

JAN 28 1991

REF: 4WM-FP

Honorable Zell Miller
Governor of Georgia
State Capitol
Atlanta, Georgia 30334

Dear Governor Miller:

On June 28, 1974 Georgia received authority to administer the National Pollutant Discharge Elimination System (NPDES) within its borders.

The 1977 Amendments to the Clean Water Act provide that states may be authorized to issue general permits as part of the NPDES program. On December 7, 1990 your Department of National Resources requested that their NPDES program be modified to provide the State of Georgia with NPDES authority to issue general permits to several classes of dischargers with similar wastewater characteristics.

I am pleased to approve your request for authority to issue general permits today and to congratulate you and your staff for having acquired this NPDES authority. This is consistent with the national policy that NPDES regulatory authority be administered at the state level. This action will allow the State to administer all aspects of the NPDES permitting program.

Sincerely yours,

/s/ Patrick M. Tobin

for Greer C. Tidwell
Regional Administrator

cc: Mr. Joe D. Tanner, Commissioner
Department of National Resources

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1-28-91

REVISION OF THE GEORGIA NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PROGRAM TO ISSUE GENERAL PERMITS.

AGENCY: Environmental Protection Agency.

ACTION: Notice of Approval of the National Pollutant Discharge Elimination System General Permits Program of the State of Georgia.

SUMMARY: On January 28, 1991, the Regional Administrator for the Environmental Protection Agency (EPA), Region IV approved the State of Georgia's National Pollutant Discharge Elimination System General Permits Program. This action authorizes the State of Georgia to issue general permits in lieu of individual NPDES permits.

FOR FURTHER INFORMATION CONTACT: Jim Patrick, Chief, Permits Section, U.S. EPA, Region IV, 345 Courtland Street, N.E., Atlanta, Georgia 30365, 404/347-3012.

SUPPLEMENTARY INFORMATION:

1. Background

EPA regulations at 40 CFR §122.28 provide for the issuance of general permits to regulate discharge of wastewater which result from substantially similar operations, are of the same type wastes, require the same effluent limitations or operating conditions, require similar monitoring, and are more appropriately controlled under a general permit rather than by individual permits.

Georgia was authorized to administer the NPDES program in June 1974. Their program as previously approved, did not include provisions for the issuance of general permits. There are several categories which could appropriately be regulated by general permits. For those reasons the Georgia Department of Natural Resources requested a revision of their NPDES program to provide for issuance of general permits. The categories which have been proposed for coverage under the general permits program include: non-contact cooling water of one million gallons per day or less, heat pump discharges, storm water discharges, backwash water discharges from potable water treatment plants, petroleum contaminated groundwater discharges, and contaminated water from construction site dewatering.

Each general permit will be subject to EPA review and approval as provided by 40 CFR §123.44. Public notice and opportunity to request a hearing is also provided for each general permit.

II. DISCUSSION

The State of Georgia submitted in support of its request, copies of the relevant statutes and regulations. The state has also submitted a statement by the Attorney General certifying, with appropriate citations to the statutes and regulations, that the State has adequate legal authority to administer the general permits program as required by 40 CFR §123.23(c). In addition, the State submitted a program description supplementing the original application for the NPDES program authority to administer the general permits program, including the authority to perform each of the activities set forth in 40 CFR §123.44. Based upon Georgia's program description and upon its experience in administering an approved NPDES program, EPA has concluded that the State will have the necessary procedures and resources to administer the general permits program.

III. FEDERAL REGISTER NOTICE OF APPROVAL OF STATE NPDES PROGRAMS OR MODIFICATIONS

EPA must provide Federal Register notice of any action by the Agency approving or modifying a State NPDES program. The following table provide the public with an up-to-date list of the status of NPDES permitting authority throughout the country. Today's Federal Register notice is to announce the approval of Georgia's authority to issue general permits.

08/01/90

STATE NPDES PROGRAM STATUS

	Approved State NPDES permit program	Approved to regulate Federal facilities	Approved State Pretreatment program	Approved state general permits program
Alabama	10/19/79	10/19/79	10/19/79	--
Arkansas	11/01/86	11/01/86	11/01/86	11/01/86
California	05/14/73	05/05/78	09/22/89	09/22/89
Colorado	03/27/75	--	--	03/04/83
Connecticut	09/26/73	01/09/89	06/03/81	--
Deleware	04/01/74	--	--	--
Georgia	06/28/74	12/08/80	03/12/81	--
Hawaii	11/28/74	06/01/79	08/12/83	--
Illinois	10/23/77	09/20/79	--	01/04/84
Indiana	01/01/75	12/09/78	--	--
Iowa	08/10/78	08/10/78	06/03/81	--
Kansas	06/28/74	08/28/85	--	--
Kentucky	09/30/83	09/30/83	09/30/83	09/30/83
Maryland	09/05/74	11/10/87	09/30/85	--
Michigan	10/17/73	12/09/78	06/07/83	--
Minnesota	06/30/74	12/09/78	07/16/79	12/15/87
Mississippi	05/01/74	01/28/83	05/13/82	--
Missouri	10/30/74	06/26/79	06/03/81	12/12/85
Montana	06/10/74	06/23/81	--	04/29/83
Nebraska	06/12/74	11/02/79	09/07/84	07/20/89
Nevada	09/19/75	08/31/78	--	--
New Jersey	04/13/82	04/13/82	04/13/82	04/13/82
New York	10/28/75	06/13/80	--	--
North Carolina	10/19/75	09/28/84	06/14/82	--
North Dakota	06/13/75	01/22/90	--	01/22/90
Ohio	03/11/74	01/28/83	07/27/83	--
Oregon	09/26/73	03/02/79	03/12/81	02/23/82
Pennsylvania	06/30/78	06/30/78	--	--
Rhode Island	09/17/84	09/17/84	09/17/84	09/17/84
South Carolina	06/10/75	09/26/80	04/09/82	--
Tennessee	12/28/77	09/30/86	08/10/83	--
Utah	07/07/87	07/07/87	07/07/87	07/07/87
Vermont	03/11/74	--	03/16/82	--
Virgin Islands	06/30/76	--	--	--
Virginia	03/31/75	02/09/82	04/14/89	--
Washington	11/14/73	--	09/30/86	09/26/89
West Virginia	05/10/82	05/10/82	05/10/82	05/10/82
Wisconsin	02/04/74	11/26/79	12/24/80	12/19/86
Wyoming	01/30/75	05/18/81	--	--
TOTALS	39	34	27	17

Complete State Programs (NPDES, Federal Facilities & Pretreatment) : 27

IV. Review Under Executive Order 12291 and the Regulatory Flexibility Act

The Office of Management and Budget has exempted this rule from the review requirements of Executive Order 12291 pursuant to Section 8 (b) of that Order.

Under the Regulatory Flexibility Act, EPA is required to prepare a Regulatory Flexibility Analysis for all rules which may have a significant impact on a substantial number of small entities. Pursuant to Section 605(d) of the Regulatory Flexibility Act (5 U.S.C. §601 et seq.), I certify that this State General Permits Program will not have a significant impact on a substantial number small entities. Approval of the Georgia NPDES State General Permits Program establishes no new substantive requirements, nor does it alter the regulatory control over any industrial category. Approval of the Georgia NPDES State General Permits Program merely provides a simplified administrative process.

JAN 28 1991

Date

Greer C. Tidwell

for Greer C. Tidwell
Regional Administrator