

**State of Georgia  
Department of Natural Resources  
Environmental Protection Division**

**FACT SHEET**

**National Pollutant Discharge Elimination System (NPDES)  
General Permit No. GAR050000  
Storm Water Discharges Associated with Industrial Activity**

**January 17, 2012**

**Introduction**

This fact sheet describes the basis and procedures for reissuance of Georgia's 2006 NPDES General Storm Water Permit (GAR000000) as the proposed 2012 NPDES General Storm Water Permit (GAR050000) for discharges of storm water associated with industrial activity. This permit is referred to as the 2012 IGP.

The current permit (2006 IGP) expired July 31, 2011; however, the 2006 IGP continues in force and effect (Part VII. B) until the proposed permit becomes effective.

An NPDES permit was first issued for industrial storm water in Georgia in 1993; it was reissued in 1998. In 2003, the 1998 permit expired and was administratively extended. A draft permit was issued for public comment in 2004, which was subsequently revised and reissued in 2005. The 2005 permit was appealed. The 2006 IGP was issued August 1, 2006, incorporating the results of two settlement agreements.

**Permit Basis**

The 2012 IGP authorizes all new and existing storm water point sources within Georgia to discharge storm water associated with industrial activity, excluding construction, to the waters of the State upon submittal of a Notice of Intent (NOI). The 2012 IGP is in compliance with, and is based upon, the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended, "State Act"), the Federal Clean Water Act, as amended (33 U.S.C.1251 et seq., "Clean Water Act"), and the Rules and Regulations promulgated subsequent to each of these Acts.

The proposed permit is patterned after the U.S. Environmental Protection Agency (EPA) Multi-Sector General NPDES Permit (2008 MSGP) for industrial storm water issued September 29, 2008. The 2008 MSGP is available at:

[http://www.epa.gov/npdes/pubs/msgp2008\\_finalpermit.pdf](http://www.epa.gov/npdes/pubs/msgp2008_finalpermit.pdf);

and the EPA fact sheet for the 2008 MSGP is available at:

[http://www.epa.gov/npdes/pubs/msgp2008\\_finalfs.pdf](http://www.epa.gov/npdes/pubs/msgp2008_finalfs.pdf).

The 2012 IGP is reformatted and renumbered from previous permits. The numbering system is very similar to the 2008 MSGP. Parts 1 through 7 and Appendices A, B and D contain information pertinent to all permittees. Part 8 contains the sector specific requirements; typically one, or at most a few, of the sectors in Part 8 will apply to any one permittee. Appendix C contains information for those permittees who discharge to impaired stream segments. Appendix E addresses hardness testing for facilities with the hardness dependent benchmark values cadmium, copper, lead, nickel and zinc.

The 2012 IGP benchmark values and recommended procedures, practices, control measures and best management practices (BMPs) are based principally on the 2008 MSGP.

**Activities Covered by the Permit**

The following table is the list of categories of industrial facilities that are required to obtain NPDES permit coverage for storm water discharges as identified in 40 CFR Part 122.26(b)(14)(i) through (ix) and (xi):

<b>Sector A:</b> Timber Products	<b>Sector O:</b> Steam Electric Generating Facilities
<b>Sector B:</b> Paper and Allied Products	<b>Sector P:</b> Land Transportation and Warehousing
<b>Sector C:</b> Chemical and Allied Products Manufacturing	<b>Sector Q:</b> Water Transportation: Maintenance/Cleaning
<b>Sector D:</b> Asphalt Paving and Roofing Materials and Lubricant Manufacturing	<b>Sector R:</b> Ship and Boat Building and Repairing Yards
<b>Sector E:</b> Glass, Clay, Cement, Concrete, and Gypsum Products	<b>Sector S:</b> Air Transportation Facilities
<b>Sector F:</b> Primary Metals	<b>Sector T:</b> Treatment Works
<b>Sector G:</b> Transportation Equipment, Industrial or Commercial Machinery	<b>Sector U:</b> Food and Kindred Products
<b>Sector H:</b> Electronic, Electrical, Photographic, and Optical Goods	<b>Sector V:</b> Textile Mills, Apparel, and Other Fabric Products; Leather and Leather Products
<b>Sector I:</b> Oil and Gas Extraction	<b>Sector W:</b> Furniture and Fixtures
<b>Sector J:</b> Mining and Dressing	<b>Sector X:</b> Printing and Publishing
<b>Sector K:</b> Hazardous Waste Treatment, Storage, or Disposal Facilities	<b>Sector Y:</b> Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries
<b>Sector L:</b> Landfills, Land Application Sites, and Open Dumps	<b>Sector Z:</b> Leather Tanning and Finishing
<b>Sector M:</b> Automobile Salvage Yards	<b>Sector AA:</b> Fabricated Metal Products
<b>Sector N:</b> Scrap Recycling Facilities	<b>Sector AB:</b> Non-Classified Facilities

A more specific and detailed listing of facilities required to obtain coverage under the 2012 IGP is contained in Appendix D of the permit, which includes the SIC Codes associated with the facilities shown in the table above.

In addition to the facilities classified as requiring coverage under the 2012 IGP by SIC Code, EPD may designate a particular facility to obtain coverage under the 2012 IGP, even though the facility does not meet the definition of a category of activities generally required to be covered by the permit. This corresponds with Sector AB. Such a designation would be made by the Director of EPD where there is a concern for the discharge to cause a water quality problem.

**Maintaining Coverage under the 2012 IGP**

Current permittees are required to submit a new Notice of Intent (NOI) to obtain coverage under the 2012 IGP and to maintain coverage for discharging storm water associated with industrial

activities. Facilities previously covered under GAR000000 will have up to 30 days to submit the new NOI for coverage under GAR050000 after the effective date.

If a facility failed the benchmark sampling required by Part III.C of the 2006 permit, then the facility may not be authorized to discharge storm water under the proposed permit and may be required to apply for an individual NPDES permit or alternative general permit. The facility has the options to conduct 12 months of flow-weighted composite sampling to demonstrate the discharge does not cause or contribute to an exceedance of water quality standards (Appendix C.4.1) or make the necessary improvements to the facility to achieve the instream water quality standard as an effluent limit within 36 months (Appendix C.10.1.a).

Subsector U3 facilities that failed the benchmark sampling required by Part III.C of the 2006 permit using a TSS benchmark have the option to conduct fecal coliform testing for 12 months to confirm their ability to cause or contribute to an exceedance of the fecal coliform Water Quality Standard, or prevent all exposure to storm water from animal handling areas and/or capture and treat storm events of 1.2 inches within animal handling areas within 36 months (Appendix C.10.1.b and c).

Existing facilities which filed under the 'No Exposure Exclusion' (NEE) of the 2006 IGP must submit a new NEE form no later than 30 days after the effective date of the 2012 IGP (Part 1.5.1) to retain NEE status.

#### **New Facilities Seeking Coverage under the 2012 IGP**

New dischargers commencing discharge on or after the effective date of the 2012 IGP must submit an NOI for coverage 7 days prior to commencing discharge.

#### **Major Changes in the 2012 IGP**

Major changes in the 2012 IGP from the 2006 IGP include:

1. The 2012 IGP is organized like EPA's 2008 MSGP:
  - a. The first third of the permit contains general permit information, applicable to all industrial sectors (Parts 1 through 7).
  - b. The second third covers the requirements for each industrial sector (Part 8).
  - c. The last third is reference material such as abbreviations and standard permit conditions, included as appendices. The appendices also include Impaired Stream Segment Sampling, a table stating what activities are covered by the permit, and the hardness calculation table/guidance (Appendices A, B, C, D and E).
2. There were 21 sectors required to conduct annual analytical sampling in the 2006 IGP (Part VI.A.2). The 2012 IGP has 27 specific industrial sectors (Part 8); however, not every sector requires annual analytical sampling.
3. Each sector may have additional suggested best management practices specific to that industry (Part 8). Sector-specific requirements are based on the types of pollutants expected to be present in storm water discharges as a result of industrial activity at facilities listed in the sector.
4. The 2012 IGP benchmarks are a combination of benchmarks from the 2006 IGP and the MSGP. However, just like the 2006 IGP, the 2012 IGP benchmark values are not considered effluent limits and exceeding a benchmark is not a permit violation.
5. The 2006 IGP did not provide target values for many benchmarks, which created a problem for permittees and regulators that had to be resolved on a case-by-case basis.

This problem has been resolved in the 2012 IGP with target values provided for almost all benchmarks.

6. The 2012 IGP also allows for facilities to establish their own benchmarks through the use of published studies by qualified personnel that establish the industry standard, site-specific studies by professional engineers, or basin area ratios used in conjunction with the site-specific instream Georgia Water Quality Standards or EPA's Water Quality Criteria.
7. The 'Numeric Effluent' limitations section (Part V) has increased from 6 types of discharges to 7 (Part 1.1.4.4 and Table 1-1). Phosphate fertilizer manufacturing storm water limits were added per 40 CFR 418, Subpart A.
8. The 2012 IGP requires all analytical sampling performed during the term of the previous permit, to be summarized and the summary retained until the end of the next permit term (Part 5.1.3.6), whereas the 2006 IGP did not.
9. The 2006 IGP requires all records pertaining to that permit be kept one year after coverage of the permit is terminated (Part VI.C.1) except sampling and analytical testing information, which was required to be kept for three years after the sampling date (Part VI.C.2). The 2012 IGP requires all records pertaining to the permit to be kept for three years after coverage of the permit is terminated (Part 7.5).
10. The requirement to conduct routine facility inspections on a quarterly basis and annual benchmark monitoring does not apply at a facility that is inactive and unstaffed (Parts 4.1.3.1.a and 6.2.1.3). The 2012 IGP clarifies procedures that were decided on a case-by-case basis under the 2006 IGP.
11. At least once during the term of the 2012 IGP, a dye, smoke, or equivalent test must be conducted to evaluate for the presence of non-storm water discharges into the storm sewer system, where applicable (Part 5.1.3.4.f.). The 2006 IGP did not have this requirement. Equivalent test methods include TV surveillance and analysis of as-built drawings and schematics.
12. If there is an exceedance of a benchmark value, under the 2012 IGP the facility is required to make modifications of best management practices (BMPs) and sample each subsequent quarter until the benchmark is met (Part 6.2.1.2.b.i.) or make a determination that no further pollutant reductions are technologically available and economically practicable (Part 6.2.1.2.b.ii). There was no requirement for follow-up sampling in the 2006 IGP.
13. The 2006 IGP did not specify laboratory accreditation. In the 2012 IGP, all monitoring data not prepared in situ is required to be prepared by a laboratory registered or accredited by the State of Georgia or, where the permittee does their own analysis with their own personnel, by a Laboratory Analyst certified in compliance with the Georgia State Board of Examiners for Certification of Water and Wastewater Treatment Plant Operators and Laboratory Analysts Act (Part 6.2.3).
14. Corrective action and follow-up monitoring are required by the 2012 IGP in response to an exceedance of a numeric effluent limit (Part 6.3). Monitoring must continue, at least quarterly, until the discharge is in compliance (Part 6.3.2.), and the exceedance of a numeric effluent limit must be submitted with the annual report (Part 6.3.1.). This information clarifies procedures that were handled on a case-by-case basis under the 2006 IGP.

## Requirements for Impaired Streams

1. The impaired stream segment sampling and requirements of the 2012 IGP are contained in Appendix C. In the 2006 IGP, these requirements were contained within the body of the permit, in Part III.C. The 'within one linear mile' limitation has been retained from the 2006 IGP.
2. In the 2006 IGP, only those facilities discharging to streams with an approved total maximum daily load (TMDL) had requirements associated with an impaired stream segment. In the 2012 IGP, dischargers to all impaired waters identified in Georgia's 305(b)/303(d) list are required to monitor for appropriate parameters, and corrective action is required if the discharge exceeds the benchmark value, pollutant of concern (POC) listed in the TMDL, as appropriate. Both the 2006 and 2012 IGPs require facilities to comply with an approved TMDL.
3. The 2012 IGP specifically states the compliance alternatives which were acceptable under the 2006 IGP, but were previously handled on a case-by-case basis. Acceptable alternatives are:
  - a. Preventing all exposure (Appendix C.1.1);
  - b. Documenting that the POC is not present at the site (Appendix C.1.2);
  - c. Showing that the discharge containing the POC is not likely to cause or contribute to an exceedance of water quality standards (Appendix C.1.3); or
  - d. If the ability of a discharge to cause or contribute to an exceedance of water quality standards is unknown, then executing BMPs and evaluating their effectiveness (Appendix C.1.3.3).
4. Under the 2012 IGP, facilities that passed the benchmark sampling required by Part III.C of the 2006 IGP will be required to sample bi-annually for the pollutant of concern (Appendix C.3.4.) Subsequent sampling was not required in the 2006 IGP.
5. If a facility failed the sampling requirements for the benchmark or POC contained in Part III.C of the 2006 IGP after two rounds of BMP implementation and monitoring, then EPD determined whether application for an individual permit was required. This continues under the 2012 IGP; however, facilities are also given the options to conduct 12 months of composite sampling to show the facility does not cause or contribute to an exceedance of the water quality standard (Appendix C.4) or 36 months to make the improvements necessary to achieve the water quality standard as an effluent limit (Appendix C.10.1.a).
6. In the 2006 IGP, TSS was used as a surrogate for the fecal coliform benchmark on streams impaired due to fecal coliform, but in the 2012 IGP the instream Water Quality Standard for fecal coliform is used.
7. Animal handling facilities that have failed benchmark sampling using the TSS benchmark that was contained in the 2006 IGP may take 12 months to conduct optional fecal coliform sampling to confirm they have the ability to cause or contribute to an exceedance of the fecal coliform Water Quality Standards, or prevent all exposure to storm water from animal handling areas and/or capture and treat 24-hour storm events of 1.2 inches within animal handling areas within 36 months (Appendix C.10.1.b and c).
8. In the 2012 IGP facilities with animal handling areas that discharge to a fecal coliform-impaired stream are given the option to capture the 24-hour storm event rainfall depth of 1.2 inches from animal handling areas or conduct fecal coliform sampling of the storm water from those areas. The non-animal handling areas of these facilities are considered to have background conditions in regard to fecal coliform and are not subject to the requirements of Appendix C.

9. Delisting procedures were not discussed in the 2006 IGP but were coordinated on a case-by-case basis. The 2012 IGP formalizes the procedures permittees may take to recommend delisting of a receiving waterbody, which could result in the suspension of the Appendix C requirements for the facility. Using Georgia's normal 305(b)/303(d) procedures, the permittee may conduct sampling data in accordance with "Guidance on Submitting Water Quality Data for Use by the Georgia Environmental Protection Division in 305(b)/303(d) Listing Assessments" for consideration. Recommendations for delisting pursued under this permit are required to be advertised for public notice.

### **Antidegradation**

The proposed permit complies with the anti-degradation requirements in the EPD Rules and Regulations for Water Quality Control, subparagraph 391-3-6-.03. Existing water quality will not be degraded by the issuance of this permit. The permit requires the permittee to regularly review and refine their BMPs to reduce pollutants to the maximum extent practicable. Therefore, the issuance of this permit will protect and improve existing water quality and is consistent with EPD's anti-degradation policy.

### **Term of the Permit**

The proposed general permit will be valid for a term of 5 years.

### **Public Notice and Public Comment Period**

This is the third public notice and public comment period for this permit. The draft permit was originally public noticed on June 27, 2011, and a public meeting and hearing were held August 1, 2011. A second public notice was advertised September 2, 2011. Public notice of the proposed NPDES permit will be posted on EPD's website at <http://www.gaepd.org/Documents/IndustrialStormwater.html>. and distributed by newspaper and mailing 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 draft permit and supporting documents are available for review at the EPD office located at 4220 International Parkway, Suite 101, Atlanta, Georgia, 30354, between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday.

Persons wishing to comment on the proposed NPDES permit are invited to submit same in writing to the EPD address below to the attention of Lawrence W. Hedges, Program Manager, by March 16, 2012. Comments may also be emailed to [EPDComments@dnr.state.ga.us](mailto:EPDComments@dnr.state.ga.us). Mark or label comments "General Permit to Discharge Storm Water Associated with Industrial Activity" at the top of the first page or in the subject line. Comments received prior to or on that date will be considered in the formulation of final determinations regarding this permit.

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NonPoint Source Program  
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### **Information for Anyone Who Is Aggrieved or Adversely Affected**

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 30 days from the date of notice of such permit issuance. Such hearing shall be held in accordance with EPD Rules, 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 of a permit;
3. The reason or reasons why petitioner takes issue with the action of the Director;
4. All other matters asserted by petitioner which are relevant to the action in question.

If no public hearing is held, and, after review of the written comments received, the Director determines that a permit should be issued and that his determinations as set forth in the proposed permit are substantially unchanged, the permit will be issued and will become final in the absence of a request for a contested hearing. Notice of issuance or denial will be circulated to those persons who submitted written comments to the Director on the proposed permit within 30 days from the date of the public notice of such proposed permit; and to all persons or groups included on the EPD mailing list.

If no public hearing is held, but the Director determines, after a review of the written comments received, that a permit should be issued but that substantial changes in the proposed permit are warranted, public notice of the revised determinations will be given and written comments accepted in the same manner as the initial notice of application was given and written comments accepted pursuant to EPD Rules, Water Quality Control, subparagraph 391-3-6-.16(7)(b). The Director shall provide an opportunity for public hearing on the revised determinations. Such opportunity for public hearing and the issuance or denial of a permit thereafter shall be in accordance with the procedures set forth above.