General NPDES
Stormwater Permit
No. GAG610000

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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
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

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 pursuant to each of these Acts, all new and existing storm water point sources associated with small municipal separate storm sewer systems within the State of Georgia, upon submittal of a Georgia Notice of Intent, are authorized to discharge storm water to the waters of the State of Georgia in accordance with the limitations, monitoring requirements and other conditions set forth in Parts I through VI hereof.

This permit shall become effective on _____.

This permit and the authorization to discharge shall expire at midnight, _____.

Signed this _____ day of _____.

_____
Director,
Environmental Protection Division

## PART I. COVERAGE UNDER THIS PERMIT

A. Coverage

1. This permit covers all new and existing point source discharges of storm water from a small municipal separate storm sewer system (MS4) as defined in 40 CFR Part 122.26 (b)(16) to the waters of the State of Georgia, except for those storm water discharges identified under Part I.A.4.

2. The permittee is authorized to discharge stormwater under the terms and conditions of this general permit if it:

   a. Operates a small MS4 within the permitted area; and

   b. Is not a "large" or "medium" MS4 as defined in 40 CFR Part 122.26(b)(4) or (7); and

   c. Submits a Georgia Notice of Intent (GANOI) in accordance with Part III of this permit; and

   d. Is fully or partially located within an urbanized area as determined by the latest Decennial Census by the Bureau of the Census; or

   e. Is designated for permit coverage by the State of Georgia pursuant to 40 CFR Part 122.32.

3. The permittee is liable for permit compliance and the implementation of its Storm Water Management Program (SWMP) for all discharges from the municipal separate storm sewer system for which it is owner or operator.

4. The following discharges are not regulated by this permit:

   a. NPDES permitted storm water discharges associated with industrial activity that discharge through a storm water system which is not a municipal separate storm sewer system within the boundaries of the municipality;

   b. Conveyances that discharge storm water runoff combined with municipal sewage;

   c. Discharges from a Publicly Owned Treatment Works (POTW);

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d. Storm water discharges that enter the waters of the State other than from a point source;

e. Storm water discharges from construction sites which are one acre or greater; and

f. NPDES permitted non-storm water discharges, such as process and non-process wastewater.

B. Definitions

All terms used in this permit shall be interpreted in accordance with the definitions as set forth in the Georgia Water Quality Control Act, as amended, and the Federal Clean Water Act, as amended, unless otherwise defined in this paragraph.

1. "Best Management Practice" or "BMP" means both structural devices to store or treat storm water runoff and non-structural programs or practices which are designed to prevent or reduce the pollution of the waters of the State of Georgia.

2. "Control Measure" refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to the waters of the State of Georgia.

3. "CWA" means the Federal Clean Water Act (formerly known as the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972), as amended.

4. "Director" means the Director of the Environmental Protection Division of the Department of Natural Resources, State of Georgia.

5. "Discharge", when used as a qualifier, refers to the "discharge of a pollutant", as defined in 40 CFR Part 122.2.

6. "Discharge related activities" includes activities which cause, contribute to, or result in storm water point source pollutant discharge; and measures to control storm water discharges, including the siting, construction and operation of BMPs to control, reduce or prevent storm water pollution.

7. "EPD" means the Environmental Protection Division of the Department of Natural Resources, State of Georgia.

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8. "EPA" or "USEPA" means the United States Environmental Protection Agency.

9. "Illicit Connection" means any man-made conveyance connecting a discharge directly to a municipal separate storm sewer.

10 "Illicit Discharge" is defined in 40 CFR Part 122.26(b)(2) as any discharge to a MS4 that is not entirely composed of storm water, except those discharges authorized under a NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from fire fighting activities.

11. "Maximum Extent Practicable" (MEP) means the reduction of the discharge of pollutants from a municipal separate storm sewer system using a combination of best management practices, control techniques, system design and engineering methods, and such other provisions as described in the Storm Water Management Program.

12. "Municipal Separate Storm Sewer System" or "MS4" means a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels or storm drains, owned or operated by a municipality or other public body, designed or used for collecting or conveying storm water runoff and is not a combined sewer or part of a Publicly Owned Treatment Works.

13. "NPDES" is the acronym for "National Pollutant Discharge Elimination System." This is the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements under Sections 307, 402, 318, and 405 of the CWA.

14. "Notice of Intent" (NOI or GANOI) is the mechanism used to register for coverage under this general permit.

15. "Outfall" means the point where a municipal separate storm sewer discharges to waters of the State.

16. "Owner" or "Operator" means the owner or operator of any MS4 or any activity subject to regulation under the NPDES program.

17. "Permitted Area" means the area of a City or County that is covered by this General NPDES Stormwater Permit. For a City, it refers to the entire City limits; for a County, it refers only to that part of the County contained

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within an "Urbanized Area" as defined by the latest Decennial Census by the Bureau of the Census.

18. "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 into the waters of the State of Georgia. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

19. "Pollutant" means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended), heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.

20. "POTW" means Publicly Owned Treatment Works.

21. "Program" or "SWMP" means the Storm Water Management Program required to be developed under the terms and conditions of this permit to manage the quality of storm water discharged from a MS4.

22. "Small MS4" is defined in 40 CFR Part 122.26(b)(8) and refers to all separate storm sewers that are owned or operated by the United States, the State of Georgia, city, town, borough, county, parish, district, association, or other public body (either created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity or a designated and approved management agency under Section 208 of the CWA that discharges to the waters of the State of Georgia but is not defined as a "large" or "medium" MS4. This term includes systems similar to municipal MS4s, such as systems at military bases, large hospitals, universities, prison complexes, and highways or other thoroughfares. This definition does not include separate storm sewers in very discrete areas, such as individual buildings.

23. "State Act" means the Georgia Water Quality Control Act, as amended.

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

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25. "Storm Water Discharge Associated with Industrial Activity" means the discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing, or raw materials storage areas of an industrial plant.

26. "Waters of the State" means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, wetlands, wet weather streams, and all other bodies of surface or subsurface water, including any waters which are subject to the ebb and flow of the ocean tides, natural or artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.

## PART II. CRITERIA FOR RECEIVING WATERS

The permittee shall, to the maximum extent practicable, not cause the following criteria to be exceeded:

a. All waters shall be free from materials associated with municipal or domestic sewage, industrial waste or any other waste which will settle to form sludge deposits that become putrescent, unsightly, or otherwise objectionable;

b. All waters shall be free from oil, scum and floating debris associated with municipal or domestic sewage, industrial waste or other discharges in amount sufficient to be unsightly or to interfere with legitimate water uses;

c. All waters shall be free from material related to municipal, industrial or other discharges which produce turbidity, color, odor, or other objectionable conditions which interfere with legitimate water uses;

d. All waters shall be free from turbidity which results in a substantial visual contrast in a water body due to a man-made activity. The upstream appearance of a body of water shall be as observed at a point immediately upstream of a turbidity-causing man-made activity. That upstream appearance shall be compared to a point which is located sufficiently downstream from the activity so as to provide an appropriate mixing zone. For land disturbing activities, proper design, installation, and maintenance of best management practices and compliance with issued permits shall constitute compliance with this criteria.

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e. All waters shall be free from toxic, corrosive, acidic and caustic substances discharged from municipalities, industries, or other sources, such as nonpoint sources, in amounts, concentrations, or combinations which are harmful to humans, animals or aquatic life.

## PART III. NOTICE OF INTENT

A. Obtaining Coverage

1. To be authorized to discharge storm water from a small MS4, you must submit a Georgia Notice of Intent (GaNOI), which includes a description of your Storm Water Management Program (SWMP). The GaNOI must be signed and dated in accordance with Part VI.L of this permit.

2. Where the operator changes, or where a new operator is added after submittal of a GaNOI, a new GaNOI must be submitted in accordance with Part IV.E of this permit.

3. The GaNOI form may be obtained at EPD's website, www.gaepd.org or by calling the NonPoint Source Program of EPD's Watershed Protection Branch at (404) 675-6240.

4. The completed GANOI and signed copies of all reports required herein shall be submitted to the following address:

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

B. Deadline for Notification

1. If you are automatically designated under 40 CFR Part 122.32(a)(1) or designated by EPD under 40 CFR Part 122.32(a)(2), then you are required to submit a NOI and a description of your SWMP within 180 days of notification.

## PART IV. STORM WATER MANAGEMENT PROGRAM

The permittee shall develop, implement and enforce a Storm Water Management Program (SWMP) designed to reduce the discharge of pollutants from the small MS4 to the maximum extent practicable (MEP), in order to protect water quality and to satisfy the appropriate water quality requirements of the State Act. The SWMP should include

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management practices; control techniques and system design and engineering methods; and other provisions as EPD determines appropriate for the control of such pollutants. The SWMP and its amendments, upon approval by EPD, shall become part of this permit. The SWMP must include the following information for each of the six minimum control measures described in 40 CFR Part 122.34(b):

A. Requirements

1. The best management practices (BMPs) that will be implemented for each of the six stormwater minimum control measures.

2. The measurable goals for each of the BMPs including, as appropriate, the months and years in which each specific required action will be undertaken, including interim milestone dates and frequency of the action(s).

3. The person or persons (position or positions) responsible for implementing or coordinating the BMPs in the SWMP.

B. Minimum Control Measures

1. Public Education and Outreach on Storm Water Impacts

The permittee must implement a Public Education Program to distribute educational materials to the community and/or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff.

2. Public Involvement / Participation

The permittee must, at a minimum, comply with State and local public notice requirements when implementing a public involvement/participation program.

3. Illicit Discharge Detection and Elimination

The permittee must develop, implement and enforce a program to detect and eliminate illicit discharges (as defined in 40 CFR Part 122.26(b)(2)) into its MS4. At a minimum, the permittee must:

a. Develop, if not already completed, a storm sewer system map showing the location of all outfalls and the names and location of all waters of the State receiving discharges from those outfalls;

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b. Prohibit, through ordinance, or other regulatory mechanisms, non-storm water discharges into your MS4 and implement appropriate enforcement procedures and actions;

c. Develop and implement a plan to detect and address non-storm water discharges including illegal dumping to the MS4;

d. Inform public employee, businesses, and the general public of hazards associated with illegal discharges and improper disposal of wastes; and

e. Address the following categories of non-stormwater discharges or flows (i.e. illicit discharges) if they are identified as significant contributors of pollutants to your small MS4: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (as defined in 40 CFR Part 35.2005(20)), uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, and street wash water (discharges or flows from fire fighting activities are excluded from the effective prohibition against non-storm water and need only be addressed where they are identified as significant sources of pollutants to the waters of the State of Georgia).

4. Construction Site Storm Water Runoff Control

The permittee must develop, implement and enforce a program to reduce pollutants in any stormwater runoff to your small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Storm water discharges from construction activity disturbing less than one acre must be included in your program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. At a minimum, the Construction Site Storm Water Runoff Control Program must include the development and implementation of the following:

a. An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable, under State or local law;

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b. Requirements for construction site operators to implement erosion and sediment control best management practices;

c. Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse water quality impacts;

d. Procedures for site plan review, which incorporate consideration of potential water quality impacts;

e. Procedures for receipt and consideration of information submitted by the public; and

f. Procedures for site inspection and enforcement of control measures.

5. Post-Construction Storm Water Management in New Development and Redevelopment

The permittee must develop, implement and enforce a program to address storm water runoff into your small MS4 from new development and redevelopment projects that disturb greater than or equal to one acre of land, including projects less than one acre if they are part of a larger common plan of development of sale. The program must ensure that controls are in place that will prevent or minimize water quality impacts. At a minimum, the program must include:

a. Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for your community, including the adoption of the Georgia Stormwater Management Manual or an equivalent local stormwater management design manual. The adoption of the design manual must occur prior to December 9, 2008;

b. Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under State and local law; and

c. Ensure adequate long-term operation and maintenance of the BMPs.

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6. Pollution Prevention / Good Housekeeping for Municipal Operations

The permittee must develop and implement an operation and maintenance program that includes a training component with the ultimate goal of preventing or reducing any pollutant runoff from all municipal operations. Using training materials available from the USEPA and other organizations as guidance, the permittee must, as a part of this program, include employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances and storm water system maintenance.

The operation and maintenance program must, at a minimum, specifically address the following areas:

a. Maintenance activities including maintenance schedules and long-term inspection procedures for controls to reduce floatables and other pollutants from the MS4.

b. Controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet and maintenance shops with outdoor storage areas, and salt/sand storage locations.

c. Procedures for the proper disposal of waste removed from the MS4 and municipal operations, including dredged spoils, accumulated sediments, floatables, and other debris.

d. Procedures to ensure that new flood management projects are assessed for impacts on water quality and existing projects are examined for incorporation of additional water quality protection devices or practices.

C. Sharing Responsibility

1. The permittee may share implementation of one or more of the SWMP minimum measures with another entity, or the entity may assume full responsibility for that measure. However, the permittee may rely on another entity only if:

a. The other entity is either implementing or will be implementing the control measure;

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b. The particular control measure or component of that measure is at least as stringent as the corresponding permit requirement; and

c. The other entity agrees to implement the control measure on the permittee's behalf.

2. Written acceptance of this obligation is mandatory and must be maintained as a part of the SWMP. Even though the permittee may contract with another entity for control measure implementation, it is the permittee's responsibility to submit all NOIs, Annual Reports, Certification Statements, or any other information requested by EPD.

3. If the other entity fails to implement the control measure on the permittee's behalf, the permittee remains liable for any enforcement actions due to the failure to implement and/or report.

D. Storm Water Management Program Modifications

1. The SWMP may be modified by the permittee at any time. Written notification of substantial modifications must be submitted 30 days prior to implementation of the SWMP modification.

2. EPD may require the permittee to modify the SWMP as needed to:

a. Include more stringent requirements as necessary to comply with new State or Federal statutory or regulatory requirements; or

b. Include other conditions deemed necessary by the Director to comply with the goals and requirements of the CWA and the State Act. The Director's request for modification will be made in writing and set a schedule for the permittee to develop the modification(s), and offer the permittee an opportunity to propose alternative SWMP modifications to meet the required objective.

E. Transfer of Operational Authority or Responsibility for SWMP Implementation

1. The permittee must implement the Storm Water Management Program in all new areas added to the MS4 for which it is responsible (or for which the permittee is responsible for implementation of storm water quality controls) as expeditiously as practicable, but not later than one year from the addition of the new areas. Implementation may be accomplished in a phased manner to allow additional time for those controls that cannot be immediately implemented.

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2. Within ninety (90) days of a transfer of operational authority or responsibility for SWMP implementation, the permittee must submit an amended NOI reflecting the new responsible authority and a plan for implementing the SWMP in all affected areas. The plan should include schedules for implementation. Information on any new annexed areas and any resulting updates to the SWMP must be included in the Annual Report.

## Part V. Monitoring, Recordkeeping and Reporting Requirements

### A. Annual Report

The permittee shall prepare and submit an annual report to EPD. The report shall cover the period from January 1-December 31 and be submitted by January 31st following the reporting period. The report must include for each BMP, at a minimum, the following:

1. The activities conducted during the reporting period, progress towards achieving the measurable goal(s), and compliance with the implementation schedule;

2. Any information necessary to support documentation of the activities completed during the reporting period;

3. A summary of the storm water activities proposed for the next reporting period, including implementation schedules;

4. A summary of any proposed changes to the BMP, the measurable goals, the implementation schedule, or any other changes to any of the minimum control measures; and

5. Notice if the permittee is relying on another entity to satisfy some portion of the permit obligations (as applicable).

### B. Monitoring Requirements

Water quality monitoring is not required by this permit. If, however, the permittee conducts water quality monitoring at its small MS4 as part of it SWMP, it is required to comply with the following:

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

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2. Sampling and analysis must be conducted according to approved test procedures set forth in 40 CFR Part 136, unless other approved test procedures have been specified in this permit.

3. Parameters will be analyzed to the detection limits specified by EPD. If a parameter is not detected at or above the EPD detection limit, a value of "NOT DETECTED" will be reported for that sample in lieu of a numeric value. The detection limit of the parameter must also be noted and reported.

C. Retention of Records

1. The permittee shall retain copies of all reports required by this permit for a period of at least three years. This includes all maintenance records, all data used to complete the NOI for this permit, and records of all data required by, or used, to demonstrate compliance with this permit.

2. The permittee shall retain any monitoring information for a period of at least three years. Sampling and monitoring records shall include the following information:

   a. The date, exact place, time of sampling or measurement;

   b. The individual(s) who performed the sampling or measurement;

   c. The date(s) analyses were performed;

   d. The individual(s) who performed the analyses;

   f. The analytical techniques or methods used; and

   g. The results of the analyses.

3. The permittee must submit its records to EPD upon written request. The permittee must make its records, including the NOI and SWMP, available to the public if requested to do so in writing.

4. The permittee must implement the latest version of the SWMP for which it is responsible, while retaining a copy of the previous version of the program on file for a period of at least three years. These time periods may be modified by the Director, upon written notification, at any time.

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D. Total Maximum Daily Load (TMDL)

If an approved Total Maximum Daily Load (TMDL) exists for a 303(d) listed impaired water body within the permittee's jurisdiction, then the permittee must take steps to reduce the pollutant causing the impairment to the maximum extent practicable. This can be accomplished by reviewing an existing TMDL document. The document review can be used, in part, in determining, including and implementing best management practices (BMPs) in the SWMP, which have the goal of addressing potential pollutant sources. The permittee is encouraged to participate in a TMDL implementation plan, if available. If the permittee will conduct or has conducted instream water quality monitoring in accordance with the State's Quality Assurance Plan, and has received pre-approval by EPD for that monitoring plan, then the results of this monitoring may be used to document any improvement in the water quality of the 303(d) listed water body.

## PART VI. 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 Clean Water Act and the State Act and is grounds for:

   a. Enforcement action;

   b. Permit termination, revocation and reissuance, or modification; or

   c. Denial of a permit renewal application.

2. The Clean Water Act and the State Act both provide that any person who falsifies or tampers with, or knowingly renders inaccurate any monitoring device or method required under this permit, or who makes any false statement, representation, or certification in any record submitted or required by this permit, including monitoring reports or reports of compliance or noncompliance, shall, if convicted, be punished by a fine or by imprisonment, or by both. Both Acts include procedures for imposing civil penalties for violations or for negligent or intentional failure or refusal to comply with any final or emergency order of the Director.

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

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4. The permittee shall give written notice to EPD at least ten (10) days before any planned changes in the permitted activity, which may result in noncompliance with permit requirements.

B. Duty to Reapply/ Continuation of an Expired General Permit

1. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit by submitting a NOI in accordance with the requirements of Part III of this permit, using a NOI form provided by EPD. The NOI must be submitted at least thirty (30) days prior to the expiration date of this permit to remain covered under the continued permit.

2. If this permit is not reissued or replaced prior to the expiration date, it may be administratively continued in accordance with the Administrative Procedures Act and remain in force and effect. Any permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until one of the following occurs:

   a. Reissuance or replacement of this permit, at which time the permittee must comply with the Notice of Intent conditions of the new permit to maintain authorization to discharge; or

   b. Issuance of an Individual permit for the permittee's discharge; or

   c. A formal permit decision by the Director not to reissue this general permit. At that time, the permittee must seek coverage under an alternative permit or an individual permit.

C. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for the 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 that has a reasonable likelihood of adversely affecting human health or the environment.

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E. 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), owned or operated by the permittee to achieve compliance with the terms and conditions of this permit and with the requirements of the Storm Water Management Program. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of adequate backup or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

F. Permit Actions

This permit may be modified, terminated, or revoked and reissued in whole or in part. The filing of a request by the permittee for permit modification, termination, revocation and reissuance, or a notification of planned changes or anticipated noncompliance does not negate any permit condition.

G. Property Rights

The issuance of this permit does not convey 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 and regulations.

H. Duty to Provide Information

The permittee shall provide to EPD, within a reasonable time frame, any information that is requested to determine compliance with this permit. The permittee shall also provide EPD with any requested copies of records required by this permit.

I. Other Information

If the permittee becomes aware of a failure to submit any relevant facts or of a submission of incorrect information in the NOI, Annual Report, or any report to EPD, the permittee shall promptly submit the relevant facts or information.

J. Inspection and Entry

The permittee shall allow the Director, the Regional Administrator of USEPA, or their authorized representatives, agents, or employees, after presentation of credentials to:

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1. Enter the permittee's premises where a regulated facility or activity is located or conducted, or where records are kept under the terms and conditions of this permit;

2. Have access to and copy, at reasonable times, any records required under the terms and conditions of this permit;

3. Inspect at reasonable times any facilities, equipment, practices, or operations (including monitoring and control equipment) regulated or required under this permit; and

4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

K. Availability of Reports

Except for data determined by EPD to be confidential under Section 16 of the State Act or by the Regional Administrator of the USEPA under the Code of Federal Regulations, Title 40, Part 2, all reports prepared according to the terms of this permit shall be available for public inspection at an office of EPD under the Georgia Open Records Act. All monitoring data, permit applications, permittees' names and addresses, and permits shall not be considered confidential.

L. Signatory Requirements

1. All information submitted to EPD, or that this permit requires the permittee to maintain, shall be signed by either a principal executive officer or ranking elected official, 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 the official person described above and submitted to EPD.

   b. The authorization specifies either an individual or a position having responsibility for the overall operation of the municipality's Storm Water Management Program such as the position of manager, operator, superintendent, or position of equivalent responsibility.

   c. If an authorization is no longer accurate because of a different individual or position having been authorized, then a new authorization must be submitted to EPD prior to or together with

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any report, information, or application signed by the authorized representative.

2. 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 gather and evaluate 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."

M. Severability

The provisions of this permit are severable. If any permit provision or the application of any permit provision to any circumstance is held invalid, the provision does not affect other circumstances or the remainder of this permit.

N. Other Applicable Environmental Regulations and Laws

1. 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 established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act. Nothing in this permit, unless explicitly stated, exempts the permittee from compliance with other applicable local, state and federal ordinances, rules, regulations, and laws.

2. No condition of this permit shall release the permittee from any responsibility or requirements established under any other environmental law or regulation.

O. Contested Hearings

Any person who is aggrieved or adversely affected by any action of the Director shall petition the Director for a hearing within thirty (30) days of notice of this action.

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P. Transfer of Ownership

This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

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