

STATE OF GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

FACT SHEET

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM
GENERAL PERMIT NO. GAG100000
SEDIMENT POND DISCHARGES
FROM SAND AND GRAVEL DREDGERS

The 1972 amendments to the Federal Water Pollution Control Act (FWPCA, also referred to as the Clean Water Act or CWA) prohibit the discharge of any pollutant to waters of the United States from a point source unless the discharge is authorized by a National Pollutant Discharge Elimination System (NPDES) permit.

General Permit No. GAG100000 will authorize dredge water discharges to the waters of the State of Georgia from sand and gravel dredgers with sediment ponds.

Coverage under this permit is achieved by submitting a Notice of Intent (NOI) as described below. This permit will be valid for a maximum period of 5 years.

ELIGIBILITY AND PERMIT COVERAGE

To obtain authorization under this permit, the person discharging or proposing to discharge wastewater must meet the eligibility requirements identified below:

1. This permit regulates any site that has a Standard Industrial Classification Code 1442, Construction Sand and Gravel.
2. This permit regulates any site that has a Standard Industrial Classification Code 1446, Industrial Sand.
3. This permit does not authorize coverage to any other sites, other than what is mentioned above.

AUTHORIZATION – NOTICE OF INTENT REQUIREMENTS

1. Existing permittees wishing to continue operation after the permit expiration date, must submit a Notice of Intent (NOI) 180 days prior to expiration of the existing permit. Such NOI shall be on forms as provided by EPD and at www.epd.georgia.gov. Coverage under this general permit shall be effective upon the date of the Notice of Coverage (NOC) letter as provided by EPD.
2. New dischargers or new sources seeking coverage under this general permit must submit a completed NOI and an Antidegradation Analysis at least 30 days prior to the date of desired coverage. Coverage under this general permit shall be effective upon the date of the NOC letter as provided by EPD.

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PERMIT EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The discharge(s) from the sediment pond shall be limited and monitored by the permittee as specified.

1. Flow (MGD) - Shall be monitored at a frequency of once per month and the sample type instantaneous collected from the effluent.
2. Total Suspended Solids - Discharge limitations shall not exceed a 55 mg/l daily average and a 110 mg/l daily maximum. The measurement frequency shall be once per month and the sample shall be collected as grab samples.
3. pH - Shall not be less than 6.0 standard units nor greater than 8.5 standard units and shall be monitored on the final effluent by a grab sample once per month.

WATER QUALITY STANDARDS AND EFFLUENT STANDARDS APPLIED TO THE DISCHARGES

Effluent limitations for TSS are based on Best Professional Judgment (BPJ) determinations of best available demonstrated control technology for sediment ponds and are the same limitations that are applied to effluent from sediment ponds at sand and gravel quarries. Limitations for pH are based on Georgia's water quality standards. Coverage under this permit will not be granted for facilities discharging into 303(d) listed waters for parameters of concern for this category of discharges.

PROCEDURES FOR THE FORMULATION OF FINAL DETERMINATIONS

1. Comment Period

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

Georgia Department of Natural Resources
Environmental Protection Division
Wastewater Regulatory Program
2 Martin Luther King Jr. Drive
Suite 1152 East
Atlanta, Georgia 30334

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Persons wishing to comment upon or object to the determinations are invited to submit same in writing to the EPD address above, or via e-mail at EPDcomments@dnr.state.ga.us, within 30 days of the fact sheet date. If you choose to e-mail your comments, please be sure to include the words "NPDES permit reissuance-General Permit No. GAG100000 Sediment Pond Discharges From Sand and Gravel Dredgers" in the subject line to ensure that your comments will be forwarded to the correct staff. All comments received prior to that date will be considered in the formulation of final determinations regarding the application. The permit application number should be placed on the envelope next to the above address and also at the top of the first page of comments.

2. 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 reason 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 EPD 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.

The permit application, draft permit, comments received and other information are available for review at the Wastewater Regulatory Program, 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 more information contact: Audra Dickson, Wastewater Regulatory Program, Phone (404) 463-1511.

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 EPD Director or his designee reserves the right to fix reasonable limits on the time allowed for oral statements and such other procedural requirements, as he deems appropriate.

Following a public hearing, the Director, unless a determination to deny the permit is made, may make such modifications in the terms and conditions of the proposed permit as may be appropriate and shall issue the permit. Notice of issuance or denial will be circulated to those persons or groups who participated in the hearing; to those persons or groups who submitted written comments to the Director on the proposed permit within thirty (30) days from the date of the public notice of the application for permit; and to all persons or groups included on the EPD mailing list.

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3. 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 form 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.

4. Issuance of the Permit When No Public Hearing is Held

If no public hearing is held, and after review of the written comments received, the EPD 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 thirty (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 EPD Director determines, after a review of the written comments received, that a permit should be issued by that substantial changed 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 EPD 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.