILITY INFORMATION

1.1 NPDES Permit No.: GA0020168

1.2 Name and Address of Owner/Applicant

City of Gainesville
757 Queen City Parkway SW
Gainesville, GA 30501

1.3 Name and Address of Facility

Linwood Water Pollution Control Plant
500 Linwood Drive
Gainesville, GA 30501

1.4 Location and Description of the Discharge (as reported by applicant)

Outfall #	Latitude (°)	Longitude (°)	Receiving Waterbody
001	34.3279474	-83.8567901	Lake Sidney Lanier

1.5 Permitted Design Capacity

Part I.B.1 (Phase I): 5.0 MGD

Part I.B.2 (Phase II): 7.0 MGD

1.6 SIC Code and Description

SIC Code 4952 – Sewerage systems: Establishments primarily engaged in the collection and disposal of wastes conducted through a sewer system, including such treatment processes as may be provided.

1.7 Description of the Water Pollution Control Plant

Wastewater treatment:

Phase I (5.0 MGD):

Influent pump station, grit removal, fine screening, influent flow measurement, equalization, biological treatment, membrane filtration, ultraviolet disinfection, and post-aeration.

Phase II (7.0 MGD):

Influent pump station, grit removal, fine screening, influent flow measurement, equalization, biological treatment, membrane filtration, ultraviolet disinfection, and post-aeration.

Solids processing:

Phases I and II:

Sludge is thickened and dewatered using belt filter presses. Sludge is sent to a composting contractor for disposal.

1.8 Type of Wastewater Discharge

- | | | | |
|-------------------------------------|---------------------|--------------------------|---------------------|
| <input type="checkbox"/> | Process wastewater | <input type="checkbox"/> | Stormwater |
| <input checked="" type="checkbox"/> | Domestic wastewater | <input type="checkbox"/> | Combined (Describe) |
| <input type="checkbox"/> | Other (Describe) | | |

2. APPLICABLE REGULATIONS**2.1 State Regulations**

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

2.2 Federal Regulations

Source	Activity	Applicable Regulation
Municipal	Municipal Effluent Discharge	40 CFR 122
		40 CFR 125
		40 CFR 133
	Non-Process Water Discharges	40 CFR 122
		40 CFR 125
		40 CFR 122
	Municipal Sludge Use and Disposal	40 CFR 257
		40 CFR 501 & 503

3. MODIFICATIONS TO THE PERMIT

- Part I.B. On December 2017, EPD completed a Total Maximum Daily Load Evaluation for Lake Lanier for chlorophyll- α . The TMDL recommends a waste load allocation (WLA) of 1,705 lb/year for total phosphorus and 266,359 lb/year for total nitrogen for Linwood WPCP. However, modeling showed that the lake is phosphorus limited; therefore the total nitrogen WLA will not be implemented at this time. An annual total phosphorus loading limit of 1,705 lb/year has been included in the draft permit in accordance with the TMDL requirement.

4. OTHER PERMIT REQUIREMENTS AND CONSIDERATIONS**4.1 Service Delivery Strategy**

The City of Gainesville is in compliance with the Department of Community Affairs approved Service Delivery Strategy for Hall County.

4.2 Metropolitan North Georgia Water Wastewater Plan

The City of Gainesville is in compliance with the Metropolitan North Georgia Water Planning District (MNGWPD)'s Water Resource Management Plan.

4.3 Compliance Schedules

The effluent limitations will be applicable on the effective date of the permit.

4.4 Anti-Backsliding

The limits in this permit are in compliance with the 40 C.F.R. 122.44(l), which requires a reissued permit to be as stringent as the previous permit. Should the TMDL for Lake Lanier for chlorophyll- α , dated December 2017, be revised based on new information becoming available, EPD may modify the permit to include a new total phosphorus limit that reflects the TMDL requirements.

5. REPORTING

5.1 Compliance office

The facility has been assigned to the following EPD office for reporting, compliance and enforcement:

Georgia Environmental Protection Division
Watershed Compliance Program
2 Martin Luther King Jr. Drive, Suite 1152 East
Atlanta, Georgia 30334

5.2 E-Reporting

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

6. REQUESTED VARIANCES OR ALTERNATIVES TO REQUIRED STANDARDS

Not applicable

7. PERMIT EXPIRATION

The permit will expire five years from the effective date.

8. PROCEDURES FOR THE FORMULATION OF FINAL DETERMINATIONS

8.1 Comment Period

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

The permit application, draft permit, and other information are available for review at 2 Martin Luther King Jr. Drive, Suite 1152 East, Atlanta, Georgia 30334, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. For additional information, you can contact 404-463-1511.

8.2 Public Comments

Persons wishing to comment upon or object to the proposed determinations are invited to submit same in writing to the EPD address above, or via e-mail at EPDcomments@dnr.ga.gov within 30 days of the initiation of the public comment period. All comments received prior to that date will be considered in the formulation of final determinations regarding the application. The permit number should be placed on the top of the first page of comments to ensure that your comments will be forwarded to the appropriate staff.

8.3 Public Hearing

Any applicant, affected state or interstate agency, the Regional Administrator of the U.S. Environmental Protection Agency (EPA) or any other interested agency, person or group of persons may request a public hearing with respect to an NPDES permit application if such request is filed within thirty (30) days following the date of the public notice for such application. Such request must indicate the interest of the party filing the request, the reasons why a hearing is requested, and those specific portions of the application or other NPDES form or information to be considered at the public hearing.

The Director shall hold a hearing if he determines that there is sufficient public interest in holding such a hearing. If a public hearing is held, notice of same shall be provided at least thirty (30) days in advance of the hearing date.

In the event that a public hearing is held, both oral and written comments will be accepted; however, for the accuracy of the record, written comments are encouraged. The Director or a designee reserves the right to fix reasonable limits on the time allowed for oral statements and such other procedural requirements, as deemed appropriate.

Following a public hearing, the Director, unless it is decided to deny the permit, may make such modifications in the terms and conditions of the proposed permit as may be appropriate and shall issue the permit.

If no public hearing is held, and, after review of the written comments received, the Director determines that a permit should be issued and that the determinations as set forth in the proposed permit are substantially unchanged, the permit will be issued and will become final in the absence of a request for a contested hearing. Notice of issuance or denial will be made available to all interested persons and those persons that submitted written comments to the Director on the proposed permit.

If no public hearing is held, but the Director determines, after a review of the written comments received, that a permit should be issued but that substantial changes in the proposed permit are warranted, public notice of the revised determinations will be given and written comments accepted in the same manner as the initial notice of application was given and written comments accepted pursuant to EPD Rules, Water Quality Control, subparagraph 391-3-6-.06(7)(b). The Director shall provide an opportunity for public hearing on the revised determinations. Such opportunity for public hearing and the issuance or denial of a permit thereafter shall be in accordance with the procedures as are set forth above.

8.4 Final Determination

At the time that any final permit decision is made, the Director shall issue a response to comments. The issued permit and responses to comments can be found at the following address:

<http://epd.georgia.gov/watershed-protection-branch-permit-and-public-comments-clearinghouse-0>

8.5 Contested Hearings

Any person who is aggrieved or adversely affected by the issuance or denial of a permit by the Director of EPD may petition the Director for a hearing if such petition is filed in the office of the Director within thirty (30) days from the date of notice of such permit issuance or denial. Such hearing shall be held in accordance with the EPD Rules, Water Quality Control, subparagraph 391-3-6-.01.

Petitions for a contested hearing must include the following:

1. The name and address of the petitioner;
2. The grounds under which petitioner alleges to be aggrieved or adversely affected by the issuance or denial of a permit;
3. The reason or reasons why petitioner takes issue with the action of the Director;
4. All other matters asserted by petitioner which are relevant to the action in question.

FACT SHEET

Appendix A

**Linwood Water Pollution Control Plant
NPDES Permit No. GA0020168**

Waste Load Allocation (WLA)

National Pollutant Discharge Elimination System Wasteload Allocation Form

Part I: Background Information

WLA Request Type: Reclamation ☐ Expansion ☐ Relocation ☐ Modification ☒ New Discharge ☐
 Facility Name: Gainesville-Linwood WPCP County: Hall WQMU: 1203
 NPDES Permit No.: GA0020168 Expiration Date: 31 Jul 22 Outfall Number: 001
 Receiving Water: Lake Lanier River Basin: Chattahoochee 10-Digit HUC: 0313000108
 Discharge Type: Domestic ☒ Industrial ☐ Both ☐ Proportion (D:I): Flow(s) Requested (MGD): 5 and 7
 Industrial Contributions Type(s):

Treatment Process Description: 5.0 MGD - Influent pump station, grit removal, fine screening, influent flow measurement, equalization, secondary treatment, ultraviolet disinfection, post aeration, effluent flow measurement and solids handling.

Additional Information: (history, special conditions, other facilities): Current permit has B1 and B2 effluent limits of 5.0 and 7.0 MGD. Discharges directly into the Lake which has a TMDL but is in a segment where the stream is Supporting Designated Use.

Requested by: Audra Dickson

Title: PM

Program: WRP

Telephone:

Date: 8.Mar.19

Part II: Receiving Water Information

Receiving Water: Lake Lanier Designated Use Classification: Drinking Water, Recreation
 Integrated 305(b)/303(d) List: Yes ☒ No ☐ Support: ☒ Not Support: ☐ Criteria:
 Total Maximum Daily Load: Yes ☒ No ☐ Parameter(s): Chlorophyll-a WLA Complies with TMDL: Yes ☒ No ☐
 Chi-a TMDL (GA EPD, Dec 2017) - WLA for TP is assigned to the City based on current, interim & future TMDL. The TMDL model showed Lake Lanier is phosphorus limited. The TN WLA will not be implemented in permits at this time as long as the Lake Lanier Chi-a & TN criteria are met. The TP load limits for the 5 and 7 MGD discharges are based on the TMDL of 1705 pounds/year.

Part III: Water Quality Model Review Information

Model Type: Uncalibrated ☐ Calibrated ☒ Verified ☐ Cannot be Modeled ☐ Model Length (mi): 8
 Field Data: None ☐ Fair ☐ Good ☒ Excellent ☐
 Model and Field Data Description: CE-QUAL-W2 model for Lake Sidney Lanier. Some of the following Georgia DOSAG parameters do not apply to the lake model.

Critical Water Temperature (°C): NA Drainage Area (mi²): NA 7Q10 streamflow at discharge (cfs): NA
 7Q10 Yield (cfs/mi²): NA Velocity (range fps): 1Q10 streamflow at discharge (cfs): NA
 Effluent Flow Rate (cfs): NA IWC (%): NA Mean annual streamflow at discharge (cfs): NA
 Slope (range - fpm): K1: NA K3: NA Escape Coef. (ft¹): NA K2 (range): 0.04
 SOD: 0.8-3.0 f-Ratio (BOD₅/BOD_u): 10 Background Hardness (mg/L as CaCO₃): NA

The modeling parameters cited above are from the modeling analysis for the original waste load allocation. No review of or revisions to the modeling analysis or the waste load allocation were made.

Part IV: Recommended Permit Limitations and Conditions (mg/L as a monthly average except as noted)

Rationale: Same as current ☒ Revised ☐ New ☐

Location: Lake Lanier

Effluent Flow (MGD)	CBOD ₅	NH ₃ -N	DO (min.)	Turb. (NTU)	Fecal Coliform (No./100mL)	pH (std. units)	Total-P	Total-P (lb/year)	Temp	Ortho-P	Organic Nitrogen, TKN, Nitrate-Nitrite
5.0	2.5	0.5	7.0	1	23	6.0-9.0	0.13	1705	Monitor	Monitor	Monitor
7.0	2.5	0.5	7.0	1	23	6.0-9.0	0.13	1705	Monitor	Monitor	Monitor

Additional Comments:

- Priority pollutant permit limits and aquatic toxicity testing requirements are to be determined by WRP.
- Total-P (lb/year) should be reported monthly as cumulative load discharged.
- The nutrient data will be used to determine nutrient speciation and for future nutrient management plan. Ortho-P should be analyzed from the same effluent sample as TP one day per month. TKN, Nitrate-Nitrite, and Organic Nitrogen should be sampled once a month and analyzed from the same effluent sample.
- For a facility with a capacity of 1.0 MGD or greater, it is recommended that a 120-day long-term BOD test be performed once during the permit period prior to renewal. The test should be performed on an effluent sample collected during the period from June 1 to September 30. The results of this test should be provided to the GA EPD prior to the renewal of the permit.

Prepared by:

Josh Welte J/W

Date: 8.Mar.19

Reviewed by:

Date:

Part V: Program Manager Comments

Elizabeth A. Booth
 Elizabeth Booth

Date: 3/8/19