

**Fact Sheet - Tier 1 Operation**

**General Land Application System Permit for Land Disposal of Domestic Septage  
General Permit No. GAG620000**

The Georgia Water Quality Control Act requires the Division to regulate and permit any land disposal site that receives septic tank waste (domestic septage) under a permit issued by the Director of the Division. In February of 2014, the Department of Natural Resources Board adopted a rule change to amend Georgia's Rules and Regulations for Water Quality Control Chapter, 391-3-6-.23; "Land Disposal of Septage". The rule change establishes a two-tiered permitting system that distinguishes between single pumper-single site operations and larger facilities that receive waste from more than one pumper. Additionally, the Rule amendments provide clarification through the modification of language, new or modified requirements, the amendment of existing definitions, and includes the addition of new definitions.

A Tier 1 operation is defined in the Rules as "a land disposal site that receives and land applies septic tank waste from a single permitted septic tank pumping and hauling business." General Permit No. GAG620000 allows coverage of that activity. The disposal of septage shall take place under controlled conditions, by either injection or incorporation into the soil, within the State of Georgia. This general permit does not authorize coverage to land disposal systems associated with biosolids and grease trap waste, covered by an individual land application system permit, or associated with or containing industrial, commercial, solid, hazardous, or non-biodegradable wastes.

**Background Information:**

The Department of Public Health (DPH) was previously charged with administering domestic septage land disposal permits. The General Assembly transferred the regulation and permitting authority for land disposal sites receiving septage from the DPH to the Division on July 1, 2012. This permit addresses Tier 1 single pumper, single site operations. Tier 2 operations will be addressed separately.

Domestic Septage as defined in the Georgia Rules and Regulations for Water Quality Control Chapter 391-3-6-.23 is the liquid or solid material removed from a septic tank, cesspool, portable toilet, type III marine sanitation device, or a similar system that receives only domestic sewage. Domestic Septage does not include liquid or solid material removed from a septic tank or similar treatment works that receives either commercial wastewater or industrial wastewater. Domestic Septage does not include grease removed from a grease trap.

Septage, which has been properly pretreated and stabilized, may be beneficially used, as these are nutrient-rich organic materials that will provide nitrogen and phosphorus as well as trace amounts of micronutrients. However, septage may contain pathogens or other contaminants that could potentially harm plants, animals, or humans if applied at too great a rate, or if managed improperly. This permit allows for the utilization of the nutrients and other beneficial properties of septage while ensuring that the health and welfare of the general public is protected.

This permit contains requirements for land application of domestic septage at agronomic rates. Septage application to land with a low potential for public exposure is allowed based on nutrient uptake of the crop, unless the application is limited by other parameters. The application rate will be determined by the type and the condition of the soil and cover crop, topography, and other properties of the septage. The septage shall meet pollutant concentration limits, pathogen reduction, and vector attraction reduction requirements in accordance with 40 CFR Part 503 and Georgia Water Quality Control Rules Chapter 391-3-6-.23. In addition, the septage shall be screened and stabilized prior to land application.

**Coverage:**

This permit shall provide coverage for any land disposal site that receives septage and to any person who land applies septic tank waste for subsurface injection or incorporation into the soil from a single permitted septic tank pumping and hauling business.

Authorization to operate under this permit shall become effective upon written receipt of notification of inclusion from the Division.

**Terminating Coverage:**

The Division may deny coverage under this permit based on incomplete or incorrect Notice of Intent submittal or failure to obtain a Division-approved Septage Management Plan. The Director may at any time revoke coverage under this permit in accordance with the State Rules, Section 391-3-6-.15(11).

**Notice of Termination (NOT)**

A permittee that has ceased the land application of septage for which permit coverage was obtained must submit a NOT to the Division within thirty (30) days after the activity has ceased.

**Required Information:**

Systems applying or proposing to land apply domestic septage must submit the following to the Division:

1. A signed and completed Notice of Intent (NOI) by a duly authorized representative of the application system.
2. A septage management plan (SMP) that includes an identified section specifying details for the clean-up and closure of the operation. The SMP must be approved by the Division in order to receive coverage under this permit.

**Notice of Intent (NOI) Requirements:**

1. The owner of a new septage land disposal system that has not received a prior Notice of Inclusion letter for coverage under this permit, and that intends to obtain coverage under this permit for the land disposal of domestic septage, shall submit a Notice of Intent (NOI) along with a Septage Management Plan (SMP), and any other documents as required for the system, to the Division for approval.

Prior to the startup of a new system:

- a. The owner must submit a completed Notice of Intent to the Division.
- b. The owner must have a Division-approved SMP.

- c. The Director's authorized agent may conduct an operability inspection of the septage handling facilities.
  - d. The owner must receive, in writing, a final authorization to begin operation from the Division.
2. The owner of an existing septage land disposal system that has received prior coverage under this general permit must have a Division-approved SMP.

Failure to have a Division-approved SMP may result in coverage under this permit being modified, terminated, or revoked and reissued in whole or in part during its term.

3. Coverage under this general permit shall become effective upon written receipt of Notice of Inclusion by the Division.
4. Establishment of an unauthorized septage land disposal system after the effective date of this permit will be considered a violation of this permit, the Rules and Regulations for Water Quality Control, and the Water Quality Control Act; unless an NOI and SMP have been submitted to the Division and the Division allows coverage of the system under this general permit; or unless the system is covered under an individual permit.

#### **NOI for Change of Ownership:**

Coverage under this permit may be transferred to another person by a permittee if:

1. The new owner submits a new NOI to the Division at least thirty (30) days in advance of the proposed ownership transfer; If a change in acreage or treatment process occurs with the transfer of ownership or control, the new owner must also submit a revised Septage Management Plan, and any other documents as required for the system, to the Division for approval prior to land applying;
2. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (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) is submitted to the Director at least thirty (30) days in advance of the proposed transfer; and
3. The Director, within thirty (30) days, does not notify the current permittee and the new permittee of the Division's intent to modify, revoke and reissue, or terminate the permit and to require that a new NOI be filed rather than agreeing to the transfer of the permit.

Failure to submit the information required in Part I.C.1 and Part I.C.2 above may be considered a violation of this permit. The Division may decline to allow continued coverage under this general permit and may require coverage by another permit.

#### **Reporting and Record Keeping:**

Required analytical results obtained by the permittee shall be summarized on an Operational Monitoring Report (OMR) form. The OMR forms shall be completed quarterly and the summarized monitoring results compiled in an annual report. The annual report shall be signed

in accordance with the Georgia Rules and Regulations for Water Quality Control, Chapter 391-3-6-.11(5)(e) and maintained on file at the facility for a minimum of five (5) years or longer if requested by the Division. The permittee shall submit the results of all required monitoring activities to the Division upon request. The Division may require the reporting of additional monitoring results by written notification.

### **Public Notice:**

Any owner of a land application system submitting an NOI for a new system, or an addition to an existing system will be required to complete a 30 day public notice in a local newspaper in the area of the proposed activity.

### **Procedures for the Formulation of Final Determinations**

#### 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.

#### 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](mailto: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.

#### 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 LAS 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 LAS 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-.11(6). 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.

#### 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>

#### 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:

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