



Georgia Industry Environmental Coalition

General Permit to Discharge Storm Water Associated with Industrial Activity

October 22, 2004

Mr. Lawrence W. Hedges, Manager
Non-Point Source Program
Georgia Environmental Protection Division
4220 International Parkway
Atlanta Tradeport, Suite 101
Atlanta, Georgia 30354

Transmitted via facsimile – 404 675 6245

Dear Mr. Hedges:

The Georgia Industry Environmental Coalition¹ (GIEC) appreciates the opportunity to submit comments to the Georgia Environmental Protection Division (EPD) on its proposed NPDES General Permit No. GAR000000 for storm water discharges associated with industrial activity. GIEC was an active participant in the NPDES General Permit stakeholder meetings held in 2003 and 2004 sponsored and facilitated by EPD.

GIEC member companies include holders of permits for discharges pursuant to the Georgia Water Quality Control Act who have long recognized the continuing need to manage, control, and regulate point source discharges of storm water associated with ongoing industrial activity. Due to the sheer number of locations where industrial activities are ongoing in Georgia (estimated at more than 4,000), and the inherent site-specific and time-variable nature of storm water runoff, it is appropriate and necessary to utilize a tailored and self-implementing system of permitting as EPD is proposing under the industrial-activity General Permit.

As we have shared in the stakeholder meetings, GIEC recommends that EPD modify "Part III.C." of the proposed General Permit. As now proposed for storm water discharges to ambient waters located within one mile upstream of and within the same watershed as a 303(d)-listed segment, the de facto end-of-pipe stormwater discharge standard for priority toxic pollutants (including ubiquitous natural metals such as copper and zinc) would be the same as Georgia's ambient instream water quality criteria

¹ Formed in 1992, GIEC is a not-for-profit organization of Georgia industries whose member companies are subject to environmental regulations in Georgia. GIEC's mission is to serve as a technically-based advocate for Georgia industry by promoting environmental regulations and policies founded on protection of human health and the environment, sound science, and cost/benefit principles. Many of our member companies represent the largest employers in the State and collectively represent an employee-base that exceeds 55,000 and include: Alcan Aluminum Corporation; Arizona Chemical Company; Atlanta Gas Light Company; Colonial Terminals, Inc.; DSM Chemicals North America, Inc.; Engelhard Corporation; General Electric Company; General Motors Corporation; Georgia-Pacific Corporation; Georgia Power Company; Gold Kist, Inc.; International Paper; Kerr-McGee Pigments, Inc.; Lockheed Martin Aeronautics Company; Merck & Company, Inc.; Mohawk Industries; Norfolk Southern Corporation; NutraSweet; Omnova Solutions, Inc.; Pharmacia; Southern Aluminum Finishing Company; Southwire; Weyerhaeuser Company; and The William L. Bonnell Co., Inc.

without any consideration for the inherent and immediate effects of dispersion and mixing in the ambient receiving waters, particularly during storm runoff periods. By simply backing up instream ambient water quality standards into the stormwater discharge pipe itself, the proposed rule sets up the onerous situation in which site-specific permits and expensive stormwater treatment may be required even where there may be no contemporary nexus between the stormwater concentration in the end-of-pipe and the downstream ambient instream conditions that caused 303(d) listing in the first place. If instream water quality criteria are met instream during stormwater runoff conditions, it makes no practical sense to summarily impose ambient water quality criteria as effluent standards on upstream stormwater discharges.

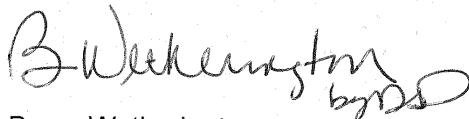
At a minimum, the proposed stormwater permit should either be modified to allow a reasonable generic mixing zone factor (e.g., 10x) at the point of stormwater discharge or use the established U.S. EPA parameter benchmark values (65 Fed. Reg. 64, 746, 64, 746, 64, 767 Table 3, Oct 30, 2000) that are specifically intended for use as end-of-pipe stormwater criteria and that are considered by U.S. EPA's analysis to be generically protective of instream water quality. We submit that the present EPD proposal to summarily impose ambient instream water quality standards on stormwater discharges at end-of-pipe is overly burdensome and ultimately more costly for regulated parties than we believe is necessary pursuant to the Georgia Water Quality Control Act or federal requirements.

On the topic of public access to Storm Water Pollution Prevention Plans, GIEC supports EPD's decision to retain its current management responsibilities with regard to public access to these plans and other related documents.

Please contact either of us if you have any questions.

Sincerely,

GEORGIA INDUSTRY ENVIRONMENTAL COALITION



Burns Wetherington
Water Resources Workgroup Chair



Katie Kirkpatrick, P.E.
GIEC Chair

cc: GIEC General Membership