

DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

**NOTICE OF PUBLIC HEARING AND PROPOSED AMENDMENTS TO GEORGIA'S
RULES AND REGULATIONS FOR WATER QUALITY CONTROL
CHAPTER 391-3-6**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that, pursuant to the authority set forth below, the Environmental Protection Division (hereinafter, "EPD") of the Georgia Department of Natural Resources proposes Amendments to the Georgia Rules And Regulations For Water Quality Control, Chapter 391-3-6 (hereinafter, "the proposed Rule Amendments"). The Director of EPD certifies that amendment of Rules 391-3-6-.08 and -.09 is required to comply with 40 Code of Federal Regulations (CFR) 403.3, 40 CFR 403.5 - 403.6, 40 CFR 403.8 and 40 CFR 403.12.

The proposed rule amendments include revisions to Chapter 391-3-6 "**Rules and Regulations for Water Quality Control**" as follows:

- **Rule 391-3-6-.08 – Pretreatment and Permit Requirements** is proposed for amendment by incorporating federal changes to the following sections:
 1. Section (2): adds five definitions associated with the changes and expands two other definitions to reflect the federal changes.
 2. Section (3): updates local limits to include Best Management Practices (BMPs) and added flexibility of expression of pretreatment standards in permits as either concentration-based or flow-based standards.
 3. Section (5): updates signatory requirements.
 4. Section (8): adds new levels of Industrial User (IU) classification with reduced monitoring frequencies.

- **Rule 391-3-6-.09 – Requirements for Approval and Implementation of Publicly Owned Treatment Works Pretreatment Program and Administration of the EPD Pretreatment Program** is proposed for amendment by incorporating federal changes to the following sections:
 1. Section (4) and (5): adds requirements for EPD to review, provide responses, provide notification, and approve or deny a submission of a pretreatment program proposal. Also updates the characteristics of the newspaper for public notice and adds procedure for EPA's objection to EPD's decision on approval of a pretreatment program.
 2. Section (6): defines incorporation of a pretreatment program into a POTW's NPDES permit as a minor modification.
 3. Section (8): updates sampling and inspection requirements for new industrial user classifications and pollutant waiver option, requirements of the slug control plan evaluation, and monitoring and analysis requirements of POTW and industrial users. Adds requirements for

including best management practices compliance information in monitoring reports, recordkeeping to include best management practices information, annual certification, and change in discharge notification. Also adds a procedure for accepting electronic reports.

4. Section (9): adds provision to allow POTWs to develop general permits and specifies EPD's enforcement authority over POTWs.
5. Section (10): updates the requirements of the pretreatment program annual report.

This notice, together with an exact copy of the proposed Rule Amendments and a synopsis of and statement of rationale for the rule revisions, is being provided to all persons who have requested in writing that they be placed on a notification list. These documents may be viewed at <http://www.gaepd.org/envirnet/6> or during normal business hours of 8:00 a.m. to 4:30 p.m. at the Georgia Environmental Protection Division, Watershed Protection Branch, Permitting, Compliance and Enforcement Program, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354. Copies may also be requested by contacting the Watershed Protection Branch, Permitting, Compliance and Enforcement Program at (404) 362-2680 or the Environmental Protection Division Director's Office at 1-888-373-5947.

To provide the public an opportunity to comment upon and provide input into the proposed rule, a public hearing will be held on July 20, 2009 at the following location:

July 20, 2009 (1:00 pm – 2:00 pm); Department of Natural Resources; Tradeport Conference Room; 4220 International Parkway, Suite 116, Atlanta, Georgia 30354.

At the public hearing, anyone may present data, make a statement, comment or offer a viewpoint or argument either orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted in writing for the official record. Oral statements should be concise.

Written comments are welcomed. To insure their inclusion in EPD's package for the Board of Natural Resources, written comments should be received by close of business (4:30 pm) on July 27, 2009. Comments may be sent via regular mail addressed to: Branch Chief, Watershed Protection Branch, 4220 International Parkway – Suite 101, Atlanta, Georgia 30354. Comments may be emailed to EPDComments@dnr.state.ga.us. If you choose to email your comments, please be sure to include the words "Pretreatment Streamlining Rules" somewhere in the subject line to help ensure that your comments will be forwarded to the correct staff.

The proposed Rule Amendments will be considered for adoption by the Board of Natural Resources at its meeting on August 26, 2009 at 9:00 a.m., in the DNR Board Room, 2 Martin Luther King, Jr. Drive, S.E., Suite 1252, East Floyd Tower, Atlanta, Georgia 30334. The meeting is open to the public. The proposed rule amendment is proposed for adoption pursuant to authority contained in O.C.G.A. § 12-5-30, et seq.

For further information or driving directions, please contact Watershed Protection Branch, Permitting, Compliance and Enforcement Program at (404) 362-2680.