

**General NPDES
Stormwater Permit
No. GAG610000**

**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**

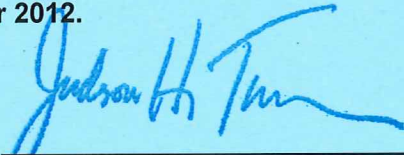
In compliance with the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended), hereinafter called the "State Act," the Federal Clean Water Act, as amended (33 U.S.C. 1251 et seq.), hereinafter called the "Clean Water Act," and the Rules and Regulations promulgated pursuant to each of these Acts, all new and existing storm water point sources associated with small municipal separate storm sewer systems, 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 1 through Appendix B hereof.

This permit shall become effective on December 6, 2012.

This permit and the authorization to discharge shall expire at midnight, December 5, 2017.

Signed this 6th day of December 2012.





Director,
Environmental Protection Division

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PART 1. COVERAGE UNDER THIS PERMIT

1.1 Coverage

- 1.1.1 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 Title 40 of the Code of Federal Regulations (CFR) Part 122.26 (b)(16) to the waters of the State of Georgia, except for those storm water discharges identified under Part 1.1.4.
- 1.1.2 The permittee is authorized to discharge stormwater under the terms and conditions of this general permit if it:
 - 1.1.2.1 Owns or operates an MS4 within the permitted area; and
 - 1.1.2.2 Is not a “large” or “medium” MS4 as defined in 40 CFR Part 122.26(b)(4) or (7); and
 - 1.1.2.3 Submits a Georgia Notice of Intent (NOI) in accordance with Part 3 of this permit; and
 - 1.1.2.4 Is fully or partially located within an urbanized area as determined by the latest Decennial Census by the Bureau of the Census; or
 - 1.1.2.5 Is designated for permit coverage by the State of Georgia pursuant to 40 CFR Part 122.32.
- 1.1.3 The permittee is liable for permit compliance and the implementation of its Storm Water Management Program (SWMP) within the permitted area for all discharges from the MS4 for which it is owner and/or operator.
- 1.1.4 The following discharges are not regulated by this permit:
 - 1.1.4.1 NPDES permitted storm water discharges associated with any of the ten categories of industries covered by General NPDES Permit No. GAR050000;
 - 1.1.4.2 Conveyances that discharge storm water runoff combined with municipal sewage;
 - 1.1.4.3 Discharges from a Publicly Owned Treatment Works (POTW);
 - 1.1.4.4 Storm water discharges that enter the waters of the State other than from a point source;

- 1.1.4.5 Storm water discharges from construction sites which result in a land disturbance of less than one acre unless part of a larger common plan of development or sale; and
- 1.1.4.6 NPDES permitted non-storm water discharges, such as process and non-process wastewater.

1.2 Definitions - See Appendix A

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 Appendix A.

PART 2. CRITERIA FOR RECEIVING WATERS

The permittee shall implement controls to reduce pollutants to the maximum extent practicable (MEP) in discharges from the MS4 to the waters of the State, so as not to cause the following criteria to be exceeded in the receiving waters:

- 2.1 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;
- 2.2 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;
- 2.3 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;
- 2.4 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; and
- 2.5 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 3. NOTICE OF INTENT

3.1 Obtaining Coverage

3.1.1 To be authorized to discharge storm water from a small MS4, the permittee must submit an NOI. The NOI must be signed and dated in accordance with Part 6.10 of this permit.

3.1.2 Where the operator changes, or where a new operator is added after submittal of an NOI, a new NOI must be submitted.

3.1.3 The NOI form may be obtained by calling the NonPoint Source Program of the Environmental Protection Division's (EPD) Watershed Protection Branch at (404) 675-6240 or on EPD's website at www.gaepd.org.

3.1.4 The completed NOI and signed copies of all reports required herein shall be submitted to the following address:

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

3.2 Submittal Deadline

3.2.1 If the permittee was covered under previous permit iterations due to meeting the criteria specified in 40 CFR Part 122.32(a)(1) or due to designation by EPD as specified in 40 CFR Part 122.32(a)(2), then they are required to submit a new NOI in accordance with Part 3.1 and Part 6.3 of the permit, and if notified by EPD, a new SWMP, within 180 days after the effective date of this permit.

3.2.2 If the permittee is newly designated by EPD under 40 CFR Part 122.32(a)(2) after the issuance date of this permit, then they are required to submit an NOI and SWMP within 180 days of written notification from EPD.

PART 4. STORM WATER MANAGEMENT PROGRAM

The permittee shall implement and enforce a SWMP designed to reduce the discharge of pollutants from the MS4 to the MEP, in order to protect water quality and to satisfy the appropriate water quality requirements of the State Act and Rules. The SWMP and its amendments, upon approval by EPD, shall become an enforceable part of this permit. The currently approved SWMP remains in effect and its requirements continue to be permit conditions until another SWMP is approved. The SWMP must include, at a

minimum, the following information for each of the six minimum control measures (MCMs) described in 40 CFR Part 122.34(b):

4.1 Requirements

4.1.1 The best management practices (BMPs) that will be implemented for each of the six stormwater MCMs. The SWMP must include at least the BMPs listed in each MCM section below. For new permittees developing a SWMP, each MCM must contain at least two BMPs. Additional BMPs may be included in the SWMP by the permittee. At a minimum, each BMP must be implemented within the permitted area.

4.1.2 The measurable goals set for each of the BMPs.

4.1.3 The implementation schedule for each BMP, including, as appropriate, the date of implementation, the months and years in which each specific required action will be undertaken, any interim milestone dates and/or the frequency of the action(s).

4.1.4 The office or position(s) responsible for implementing or coordinating the BMPs in the SWMP.

4.2 Minimum Control Measures

4.2.1 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.

The permittee is encouraged to utilize USEPA’s toolbox during development of a new or evaluation and modification of an existing public education program. The toolbox includes example public education BMPs and can be found at cfpub.epa.gov/npdes/stormwater/menuofbmps.

For existing permittees, the program shall, at a minimum, contain the requirements shown in Table 4.2.1(a) below:

Table 4.2.1(a) Public Education - Best Management Practices (Existing Permittees)

| BMPs | Measurable Goals |
|-----------------------------|---|
| 1. Public Education Program | 1.a. Evaluate your existing program to ensure that it meets the needs of your community. Continue to implement, and revise if necessary, the stormwater |

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| | <p>education program contained in the SWMP.</p> <p>1.b. Comply with the measurable goal specified for each BMP contained in the SWMP.</p> <p>1.c. Details on the implementation of each BMP, including documentation of activities, must be provided in each annual report.</p> |
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For new permittees, the program shall, at a minimum, contain the requirements shown in Table 4.2.1(b) below:

Table 4.2.1(b) Public Education – Best Management Practices (New Permittees)

| BMPs | Measurable Goals |
|-----------------------------|---|
| 1. Public Education Program | <p>1.a. Develop a stormwater public education program as part of the SWMP and submit the program to EPD for review and approval, in accordance with Part 3.2.2 of this permit.</p> <p>1.b. Implement the public education program in accordance with the implementation schedule specified for each BMP in the SWMP.</p> <p>1.c. Details on the implementation of each BMP, including the status of implementation and documentation of any activities performed during the reporting period, must be provided in each annual report.</p> |

4.2.2 Public Involvement/Participation

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

The permittee is encouraged to make the approved SWMP publicly accessible electronically or by other means.

For existing permittees, the program shall, at a minimum, contain the requirements shown in Table 4.2.2(a) below:

Table 4.2.2(a) Public Involvement/Participation - Best Management Practices (Existing Permittees)

| BMPs | Measurable Goals |
|-------------------------------------|--|
| 1. Public Involvement/Participation | 1.a. Evaluate your existing program to ensure that it meets the needs of your community. Continue to |

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| Program | <p>implement, and revise if necessary, the public involvement/participation program contained in the SWMP.</p> <p>1.b. Comply with the measurable goal specified for each BMP contained in the SWMP.</p> <p>1.c. Details on the implementation of each BMP, including documentation of activities, must be provided in each annual report.</p> |
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For new permittees, the program shall, at a minimum, contain the requirements shown in Table 4.2.2(b) below:

Table 4.2.2(b) Public Involvement/Participation - Best Management Practices (New Permittees)

| BMPs | Measurable Goals |
|---|---|
| 1. Public Involvement/Participation Program | <p>1.a. Develop a public involvement/participation program as part of the SWMP and submit the program to EPD for review and approval in accordance with Part 3.2.2 of this permit.</p> <p>1.b. Implement the public involvement/participation program in accordance with the implementation schedule specified for each BMP in the SWMP.</p> <p>1.c. Details on the implementation of each BMP, including the status of implementation and documentation of any activities performed during the reporting period, must be provided in each annual report.</p> |

4.2.3 Illicit Discharge Detection and Elimination (IDDE)

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. The permittee must:

- 4.2.3.1 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 that receive discharges from those outfalls;
- 4.2.3.2 Prohibit through ordinance, or other regulatory mechanisms, non-storm water discharges into the MS4 and implement appropriate enforcement procedures and actions;
- 4.2.3.3 Develop and implement a plan to detect and address non-storm water discharges including illegal dumping to the MS4;

- 4.2.3.4 Inform public employees, businesses, and the general public of the hazards associated with illegal discharges and improper disposal of wastes; and
- 4.2.3.5 Address the following categories of non-stormwater discharges or flows only if they are identified as significant contributors of pollutants to the 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;
 - swimming pool discharges;
 - street wash water; and
 - flows from fire fighting activities.

For existing permittees, the program shall, at a minimum, contain the requirements shown in Table 4.2.3(a) below:

Table 4.2.3(a) Illicit Discharge Detection and Elimination - Best Management Practices (Existing Permittees)

| BMPs | Measurable Goals |
|------------------------------|---|
| 1. Legal Authority | 1.a. Evaluate, and if necessary, modify the existing ordinance. If the ordinance is revised during the reporting period, submit a copy of the adopted ordinance with the annual report. |
| 2. Outfall Map and Inventory | 2.a. Develop or update a map and an inventory showing the location of all outfalls from the MS4 and the names and locations of all waters of the State that receive |

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| | <p>discharges from those outfalls. The map and inventory must be submitted with the 2013 annual report, due February 15, 2014.</p> <p>2.b. Provide an updated inventory and map showing any outfalls added during the reporting period and the total number of outfalls in subsequent annual reports.</p> |
| 3. IDDE Plan | <p>3. Implement the IDDE Plan described in the SWMP to detect and address non-storm water discharges to the MS4. The components of the Plan are as follows:</p> <p>3.a. Conduct dry weather screening (DWS) inspections on 100% of the total outfalls within the 5-year permit term in accordance with procedures contained in the SWMP. If the permittee conducts stream walks in conjunction with the DWS inspection, then 100% of the stream miles must be inspected within the 5-year permit term. Provide the number of outfall inspections conducted during the reporting period and documentation of the outfall inspections in each annual report.</p> <p>3.b. Implement investigative procedures when the results of the DWS indicate a potential for an illicit discharge, including the sampling and/or inspection procedures described in the SWMP. Provide information on any illicit discharge detection activities performed during the reporting period in each annual report.</p> <p>3.c. Ensure any identified illicit discharges are eliminated. If necessary, implement enforcement procedures described in the SWMP and in accordance with the Enforcement Response Plan (ERP) in Part 4.3 of this permit. Provide information on any eliminated discharges or on any enforcement actions taken to eliminate illicit discharges during the reporting period in each annual report.</p> |
| 4. Education | <p>4.a. Continue to implement a program to educate the public, businesses, and government employees about the hazards of illicit discharges as described in the SWMP. Provide documentation of any activities conducted during the reporting period in each annual report.</p> |
| 5. Complaint Response | <p>5.a. Develop procedures for receiving, investigating, and tracking the status of illicit discharge complaints and submit the procedures to EPD for review and approval with the 2013 annual report, due February 15, 2014.</p> |

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| | 5.b. Implement the complaint response procedures upon approval by EPD. Provide a report on each illicit discharge related complaint received and investigated during the reporting period (e.g. complaint date, type of complaint, complaint status) in each annual report. |
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For new permittees, the program shall, at a minimum, contain the requirements shown in Table 4.2.3(b) below:

Table 4.2.3(b) Illicit Discharge Detection and Elimination - Best Management Practices (New Permittees)

| BMPs | Measurable Goals |
|------------------------------|--|
| 1. Legal Authority | 1.a. Develop and adopt an IDDE ordinance that prohibits non-stormwater discharges to the MS4. Submit a copy of the adopted ordinance to EPD within one year of designation with that year's annual report. |
| 2. Outfall Map and Inventory | 2.a. Develop or update a map and an inventory showing the location of all outfalls from the MS4 and the names and locations of all waters of the State that receive discharges from those outfalls. The SWMP must include a schedule for completing the map, with a final completion date of no later than four years following the date of designation. The completed map and inventory must be submitted to EPD with the first annual report following completion of the map and inventory. 2.b. Provide a status of the mapping and the inventory of identified outfalls in each annual report. 2.c. After completion of the initial outfall map and inventory, provide an updated map and inventory showing any outfalls added during the reporting period and the total number of outfalls on the MS4 in subsequent annual reports. |
| 3. IDDE Plan | 3.a. Develop an IDDE Plan, including field screening procedures, source tracing procedures, and discharge elimination procedures. The program must include example forms, such as an inspection form, example enforcement letters, etc. Submit the IDDE Plan to EPD for review and approval within one year following the date of designation with that year's annual report. 3.b. Implement the IDDE Plan by conducting DWS inspections on outfalls as the mapping occurs in Item 2.a. above. Provide documentation of the outfall |

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| | <p>inspections conducted during the reporting period with each annual report.</p> <p>3.c. Upon completion of the mapping, conduct DWS inspections on 100% of the outfalls within a 5-year period. If the permittee conducts stream walks in conjunction with the DWS inspections, then 100% of the stream miles must be inspected within the 5-year permit term. Provide the number of outfall inspections conducted during the reporting period and documentation of the outfall inspections in each annual report.</p> <p>3.d. Implement investigative procedures when the results of the DWS indicate a potential for an illicit discharge, including the sampling and/or inspection procedures described in the IDDE Plan. Provide information on any investigative activities performed during the reporting period in each annual report.</p> <p>3.e. Ensure any identified illicit discharges are eliminated. If necessary, implement enforcement procedures described in the SWMP and in accordance with the ERP in Part 4.3 of this permit. Provide information on any eliminated discharges or on any enforcement actions taken to eliminate illicit discharges during the reporting period in each annual report.</p> |
| <p>4. Education</p> | <p>4.a. Develop and implement a program to educate the public, businesses, and government employees about the hazards of illicit discharges. Submit the program to EPD for review and approval within one year of designation with that year's annual report.</p> <p>4.b. Implement the education program upon approval by EPD. Provide documentation of any activities conducted during the reporting period in each annual report.</p> |
| <p>5. Complaint Response</p> | <p>5.a. Develop procedures for receiving, investigating, and tracking the status of illicit discharge complaints and submit the procedures to EPD for review and approval within one year of designation with that year's annual report.</p> <p>5.b. Implement the complaint response procedures upon approval by EPD. Provide a report on each illicit discharge related complaint received and investigated during the reporting period (e.g. complaint date, type of complaint, complaint status) in each annual report.</p> |

4.2.3.6 The inventory and inspection of industrial and commercial facilities can help identify illicit discharges and the potential for pollution in storm water runoff from these facilities. EPD recommends that the permittee pursue a program addressing these types of facilities in the permitted area, including the development of an inventory, inspection of facilities, and possible enforcement. The permittee may establish its inventory of industrial facilities using EPD's Industrial General Permit (IGP) Notice of Intent and No Exposure Exclusion online listing. For commercial facilities, the permittee may use its business license list to identify facilities with the potential to have higher than normal levels of pollutants in storm water runoff. If the permittee chooses to implement a program to address industrial and/or commercial facilities, the details may or may not be defined in the SWMP. In accordance with Part 4 of the permit, all BMPs contained within the SWMP become part of the permit.

4.2.4 Construction Site Storm Water Runoff Control

The permittee must develop, implement and enforce a program to reduce pollutants in any storm water runoff to the 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 the permittee's program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. The permittee must develop and implement a construction site storm water runoff control program that contains the following elements:

- 4.2.4.1 An ordinance or other regulatory mechanism to require erosion and sediment (E&S) controls, as well as sanctions to ensure compliance, to the extent allowable, under State or local law;
- 4.2.4.2 Requirements for construction site operators to implement E&S control best management practices;
- 4.2.4.3 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;
- 4.2.4.4 Procedures for site plan review that incorporate consideration of potential water quality impacts;

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

4.2.4.6 Procedures for site inspection and enforcement of control measures.

For existing permittees, the program shall, at a minimum, contain the requirements shown in Table 4.2.4(a) below:

Table 4.2.4(a) Construction Site Storm Water Runoff Control - Best Management Practices (Existing Permittees)

| BMPs | Measurable Goals |
|--------------------------------|---|
| 1. Legal Authority | 1.a. Evaluate, and if necessary, modify the existing E&S ordinance. Ensure either the E&S or litter ordinance requires construction site operators to control waste at the construction site, such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste. If the ordinance is revised during the reporting period, submit a copy of the adopted ordinance with the annual report. |
| 2. Site Plan Review Procedures | 2.a. Implement the site plan review procedures described in the SWMP. 2.b. Provide a list of the site plans received and the number of site plans reviewed, approved, or denied during the reporting period in each annual report. |
| 3. Inspection Program | 3.a. Implement the construction site inspection procedures described in the SWMP. The purpose of the inspections is to ensure that structural and non-structural BMPs at construction sites are properly designed and maintained and that construction site waste is properly controlled. At a minimum, inspections must occur following installation of initial BMPs, during active construction, and after final site stabilization. 3.b. Provide a list of active construction sites and any inspections conducted during the reporting period in each annual report. |
| 4. Enforcement Procedures | 4.a. Implement enforcement procedures for E&S violations documented at construction sites during the reporting period as described in the SWMP and in accordance with the ERP required by Part 4.3 of this permit. Provide documentation of any enforcement actions taken during the reporting period in each annual report, including the number and type (e.g. Notice of Violation, Stop Work Order) and status (e.g. pending, |

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| | resolved). |
| 5. Complaint Response | <p>5.a. Formalize E&S complaint receipt, investigation, response, and tracking procedures and submit the procedures to EPD for review and approval with the SWMP submittal, due 180 days after the effective date of the permit.</p> <p>5.b. Implement E&S complaint response procedures upon approval by EPD. Provide information on complaints handled during the reporting period (e.g. complaint date, type of complaint, complaint status) in each annual report.</p> |
| 6. Certification | <p>6.a. Ensure that any MS4 staff involved in construction activities subject to the Construction General Permits (CGPs) are trained and certified in accordance with the rules adopted by the Georgia Soil and Water Conservation Commission.</p> <p>6.b. Provide the number and type of current certifications held by MS4 staff in each annual report.</p> |

For new permittees, the program shall, at a minimum, contain the requirements shown in Table 4.2.4(b) below:

Table 4.2.4(b) Construction Site Storm Water Runoff Control - Best Management Practices (New Permittees)

| BMPs | Measurable Goals |
|--------------------------------|--|
| 1. Legal Authority | 1.a. Develop an ordinance(s) that requires construction site operators to implement E&S controls and control waste at the construction site, such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste. Submit the adopted ordinance(s) to EPD within one year of designation with that year's annual report. |
| 2. Site Plan Review Procedures | <p>2.a. Develop procedures for conducting site plan reviews. Submit the procedures to EPD for review and approval within one year of designation.</p> <p>2.b. Implement the site plan review procedures upon approval by EPD. Submit a list of the site plans received and the number of site plans reviewed, approved, or denied during the reporting period in each annual report.</p> |
| 3. Inspection Program | 3.a. Develop construction site inspection procedures. The purpose of the inspections is to ensure that structural and non-structural BMPs at construction sites are properly designed and maintained and that |

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| | <p>construction site waste is properly controlled. At a minimum, inspections must occur following the installation of initial BMPs, during active construction and after final site stabilization. Submit the procedures to EPD for review and approval within one year of designation with that year's annual report.</p> <p>3.b. Implement the inspection procedures upon approval by EPD. Provide a list of active construction sites and any E&S inspections conducted during the reporting period in each annual report.</p> |
| 4. Enforcement Procedures | <p>4.a. Upon approval of the ERP (required by Part 4.3 of this permit) by EPD, implement enforcement procedures for E&S violations documented at construction sites during the reporting period. Provide documentation of any enforcement actions taken during the reporting period in each annual report, including the number and type (e.g. Notice of Violation, Stop Work Order) and status (e.g. pending, resolved).</p> |
| 5. Complaint Response | <p>5.a. Develop E&S complaint receipt, investigation, response, and tracking procedures. Submit the procedures to EPD for review and approval within one year of designation with that year's annual report.</p> <p>5.b. Implement the E&S complaint response procedures upon approval by EPD. Provide information on complaints received and investigated during the reporting period (e.g. complaint date, type of complaint, complaint status) in each annual report.</p> |
| 6. Certification | <p>6.a. Ensure that any MS4 staff involved in construction activities subject to the CGPs are trained and certified in accordance with the rules adopted by the Georgia Soil and Water Conservation Commission.</p> <p>6.b. Provide the number and type of current certifications held by MS4 staff in each annual report.</p> |

4.2.5 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 the MS4 from new development and redevelopment projects, including projects less than one acre if they are part of a larger common plan of development or sale, as described in Parts 4.2.5.1 and 4.2.5.2. The program must ensure that controls are in place that will prevent or minimize water quality impacts. At a minimum, the Post-Construction Storm Water Management in New Development and Redevelopment Program must contain the following requirements:

- Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for your community;
- 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
- Ensure adequate long-term operation and maintenance of the BMPs.

4.2.5.1 Stormwater Design Manual

The permittee must implement either the latest Georgia Stormwater Management Manual (GSMM) or an equivalent local design manual. For those permittees located in the 11-county coastal management program service area (Bryan, Brantley, Camden, Charlton, Chatham, Effingham, Glynn, Liberty, Long, McIntosh, and Wayne), the adopted manual must include the applicable parts of the Coastal Stormwater Supplement (CSS) to the GSMM, specifically the performance standards.

For new permittees, the adoption of either the GSMM or a local design manual must be completed within one year of designation. Documentation of the design manual adoption must be provided to EPD with that year's annual report. Implementation must begin upon adoption.

At a minimum, the permittee shall apply the standards for new development and redevelopment to any site that meets one or more of the following criteria:

For those permittees located outside of the 11-county coastal management program service area and subject to the GSMM:

- New development that creates or adds 5,000 square feet or greater of new impervious surface area, or that involves land disturbing activity of 5,000 square feet or greater.
- Redevelopment that creates or adds 5,000 square feet or greater of new impervious surface area, or that involves land disturbing activity of 1 acre or more, including projects less

that 1 acre if they are part of a larger common plan of development or sale.

For those permittees located outside of the 11-county coastal management program service area, subject to the GSMM and the Metropolitan North Georgia Water Planning District:

- New development that creates or adds 5,000 square feet or greater of new impervious surface area, or that involves land disturbing activity of 1 acre or greater.
- Redevelopment that creates or adds or replaces 5,000 square feet or greater of new impervious surface area, or that involves land disturbing activity of 1 acre or more.

For those permittees located within the 11-county coastal management program service area and also subject to the CSS:

- New development that creates or adds 5,000 square feet or greater of impervious surface area, or that involves land disturbing activity of 1 acre or greater.
- Redevelopment that creates or adds or replaces 5,000 square feet or greater of new impervious surface area, or that involves land disturbing activity of 1 acre or more, including projects less than 1 acre if they are part of a larger common plan of development or sale.

For sites meeting the above criteria, the permittee shall ensure that the following minimum standards are implemented where practicable during the site plan preparation process:

Stormwater Runoff Quality/Reduction:

All stormwater runoff shall be adequately treated prior to discharge. The stormwater management system shall be designed to remove 80% of the average annual post-development total suspended solids (TSS) load as defined in the GSMM or in the equivalent manual. Compliance with this performance standard is presumed to be met if the stormwater management system is sized to capture and treat the water quality treatment volume, which is defined as the runoff volume resulting from the first 1.2 inches of rainfall from a site.

Stream Channel/Aquatic Resource Protection:

Stream channel and/or aquatic resource protection shall be provided by using the following approaches: 1) 24-hour extended detention storage of the 1-year, 24-hour return frequency storm event; 2) erosion prevention measures such as energy dissipation and velocity control; and 3) preservation of the applicable stream buffer.

Overbank Flood Protection:

Downstream overbank flood protection shall be provided by controlling the post-development peak discharge rate to the predevelopment rate for the 25-year, 24-hour storm event.

Extreme Flood Protection:

Extreme flood protection shall be provided by controlling the 100-year, 24-hour storm event such that flooding is not exacerbated.

4.2.5.2 Green Infrastructure/Low Impact Development (GI/LID)

The requirements of Part 4.2.5.2 of this permit only apply to those permittees with a population exceeding 10,000 at the time of this permit issuance or at the time of designation. Permittees with a population less than 10,000 are exempt from this requirement at this time (See Appendix B).

EPD encourages the use of GI/LID practices and approaches on both new and redeveloped sites. The permittee shall review and revise, where necessary, building codes, ordinances, and other regulations to ensure they do not prohibit or impede the use of GI/LID practices, including infiltration, reuse, and evapotranspiration. At a minimum, the permittee shall assess those regulations governing road design and parking requirements. During the review, the permittee should consider the inclusion of incentives for use of GI/LID practices into the regulatory documents. For existing permittees, the evaluation must be completed within two years and a written report submitted to EPD with the 2014 annual report, due February 15, 2015. Any necessary revisions must be completed, and adopted ordinances submitted to EPD, within four years of the effective date of this Permit. For new permittees, the evaluation must be completed within two years of designation and a written report submitted to EPD with the subsequent annual report. Any necessary revisions must be completed, and adopted ordinances submitted to EPD within four years after designation.

Design information on GI/LID practices can be found on EPD’s website (www.gaepd.org) for the GSMM and the CSS. Additional information on GI/LID and better site design can be found on numerous websites, including these suggested sites: USEPA (www.epa.gov), Center for Watershed Protection (www.cwp.org), Georgia Coastal Resource Division’s “Georgia’s Green Growth Guidelines” (crd.dnr.state.ga.us), and Green Infrastructure Center (www.gicinc.org). In addition, you may want to consult the following webpages on EPA’s website: www.epa.gov/nps/lid and http://cfpub.epa.gov/npdes/home.cfm?program_id=298.

For existing permittees, the program shall, at a minimum, contain the requirements shown in Table 4.2.5(a) below:

Table 4.2.5(a) Post-Construction Storm Water Management - Best Management Practices (Existing Permittees)

| BMPs | Measurable Goals |
|-----------------------|---|
| 1. Legal Authority | 1.a. Evaluate, and if necessary, modify the existing ordinance. If the ordinance is revised during the reporting period, submit a copy of the adopted ordinance with the annual report. |
| 2. Inventory | 2.a. Develop or update, as needed, an inventory of all publicly-owned post-construction storm water management structures (e.g. detention/retention ponds, water quality vaults, infiltration structures) and only those privately-owned structures designed after the December 9, 2008 deadline for adoption of the GSMM (i.e. new structures). The inventory shall include information on the number and type of structures, and ownership (i.e. publicly-owned, privately-owned). The permittee may choose to also include privately-owned structures designed prior to the December 9, 2008 deadline for adoption of the GSMM on the inventory. Provide the inventory with the first annual report after permit issuance. 2.b. Update the inventory as new structures are completed or existing structures are identified. Provide the updated inventory of post-construction storm water management structures, including those structures added during the reporting period in each annual report. |
| 3. Inspection Program | 3.a. Conduct inspections of all post-construction stormwater management structures included on the inventory required in BMP #2 above, so that 100% of |

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| | <p>the structures are inspected within the 5-year permit term. The inspections should be completed in accordance with the schedule contained in the SWMP. Provide documentation of the inspections conducted during the reporting period in each annual report.</p> |
| <p>4. Maintenance Program</p> | <p>4.a. Implement the long-term operation and maintenance program for post-construction storm water management structures described in the SWMP. At a minimum, the maintenance program must address all publicly-owned structures and those privately-owned structures with construction completed after the effective date of the permit. The permittee may choose to also address privately-owned structures constructed prior to the effective date of the permit. The maintenance may be performed by the permittee or by the owner/operator of the structure. Maintenance must be performed to the MEP.</p> <p>4.b. For publicly-owned structures, provide a list of structures maintained and the type of maintenance performed, including documentation of maintenance activities performed during the reporting period with each annual report.</p> <p>4.b.1. For privately-owned structures with construction completed after the effective date of the permit, the permittee must either conduct maintenance or require maintenance agreements.</p> <ul style="list-style-type: none"> • If the permittee conducts the maintenance, provide a list of structures maintained and the type of maintenance performed, including documentation of maintenance activities performed during the reporting period in each annual report. • If maintenance is to be performed by an owner/operator in accordance with a maintenance agreement, the permittee must retain copies of maintenance agreements finalized after the submittal deadline date for the SWMP and submit a summary list of these agreements with the subsequent annual report. Any maintenance agreements executed during subsequent reporting periods should be included on the summary list submitted with each annual report. The total number of executed |

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| | <p>maintenance agreements should be provided in each annual report.</p> <p>4.b.2. If the permittee addresses privately-owned structures constructed prior to the effective date of the permit in their program, then provide a list of structures maintained and the type of maintenance performed, including documentation of maintenance activities performed during the reporting period in each annual report.</p> |
| 5. GI/LID Structures | <p>5.a. Develop an inventory of water quality-related GI/LID structures located within the permitted area and at a minimum, constructed after the effective date of the permit, including the total number of each type of structure (e.g. bioswales, pervious pavement, rain gardens, cisterns, and green roofs). Provide the inventory with the second annual report after permit issuance.</p> <p>5.b. Track the addition of new water quality-related GI/LID structures through the plan review process and ensure the structures are added to the inventory. Provide an updated inventory, including those structures added during the reporting period, in each annual report.</p> |

For new permittees, the program shall, at a minimum, contain the requirements shown in Table 4.2.5(b) below:

Table 4.2.5(b) Post-Construction Storm Water Management - Best Management Practices (New Permittees)

| BMPs | Measurable Goals |
|--------------------|--|
| 1. Legal Authority | 1.a. Develop and adopt a post-construction ordinance that includes the adoption of the GSMM or a local design manual. Submit a copy of the adopted ordinance to EPD within one year of designation with that year's annual report. |
| 2. Inventory | 2.a. Develop an inventory of all publicly-owned post-construction storm water management structures (e.g. detention/retention ponds, water quality vaults, infiltration structures) and those privately-owned structures designed after the adoption of the GSMM. The inventory shall include information on the number and type of structures, and ownership (i.e. publicly-owned, privately-owned). The permittee may choose to also include other privately-owned structures on the |

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| | <p>inventory. The SWMP must include a schedule for completing the inventory with a final completion date of no later than 3 years following designation. The completed inventory must be submitted to EPD with the first annual report following completion.</p> <p>2.b. Provide the status of the inventory development and/or update of the inventory in each annual report.</p> <p>2.c. After completion of the initial inventory, update the inventory as new structures are completed or additional structures are identified. Provide an updated inventory of post-construction storm water management structures, including those structures added during the reporting period in each subsequent annual report.</p> |
| <p>3. Inspection Program</p> | <p>3.a. Develop an inspection program and provide details in the SWMP. The program must include a schedule for conducting inspections on all post-construction storm water management structures included on the inventory required in BMP #2 above, so that 100% of the structures are inspected within a 5-year period. Submit the program to EPD for review and approval no later than 3 years following designation with that year's annual report.</p> <p>3.b. Conduct inspections in accordance with the approved program contained in the SWMP. Provide documentation of the inspections conducted during the reporting period in each annual report.</p> |
| <p>4. Maintenance Program</p> | <p>4.a. Develop a long-term operation and maintenance program for post-construction storm water management structures. At a minimum, the program must address all publicly-owned structures and those privately-owned structures with construction completed after the date of designation. The permittee may choose to also address privately-owned structures constructed prior to the date of designation. Submit the program to EPD for review and approval no later than 3 years following designation with that year's annual report.</p> <p>4.b. Upon approval by EPD, implement the long-term operation and maintenance program for post-construction storm water management structures. The maintenance may be performed by the permittee or by the owner/operator of the structure.</p> <p>4.b.1. For publicly-owned structures, provide a list of structures maintained and the type of maintenance</p> |

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| | <p>performed, including documentation of maintenance activities performed during the reporting period with each annual report.</p> <p>4.b.2. For privately-owned structures with construction completed after the date of designation, the permittee must either conduct maintenance or require maintenance agreements.</p> <ul style="list-style-type: none"> • If the permittee conducts the maintenance, provide a list of structures maintained and the type of maintenance performed, including documentation of maintenance activities performed during the reporting period in each annual report. • If maintenance is to be performed by an owner/operator in accordance with a maintenance agreement, the permittee must submit a summary list of finalized maintenance agreements with the first annual report following program implementation. Any maintenance agreements executed during subsequent reporting periods should be added to the summary list and submitted with each annual report. The total number of executed maintenance agreements must be provided in each annual report. <p>4.b.3. If the permittee addresses privately-owned structures constructed prior to the date of designation in their program, then provide a list of structures maintained and the type of maintenance performed, including documentation of maintenance activities performed during the reporting period in each annual report.</p> |
| <p>5. GI/LID Structures</p> | <p>5.a. Develop an inventory of water quality-related GI/LID structures located within the permitted area and at a minimum, constructed after the date of designation, including the total number of each type of structure (e.g. bioswales, pervious pavement, rain gardens, cisterns, and green roofs). Provide the inventory within one year of designation with that year's annual report.</p> <p>5.b. Track the addition of new water quality-related GI/LID structures through the plan review process and ensure the structures are added to the inventory. Provide an updated inventory, including those structures</p> |

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| | added during the reporting period, in subsequent annual reports. |
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4.2.6 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 pollutant runoff from 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 program shall, at a minimum, contain all the following requirements:

For existing permittees, the program shall, at a minimum, contain the requirements shown in Table 4.2.6(a) below:

Table 4.2.6(a) Pollution Prevention/Good Housekeeping for Municipal Operations - Best Management Practices (Existing Permittees)

| BMPs | Measurable Goals |
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| 1. MS4 Control Structure Inventory and Map | 1.a. Develop or update an inventory and map of the MS4 control structures. At a minimum, the inventory and map must include catch basins, ditches (miles or linear feet), detention/retention ponds, and storm drain lines (miles or linear feet). The inventory and map must be submitted to EPD in accordance with a schedule established in the SWMP, but the completion date must not exceed February 15, 2015. 1.b. Update the inventory as necessary. Provide the number of structures added during the reporting period and the total number of structures in each annual report. |
| 2. MS4 Inspection Program | 2.a. Conduct inspections on the MS4 control structures so that 100% of the structures are inspected within a 5-year period. The MS4 inspections may be performed during mapping of the system or in accordance with a schedule contained in the SWMP. Provide the number and percentage of structures inspected during the reporting period in each annual report. |
| 3. MS4 Maintenance Program | 3.a. Conduct maintenance on the MS4 control structures as needed. Provide the number of each type of structure maintained during the reporting period in each annual report. |
| 4. Street and Parking Lot Cleaning | 4. Conduct street and parking lot cleaning using either of the following methods: |

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| | <p>4.a. Conduct street sweeping in accordance with the procedures established in the SWMP. Provide specifics on any street sweeping activities conducted during the reporting period in each annual report.</p> <p>4.b. If the MS4 does not engage in street sweeping, then implement an alternate method of street cleaning, such as trash/litter removal, as described in the SWMP. Provide documentation of the litter removal activities conducted during the reporting period in each annual report.</p> |
| 5. Employee Training | 5.a. Implement the employee training program specified in the SWMP. Provide documentation of the educational activities conducted during the reporting period in each annual report. |
| 6. Waste Disposal | 6.a. Implement procedures regarding the proper disposal of waste removed from the MS4 as specified in the SWMP. Provide documentation of activities performed during the reporting period in each annual report. |
| 7. New Flood Management Projects | 7.a. Ensure proposed flood management projects are assessed for water quality impacts during the design phase. Provide the number of plans reviewed where flood management projects were assessed for water quality impacts during the reporting period in each annual report. |
| 8. Existing Flood Management Projects | 8.a. Conduct an assessment of existing publicly-owned flood management projects for potential retrofitting to address water quality impacts in accordance with the procedures in the SWMP. Provide information on any assessment activities conducted during the reporting period in each annual report. |
| 9. Municipal Facilities | <p>9.a. Develop or update an inventory of municipal facilities with the potential to cause pollution. The inventory must be submitted to EPD with the 2013 annual report, due February 15, 2014. The inventory must be updated annually and submitted with each annual report.</p> <p>9.b. Conduct inspections on 100% of the municipal facilities within the 5-year permit term in accordance with the procedures contained in the SWMP. Provide documentation of the inspections conducted during the reporting period in each annual report.</p> |

For new permittees, the program shall, at a minimum, contain the requirements shown in Table 4.2.6(b) below:

**Table 4.2.6(b) Pollution Prevention/Good Housekeeping for Municipal Operations
- Best Management Practices (New Permittees)**

| BMPs | Measurable Goals |
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| 1. MS4 Control Structure Inventory and Map | <p>1.a. Develop an inventory and map of the MS4 control structures. At a minimum, the inventory and map must include catch basins, ditches (miles or linear feet), detention/retention ponds, and storm drain lines (miles or linear feet). The inventory and map must be submitted to EPD in accordance with a schedule established in the SWMP, but the completion date must not exceed 4 years from the date of designation. Submit the completed inventory and map with the annual report following inventory and map completion.</p> <p>1.b. Upon completion of the inventory and map, update the inventory and map as necessary. Provide the number of structures added during the reporting period and the total number of structures in each annual report.</p> |
| 2. MS4 Inspection Program | <p>2.a. Develop an inspection program and provide details in the SWMP. The program must include a schedule for conducting inspections of the MS4 control structures so that 100% of the structures are inspected within a 5-year period. Submit the program to EPD for review and approval with the SWMP.</p> <p>2.b. Upon EPD approval, begin implementing the inspection program. The MS4 inspections may be performed during mapping of the system or in accordance with the schedule contained in the approved inspection program. Provide the number and percentage of structures inspected during the reporting period in each annual report.</p> |
| 3. MS4 Maintenance Program | <p>3.a. Develop a storm sewer system maintenance program specifying such things as prioritization, factors determining the need for maintenance, etc. Submit the program to EPD for review and approval with the first annual report following designation.</p> <p>3.b. Upon EPD approval, implement the maintenance program for the MS4 control structures. Provide the number of each type of structure maintained during the reporting period in each annual report.</p> |

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| <p>4. Street and Parking Lot Cleaning</p> | <p>4.a. Develop street and parking lot cleaning procedures. The procedures may address the use of a street sweeper, trash/litter removal, or another method. Submit the procedures to EPD for review and approval with the first annual report following designation.</p> <p>4.b. Upon EPD approval, implement the street and parking lot cleaning procedures. Provide documentation of the litter removal activities conducted during the reporting period in each annual report.</p> |
| <p>5. Employee Training</p> | <p>5.a. Develop an employee training program and submit the program to EPD for review and approval with the SWMP.</p> <p>5.b. Upon EPD approval, implement the employee training program. Provide documentation of the educational activities conducted during the reporting period in each annual report.</p> |
| <p>6. Waste Disposal</p> | <p>6.a. Develop procedures for the proper disposal of waste removed from the MS4. Submit the procedures to EPD for review and approval with the SWMP.</p> <p>6.b. Upon EPD approval, implement procedures regarding the proper disposal of waste removed from the MS4. Provide documentation of activities performed during the reporting period in each annual report.</p> |
| <p>7. New Flood Management Projects</p> | <p>7.a. Develop procedures for ensuring proposed flood management projects are assessed for water quality impacts during the design phase. Submit the procedures to EPD for review and approval with the SWMP.</p> <p>7.b. Upon EPD approval, implement the procedures. Provide the number of plans reviewed where flood management projects were assessed for water quality impacts during the reporting period in each annual report.</p> |
| <p>8. Existing Flood Management Projects</p> | <p>8.a. Develop procedures for assessing existing flood management projects for potential retrofitting to address water quality impacts. Submit the procedures to EPD for review and approval with the first annual report following designation.</p> <p>8.b. Upon EPD approval, implement the approved procedures. Provide information on any assessment activities conducted during the reporting period in each annual report.</p> |
| <p>9. Municipal Facilities</p> | <p>9.a. Develop an inventory of municipal facilities with the</p> |

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| | <p>potential to cause pollution. The inventory must be submitted to EPD within one year of designation with that year's annual report. The inventory must be updated annually and submitted with each subsequent annual report.</p> <p>9.b. Develop inspection procedures. Submit the procedures to EPD for review and approval within one year of designation with that year's annual report.</p> <p>9.c. Upon EPD approval, implement the inspection procedures. Conduct inspections on 100% of the municipal facilities within the 5-year permit term in accordance with the approved procedures. Provide documentation of the inspections conducted during the reporting period in each annual report.</p> |
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4.3 Enforcement Response Plan (ERP)

The permittee must develop and implement an ERP that describes the action to be taken for violations associated with this permit and the SWMP. The ERP will detail the permittee's responses to any noted storm water violations, including escalating enforcement responses to address repeat and continuing violations. The plan must detail:

- Names of ordinances providing the legal authority to undertake enforcement, including citation of specific ordinance sections;
- Types of enforcement mechanisms available. The ERP should list the enforcement actions the permittee has the authority to use, including such actions as:
 - verbal warnings;
 - written notice of violations;
 - citations (with fines);
 - stop work orders;
 - withholding plan approval or other authorizations; and
 - any other available enforcement mechanisms.
- Description of when each enforcement mechanism will be employed, including the path of escalation;
- Time frames for each step, including investigation of noncompliance, sequence and use of enforcement mechanisms, corrective action by responsible party, re-inspection of site, etc.
- Description of the methods to be used to track, either manually or electronically, instances of noncompliance, including such items as:
 - name of owner/operator of facility and/or the location or address;
 - type of site (e.g. IDDE, construction);
 - description of noncompliance;

- description of enforcement action(s) used;
- time frames for each step (e.g. investigation, corrective action, re-inspection);
- documentation of inspection and enforcement actions taken;
- documentation of referral to other departments or agencies; and
- date of violation resolution.

For existing permittees, the ERP must be submitted to EPD for review with the second annual report following permit issuance. For permittees designated after the issuance date of the permit, the ERP must be submitted within one year, with that year's annual report. The ERP must be implemented within six (6) months of EPD approval. Once approved, the ERP will become an addendum to the permittee's SWMP.

4.4 Impaired Waters

4.4.1 The requirements of Part 4.4.1 of this permit apply to those permittees with a population less than 10,000 at the time of permit issuance (see Appendix B) or at the time of designation:

The permittee must identify any impaired waters located within its permitted area, using the latest approved 305(b)/303(d) List of Waters (<http://www.gaepd.org/Documents/305b.html>), which contain MS4 outfalls or are within one (1) linear mile downstream of MS4 outfalls. Also, the pollutant of concern (POC) must be identified. If a Total Maximum Daily Load (TMDL) containing a wasteload allocation specific to one or more of the permittee's outfalls is approved, then the wasteload allocation must be incorporated into the SWMP. All previous and newly approved TMDLs within the permitted areas must be included in either the proposed Impaired Waters Plan (Plan) or a revision to the existing Plan. The permittee must develop a Plan to reduce the POC, including:

- A list of the impaired waters and POC(s);
- A map showing the location of the impaired waters and all identified MS4 outfalls located on the impaired waters or occurring within one linear mile upstream of the waters;
- BMPs that will be implemented to address each POC; and
- A schedule for implementing the BMPs.

For existing permittees, the Plan must be submitted to EPD for review and approval by February 15, 2015. For permittees designated after the issuance date of the permit, the Plan must be submitted with the annual report due within 4 years of designation. Once approved, the Plan will become part of the SWMP.

Upon EPD approval of the Plan, the permittee must implement the chosen BMPs. After BMP implementation, each annual report must include an evaluation of the effectiveness of the chosen BMPs, and if necessary, revisions to existing BMPs or implementation of additional BMPs to reduce the POC.

Each year, the permittee must review the List of Waters to determine if additional impaired waters within the permitted area have been listed. If additional impaired waters are present, then the permittee must amend the Plan to include a map showing these impaired waters and the outfalls to these waters, identify BMPs to address the POC and a BMP implementation schedule. Each subsequent annual report must address Plan activities related to all of the impaired waters.

- 4.4.2 The requirements of Part 4.4.2 of this permit apply to those permittees with a population exceeding 10,000 at the time of permit issuance (see Appendix B) or at the time of designation:

The permittee must identify any impaired waters located within its permitted area, using the latest approved 305(b)/303(d) List of Waters (<http://www.gaepd.org/Documents/305b.html>), which contain MS4 outfalls or are within one (1) linear mile downstream of MS4 outfalls. Also, the POC must be identified. For those impaired waters with or without an approved TMDL, (http://www.gaepd.org/Documents/TMDL_page.html), the permittee shall propose a Monitoring and Implementation Plan (Plan) addressing each POC. The permittee must annually check whether an impaired water within its permitted area has been added to the latest 305(b)/303(d) list. Newly listed waters must be addressed in the Plan and the SWMP must be revised accordingly. The permittee must report on all monitoring activities in subsequent annual reports. If a TMDL containing a wasteload allocation specific to one or more of the permittee's outfalls is approved, then the wasteload allocation must be incorporated into the SWMP. All previous and newly approved TMDLs within the permitted areas must be included in either the proposed Plan or a revision to the existing Plan.

The Plan shall include:

- Sample location, whether samples are collected instream (i.e. upstream and downstream), from outfalls during wet weather events, or a combination of both locations. If the permittee chooses to conduct outfall sampling and there are multiple outfalls located on an impaired stream, then the permittee may choose representative outfalls for sampling in place of sampling all outfalls;

- Sample type, frequency, and any seasonal considerations;
- Implementation schedule to start monitoring for each POC;
- Map showing the location of the impaired waters, the monitoring location, and all identified MS4 outfalls located on the impaired waters or occurring within one linear mile upstream of these waters, or a schedule for confirming the location of these outfalls; and
- Description of proposed BMPs to be used to control and reduce the POCs.

Each Annual Report will include an assessment of the data trends for each POC. The assessment shall initially include a characterization of baseline conditions to determine the effectiveness of the BMPs employed and what, if any, additional adaptive BMP measures may be necessary to return the waters to compliance with State water quality standards. Following review and comment on the Plan by EPD, the permittee will incorporate any necessary changes into the Plan. For those waters where the permittee is conducting monitoring, the data must be made available to other MS4 permittees upon request. In the event that monitoring is performed in accordance with an EPD-approved Sampling Quality and Assurance Plan, and a water is removed from the 303(d) list of impaired waters, then monitoring conducted under the Plan may cease. Monitoring for the purpose of de-listing an impaired water will benefit the permittee through reduced expenses associated with long-term testing.

For existing permittees, the Plan must be submitted to EPD for review and approval by February 15, 2015. For permittees designated after the issuance date of the permit, the Plan must be submitted with the annual report due within 4 years of designation. Once approved, the Plan will become part of the SWMP.

4.5 Sharing Responsibility

4.5.1 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:

- 4.5.1.1 The other entity is either implementing or will be implementing the control measure;
- 4.5.1.2 The particular control measure or component of that measure is at least as stringent as the corresponding permit requirement; and

4.5.1.3 The other entity agrees to implement the control measure on the permittee's behalf through a written agreement, memorandum of understanding, or other signed document that establishes the obligations of each party.

4.5.1.4 Written acceptance of this obligation is mandatory and must be maintained as a part of the SWMP. Conducting maintenance on a structure does not infer that the entity conducting the maintenance is the owner or operator of that structure. 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.

4.5.2 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.

4.6 Storm Water Management Program Modifications

4.6.1 The SWMP may be modified by the permittee at any time. Written notification of any modifications must be submitted and EPD approval of the modification received prior to implementation of the SWMP modification.

4.6.2 EPD may require the permittee to modify the SWMP as needed to comply with the goals and requirements of the State Act, but specifically for any of the following reasons:

4.6.2.1 A change has occurred which will significantly impact the potential for the discharge of pollutants to the waters of the State of Georgia;

4.6.2.2 The permittee's program proves ineffective in controlling pollutants from the MS4 to the MEP;

4.6.2.3 An adverse impact to water quality has been documented as a result of discharges from the MS4; or

4.6.2.4 To include more stringent requirements necessary to comply with new State or Federal statutory or regulatory requirements.

The Director shall notify the permittee of the required modifications in writing and set forth a schedule for the permittee to develop and

implement the modification(s). The permittee may propose alternative SWMP modifications to EPD.

PART 5. MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

5.1 Annual Report

The permittee shall prepare and submit an annual report to EPD. The report shall cover the period from January 1 – December 31, shall be submitted by February 15th following the reporting period, and shall be in accordance with the SWMP in effect on January 1st of that reporting period. For new permittees designated after the issuance date of this permit, the first annual report is due upon notification by EPD and February 15th of each subsequent year. The report must include for each BMP, at a minimum, the following:

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

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

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

5.1.4 An evaluation of the effectiveness of the BMPs for each MCM. A summary of any proposed changes to a BMP, measurable goal, implementation schedule, or any other changes to any of the MCM; and

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

5.2 Monitoring Requirements

Water quality monitoring, except for illicit discharge detection screening specified in Section 4.2.3 and monitoring of impaired waters specified in Section 4.4.2, is not required by this permit. If, however, the permittee conducts water quality monitoring at its MS4 as part of its SWMP, it is required to comply with the following:

5.2.1 Samples and measurements taken for the purpose of monitoring shall be representative. Monitoring must be conducted according to approved test procedures set forth in 40 CFR Part 136, unless other approved test procedures have been specified, excluding IDDE field screening procedures.

- 5.2.2 Parameters shall be analyzed to the detection limits specified by EPD. If a parameter is not detected at or above the detection limit, a value of "NOT DETECTED" will be reported for that sample and the detection limit will also be reported.
- 5.2.3 If the permittee monitors any parameter at the designated location(s) more frequently than required by this permit, the permittee shall analyze all samples using approved analytical methods specified in Part 5.2.1 of this permit. EPD may require more frequent monitoring or the monitoring of other parameters not specified in this permit or the SWMP by written notification to the permittee.
- 5.2.4 All monitoring data not prepared in situ shall be prepared by a laboratory accredited by the State of Georgia in accordance with EPD's Rules for Commercial Environmental Laboratories 391-3-26, 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. In situ means that the sample is analyzed at the point of collection and has not been transported any distance.

5.3 Retention of Records

- 5.3.1 The permittee shall retain copies of all reports required by this permit, all monitoring information and records of all other data required by or used to demonstrate compliance with this permit, including any additional monitoring performed which is not required by this permit, for a period of at least three years. After EPD's approval, the permittee will implement the latest version of the SWMP, while retaining on file the previous version of the program for a period of at least three years. These periods may be modified by the Director by written notification at any time.
- 5.3.2 Records of monitoring information shall include:
- The date, exact place, time of sampling or measurement;
 - The individual(s) who performed the sampling or measurement;
 - The date(s) analyses were performed;
 - The individual(s) who performed the analyses;
 - The analytical techniques or methods used; and
 - The results of the analyses.
- 5.3.3 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 as required by open records requirements.

PART 6. STANDARD PERMIT CONDITIONS

6.1 Duty to Comply

6.1.1 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:

- Enforcement action;
- Permit termination, revocation and reissuance, or modification; or
- Denial of a permit renewal application.

6.1.2 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.

6.1.3 If, for any reason, the permittee does not comply with, or will be unable to comply with any condition specified in this permit, the permittee shall provide EPD with an oral report within 24 hours from the time the permittee becomes aware of the circumstances, followed by a written report within five (5) days. The written submission shall contain:

- Description of the noncompliance and its cause;
- Exact dates and times of noncompliance or, if not corrected, the anticipated time the noncompliance is expected to continue; and
- Steps being taken to reduce, eliminate and prevent recurrence of the noncompliance.

6.1.4 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.

6.2 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.

6.3 Duty to Reapply/Continuation of an Expired General Permit

6.3.1 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 an NOI in accordance with the requirements of this permit, using an 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.

6.3.2 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:

- Reissuance or replacement of this permit, at which time the permittee must comply with the NOI conditions of the new permit to maintain authorization to discharge; or
- Issuance of an Individual permit for the permittee's discharge; or
- 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.

6.4 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.

6.5 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 SWMP. 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.

6.6 Permit Actions

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

6.7 Property Rights

The issuance of this permit does not convey any property rights of either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property, any invasion of personal rights, or any infringement of Federal, State, or local laws and regulations.

6.8 Duty to Provide Information

The permittee shall provide to EPD, within a reasonable time frame, any information which the Director may request to determine compliance with this permit. The permittee shall also provide EPD with any requested copies of records required by this permit.

6.9 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:

- 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;
- Have access to and copy, at reasonable times, any records required under the terms and conditions of this permit;
- Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- 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.

6.10 Signatory Requirements

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:

- The authorization is made in writing by the official person described above and submitted to EPD.
- The authorization specifies either an individual or a position having responsibility for the overall operation of the SWMP such as the position of manager, operator, superintendent, or position of equivalent responsibility.

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

6.11 Other Information

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

6.12 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 40 CFR 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.

6.13 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.

6.14 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.

6.15 Civil and Criminal Liability

The permittee is liable for civil and criminal penalties for noncompliance with this permit and must comply with applicable State and Federal laws. The permit cannot be interpreted to relieve the permittee of this liability even if it has not been modified to incorporate new requirements.

6.16 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.

6.17 Previous Permits

The previous iteration of NPDES Permit No. GAG610000 is hereby revoked by the issuance of this permit.

Appendix A

Definitions

Annual Report means the document submitted by the permittee on an annual basis summarizing the SWMP activities conducted during the previous reporting period.

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.

Construction Activity means the disturbance of soils associated with clearing, grading, excavating, filling of land, or other similar activities which may result in soil erosion.

Construction General Permits or **CGPs** means the Georgia NPDES Permit for Stormwater Discharges Associated with Construction Activity Nos. GAR100001, GAR100002, and GAR100003, which identify the Manual for Erosion and Sediment Control in Georgia (Green Book) and stream buffer requirements.

Control Measure means any BMP or other method used to prevent or reduce the discharge of pollutants to the waters of the State of Georgia.

Clean Water Act or **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.

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

Discharge means the discharge of a pollutant.

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.

EPA or **USEPA** means the United States Environmental Protection Agency.

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

Existing Permittee means a Phase II municipal separate storm sewer system designated by EPD for coverage under this permit prior to the issuance date of this permit.

Illicit Connection means any man-made conveyance connecting a non-stormwater discharge directly to a municipal separate storm sewer system.

Illicit Discharge means any discharge to a municipal separate storm sewer system that is not composed entirely of storm water except discharges pursuant to a NPDES permit and discharges resulting from fire fighting activities.

Maximum Extent Practicable or **MEP** means the technology-based discharge standards and controls necessary for the reduction of pollutants discharged from a municipal separate storm sewer system. These standards and controls may consist of a combination of BMPs, control techniques, system design and engineering methods, and such other provisions for the reduction of pollutants as described in the Storm Water Management Program.

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.

National Pollutant Discharge Elimination System or **NPDES** means the 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 Clean Water Act.

New Development means land disturbing activities, structural development (construction, installation or expansion of a building or other structure), and/or creation of impervious surfaces on a previously undeveloped site.

New Permittee means a Phase II MS4 designated by EPD for coverage under this permit based on the 2010 or subsequent decennial U.S. Census, or based on other State designation criteria.

Notice of Intent or **NOI** means the mechanism used to register for coverage under this general permit.

Outfall means the most downstream point (i.e. final discharge point) on an MS4 where it discharges to waters of the State.

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

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

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.

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.

POTW means Publicly Owned Treatment Works.

Redevelopment means the structural development (construction, installation or expansion of a building or other structure), creation or addition of impervious surfaces, replacement of impervious surface not part of routine maintenance, and land disturbing activities associated with structural or impervious development. Redevelopment does not include such activities as exterior remodeling.

Small MS4 (defined in 40 CFR Part 122.26(b)(16)) means 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 and other thoroughfares. This definition does not include separate storm sewers in very discrete areas, such as individual buildings.

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

State Rules or **Rules** means the Georgia Rules and Regulations for Water Quality Control.

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

SWMP or **Program** means the storm water management program required to be developed and implemented under the terms and conditions of this permit and refers to a comprehensive program to manage the quality of storm water discharged from a MS4.

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 entirely confined and retained completely upon the property of a single individual, partnership, or corporation.

Appendix B

Phase II MS4s by Population

Phase II MS4s with a population greater than 10,000

Counties

| | | |
|---------------|---------|-----------|
| Athens-Clarke | Floyd | Newton |
| Barrow | Glynn | Oconee |
| Bartow | Hall | Paulding |
| Catoosa | Henry | Peach |
| Cherokee | Houston | Rockdale |
| Columbia | Jones | Spalding |
| Coweta | Lee | Walker |
| Dougherty | Liberty | Walton |
| Douglas | Long | Whitfield |
| Fayette | Lowndes | |

Cities

| | | |
|----------------------------|----------------------------|------------------------------|
| Albany (Dougherty Co.) | Fayetteville (Fayette Co.) | Peachtree City (Fayette Co.) |
| Brunswick (Glynn Co.) | Gainesville (Hall Co.) | Rome (Floyd Co.) |
| Canton (Cherokee Co.) | Griffin (Spalding Co.) | Sandy Springs (Fulton Co.) |
| Conyers (Rockdale Co.) | Grovetown (Columbia Co.) | Stockbridge (Henry Co.) |
| Cordele (Crisp Co.) | Hinesville (Liberty Co.) | Valdosta (Lowndes Co.) |
| Covington (Newton Co.) | Johns Creek (Fulton Co.) | Warner Robins (Houston Co.) |
| Dallas (Paulding Co.) | Loganville (Walton Co.) | Woodstock (Cherokee Co.) |
| Dalton (Whitfield Co.) | McDonough (Henry Co.) | |
| Douglasville (Douglas Co.) | Milton (Fulton Co.) | |
| Dunwoody (DeKalb Co.) | Newnan (Coweta Co.) | |

Phase II MS4s with a population less than 10,000

Cities

| | | |
|-------------------------------|-------------------------------|-----------------------------|
| Allenhurst (Liberty Co.) | Hampton (Henry Co.) | Remerton (Lowndes Co.) |
| Auburn (Barrow Co.) | Hephzibah (Richmond Co.) | Ringgold (Catoosa Co.) |
| Bogart (Oconee Co.) | Hiram (Paulding Co.) | Rossville (Walker Co.) |
| Byron (Peach Co.) | Holly Springs (Cherokee Co.) | Tunnel Hill (Whitfield Co.) |
| Centerville (Houston Co.) | Leesburg (Lee Co.) | Tyrone (Fayette Co.) |
| Chickamauga (Walker Co.) | Lookout Mountain (Walker Co.) | Varnell (Whitfield Co.) |
| Cumming (Forsyth Co.) | Mountain Park (Fulton Co.) | Walthourville (Liberty Co.) |
| Emerson (Bartow Co.) | Oakwood (Hall Co.) | Watkinsville (Oconee Co.) |
| Flemington (Liberty Co.) | Oxford (Newton Co.) | Winterville (Clarke Co.) |
| Flowery Branch (Hall Co.) | Payne City (Bibb Co.) | |
| Fort Oglethorpe (Catoosa Co.) | Porterdale (Newton Co.) | |