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# UNDERSTANDING ROLES IN GEOS



**Northeast District Office**



**GEORGIA**  
DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

Please allow us to introduce  
ourselves...

We are the Northeast District office  
Stormwater Construction Program  
staff. We assist with complaint  
investigations, permit compliance  
inspections, state waters  
determinations, outreach and  
education, as well as online  
permitting assistance.



**GEORGIA**  
DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

Jamie Lewis – Program Manager

Alex Hopersberger – Environmental Compliance

Specialist III

Taylor Nalewaik – Environmental Compliance

Specialist III

Sam Wood - Environmental Compliance Specialist II

Serenity Cowart - Environmental Compliance Specialist

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Miriam Coonan - Environmental Compliance Specialist

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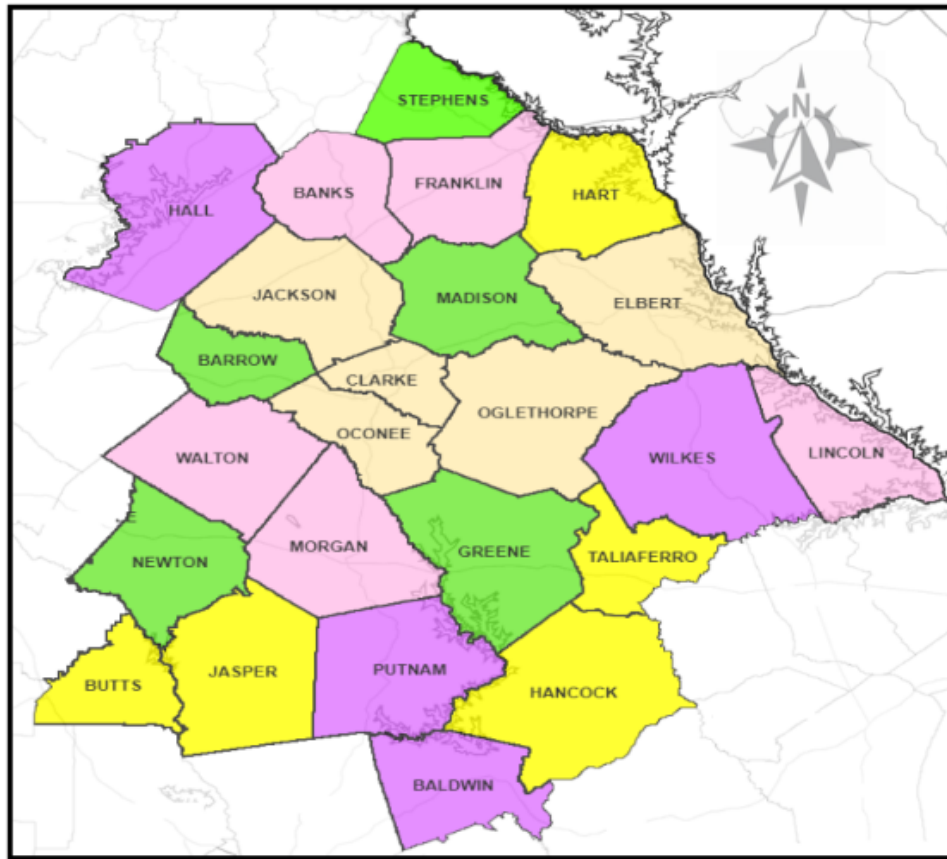
Marla Whittington – Environmental Education –



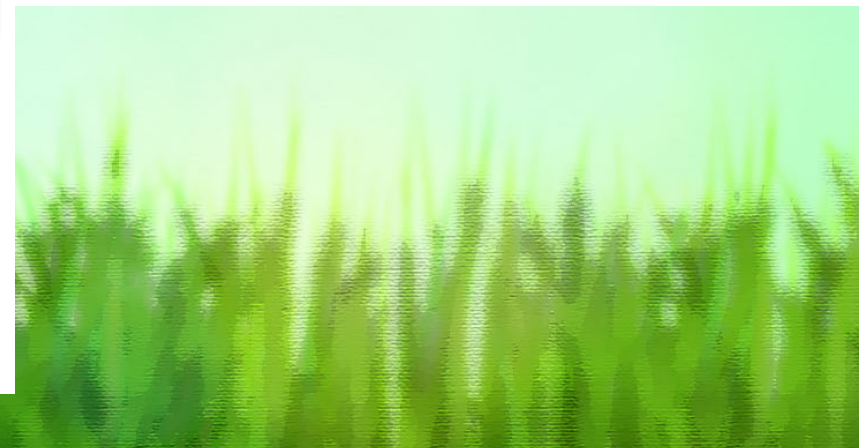
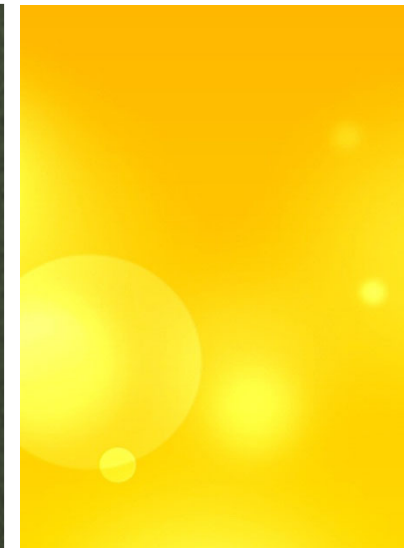
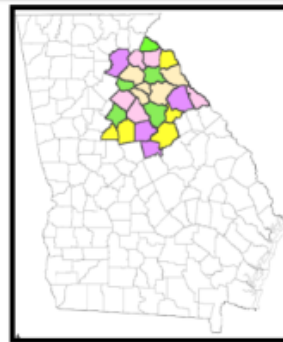
# GEORGIA

DEPARTMENT OF NATURAL RESOURCES

## ENVIRONMENTAL PROTECTION DIVISION



Specialist	County
Miriam Coonan	Butts, Hancock, Hart, Jasper, Taliaferro
Serenity Cowart	Baldwin, Hall, Putnam, Wilkes
Alex Hoppersberger	Clarke, Elbert, Jackson Oglethorpe, Oconee
Sam Wood	Barrow, Greene, Madison, Newton, Stephens
Taylor Nalewaik	Banks, Franklin, Lincoln, Morgan, Walton





# RESPONSIBLE OFFICIAL

The definition of Responsible Official used by the Water Protection Branch is from 40 CFR 122.22:

Responsible official means one of the following:

- 1) For a corporation. By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: i. a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or  
ii. the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- 2) For a partnership or sole proprietorship: a general partner or the proprietor, respectively;
- 3) For a municipality, State, Federal, or other public agency: Either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes: i. the chief executive officer of the agency, or  
ii. a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA)



# RESPONSIBLE OFFICIAL

What the Responsible Official needs to do:

1. Register in the GEOS system using their email address. An initial password will be sent in email to the RO.
2. The RO must login using the initial password. On initial login, the RO must enter a new password and a self-selected PIN.
3. At this point the RO can then associate preparers/consultants with the facility using their already registered email address. The RO can also review and submit any applications that are ready to be submitted. **NOTE:** if, while associating the preparer/consultant, the RO selected an expiration date for the preparer/consultant to complete applications, the preparer/consultant will not be able to see the application in their account once that date has passed. If necessary, the RO can edit or remove the expiration date to avoid this from occurring.

## How to Associate a Preparer with a facility (for the RO):

1. The RO logs in to GEOS
2. Hover cursor over “My Account” and choose “Manage Consultants and Preparers”
3. Click the “Add Consultant” button and enter their registered email address and optional effective and expiration dates.
4. Click “Validate & Associate.”
5. Click “Add Application Authorizations” then choose CAA (Title V Air Permits) or Wastewater as the type and click “Search.”
6. For your facility, check the 3 boxes in the table and click OK.
7. The preparer may now select the facility in the application.

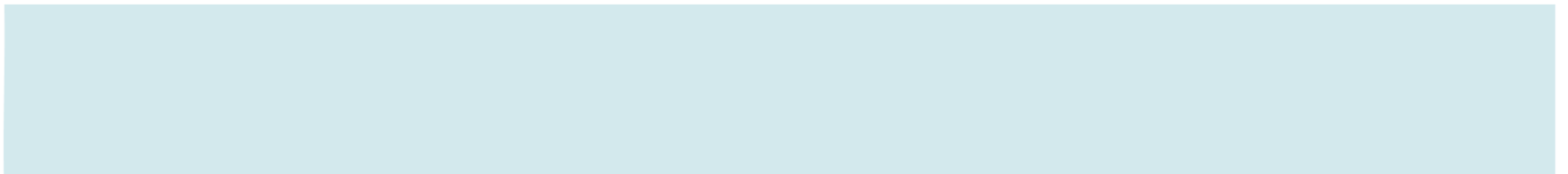
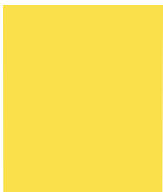


# PREPARER

**Preparer/Consultant** – a person who has been or will be associated with the facility by the Responsible Official. Preparers/Consultants can begin completing applications prior to being associated with the facility. i.e. the name of the facility does not need to be selected while completing an application; the facility can be selected at any time prior to the application being submitted by the RO.

What the Preparer/Consultant needs to do:

1. Register in the GEOS system using their email address. An initial password will be sent in email to the RO.
2. The preparer must login using the initial password. On initial login, a new password and a self-selected PIN must be entered.
3. The preparer can start a new application without selecting the name of the facility.
4. After the Responsible Official associates the facility with the preparer, the preparer can then select the facility in the Facility Information area of the application.
5. The RO submits the application. NOTE: if the RO set an expiration date for the preparer to edit an application, the preparer will not be able to see the application after the expiration date. The RO can edit or remove the expiration date to allow the preparer to see the application.

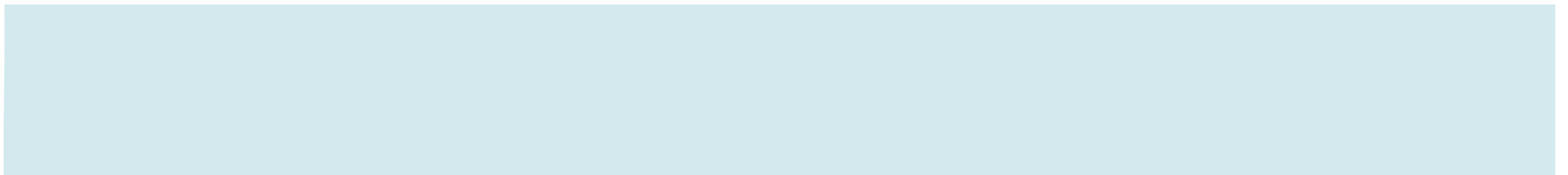
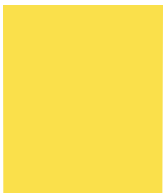




## DESIGN PROFESSIONAL

"Design Professional" means a professional licensed by the State of Georgia in the field of: engineering, architecture, landscape architecture, forestry, geology, or land surveying; or a person that is a Certified Professional in Erosion and Sediment Control (CPESC) with a current certification by EnviroCert International, Inc. Design Professionals shall practice in a manner that complies with applicable Georgia law governing professional licensure.

**~~~The design professional who prepared the Plan must inspect the initial sediment storage requirements and perimeter control BMPs in accordance with Part IV.A.5. within seven (7) days after installation.**





# INSPECTOR

## Inspections.

### a. Permittee requirements.

(1). Each day when any type of construction activity has taken place at a primary permittee's site, certified personnel provided by the primary permittee shall inspect: (a) all areas at the primary permittee's site where petroleum products are stored, used, or handled for spills and leaks from vehicles and equipment and (b) all locations at the primary permittee's site where vehicles enter or exit the site for evidence of off-site sediment tracking. These inspections must be conducted

**until a Notice of Termination is submitted.**

(2). Measure rainfall once every 24 hours except any non-working Saturday, non-working Sunday and non-working Federal holiday **until a Notice of Termination is submitted**. Measurement of rainfall may be suspended if all areas of the site have undergone final stabilization or established a crop of annual vegetation and a seeding of target perennials appropriate for the region.



# INSPECTOR

(3). Certified personnel (provided by the primary permittee) shall inspect the following at least once every fourteen (14) calendar days and within 24 hours of the end of a storm that is 0.5 inches rainfall or greater (unless such storm ends after 5:00 PM on any Friday or on any nonworking

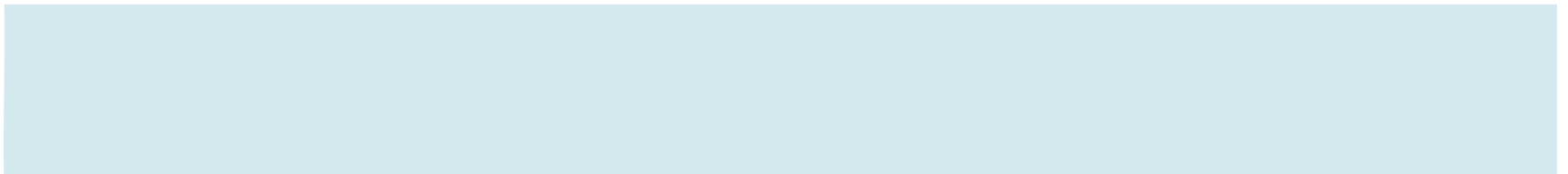
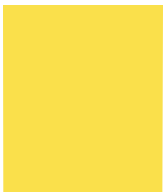
Saturday, non-working Sunday or any non-working Federal holiday in which case the inspection shall be completed by the end of the next business day and/or working day, whichever occurs first): (a) disturbed areas of the primary permittee's construction site ; (b) areas used by the primary permittee for storage of materials that are exposed to precipitation ; and (c) structural control measures. Erosion and sediment control measures identified in the Plan applicable to the primary permittee's site shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving water(s). For areas of a site that have undergone final stabilization or established a crop of annual vegetation and a seeding of target perennials appropriate for the region, the permittee must comply with Part IV.D.4.a.(4). These inspections must be conducted until a Notice of Termination is submitted.



# INSPECTOR

(4). Certified personnel (provided by the primary permittee) shall inspect at least once per month during the term of this permit (i.e., **until a Notice of Termination is submitted to EPD**) the areas of the site that have undergone final stabilization or established a crop of annual vegetation and a seeding of target perennials appropriate for the region. These areas shall be inspected for evidence of, or the potential for, pollutants entering the drainage system and the receiving water(s). Erosion and sediment control measures identified in the Plan shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving water(s).

(5). Based on the results of each inspection, the site description and the pollution prevention and control measures identified in the Erosion, Sedimentation and Pollution Control Plan, the Plan shall be revised as appropriate not later than seven (7) calendar days following each inspection. Implementation of such changes shall be made as soon as practical but in no case later than seven (7) calendar days following each inspection.





## INSPECTOR

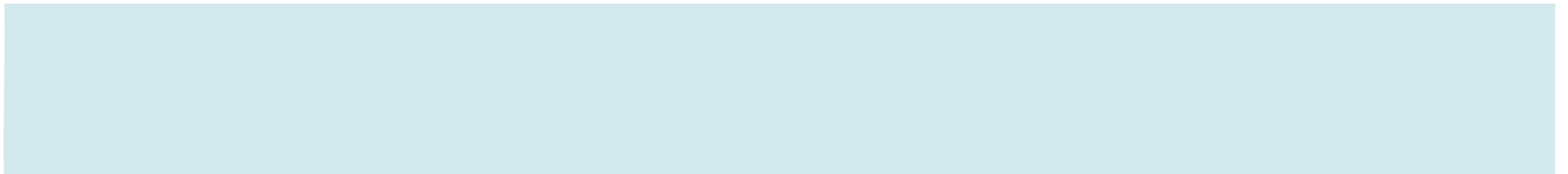
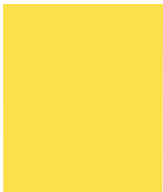
(6). A report of each inspection that includes the name(s) of certified personnel making each inspection, the date(s) of each inspection, construction phase (i.e., initial, intermediate or final), major observations relating to the implementation of the Erosion, Sedimentation and Pollution Control Plan, and actions taken in accordance with Part IV.D.4.a.(5). of the permit shall be made and retained at the site or be readily available at a designated alternate location until the entire site or that portion of a construction project that has been phased has undergone final stabilization and a **Notice of Termination is submitted to EPD**. Such reports shall be readily available by end of the second business day and/or working day and shall identify all incidents of best management practices that have not been properly installed and/or maintained as described in the Plan. Where the report does not identify any incidents, the inspection report shall contain a statement that the best management practices are in compliance with the Erosion, Sedimentation and Pollution Control Plan. The report shall be signed in accordance with Part V.G.2. of this permit.



# PRIMARY PERMITTEE

“Primary Permittee” means the Owner or the Operator or both of a tract of land for a construction project subject to this permit.

Owners or Operators or both who intend to obtain coverage under this general permit for storm water discharges from a construction site (where construction activities begin after issuance of this permit), shall submit a Notice of Intent (NOI) in accordance with the requirements of this Part **at least fourteen (14) days prior to the commencement of construction activities.**





## NOTICE OF INTENT

VERSION September 24, 2018

State of Georgia  
Department of Natural Resources  
Environmental Protection Division

GAR18A9D1-V1

Permittee NOI Number

12/9/2021

Application Submittal Date

For Coverage Under the 2018 Re-Issuance of the NPDES General Permits  
To Discharge Storm Water Associated With Construction Activity

THESE PERMITS EXPIRE JULY 31, 2023

### Facility Information

Facility Name: Braselton Broadway 85  
Mailing Address 1: 3280 Peachtree Road NE Mailing Address 2: Suite 2770  
County: Fulton City: Atlanta State: GA Zip Code: 30305  
Facility/Property Address 1: 1200 Broadway Ave Address 2:  
County: Jackson City: Braselton State: GA Zip Code: 30517  
Latitude: 34.101222 Longitude: -83.789944

### PRIMARY PERMITTEE

#### NOTICE OF INTENT:

- ☒ Initial Notification ☐ Re-Issuance Notification ☐ Change of Information  
☐ Change of Owner/Operator: Formerly Known As: \_\_\_\_\_

### I. SITE/OWNER/OPERATOR INFORMATION

Facility Ownership Type: Privately Owned Facility  
Owner's Name: Trevor Powell Phone: 4704945060  
Email Address: trevor.powell@stonemontfinancial.com Address: 3280 Peachtree Road NE Suite 2770  
City: Atlanta State: GA Zip Code: 30305  
Duly Authorized Representative(s): \_\_\_\_\_ Phone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Operator's Name: Trevor Powell Phone: 4704945060  
Email Address: trevor.powell@stonemontfinancial.com Address: 3280 Peachtree Road NE Suite 2770  
City: Atlanta State: GA Zip Code: 30305  
Facility/Construction Site Contact: Trevor Powell Phone: 4704945060  
Email Address: trevor.powell@stonemontfinancial.com

### II. CONSTRUCTION SITE ACTIVITY INFORMATION AND FEE CALCULATIONS

Start Date: 12/15/2021 Completion Date: 10/31/2022  
Regulated by a certified Local Issuing Authority (LIA): ☒ Yes ☐ No  
Name of Local Issuing Authority: Braselton  
Is this an Agricultural Building? (ex. chicken house): ☐ Yes ☒ No  
Is this a public water system reservoir?: ☐ Yes ☒ No  
Is this project regulated by the Public Service Commission (PSC)? (ex. Electricity, natural gas, telecom, pipeline): ☐ Yes ☒ No  
Is this project under the direct supervision of the Natural Resource Conservation Service (NRCS)? ☐ Yes ☒ No  
Is this a construction and/or maintenance project undertaken and/or financed in whole or in part by the Department of Transportation, The Georgia Highway Authority, or the State Road and Tollway Authority?: ☐ Yes ☒ No  
Is this a road construction and/or road maintenance project (including sidewalks, bike routes, multi-use paths or trails)? ☐ Yes ☒ No  
☒ Acres Disturbed (to the nearest tenth (1/10th) acre) 18 X \$40/acre = 720  
Regulated by a certified Local Issuing Authority  
TOTAL FEE SUBMITTED = 720

Does the Erosion, Sedimentation and Pollution Control Plan (Plan) provide for disturbing more than 50 acres at any one time for each individual permittee (i.e., primary, secondary or tertiary permittees), or more than 50 contiguous acres total at any one time?

- ☐ YES - \_\_\_\_\_ Date of EPD Written Authorization  
☒ NO  
☒ N/A - If construction activities are covered under the General NPDES Permit No. GAR100002 for infrastructure construction projects

#### Construction Activity Type:

- ☐ Commercial ☒ Industrial ☐ Municipal/Institutional ☐ Mixed Use  
☐ Water Quality/Aquatic Habitat Restoration ☐ Linear ☐ Utility ☐ Residential  
☐ Agricultural Buildings ☐ Other: \_\_\_\_\_

### III. RECEIVING WATER INFORMATION

A. Name of Initial Receiving Water(s): N/A  
☐ Trout Stream ☒ Water Supporting Warm Water Fisheries  
B. Name of MS4 Receiving Waters:  
☒ N/A ☐ Trout Stream ☐ Water Supporting Warm Water Fisheries  
Name of MS4 Owner/Operator: \_\_\_\_\_  
C. Sampling of Receiving Stream(s):  
☐ Trout Stream (Δ 10 NTU) ☐ Water Supporting Warm Water Fisheries (Δ 25 NTU)  
D. Sampling of Outfall(s):  
☒ N/A  
☐ Trout Stream  
☐ Water Supporting Warm Water Fisheries

A summary chart (if applicable) delineating the following information for each outfall must be attached:

Number of Sampling Outfalls: \_\_\_\_\_ Construction Site Size (acres): \_\_\_\_\_  
Appendix B NTU Value: \_\_\_\_\_ Surface Water Drainage Area (square miles): \_\_\_\_\_

E. Does the facility/construction site discharge storm water into an Impaired Stream Segment, or within one (1) linear mile upstream of and within the same watershed as, any portion of an Impaired Stream Segment identified as "not supporting" its designated use(s), as shown on Georgia's most current "305(b)(3)(3)(d) List Documents (Final)" listed for the criteria violated, "Bio F" (Impaired Fish Community) and/or "Bio M" (Impaired Macroinvertebrate Community), within Category 4a, 4b or 5, and the potential cause is either "NP" (nonpoint source) or "UR" (urban runoff)?

☒ No ☐ Yes, Name of Impaired Stream Segment(s): \_\_\_\_\_

F. Does the facility/construction site discharge storm water into an Impaired Stream Segment where a Total Maximum Daily Load (TMDL) Implementation Plan for "sediment" was finalized at least six (6) months prior to the submittal of the Initial NOI?

☒ No ☐ Yes, Name of Impaired Stream Segment(s): \_\_\_\_\_

### IV. CERTIFICATIONS:

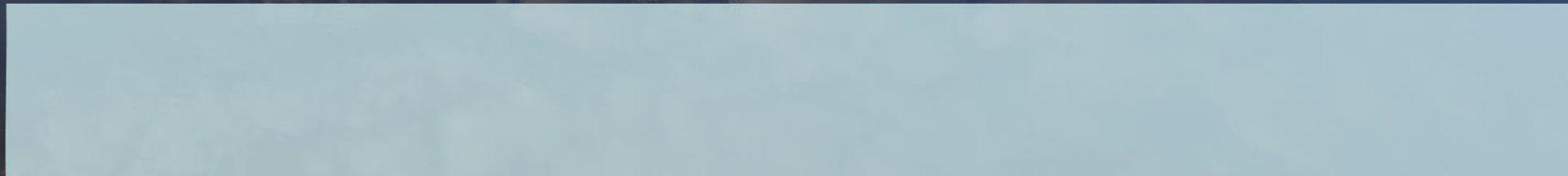
I certify that to the best of my knowledge and belief, that the Erosion, Sedimentation and Pollution Control Plan (Plan) was prepared by a design professional, as defined by this permit, that has completed the appropriate certification course approved by the Georgia Soil and Water Conservation Commission in accordance with the provisions of O.C.G.A. 12-7-19 and that I will adhere to the Plan and comply with all applicable requirements of this permit.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that certified personnel properly gather and evaluate the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Responsible Official: Trevor Powell  
Email: trevor.powell@stonemontfinancial.com



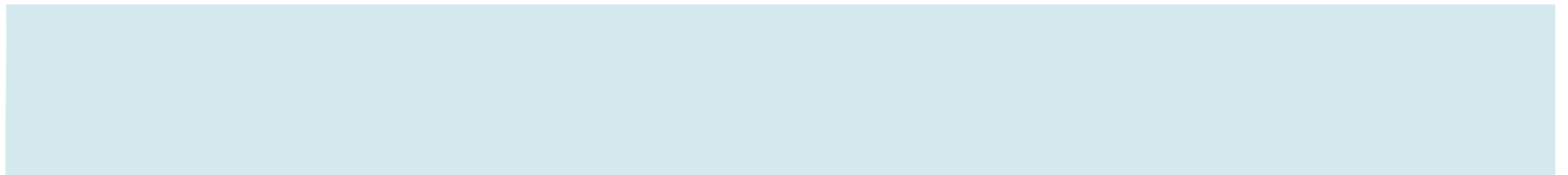
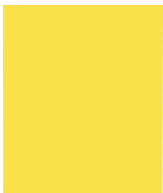
# GUIDANCE ON TERMINATION ELIGIBILITY





# NOTICE OF TERMINATION ELIGIBILITY

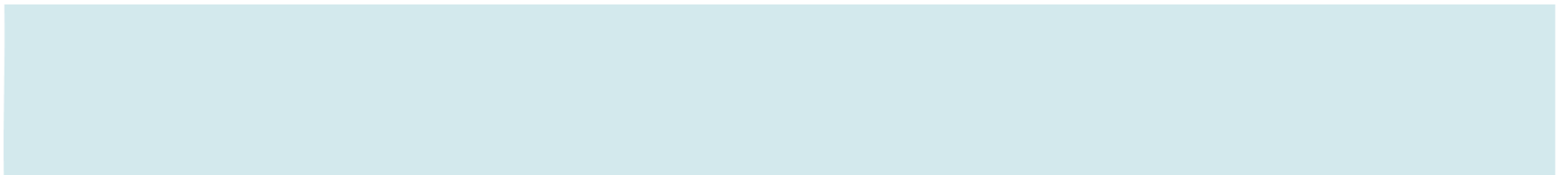
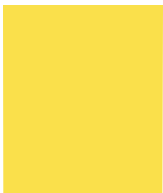
For construction activities, by the permittee where the entire stand alone development has undergone final stabilization, all stormwater discharges associated with construction activity that are authorized by this permit have ceased, the site is in compliance with this permit and all temporary BMPs have been removed. For construction activities where the primary permittee has elected to submit NOIs for separate phases of the stand alone development, the phase or phases of the stand alone development on the NOT shall correspond to the phase or phases on the NOI.





## NOTICE OF TERMINATION ELIGIBILITY

By the Owner or Operator when the Owner or Operator of the site changes. Where stormwater discharges will continue after the identity of the Owner or Operator changes, the permittee must, prior to filing the Notice of Termination, notify any subsequent Owner or Operator of the permitted site as to the requirements of this permit.





## Searching for termination eligibility





Site thought they were terminated and had nothing left to do regarding the permit. This photo shows a year later, sediment pond full to the brim with mud, with its standpipe blown off, filter check dam washed out, and no stabilization.





Stabilization has been achieved, temporary BMP's need to be removed.



LOT 73



BACK  
of Lot 73

01/11/2022

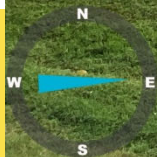


Insufficient coverage for termination, which had been submitted on GEOS at that point in time.



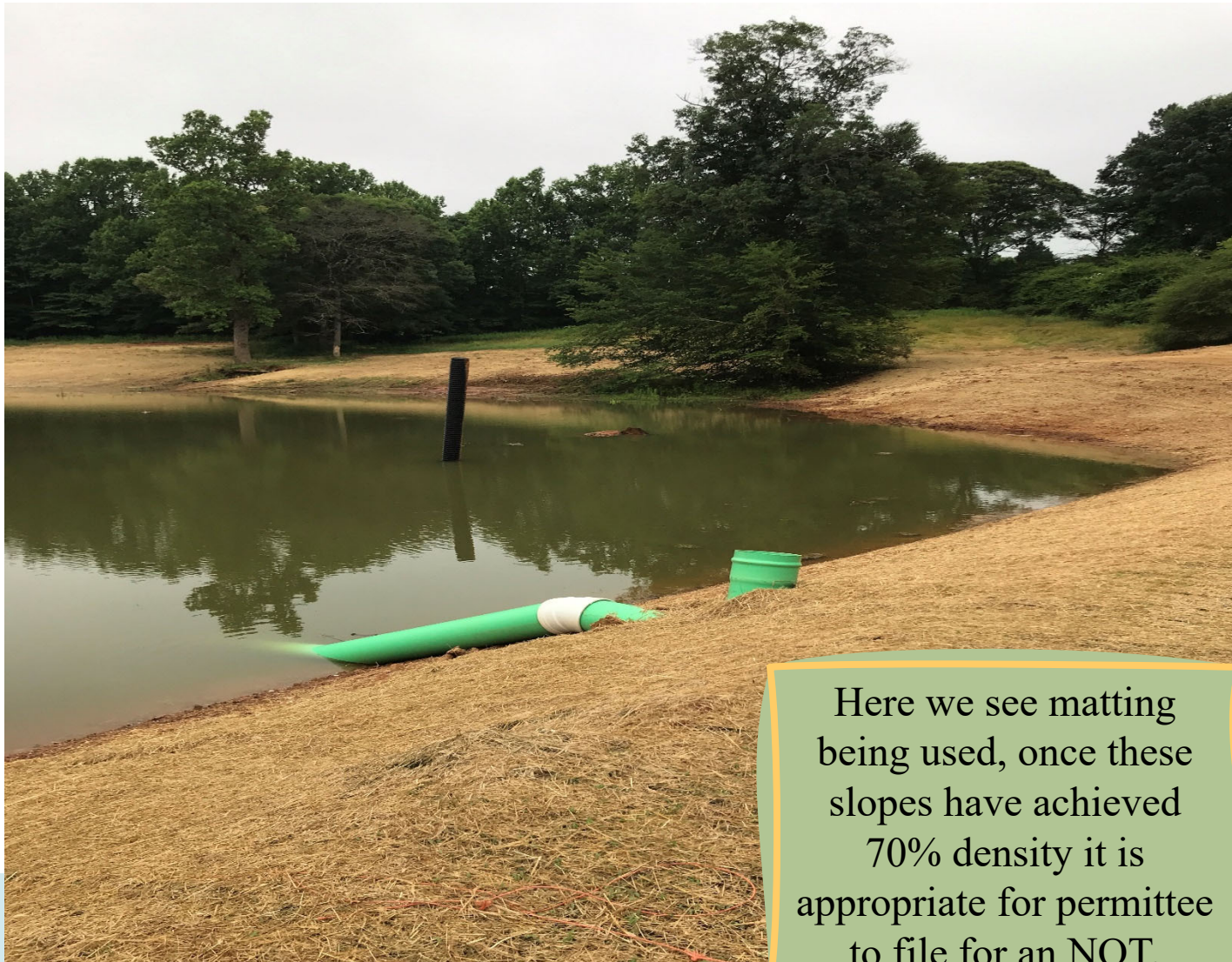


No temp  
BMPs,  
100% grass  
coverage.





The permittee may also submit a Notice of Termination for each phase of the infrastructure project, not to exceed four (4) phases, that have undergone final stabilization and all stormwater discharges associated with construction activity for that phase authorized by this permit have ceased. Except for the final phase, the disturbed acreage for each phase must be equal to or greater than 25% of the total estimated disturbed acreage for the infrastructure project. For the final phase, the disturbed acreage for the final phase must be equal to or greater than 10% of the total estimated disturbed acreage for the infrastructure project. The Notice of Termination for each phase of the infrastructure project must include the GPS locations (decimal degrees) of the beginning and end of each phase and if applicable, a map identifying significant landmarks.



Here we see matting being used, once these slopes have achieved 70% density it is appropriate for permittee to file for an NOT.



By secondary permittees when their sites within a common development have undergone final stabilization, all stormwater discharges from their construction activities have ceased, their sites are in compliance with this permit and all temporary BMPs have been removed





Construction may be complete however the site has not been stabilized





Same neighborhood ONE month later, you see where sod has been installed in both the front and back yard and it is established and growing. BMP's have been removed.





Sod in front yard  
but not in back  
yard

Vegetation did  
not become  
established in  
back yard



Tertiary permittees must submit a Notice of Termination when their sites within a common development have undergone final stabilization, all stormwater discharges from their construction activities have ceased, their construction sites are in compliance with this permit and all temporary BMPs have been removed. If the total land disturbance within the tertiary permittee's construction site is less than five (5) acres, tertiary permittees may also submit a Notice of Termination for each individual lot resulting in land disturbance of less than one (1) acre with a Plan for a typical individual lot within the tertiary permittee's construction site.





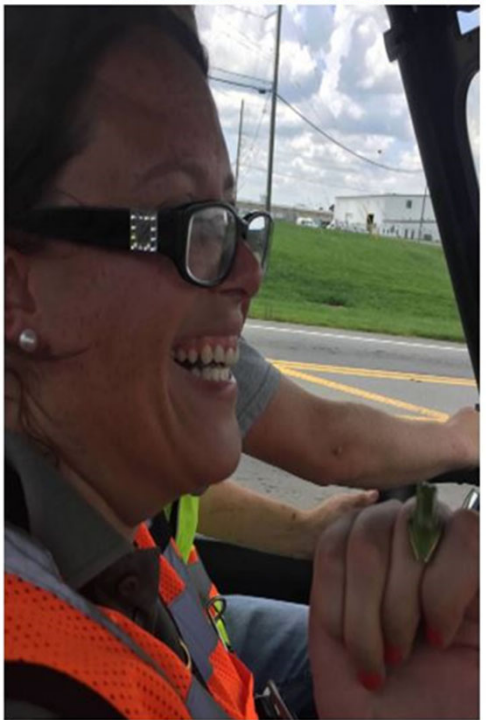
In the distance we see a stabilized site, then we see matting, and then disturbed soils.





Site where erosion is impacting this slope. What guidance might we give to this permittee to assist with bringing this site into compliance with the permit and making it eligible to terminate coverage?

10/23/2016 23:42





Stabilizing site between  
phases as seen here helps  
prevent erosion and  
maintains stabilization  
during construction



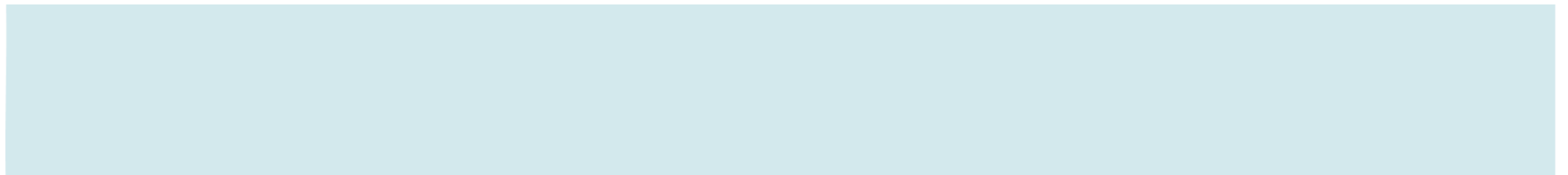
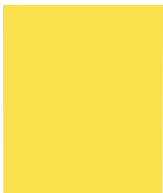


## **WHEN IS THE BEST TIME TO REQUEST A PROJECT TERMINATE COVERAGE?**

Terminating Coverage is a requirement of the permit. The permittee is still responsible for any environmental impact on the property until coverage under the permit has been terminated.

If a builder has completed work on a property and does not file an NOT. A third party could conduct permitted land disturbing activities that could cause environmental impact that you the permittee could be responsible for.

When a municipality agrees to become a Local issuing authority one of the requirements is that they ensure that the permittee fulfills all the requirements of the permit, one of those requirements is the NOT.





# 2018 PERMIT STILL IN EFFECT

## Important Update - July 27, 2023

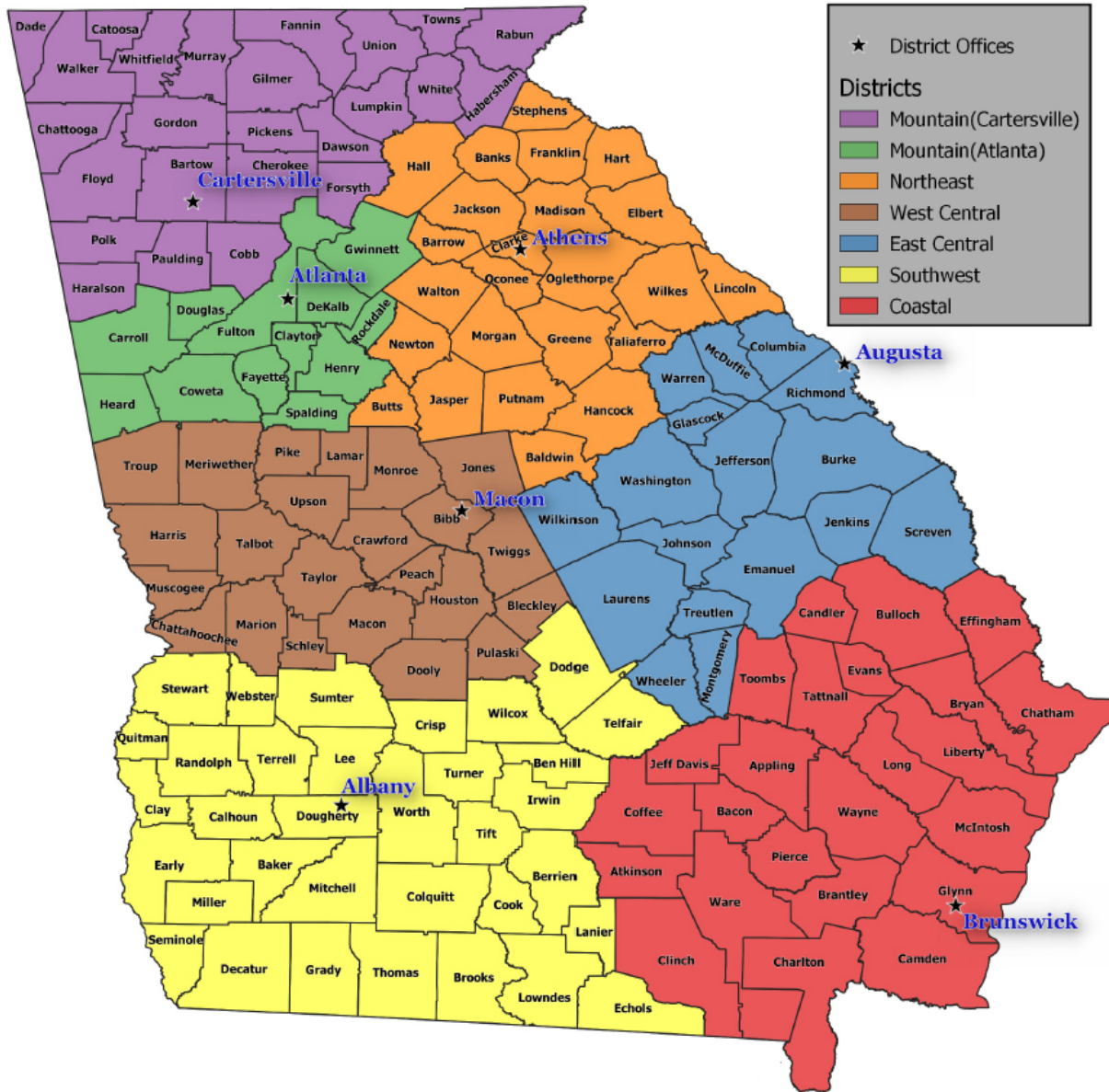
In July, a petition was filed with EPD appealing issuance of the 2023 Permits. As provided in state law at O.C.G.A. § 12-2-2(c)(2)(B), because that petition was filed, the 2023 Permits are stayed until the case is resolved. This means that, right now, the 2023 Permits are not in effect.

The 2018 versions of the construction stormwater Permit Nos. GAR100001, GAR100002 and GAR100003 each specifically provide that they continue “in force and effect until a new general permit is issued, final and effective.” Consistent with that language and with state law at O.C.G.A. § 50-13-18(b) and Ga. Comp. R. and Regs. Rule 391-3-6-.16(13), **until the case about the 2023 Permits is resolved, the 2018 permits will remain in force.**

Until further notice:

- Permittees who have submitted an NOI under the 2018 Construction Stormwater General Permits do not need to file a renewal of their NOI after August 1, 2023.
- New permittees who wish to file an NOI after August 1, 2023 may do so under the 2018 permits, which will remain active in GEOS.
- When the case about the 2023 Permits is resolved, EPD will provide additional updates for all entities with active NOIs.

## A stylized map of the state of Georgia. The map is divided into three horizontal sections: a light blue sky at the top with a yellow sun, a green hillside in the middle, and a blue body of water at the bottom. The map is outlined in black.



**Coastal District (Brunswick)**  
400 Commerce Center Dr.  
Brunswick, GA 31523  
Ph: 912.264.7284  
Fax: 912.262.3160



# QUESTIONS?



## Marla Whittington

Licensing Technician / Office Manager  
Georgia Environmental Protection Division

Phone: (706) 369-6376

Cell: (706) 614-6814

Email: [marla.whittington@dnr.ga.gov](mailto:marla.whittington@dnr.ga.gov)

Northeast District Office  
745 Gaines School Road  
Athens, GA 30606