STATE OF GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

GENERAL LAND APPLICATION SYSTEM PERMIT FOR ANIMAL FEEDING OPERATIONS – 301 TO 1000 ANIMAL UNITS

GENERAL PERMIT NO. GAG920000

In accordance with the provisions of the Georgia Water Quality Control Act (O.C.G.A. §12-5-20), and the Rules and Regulations (Chapters 391-3-6-.21, as amended) promulgated pursuant thereto, this permit is issued for animal feeding operation waste storage and disposal within the State of Georgia.

Owners of existing, new, and expanding animal feeding operations (301 to 1000 animal units category) that are required to have a land application system permit shall, on submittal of a Notice of Intent and after acknowledgement by the Environmental Protection Division of coverage under this permit, carry out the land application of animal feeding operation waste in accordance with the limitations, monitoring requirements, and other conditions set forth in this permit.

This permit is conditioned upon the permittee complying with the limitations, monitoring requirements and other conditions set forth in the permit, with the statements, plans, and supporting data submitted with the Notice of Intent and filed with the Environmental Protection Division of the Department of Natural Resources and with any requirements specified in the Notice of Intent acceptance letter.

This permit shall become effective on April 1, 2014.

This permit shall expire at midnight, March 31, 2019.

Issued this 1st day of April 2014.

Director,
Environmental Protection Division

PART I

A. CONDITIONS

1. DEFINITIONS: All terms used in this permit shall be interpreted in accordance with the definitions contained in the Rules and Regulations for Water Quality Control, unless otherwise defined in this permit.

a. Director: The Director of the Division.

b. Division: The Environmental Protection Division of the Department of Natural Resources.

c. Notice of Intent (NOI): A form used by a potential permittee to notify the Division that they intend to seek coverage under a general permit.

d. Notice of Termination (NOT): A form used by a permittee to notify the Division that they wish to cease coverage under a general permit.

e. State Act: The Georgia Water Quality Control Act (Official Code of Georgia Annotated; Title 12, Chapter 5, Article 20).

f. State Rules: The Georgia Rules and Regulations for Water Quality Control, Chapter 391-3-6, including but not limited to Chapter 391-3-6-.21, Animal Feeding Operation Permit Requirements, latest edition.

2. MONITORING

a. The Division may require the monitoring of pollutants by written notification.

b. Analytical procedures, sample containers, sample preservation techniques, and sample holding times must be consistent with the techniques and procedures listed in 40 CFR Part 136 for monitoring or as otherwise approved by the Division. The analytical methods used must be sufficiently sensitive. 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.

c. Records of monitoring information shall include the following:

i. The date, exact place, and time of sampling or measurements.

ii. The individual(s) who performed the sampling or measurements.

iii. The date(s) analyses were performed.

iv. The individual(s) who performed the analyses.

v. The analytical techniques or methods used.

vi. The results of such analyses.

3. ELIGIBILITY AND PERMIT COVERAGE AREA

a. This permit regulates animal feeding operation manure and process wastewater land application systems within the State of Georgia.

b. Limitations on coverage: This permit does not authorize coverage to the following land application systems:

i. Systems associated with or containing biosolids;

ii. Systems that are covered by an individual land application system permit;

iii. Systems associated with or containing grease trap waste;

iv. Systems associated with or containing industrial, commercial, hazardous, or non-biodegradable wastes or municipal solid wastes; or

v. Systems associated with or containing domestic septage.

4. AUTHORIZATION

a. The permittee applying or proposing to apply animal feeding operation manure and process wastewater to land application systems must submit a Notice of Intent (NOI) and an initial or updated nutrient management plan in accordance with this permit to be authorized coverage under this general permit. Such Notice of Intent shall be on forms as may be prescribed and furnished by the Division.

b. Coverage under this general permit shall be effective upon receipt of notification of inclusion by the Division.

c. The Division may deny coverage under this permit and require submittal of an application for an individual system permit based on a review of the NOI or other information.

d. Notice of Intent Forms, nutrient management plans, and other required reports and forms shall be submitted to the Georgia Department of Agriculture on behalf of the Division. The address for submittal of forms (and for obtaining forms) is:

Animal Feeding Operation Permitting Program
Livestock/Poultry Field Forces
Georgia Department of Agriculture
P.O. Box 7847
Gainesville, Georgia 30504

5. GENERAL REQUIREMENTS

a. The land application system will be operated in accordance with the design criteria as presented in the approved nutrient management plan (NMP), the permit application and/or other written agreements between the Division and the permittee.

b. Manure and process wastewater shall not be applied to a site that is frozen, flooded, or snow-covered. If it is raining or if the soil is saturated, then manure and process wastewater application shall not take place.

c. The sites and location of the land application system shall consist of the number of acres identified in the NMP. Application shall take place within the boundaries identified in the NMP. Manure and process wastewater may be transferred from the permitted facility in accordance with off-site transfer procedures specified in the NOI and NMP.

d. The land application system must be operated as a no discharge to surface water system. Corrective actions, which could include curtailing or ceasing production, shall be undertaken if the application rate cannot satisfactorily be handled by the currently approved disposal field(s). Manure and process wastewater shall be sprayed as specified in the approved NMP to insure operation as a no discharge to surface water system. Precipitation-related discharges qualifying as agricultural storm water discharges are not subject to these permit requirements.

6. REPORTING AND RECORDS

a. The Division may require the collection and analysis of samples and reporting of monitoring results by written notification.

b. All reports or information generated in compliance with this permit must be signed in accordance with the Georgia Rules and Regulations For Water Quality Control, Chapter 391-3-6-.19(5)(e).

c. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the NOI for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. That period may be extended by request of the Division at any time.

7. TERMINATION OF PERMIT COVERAGE

Coverage under this permit may be terminated if the Division determines in writing that the permittee has submitted a complete and adequate NOT, the facility has ceased all operation, the facility is no longer an animal feeding operation that land applies manure and process wastewater, and the facility has properly closed the animal feeding operation in accordance with the approved NMP.

8. CLOSURE

a. Closure of the animal feeding operation manure and process wastewater land application system shall be done as directed by the Division.

b. Operation of the system will cease and the land disposal of manure and process wastewater will be eliminated consistent with the closure plan in the approved NMP.

9. EXPANSION OF SYSTEM

The permittee shall not allow any unauthorized sites or fields under his control to receive manure and process wastewater beyond that capacity identified in the approved NMP without written approval from the Division.

B. LIMITATIONS AND MONITORING REQUIREMENTS

1. WASTE STORAGE LAGOON OR STRUCTURE

If it is determined that a waste storage lagoon or structure is creating a groundwater contamination problem, the Division may require the lagoon or structure to be repaired, or may require additional corrective action.

2. SOIL MONITORING REQUIREMENTS

Representative samples shall be collected and analyzed in accordance with the approved NMP.

3. GROUNDWATER LIMITATIONS AND MONITORING

The waste storage and disposal system shall be designed and operated such that it does not cause Nitrate Nitrogen (NO3-N) in the groundwater at the operation's property line to exceed primary maximum contaminant levels for drinking water in accordance with the Georgia Rules and Regulations for Water Quality Control, Chapter 391-3-6-.21(4)(h)(3)(i).

a. The permittee may be required to install groundwater monitoring wells if they were not included in the original design, or if existing wells are inadequate.

b. If information obtained by the permittee indicates contamination of groundwater or surface water, problems with meeting operational criteria, or changes from design criteria due to increased production or other factors, the permittee shall propose to the Director additional reports or modifications to the system to address said contamination, problems, or changes.

PART II

A. MANAGEMENT REQUIREMENTS

1. FACILITY OPERATION

a. The permittee shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

b. Proper operation of the land application system also includes the best management practice of establishing and maintaining crops, vegetation, forage growth or post-harvest residues in the normal growing season on the land application site.

2. NONCOMPLIANCE NOTIFICATION

a. If, for any reason the permittee does not comply with, or will be unable to comply with any terms and limits specified in the permit, the permittee shall provide the Division with an oral report within twenty-four (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:

   i. A description of the noncompliance and its cause;

   ii. The period of noncompliance, including the exact date and times; or, if not corrected, the anticipated time the noncompliance is expected to continue; and

   iii. The steps taken to reduce, eliminate, and prevent recurrence of the non-compliance.

b. If, for any reason the permittee anticipates a noncompliance event, the permittee shall give written notice to the Division at least ten (10) days before:

   i. Any planned changes in the permitted facility; or

   ii. Any activity that may result in noncompliance with the permit.

c. 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 (24) hour reporting.

3. OPERATOR CERTIFICATION REQUIREMENTS

a. The permittee shall ensure that the operator in charge of the daily operation of the land application system is a certified animal feeding operator in accordance with the Georgia Rules and Regulations for Water Quality Control, Chapter 391-3-6-.21(5) and the Rules of the Georgia Department of Agriculture Animal Industry Division, Chapter 40-16-5.

b. The operator in charge of the land application system shall be certified prior to beginning the animal feeding operation.

4. LABORATORY ANALYST CERTIFICATION REQUIREMENTS

The permittee shall ensure that all persons performing the laboratory analyses for this animal feeding operation are Certified Wastewater Laboratory Analysts unless such analyses is performed in a commercial environmental laboratory that is approved by the Division under the Rules for Commercial Environmental Laboratories, Chapter 391-3-26.

5. DUTY TO MITIGATE

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

B. RESPONSIBILITIES

1. COMPLIANCE

a. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Act, and the Georgia Rules and Regulations for Water Quality Control and is grounds for:

i. Enforcement action; or

ii. Permit termination, revocation and reissuance, or

iii. Denial of a permit renewal application; and/or

iv. Requiring a permittee to apply for and obtain an individual permit.

b. 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.

2. RIGHT OF ENTRY

The permittee shall allow the Director of the Division and authorized representatives, agents, or employees after they present credentials:

a. To enter the permittee's premises where a regulated activity or facility is located, or where any records required by this permit are kept; and

b. At reasonable times, to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and to sample any substance or parameters at any location.

3. SUBMITTAL OF INFORMATION

The permittee shall furnish to the Division any information which the Division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating coverage under this permit or to determine compli ance with this permit. The permittee shall also furnish to the Division upon request, copies of records required to be kept by this permit. Where the permittee becomes aware that it failed to submit any relevant facts in a NOI or NMP, or submitted incorrect information in a NOI or NMP or in any report to the Division, the permittee shall promptly submit such facts or information.

4. TRANSFER OF OWNERSHIP OR CONTROL

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

a. The permittee notifies the Georgia Department of Agriculture on behalf of the Director in writing of the proposed transfer at least thirty (30) days in advance of the proposed transfer;

b. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and proposed permit-

tee (including acknowledgment that the existing permittee is liable for violations up to that date, and that the proposed permittee is liable for violations from that date on) is submitted to the Georgia Department of Agriculture on behalf of the Director at least thirty (30) days in advance of the proposed transfer with respective NOT and NOI forms; and

c. The Director, within thirty (30) days, does not notify the current permittee and the proposed permittee of the Division's intent to modify, revoke and reissue, or terminate the permit.

5. PERMIT MODIFICATION

Coverage under 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 permit coverage 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 land application; and

d. Significant changes in animal feeding operation manure and process wastewater characteristics not addressed in the NOI or approved NMP.

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.

6. PENALTIES

a. The State Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine or by imprisonment, or by both. The State Act also provides procedures for imposing civil penalties which may be levied for violations of the Act, any permit condition or limitation established pursuant to the Act, or negligently or intentionally fail-

ing or refusing to comply with any final or emergency order of the Director of the Division.

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

7. CIVIL AND CRIMINAL LIABILITIES

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

8. STATE LAWS

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or pen alties established pursuant to any applicable State law or regulation.

9. EXPIRATION OF PERMIT

The permittee shall not operate the system after the expiration date. In order to receive permit renewal consideration to operate beyond the expiration date, the permittee shall submit such information, and NOI forms as are required by the Division no later than one-hundred-and-eighty (180) days prior to the expiration date.

10. 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 pro vision does not affect other circumstances or the remainder of this permit.

11. NMP CERTIFICATION AND COMPLIANCE SCHEDULE

a. Prior to coverage under the general permit, if the permittee was covered under LAS Permit No. GAU700000 or NPDES Permit No. GAG930000, the permittee must certify on forms as may be prescribed and furnished by the Division that the NMP was submitted and approved on or after March 15, 2011 and is valid for operation in accordance with the permit; or

b. If the permittee was covered under LAS Permit No. GAU700000 or NPDES Permit No. GAG930000 and the NMP was not submitted and

approved on or after March 15, 2011, the permittee must submit an updated NMP no later than one-hundred-and-eighty (180) days after obtaining coverage under the general permit.

c. If the permittee was not covered under LAS Permit No. GAU700000 or NPDES Permit No. GAG930000, the NMP must be submitted and approved prior to obtaining coverage under this permit.

d. Failure to obtain an approved NMP will result in coverage under this permit being modified, terminated, or revoked and reissued in whole or in part during its term.