



## **FACT SHEET**

### **National Pollutant Discharge Elimination System (NPDES) General Permit No. GAR050000 Storm Water Discharges Associated with Industrial Activity**

**November 15, 2016**

#### **Introduction**

This fact sheet describes the basis and procedures for reissuance of Georgia's NPDES General Storm Water Permit (GAR050000) for discharges of stormwater associated with industrial activity. This permit is referred to as the 2017 IGP.

The current permit (2012 IGP) expires May 30, 2017; however, the 2012 IGP continues in force and effect (Part B.2) until the proposed permit becomes effective.

An NPDES permit was first issued for industrial stormwater in Georgia in 1993; it was reissued in 1998. In 2003, the 1998 permit expired and was administratively extended. A draft permit was issued for public comment in 2004, which was subsequently revised and reissued in 2005. The 2005 permit was appealed, and GAR000000 (2006 IGP) was issued August 1, 2006, incorporating the results of two settlement agreements. A draft permit was issued for public comment in June of 2011, then revised based on comments received, and a second draft issued in September of 2011. After further negotiations with affected parties, a third draft of the permit was issued for public comments in January of 2012, and the revised permit GAR050000 was issued in May of 2012.

#### **Permit Basis**

The 2017 IGP authorizes all new and existing stormwater point sources within Georgia to discharge stormwater associated with industrial activity, excluding construction, to the waters of the State upon submittal of a Notice of Intent (NOI). The 2017 IGP is in compliance with, and is based upon, the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended, "State Act"), the Federal Clean Water Act, as amended (33 U.S.C.1251 et seq., "Clean Water Act"), and the Rules and Regulations promulgated subsequent to each of these Acts.

The proposed permit is patterned after the U.S. Environmental Protection Agency (EPA) Multi-Sector General NPDES Permit (2015 MSGP) for industrial stormwater issued June 4, 2016. The 2015 MSGP is available at:

[https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015\\_finalpermit.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015_finalpermit.pdf);  
and the EPA fact sheet for the 2015 MSGP is available at:

The 2017 IGP maintains the same format and numbering scheme as the 2012 IGP, which is similar to the 2015 MSGP. Parts 1 through 7 and Appendices A, B, and D contain information pertinent to all permittees. Part 8 contains the sector-specific requirements; at least one, and at most a few, of the sectors in Part 8 will apply to any one permittee. Appendix C contains information for those permittees who discharge to impaired waters. Appendix E addresses testing for facilities with the hardness-dependent benchmark values for cadmium, copper, lead, nickel, and zinc. The 2015 MSGP added metals values for discharges into saltwater environments, and EPD also added this to Appendix E of the 2017 IGP.

The 2017 IGP benchmark values and recommended procedures, practices, control measures, and best management practices (BMPs) are based principally on the 2015 MSGP.

### Activities Covered by the Permit

The following table is the list of categories of industrial facilities that are required to obtain NPDES permit coverage for stormwater discharges as identified in 40 CFR Part 122.26(b)(14)(i) through (ix) and (xi):

<b>Sector A:</b> Timber Products	<b>Sector O:</b> Steam Electric Generating Facilities
<b>Sector B:</b> Paper and Allied Products	<b>Sector P:</b> Land Transportation and Warehousing
<b>Sector C:</b> Chemical and Allied Products Manufacturing	<b>Sector Q:</b> Water Transportation: Maintenance/Cleaning
<b>Sector D:</b> Asphalt Paving and Roofing Materials and Lubricant Manufacturing	<b>Sector R:</b> Ship and Boat Building and Repairing Yards
<b>Sector E:</b> Glass, Clay, Cement, Concrete, and Gypsum Products	<b>Sector S:</b> Air Transportation Facilities
<b>Sector F:</b> Primary Metals	<b>Sector T:</b> Treatment Works
<b>Sector G:</b> Transportation Equipment, Industrial or Commercial Machinery	<b>Sector U:</b> Food and Kindred Products
<b>Sector H:</b> Electronic, Electrical, Photographic, and Optical Goods	<b>Sector V:</b> Textile Mills, Apparel, and Other Fabric Products; Leather and Leather Products
<b>Sector I:</b> Oil and Gas Extraction	<b>Sector W:</b> Furniture and Fixtures
<b>Sector J:</b> Mining and Dressing	<b>Sector X:</b> Printing and Publishing
<b>Sector K:</b> Hazardous Waste Treatment, Storage, or Disposal Facilities	<b>Sector Y:</b> Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries
<b>Sector L:</b> Landfills, Land Application Sites, and Open Dumps	<b>Sector Z:</b> Leather Tanning and Finishing
<b>Sector M:</b> Automobile Salvage Yards	<b>Sector AA:</b> Fabricated Metal Products
<b>Sector N:</b> Scrap Recycling Facilities	<b>Sector BB:</b> Non-Classified Facilities

A more specific and detailed listing of facilities required to obtain coverage under the 2017 IGP is contained in Appendix D of the permit, which includes the SIC Codes associated with the facilities shown in the table above.

In addition to the facilities classified as requiring coverage under the 2017 IGP by SIC Code, EPD may designate a particular facility to obtain coverage under the 2017 IGP, even though the facility does not meet the definition of a category of activities generally required to be covered by the permit. This corresponds with Sector BB. Such a designation would be made by the Director of EPD where there is a concern for the discharge to cause a water quality problem.

### **Maintaining Coverage under the 2017 IGP**

Current permittees are required to submit a new Notice of Intent (NOI) to obtain coverage under the 2017 IGP and to maintain coverage for discharging stormwater associated with industrial activities. Facilities previously covered under the 2012 IGP will have up to 30 days to submit the new NOI for coverage under the updated 2017 IGP, GAR050000, after the effective date.

If a facility exceeded the impaired waters benchmark based on the criteria presented in Part C.5 of the 2012 IGP permit, then the facility has the option to conduct 12 months of flow-weighted composite sampling to demonstrate the discharge does not cause or contribute to an exceedance of water quality standards (Appendix C.4), or make the necessary improvements to the facility to achieve the instream water quality standard as an effluent limit within 36 months (Appendix C.10.1.a). If the facility still is unable to meet the impaired waters benchmark(s), they may not be authorized to discharge stormwater under this permit and may be required to apply for an individual NPDES permit or alternative general permit.

Facilities that failed to meet the applicable benchmark under Parts C.4, C.5, C.7, or C.8 of the 2012 IGP permit have the option to sample their discharge(s) for 12 months to confirm whether the facility causes or contributes to an exceedance of the applicable Water Quality Standard, or prevent all exposure of industrial processes, materials, and equipment to stormwater, and/or capture and treat storm events of up to 1.2 inches within industrial areas exposed to stormwater within 36 months (Appendix C.10.1.b and c).

Existing facilities that filed under the 'No Exposure Exclusion' (NEE) of the 2012 IGP must submit a new NEE form no later than 30 days after the effective date of the 2017 IGP (Part 1.5.1) to retain NEE status.

### **New Facilities Seeking Coverage under the 2017 IGP**

New dischargers commencing discharge on or after the effective date of the 2017 IGP must submit an NOI for coverage 7 days prior to commencing discharge.

### **Major Changes in the 2017 IGP**

Major changes in the 2017 IGP from the 2012 IGP include:

1. The 2017 IGP is organized like EPA's 2015 MSGP:
  - a. The first third of the permit contains general permit information, applicable to all industrial sectors (Parts 1 through 7).

- b. The second third covers the requirements for each industrial sector (Part 8).
  - c. The last third is reference material, such as abbreviations and standard permit conditions, included as appendices. The appendices also include Impaired Stream Segment Sampling, a table stating which activities are covered by the permit, and the hardness calculation and saltwater table/guidance (Appendices A, B, C, D and E).
2. eReporting will be required during the term of the 2017 IGP. This will require electronic submittal of all forms, including the NOI, NEE, Notice of Termination (NOT), and Annual Report (AR). If sampling results must be submitted by attaching a spreadsheet with the required data to the AR. EPD will provide the spreadsheet with the proper format to Permittees to allow them to easily submit a summary of their data.
  3. The 2017 IGP benchmarks are based on benchmarks from the 2015 MSGP. However, as with the 2012 IGP, the 2017 IGP benchmark values are not considered effluent limits and exceeding a benchmark is not a permit violation.
  4. Benchmarks for discharges into saltwater that contain metals contaminants are now included.
  5. The ‘Numeric Effluent’ limitations section applies to 9 different sectors (Part 2.2 and Table 2-1). Mine dewatering discharges (per 40 CFR 436, Subparts B, C, and D) and runoff containing urea from airfield pavement deicing (per 40 CFR 449) were added from the 2015 MSGP to the 2017 IGP.
  6. The 2017 IGP requires that a summary of all analytical sampling performed during the term of the previous permit (2012IGP) be included in the SWPPP and retained until the end of the next permit term (Part 5.1.3.6).
  7. At least once during the term of the 2017 IGP, a dye, smoke, or equivalent test must be conducted to determine the presence of non-stormwater discharges into the storm sewer system, but only if alterations that impact stormwater were performed since the last test (Part 5.1.3.4.f.). Equivalent test methods include TV surveillance and analysis of as-built drawings and schematics.
  8. Changed “immediately” to “as soon as practicable” for employee training of new hires in 5.1.1.2 and sectors where it is restated.
  9. A section addressing multiple tenants at airport facilities was added to Sector S (Part 8.S.3).
  10. In Sector J:
    - a. added a note to clarify that erosion and sediment control measures are covered by the Mining Permit issued by the EPD Land Protection Branch.
    - b. references to “process fluids” were changed to “process water,” and “mine drainage” was changed to “process water” (Part 8.J.1.2).
    - c. clarified that discharge of soap, solvents, or detergents is not allowed, but vehicle wash water is allowed in the mining area.

- d. added “To the extent that an applicable SMP addresses the items in this Subpart 8.J.4.2.1 through 8.J.4.2.9, you are considered to have complied with the relevant requirements in Subpart 8.J.4.2.1 through 8.J.4.2.9.” (Also added to 8.J.5.)
- e. added more specific requirements for mining activities conducted prior to active mining.

### **Requirements for Impaired Streams (Appendix C)**

1. Monitoring discharges to impaired streams will now use the term “Impaired waters benchmarks” to distinguish them from the benchmarks used to monitor sector-specific discharges.
2. Extended the option to capture and treat the 24-hour storm events of 1.2 inches to all dischargers to impaired streams and not limited to only animal handling areas (Appendix C.2.2.2.b and C2.3.2.b).
3. Changed the impaired stream benchmark for bacteria (Fecal Coliform) to 4,000 colony forming units (CFU) for winter or summer, and removed the requirement for using the geometric mean for sampling outfalls.
4. Added the ability to use scientific testing to document that bacteriological constituents found in stormwater are not due to industrial activity (Part C.2.4.2).
5. Modified Optional Composite Sampling to allow permittee to propose a sampling method to EPD for approval instead of the more specific requirements stated in the 2012 IGP (Part C.4).

### **Antidegradation**

The proposed permit complies with the anti-degradation requirements in the EPD Rules and Regulations for Water Quality Control, subparagraph 391-3-6-.03. Existing water quality will not be degraded by the issuance of this permit. The permit requires the permittee to regularly review and refine their BMPs to reduce pollutants to the maximum extent practicable. Therefore, the issuance of this permit will protect and improve existing water quality and is consistent with EPD’s anti-degradation policy.

### **Term of the Permit**

The proposed general permit will be valid for a term of 5 years.

### **Public Notice and Public Comment Period**

Public notice of the proposed NPDES permit will be posted on EPD’s website at “<https://epd.georgia.gov/npdes-industrial-storm-water-general-permits>” and distributed to all those persons who have requested notice of NPDES permits in order to satisfy requirements of the Georgia Administrative Procedures Act and the Georgia Water Quality Control Act. The draft permit and supporting documents are available for review at the EPD office located at 2 Martin Luther King Jr Dr, SE, Suite 1152 East, Atlanta, Georgia, 30334, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

Persons wishing to comment on the proposed NPDES permit are invited to submit their comments in writing to the EPD address below to the attention of Glen Behrend, Program Manager, by December 30, 2016. Comments may also be emailed to

[EPDComments@dnr.ga.gov](mailto:EPDComments@dnr.ga.gov). Mark or label comments "General Permit to Discharge Storm Water Associated with Industrial Activity" at the top of the first page or in the subject line. Comments received prior to or on that date will be considered in the formulation of final determinations regarding this permit.

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**Information for Anyone Who Is Aggrieved or Adversely Affected**

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 30 days from the date of notice of such permit issuance. Such hearing shall be held in accordance with 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 the petitioner alleges to be aggrieved or adversely affected by the issuance 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.

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 his 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 circulated to those persons who submitted written comments to the Director on the proposed permit within 30 days from the date of the public notice of such proposed permit; and to all persons or groups included on the EPD mailing list.

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-.16(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 set forth above.