

US EPA ARCHIVE DOCUMENT



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TDEC Minimum Requirements for Qualified Local Program Certification

QLPs must implement a construction site stormwater runoff control program that addresses pollutants in stormwater runoff from construction activities that result from a land disturbance of one acre or greater, or from construction activity disturbing less than one acre if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. The program must include the development and implementation of, at a minimum:

1. An ordinance or other regulatory mechanism to require erosion prevention and sediment controls, as well as sanctions to ensure compliance: The ordinance must allow for the maximum penalties per day for each day of violation as specified in TCA 68-221-1106.
2. Procedures for site inspection and enforcement: The MS4 must have procedures in place for its inspectors to evaluate construction site compliance. The ERP must include specific enforcement steps to ensure construction sites are in compliance with the MS4's program.
3. Recognition of priority construction activity, including at a minimum, those construction activities discharging directly into, or immediately upstream of, waters the state recognizes as impaired or Exceptional Tennessee Waters; Pre-construction meetings with construction-site operators for priority construction activities; and Inspections by the MS4 of priority construction sites at least once per month.
4. Specific procedures for SWPPP review and approval: These procedures must include an evaluation of SWPPP completeness and overall BMP effectiveness.
5. Requirements for construction site operators to implement appropriate erosion prevention and sediment control best management practices: The MS4's EPSC requirements should be consistent with those described in the TDEC EPSC Handbook.
6. Requirements corresponding to the current effective Tennessee Construction General Permit (TNR100000): The MS4's requirements for SWPPP development and implementation, operator inspection protocols, design storm and special conditions for impaired waters or exceptional Tennessee waters must be consistent with those of TNR100000.
7. Requirements for construction site operators to control waste materials: The MS4 must require that operators control wastes such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site to avoid adverse impacts to water quality.
8. MS4 staff training: Inspectors must maintain certification under the Tennessee Fundamentals of Erosion Prevention and Sediment Control, Level 1. SWPPP reviewers must receive a certificate of completion from the Tennessee Erosion Prevention and Sediment Control Design Course, Level 2. It is recommended that MS4 staff receive training under both courses.
9. Procedures for managing public input on projects: The MS4 must have mechanisms for providing notice of projects and receiving and considering comments from the public.
10. Procedures for the issuance, tracking and reporting of Notice of Coverage for construction activities performed within the QLP jurisdiction.