



**Richard E. Dunn, Director**

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**EPD Director's Office**  
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Atlanta, Georgia 30334  
404-656-4713

Sep 28, 2022

Mr. Hugh "Trip" Tollison  
Savannah Harbor-Interstate 16 Corridor Joint Development Authority  
131 Hutchinson Island Road, 4th Floor  
Savannah, Georgia 31421

Mr. Pat Wilson, Commissioner  
Georgia Department of Economic Development  
Technology Square, 75 5th Street, N.W., Suite 1200  
Atlanta, Georgia 30308

Re: Water Quality Certification  
Joint Public Notice SAS-2015-00235  
Electric Vehicle Original Equipment  
Manufacturing Facility - EVOEM  
Ogeechee River Watershed  
Bryan County

Dear Mr. Tollison & Mr. Wilson:

In accordance with Section 401 of the Federal Clean Water Act, 33 U.S.C. § 1341, the State of Georgia has evaluated the Bryan County EVOEM Facility project submitted by the Savannah Harbor - Interstate 16 Corridor Joint Development Authority and the Georgia Department of Economic Development, co-applicants for a federal permit or license related to proposed activity in, on, or adjacent to the waters of the State of Georgia.

The State has examined the information regarding the Bryan County EVOEM Facility project provided to it by Resource and Land Consultants. In accordance with that information, the State of Georgia issues this Section 401 water quality certification to the Savannah Harbor-Interstate 16 Corridor Joint Development Authority and the Georgia Department of Economic Development. This Section 401 water quality certification is subject to the following terms and conditions:

This certification will supersede the original Section 401 water quality certification issued on February 13, 2019.

1. To assure compliance with State water quality standards, the applicant shall conduct all activities in a manner that will assure water quality adequate or necessary to protect and maintain designated uses. 33 U.S.C. § 1313(a)-(d); O.C.G.A. § 12-5-23(c)(2),(6),(9),(15); Ga. Comp. R. and Regs. 391-3-6-.03(2)(i), (ii).

- a. To prevent or avoid degradation of water quality downstream, the applicant shall implement Best Management Practices (BMPs) that have been approved for in-water use to the extent practical and feasible, to minimize total suspended solids (TSS) and sedimentation for any work conducted within a state water or within the delineated boundaries of wetlands. 33 U.S.C. § 1313(a)-(d); O.C.G.A. § 12-5-23(c)(2), (6), (9), (15); O.C.G.A. § 12-5-29(a); O.C.G.A. §§ 12-7-6 to 7; Ga. Comp. R. and Regs. 391-3-6-.03(5).
  - b. In order to prevent or avoid violations of state water quality standards, the applicant must ensure that any fill placed in state waters must be clean fill that is free of solid waste, toxic, or hazardous contaminants. 33 U.S.C. §§ 1311; 1313(a)-(d); O.C.G.A. § 12-5-23(c)(2), (6), (9), (15); O.C.G.A. § 12-5-29(a); Ga. Comp. R. and Regs. 391-3-6-.03(5), (6), (11), (14)-(16).
2. To prevent sedimentation of state waters during construction, the applicant shall ensure that it obtains coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction for discharges comprised of storm water associated with construction activity and any required land disturbing activity permits intended to prevent soil erosion, sedimentation, and deposition into waters of the state. 33 U.S.C. § 1342(p); O.C.G.A. § 12-5-30; O.C.G.A. §§ 12-7-6 to 7; Ga. Comp. R. and Regs. 391-3-6-.06; Ga. Comp. R. and Regs. 391-3-6-.16
3. To prevent sedimentation of state waters post-construction, the applicant shall ensure that it obtains coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Industrial Activity for discharges comprised of storm water associated with covered industrial activity, so that all discharges meet applicable water quality standards. 33 U.S.C. §§ 1311, 1313, 1342(b); 40 C.F.R. 122.26(b)(14); O.C.G.A. § 12-5-23, 30; Ga. Comp. R. and Regs. 391-3-6-.16
4. The applicant shall ensure that it abides by the requirements of the stream buffer variance issued by Georgia EPD, BV-015-22-01, including provisions to ensure protection, restoration, or mitigation of or related to the stream buffer, which facilitates the protection of water quality. 33 U.S.C. §§ 1311; 1313(a)-(d); O.C.G.A. § 12-7-6; Ga. Comp. R. and Regs. 391-3-7-.05
5. Modifications to this Project may require an amendment to these conditions. Accordingly, the applicant must notify the Georgia Environmental Protection Division of any modifications to the proposed activity including, but not limited to, modifications to the construction or operation of any facility, or any new, updated, or modified applications for federal permits or licenses for the Project. 33 U.S.C. §§ 1311-1313; O.C.G.A. § 12-5-23(c)(2),(6),(9),(15); Ga. Comp. R. and Regs. 391-3-6-.03.

This certification does not waive any other permit or other legal requirement applicable to this project or relieve the applicant of any obligation or responsibility for complying with the provisions of any other federal, state, or local laws, ordinances, or regulations.

Page 3  
Bryan County EVOEM Facility  
SAS-2015-00235  
Bryan County

It is your responsibility to submit this certification to the appropriate federal agency. If you have any questions regarding this certification, please contact Stephen Wiedl at [Stephen.Wiedl@dnr.ga.gov](mailto:Stephen.Wiedl@dnr.ga.gov)/404-651-8459.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard E. Dunn". The signature is written in a cursive style with a large initial "R" and a long, sweeping underline.

Richard E. Dunn, Director  
Environmental Protection Division

cc: Ms. Sarah Wise, Corps  
Mr. Eric Somerville, EPA  
Mr. Bill Wikoff, FWS  
Ms. Kelie Moore, CRD  
Mr. Alton Brown, RLC