General Permit
No. GAR000000

State of Georgia
Department of Natural Resources
Environmental Protection Division

Authorization To Discharge Under The National Pollutant Discharge Elimination System Storm Water Discharges Associated With Industrial Activity

In compliance with the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended), hereinafter called the "State Act," the Federal Clean Water Act, as amended (33 U.S.C.1251 et seq.), hereinafter called the "Clean Water Act," and the Rules and Regulations promulgated to each of these Acts, new and existing storm water point sources within the State of Georgia that are required to have a permit, upon submittal of a Notice of Intent, are authorized to discharge storm water associated with industrial activity to the waters of the State of Georgia in accordance with the limitations, monitoring requirements and other conditions set forth in Parts I through VIII hereof.

This permit shall become effective on June 1, 2003.

This permit and the authorization to discharge shall expire at midnight May 31, 2008.

Signed this day of , 2003.

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Director,
Environmental Protection Division

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Part I. COVERAGE UNDER THIS PERMIT

A. Permit Area.

This permit regulates all point source discharges of storm water associated with industrial activity, as defined in this permit, to the waters of the State of Georgia.

B. Eligibility.

1. This permit may authorize all new and existing point source discharges of storm water associated with industrial activity to waters of the State of Georgia, except for storm water discharges identified under Part I.B.2. Municipally owned or operated industrial facilities and military installations must comply with the permit and monitoring requirements for all types of industrial activities that such installations perform.

2. *Limitations on coverage.* The following storm water discharges associated with industrial activity are not authorized by this permit:

   a. storm water discharges associated with industrial activity that are mixed with sources of non-storm water other than non-storm water discharges that are:

      (1) in compliance with a different NPDES permit; or

      (2) identified by and in compliance with Part III.A.2 of this permit .

   b. storm water discharges associated with industrial activity which are subject to an existing effluent limitation guideline addressing storm water (or a combination of storm water and process water);

   c. storm water discharges associated with industrial activity that are covered by an existing NPDES individual or general permit, except for individual NPDES permits which authorize storm water discharges under Part II.B.16 of the individual permit. Storm water discharges may be authorized under this permit after an existing individual NPDES permit expires provided the existing permit did not establish numeric limitations for such discharges;

   d. storm water discharges associated with industrial activity from construction sites, except storm water discharges that can be classified as an industrial activity under 40 CFR 122.26(b)(14)(i) through (ix) or (xi) (including storm water discharges from mobile asphalt plants, and mobile concrete plants);

   e. storm water discharges associated with industrial activity that the Director has determined to be or may reasonably be expected to be contributing to a violation of a water quality standard; and

f. storm water discharges associated with industrial activity from inactive mining, inactive landfills, or inactive oil and gas operations occurring on Federal lands where an operator cannot be identified.

3. Storm water discharges associated with industrial activity which are authorized by this permit may be combined with other sources of storm water which are not classified as associated with industrial activity pursuant to 40 CFR 122.26(b)(14), so long as the discharger is in compliance with this permit, the unclassified storm water is identified in the Storm Water Pollution Prevention Plan, and appropriate best management practices are employed.

C. Authorization.

1. Dischargers of storm water associated with industrial activity must submit a Notice of Intent (NOI) in accordance with the requirements of Part II of this permit, using a NOI form supplied by the Georgia Environmental Protection Division (EPD), to be authorized to discharge under this permit.

2. Unless notified by the EPD to the contrary, owners or operators who submit such notification are authorized to discharge storm water associated with industrial activity under the terms and conditions of this permit one (1) week after the date that the NOI is postmarked.

3. The Director may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information. Should the Director deny coverage under this permit, coverage under this permit is authorized until the date of receipt of the notice of denial or a later date established by the Director.

D. Definitions.

The definitions are set forth in the Appendix of this Permit.

Part II. NOTICE OF INTENT REQUIREMENTS

A. Deadlines for Notification.

1. Except as provided in Parts II.A.4 and II.A.5, operators who intend to obtain coverage for an existing storm water discharge associated with industrial activity under this general permit and were covered under the previous (1998–2003) general permit shall submit a Notice of Intent (NOI) in accordance with the requirements of this Part no later than May 31, 2003.

2. Except as provided in Parts II.A.3, II.A.4, and II.A.5, operators of facilities which begin industrial activity after issuance of this permit shall submit a NOI in accordance with the requirements of this Part at least one (1) week prior to the commencement of the industrial activity at the facility.

3. Operators of oil and gas exploration, production, processing, or treatment operations or transmission facilities, that were not required to submit a permit application as of October 1, 1992 in accordance with 40 CFR 122.26(c)(1)(iii), but that after October 1, 1992 have or have had a discharge of a reportable quantity of oil or a hazardous substance for which notification is required pursuant to ether Georgia's Oil or Hazardous Material Spills or Releases Act (O.C.G.A. 12-14-2), 40 CFR 110.6, 40 CFR 117.21 or 40 CFR 302.6 must submit a NOI in accordance with the requirements of Part II.C of this permit within 14 calendar days of the first knowledge of such release.

4. Where the operator of a facility with a storm water discharge associated with industrial activity which is covered by this permit changes, the new operator of the facility must submit a new NOI in accordance with this Part no later than thirty (30) days after the change of the operator.

5. An operator of a facility with a storm water discharge associated with industrial activity is not precluded from submitting a NOI in accordance with the requirements of this Part after May 31, 2003 or as otherwise required in Parts II.A. 2, 3, or 4 of this Permit. In such instances, the EPD may bring an enforcement action for failure to submit a NOI in a timely manner or for any unauthorized discharges of storm water associated with industrial activity that have occurred on or after the dates or periods of time provided in Parts II.A.1, 2, 3, or 4 of this permit.

6. 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, therefore, are not required to submit a NOI. Permitted facilities that are able to meet the requirements 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 prior to submittal of the Industrial No Exposure Exclusion form.

B. Contents of Notice of Intent. The Notice of Intent shall be signed in accordance with Part VII.G of this permit and shall include the following information:

1. Name, mailing address, street address (provide a descriptive or narrative location if no address is available, and county of the facility for which the notification is submitted;

2. Up to four 4-digit Standard Industrial Classification (SIC) codes that best represent the principal manufacturing process or activity and an indication of whether the facility is a hazardous waste treatment, storage, or disposal facility, a land disposal facility that receives or has received any hazardous waste, a steam electric power generating facility, or a treatment works treating domestic sewage;

3. The legal name, address, and telephone number of the operator of the facility and an indication of whether the facility is publicly or privately operated. For publicly operated facilities indicate whether the facility is operated by local, state, or federal government;

4. The permit number for any additional NPDES permits for discharges (including non-storm water discharges) from the site;

5. The name of the receiving water(s), or if the discharge is through a municipal separate storm sewer system (MS4), the name of the MS4 operator and the receiving water for the discharge from the MS4;

6. An indication of whether the owner or operator has existing quantitative data describing the concentration of pollutants in storm water discharges (do not attach or include existing data when submitting the NOI);

7. The latitude and longitude of the approximate center of the facility to the nearest 15 seconds;

8. The name and title of the individual who will serve as the point of contact for storm water and permit-related issues. Include a telephone number for the site contact;

9. An indication of whether a current Storm Water Pollution Prevention Plan (SWP3) for the facility has been developed and implemented;

10. Any other information determined by the EPD to be necessary.

C. Where to Submit. Facilities that discharge storm water associated with industrial activity must use a NOI form provided by the EPD. Forms are available on EPD's web site at http://www.dnr.state.ga.us/dnr/environ by selecting "EPD forms" and scrolling down to the "Storm Water" section, or by calling EPD at (404) 675-6240. NOI forms must be submitted ***by return receipt certified mail*** (or a similar service) to the EPD at the following address:

Georgia Environmental Protection Division
4220 International Parkway, Suite 101
Atlanta, Georgia 30354

A copy of the NOI form with the return receipt attached should be filed with the facility's Storm Water Pollution Prevention Plan (SWP3).

D. Additional Notification. Facilities that discharge storm water associated with industrial activity through a permitted municipal separate storm sewer system (MS4), or when required by local ordinance, shall, in addition to filing the NOI in accordance with Part II.C., also submit signed copies of the NOI to the city or county in accordance with the deadlines in Part II.A.

E. Renotification. Upon issuance of a new or different general permit for some or all of the discharges of storm water covered by this permit, the permittee is required to notify the EPD of it's intent to be covered by the new or different permit. The permittee is required to submit a new NOI in accordance with the notification requirements of the new or different permit at that time.

Part III. SPECIAL CONDITIONS

A. Prohibition on Non-Storm Water Discharges.

1. Except as provided in Part II.A.2, all discharges covered by this permit shall be composed entirely of storm water. This permit does not authorize the discharge of any type of process wastewater.

2. a. Except as provided in Parts III.A.2.b, and c, discharges of pollutants or wastewater other than storm water must be in compliance with a NPDES permit (other than this permit) issued for the discharge.

   b. The following non-storm water discharges may be authorized by this permit provided the non-storm water component of the discharge is in compliance with the measures and controls for non-storm water discharges section (Part IV.D.3.g) of the Storm Water Pollution Prevention Plan (SWP3): discharges from fire fighting activities; fire hydrant flushing; potable water sources including water line flushing; irrigation drainage; lawn watering; uncontaminated air conditioning or compressor condensate; springs; uncontaminated ground water, foundation or footing drains where flows are not contaminated with process materials; exterior building washdown water where no detergents or other chemicals are used in conjunction with the cleaning activities.

   c. Pavement washwater from containment zones will not be authorized by this permit. Pavement washwater from areas outside containment zones where pollutants have been previously removed (using appropriate best management practices as specified in Part IV.D.3 of this permit) and where spills and leaks of toxic or hazardous material have not occurred (unless all spilled materials and residuals have been removed) and where no detergents or chemicals are used in conjunction with the cleaning activities may be authorized provided the non-storm water component of the discharge is in compliance with the measures, controls, and best management practices (BMPs) for the non-storm water discharge section (Part IV.D.3.g) of the SWP3. Containment zones must be delineated in the SWP3 and shall include all loading areas, unloading areas, and designated live animal holding areas. A record of the date, time, location, and potential pollutants being discharged for each cleaning activity must be maintained as part of the SWP3.

B. Releases in Excess of Reportable Quantities.

1. The discharge of hazardous substances or oil in the storm water discharge(s) from a facility covered by this permit shall be prevented, if at all possible, or minimized in accordance with the applicable SWP3 for the facility. This permit does not relieve the permittee of the reporting requirements of Georgia's Oil or Hazardous Materials Spills or Releases Act (O.C.G.A 12-14-2), 40 CFR 117, and 40 CFR 302.

2. The Storm Water Pollution Prevention Plan (SWP3) required under Part IV of this permit must be modified within 14 calendar days of knowledge of a release equal to or in excess of a reportable quantity under the Georgia Oil or Hazardous Materials Spills or Releases Act or 40 CFR 302 to: provide a description of the release, the circumstances leading to the release, and the date of the release. In addition, the SWP3 must be reviewed and amended to identify measures needed to prevent the reoccurrence of such release and to respond to such releases. The SWP3 must be amended and updated, where appropriate, within thirty (30) days of the release.

3. *Spills.* This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill.

Part IV. STORM WATER POLLUTION PREVENTION PLANS

A Storm Water Pollution Prevention Plan (SWP3) shall be developed for each facility covered by this permit. The SWP3 shall be prepared in accordance with good engineering practices and certified by an individual with the education, experience, and accountability necessary for it's implementation. The SWP3 shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. In addition, the SWP3 shall describe and ensure the implementation of best management practices (BMPs) which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. Facilities must implement the provisions of the SWP3 under this Part as a condition of this permit.

A. Deadlines for SWP3 Preparation and Compliance.

1. *Existing facilities.* Facilities existing prior to the issuance of this permit which were authorized by the previous general NPDES permit shall implement and maintain a current SWP3 in compliance with Part IV of this permit by June 1, 2003.

2. *New facilities.* The SWP3 for any facility where industrial activity commences after the issuance of this permit shall be prepared and shall provide for

compliance with the terms of the SWP3 and this permit on or before the sixtieth (60th) calendar day after the commencement of industrial activity at the facility.

3. The SWP3 for storm water discharges associated with industrial activity from an oil and gas exploration, production, processing, or treatment operation or transmission facility, that was not required to submit a permit application as of October 1, 1992 in accordance with 40 CFR 122.26(c)(1)(iii), that has had or has a discharge of a reportable quantity of oil or a hazardous substance after October 1, 1992 for which notification was or is required pursuant to either Georgia's Oil or Hazardous Material Spills or Releases Act (O.C.G.A. 12-14-2), 40 CFR 110.6, 40 CFR 117.21 or 40 CFR 302.6 shall be prepared and, except as provided elsewhere in this permit, shall provide for compliance with the terms of the SWP3 and this permit on or before the sixtieth (60th) calendar day after the first knowledge of such release.

4. Upon a showing of cause, the EPD may establish a later date in writing for the preparation of and compliance with a SWP3 when a permittee submits a NOI in accordance with Parts II.A.1 and A.2.

B. Signature and SWP3 Review.

1. The SWP3 shall be signed in accordance with Part VII.G of this permit and be retained on-site at the facility that generates the storm water discharges associated with industrial activity in accordance with Part VI.C.

2. The permittee shall make SWP3s available upon request to the EPD and, in the case of storm water associated with industrial activity that discharges through a permitted municipal separate storm sewer system (MS4), to the operator of the MS4.

3. The EPD may notify the permittee at any time that the SWP3 does not meet one or more of the minimum requirements of this Part. Within thirty (30) days of such notification from the EPD (or as otherwise provided), the permittee shall make the required changes to the SWP3 and shall submit to the EPD a written certification that the requested changes have been made. On a case by case basis, EPD may require the SWP3 to be prepared, reviewed, or certified by a Georgia Registered Professional Engineer.

C. Keeping the SWP3 Current. The permittee shall amend the SWP3 within thirty (30) days whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to the waters of the State of Georgia, or if the SWP3 proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified in this SWP3, or in otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity. Amendments to the SWP3 may be reviewed by EPD in the same manner as Part IV.B. The SWP3 must be updated at least annually as specified in Part IV.D.4.

D. Contents of the SWP3. The SWP3 shall be prepared in accordance with the requirements of this permit. The SWP3 shall include, at a minimum, the following items:

1. *Pollution prevention team*. The SWP3 shall identify a specific individual or individuals within the facility organization as members of a storm water Pollution Prevention Team that are responsible for developing the SWP3 and assisting the facility or plant manager in it's implementation, maintenance, and revision. The SWP3 shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's SWP3. One person must be designated as the "Team Leader" and serve as the facility's primary contact for storm water-related issues.

2. *Description of potential pollutant sources*. The SWP3 shall provide a description of potential sources that may reasonably be expected to add significant amounts of pollutants to storm water discharges or that may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. The SWP3 shall identify all activities and significant materials that may potentially be significant pollutant sources. The SWP3 shall include, at a minimum:

   a. *Drainage.*

      (1) A site map indicating the outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under IV.D.2.c have occurred, and the locations of the following activities are exposed to precipitation: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage, or disposal of wastes, liquid storage tanks, processing areas, and storage areas.

      (2) For each area of the facility that generates storm water discharges associated with industrial activity with a reasonable potential for containing pollutants, a prediction of the direction of storm water flow, and an identification of the types of pollutants that are likely to be present in storm water discharges associated with industrial activity. Factors to consider include the chemical toxicity; quantity of chemicals used, produced, or discharged; the likelihood of contact with storm water; the history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified as well.

      (3) The site map shall be of sufficient scale and quality to be legible and readable.

   b. *Inventory of exposed materials.* The SWP3 must include an inventory of the types of materials handled at the site that may potentially be exposed to precipitation. Such inventory shall include a narrative description of

significant materials that have been handled, treated, stored, or disposed of in a manner that may allow exposure to storm water between the time of three years prior to the issuance of this permit and the present; the method and location of on-site storage and disposal activities; material management practices employed to minimize contact of materials with storm water runoff water between the time of three years prior to the issuance of this permit and the present; the location and description of existing structural and non-structural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water may receive (e.g. oil water separator, detention pond, etc.).

c. *Spills and leaks*. The SWP3 shall include a list of significant spills and leaks of toxic or hazardous pollutants that occurred in areas that are exposed to precipitation, or that otherwise drain to a storm water conveyance at the facility, after the date of three years prior to the effective date of this permit. Such list shall be updated as appropriate during the term of the permit.

d. *Sampling data*. The SWP3 shall include a summary of existing discharge sampling data describing pollutants in storm water discharges from the facility, including a summary of sampling data collected during the term of this permit.

e. *Risk identification and summary of potential pollutant sources*. The SWP3 shall include a narrative description of potential pollutant sources at the following areas: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and on-site waste disposal practices. The description shall specifically identify any significant potential source of pollutants and, for each potential source, any pollutant or pollutant parameter (e.g. biochemical oxygen demand, etc.) of concern shall be identified.

3. *Measures and controls*. Each facility covered by this permit shall develop a description of storm water management controls (i.e. Best Management Practices or BMPs) appropriate for the facility. Such measures and controls must be implemented as a requirement of this permit. The appropriateness and priorities of BMPs in the SWP3 shall reflect identified potential sources of pollutants at the facility. The description of storm water BMPs shall address the following minimum components, including a schedule for implementing such controls:

a. *Good housekeeping*. Good housekeeping requires the maintenance of areas that may contribute pollutants to storm water discharges in a clean, orderly manner.

b. *Preventive maintenance*. A preventive maintenance program shall involve timely inspection and maintenance of storm water management

devices and other BMPs (e.g. cleaning oil/water separators, catch basins, etc.) as well as inspecting and testing equipment and systems to identify conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters (e.g. hydraulic leaks in motors and pumps, etc.), and ensuring appropriate maintenance of such equipment and systems.

c. *Spill prevention and response procedures*. Areas where potential spills which contribute pollutants to storm water discharges can occur, and their accompanying drainage points shall be identified clearly in the SWP3. Where appropriate, the SWP3 should specify material handling procedures, storage requirements, and the use of equipment, such as diversion valves. Procedures for cleaning up spills shall be identified in the SWP3 and made available to the appropriate personnel. The necessary equipment to implement proper cleanup of a spill should be made readily available to facility personnel.

d. Inspections.

(1) In addition to, and as part of, the Comprehensive Site Evaluation required under Part IV.D.4 and the Monitoring and Reporting Requirements specified in Part VI, the Team Leader, or their designee, shall inspect designated equipment and areas of the facility for BMP deficiencies or other incidences of non-compliance at appropriate intervals specified in the SWP3, but no less than once per calendar quarter. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections and corrective actions taken shall be maintained in the SWP3.

(2) The permittee shall perform and document visual examinations of the storm water discharged from each outfall. The examination(s) must be made during normal facility operation at a frequency appropriate to the size and type of industrial activity conducted but no less than once each calendar quarter. Examination reports must be maintained on-site with the SWP3. Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed one hour) of when the runoff begins discharging. The examinations shall document obvious indicators of storm water pollution such as color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil, scum, turbidity, materials associated with municipal or domestic sewage and industrial waste, and other objectionable conditions. The examination of the collected samples must be conducted in a well lit area. No analytical tests are required to be performed on these samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1

inches in magnitude and that occurs at least 24 hours from the previously measurable (greater than 0.1 inch rainfall) storm event.

(3) When the permittee is unable to collect samples over the course of the visual examination period as a result of adverse climatic conditions, the permittee must document the reason for not performing the visual examination and retain this documentation onsite with the records of the visual examinations. Adverse weather conditions which may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricanes, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.)

(4) When a facility has four or more outfalls that the permittee reasonably believes (based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by an outfall) discharge substantially identical effluents, the permittee may perform the visual inspections and examinations of at least three outfalls and report that the observations also apply to the other substantially identical outfalls. The permittee must keep a record of which outfalls are substantially the same and the rationale for this decision. The permittee must examine and inspect the substantially identical outfalls on a rotational basis.

e. *Employee training.* Employee training programs shall inform personnel responsible for implementing activities identified in the SWP3 or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the SWP3. Training should address topics such as spill response, good housekeeping and material management practices. The SWP3 shall identify periodic dates for such training.

f. *Record keeping and internal reporting procedures.* A record keeping system must be established and implemented for the documents required to be kept by this permit. A description of incidents such as spills, or other discharges, along with other information describing the quality and quantity of storm water discharges shall be included in the SWP3. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the SWP3.

g. *Non-storm water discharges*.

(1) The SWP3 shall include a certification that all discharge points have been tested or evaluated at least once each year for the presence of non-storm water discharges. The certification shall include the identification of potential significant sources of non-

storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the on-site drainage points that were directly observed during the test. Certifications shall be signed in accordance with Part VII.G. Such certification may not be feasible if the facility operating the storm water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit which receives the discharge. In such cases, the source identification section of the SWP3 shall indicate why the certification required by this Part was not feasible, along with the identification of potential significant sources of non-storm water at the site.

(2) Except for flows from fire fighting activities, sources of non-storm water listed in Part III.A.2 that are combined with storm water discharges associated with industrial activity must be identified in the SWP3. The SWP3 shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.

h. *Sediment and erosion control.* The SWP3 shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization BMPs to be used to limit erosion.

i. *Management of runoff.* The SWP3 shall contain a narrative review of traditional storm water management practices (practices other than those which control the generation or source(s) of pollutants) that will be used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the facility. The SWP3 shall provide that measures determined to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges (see Part IV.D.2) shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetative swales and practices, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices.

4. *Comprehensive site compliance evaluation/inspection*. The Team Leader shall conduct site compliance evaluations and inspections at least once per year or at more frequent intervals as specified in the SWP3 except as provided in Part IV.D.4.d. This comprehensive site compliance evaluation and inspection is in addition to the quarterly inspections required by Part IV.D.3.d. Such evaluations shall provide:

a. Areas contributing to a storm water discharge associated with industrial activity shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, or other structural pollution prevention measures identified in the SWP3 shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the SWP3, such as spill response equipment, shall be made.

b. Based on the results of the inspection, the description of potential pollutant sources identified in the SWP3 (description of potential pollutant sources) and pollution prevention measures and controls identified (measures and controls) shall be revised as appropriate within thirty (30) days of such inspection and shall provide for implementation of any changes to the SWP3 in a timely manner, but in no case more than three (3) months after the inspection.

c. A report summarizing the scope of the inspection, personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the SWP3, actions taken in accordance with Part IV.D.4.b, and a yearly summary of the quarterly inspections required by Part IV.D.3.d shall be made and retained as part of the SWP3 for at least three years. The report shall identify any incidents of noncompliance and include a description of corrective actions taken in response. Where the report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the SWP3 and this permit. The report shall be signed in accordance with Part VII.G and kept with the SWP3. This report shall not be submitted to the EPD unless specifically requested in writing by the EPD. When violations of the permit are determined by the permittee, a written report of all instances of noncompliance must be submitted to the EPD within thirty (30) days of becoming aware of such noncompliance.

d. Where annual site inspections are shown to be impractical for inactive mining sites due to the remote location and inaccessibility of the site, the site inspections required under this Part shall be conducted at appropriate intervals specified in the SWP3, but in no case less than once every three years.

5. *Additional requirements for storm water discharges associated with industrial activity through permitted municipal separate storm sewer systems.*

a. In addition to the applicable requirements of this permit, the permittee must comply with applicable requirements in municipal storm water management programs developed under NPDES permits issued for the

discharge of the municipal separate storm sewer system that receives the facility's discharge.

b. Permittees that discharge storm water associated with industrial activity through a permitted municipal separate storm sewer system or when required by local ordinance shall make SWP3s available to the city or county upon request.

6. *Consistency with other plans*. Storm Water Pollution Prevention Plans may incorporate best management practices (BMPs) for the control of pollutants in storm water discharges which are summarized in Spill Prevention Control and Countermeasure (SPCC) plans developed for the facility under Section 311 of the CWA or Best Management Practices (BMP) Plans otherwise required by another NPDES permit for the facility, as long as such requirements are incorporated into the SWP3 by reference and copies of these other plans are kept with the SWP3.

7. *Additional requirements for salt storage*. Storage piles of salt used for deicing or other commercial or industrial purposes and which generate a storm water discharge associated with industrial activity that is discharged to the waters of Georgia shall be enclosed or covered to prevent exposure to precipitation, except for exposure resulting from adding or removing materials from the pile. Dischargers shall demonstrate compliance with this provision as expeditiously as practicable. Salt storage piles do not need to be enclosed or covered where storm water from the pile is not discharged to the waters of Georgia.

8. *Additional requirements for storm water discharges associated with industrial activity from facilities subject to EPCRA Section 313 reporting requirements*.

   Facilities with potential pollutant sources that are subject to reporting requirements under EPCRA Section 313 (SARA Title III) must identify those potential pollutants sources that are, or may be, exposed to precipitation in the SWP3. The SWP3 must include a narrative description of BMPs used to minimize contact of those materials with storm water runoff.

Part V. NUMERIC EFFLUENT LIMITATIONS

A. Coal Pile Runoff. Any discharge composed of coal pile runoff shall not exceed a maximum concentration at any time of 50 mg/l Total Suspended Solids (TSS). Coal pile runoff shall not be diluted with storm water or other flows in order to meet this limitation. The pH of such discharges shall be within the range of 6.0 – 8.5. Any untreated overflow from the facilities designed, constructed and operated to treat the volume of coal pile runoff which is associated with a 10 year, 24 hour rainfall event shall not be subject to the 50 mg/l limitation for Total Suspended Solids (TSS).

B. Runoff from Asphalt Emulsion Facilities. Any storm water discharge from asphalt emulsion facilities shall not exceed a daily maximum concentration of 23.0 mg/L and a thirty (30) day average concentration of 15.0 mg/l for Total Suspended Solids (TSS) and a daily maximum concentration of 15.0 mg/l and a thirty (30) day average concentration of 10.0 mg/l for Oil and Grease. The pH of such discharges shall be within the range of 6.0 to 9.0.

Part VI. MONITORING AND REPORTING REQUIREMENTS

A. Monitoring Requirements.

1. *Limitations on monitoring requirements*.

a. Those facilities identified in Parts VI.A.2.a. through q. are required to conduct annual sampling of their storm water discharges associated with industrial activity. Facilities other than those identified in Parts VI.A.2.a. through q. are not required to perform analytical testing on their storm water discharges associated with industrial activity unless specifically required in writing by EPD . The EPD can provide written notice to any facility with coverage under this permit to conduct analytical testing of their storm water discharges associated with industrial activity on a schedule specified by the EPD.

b. When a facility has industrial activities being conducted on-site that meet the description(s) of the monitoring requirements shown in Parts VI.A.2.a. through q, the facility shall comply with any and all applicable monitoring requirements. The monitoring requirements and conditions of this permit are additive for industrial activities being conducted at the same industrial facility (co-located industrial activities). The operator of the facility shall determine which monitoring requirements of this permit (if any) are applicable to the facility.

2. *Monitoring requirements*. During the period beginning on the effective date and lasting through the expiration date of this permit, a permittee with a facility identified in Part VI.A.2.a. through q. must monitor at least annually (once per calendar year), except as provided in Parts VI.A.4, and VI.A.5, those storm water discharges identified below to document the presence of any pollutants. The permittee is not to submit monitoring results to EPD, unless specifically required in writing by the EPD. However, the permittee must retain monitoring results in accordance with Part VI.C. In addition to the parameters listed below, the permittee shall record the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches) of the storm event which generated the sampled runoff; the duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge sampled;

a. *Primary metal industries*. Facilities with storm water discharges classified as Standard Industrial Classification (SIC) major group 33 (Primary Metal Industry) are required to monitor such storm water that is discharged from the facility for: Oil and Grease (mg/l); Chemical Oxygen Demand (COD) (mg/l); Total Suspended Solids (TSS) (mg/l); pH; Total Recoverable Lead (mg/l); Total Recoverable Cadmium (mg/l); Total Recoverable Copper (mg/l); Total Recoverable Arsenic (mg/l); Total Recoverable Chromium (mg/l); and any pollutant limited in an effluent guideline to which the facility is subject.

b. *Land disposal units/incinerators/BIFs*. Facilities with storm water discharges from any active or inactive landfill, land application site or open dump without a stabilized final cover that have received any industrial wastes (other than wastes from a construction site); and incinerators [including Boilers and Industrial Furnaces (BIFs)) that burn hazardous waste and operate under interim status or a permit under Subtitle C of RCRA, are required to monitor such storm water that is discharged from the facility for: Total Recoverable Magnesium (mg/l); Magnesium (dissolved) (mg/l); Total Kjeldahl Nitrogen (TKN) (mg/l); Chemical Oxygen Demand (COD) (mg/l); Total Dissolved Solids (TDS) (mg/l); Total Organic Carbon (TOC) (mg/l); Oil and Grease (mg/l); pH; Total Recoverable Arsenic (mg/l); Total Recoverable Barium (mg/l); Total Recoverable Cadmium (mg/l); Total Recoverable Chromium (mg/l); Total Cyanide (mg/l); Total Recoverable Lead (mg/l); Total Recoverable Mercury (mg/l); Total Recoverable Selenium (mg/l); and Total Recoverable Silver (mg/l).

c. *Wood waste and wood waste landfills.* Facilities with storm water discharges from areas that are used to store wood waste, active and inactive wood waste landfills, and open dumps for wood waste are required to monitor such storm water that is discharged from the site for: Total Kjeldahl Nitrogen (TKN) (mg/l); Chemical Oxygen Demand (COD) (mg/l); Total Suspended Solids (TSS) (mg/l); and Tannins & Lignins (mg/l).

d. *Wood treatment.* Facilities with storm water discharges from areas that are used for wood treatment, wood surface application or storage of treated or surface protected wood at any wood preserving or wood surface facilities are required to monitor such storm water that is discharged from the facility for: Oil and Grease (mg/l); pH; Chemical Oxygen Demand (COD) (mg/l); and Total Suspended Solids (TSS) (mg/l). In addition to the above, facilities that use chlorophenolic formulations shall measure pentachlorophenol (mg/l). In addition to the above, facilities that use chromium-arsenic formulations shall measure Total Recoverable Arsenic (mg/l); Total Recoverable Chromium (mg/l); and Total Recoverable Copper (mg/l).

e. *Coal pile runoff*. Facilities with storm water discharges from coal pile runoff are required to monitor such storm water that is discharged from the facility for: Oil and Grease (mg/l); pH; Total Suspended Solids (TSS)

(mg/l); Total Recoverable Copper (mg/l); Total Recoverable Nickel (mg/l); and Total Recoverable Zinc (mg/l).

f. *Battery reclaimers*. Facilities that reclaim lead acid batteries with storm water discharges from areas used for storage of lead acid batteries, reclamation products, or waste products; and areas used for lead acid battery reclamation (including material handling activities) are required to monitor such storm water that is discharged from the facility for: Oil and Grease (mg/l); Chemical Oxygen Demand (COD) (mg/l); Total Suspended Solids (TSS) (mg/l); pH; Total Recoverable Copper (mg/l); and Total Recoverable Lead (mg/l).

g. *Airports*. At airports with over 50,000 flight operations per year, facilities with storm water discharges from areas where aircraft or airport deicing operations occur (including runways, taxiways, ramps, and dedicated aircraft deicing stations) are required to monitor such storm water that is discharged from the facility when deicing activities are occurring for: Oil and Grease (mg/l); Five Day Biochemical Oxygen Demand (BOD_5) (mg/l); Chemical Oxygen Demand (COD) (mg/l); Total Suspended Solids (TSS) (mg/l); pH; and the primary ingredient used in the deicing materials used at the site (e.g. ethylene glycol, urea, etc.).

h. *Coal-fired steam electric facilities*. Facilities with storm water discharges from coal handling sites at coal fired steam electric power generating facilities (other than discharges in whole or in part from coal piles subject to storm water effluent guidelines at 40 CFR 423 which are not eligible for coverage under this permit) are required to monitor such storm water that is discharged from the facility for: Oil and Grease (mg/l); pH; Total Suspended Solids (TSS) (mg/l); Total Recoverable Copper (mg/l); Total Recoverable Nickel (mg/l); and Total Recoverable Zinc (mg/l).

i. *Animal handling/meat packing.* Facilities with storm water discharges from animal handling areas, manure management (or storage) areas, and production waste management (or storage) areas that are exposed to precipitation at meat packing plants, poultry packing plants, and facilities that manufacture animal and marine fats and oils, are required to monitor such storm water that is discharged from the facility for: Five Day Biochemical Oxygen Demand (BOD_5) (mg/l); Oil and Grease (mg/l); Total Suspended Solids (TSS) (mg/l); Total Kjeldahl Nitrogen (TKN) (mg/l); Total Phosphorus (mg/l); pH; and Fecal Coliform (counts per 100 ml).

j. *SIC 28/30 facilities*. Facilities classified as SIC major group 30 (Rubber and Miscellaneous Plastics Products) or SIC major group 28 (Chemicals and Allied Products) with storm water discharges from storage piles for solid chemicals used as raw materials are required to monitor such storm water discharged from the facility for: Oil and Grease (mg/l); Chemical Oxygen Demand (COD) (mg/l); Total Suspended Solids (TSS) (mg/l); pH;

and any pollutant limited in an effluent guideline to which the facility is subject.

k. *Automobile recyclers*. Automobile junkyards with any of the following: (A) over 250 auto/truck bodies with drivelines (engine, transmission, axles, and wheels), 250 drivelines, or any combination thereof (in whole or in parts) that are exposed to storm water; (B) over 500 auto/truck units (bodies with or without drivelines in whole or in parts) that are exposed to storm water; or (C) over 100 units per year are dismantled and automotive fluids are drained or stored in areas exposed to storm water are required to monitor such storm water discharged from the facility for: Oil and Grease (mg/l); Chemical Oxygen Demand (COD) (mg/l); Total Suspended Solids (TSS) (mg/l); pH; and any pollutant limited in an effluent guideline to which the facility is subject.

l. *Lime manufacturing facilities*. Lime manufacturing facilities (SIC 3274) with lime storage piles that are exposed to storm water are required to monitor such storm water discharged from the facility for: Oil and Grease (mg/l); Chemical Oxygen Demand (COD) (mg/l); Total Suspended Solids (TSS) (mg/l); pH; and any pollutant limited in an effluent guideline to which the facility is subject.

m. *Oil-fired steam electric power generating facilities*. Facilities with oil handling sites at oil fired steam electric power generating facilities are required to monitor such storm water discharged from the facility for: Oil and Grease (mg/l); Chemical Oxygen Demand (COD) (mg/l); Total Suspended Solids (TSS) (mg/l); pH; and any pollutant limited in an effluent guideline to which the facility is subject.

n. *Cement manufacturing/cement kilns*. Cement manufacturing facilities and cement kilns (other than discharges in whole or in part from material storage piles subject to storm water effluent guidelines at 40 CFR 411 which are not eligible for coverage under this permit) with storm water discharges are required to monitor such storm water discharged from the facility for: Oil and Grease (mg/l); Chemical Oxygen Demand (COD) (mg/l); Total Suspended Solids (TSS) (mg/l); pH; and any pollutant limited in an effluent guideline to which the facility is subject.

o. *Ready-mixed concrete facilities*. Ready-mixed concrete facilities with storm water discharges are required to monitor such storm water discharged from the facility for: Oil and Grease (mg/l); Chemical Oxygen Demand (COD) (mg/l); Total Suspended Solids (TSS) (mg/l); pH; and any pollutant limited in an effluent guideline to which the facility is subject.

p. *Ship building/repairing facilities*. Ship building and repairing facilities with storm water discharges are required to monitor such storm water discharged from the facility for: Oil and Grease (mg/l); Chemical Oxygen

Demand (COD) (mg/l); Total Suspended Solids (TSS) (mg/l); pH; and any pollutant limited in an effluent guideline to which the facility is subject;

q. *Asphalt emulsion facilities*. Asphalt emulsion facilities with storm water discharges are required to monitor such storm water that is discharged from the facility for: Total Suspended Solids (TSS) (mg/l), Oil and Grease (mg/l), and pH.

3. *Sample type*.

a. For all discharges data shall be reported for a grab sample. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The required 72 hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The grab sample shall be taken during the first thirty minutes of the discharge. If the collection of a grab sample during the first thirty minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall keep with the monitoring report a description of why a grab sample during the first thirty minutes was impracticable. In the case where an insufficient quantity of sample is collected to perform all required analysis, it will be necessary to perform additional sampling during a different rainfall event. The permittee must ensure that the appropriate sample collection and analytical methods are used. All storm water sampling and analysis must be conducted in accordance with the requirements set forth in 40 CFR 136.

b. If storm water discharges commingle with process or non-process water, then where practicable, the permittee must attempt to sample the storm water discharge before it mixes with the non-storm water discharge. Where it is not practicable to sample the storm water separately, an explanation as to why it was not practicable must be made with the monitoring report.

4. *Representative discharge*. When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may test the effluent of one of these outfalls and report that the quantitative data also applies to the substantially identical outfall(s). In addition, for each outfall that the permittee believes is identical, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area, e.g. low (under 40 percent), medium (40 to 65 percent) or high (above 65 percent) shall be provided.

5. *Sampling waiver*. When the permittee is unable to collect samples due to adverse climatic conditions, the discharger must record, in lieu of sampling data, a description of why samples could not be collected, including available documentation of the event. Adverse weather conditions which may prohibit the collection of samples includes weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.). The permittee is precluded from exercising this waiver more than once during the term of this permit.

6. *Alternative certification*. The permittee is not subject to the monitoring requirements of Part VI.A.2 provided the permittee makes a certification for a given outfall, on an annual basis, under penalty of law, signed in accordance with Part VII.G, that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, significant materials from industrial activity, or in the case of airports, deicing activities, that are located in the areas of the facility that are within the drainage area of the outfall are not presently exposed to storm water and will not be exposed to storm water for the certification period. Such certification must be retained with the SWP3, and must be submitted to the EPD upon request.

B. Reporting.

1. Except as provided in Part VI.C.2, the permittee is not to submit monitoring results or certifications to the EPD, unless required in writing by the EPD.

2. Facilities with at least one storm water discharge associated with industrial activity through a permitted municipal separate storm sewer system must submit signed copies of any monitoring reports, certifications, and data to the city or county upon request.

C. Retention of Records.

1. The permittee shall retain the Storm Water Pollution Prevention Plan developed in accordance with Part IV until at least one year after coverage under this permit terminates. The permittee shall retain all records of all monitoring information, copies of all reports required by this permit, and records of all data used to complete the Notice of Intent to be covered by this permit, until at least one year after coverage under this permit terminates. This period may be explicitly modified by other provisions of this permit or extended by request of the EPD at any time.

2. For discharges subject to sampling requirements pursuant to Part VI.A, in addition to the requirements of Part VI.C.1, the permittee is required to retain for a three year period from the date of sample collection or for the term of this permit, which ever is greater, records of all monitoring information collected

during the term of this permit. The permittee must submit such monitoring results to the EPD upon the request of the EPD.

Part VII. STANDARD PERMIT CONDITIONS

A. Duty to Comply.

1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Georgia Water Quality Control Act (O.C.G.A. § 12-5-20 et. seq.) and is grounds for enforcement action; for permit termination; revocation and reissuance, or modification; or for denial of a permit renewal application.

2. *Penalties for violations of permit conditions*. The Federal Clean Water Act and the Georgia Water Quality Control Act (O.C.G.A. § 12-5-20 et. seq.) provide that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required 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 Georgia Water Quality Control Act (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 failing or refusing to comply with any final or emergency order of the Director.

B. Continuation of the Expired General Permit. This permit expires on the date shown on the cover page. However, an expired general permit continues in force and effect until a new general permit is issued. The permittee must submit a new NOI in accordance with the requirements of Part II of this permit, using a NOI form provided by the EPD at least thirty (30) days prior to the expiration date of this permit to remain covered under the continued permit. Facilities that had not obtained coverage under the permit within the time frame specified above cannot become authorized to discharge under the continued permit.

C. Need to Halt or Reduce Activity not a Defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

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

E. Duty to Provide Information. The permittee shall furnish to the EPD, within a specified time, any requested information which may be used to determine compliance with this permit. The permittee shall also furnish to the EPD upon

request copies of records required to be kept by this permit. When the facility discharges storm water associated with industrial activity through a permitted municipal separate storm sewer system, the permittee shall also furnish to the city or county any information which is requested to determine compliance with this permit and other NPDES permits. In the case of information submitted to the EPD, such information shall be considered public information and available under the Georgia Open Records Act.

F. Other Information. When the permittee becomes aware that he failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or in any other report to the EPD, the permittee shall promptly submit such facts or information.

G. Signatory Requirements. All records and information such as Notices of Intent, Notices of Termination, Storm Water Pollution Prevention Plans, reports, certifications which are required to be kept by this permit, to be submitted to the EPD or to be submitted to the operator of a permitted municipal separate storm sewer system, shall be signed as follows:

1. All Notices of Intent shall be signed as follows:

   a. *For a corporation:* by a responsible corporate officer. For the purpose of this permit, a responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) the manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25,000,000 (in second-quarter 1980 dollars) if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

   b. *For a partnership or sole proprietorship:* by a general partner or the proprietor, respectively; or

   c. *For a municipality, State, Federal, or other public agency:* by either a principal executive officer or ranking elected official.

2. All reports required by the permit and other information requested by the EPD shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

   a. The authorization is made in writing by a person described above and submitted to the EPD.

   b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of

equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

c. *Changes in authorization*. If an authorization under Part VII.G.2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of this Part must be submitted to the EPD prior to or together with any reports, information, or applications to be signed by an authorized representative.

d. *Certification*. Any person signing documents under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

H. **Oil and Hazardous Substance Liability.** Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act (CWA) or Section 106 of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

I. **Property Rights.** The issuance of this permit does not covey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

J. **Severability.** The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

K. **Requiring an Individual Permit or an Alternative General Permit.** The EPD may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit.

L. State/Environmental Laws.

1. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act.

2. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

M. Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances), which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of the SWP3. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

N. Monitoring and Records.

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

2. 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 the reports required by this permit, and records of all data used to complete the application for this permit, for a period as specified in Part VI.C of this permit. This period may be extended by request of the EPD at any time.

3. *Records Contents*. Records of monitoring information shall include:

   a. The date, exact place, and time of sampling;

   b. The initials or name(s) of the individual(s) who performed the sampling or measurements;

   c. The date(s) analyses were performed;

   d. The time(s) analyses were initiated;

   e. The initials or name(s) of the individual(s) who performed the analyses;

   f. References and written procedures, when available, for the analytical techniques or methods used; and

   g. The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results.

4. Monitoring must be conducted according to test procedures approved under 40 CFR 136, unless other test procedures have been specified in this permit.

O. Inspection and Entry. The permittee shall allow the EPD or an authorized representative of EPA, the State, or, in the case of a facility which discharges through a municipal separate storm sewer system, an authorized representative of the municipal operator of the separate storm sewer system receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and

3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment).

P. Permit Actions. The permit may be modified, revoked and reissued, or terminated for cause, including but not limited to changes in the law or regulations.

Part VIII. TERMINATION OF COVERAGE

A. Notice of Termination. Where all storm water discharges associated with industrial activity that are authorized by this permit are eliminated, the operator of the facility changes, or the facility closes, the permittee must submit a Notice of Termination (NOT) that is signed in accordance with Part VII.G. The NOT shall be submitted to the EPD no later than thirty (30) days after the discharge is eliminated, the facility closes, or the operator changes. The Notice of Termination shall include the following information:

1. Name, mailing address, street address (provide descriptive or narrative location if no address is available) and county of the facility for which the notification is submitted;

2. Up to four 4-digit SIC codes that best represent the principal manufacturing process or activity and an indication of whether the facility is a hazardous waste treatment, storage or disposal facility, a land disposal facility that receives or has received any industrial waste, a steam electric power generating facility, or a treatment works treating domestic sewage;

3. The legal name, address, telephone number of the operator of the facility. Indicate whether the facility is publicly or privately operated. Further indicate for

a publicly operated facility if the facility is operated by a local, state or federal government;

4. The following certification signed in accordance with Part VII.G:

   "I certify under penalty of law that all storm water discharges associated with industrial activity from (the identified facility) that are authorized by the General NPDES Permit No. GAR000000 have been eliminated, the identified facility has closed or the operator of the identified facility has changed. I understand that by submitting this Notice of Termination, this facility is no longer authorized to discharge storm water associated with industrial activity under this general permit, and that discharging pollutants in storm water associated with industrial activity to waters of the State of Georgia is unlawful under the Georgia Water Quality Control Act and the Clean Water Act where the discharge is not authorized by a NPDES permit.";

5. The latitude and longitude of the approximate center of the facility to nearest 15 seconds;

6. The name, title and telephone of the individual who will serve as the point of contact regarding this NOT; and

7. Any other information determined by the EPD to be necessary.

B. Where to Submit. All NOTs are to be sent, using the form provided by the EPD, to the EPD at the address shown in Part II.C.

APPENDIX

"Associated with Industrial Activity" means any industrial activity or industrial facility identified in 40 CFR Part 122.26(b)(14)(i) through (ix) and (xi).

"Best Management Practices" (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State of Georgia. BMPs also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

"Coal pile runoff" means the rainfall runoff from or through any coal storage pile.

"Co-located industrial activity" means when a facility has industrial activities being conducted on-site that are described by more than one type of industrial activity. Facilities with co-located industrial activities shall comply with all applicable monitoring and pollution prevention plan requirements in which a co-located industrial activity is described.

"Commercial Treatment and Disposal Facilities" means facilities that receive, on a commercial basis, any produced hazardous waste (not their own) and treat or dispose of those wastes as a service to the generators. Such facilities treating and/or disposing exclusively residential hazardous wastes are not included in this definition.

"Commencement of Operations" means the date on which any raw material, intermediate product, finished product, by-product or waste product is first brought onto the facility and exposed to storm water.

"Construction Activity" means the disturbance of soils associated with clearing, grading, or excavating activities and exposed to storm water.

"CWA" means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972).

"Director" means the Director of the Georgia Environmental Protection Division or an authorized representative.

"EPD" or "Division" means the Environmental Protection Division of the Department of Natural Resources.

"Landfill" means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application unit, surface impoundment, injection well, or waste pile.

"Land application site or unit" means an area where wastes are applied onto or incorporated into the soil surface (excluding agricultural manure spreading operations) for treatment or disposal.

"NOI" means Notice of Intent as defined in Part II of this permit.

"NOT" means Notice of Termination as defined in Part VIII of this permit.

"Operator" means the entity that has the primary day-to-day operational control of those activities at the facility necessary to ensure compliance with the SWP3 requirements and permit conditions. Normally, the operator is the legal owner of the corporation or company, but in limited cases an individual.

"Owner" means the legal owner of the facility where an industrial activity takes place.

"Permittee" means the entity that has submitted a Notice of Intent and is the Operator of the industrial activity.

"Permitted municipal separate storm sewer system" means either a large, medium, or small municipal storm sewer system, or a municipal separate storm sewer system owned or operated by a city, county or authority which is regulated by a National Pollutant Discharge Elimination System Permit.

"Permittee" means the entity that has submitted a Notice of Intent and that is the owner or operator of an industrial activity.

"Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

"Receiving Waters" means waters of the State into which the runoff of storm water from a facility will actually discharge, either directly or indirectly.

"Section 313 water priority chemical" means a chemical or chemical categories which: 1) are listed at 40 CFR 372.65 pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) (also known as Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986); 2) are present at or above threshold levels at a facility subject to EPCRA Section 313 reporting requirements; and 3) meet at least one of the following criteria: (i) are listed in Appendix D of 40 CFR 122 on either Table II (organic priority pollutants), Table III (certain metals, cyanides, and phenols) or Table V (certain toxic pollutants and hazardous substances; (ii) are listed as a hazardous substance pursuant to Section 311(b)(2)(A) of the CWA at 40 CFR 116.4; or (iii) are pollutants for which EPA has published acute or chronic water quality criteria.

"Significant materials" includes, but is not limited to: raw materials; fuels, materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of CERCLA; any chemical the facility is required to report pursuant to EPCRA Section 313; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.

"Significant spills" includes, but is not limited to: releases of oil or hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act (see 40 CFR 110.10 and CFR 117.21) or Section 102 of CERCLA (see 40 CFR 302.4).

"Storm Water" means storm water runoff, snow melt runoff, and surface runoff and drainage.

"Storm Water Associated with Industrial Activity" means the discharge from any conveyance which is used for collecting and conveying storm water and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program. For the categories of industries identified in paragraphs (i) through (x) of this definition, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the purposes of this paragraph, material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are Federally, State or municipally owned or operated that meet the description of the facilities listed in this paragraph (i) – (x) of this definition) include those facilities designated under 40 CFR 122.26(a)(1)(v). The following categories of facilities are considered to be engaging in "industrial activity" for purposes of this permit:

(i) Facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR subchapter N;

(ii) 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:

(iii) 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:

(iv) Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA;

(v) 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;

(vi) 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:

(vii) Steam electric power generating facilities, including coal handling sites:

(viii) 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.

(ix) 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 those 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;

(x) 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).

“Storm water point source” means a conveyance, a system of conveyances (including pipes, conduits, ditches, and channels) or sheet flow which is later conveyed via a point source to waters of the State.

“Waste pile” means any noncontainerized accumulation of solid, nonflowing waste that is used for treatment or storage.

“Waters of Georgia” or “Waters of the State” means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, wetlands, and all other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State which are not confined and retained completely upon the property of a single individual, partnership, or corporation.