

**SYNOPSIS****Proposed Amendments to the Rules for Water Quality Control,  
Chapter 391-3-6**

The proposed amendments to the Rules for Water Quality Control would amend **Rule 391-3-6-.03**, “Water Use Classifications and Water Quality Standards”, relating to EPD’s Triennial Review of Water Quality Standards.

**Purpose:** The Federal Clean Water Act (CWA) requires States and authorized Indian Tribes to review their water quality standards at least once every three years, and revise them if appropriate. This process is referred to as the Triennial Review of Water Quality Standards. EPD is proposing amendments to the Rules for Water Quality Control based on new EPA recommended criteria and comments received from the public.

**Main Features:** Under the Triennial Review of Water Quality Standards process, EPD proposes amendments to the Rules for Water Quality Control to accomplish the following:

- Clarify the antidegradation rule, and define “practicable alternatives”;
- Explicitly incorporate the use of schedules of compliance in NPDES permits;
- Clarify the definition for “estuarine waters”, and update associated references;
- Include pH in the definition of “natural conditions”;
- Adopt EPA’s 2016 recommended aquatic life cadmium criteria;
- Adopt bacteria criteria for the protection of secondary contact recreation;
- Revise the units for bacteria measurements to a non-method specific count;
- Revise/correct specific water use classifications;
- Develop site-specific lake standards that include numeric chlorophyll and nutrient criteria for Lakes Oconee and Sinclair;
- Remove paragraph (18) regarding the “Effective Date” of the rule; and
- Correct various formatting, typos and grammatical errors.

**RULES FOR WATER QUALITY CONTROL, CHAPTER 391-3-6**

**391-3-6-.03**, “Water Use Classifications and Water Quality Standards” is being amended: to clarify the state’s antidegradation rule and ensure consistency with the federal requirements, and to provide a definition for the term “practicable alternatives” in paragraphs (2) and (3); to explicitly incorporate the use of schedules of compliance in NPDES permits in paragraph (2); to clarify the definition for “estuarine waters,” and to clarify that the toxic priority pollutant criteria in paragraph (5) apply to “coastal” and “estuarine waters”; to incorporate pH into the definition for “natural conditions” in paragraph (3); to adopt EPA’s 2016 recommended aquatic life cadmium criteria in paragraph (5); to adopt bacteria criteria for the protection of secondary contact recreation within the numeric criteria for fishing and drinking water designated uses in

- Includes amendments to **391-3-6-.03(6)(a)(i)**, **391-3-6-.03(6)(b)(i)**, and **391-3-6-.03(c)(iii)**
- Revise and correct specific water use classifications in paragraph (14): to remove the entry for the Chattahoochee River, from Atlanta (Peachtree Creek) to Cedar Creek, from this paragraph since that stream is classified as “Fishing”; to designate the Chattahoochee River from Snake Creek to Yellowdirt Creek as “Recreation”; and to correct the river basin in which Reed Bingham State Park Lake is located
  - Includes amendments to **391-3-6-.03(14)**
- Adopt site-specific lake standards that include numeric chlorophyll and nutrient criteria for Lakes Oconee and Sinclair in paragraph (17)
  - Includes addition of **391-3-6-.03(17)(g)** to incorporate criteria for Lake Oconee
    - Chlorophyll-a criteria is being added for the months of April through October at three locations on the lake; total nitrogen and total phosphorus nutrient criteria are being added; and bacteria, dissolved oxygen, and temperature criteria are being added that are based on the lake’s designated use
  - Includes addition of **391-3-6-.03(17)(h)** to incorporate criteria for Lake Sinclair
    - Chlorophyll-a criteria is being added for the months of April through October at three locations on the lake; total nitrogen and total phosphorus nutrient criteria are being added; and bacteria, dissolved oxygen, and temperature criteria are being added that are based on the lake’s designated use
- Remove paragraph (18) regarding the “Effective Date” of the rule, as the sentence under that paragraph merely summarizes state law under O.C.G.A. § 50-13-6 and the sentence does not reflect the process of EPA’s review and approval of Georgia’s water quality standards pursuant to 40 C.F.R. § 131.21
  - Includes strike-through of 391-3-6-.03(18)

**STATEMENT OF RATIONALE**  
**Proposed Amendments to the Rules for Water Quality Control,**  
**Chapter 391-3-6**

The Federal Clean Water Act and 40 C.F.R. § 131.20 requires States to review water quality standards, at least once every three years, and to revise them if appropriate. This process is referred to as the Triennial Review of Water Quality Standards. The Rules for Water Quality Control, Chapter 391-3-6, are proposed for amendment to address EPD’s Triennial Review of Water Quality Standards process. The proposed amendments are designed to address compliance with recent EPA guidance as it pertains to Georgia’s water quality control program, and to reflect input from stakeholders and the public.

The Triennial Review of Water Quality Standards process provides an opportunity for EPD to consider guidance from EPA, the latest information or predictive modeling tools that EPD may have on water quality conditions, information submitted by the public, or other types of information that might inform water quality standards. The proposed rule amendments have