

**SYNOPSIS OF
PROPOSED AMENDMENTS TO THE
RULES AND REGULATIONS OF THE DEPARTMENT OF NATURAL
RESOURCES
ENVIRONMENTAL PROTECTION DIVISION
RELATING TO WATER QUALITY CONTROL, CHAPTER 391-3-6**

The Proposed Amendments revise **Chapter 391-3-6 Rules and Regulations for Water Quality Control**.

Purpose of Amendment:

The primary purpose of the proposed rule amendments is to comply with the federal General Pretreatment Regulations for Existing and New Sources of Pollution, which establishes the responsibilities of government and industry to implement National Pretreatment Standards.

Other proposed rule amendments accomplish miscellaneous housekeeping changes, which include correcting typographical errors, numerical and alphabetical inconsistencies; and clarification of language and definitions. Most of these changes are required by the Environmental Protection Agency. Failure to adopt these new rules, may result in the loss of primacy as granted by Environmental Protection Agency. The above federally mandated changes being proposed for adoption are consistent with the federal regulations.

- **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 and broadens two definitions.
 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 Implementations 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 to include 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 the procedure for accepting electronic reports.
4. Section (9): allows POTWs to develop general permits if specific conditions are met. Specifies that EPD shall have enforcement authority over POTWs for monetary penalties.
5. Section (10): updates the requirements of the pretreatment program annual report.

STATEMENT OF RATIONALE

Rules and Regulations for Water Quality Control, Chapter 391-3-6

The State of Georgia has been approved by the Environmental Protection Agency as having primary enforcement responsibility to implement the National Pretreatment Standards. To maintain this authority the State of Georgia must adopt and adhere to new federal regulations. In compliance with new federal requirements, EPD is proposing to amend Rule 391-3-6-.08 (Pretreatment and Permit Requirements) and Rule 391-3-6-.09 (Requirements for Approval and Implementation of Publicly Owned Treatment Works Pretreatment Program and Administration of the EPD Pretreatment Program) which establish uniform procedures for EPD and Local Programs to implement National Pretreatment Standards to control pollutants which pass through or interfere with treatment processes in Publicly Owned Treatment Works (POTWs) or which may contaminate sewage sludge. Minor revisions to incorporate these amended regulations or make grammatical corrections are also proposed.

These modifications termed “The Streamlining Rule” were designed to:

- Reduce the overall regulatory burden to industrial dischargers and control authorities.
- Improve the effectiveness of the pretreatment program without adversely affecting protection of the environment
- Provide control authorities with the flexibility to reduce the burden of technical and administrative requirements

The proposed revisions described above are not expected to result in significant additional costs to the Department of Natural Resources. Failure to adopt some of these new rules may result in the loss of primacy granted by Environmental Protection Agency. The proposed revisions are not more restrictive than Federal regulations, and do not incur any additional costs to any regulated entities in Georgia beyond what would be required by Federal agencies.