

DATE: November 21, 2024

FROM: *MBM* For:
Daniel Pass, P.E, State Design Policy Engineer

TO: Divisions of Engineering, Program Delivery/OAD/P3; Field Districts

SUBJECT: Notification of Renewed NPDES General Permit GAR100002 (Erosion Control)

This is notice that the Department of Natural Resources/Environmental Protection Division (EPD) has reissued the National Pollutant Discharge Elimination System (NPDES) General Permit GAR 100002 commonly known as the erosion control permit. The permit is effective as of August 23, 2024. The permit is available at:

<https://epd.georgia.gov/document/document/final-2023-gar100002-permit/download>

The terms of the permit apply to GDOT projects Let to construction after August 23, 2024 that require a Notice-of-Intent (NOI). A NOI is required for projects disturbing 1 acre or greater of land and are non-exempt as described in the permit.

Also effective August 28, 2024, projects currently under construction without a Notice of Termination (NOT) shall submit a re-issuance of the NOI within ninety (90) days (before midnight on November 26, 2024.

A summary of changes to the reissued permit are listed below.

- Part I Coverage Under this Permit. B. Definitions. The following definitions have been revised for clarity and/or consistency with established Regulations:
 - The definition of "Design Professional" modified to add, "and that has completed the appropriate certification course approved by the Georgia Soil and Water Conservation Commission in accordance with O.C.G.A 12-7-9.
 - The definition of "Division" has been modified to include "or EPD" for clarity.
 - The definition of "Normal Business Hours" was removed.
 - The definitions for "Drainage Structure" and "Roadway Drainage Structure" were added. Definitions taken from O.C.G.A. § 12-7-1.
 - "Infrastructure Construction" or "Infrastructure Construction Project" modified to "not include the construction of solar farms."
- Part I. C. 1. Construction Activities
 - In Part I.C.1.g., condition "(2) no tree clearing" was revised to "(2) no clearing of trees with greater than a 6-inch Diameter at Breast Height (DBH)."

- In Part I.C.1.h., is a new addition that addresses exemptions specific to buried fiber optic utility line projects.
- Part III. C. Discharges into, or within One Mile upstream of and within the Same Watershed as, Any Portion of a Biota Impaired Stream Segment.
- In Part III.C.2.e., "flocclulants or coagulants" was removed and replaced with "tackifiers".
- In Part III.C.2.k., "Conduct soil test representative of conditions at the time of planting to identify and to implement site-specific fertilizer needs and/or" has been added to the beginning of paragraph 2.k. Combined from paragraph 2.p.
- Part III. D. Management Practices and Permit Violations.
 - In Part III.D.6., modified language, "contaminated surfaces" replaced with 'impacted areas'.
- Part IV. A. Deadlines for Plan Preparation and Compliance.
 - In Part IV.A.4.a., the language "which begin after the effective date of this permit" has been added to maintain consistency across Permits.
 - In Part IV.A.4.a., the language "or through the electronic submittal method provided by EPD" was added and the language "as a PDF on CD-ROM or other storage device" has been removed.
 - In Part IV.A.5., added language "and certify" and "prior to commencing with construction activities as required by Part III.D.2 of this Permit", clarifying that inspection reports for BMP perimeter controls are required prior to commencing with construction activities.
- Part IV. D. Contents of Plan 2. Site Description.
 - In Part IV.D.2.b., the language "A description of normal business hours as established by the Permittee" was added.
- Part IV. D. Contents of Plan. 4. Inspections.
 - In Part IV.D.4.a.(3), clarifies Certified Personnel site inspection requirements for qualifying post-rain events, which will serve as a 7-day inspection and reset the requirement from date of completion.
- Part IV. D Contents of Plan. 6. Sampling Requirements.
 - In Part IV.D.6.c(1), the language "Sampling points shall be located on applicable pages of the Initial, Intermediate, and Final phase of Erosion Sedimentation and Pollution Control Plans" was added.
 - In Part IV.D.6.d.(3)(a), (3)(b), and (3)(c), removed reference to definition of normal business hours.
- Part IV. E. Reporting.
 - In Part IV.E.3., the language "to the appropriate EPD District Office or delivery receipt email to the appropriate EPD District Office resource mailbox" has been added to reflect the updates to EPD District Office reporting methods.
- Part V. Standard Permit Conditions. A. Duty to Comply.

- In Part V.A.2., paragraph 2 is modified “Part II.C” was removed and “Appendix A” was added.
- Part VI. B. Notice of Termination Contents.
 - In Part VI.B.5., paragraph 5 is modified requiring written justification why a sampling report was not conducted submitted to EPD.
- Part VI. C. Notice of Termination Submittal.
 - In Part VI.C., language added requiring the NOT submission within 14 days of project completion.
- Appendix A – EPD District Office Address Updates
 - Added reporting e-mail for each District Office and updated mailing addresses.

The Office of Design Policy and Support has updated the Erosion, Sedimentation, and Pollution Control Plan (ESPCP) General Notes Template on the Manuals & Guides webpage to comply with the new permit.

Please address questions related to the NPDES General Permit GAR100002 and other GDOT ESPCP guidelines to the Office of Design Policy and Support at stormreports@dot.ga.gov or contact Drew Martin, Aneece Louaked, or Sarah Jones.

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