



GEORGIA
DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

WATERSHED PROTECTION BRANCH UPDATE

GIEC – December 6, 2023
Anna (Ania) Truszczynski



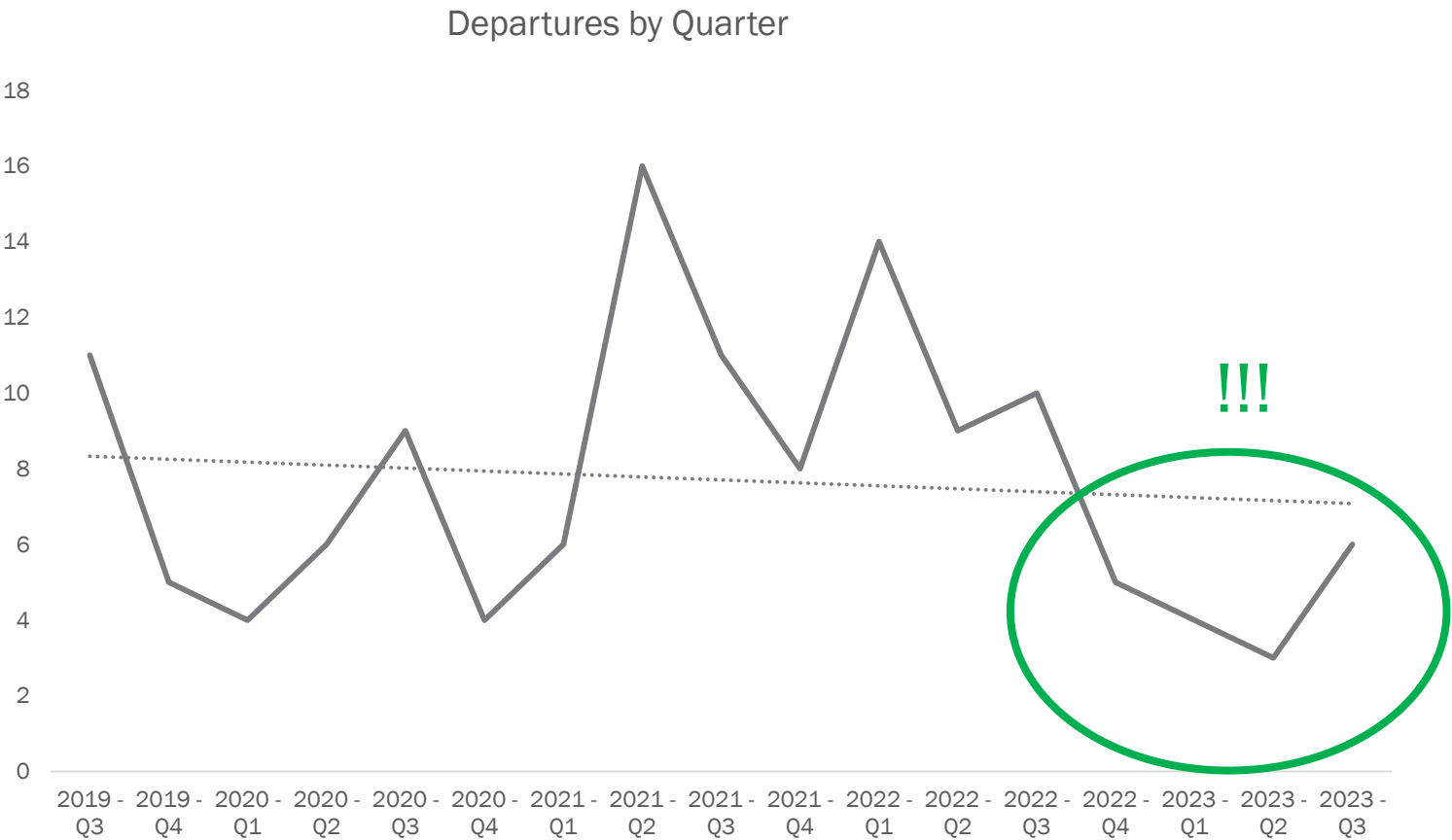


OUTLINE

- WPB organization update
- Industrial Stormwater General Permit
- PFAS update
- Savannah Harbor deepening
- Construction Stormwater General Permits
- Nutrient Strategy
- Triennial Review
- EPA R4 priorities, initiatives, and oversight
- 2024 – potential legislative actions, regulatory actions, and initiatives



WPB ORGANIZATION UPDATE



In FFY23, WPB experienced 18 resignations, retirements, and separations.

In FFY22, WPB experienced 41 resignations, retirements, and separations.



WPB ORGANIZATION UPDATE

- **Industrial permitting, fully staffed:**
 - New unit manager: Kelli-Ann Schrage (nee Sottile; 7 years at EPD)
 - Average years of experience in industrial permitting at EPD: 4.1
 - Most years of experience in industrial permitting at EPD: 6.9
- **Industrial compliance, fully staffed:**
 - Two positions turned over
 - Average years of experience in industrial compliance at EPD: 0.9
 - Most years of experience in industrial compliance at EPD: 4.1
- **Industrial stormwater:**
 - Two vacancies (one new position)
 - Average years of experience in industrial stormwater at EPD: 1.1
 - Most years of experience in industrial stormwater at EPD: 1.4



INDUSTRIAL STORMWATER GENERAL PERMIT

- **Erroneous Letters of Noncompliance**
 - Sent for missing 2022 annual reports
 - List was inaccurate due to issues with data pull
 - Facilities that applied in 2023 were incorrectly asked to report on 2022 activities
 - Facilities that submitted 2022 annual reports early had their reports assigned to the 2017 permit record
 - Letters rescinding erroneous Letters of Noncompliance have been sent
- **Benchmarks exceedances triggering a violation**
 - EPD identified a coding error
 - Working with contractor to push bulk coding fix
 - Contractor currently ensuring that re-coding won't be rejected by EPA database for facilities that previously submitted DMRs



INDUSTRIAL STORMWATER GENERAL PERMIT

- **NetDMR inaccuracies**
 - These are being re-coded as we become aware of the issue
 - Continue to use No Data Indicate (NODI) 9 for conditional monitoring until the inaccuracy is corrected to prevent a reporting violation.
- **ECHO corrections**
 - Violations due to missing or late ARs:
 - ARs which did not flow correctly to ECHO are being addressed through the usual correction process, which entails re-flowing hand entered data from state systems to federal systems once per week.
 - Investigating a full data reflow to EPA to correct reportable non-compliance.



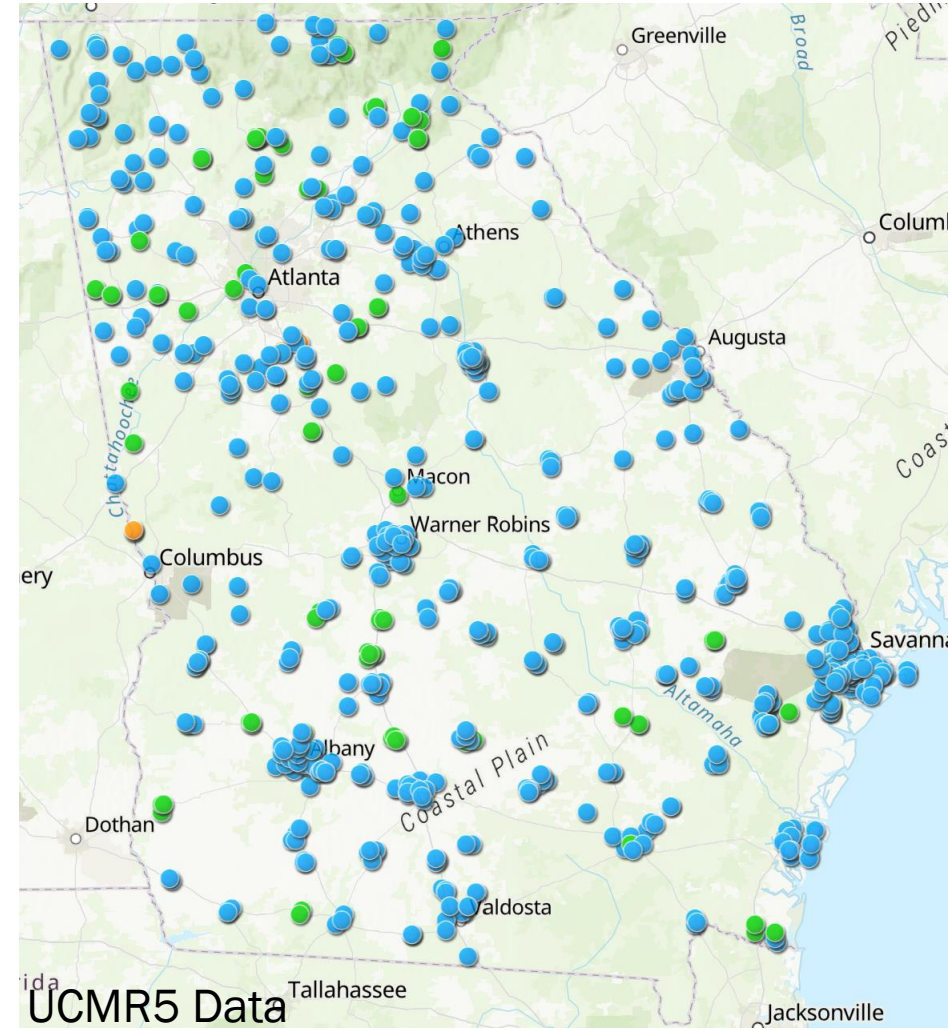
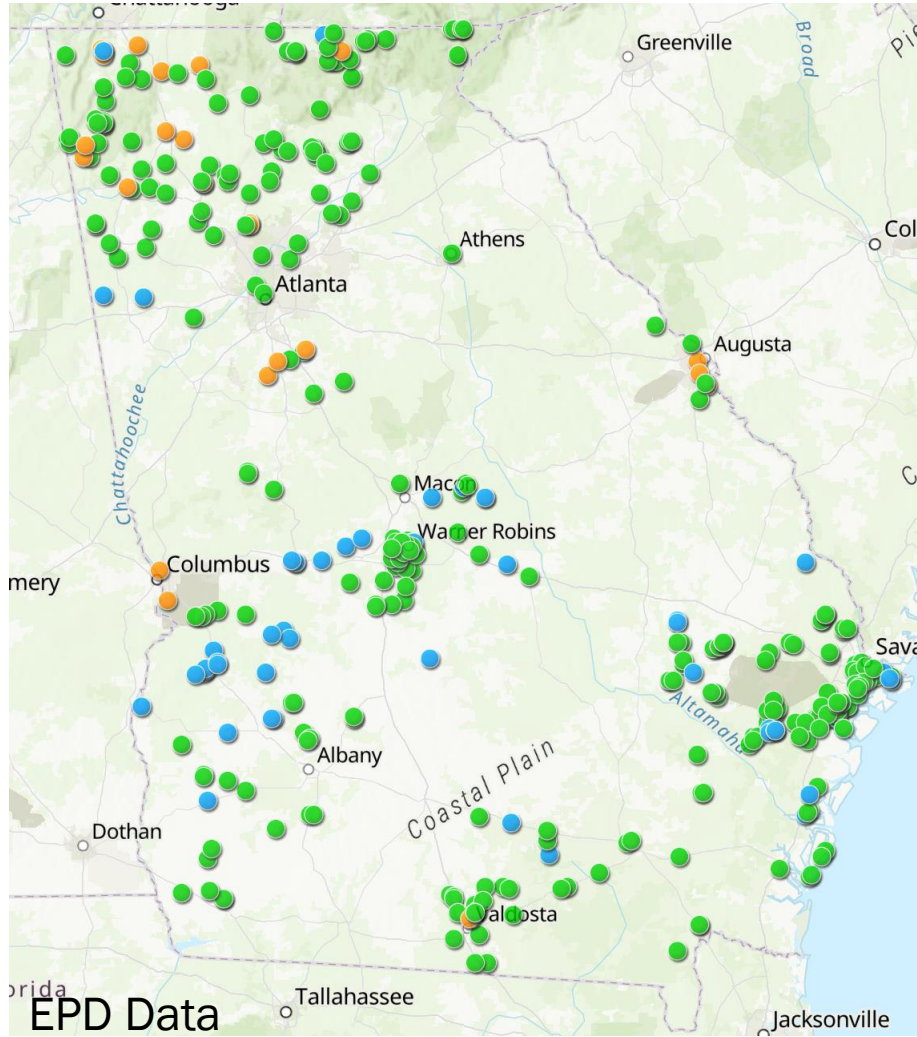
PFAS UPDATE – DATA

- EPA published the fifth Unregulated Contaminant Monitoring Rule (UCMR) on December 27, 2021. Between 2023 and 2025, PWSs will collect samples for analysis of 30 chemical contaminants – 29 species of PFAS and lithium. None of these contaminants have MCLs associated with them.

▪ UCMR 5 includes:	System Size (# of people served)	System Participation in Monitoring for 30 Contaminants
	Small Systems (fewer than 3,000)	800 randomly selected surface water (SW), ground water under the direct influence of surface water (GWUDI), mixed sources (MX) and ground water (GW) systems
	Small Systems (3,300 – 10,000)	All SW, GWUDI, MX, and GW systems
	Large Systems (10,001 and over)	All SW, GWUDI, MX, and GW systems



PFAS UPDATE – DATA





PFAS UPDATE – EPA MEMO FOR NPDES PERMITS

- December 5, 2022 – EPA published a memo titled, “Addressing PFAS Discharges in NPDES Permits and Through the Pretreatment Program and Monitoring Programs”
 - EPA indicates that this memo “describes steps permit writers can implement under existing authorities to reduce the discharge of PFAS.”
 - Includes recommended permit conditions, including:
 - Industries: effluent monitoring and BMPs
 - POTWs: effluent, influent, and biosolids monitoring, various pretreatment program requirements for IU discharging to POTWs, including BMPs and local limits.
 - Also includes recommendations for public noticing draft permits with PFAS-specific conditions, including sending a copy of the permit to the downstream PWS.



SAVANNAH HARBOR DEEPENING

- EPD has worked collaboratively with the Georgia Ports Authority on various berth-specific projects to ensure that potential impacts to dissolved oxygen levels are addressed. EPD will continue to do so.
- EPD is prepared to work with the USACE, GPA on any harbor deepening projects.





CONSTRUCTION STORMWATER GENERAL PERMITS

- EPD reissued 3 NPDES General Permits authorizing stormwater discharges associated with construction activities on June 20, 2023 (with an effective date of Aug. 1)
 - GAR100001, Stand Alone Construction Projects
 - GAR100002, Infrastructure Construction Projects
 - GAR100003, Common Development Construction Projects
- Petition for Hearing (Appeal) was filed with the Office of State Administrative Hearings (OSAH) on July 20, 2023 by the South River Watershed Alliance (Petitioner).
- On November 29, 2023, the judge dismissed the case because the Petitioner failed to demonstrate standing. The Petitioner has 30 days to appeal.
- The 2023 Permits are stayed until this case is resolved, including until any relevant appeal window closes.



NUTRIENT STRATEGY

- EPA and EPD discussion on a draft NPDES permit resulted in EPD's initiation of a process to develop a comprehensive nutrient strategy.
 - Develop:
 - Roadmap – Completed September 2023
 - A Total Nitrogen NPDES Permitting Strategy
 - Reasonable Potential Analysis for Nitrogen
 - Reasonable Potential Analysis for Phosphorus
 - Guidance for Developing the Comprehensive Nutrient Optimization Plan
 - Revise:
 - Georgia's Plan for the Adoption of Water Quality Standards for Nutrients – revise schedule
 - Strategy for Addressing Phosphorus in NPDES Permitting – EPD anticipates releasing the draft for stakeholder discussion beginning of 2024
 - All POTW dischargers need to be provided Total Phosphorus limits.
 - The strategy for existing discharges upstream of lakes needs to be updated to maintain existing loads, and the strategy for new facilities upstream of lakes needs to be revised.



2022 TRIENNIAL REVIEW

- The kick-off public hearing for the 2022 Triennial Review was held on March 22, 2022.
- Human Health Criteria – development of a Georgia-specific probabilistic model; continue effort to develop appropriate criteria.
 - EPD will host a public meeting in 2024 to discuss the proposed Human Health Criteria determined using the risk-based probabilistic approach.
 - Initial thoughts: the criteria for waters designated drinking waters will be based on fish and water consumption. For all other designated uses, the criteria will be based on fish consumption only.



2022 TRIENNIAL REVIEW

- Selenium – EPA updated selenium criteria in 2016; EPD did not propose that the Board adopt updated selenium criteria under the 2019 Triennial Review; however, EPD is looking at this again in the 2022 Triennial Review.
- Aluminum – EPA recommended Aluminum Aquatic Life Criteria in 2018; Georgia has a lot of naturally-occurring aluminum and concerns that EPA does not have an approved bioavailable analytical method. EPD did not propose that the Board adopt aluminum aquatic life criteria under the 2019 Triennial Review; however, EPD will again review aluminum in the 2022 Triennial Review.
- Criteria for Blue Ridge lakes.





EPA PRIORITIES AND INITIATIVES

- Environmental Justice – Objective 2.1: Promote Environmental Justice and Civil Rights at the Federal, Tribe, State, and Local Levels
 - By September 30, 2026, include commitments to address disproportionate impacts in all written agreements between EPA and Tribes and states (e.g., grant work plans) implementing delegated authorities.
- Clean Water – Objective 5.1: Ensure Safe Drinking Water and Reliable Water Infrastructure
 - Emphasis on SDWA noncompliance, effective use of CWSRF, DWSRF, and WIFIA dollars, and providing technical, managerial, or financial assistance to PWSs and POTWs.
- Clean Water – Objective 5.2: Protect and Restore Waterbodies and Watersheds
 - Improve tools for detection of HABs and pathogens in recreational waters
 - Review and update ELGs, including steam electric power generators for toxics and other pollutants and meat and poultry products for nutrients
 - Prevent or reduce nonpoint source pollution, specifically nutrients and plastics



A LOOK AHEAD TO 2024

- Potential legislative: none from WPB
- Regulatory:
 - Drinking water treatment plant operator certification IIIG
 - Drinking water variances
- Initiatives:
 - Re-engaging coastal water users as the 2025 water withdrawal permit reductions are implemented and permittees ask “what’s next”
 - Agricultural water withdrawal
 - Nutrient Strategy





QUESTIONS/CONTACT

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