

**STATE OF GEORGIA  
DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION DIVISION**

**FACT SHEET**

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
GENERAL PERMIT NO. GAR000000  
STORM WATER DISCHARGES  
ASSOCIATED WITH INDUSTRIAL ACTIVITY**

**March 18, 2003**

The 1972 amendments to the Federal Clean Water Act (CWA, also referred to as the Federal Water Pollution Control Act or FWPCA) prohibit the discharge of any pollutant to the waters of the United States from a point source unless the discharge is authorized by a National Pollutant Discharge Elimination System (NPDES) permit. Initial efforts to improve water quality under the NPDES program focused on reducing pollutants in discharges of industrial process wastewater and from municipal sewage treatment plants.

In response to the need for comprehensive NPDES requirements for discharges of storm water, Congress amended the CWA in 1987 to require the U.S. Environmental Protection Agency (EPA) to establish phased NPDES requirements for storm water discharges. EPA published initial permit application and other requirements for certain categories of storm water discharges associated with industrial activity on November 16, 1990 (50 FR 47990) and on April 2, 1992 (57 FR 11394). The Georgia Environmental Protection Division (EPD) amended the Georgia Rules and Regulations for Water Quality Control (Rules) in April 1990 to allow the issuance of general permits. EPD was granted the authority to issue NPDES general permits by EPA in January, 1991. EPD issued the NPDES General Permit No. GAR000000 (permit) for storm water discharges associated with industrial activity on June 14, 1993 with an expiration date of May 31, 1998. The permit was reissued on June 1, 1998 with an expiration date of May 31, 2003. The general permit being proposed at this time is a revision of the two previous issuances of the permit. Some of the revisions are based on the EPA Multi-Sector General Permit which was issued on September 29, 1995 and re-issued on October 30, 2000 which is applicable to non-delegated states.

NPDES General Permit No. GAR000000 will authorize storm water discharges to the waters of the State of Georgia from industrial activities identified in 40 CFR Part 122.26(b)(14)(i) through (ix) and (xi). The industrial facilities regulated by this permit will include:

1. Facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR subchapter N;
2. Facilities classified as Standard Industrial Classifications 24 (except 2434), 26 (except 265 and 267), 28 (except 283), 29, 311, 32 (except 323), 33, 3441, and 373;
3. Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations no longer meeting the definition of a reclamation area under 40 CFR 434.11(1) because the performance bond issued to the facility by the appropriate SMCRA authority has been released, or except for areas of non-coal mining operations which have been released from applicable State or Federal reclamation requirements after December 17, 1990) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge storm water contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations; inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator;
4. Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA;
5. Landfills, land application sites, and open dumps that have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under Subtitle D of RCRA;
6. Facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093;
7. Steam electric power generating facilities, including coal handling sites;
8. Transportation facilities classified as Standard Industrial Classifications 40, 41, 42 (except 4221-25), 43, 44, 45 and 5171 which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or which are otherwise identified under (i) – (vii) or (ix) – (x) of this definition are associated with industrial activity;

9. Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with 40 CFR 503;
10. Facilities under Standard Industrial Classifications 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 285, 30, 31 (except 311), 323, 34 (except 3441), 35, 36, 37 (except 373), 38, 39, 4221-25, (and which are not otherwise included within categories (i) – (ix).

Certain non-storm water discharges (primarily potable water) are authorized under the proposed permit. One notable revision to the permit is that non-storm water discharges composed of uncontaminated compressor condensate are now authorized.

The major provisions of the proposed permit are as follows:

1. Obtain permit coverage by submitting a fully completed Notice of Intent (NOI) form supplied by EPD. The NOI will include basic information about the facility and the receiving waters where the discharges occur. Existing facilities must submit a new NOI by May 31, 2003 in order to obtain coverage under the proposed permit. New facilities that begin industrial operations after the issuance date of the proposed permit (June 1, 2003) must submit a NOI form one week prior to beginning industrial activity. Coverage is provided without acknowledgement from EPD. NOI forms must now be submitted by return receipt certified mail or a similar service. It is recommended that permitted facilities retain a copy of the completed NOI form with the return receipt attached.

NOI forms are available on EPD's website at:

<http://www.dnr.state.ga.us/dnr/environ>

Select "EPD forms" and scroll down to the "Storm Water" section. The "Notice of Intent – Version 2003" is the correct NOI form for coverage under the proposed permit. NOI forms may also be obtained by calling EPD at (404) 675-6240.

2. Each facility covered by the proposed permit must develop and implement a site-specific Storm Water Pollution Prevention Plan (SWP3) for the facility (see Part IV.D of the proposed permit). The SWP3 will identify potential sources of storm water pollutants at the facility and establish a

system of Best Management Practices (BMPs) that will be used to reduce pollutant levels in storm water discharges from the facility. The SWP3 must be kept up to date at all times. Site inspections must be conducted by facility personnel on no less than a quarterly basis (Part IV.D.3.d) and a Comprehensive Site Compliance Evaluation with a subsequent SWP3 update must be conducted on no less than an annual basis (Part IV.D.4). A non-storm water discharge certification (Part IV.D.3.g) is now required to be performed on an annual basis as well.

3. Numeric effluent limitations for storm water discharges from asphalt emulsion facilities have been added to the proposed permit. The effluent limitations are based on effluent guidelines promulgated by EPA. Otherwise, except for coal pile runoff, numeric effluent limitations have not been included in the proposed general permit. EPD has determined that, with the above exceptions, it would be infeasible to derive specific numeric effluent limitations for intermittent storm water discharges because of the lack of data available at the time concerning flow rate, volume, variability and duration of effluent and receiving water flow, quantity and types of pollutants, and the effectiveness of many conventional control measures. EPD has determined, based upon best professional judgment, that the inspection requirements, as provided by the proposed general permit, can be as or more effective than numeric effluent limitations for storm water discharges in evaluating compliance with permit conditions.
4. Certain facilities will be required to sample and analyze their storm water discharges on an annual basis. This sampling is intended to establish ambient or background levels of pollutants in storm water discharges from these facilities and aid in identifying potential sources of storm water pollution and determining the effectiveness of BMPs in reducing pollutants in storm water discharges. These facilities are listed in Part VI.A.2 of the proposed permit and include:
  - a. Primary metal industries (SIC 33)
  - b. Land disposal units, incinerators, and boilers and industrial furnaces
  - c. Wood waste and wood waste landfills
  - d. Wood treatment facilities
  - e. Facilities with coal pile runoff
  - f. Battery reclaimers
  - g. Airports
  - h. Coal-fired steam electric facilities

- i. Animal handling / meat packaging facilities
- j. SIC 28 /30 facilities
- k. Automobile recyclers and salvage yards
- l. Lime manufacturing facilities
- m. Oil-fired steam electric power generating facilities
- n. Cement manufacturing / cement kilns
- o. Ready-mixed concrete facilities
- p. Ship building / repairing facilities
- q. Asphalt emulsion facilities

The annual sampling requirements for facilities subject to requirements to report releases into the environment under Section 313 of the Emergency Planning and Community Right to Know Act of 1986 (EPCRA, also referred to as SARA Title III) have been removed from the proposed permit. These facilities were required to monitor storm water discharges for Section 313 water priority chemicals, which were listed in Appendix B of the previous permit. Appendix B has also been removed from the proposed permit. Facilities that were affected by this requirement are now required to identify these chemicals in the SWP3 and establish BMPs that will be used to minimize exposure of these chemicals to storm water. This revision to the proposed permit was made in order to remain consistent with the current requirements of EPA's Multi-Sector General Permit.

Those facilities that have certified to a condition of No Exposure by submitting the Industrial No Exposure Exclusion form (available on EPD's website) are exempt from storm water permitting as long as the condition of No Exposure is maintained, and are not required to submit a NOI. Permitted facilities that are able to meet the requirement for the No Exposure Exclusion at a later date will, after submitting the Industrial No Exposure Exclusion form, no longer be authorized by or required to comply with this permit. Submittal of a Notice of Termination is not required when submitting the Industrial No Exposure Exclusion form.

The proposed general permit will be valid for a term of five (5) years. The EPD can require an applicant to submit an application for an individual NPDES permit upon written notification to the applicant.

This notice is being distributed by newspaper and mail 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 proposed general permit may be reviewed on EPD's website (see web

address above) by selecting "Technical Guidance" and scrolling down to the "Storm Water" section. The proposed permit is provided in Microsoft Word format and revisions/additions to the permit are shown in red. Hard copies of the proposed general permit will be mailed upon request by calling (404) 675-6240 or by writing the EPD at the address provided below.

Persons wishing to comment on the proposed NPDES General Permit No. GAR000000 are invited to submit written comments to Mr. Lawrence W. Hedges, Program Manager at the address provided below:

Georgia Environmental Protection Division  
Water Protection Branch  
NonPoint Source Program  
4220 International Parkway, Suite 101  
Atlanta, Georgia 30354

All written comments received on or before April 18<sup>th</sup>, 2003 will be considered in the formulation of the final determinations regarding this permit.

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 public notice of such permit issuance or denial. Such hearing will be held in accordance with the EPD Rules and Regulations for 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 or denial of the permit;
3. The reason or reasons why the petitioner takes issue with the action of the Director; and
4. All other matters asserted by the petitioner which are relevant to the action in question.