

US EPA ARCHIVE DOCUMENT

# Quarterly Project Progress Report

**Construction Storm Water Excellence Initiative 2007  
EPA Grant# EI-96489108-0**

**July 2009**

**U.S. EPA State Innovation Grant Program  
National Center for Environmental Innovation**

**Tennessee Department of Environment and Conservation  
University of Tennessee, Municipal Technical Advisory Service**



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## **Project Description**

### **Construction Stormwater Excellence Initiative**

(Tennessee's State Innovation Grant Project- 2007)

#### **Grantor:**

US EPA State Innovation grant Program, National Center for Environmental Innovation

#### **Grantee:**

Tennessee Department of Environment and Conservation (TDEC)  
University of Tennessee, Municipal Technical Advisory Service (MTAS)

#### **State Project Manager:**

Robert Karesh, Tennessee Department of Environment and Conservation  
Division of Water Pollution Control, Statewide Stormwater Coordinator  
401 Church Street, L & C Annex, 6<sup>th</sup> Floor  
Nashville, TN 37243-1534  
Phone: (615) 253-5402 / Fax (615) 532-0686  
Email: [Robert.Karesh@state.tn.us](mailto:Robert.Karesh@state.tn.us)

#### **Total Project Cost:**

The total amount funded was \$200,000. The State of Tennessee is committing a minimum of \$100,000 of in-kind funding for the same period. There are no other federal contributions to this program.

#### **Project Period:**

October 1, 2007 to September 30, 2011

Key Milestones (Including Outputs), Reflecting The Projected Timelines For Completion			
Objectives and Outputs	Projected Date	Complete	Comments
<b>Objective:</b> Stormwater group preliminary organizational meeting (pre-award) <b>Output(s):</b> TDEC/MTAS meetings to determine key MS4's for preliminary solicitation, etc.	September 2007	Yes	
<b>Objective:</b> Execute contract with the University of Tennessee's Municipal Technical Advisory Service (MTAS) <b>Output(s):</b> Due to MTAS's unique status within the State, their ability to deliver training and technical support statewide to local governments and their history as a TDEC partner in the Stormwater program, MTAS will be the sole contractor for the initiative.	October 2007  Final Signatures  May 2008	Yes	
<b>Objective:</b> TDEC-MTAS project team meetings <b>Output(s):</b> Continuing identification of MS4's for Stormwater group. Identifying specific contacts from various other stake holder organizations. Scheduling venues for organizational meetings. Developing agenda's, informational literature, etc.	March 2008  Amended from  October 2007	Yes	
<b>Objective:</b> Establish stormwater group <b>Output(s):</b> Organize initial meeting of the state regional group representative at a state level. Formalize the group. Set up a calendar of regional and state meetings, etc.	March 2008  Amended from  December 2007	Yes	
<b>Objective:</b> Establish stakeholder committee <b>Output(s):</b> Identify, contact, and obtain participation from representatives of the stakeholder groups. Set up and formalize the committee. Set mission, agenda, meeting calendar and milestones.	May 2008  Amended from  December 2007	Yes	
<b>Objective:</b> Facilitate meetings to establish criteria <b>Output(s):</b> Set venue, agenda, etc., and facilitate meetings in order to achieve stakeholder input on the criteria for qualifying a local program.	June 2008 (Began)  Amended from  January 2008	No	Ongoing, excellent progress

Key Milestones (Including Outputs), Reflecting The Projected Timelines For Completion			
Objectives and Outputs	Projected Date	Complete	Comments
<b>Objective:</b> Develop and promote guidelines and incentives <b>Output(s):</b> <i>With the information from the stakeholder committee meetings, develop guidance material and an incentive program for qualifying local programs.</i>	September 2008 (Began)	No	On schedule to support other Milestones
<b>Objective:</b> Develop excellence recognition program <b>Output(s):</b> <i>With the information from additional stakeholder committee meetings, input from additional groups such as the Tennessee Municipal League, etc., develop excellence recognition program</i>	October 2009		Begin initial discussion October 2009
<b>Objective:</b> Pilot the qualification of a MS4 <b>Output(s):</b> <i>Work with select MS4(s) volunteer(s) program(s) to work through guidance materials and document achieving the various elements involved in becoming a qualified program. Monitor the designated Qualified Program.</i>	June 2010		
<b>Objective:</b> Develop and deliver workshops across the state <b>Output(s):</b> <i>Based on the results of the pilot program, update the guidance materials. With the updated guidance materials and pilot program case history/histories, develop workshops lesson plans. Deliver workshops and guidance materials statewide.</i>	June 2011		
<b>Objective:</b> Deliver a replicable solution to other states <b>Output(s):</b> <i>With updates to workshop lesson plans and materials based on participant feedback, develop final guidance materials, workshop lesson plans, case histories etc., for delivery to EPA.</i>	September 2011		

## Part 1 – Synopsis of Accomplishments during the Reporting Period

During the sixth reporting period (ending 6-31-2009, 2nd quarter, 2009), several project milestones were either accomplished or partially accomplished:

- The QLP Advisory Committee held its fourth meeting. Stakeholder groups represented included the Tennessee Association of Planners, the Tennessee Chapter of the American Public Works Association, The Tennessee Stormwater Association, the Tennessee Society of Professional Engineers, and the Tennessee Department of Transportation.

A good deal of solid, important, work was accomplished at this meeting, building on the foundations laid in the previous meetings.

Appendix A includes signup sheets from this meeting, meeting notes, etc.

Part 2 Narrative Discussion includes additional details.

- TDEC obtained additional grants, outside of the EPA innovation grant, to enable TNSA to enter into a contract with an educational coordinator. After a selection process, the WaterWorks Stormwater education program of Middle Tennessee State University was selected and a contract is being negotiated.
- TDEC, in a supporting role to the statewide stormwater association, as identified in the workplan, is assisting a sub-committee of TNSA in working with the UT Water Resources Research Center on updated permanent stormwater BMP's for Tennessee. This effort is funded outside of the innovation grant.
- Statewide training was conducted to assist MS4's with enforcement necessary to become a QLP.
- The next meeting of the QLP Advisory Committee was scheduled for the third quarter of 2009.
- The Tennessee Stormwater Association (TNSA) held its second post conference board meeting.
- Continued during this period: TDEC partnered with TDOT, TVA, and the Tennessee Stormwater Association (TNSA) to offer a grant program designed to help local governments fund green infrastructure and low-impact development projects. The funding for this effort was obtained outside of the innovation grant.

## Part 2 – Narrative Discussion

We believe that we are on track to accomplish the project milestones within the timeframes identified in the grant.

- 2 A-** The QLP Advisory Committee, which includes MS4 representatives from the Tennessee Stormwater Association and non-MS4 stakeholders, met on April 7, 2009.

Stakeholder groups included the:

The Tennessee Association of Planners, the Tennessee Chapter of the American Public Works Association, The Tennessee Stormwater Association, the Tennessee Society of Professional Engineers, and the Tennessee Department of Transportation.

At this meeting of the QLP Advisory Committee, we recapped the proceedings from our previous QLP kickoff meeting, which included reviewing the following recommendations and potential incentives:

- Reduction or dismissal of MS4 permit annual maintenance fees
- Construction General Permit (CGP) fees transferred/split/adjusted with QLP
- Establishment of Minimum Resource Requirements for QLP Certification
- Standardized TDEC/QLP enforcement protocol

We continued discussing the possibility of reducing or eliminating the MS4 permit annual maintenance fee. This would require a rule change and a hearing before the Water Quality Control Board. The Advisory Committee agreed that this incentive is worth pursuing and voted to sign a recommendation letter requesting this change.

We discussed potential Minimum Resource Requirements for QLP Certification. To ensure that an MS4 is sufficiently staffed to succeed as a QLP, the committee agreed that minimum resource requirements be determined or calculated by the combination of level of service and scope of service. After looking for examples of other programs which utilize a similar approach to establishing minimums, we selected the Florida Stormwater Association's methodology for guidance. It includes an analysis of annual workloads, program inventory and historical data. The committee agreed that we meet with representative MS4s to perform a similar analysis utilizing a survey exercise.

Finally, we continued discussion on the incentive of a standardized TDEC/QLP enforcement protocol, which would ultimately lead to TDEC's partnership in combined enforcement on a construction activity within that QLPs jurisdiction. We identified that the protocol will need to include documentation of the minimum enforcement steps that a QLP will follow prior to involving TDEC. We also discussed the potential of splitting penalties generated under such a protocol with the partnering QLP.



Our next QLP Advisory Committee Meeting is scheduled for July 28, 2009, from 10 AM until 1 PM CT, and will be held in the 17th floor conference room of the L&C Tower, located at 401 Church St., Nashville, TN.

Additional notes and photos from the meeting are included in the appendix.

- 2B-** During this quarter, based on the advisory committee's decision, we met with three MS4s to complete a survey exercise on minimum resources. As mentioned above, the intent of setting minimum resource requirements is to set safeguards in place that would prevent an MS4 with insufficient resources from assuming the responsibilities of QLP status.

The MS4's were chosen to be a representative cross-section of permitted MS4's in Tennessee; and therefore included one large (metropolitan) MS4, one county MS4, and one small MS4.

Information was obtained from:

Elizabethton

Metro Nashville Davidson County

Bradley County

- 2C-** In the last report it was mentioned that we developed a class on administrative penalties to assist MS4's in complying with the enforcement aspects necessary to become a QLP. Course development and presentation was completed during that reporting period. During this period there have been many requests for additional presentations of the course. As this is a crucial QLP component, we are looking at additional scheduling opportunities to provide this training.

Also during this quarter, a standalone instructional video on the appeals hearing process for administrative penalties was developed for the MS4's. This video will be an additional resource available for use by the MS4's outside of scheduled training.

- 2D-** As provided for in this innovation grant, we have continued to support to the Tennessee Statewide Stormwater Association (TNSA) during this reporting period. The following are highlights of relevant TNSA activities:

- A TNSA Board meeting was held on April 7, 2009,
- Quarterly meetings were held for the five TNSA regional groups,
- A trial TNSA website was developed and activated.

In addition, during the last period TDEC partnered with TDOT, TVA, and TNSA to offer a grant program designed to help local governments fund green infrastructure demonstration projects. Funding did not come from this EPA Innovation Grant, but, rather, from a variety of creative sources among the partners. Grants ranged from \$10,000 to \$30,000, and were awarded to local governments through a competitive process. Projects including the utilization of rain gardens, green roofs, pervious concrete applications, trees and tree boxes, as well as outreach and education efforts designed to promote green infrastructure.

Seventeen green development applications were received from across the state. Submittals were received from small towns as well as major metropolitan areas. Projects from the following four jurisdictions were selected:

- City of Lakeland
- City of Knoxville
- City of Athens
- City of Nashville

These projects continued during this quarter. Additional information on TNSA activities and projects is available upon request.

### **Part 3 – Projection of Activities, Accomplishments, and Major Expenditures for Next Quarterly Report**

The QLP advisory committee is scheduled to meet again on August 21, 2009.

The agenda shall include

Benchmarking results for the QLP minimum resources survey exercise are scheduled for discussion at this meeting.

### **Part 4 – Financial Report**

The project budget is on track for the goals and milestones of this project.

Information Technology set up an internal account at MTAS and internal MTAS project reporting continues to capture the Grant related hours. TDEC likewise set up an internal tracking mechanism and continues to capture TDEC hours to apply toward the in-kind match.

An invoice for January 1 - March 31, 2009, (invoice date 5/19/09) in the amount of \$20,508.53 was submitted by MTAS to TDEC during this quarter.

# APPENDIX “A”



STATE OF TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
WATER POLLUTION CONTROL  
401 CHURCH STREET  
6<sup>TH</sup> FLOOR L&C ANNEX  
NASHVILLE, TN 37243

August 5, 2009

TO: Tennessee Qualified Local Program Advisory Committee

RE: April 7, 2009 Meeting Summary

Good Day,

Once again, we want to extend our appreciation for your continued participation at our third Qualified Local Program (QLP) Advisory Committee meeting, held on April 7, 2009. We remain encouraged and excited by the level of participation and the future possibilities of a successful QLP initiative in Tennessee.

At this meeting of the QLP Advisory Committee, we recapped the proceedings from our previous QLP kickoff meeting, which included reviewing the following recommendations and potential incentives:

- Reduction or dismissal of MS4 permit annual maintenance fees
- Construction General Permit (CGP) fees transferred/split/adjusted with QLP
- Establishment of Minimum Resource Requirements for QLP Certification
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We continued discussing the possibility of reducing or eliminating the MS4 permit annual maintenance fee. This would require a rule change and a hearing before the Water Quality Control Board. The Advisory Committee agreed that this incentive is worth pursuing and voted to sign a recommendation letter requesting this change.

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historical data. The committee agreed that we meet with representative MS4s to perform a similar analysis utilizing a survey exercise.

Finally, we continued discussion on the incentive of a standardized TDEC/QLP enforcement protocol, which would ultimately lead to TDEC's partnership in combined enforcement on a construction activity within that QLPs jurisdiction. We identified that the protocol will need to include documentation of the minimum enforcement steps that a QLP will follow prior to involving TDEC. We also discussed the potential of splitting penalties generated under such a protocol with the partnering QLP.

Our next QLP Advisory Committee Meeting is scheduled for **August 21, 2009**, from 10 AM until 1 PM CT, and will be held in the 17<sup>th</sup> floor conference room of the L&C Tower, located at 401 Church St., Nashville, TN. You will be receiving an email soon that includes an agenda for the next meeting.

If you have any questions please contact John Chlarson or Robert Karesh.

Robert Karesh  
Statewide Storm Water Coordinator  
Department of Environment and Conservation  
Division of Water Pollution Control  
[Robert.Karesh@state.tn.us](mailto:Robert.Karesh@state.tn.us)  
615-253-5402

John C. Chlarson, P.E.  
Public Works Consultant  
University of Tennessee  
Municipal Technical Advisory Service  
[John.Chlarson@tennessee.edu](mailto:John.Chlarson@tennessee.edu)  
731-425-4785



# APPENDIX “B”

Tennessee Department of Environment and Conservation  
 401 Church Street  
 L & C Tower, 6th Floor  
 Nashville, TN 37243

Jan. 1, 2009 through March 31, 2009

Detail for Invoice # 1958

Invoice date: 5/19/09

UTK Fed ID # 62-6001636

		Amount Billed/Reimb. To Date	Current Period (Thru 3/31/09)	Total Amount Due
	Professional Salaries	\$23,470.52	\$9,441.36	\$9,441.36
	Support Salaries	\$0.00	\$0.00	\$0.00
	Benefits	\$6,878.76	\$2,645.94	\$2,645.94
	Travel	\$3,571.93	\$1,022.44	\$1,022.44
	Printing	\$0.00	\$0.00	\$0.00
	Supplies	\$44.73	\$0.00	\$0.00
	Rentals	\$0.00	\$0.00	\$0.00
	Special Services	\$434.42	\$856.77	\$856.77
	Program Support	\$5,160.05	\$2,092.02	\$2,092.02
	<b>Invoice Total:</b>	<b>\$39,560.41</b>	<b>\$16,058.53</b>	<b>\$16,058.53</b>
<b>Prof. Salaries:</b>	Salaried time spent to accomplish below objectives.	\$23,470.52	\$9,441.36	\$9,441.36
	Support time spent to accomplish below objective.	\$0.00	\$0.00	\$0.00
<b>Benefits:</b>	Benefits associated with above salaried time.	\$6,878.76	\$2,645.94	\$2,645.94
		<b>\$30,349.28</b>	<b>\$12,087.30</b>	<b>\$12,087.30</b>
<b>Travel:</b>	John Chlarson travel	\$3,571.93	\$1,022.44	\$1,022.44
		<b>\$3,571.93</b>	<b>\$1,022.44</b>	<b>\$1,022.44</b>
<b>Printing Detail:</b>		\$0.00	\$0.00	\$0.00
		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Supplies Detail:</b>		\$44.73	\$0.00	\$0.00
		<b>\$44.73</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Rentals Detail:</b>		\$0.00	\$0.00	\$0.00
		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Special Services</b>	Catered lunches in Smyrna & Nashville	\$434.42	\$856.77	\$856.77
		<b>\$434.42</b>	<b>\$856.77</b>	<b>\$856.77</b>
<b>Program Support</b>	Facilities & Admin. Costs (15% of direct costs)	\$5,160.05	\$2,092.02	\$2,092.02
		<b>\$5,160.05</b>	<b>\$2,092.02</b>	<b>\$2,092.02</b>
<b>Subtotals</b>		<b>\$39,560.41</b>	<b>\$16,058.53</b>	<b>\$16,058.53</b>
February 2009 MAP class (58 attendees X \$25)				<b>1,450.00</b>
Approved funding for Stormwater course development (max \$3,000)				<b>3,000.00</b>
<b>TOTAL</b>				<b>20,508.53</b>

B-1