

DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

**NOTICE OF PUBLIC HEARINGS 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 the Georgia Water Use Classifications and Water Quality Standards, Chapter 391-3-6-.03 (hereinafter, "the proposed Water Rule Amendments"). The Director of EPD certifies that amendment of Rule 391-3-6-.03 is required to comply with 40 CFR 131.20 that requires States to review and revise water quality standards from time to time, but at least once every three years, and to exercise authority delegated by the U.S. Environmental Protection Agency in 40 CFR 131.4 to implement Sections 303, 304(a), and 307(a) of the Clean Water Act. The proposed rule amendment includes revision to Rule 391-3-6-.03 **"Water Use Classifications and Water Quality Standards,"** as follows:

Rule 391-3-6-.03(2) "Variance" Add language to provide clarification as to the purpose and use of variances;

Rule 391-3-6-.03(2) "Removal of a Designated Use" Add language to provide clarification as to the purpose and use of use attainability analysis;

Rule 391-3-6-.03(3) Definitions Add sub-paragraph (i) to provide a definition for "Naturally Variable Parameters" because it is recognized that certain parameters vary through a given period of time due to natural conditions;

Rule 391-3-6-.03(3) Definitions Add sub-paragraph (m) to provide a definition for "Significant Figures" to describe the appropriate rounding used to assess standards.

Rule 391-3-6-.03(5) General Criteria for All Waters Update the numeric human health and aquatic life toxic priority pollutant criteria based on latest EPA guidance given in sub-paragraphs (e) (ii) through (e)(iv);

Rule 391-3-6-.03(13) Acceptance of Data Add a statement that data collected without an approved sampling quality assurance plan may be used as a screening tool;

Rule 391-3-6-.03(6)(g) "Coastal Fishing" Add sub-paragraph (i) to provide a new dissolved oxygen criteria for the coastal fishing designated use in the Savannah River;

Rule 391-3-6-.03(17) Specific Criteria for Lakes and Major Lake Tributaries Water Quality Enhancement Clarify the chlorophyll *a* standards with frequency and duration specifications; and

Correct various typographical, grammatical and formatting errors.

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/environet/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, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354. Copies may also be requested by contacting the Watershed Protection Branch at 404/675-6236 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 Amendments, three public hearings will be held at the following dates/locations:

August 14, 2008 (9:00 am – 12:00 pm) Columbia County Government Center, Building A Auditorium, 630 Ronald Reagan Dr., Evans, GA 30809

August 15, 2008 (9:00 am – 12:00 pm) John W. Stevens Wetlands Education Center, 600 Cedar Street, Richmond Hill, GA 31324

August 18, 2008 (9:00 am – 12:00 pm) Environmental Protection Division Training Center, Atlanta Tradeport, 4244 International Parkway, Suite 114, Atlanta, Georgia 30354

At the public hearings 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 on or before August 25, 2008. Comments may be sent via regular mail addressed to: Elizabeth Booth, Manager, Watershed Planning and Monitoring Program, 4220 International Parkway – Suite 101, Atlanta, Georgia 30354. Comments may be emailed to EPDComments@dnr.state.ga.us. If you choose to e-mail your comments, please be sure to include the words "Triennial Review" somewhere in the subject line to help ensure that your comments will be forwarded to the correct staff.

The proposed rule amendment will be considered for adoption by the Board of Natural Resources at its meeting on September 24, 2008 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 the Georgia Water Quality Control Act, O.C.G.A. § 12-5-20, et seq.

For further information, please contact Elizabeth Booth at (404) 675-6236.