

US EPA ARCHIVE DOCUMENT

Final Report

Construction Storm Water Excellence Initiative 2007

EPA Grant# EI-96489108-0

**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**



Municipal Technical Advisory Service
In cooperation with the Tennessee Municipal League

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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 Resources, Statewide Stormwater Coordinator
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243
615-253-5402
Email: Robert.Karesh@tn.gov

Total Project Cost:

The total amount funded was \$200,000. The State of Tennessee has committed 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 (Original)
October 1, 2007 to September 30, 2013 (Amended)

<p align="center">Key Milestones (Including Outputs), Reflecting The Projected Timelines For Completion¹</p>				
Objectives and Outputs	Original Start Date (Amended Start Date)	Original Completion Date (Amended Completion Date)	Complete?	Slippage Explanation/Other Comments
Objective: Stormwater group preliminary organizational meeting (pre-award) Output(s): TDEC/MTAS meetings to determine key MS4's for preliminary solicitation, etc.	September 2007	May 2008	Yes	This objective combined with the 3rd objective while waiting for final signatures.
Objective: Execute contract with the University of Tennessee's Municipal Technical Advisory Service (MTAS) Output(s): 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	Final signatures were received by Contracts Division/TDEC May 2008
Objective: TDEC-MTAS project team meetings Output(s): 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.	October 2007 (March 2008)	May 2008	Yes	As with Objective #1, TDEC-MTAS continued to work together on project and planning meetings during the delayed pre-award time. The final signatures were received by May 2008.
Objective: Establish stormwater group (Tennessee Stormwater Association) Output(s): Organize initial meeting of the state regional group representative at a state level. Formalize the group. Set up a calendar of regional & state meetings, etc.	December 2007 (March 2008)	June 2008	Yes	Due to delayed signatures for official contract award to MTAS, the development of the statewide Stormwater Association was not begun until March 2008
Objective: Establish stakeholder committee Output(s): Identify, contact, and obtain participation from representatives of the stakeholder groups. Set up and formalize the committee. Set mission, agenda, meeting calendar and milestones.	December 2007 (May 2008)	May 2008	Yes	Due to delayed signatures for official contract award to MTAS, and the delayed establishment of the TNSA, the Stakeholder Committee was not established until May 2008

Objectives and Outputs	Original Start Date (Amended Start Date)	Original Completion Date (Amended Completion Date)	Complete?	Slippage Explanation/Other Comments
Objective: Issue new MS4 General Permit Output(s): <i>With the new minimum requirements for baseline MS4 programs, develop the additional minimum requirements for QLP. This was not part of Grant.</i>	Not part of grant	June 2008 (July 2010) (October 1, 2010)	Yes	TDEC worked with EPA to craft a permit that reflected the EPA's desire to see a "Green" permit with more emphasis on infiltration based permanent BMP's.
Objective: Facilitate meetings to establish criteria Output(s): <i>Set venue, agenda, etc., and facilitate meetings in order to achieve stakeholder input on the criteria for qualifying a local program.</i>	January 2008 (June 2008)	June 2010	Complete	Start date amended due to grant development delays but meetings have been held every quarter since the organizational Kickoff meeting held August 15, 2008. Prep work began in June 2008.
Objective: Develop and promote guidelines and incentives Output(s): <i>With the information from the stakeholder committee meetings, develop guidance material and an incentive program for qualifying local programs.</i>	Began in (September 2008)	June 2010	Complete	Start date amended due to grant development delays but meetings to develop incentives/criteria have been held every quarter since the organizational Kickoff meeting held August 15, 2008
Objective: Develop excellence recognition program Output(s): <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	September 2010 (February 2011)	Complete	Began initial discussion October 2009, and after amending the project timeline, we will have two more quarterly meetings to discuss & finalize Excellence Recognition. Permit issuance delays changed this to Feb 2011
Objective: MS4's implement new permit Output(s): <i>MS4's revise their programs in accordance with new permit</i>	July 2008 (October 2010)	January 2010 (June 2012)	In process	Issuance of permit delayed 2 years as explained.
Objective: Pilot the qualification of a MS4 Output(s): <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 (June 2012)	June 2011 (June 2013)	Complete	As of this reporting period, 5 MS4s have been selected and begun the provisional application process. Of those 5, 4 have completed the provisional process and are considered full status QLPs
Objectives and Outputs	Original Start Date (Amended Start Date)	Original Completion Date (Amended Completion Date)	Complete?	Slippage Explanation/Other Comments

Objective: Develop and deliver workshops across the state Output(s): <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 (June 2013)	August 2011 (August 2013)	Yes	The timeline was adjusted by two additional years to provide the MS4s with enough time to adhere to the new MS4 permit requirements; we requested a grant extension of two years. This new timeline projects the QLP Pilot start date for June 2012 and the QLP Program to go live in June 2013.
Objective: Deliver a replicable solution to other states Output(s): <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 (September 2013) *Note: the Gathering of supporting documentation in preparation for this item is ongoing.	September 2011 (September 2013)	No	The timeline was adjusted by two additional years to provide the MS4s with enough time to adhere to the new MS4 permit requirements; we requested a grant extension of two years. This new timeline projects the QLP Pilot start date for June 2012 and the QLP Program to go live in June 2013. Gathering of supporting documentation in preparation for this item is ongoing.

Part 1 – Synopsis of Accomplishments

During this project:

- ☐ All of the project milestones for the Construction Stormwater Excellence Initiative (Tennessee's State Innovation Grant Project- 2007) have been completed with the exception of:
 - Deliver a replicable solution to other states
 This will be discussed in (2) Narrative Discussion
- ☐ TDEC finalized QLP application form
- ☐ TDEC continued coordination with the Pilot programs on their initial operations as full status QLPs
- ☐ QLPs continued issuing Notices of Coverage for land disturbances projects ranging in size and end use
- ☐ Continued refinement of QLog database based on initial QLP activity reports
- ☐ We prepared website and press release content for open enrollment for July 1, 2013
- ☐ Three surveys on QLP outreach were completed

Of the QLP Pilot Program Participants, 5 of the initial 5 successfully completed the provisional period of the QLP application process during 2013:

- ☐ Cookeville
- ☐ Washington County
- ☐ Knoxville
- ☐ Bristol
- ☐ Knox County

As the programs completed the provisional period, they were considered full status QLPs and could begin issuing QLP-based construction stormwater permits.

As the programs completed the provisional period, they were considered full status QLPs and began issuing QLP-based construction stormwater permits. These QLPs have issued Notices of Coverage for land disturbances projects ranging in size and end use.

TDEC has continued to support the Tennessee Stormwater Association (TNSA) with efforts outside the scope and funding of this grant.

TDEC delivered statewide QLP presentations since the 2013 3rd Quarter Report:

QLP Program Presentations:

11-13-13 - TNSA – Annual Conference – Robert Karesh (presentation attached)

12-04-13 - TNSA Southeast regional meeting – Jennifer Watson
 12-11-13 - TNSA Mid-TN regional meeting – Robert Karesh
 1-27-14 - HBA - Mid TN regional meeting – Robert Karesh
 3-24-14 – Tennessee Environmental conference

Additional TDEC QLP activities since the 2013 3rd Quarter Report:

TDEC QLP website updates have also occurred during this timeframe.

The website was updated to note close of Pilot period and regular web maintenance

Further, TDEC has made minor revisions to program related forms/materials (attached)

Database maintenance – compiled/QAQC'd monthly QLP inventory data submittals and maintained master database (QLog)

QLP Issued Coverages issued to date (12/16/13):

Permit coverages: 56

Average acres per coverage: 5

Activities include: commercial, residential and utilities

MS4s indicating interest:

Nashville

Cleveland

Johnson City

Farragut

Kingsport

Part 2 – Narrative Discussion

2.1 Provisional and Full Status QLPs

Of the QLP Pilot Program Participants, 5 of the initial 5 successfully completed the provisional period of the QLP application process during 2013:

<input type="checkbox"/> Cookeville	February 1, 2013
<input type="checkbox"/> Washington County	February 1, 2013
<input type="checkbox"/> Knoxville	March 1, 2013
<input type="checkbox"/> Bristol	March 15, 2013
<input type="checkbox"/> Knox County	April 1, 2013

Knox County became the fifth and final of the initial five to complete the provisional period of the QLP application process during the Second Quarter.

As the programs completed the provisional period, they were granted full status as QLPs and have been issuing QLP-based construction stormwater permits.

2.2 QLP-based construction stormwater permit tracking database

Information related to permit coverage's issued by the QLP must be submitted to TDEC utilizing a database developed specifically for the QLP program. The database, named QLog, has been revised during this reporting period to remove a few unnecessary fields. QLPs must submit the data in a specific table structure, but may submit the data in various program formats (excel, access, city-works, etc.). During the first quarter of implementation we found some formatting conflicts with these file types while adding the data to QLog. Therefore, QLog was also reformatted to better accommodate these various file types. Reformatting and refinement of the QLog system was continued during 2013 and 2014.

2.3 Final QLP awareness Survey

This survey was repeated three times. It was sent out via email with a link to an electronic online survey using two different products Survey Gizmo (2010 and March 2013)) and Qualtrics (November 2013). Reminder emails were sent multiple times and phone calls were also made to encourage completion of the survey in 2010 and the final and third survey in November 2013.

In the attached summary report, answers from respondents who participated in all three surveys are compared.

Response Rate:

First Survey January 2011

- ☐ 66 completed surveys (90 invitations sent)= **73% response rate**

Second Survey March 2013

- ☐ 16 completed surveys (83 invitations sent) = **19% response rate**
 - 9 of the 16 May 2013 respondents completed all 3 surveys.
 - 15 of the 16 May 2013 respondents completed both May and November 2013 (but 6 of those 15 did NOT complete 2010)

- 1 of the 16 May 2013 respondents only completed that one survey

Third Survey November 2013

- ☐ 63 completed surveys (85 invitations sent) = **74% response rate**

Note: Of the 63 completes from 2013, 54 or 85% are repeaters from the first survey in 2010.

Survey Conclusions:

- ☐ Overall, the respondents were neutral toward being a QLP in 2010 and 2013.
- ☐ Overall, the outreach did not have a significant impact their attitude in 2010 and 2013. There was very little change in this response. Or, possibly, as the new permit came on line and more information emerged about QLPs, the outreach program was successful in maintaining the neutral, or open minded attitude toward the program.
- ☐ In 2010, respondents reported that the impact was somewhat positive, but that decreased in 2013 by 11%. *(possible corollary: during that time period, many of the positive financial incentives that TDEC had initially considered disappeared due to the economy and the downturn in revenue for the State)*
- ☐ The attitudes of elected officials toward the QLP were influenced primarily by staff, then by the development community, and least by the TDEC outreach or by the attitudes of other elected officials. However, in MS4's where the development community became informed about the QLP being to their advantage, the development community was generally able to override staff's influence.
- ☐ Response seemed to be relatively uniform when reviewed for respondent location, size, field office jurisdiction, etc. These factors did not seem to have significant impact in the survey results.

2.4 Key Milestones

Review of the table of key project milestones for the Construction Stormwater Excellence Initiative (Tennessee's State Innovation Grant Project- 2007) will show that all have been completed with the exception of:

- Deliver a replicable solution to other states

This final report with accompanying documentation and presentations should complete that milestone.

The milestone with: "Objective: MS4's implement new permit" and "Output(s): MS4's revise their programs in accordance with new permit" won't be completed during this project. The reason that the milestone was added to the table, in agreement with the EPA, was to make up for time lost to the QLP education outreach by the issuance of the new small MS4 permit being

delayed 2 years as TDEC worked with Region 4 to craft a permit including the latest EPA thinking on Green Infrastructure and infiltration, evapotranspiration, and reuse for the majority of rainfall events. This milestone gave the project time to allow for the educational outreach of a new permit without having to conduct the QLP educational outreach concurrently. This was accomplished, but please understand that no MS4 in Tennessee has 100% completed the implementation of their new NOI.

2.5 Tennessee Stormwater Association

One of the key components to the education and outreach for input for the QLP option was the establishment of the Tennessee Stormwater Association. This was identified in the grant proposal. Support for this outreach and input is a grant activity, however, grant funding has been exhausted. The Association has been invaluable in this QLP process and will continue to be.

As provided for in this innovation grant, although funds have been exhausted, we have continued to support TNSA.

TDEC has also continued to support the establishment of the TNSA with efforts outside the scope and funding of this grant.

During this, TDEC assisted further in supporting the credibility and building good will for the QLP initiative by assisting TNSA with a setting up a new round of Green Development Grants to be administered through the Stormwater Association beyond the conclusion of this project. Request for grant proposals have been solicited beyond the conclusion of the project.

The Tennessee Stormwater Association's Conference Committee works diligently every year to coordinate an annual gathering for TNSA members and water quality professionals to come together to learn about a variety of relevant topics ranging from case studies on new best management practices to information on changes to permitting requirements. 2013 marked TNSA's first full standalone conference titled "What Are You Wadin' For" The event was held at Henry Horton State Park in Chapel Hill, TN from November 12th – 14th. 2014 marked the Association's second standalone conference. The conference included 30+ sessions on topics including regenerative stormwater practices, Qualified Local Program (QLP), An Education Panel, Macroinvertebrate sampling, stream assessment training and much more.

Part 3 – Conclusions

Based on the responses from the survey, the outreach and education that was done during the project period had little impact on the respondents. Or, possibly, the outreach prevented attitudes

from going from neutral to negative as the new permit came on the line and the QLP option became reality in Tennessee.

Early on in this project, we conferred with EPA on metrics to attempt to measure the success (or lack thereof) of our project. Quite a bit of time and effort was put into developing a survey instrument and an accompanying QAPP, a Quality Assurance Project Plan.

In the QAPP, we restated the original purpose of the project:

Under CFR 122.44(s), TDEC can formally recognize a MS4 as a Qualified Local Program (QLP) if it has been shown to meet or exceed the provisions of the construction general permit. A QLP would be an MS4 that attains a demonstrated program quality beyond that of the normal, compliant, MS4. Therefore, in a further effort to reduce siltation and improve water quality, TDEC is developing criteria and incentives for MS4s to become QLPs. The goals of this program include:

- 1. MS4s find the QLP option desirable and apply for and are accepted as QLP's, both in the initial pilot and in the wide scale rollout later. In seeking acceptance as a QLP, the MS4s take actions to meet or exceed the provisions of their construction general permit.*
- 2. The QLP option leads to greater efficiency among participants and TDEC*
- 3. Water quality protection under the QLP option is at least as good as non-QLP's under direct TDEC supervision, as demonstrated by maintenance of effective QLPs and by TDEC's ability to allocate resources away from QLP jurisdictions and related construction activities.*

We believe that we have met these goals.

QAPP procedures were followed and the approved instrument was used, but we do not believe the survey results are a true measurement of the success of this program after all.

However, there is an expression that seems to apply:

From NPR's Morning Edition, August 24, 2012:

BEN ZIMMER: Well, the proof is in the pudding is a new twist on a very old proverb. The original version is the proof of the pudding is in the eating. And what it meant was that you had to try out food in order to know whether it was good.

What we are saying here is that the proof of the QLP option development process that we went through during the Construction Storm Water Excellence Initiative 2007 EPA Grant# EI-96489108-0 project is in the pudding. With the outreach, education and input that we went through during the process, we were able to develop a product that was palatable to the end user, the MS4, and satisfied TDEC's needs as well.

The five pilot provisional QLP's successfully completed their provisional status period and became full-status Qualified Local Programs.

Some feedback from a couple of the QLP's:

From: Michael Rutherford [<mailto:MRutherford@WCTNDevelopmentServices.org>]

Sent: Thursday, June 19, 2014 9:06 AM

To: Chlarson, John

Subject: RE: QLP Management

Washington County has been a Qualified Local Program (QLP) since March 2013. It has been a very positive experience for both Washington County government and the building community.

Initially there was "negative press" and pushback from the development community because they thought the QLP was just more regulations. Once the development community began to use the QLP process, they quickly understood the value of it.

The QLP is a win-win for everyone:

1. One Stop permitting
2. Reduced fees to developer and consumer
3. Reduced review time
4. Quicker permit issuance
5. One review agency and one set of review comments
6. Provides for local control of water protection
7. Provides better flexibility in issuing permits
8. One inspection agency with local stormwater appeals board
9. Enhances Economic Development

MS4s should already be doing everything required by the QLP as part of their stormwater program. The only additional activities once a QLP is the review of the SWPPPP Report and the processing NOIs, NOCs, and NOTs. The MS4s should already be reviewing site development plans and performing inspections.

The Washington County Stormwater Program from the initial notice of the pilot QLP program saw the benefits of it to the County and the development community even if others didn't. Washington County's Stormwater Program does not want to go back to the "old" way of two separate reviewing and inspection agencies.

From Cookeville:

June 16, 2014

John Chlarson, MTAS

john.chlarson@tennessee.edu

RE: Thoughts/Comments on QLP program

Dear John:

We spoke last week and you requested that I give you some comments on the QLP program for the City of Cookeville.

We felt like if we were going to be a QLP we owed it to the citizens to provide timely permitting for CGPs. We did not want to be constantly calling TDEC for hydrologic determinations and wetland determinations, which could slow the permitting process waiting for the local TDEC office to have someone to send out. I became certified to do stream determinations through the TDEC course (I had prior experience in Jackson to add to experience here in the Cookeville area). We hosted a class for Wetland Delineations taught by instructors who also teach the USACE personnel the '87 Manual, and both my stormwater technician and I took and passed the course. We have found that being able to identify and advise developers about water resources on site has saved as much as a week per permit.

We have found that the additional work load for administering the QLP program is roughly 20% additional time spent on Stormwater Management due to the increased time spent checking SWPPPs, determining water resources on site and dealing with the Threatened and Endangered Species. This was over and above the time we already spent determining detention requirements, site design requirements and grading permit issuance. Stormwater inspections take roughly the same amount of time now as opposed to previously because we were already doing monthly inspections on each site.

Overall the experience has been a good one. We often have engineers and developers comment on their satisfaction in the permitting process, they seem to like dealing with only one permitting agency and we are providing permits in an average of two weeks – on a complete application – rather than the 4 week timetable that the Cookeville EFO provided. We have also discovered through an industrial prospect that they picked Cookeville as a prospective location for their distribution center partially because they would be permitted by the City not the State.

Sincerely,

Tracy Meggs

Tracy Meggs, P.E.

Civil Engineer – City of Cookeville

Academy Sports to bring 700 jobs to Cookeville

Lance Williams, lwilliams@tennessean.com 10:31 a.m. CDT August 8, 2014

Academy Sports + Outdoors currently operates nine stores in Tennessee, with a 10th store planned to open this fall in Memphis.

Academy Sports + Outdoors will build a new 1.6 million-square-foot distribution center in Cookeville that will ultimately create more than 700 jobs, officials announced Friday.

The sports, outdoors and lifestyle retailer will invest \$100 million to build a center on more than 200 acres in Cookeville to support continued company growth.

Academy Sports + Outdoors will start construction on the facility this month and plans to become operational in early 2016. The site is located south of Old Stewart Road along Interstate 40 on the west side of Cookeville. This will be the company's third distribution center.

According to the US Census Bureau, Cookeville has a 2010 Certified Population of 30,435. With the nearest larger city being 90 miles away, 700 new jobs and the ancillary revenues is a huge economic boon to a city like Cookeville.

Tracy Meggs was told by Academy staff that one important reason for Cookeville's selection was their QLP status.

So if the proof is in the eating of the pudding, it sounds like our process yielded an exceptional pudding. Having all the stakeholders represented at the table for 5 years as a voluntary QLP implementation process was worked out in a totally transparent matter has yielded excellent results.

The emails, newsletters, conferences and workshops, according to the surveys, may not have had the impact that we had hoped. Again, we can't be sure.

But the goal of the project was not to develop a great advertising campaign, again, it was:


- 1. MS4s find the QLP option desirable and apply for and are accepted as QLP's, both in the initial pilot and in the wide scale rollout later. In seeking acceptance as a QLP, the MS4s take actions to meet or exceed the provisions of their construction general permit.*
- 2. The QLP option leads to greater efficiency among participants and TDEC*
- 3. Water quality protection under the QLP option is at least as good as non-QLP's under direct TDEC supervision, as demonstrated by maintenance of effective QLPs and by TDEC's ability to allocate resources away from QLP jurisdictions and related construction activities.*

Therefore, we feel like the successful final product is Tennessee's process for screening applicants, bringing the MS4 online through a provisional period to becoming a QLP, and the defined working relationship established for TDEC and the QLP's for an ongoing basis. All the supporting processes, procedures, guidance, databases, forms and documents that make the QLP option such a success in Tennessee were developed during this project.


Tennessee currently leads the nation in voluntary participation when it comes to the QLP National Pollutant Discharge Elimination System permit option. We believe this to be the true measure for the success of this program.

Appendix “A”

TDEC QLP Website	16
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TDEC Permit Tracking Website	18



Department of Environment & Conservation
Be a Part of the Solution




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 Part 8.6's Web Site

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Storm Water Permitting



Introduction to the Tennessee Qualifying Local Program (QLP)

The Phase II stormwater regulations include provisions allowing for streamlining and coordination among programs at the state and local levels. This is true for the regulation of construction site runoff. The qualifying local program provision for the management and oversight of stormwater runoff from construction activities allows for this streamlining. Under this provision, the State of Tennessee, which has been delegated NPDES authority, can formally recognize a municipal program that meets or exceeds the provisions of its own construction general permit. When this occurs, a permittee, responsible for a project within the jurisdiction of a recognized municipality, would follow that municipality's requirements for stormwater management.

Per CFR 122.44(b), the Division of Water Resources can formally recognize a regulated Municipal Separate Storm Sewer System (MS4) as a QLP that has been shown to meet or exceed the provisions of the General NPDES Permit for Discharge of Stormwater Associated with Construction Activities (CGP). If a construction site has submitted a program specific Notice of Intent (NOI) to a participating QLP, and has obtained a Notice of Coverage (NOC), the operator of the construction activity is authorized to discharge under the CGP without the submittal of an NOI, Stormwater Pollution Prevention Plan (SWPPP), or related permit fee to the division.

The Tennessee QLP program was developed through a grant-funded stakeholder driven process, with the intent of creating an effective program that incentivizes participation. Resultant incentives include streamlined QLP minimum requirements, a standardized interagency enforcement protocol, and recognition of QLP status as an alternative measurement of MS4 permit effectiveness. Obtaining QLP status is optional, but all regulated (MS4) are encouraged to consider participation.

Benefits of the QLP program include:

- A more streamlined and efficient process for managing construction stormwater by eliminating permit and review duplication at the local and state levels;
- Minimizing additional effort at the state level for construction site operators by providing only one set of requirements to follow; and
- A more effective construction stormwater program resulting in greater water quality protection.

Current QLP Participants and Contact Information:

QLP	Stormwater Mgr.	Email Address
Bristol	Tim Eubanks, P.E.	Teubanks@bristoltn.org
Cookeville	Tracy Meggs, P.E.	tmeggs@cookeville-tn.org
Knox County	Chris Grajs, P.E.	chris.grajs@knoxcounty.org
Knoxville	David Hagerman, P.E.	dhagerman@cityofknoxville.org
Washington Co.	Mike Rutherford	mrutherford@wcdnewspaperservice.org

QLP Minimum Requirements

Regulated MS4s must implement and maintain a construction site stormwater runoff control program that addresses stormwater runoff from construction activities as identified in sub-section 6.2.4 of the MS4 general permit. In addition, a QLP program must also include the following:

- Requirements for construction site operators to prepare and submit an NOI, and related comprehensive SWPPP, as identified in Section 2 (SWPPP Requirements) of the CGP;
- Specific procedures for SWPPP review, approval and NOC issuance;
- Requirements for construction site operators to perform inspections as identified in sub-section 3.3.6, and site assessments as identified in sub-section 3.3.3, of the CGP;
- A system for reporting to the division, information related to construction sites authorized by the QLP.

Application for QLP Status


An MS4 seeking QLP status may notify the division at any time, utilizing the application form below. In addition to administrative information, the applicant will be asked to provide copies of their construction stormwater ordinances, site plan review and approval procedures, project inventory and tracking procedures, and enforcement response plan.

QUALIFYING LOCAL PROGRAM APPLICATION	DOWNLOAD
QLP Application (CN-1376)	PDF

We would like to formally thank the following stakeholders for their participation and valuable contributions to the development of the Tennessee QLP program:

Knox County, Shelby County, City of Farragut, City of Franklin, City of Nashville, City of Knoxville, City of Chattanooga, City of Memphis, City of Bartlett, City of Jackson, City of Johnson City, Hamilton County, Bradley County, City of Elizabethton, City of Kingsport, City of Brownwood, City of Cleveland, Ft. Campbell, TN Department of Transportation, UT Municipal Technical Advisory Service, Associated General Contractors, Home Builders Association of TN, Road Builders Association, TN Society of Professional Engineers, TN Municipal League, American Public Works Association, TN Chamber of Commerce, UT Water Resources Research Center, TNK, Harpeth River Watershed Association, Cumberland River Compact, and Jesse Scott, with the Town of Farragut for designing the QLP program logo.

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 312 Rosa L. Parks Ave | William R. Snodgrass Tennessee Tower | Nashville, TN 37243 | (606) 694-TDEC (8332) | info@dec.state.tn.us



Tennessee State Parks

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TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Water Pollution Control
6th Floor Annex, L&C Tower, 401 Church Street, Nashville, Tennessee 37243
1-888-891-8332 (TDEC)



QUALIFYING LOCAL PROGRAM (QLP) APPLICATION

Purpose: The purpose of this Application is for a Tennessee Municipal Separate Storm Sewer System (MS4) to apply for status as a Qualifying Local Program (QLP), as described in Section 4.3 of the General NPDES Permit for Stormwater Discharges from MS4s: [TNS000000](#).

Instructions: You must provide the following information to the division as application material. You may submit either by hard copy or electronically; electronically is preferred. If submitting a hard copy, the original, which has been signed in accordance with the sub-part 6.7 of the MS4 permit, along with a copy, must be mailed to the address shown in sub-part 1.2 of the MS4 permit for the Environmental Field Office responsible for the county where the MS4 is located. Please flag the portions of the Ordinances that are directly relevant to this QLP application.

If submitting electronically, email the application and attachments as searchable documents to storm.waten@tn.gov. In addition, send an original, hard copy letter signed by the responsible official of the MS4, which makes reference to the e-mail transmission including date and time that the electronic submitted was made. The letter must contain the signatory statement found on this form and mailed to the Nashville Central Office address listed above.

PART I - ADMINISTRATIVE INFORMATION

Name of MS4	Permit Number	
Name of Contact Person	Email Address	
()		
Telephone (including area code)		
Mailing Address		
City	State	ZIP code

PART II - ATTACHMENT CHECKLIST

This application must include the following as attachments:

Construction stormwater ordinance or regulatory mechanism, including civil penalties and procedures for violations (per TCA 68-221-1106)	<input type="checkbox"/>	Construction site compliance inspection and documentation procedures	<input type="checkbox"/>
SWPPP/EPSC plan review and approval procedures	<input type="checkbox"/>	Enforcement Response Plan	<input type="checkbox"/>
Construction site tracking and inventory procedures	<input type="checkbox"/>	Public Information/Public Input Process	<input type="checkbox"/>
Copies of Level I & II Certifications for appropriate staff	<input type="checkbox"/>		

PART III - SIGNATURE OF RESPONSIBLE CORPORATE OFFICER

This application must be signed by either a principal executive officer or ranking elected official.

"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 qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, 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 fine and imprisonment for knowing violations."

Signature	Title/Municipality	Date
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[←](#)
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http://environment-online.state.tn.us:7654/pls/enf_j
[Page 34001 - WPC Permits i...](#)

[Storm Water Permitting | Tenn...](#)

GOVERNOR
Bill Haslam
 Visit Bill's Web Site

Department of Environment & Conservation
 Robert Martineau, Commissioner

WPC Permits in TN Exceptional TN Waters WPC Permit Appeals WPC Complaints WPC Inspections Oil and Gas

Search Guidance

- Example search for CONSTRUCTION permits in Wilson and Rutherford counties
- Example search for TVA facility in Roane County
- Example search for a permit number
- Example search for CAFO facilities in the Jackson EFO area
- Example search for individual ARAPs issued in the last 30 days

WPC Permits in Tennessee
 Last Data Refresh was Oct-21-2014 02:15PM

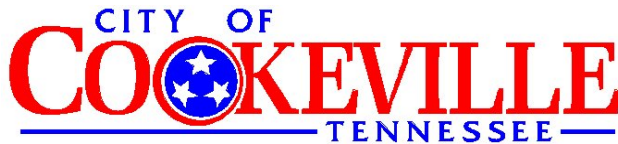
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Permit No	Site Name	Permittee Name	Type	Status	Rating	City	County	EFO Name	MS4	Issuance	Expiration	Effective	Discharge Code
TNR140280	CGW Interconnect Pipeline Project - 24.0 miles of Natural Gas Pipeline at Unnamed Trib to Spring Creek	Clarksville Gas and Water Department	CGP	Incomplete	N/A	Clarksville	Montgomery	Nashville	TNS075621	-	-	-	-
NRS14.144	Brick Church Park WPS and Water Main Design - Construct Water Pumping Station and Access Drive at Existing Artesian Well	Metro Water Services	ARAP	Inactive	N/A	Nashville	Davidson	Nashville	-	-	-	-	-
NROG14.01	ENREMA	ENREMA	ARAP	Active	Minor	Allardt	Fentress	Cookeville	-	-	-	-	-
NRS14.087	Project #33057-1221-04 PIN #101431.00 FED #STP-320 (4) SR 320 East of Brainerd Road Reconstruct from East of Graysville Road to East of Bell-Air Road at Lower South Chickamauga	Tennessee Department of Transportation (TDOT)	ARAP	Complete	N/A	Chattanooga	Hamilton	Chattanooga	-	-	-	-	-
NR1404.148	Charlie Tummins Property	Charlie Tummins	ARAP	Inactive	N/A	McEwen	Humphreys	Nashville	-	-	-	-	-
NRS14.171	Charlie Tummins Property	Charlie Tummins	ARAP	Complete	N/A	McEwen	Humphreys	Nashville	-	-	-	-	-
NR1404.150	Olsen Property	Alison Olsen	ARAP	Inactive	N/A	Goodlettsville	Sumner	Nashville	-	-	-	-	-
NR1404.149	Olsen Property	Alison Olsen	ARAP	Inactive	N/A	Goodlettsville	Sumner	Nashville	-	-	-	-	-
TNR058880	Detailed Under Pressure, LLC	Detailed Under Pressure, LLC	TMSP	Incomplete	N/A	Chattanooga	Hamilton	Chattanooga	-	-	-	-	-
TNR153947	River City Church	River City Church	CGP	Incomplete	N/A	-	Shelby	Memphis	TNS075698	-	-	-	-
NRS14.089	Columbia Gulf Transmission Main Line 100 and 200 Pipelines Unnamed Trins to Baker Branch	Columbia Gulf Transmission LLC	ARAP	Inactive	N/A	Nixon	Hardin	Jackson	-	-	-	-	-
NRS14.074	MetroCenter Multi Family Apartments	The Residential Group LLC	ARAP	Incomplete	N/A	Nashville	Davidson	Nashville	TNS068047	-	-	-	-
NRS14.111	Union Grove Baptist Church	Martins Trucking Bobcat	ARAP	Inactive	N/A	Decatur	Meigs	Chattanooga	-	-	-	-	-
NR1404.123	Fawn Crossing - Temporary Bridge (Culverts) for Haul Road and Revise Bridge Span on Hamlet Hill Drive at Savane Branch	Normandy II General Partnership	ARAP	Withdrawn	N/A	Antioch	Davidson	Nashville	TNS068047	-	-	-	-
NRS14.112	Fawn Crossing - Temporary Bridge (Culverts) for Haul Road and Revise Bridge Span on Hamlet Hill Drive at Savane Branch	Normandy II General Partnership	ARAP	Withdrawn	N/A	Antioch	Davidson	Nashville	TNS068047	-	-	-	-

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Appendix “B”

<u>Cookeville QLP letter with thoughts/comments on the program</u>	20
<u>Washington County QLP email with thoughts/comments on the program</u>	21
<u>Nashville Tennessean Academy Sports to bring 700 jobs to Cookeville</u>	22



**Department of
Public Works & Engineering**

**P.O. Box 998 - 1115 East Spring Street
Cookeville, TN 38501
Phone: 931-520-5249
Fax: 931-520-0629**

June 16, 2014

John Chlarson
MTAS
John.chlarson@tennessee.edu

RE: Thoughts/Comments on QLP program

Dear John:

We spoke last week and you requested that I give you some comments on the QLP program for the City of Cookeville.

We felt like if we were going to be a QLP we owed it to the citizens to provide timely permitting for CGPs. We did not want to be constantly calling TDEC for hydrologic determinations and wetland determinations, which could slow the permitting process waiting for the local TDEC office to have someone to send out. I became certified to do stream determinations through the TDEC course (I had prior experience in Jackson to add to experience here in the Cookeville area). We hosted a class for Wetland Delineations taught by instructors who also teach the USACE personnel the '87 Manual, and both my stormwater technician and I took and passed the course. We have found that being able to identify and advise developers about water resources on site has saved as much as a week per permit.

We have found that the additional work load for administering the QLP program is roughly 20% additional time spent on Stormwater Management due to the increased time spent checking SWPPPs, determining water resources on site and dealing with the Threatened and Endangered Species. This was over and above the time we already spent determining detention requirements, site design requirements and grading permit issuance. Stormwater inspections take roughly the same amount of time now as opposed to previously because we were already doing monthly inspections on each site.

Overall the experience has been a good one. We often have engineers and developers comment on their satisfaction in the permitting process, they seem to like dealing with only one permitting agency and we are providing permits in an average of two weeks – on a complete application – rather than the 4 week timetable that the Cookeville EFO provided. We have also discovered through an industrial prospect that they picked Cookeville as a prospective location for their distribution center partially because they would be permitted by the City not the State.

Sincerely,

Tracy Meggs

Tracy Meggs, P.E.
Civil Engineer – City of Cookeville

From: Michael Rutherford [<mailto:MRutherford@WCTNDevelopmentServices.org>]
Sent: Thursday, June 19, 2014 9:06 AM
To: Chlarson, John
Subject: RE: QLP Management

Washington County has been a Qualified Local Program (QLP) since March 2013. It has been a very positive experience for both Washington County government and the building community.

Initially there was “negative press” and pushback from the development community because they thought the QLP was just more regulations. Once the development community began to use the QLP process, they quickly understood the value of it.

The QLP is a win-win for everyone:

10. One Stop permitting
11. Reduced fees to developer and consumer
12. Reduced review time
13. Quicker permit issuance
14. One review agency and one set of review comments
15. Provides for local control of water protection
16. Provides better flexibility in issuing permits
17. One inspection agency with local stormwater appeals board
18. Enhances Economic Development

MS4s should already be doing everything required by the QLP as part of their stormwater program. The only additional activities once a QLP is the review of the SWPPPP Report and the processing NOIs, NOCs, and NOTs. The MS4s should already be reviewing site development plans and performing inspections.

The Washington County Stormwater Program from the initial notice of the pilot QLP program saw the benefits of it to the County and the development community even if others didn't. Washington County's Stormwater Program does not want to go back to the “old” way of two separate reviewing and inspection agencies.

I. Academy Sports to bring 700 jobs to Cookeville

Lance Williams, lwilliams@tennessean.com 10:31 a.m. CDT August 8, 2014



Academy Sports + Outdoors currently operates nine stores in Tennessee, with a 10th store planned to open this fall in Memphis. (Photo: Submitted)

Academy Sports + Outdoors will build a new 1.6 million-square-foot distribution center in Cookeville that will ultimately create more than 700 jobs, officials announced Friday.

The sports, outdoors and lifestyle retailer will invest \$100 million to build a center on more than 200 acres in Cookeville to support continued company growth.

Academy Sports + Outdoors will start construction on the facility this month and plans to become operational in early 2016. The site is located south of Old Stewart Road along Interstate 40 on the west side of Cookeville. This will be the company's third distribution center.

"We've been an active member of the Tennessee community for over 15 years through our stores, and we're looking forward to furthering our commitment to the state and local communities through the addition of our new distribution center," Academy Sports + Outdoors CEO and President Rodney Faldyn said in a statement.

Academy Sports + Outdoors currently operates nine stores in Tennessee, with a 10th store planned to open this fall in Memphis. The company is headquartered in Katy, Texas, with a distribution facility there as well as a second distribution center in Jeffersonville, Ga.

Tennessee Economic and Community Development Commissioner Bill Hagerty said the state has several advantages that led to the decision.

“Tennessee’s strength in transportation and logistics paired with its ideal central location make our state a standout choice for companies that deliver quality products to their customers each and every day,” Hagerty said.

The company will begin initial hiring in fall 2015. Individuals interested in careers can visit www.academy.com/careers to apply for available positions.

Appendix “C”

[Qualified Local Program \(QLP\) Option of the Stormwater Construction General Permit:](#)

[A Survey of Attitudes about the Program from 2010 and 2013](#) 25

Qualified Local Program (QLP) Option of the Stormwater Construction General Permit: A Survey of Attitudes about the Program from 2010 and 2013

Overview

This survey was repeated three times. It was sent out via email with a link to an electronic online survey using two different products Survey Gizmo (2010 and March 2013)) and Qualtrics (November 2013). Reminder emails were sent multiple times and phone calls were also made to encourage completion of the survey in 2010 and the final and third survey in November 2013.

In this summary report, answers from respondents who participated in all three surveys are compared.

Response Rate

First Survey January 2011

- ☐ 66 completed surveys (90 invitations sent)= **73% response rate**

Second Survey March 2013

- ☐ 16 completed surveys (83 invitations sent) = **19% response rate**
- 9 of the 16 May 2013 respondents completed all 3 surveys.
 - 15 of the 16 May 2013 respondents completed both May and November 2013 (but 6 of those 15 did NOT complete 2010)
 - 1 of the 16 May 2013 respondents only completed that one survey

Third Survey November 2013

- ☐ 63 completed surveys (85 invitations sent) = **74% response rate**

Note: Of the 63 completes from 2013, 54 or 85% are repeaters from the first survey in 2010.

Question Consistency

The following questions were NOT asked in the first or second surveys but were added to the November 2013 survey:

- #6 Are there any other factors that influenced their attitudes? (follow up on #5)
- #9 Please list the negative or positive impacts (if any) that you think the QLP option would have on your administration of the construction portion of your MS4 permit
- #15 How many complaints related to construction stormwater activities did you receive and track during the following fiscal years

Comparison of Responses to All Three Surveys

1. How would you rate your attitude toward being a Qualified Local Program (QLP)?

1-Negative 2 3 4-Neutral 5 6 7-Positive

Overall, the respondents were neutral toward being a QLP in 2010 and 2013.

2010 = 4.46

2013 (May) = 4.63

2013 (Nov.) = 4.28

Percent change from 2010 to Nov. 2013 = - 4%

2. Did the outreach of the TDEC/EPA QLP Construction Initiative Process impact your attitude?

1- Yes 2-No

Overall, the outreach did not have a significant impact their attitude in 2010 and 2013. There was very little change in this response.

2010 = 1.55

2013 (May) = 1.38

2013 (Nov.) = 1.56

Percent change from 2010 to Nov. 2013 = 1%

3. Was the impact:

1-Negative 2 3 4-Neutral 5 6 7-Positive

In 2010, respondents reported that the impact was somewhat positive, but that decreased in 2013 by 11%.

2010 = 5.09

2013 (May) = 4.8

2013 (Nov.) Average response for "repeaters" from 2010 = 4.55

Percent change from 2010 to Nov. 2013 = - 11%

4. How would you rate your mayor (for cities) or county executive's attitudes toward being a Qualified Local Program?

1-Negative 2 3 4-Neutral 5 6 7-Positive

2010 = 4.35

2013 (May) = 4.57

2013 (Nov.) = 3.71

Percent change from 2010 to Nov. 2013= - 15%

5. Their attitude was influenced by:

1-No Influence 2 3 4 5-Large Influence

Influencing Factor	2010	2013 (May)	2013 (Nov.)	% Change from 2010 to Nov. 2013
Staff	2.90	3.5	2.79	- 4%
Development Community	2.37	2.93	2.15	- 9%
Outreach of the TDEC/EPA QLP Construction Initiative process	1.82	2.08	1.76	- 3%
Attitude or response by other mayors or county executives	1.89	1.85	1.93	- 2%

6. Are there any other factors that influenced their attitudes?

★This question was not included in the 2010 survey.

We received the following 3 responses in May 2013:

- 1) *Staff argued against QLP program but State Representative Ryan Williams changed the mind of the City Manager and we are now a QLP.*
- 2) *The County mayor has not expressed an opinion.*
- 3) *Overall, the issue impacting our attitude toward participating had to do with certain current (unchangeable) permit tracking processes and the inability to reconcile those processes with the needs/requirements/conditions of participating in the QLP program*

We received 26 responses in November 2013. Three (3) of these responses were "No (no other factors)." The remaining 23 responses were the following:

1. *N/A*
2. *How our City could be responsible for runoff coming from outside their jurisdiction. How the City is permitted and the Counties coming into the City are not permitted.*
3. *We do not have enough development at this time to make it a pertinent issue.*

4. *It is not on his radar since we are working on building a solid program now. Not ready for QLP. Need a foundation first, then we would be open and have more detailed discussion with political leaders*
5. *Lack of Knowledge*
6. *Would require extra personnel and increased budget.*
7. *The main focus is to keep staff and costs at a minimum*
8. *Not sure that our department is ready for this*
9. *State Representative*
10. *My Mayor does not know a lot about the program yet.*
11. *Response/feedback from Pilot QLP Programs*
12. *Personal experience as a contractor in other states*
13. *The municipal mayor is a contractor who is not in favor of increased government regulation. His opinion is not swayed by the fact that being a QLP results in less involvement since there is only one permit required. The county mayor is middle of the road on the issue.*
14. *TDEC Staff's negative attitude towards our local program.*
15. *N/A, Didn't make it to that level. Determined to be undesirable on staff/administrative level.*
16. *Dislike of the Stormwater program altogether*
17. *I put no influence the first and last criteria because I am not aware if the Mayor has discussed with those groups.*
18. *Conservative approach in hiring people, Wants a lean government with little oversight*
19. *We do not have the manpower to be a QLP program*
20. *I do not believe there was any outreach to the county mayor. Staff attends NE SWA quarterly meetings, attends annual TDEC level 1 and 2 recertification training and reads the TDEC newsletters, but there has not been any other outreach to county officials from TDEC or MTAS that I was aware of. I am most familiar with the QLP initiative by listening to Washington County staff discuss it.*
21. *Increased responsibility of MS4 would add to cost of funding compliant MS4 program.*
22. *Potential cost and additional review and approval time.*
23. *The political environment over the last year or so has been toxic and the QLP was used as a pawn in the game. The Mayor was being negatively influenced by people who don't like any regulations.*

-
7. Did any of the Incentives for Qualified Local Programs developed during the outreach of the TDEC/EPA QLP Construction Initiative Process positively impact the attitudes of you and your elected officials?

In 2010, respondents primarily provided comments. We received the following 24 responses:

1. *The QLP program has not been discussed with the Mayor or City executives.*
2. *The QLP program will not be recommended by Staff at this time.*
3. *They don't see how it would benefit the city.*

4. *The delays with the new MS4 permit and burden of the permit requirements will add additional responsibilities to the MS4. The requirements for becoming a QLP and the process should be simplified, to get County officials to accept the QLP Program it will have to be done without additional budget increases and personal. The funds are not available the State and EPA will have to understand that this will be the biggest issue. The QLP Program would have been better accepted if it would have been part of the first MS4 permit.*
5. *We have had almost no outreach or education concerning this program.*
6. *Current relationship (or lack thereof) with TDEC. Presently there is a strong feeling that it is not well defined and falls back on prosecutorial actions despite best effort and willingness to comply.*
7. *None.*
8. *I don't think that our mayor or city manager has an opinion on the QLP. As far as I know, they are not sufficiently aware of the issues to have an opinion. From this standpoint, I think mayor/city manager would adopt staff recommendations.*
9. *Our mayor is genuinely environmentally conscious.*
10. *I think generally our jurisdiction is looking to become more efficient and looking for way to work with development, while protecting the environment.*
11. *No*
12. *Bluff City has been without a mayor, vice mayor, and attorney for many months.*
13. *I am not sure how aware they are of QLP.*
14. *New mayor is sensitive to environmental and other stormwater issues, and wants to keep a high standard for compliance, whether managed by State or locally.*
15. *To my knowledge, elected officials are not aware of the program. The City has only heard that a QLP program is being developed and has not been involved in helping develop the program or been told of how the program is coming together and all what it involves. The City has only been told that a program's being developed with the goal of reducing the amount of times a contractor needs to obtain permitting and that the City will handle the permitting once so the contractor won't have to go through the State for the same thing.*
16. *No*
17. *We haven't really looked too closely at being a QLP at this time as a staff and hence have not discussed it with the Mayor yet although based on the pending experience that Knox County has with the process we may be swayed one way or the other to pursue this route.*
18. *I am not aware of any.*
19. *Personal Opinion*
20. *Staff did not bring this issue to the attention of the Board of Commissioners. The program was not laid out well and we were not interested in being the first QLP.*
21. *The topic has not been presented to the mayor or council because it would require more staffing for the Storm Water Management program, which they have only staffed with two members since its inception. Financially, times are very tough now and for the past two years, hence a hiring freeze has been in-place for the last year. Hiring more SWM staff is not going to happen, especially when TDEC is already doing the work.*

22. *Unknown*

23. *Strive to be the best possible community and stay in the most current guidelines handed down from EPA to state to local*

24. *I'm not aware our administration has been contacted about being a QLP.*

7. In May and November 2013, we only allowed a Yes or No response.

1- Yes 2-No

☐ May 2013, the average of the 14 responses received is 1.64.

☐ November 2013, the average of all 53 responses is 1.69.

7a. Which of the incentives?

We received the following 11 responses in 2010:

1. *Stream Sampling to be done by TDEC*
2. *It gives us more teeth to talk to contractors and elected officials.*
3. *Enforcement partnering with TDEC*
4. *QLP status considered equivalent to program effectiveness monitoring*
5. *I think I understand that the state CGP fee would not be applied. That's an incentive primarily for the developer/contractor, but a little for the MS4 as a promotional benefit toward developers for doing business in its jurisdiction. Other than the fee reduction, I only remember some benefit ideas, nothing certain.*
6. *Financial*
7. *Monetary*
8. *Anything that helped fund our program a little more. (i.e. cut of permit fees.) Our program does not have a dedicated utility or source of income beyond what is appropriated by the general fund so any additional income is significant. Also having full oversight of permitting would allow a more unified approach to enforcement and would likely remove the whole "the State said" thing, we would know in house for certain where development stands in compliance/non-compliance.*
9. *Fee Reduction and share in enforcement penalties*
10. *Sole jurisdiction over permits while still having access to enforcement support from TDEC - huge deal, very important.*
11. *Streamlining removing TDEC from review process*

We received the following 4 responses from May 2013:

- 1) *Reducing the permitting requirement for development community*
- 2) *Making City the authority for the Construction Stormwater Program*
- 3) *The SQSH stream sampling waiver provided some tangible incentive*
- 4) *Shared enforcement Fees*

We received the following 16 responses from November 2013:

1. *All were positive incentives*
2. *All*
3. *No more dual permitting*
4. *Shared enforcement.*
5. *Retention of fees.*
6. *No state CGP fee to pay.*
7. *Can't say I was told of any incentives to the City to be a QLP except to remove TDEC from the process to a large degree. What are the incentives being offered?*
8. *None.*
9. *I think more streamline permitting is a great idea*
10. *Streamlined permitting processes.*
11. *Incentives were overshadowed by perceived level of regulatory increase by TDEC on the municipal end and decrease on the construction enforcement end.*
12. *Lower fees for the permit and faster turnaround time for the developer.*
13. *N/A*
14. *A more streamlined, efficient method of conducting business.*
15. *I was not part of this so i can't comment*
16. *No fee to TDEC was huge. The flexibility to run program as best works for QLP within the regulations also key. The reduced time to review and issues permits also a factor.*

8. How do you think being a Qualified Local Program would impact your ability to administer the construction portion of your MS4 Permit?

1-Negative 2 3 4-Neutral 5 6 7-Positive

2010 = 4.29

2013 (May) = 4.31

2013 (Nov.) = 4.42

Percent change from 2010 to Nov. 2013 = 3%

9. Please list the negative or positive impacts (if any) that you think the QLP option would have on your administration of the construction portion of your MS4 Permit:

★This question was not included in the 2010 survey.

We received the following 9 responses from May 2013:

- 1) *Additional engineering costs to the City*
- 2) *Not having enough guidance on some of the portions of implementing the program. Not feeling that local EFO had our backs, but rather wanted to treat us as if we had never done any inspections*
- 3) *It will require more staff*

- 4) *One stop shop for development community and City staff is very appealing*
- 5) *More staff work*
- 6) *We do not have the staff to administer. It only benefits a larger city with designated MS4 Staff*
- 7) *A generally better working relationship with contractors and developers when it is on the local level*
- 8) *Meeting the paperwork and systematic requirements of participation would increase workload to some degree*
- 9) *Eliminate duplication*

We received the following 35 responses from November 2013:

1. *Add additional responsibilities and costs, including staff and/or contract services costs.*
2. *To be honest I don't see the benefits or recognize incentives for being a QLP other than speeding up the process for the developer. It appears that it will put the ms4 under even more scrutiny and will generate even more documentation and coordination with TDEC.*
3. *More direct action*
4. *The only negative I can foresee would be having a second set of eyes or ability to deal with local contractors who are causing minor issues. While most are in agreement on gross issues, minor issues sometimes try to get swept away.*
5. *No more dual permitting*
6. *I think this aspect would add more paper work.*
7. *Would give us quicker turn around to approve projects and allow developers to proceed.*
8. *It would make the permitting process for small sites simpler.*
9. *Increase administrative workload and reduce available time to perform required inspections and stream assessments.*
10. *Feel it would lessen our ability to do enforcement. Many developers feel they can get around local requirements by moving up the chain of command. With permititng coming through the state, there is always the feel of "enforcement" by an entity with more power than the local government.*
11. *Provides a single consistent permit, inspection, and enforcement program that reduces conflict and confusion that is inherent with a duplicate system.*
12. *It would cut down the periodic sites that must be held up until TDEC completes their NOC.*
13. *We don't have any staff just for Storm Water and it would not be possible with existing staffing levels.*
14. *The increased costs, permitting tracking, issueing and checking make it negative*
15. *we would have to send it out and pay to have it reviewed for compliance and calculation*
16. *Who would be responsible for stream determinations?*
17. *Has made the developers and contactors happy.*
18. *It would take more time for me to review and issue permits.*
19. *We rely on the State for an additional layer of enforcement, which in our opinion is a positive.*
20. *I need additional staff & equipment so I am not sure what impact it will have*

21. *Positive Impacts include a streamline approach to the permitting process. Negative Impacts include added political pressure on the MS4 when dealing with controversial developments/projects/construction sites.*
22. *The development community would only have to deal with one permit issuing agency-- positive*
23. *It is easier to deal with your local area and developers when the state office is not giving the developer conflicting information / contrary to the local administrator's guidance.*
24. *Additional permit revenues could go towards projects. Simplification of permit application process for developers is likely the #1 motivating incentive.*
25. *Help the development community save dollars and perhaps help development in our location*
26. *Quicker turnaround on permits.*
27. *Less paperwork and quicker turnaround time.*
28. *I think it would slow down my process. I'm the only employee working in the department. I feel more comfortable knowing that another set of eyes reviewed the plans before approving the application.*
29. *I do not have the staff resources to implement a lot of the higher standards, but would weigh this more closely if the local government were waived the annual TDEC permit fee and if the local governments could charge local grading permits without the state also collecting permits. I do not believe in double permitting/fee charge to the customer/developer. I also do not understand why the county has to pay the state to regulate the county. These things must change before local governments sign on to more regulations. I believe the state should continue with monitoring the waters of the state from an environmental and biological point of view as they have trained biologists on staff. I believe building inspectors at the local level should continue to oversee best management practices and erosion control measures on the job site, as local inspectors have the knowledge and skill to do so. To mix these disciplines does not work. Most local governments do not have biologists on staff. Regulating land use, building codes, site inspections and flood control is what we do best. Discerning the health of a stream is what TDEC does best. I have yet to understand fully the actual benefits of becoming a QLP other than "bragging" rights. I mean no disrespect and I believe in the Clean Water Act and the NPDES principals, but county government is not set up to do water testing and so forth. If the county can charge and keep a grading permit fee in order to contract out water testing and monitoring services, then TDEC should not be collecting a fee from the developer as well. Something has to give. Has anything changed on this matter?*
30. *Increased paper work and time. More streamlined process for development community in obtaining proper permits.*
31. *Additional responsibilities of issuing grading permits would require more staff time that would detract from existing, more important responsibilities, thus leave those other responsibilities less attended or add a staff member. Adding a staff member is simply not an alternative in this day's poor economic circumstances. Plus, the local MS4 would not necessarily have the implied support of TDEC if it is the sole issuer of the grading permit.*

32. *The ability to control information related to the permitting process. A negative aspect would be the political leverage that local, smaller developers sometimes use to affect enforcement.*
33. *It would make it easier on the development community.*
34. *This would be more difficult as our inspectors are in a different department than the people that administer the permit.*
35. *Being a QLP has really given the County greater control and also more flexibility for the County and the development community with road frontage lots (no public improvements required) being created through the subdivision process.*

10. How would you rate your ability to deal with problem/repeat construction offenders?

1-Poor 2 3 4 5 6 7-Excellent

2010 = 4.76

2013 (May) = 4.75

2013 (Nov.) = 4.93

Percent change from 2010 to Nov. 2013 = 4%

10a. Briefly, please explain your answer.

We received the following 39 responses from 2010:

- 1) *The City leadership wants the staff to be developer friendly*
- 2) *Recently, due to new administration, developers that whine enough tend to get their way, no matter what staff does*
- 3) *Have backing of the Mayor and Board*
- 4) *Many of the problem developers I encountered early in the MS4 program were only doing what they had always done in the past and were unaware of TDEC permits. With education this improved. Many of the current problems are a result of the economy and some developers are facing bankruptcy*
- 5) *We have measures in place that address any and all potential problems that are discussed in preconstruction meeting with each contractor. We also have measures in place that address stormwater issues on the preplanning side of projects*
- 6) *I have developed a set policy and procedure for dealing with problem/repeat offenders that seems to be working well. It is my intention to continue this policy and make changes as necessary to fit new situations*
- 7) *EXPERIENCE IS A GREAT FORM OF INSTRUCTION*
- 8) *We have had streams 'de-listed' from the 303D list. We have few issues with non-compliance or even resistance. Our implementation strategies and policies are very effective and easily understood by all. Our policies encourage a productive and cordial TRUST relationship with the development community. we have little or no need to create paperwork in the form of 'violations' because our policies provide that noncompliance far more costly than the friendly optio*

- 9) Basically, policies at our MS4 set up prior to the initiation of the Phase 2 MS4 program, make it difficult for MS4 staff to formalize a repeat-offender policy
- 10) We try to handle the small issues so TDEC doesn't have to
- 11) We have various enforcement measures available to us (NOVs, SWOs, environmental court, revoking grading permits, calling bonds, etc.). Our main problem as with most jurisdictions is the resource sink that the certain small percentage of problem enforcement cases present
- 12) We now have in place the authority to levy heavy fines
- 13) We have really only had two repeat offenders and one has gone out of business and the other is only developing in the county now because of our stop work orders
- 14) We would not anticipate any problems
- 15) Bluff City has only had a Stormwater Coordinator for 2 years. Construction has been limited to the same 4 sites during this time. No new construction has been started. There are repeat offenders, but they are reasonable dealt with within the parameters of what they can do (i.e. bankruptcy, etc.)
- 16) We use the administrative hearing process to levy fees and fines up to 5K per day.
- 17) One of our problem offenders ignores TDEC and has the state's lawyers locked up in suits
- 18) We deal with enforcement issues every day and have the staff and expertise to handle this
- 19) We have an enforcement protocol (ERP) that relies heavily on civil penalties; some repeat offenders will pay civil penalties and continue to violate. We have had good results with STOP WORK orders
- 20) We have a surety that is posted before construction is allowed to begin. This is a Letter of Credit or cashier's check. Thus, we have developer monies available to correct issue they are negligent on
- 21) Assuming the program would increase the City's authority, if you will, then the State would be more supportive of our enforcements
- 22) TDEC has usually assisted in enforcement problems
- 23) Problem developers almost always go to the politicians trying to get regs changed or the enforcer fired rather than fix the problem
- 24) Depends on who the problem/repeat construction offender is
- 25) For the most part we are able to bring the majority of violators and repeat violators into compliance. In our abandoned sites we have been able to (about 80%+ of the time) cash Erosion Control LOCs and contract the stabilization of those
- 26) We currently issue stop work orders
- 27) Our tool we use the most is a Stop Work Order. So as long as work is going on it is effective
- 28) We have had few violations
- 29) Would have to have city backing to properly enforce violators
- 30) Not enough staff or time to deal with repeat offenders. This is where the authority from the state needs to step in with tougher consequences
- 31) Elected officials are not as supportive as we would desire. This results in a lot extra hand holding

- 32) *I have not had many repeat offenders. I have used stop work orders that seem to be effective*
- 33) *We are willing to prosecute as needed*
- 34) *The only limiting factor we have is the economy. It does cost money to properly implement BMP's. Some builders and developers are near bankruptcy others have gone bankrupt already abandoning their sites in some cases*
- 35) *We always try to encourage the contractor for compliance measures. We strive to be fair and consistant with enforcment measures and notify our actions so there are no surprises*
- 36) *We have the ability to deal with the offenders, but depending on who the offender is, elected officials can make this difficult*
- 37) *Local government reluctant to fine or issue stop work orders. If they get a reputation for being "tough" then development might move just outside of their jurisdiction. Many jurisdictions reluctant to impose large fines even though they can*
- 38) *We have not had any major problems with this issue so far*
- 39) *MORE OVERSIGHT TIME DUE TO DECREASED NUMBER OF PROJECTS*

We received the following 10 responses from May 2013:

- 1) *City Municipal Court System in place does not have the authority to levy maximum fines stated in the ordinance. Fines limited to \$50 per day per violation with court cost amounting to \$138. This is not a deterrent*
- 2) *We can now document when we ask for help from TDEC. It will be harder for them to ignore it when we send in their own paperwork to them*
- 3) *Properly trained inspectors are able to handle repeat construction offenders in a proper manner using the Enforcement Response Plan*
- 4) *Working with local developers on enforcement and education has been very successful. When dealing with issues we also stress why proper erosion and sediment management is important to the environment*
- 5) *We work with them to ensure compliance and make them aware that they will receive a N.O.V. if they become noncompliant*
- 6) *We have an Administrative Hearing Process and stop work order and can also call TDEC to help enforce*
- 7) *The current building codes and EPSC ordinances handle repeat offenders differently. We have building inspectors inspect EPSC measures and it's hard for them to remember that they can handle them differently*
- 8) *I think our program locally has been able to work with contractors and developers to better educate and communicate the intent of the stormwater program and over time has made for a better understanding for all involved*
- 9) *Our enforcement response plan calls for escalated enforcements all the way from possible warnings to court action*
- 10) *In our case our repeat offenders do not have a lot of community support. However, they are recalcitrant and we continuously have to address minor infractions*

We received the following 43 responses from November 2013:

1. *We have all of the methods in place for enforcement procedures but given the politics we have yet to issue any fines.*
2. *By having more often site visits to help prevent problems before they occur*
3. *Most contractors & builders seem more than willing to comply with TDEC standards and we inspect frequently*
4. *No repeat offenders.*
5. *Very little permit activity in MS4*
6. *Setting of fines and the follow up inspections should be more quickly responded to.*
7. *Sevier County has had a strong enforcement plan in place for more than 2 years*
8. *We have our enforcement response aspect of our permit in place to deal with violations.*
9. *Our City Manager and Planning Commission are generally supportive.*
10. *Local legal staff too tied up with bigger overall county issues to make stormwater a priority for enforcement.*
11. *Contracting officials would have a greater influence on compliance*
12. *Ordinance is in place that gives the legal authority to stop construction activities until problems are corrected and to apply administrative penalties.*
13. *We deal well repeat offenders, but there are those that are going to do the bare minimum to keep us from going to the next level of enforcement.*
14. *We have a great relation with our builders.*
15. *Repeat offenders are effectively penalized which helps level the playing field for those who choose to implement proper controls.*
16. *In my view, our enforcement tools in general are mediocre -- in fact this is the reason we have not yet sought QLP status. / And, to this question, neither our ordinance nor regulations have provision for repeat offenders.*
17. *Our ordinance is strong enough to deal with most problems that may arise. As to date, there have been no repeat offenders.*
18. *We have an escalated enforcement protocol (based on past violations) which can ultimately lead to a court injunction.*
19. *The City has implemented a civil penalty matrix that takes into account repeat offenders and deters from continuing poor erosion control efforts.*
20. *We have several fines that have been held up by our Board of Appeals*
21. *We have a stop work or and administrative hearing process and if all fails we call TDEC to help.*
22. *I have been enforcing ordinance for 15 years*
23. *Hit them in the pocket book or withhold inspections and certificate of occupancy works best until problems are addressed and magically things become resolved*
24. *We have few repeat offenders*
25. *I have to review a set of EC documents. I then send the engineer comments which are usually addressed. I then get a surety of either a letter of credit or cashier's check with the amount dependent upon the amount of disturbance. This must be posted before mass grading can begin. I do not release the surety untill the City can be reasonably sure there will be no more disturbance and there is mowable grass.*
26. *We do not have many repeat offenders.*

27. *Our current Ordinance allows the City of Dickson to correct a problem if not corrected and transfer the cost of the correction to the developer / owner of the property*
28. *The MS4's inspectors and managers do well in dealing with problem/repeat construction offenders, but are often criticized by local politicians when the politicians have ties with the offender. This situation can also make it difficult to render and collect civil penalties assessed to obtain compliance.*
29. *The repeat offenders rely on doing just enough to get by, appeals and other tactics such as political involvement. thus, one rarely gets more than minimal improvement*
30. *We have not had a bad problem with construction offenders. So far, problems are corrected when asked.*
31. *Our local plan calls for zero tolerance on violations, and the administrator informs the offender, with this we have had no repeat offenders.*
32. *Utilizing a combination of Notice of Violations, Assessment of Civil Penalties and Cashing of Letters of Credit, we have rarely dealt with a compliance situation we could not resolve.*
33. *City Council that does NOT support the efforts*
34. *We try to be proactive with problem contractors. Typically, most of the same contractors work in our area and they know what to expect.*
35. *We currently have in place an ordinance with fines and penalties*
36. *Repeat Offenders have been very responsive to our harsher guidelines and are more apt to stay in compliance without being told.*
37. *We have proper enforcement measures in place. We can always withhold future permits for repeat offenders or report them to TDEC.*
38. *Have not had to resort to fines at this point.*
39. *The instances that have gone before our stormwater appeals board have resulted in the MS4's favor. However, the developers in each case have lawyered up, resulting in a delayed response from the litigation process.*
40. *Small municipal fines of \$25 per day per offense have little or no effect.*
41. *We have a system and codes in place to enforce siltation issues.*
42. *If there are offenders we have no control of how they are handled due to this being the responsibility of another dept.*
43. *Some of the repeat offenders were the ones trying to negatively influence the Mayor. The QLP Manager stood behind the program and just used the facts to justify its existence.*

11. How would you rate your relationship with your Development Community?

1-Poor 2 3 4 5 6 7-Excellent

2010 = 5.30

2013 (May) = 5.13

2013 (Nov.) = 5.43

Percent change from 2010 to Nov. 2013 = 2%

11a. Briefly, please explain your answer.

We received the following 44 responses from 2010:

1. *We strive to maintain an open and professional relationship with the development community.*
2. *We have a good working relationship with the Development Community.*
3. *The development community has persuaded the City leadership to do an efficiency study of the Development process. The development community is currently unhappy with the development process.*
4. *The Development community is very vocal. They only go along with staff if it benefits their pocket and agendas.*
5. *Communicate well with expectations defined early.*
6. *Our office has always tried to be respectful and informative to developers and contractors. .*
7. *Stormwater erosion issues are critical on the preplanning side of projects as they are brought to the table for discussion. We issue each contractor with a copy of our stormwater manuals.*
8. *Our relationship may be affected by the programs/actions of other local government entities. The development community seems to find it difficult to differentiate.*
9. *The development community is generally resistant to changes in policy or procedure changes that may affect their profits.*
10. *OUR DEVELOPERS ARE GAINING A BETTER UNDERSTANDING OF THE REASONS TO BE MORE PROACTIVE IN PLANNING FOR STORM WATER IMPACT*
11. *After leaving projects here we enjoy a long term friendship and have upon occasion consulted on compliance matters the developer faces in other jurisdictions.*
12. *Typical complaints about regulations, but also a recognition that our MS4 is trying to meet EPA regulations in a thoughtful manner.*
13. *Our development community is communicated regularly on issues realted to stormwater policies.*
14. *The MS4 works hard to promote development and minimize obstacles while having a fair but strict enforcement program.*
15. *We strive for one-stop type of approach to permits; i.e., internal review of plans is multi-department, which means the developer does not have to shuttle his plans from department to department. Also, our staff is rather sensitive to causing delays to developers; we tend to avoid causing delays to developers. We also enforce rules, but essentially will help the developer to avoid delays. Many developers are based out of the community and have a long working and friendly relationship with staff and administration.*
16. *We are an naval installation.*
17. *Development community is environmentally conscious in general as long as they don't feel that is financially burdensome to be so.*
18. *Our opinion is that it is about as good as can be expected. By nature, our job is to make the Development Community do things that often cost them financially. Therefore, there is some amount of angst merely from that perspective. Overall, I do think we provide*

- good customer service (quick turnaround times on reviews/inspections) and our process works well for those projects that maintain compliance.
19. We pride ourselves on being developer friendly and have been told so by outside developers.
 20. It started rocky but now the contractors know what to expect.
 21. Of the 4 active sites, one is excellent and understanding the rules and very responsive. Another is a political giant in the area. Another is a developer that took over a bankrupt development and is now himself selling individual lots. The last one is also bankrupt, has stopped construction and is selling off.
 22. We try to work closely with the development community to minimize delay, red tape and paperwork.
 23. We are a small town and work closely with our developers.
 24. Tough to enforce stuff that costs them money, but they understand for the most part.
 25. Program staff have been given positive comments by local developers and are frequently invited to attend local ACG chapter meetings.
 26. We work to cooperate with developers while enforcing the permit requirements.
 27. I feel we have a good working relationship with our development community. You can see that by the minimal amount of hefty fining the City has to conduct for its stormwater program.
 28. The Development Community knows our policies and procedures and follows them without issues, for the most part.
 29. I don't think they are thrilled about environmental regulations although I think that has more to do with having to deal with something "extra" that cuts into time and bottom lines. Overall though, most of our developers are relatively good to work with and probably feel relatively positive about their interactions with us for most of the time.
 30. We use Stop Work Orders, fines and on occasion bring them into city court. I try to keep open lines of communication with all city developers.
 31. The Development Community understands that we have the right to issue a stop work order.
 32. We work with the developing community to help them meet their requirements. We try to show them we are not making the rules just enforcing them.
 33. Some developers seem to be motivated more by \$ than by environmental factors, while most will do the right thing for the right reasons.
 34. I would say average. Developers are always looking for the least restrictive way to proceed with development. Administering additional requirements (stormwater control) has a negative impact on relationships. Of course requiring developers to meet street standards are often met with resistance as well.....
 35. We receive a lot of positive feedback from the development community. Most developers will respond quickly if there are any issues. There are a couple who are repeat offenders. Our time is mostly spent on individuals who are violating the codes as opposed to the developers.
 36. We have a good relationship, but anytime you impact their bottom-line you are a target.
 37. Seems to be OK I guess.
 38. We are working to improve communication.

39. *Most are cooperative but they are looking for leniency to save money in some cases.*
40. *We have an open door policy here. I think most contractors feel that they can come talk to us and work problems out together rather against one another*
41. *We generally have a positive relationship with development community.*
42. *Most projects reviewed and approved on a case by case basis working with the developer/builder. Jurisdiction tries to work with the development community to create the best project possible. Sometimes the jurisdictions asks for things beyond the regs which some developers don't like but they usually find a win-win for both parties.*
43. *Good*
44. *LEARNING CURVE*

We received the following 9 responses from May 2013:

1. *Politics play too much of a role in city planning, codes and enforcement.*
2. *We do development community educational meetings annually and work with them to get green infrastructure on their projects. We have worked with them to help them get permitted by TDEC previously. Now they come to us with their questions and to get their permits.*
3. *Staff is actively engaged with the Development Community.*
4. *We try to be proactive instead of reactive and the development community appreciates this approach.*
5. *We work with them to ensure compliance.*
6. *Our permits are simple and inexpensive and we have a one day turn around in most cases.*
7. *All developers want their local government to be more developer friendly. So they will tell the elected body that the town next door is easier to deal with*
8. *They understand why we require what we do. We endeavor to provide good customer service/response times. Our enforcements have clear rationale/evidence.*
9. *The City has a standing Development Committee that offers streamlined "one stop" interaction to developers. Developers do not have to chase from department to department to get things done.*

We received the following 34 responses from November 2013:

1. *Overall we have a decent relationship with the development community*
2. *we have monthly planning and codes enforcement meetings*
3. *good rapport w/Development Community-they mostly cooperate*
4. *We try to be proactive in the development process. We are open door and try to find solutions instead of obstacles. We encourage the development community to have open communication with us from the point of an idea all the way through implementation.*
5. *Not a lot of development in MS4*
6. *We have a small group of contractors that have usually get the jobs in our MS4. We also hold a pre-con before we issue a grading permit and go over our regulations and answer all questions we can before the start of the project.*

7. *We provide "one stop shopping" where developers have a single point of entry and have access to all the municipal stakeholders in a very simple and direct way. This is well received by the development community.*
8. *Cordial working relationship with developers. They know what is expected of them and ask questions when in doubt.*
9. *We try to have a developer friendly atmosphere and treat everyone equal.*
10. *Most believe that the regulations and enforcement are necessary for the protection of the community, environment and safety. Some still believe that the regulations and enforcement are an intrusion, unnecessary, or too heavy handed.*
11. *In general, the attitude of our city council and city administration is to be of service to the public - whether individual citizens or land developers -- and we do a pretty good job at that. So, that is the basis of my answer. City staff achieves fairly short turnaround times for the development community, and in general, we offer a good amount of advice and direction to them in order to see development plans move through our processes successfully.*
12. *I'm not sure what you mean by Development Community*
13. *We work hard to make our process work well.*
14. *We are here to assist them to meet the requirements*
15. *We have very little development so we can work closely with the ones that are in development.*
16. *I'm reasonable and give them the respect they deserve but still enforce the code*
17. *be fair, answer questions in a quick manner, let them know what you expect from the start*
18. *Developers have asked us to "take over" their TDEC issued CGPs*
19. *They know I enforce the rules equally. They may not like them, but they know they must obey the land disturbance ordinance.*
20. *We work well together.*
21. *We have great local contractors here in Dickson, We have had local codes meetings for education and we have pre-con meetings on big projects to discuss concerns openly*
22. *The MS4 staff works hard to maintain a good working relationship with the development community. Education and communication is the best way to engage the development community in a manner that facilitates good working relationships.*
23. *We get along well but there has been no development in the past four years.*
24. *Our office has an open door policy that the development community is well aware of. Almost all of the developers will contact me prior to committing on any project to discuss any concerns we may have.*
25. *I have only one developer that is hard to deal with*
26. *We have a good relationship with most contractors because we try to be practical and upfront about enforcement and are conscious of unnecessary cost to the development community. We also try our best to treat everyone the same and follow through with what we say.*
27. *We try to work with developers more as educators than enforcement*
28. *Sullivan County has been fortunate to have long-term inspectors on staff who maintain their certifications and take pride in their role in this program.*

29. *Most work to stay compliant.*
 30. *Again, the local, smaller developers have fewer resources to devote to compliance requirements, leading to violations and straining relationships.*
 31. *Local Politics largely drive and affect development.*
 32. *We stay in contact regularly and generally have compliance with stormwater regulations.*
 33. *I think in general it's fair. I don't think they love us, but I don't think they hate us. Our stormwater requirements are a bit more stringent than what most Cities require.*
 34. *See all of the above. The development community was being fed misinformation. Once a builder or developer had contact with the QLP their view changed positively.*
-

12. How would you rate your MS4's current relationship with the local TDEC field office?

1-Poor 2 3 4 5 6 7-Excellent

2010 = 5.53

2013 (May) = 5.69

2013 (Nov.) = 5.95

Percent change from 2010 to Nov. 2013 = 8%

12a. Briefly, please explain your answer.

We received the following 49 responses from 2010:

1. *We have always maintained a cooperative and professional relationship with the local TDEC field office.*
2. *Local TDEC office is very accessible and helpful.*
3. *The City works with the State on sites where we are unable to easily get compliance.*
4. *Our EFO is always available to answer questions and provide assistance.*
5. *Early communication with TDEC is beneficial for all parties. TDEC is always very helpful.*
6. *TDEC inspectors know that our office will be available to help with complaints at any time. We try to assist with inspections and work closely on plan reviews*
7. *We have a great relationship with our field office. We have worked together on issues in the past, and have been complemented on our procedures, regarding erosion control measures.*
8. *We always had a collaborative relationship.*
9. *TDEC gives almost no assistance or guidance on program development, but takes an extremely heavy handed and adversarial approach to program audits and reviews. Often, program requirements that are being met are ignored because of nomenclature differences. In addition, there is no uniformity or standardization in performing the audits, so one jurisdiction may be issued a violation for a programs approach to a permit requirement while another jurisdiction is passed.*
10. *STAFF ALWAYS HELPFUL AND PROFESSIONAL*
11. *TDEC understanding of the local program could be improved, but generally there is a very strong working relationship*

12. *Our relationship with TDEC is positive; the City keeps them informed with issues and gets TDEC involved only when necessary.*
13. *The MS4 works closely with TDEC and has successfully relieved the field office's time required for inspections and enforcement. Often the MS4's requirements are more restrictive and inspections are more frequent.*
14. *No problems to speak of. We are able to call TDEC, and they call us, on various issues, and responses and help is exchanged. E.g., field visits that we can do for TDEC in response to complaints; advice from TDEC re: streams and wetlands; advice from TDEC re: compliance questions of our permit.*
15. *If we have any issues, TDEC is always there for help.*
16. *Our compliance officer has always been friendly and helpful, but doesn't feel that we are as far along with our storm water program as we should be.*
17. *Sometimes it seems that TDEC is adversarial to the locals and not assisting.*
18. *From the very beginning of our MS4 program, we have endeavored to have a positive relationship with TDEC WPC as we view our relationship as partners in water quality protection (not as a traditional "permitter/permittee" relationship). It is our belief that in the almost 13 years our program has been in existence, we've demonstrated our commitment to having a robust program that has as its ultimate aim/goal the improvement/maintenance of high ambient water quality. We work in cooperation with TDEC WPC on various water quality issues to include those with their various other NPDES permittees*
19. *Good working relationship with the local TDEC office.*
20. *Good, we have a good relationship with Dr. Urban and he and his staff have always supported our program.*
21. *TDEC is very forgiving and understanding that Bluff City is not capable of meeting expectations in the same way other cities are.*
22. *There have been several staff changes at the field office with regards to our county representative.*
23. *We don't get much support. We feel more like we are a target for them.*
24. *We communicate often with the local office and work together on many projects and enforcement.*
25. *They are very helpful*
26. *Excellent working relationship with local office - always cooperative and responsive*
27. *The Program responds promptly to inquiries and/or referrals from the local field office. We have received good results on Compliance Evaluation Inspections as well.*
28. *No consistency with other Field Offices.*
29. *We respond quickly to TDEC concerns and calls they receive and resolve said issues in a prompt manner.*
30. *I think the City has an excellent relationship with TDEC. Anytime we have needed something, they have been there for us and have been able to help us. I really enjoy working with our local field office personnel. I see that relationship continuing and also improving.*
31. *Communication and responses are typically above average, in my opinion.*

32. *I feel positively towards TDEC. Our Administration has a respectful reverence towards TDEC and I believe TDEC has some confidence in my municipality's stormwater program.*
33. *Ann Morbitt is always willing to help and is very helpful! Dennis Conger has also been a great help.*
34. *Our relationship is mostly positive with a few instances of disagreement.*
35. *We believe we have a very good working relationship with Mr. Terry Templeton.*
36. *I feel like we have a excellent relationship any problems that occur i have been able to get assistance quickly.*
37. *Very good working relationship, much cooperation.*
38. *Sometimes there is a gap in understanding the roll of cities (MS4's) in the review, permitting and enforcement (limitations) procedures and/or what TDEC expects. It is not always clear.*
39. *I have always found our local office to be friendly and knowledgeable. They need more folks in the field though. They need more people available on Fridays as that seems to be when trouble starts.*
40. *We appreciate their support and mentoring.*
41. *We call them with questions. They call us back with answers.*
42. *They are my stick if needed.*
43. *We are working to improve communication.*
44. *Have always gotten support when it was requested.*
45. *I feel we can call if we need assistance but were audited one time when we were told that they were coming for an educational courtesy visit. Did not sit well with administration*
46. *Feedback is hard to come by. For construction permit issues they are usually pretty easy to work with, but MS4 permit issues are a different story.*
47. *In the past it was not good. In the last 5 years or so it is better due to our Staff and Consultant staying in contact with TDEC Staff and trying to work together to find win-win solutions. I think some individuals at TDEC in the past have had the personalities that would "rub people the wrong way".*
48. *Could be better*
49. *VERY HEL[PFUL STAFF AND POSITIVE ATTITUDE*

We received the following 10 responses from May 2013:

1. *I have always been supported by the local TDEC Field Office.*
2. *Some of the local EFO people are willing to work with us, and others treat us as if we were enemies. It is about half and half.*
3. *Field office is very courteous and professional. We act as a team to protect the environment.*
4. *The relationship with the Field Office has been positive.*
5. *We work with them to ensure our compliance.*
6. *We have a good working relationship and they are very helpful on any problems that come up and help us work through them as a team. They are very resposive.*
7. *I think we have a good working relationship.*

8. *Mr Wade the staff at the Jackson office are easily accessible and generally quick to respond*
9. *We view relationship as partner/working toward the same goal.*
10. *We operate in partnership as much as we can. Local TDEC officials are fair and consistent. Inspections are very thorough, but actions are balanced.*

We received the following 40 responses from November 2013:

1. *We regularly contact our local field office with questions and concerns.*
2. *The Jackson, TN has always been helpful and accommodating to help resolve any issues*
3. *Mr. Templeton, Joellyn Brazille, Lew Hoffman, and others at our TDEC branch offices are very knowledgeable & supportive of our MS4 efforts*
4. *Johnson City field office has excellent staff and always available for questions, answers and solutions.*
5. *Local field office is always very helpful and willing to help.*
6. *We have gone through some major changes within or department, with the first full time Stormwater Manager being hired. I am hopeful to continue the relationship we have and work more closely with.*
7. *Our MS4 has worked together a number of times with our local field office and they are there to offer guidance whenever we ask for it.*
8. *We prefer to work cooperative and in partnership. This is reciprocated by our field office.*
9. *This has improved as we have met with local staff and discussed different issues. Initially I was very cautious and heard stories of "you go to the state with a problem asking for help and they stab you in the back with an audit or NOV ect." Robbie seems to set the stage for openness and cooperation instead of violations and backstabbing.*
10. *Our TDEC Field Office tries to have monthly or quarterly conference calls.*
11. *Work well together. Local field office provides answers to questions we may have.*
12. *We know those in our local TDEC office and work to accomplish the goals of the MS4 Program.*
13. *Most interactions with the field office are positive with a feeling of partnership. Although the organizations are separate, everyone acts as though we are in this together and are working towards the same goal of water quality protection and stream preservation. The field office staff have often commented on how their work load in our jurisdiction has remarkably decreased directly in response to our local program's effectiveness.*
14. *E-mails and phone calls keeping each other up-to-date of projects and actions of mutual interest.*
15. *They respond quickly to us when we need help with an issue*
16. *We see ourselves working toward the same goals - clean water.*
17. *Jason Dees and Mark Bar have been a tremendous help with the requirements of our permit.*
18. *They are a valuable member of our watershed team and very responsive and quick to help when needed.*
19. *we have a great TDEC field Rep. Easy to work with*

20. *Much better since the administration required them to be more customer friendly. There was a pretty good relationship with some of the employees before the new administration, but much more customer service from all of them now.*
21. *We cooperate on several levels assisting each other on project sites when needed to try to make sure adequate controls are in place to protect our water resources.*
22. *We have a good relationship.*
23. *I feel it has improved and seems to continue*
24. *TDEC field office and the MS4 staff regularly interact with each other regarding multiple topics.*
25. *We have no problems or conflicts. Both the Town and County comply with permit requirements.*
26. *We work well with the local TDEC field office.*
27. *Had problems in the past, currently trying to work them out. TDEC should assist in the MS-4 at the local level, not play politics / and to use the program for some sort of leverage game.*
28. *We enjoy working with Michael, Jason and the rest of the Knoxville Field Office. Robbie and Jennifer and Nashville are also a pleasure to deal with.*
29. *Has been better, but has been much worse*
30. *The Knoxville Field off guys are great to work through problems and are practical in their approach.*
31. *Staff knows the TDEC officials at the Memphis Field Office. They can easily be reached and have the time to discuss matters.*
32. *We work closely on matters for better clarification and seem to be on the same page.*
33. *Good working relationship once I can get in contact with their employees. Some employees are very difficult to reach by phone or email to get questions answered while others will call you back ASAP.*
34. *Everyone at the local TDEC office are very kind and professional. However we can definitely tell that TDEC has reduced staff as it is hard to get a hold of folks - they are always out in the field. Their territories are too large to effectively do all that is required of them. TDEC either needs to hire more staff or turn the duties fully over to local government - one or the other, not half way do either.*
35. *Very good to work with.*
36. *They've been more than accommodating when seeking clarification to matters influencing the decision-making process.*
37. *Columbia Field office has always provided excellent support and service.*
38. *We talk on a regular basis and have worked together to resolve issues.*
39. *They stay in good contact with us as we do them which I believe is the most important aspect.*
40. *They have been very supportive and a true partner*

13. How do you think being a Qualified Local Program would impact your stormwater program's relationship with the local TDEC field office?

1-Negatively 2 3 4-No Change 5 6 7-Positively

2010 = 4.42

2013 (May) = 5.00

2013 (Nov.) = 4.44

Percent change from 2010 to Nov. 2013 = 0%

13a. Briefly, please explain your answer.

We received the following 37 responses in 2010:

1. *We believe we would have the same level of communication.*
2. *The City would continue to work well with the State.*
3. *Being such a small City impact would most likely be minimal.*
4. *The OLP Program would not change our relationship. Much of what we currently need from TDEC in regard to plan reviews could continue. The help with enforcement may even increase.*
5. *Our in-house program is one that our field office knows and respects our working program.*
6. *I think we are on solid ground and will adapt well to changes.*
7. *There is no uniformity in approach to TDEC enforcement practices, and without knowing more about the program, it is difficult to determine how this would impact that relationship.*
8. *It would open the door to more conflict and risk of enforcement against my program.*
9. *All better understanding between agencies*
10. *The communication level would cease.*
11. *It may have no net change. It should be a positive change if their work decreases, however, this may be offset if the MS4's limited staff is required to spend more time reporting, increasing record keeping, accounting, etc. instead of inspecting, training, educating, and enforcing.*
12. *I think they'd (TDEC) be glad for the reduction in permit processing load.*
13. *Same as above.*
14. *In our jurisdiction, the local oversight of land development projects is mainly done by local staff. A complete designation via the QLP would seemingly more so free TDEC WPC officials to pursue other permittee issues (i.e. TMSP, etc.). I think it would also give TDEC WPC an even better realization of the scope of our program. Finally, it would again create a "partner" vs regulator relationship.*
15. *Can't see how there would be any change from a relationship standpoint.*
16. *It should not change much. would still rely on them for enforcement help if we couldn't get compliance*
17. *Without a major overhaul of leadership, staff and resources, QLP could not happen in Bluff City in my opinion.*
18. *Possibly not have to depend on them as much*
19. *They would be less involved with our enforcement and be less helpful in other areas.*

20. QLP status would increase our workload but since the Program is very responsive to violations and the local field office is aware of our responsiveness, I don't see any change in the relationship.
21. I think it would give us better standing with the State.
22. I do not believe it would have a negative, nor a positive effect.
23. I think it would be a new level of partnership that may have the potential to marginally improve our relationship, although I don't believe the change would be substantial.
24. More problems associated with situations we are not qualified to handle - or simply a breakdown in or a lack of communication
25. It would demonstrate our commitment to excellence.
26. I think the more information and help TDEC can provide (hands on) to QLP's the better relationship they can have.
27. Too soon to tell, but surely it will expand the relationship in a positive manner.
28. We are all working toward the same goal.
29. Uncertain. We definitely would not have the TDEC presence as being the ultimate enforcement tool if we were the only enforcer.
30. I don't think it would very much but it would probably help the turnaround time and review process less complicated for developers.
31. We feel it will increase communication.
32. Would not affect relationship.
33. They can explain in depth what is required by law and what is expected. Also can give better assistance to us
34. Not really sure. I would be afraid the relationship would turn similar to how the relationship is between MS4 and field office. I would be afraid it would open the City up for more jurisdiction and enforcement from TDEC, and the City would have more requirements from TDEC to focus on staying in compliance with, rather than focusing on water quality issues.
35. It might be a little more negative since right now we both review plans and speak with each other about certain projects. If we became a QLP, TDEC would be more of a "big brother" or auditor and less a partner.
36. Note: In reference to question 7 below, the first number represents all stormwater permits issued with building permits; the second number represents permits involving major subdivision developments that had infrastructure installed.
37. VERY GOOD NOW AND DON'T EXPECT A CHANGE

We received the following responses in May 2013:

1. When problems are encountered the TDEC Field office will be consulted.
2. We are coordinating better with them, it helps that we are considered qualified program now by the state office.
3. We are partners and becoming a QLP recognizes the trust we have in each other.
4. It would be a team effort.
5. I believe it would be less support from TDEC and less involvement.
6. We would need to hire more inspectors.

7. *I think it would prompt more interaction relating to questions, etc., but I think our relationship is strong even without participation (at this time).*
8. *We will reduce TDEC workload, but probably not significantly.*

We received the following 33 responses in November 2013:

1. *It would increase our contact with TDEC.*
2. *It helps by keeping an open line of communication*
3. *we would continue to work together and TDEC is sure to help us comply*
4. *We believe this is a win-win situation for all. The Johnson City field office has always been helpful and we have built a trusting relationship with them. Being a QLP just solidifies the trust between us even more.*
5. *Very little permit activity in MS4*
6. *I see some separation taking place.*
7. *Much more scrutiny by the local field office of the local programs*
8. *I believe we would have the same strong working relationship.*
9. *We do not have enough development activity to cause impacts to either party.*
10. *Slightly negatively as they would likely audit/monitor us more often or keep a closer watch on us since we would have additional delegated authority from them.*
11. *Less interaction*
12. *The relationship would change, but to what extent is unknown.*
13. *The relationship was already great. However, the qlp may help slightly since it reduces the field office's work somewhat.*
14. *It would reduce TDEC's workload, wouldn't it...!? Seems to me that would a positive for TDEC.*
15. *Any improvement to our program would help our relationship*
16. *It would seem to create a closer working relationship as they oversee our activities.*
17. *Less dependence on local field office so would not see them as often.*
18. *We would still need their help*
19. *After the initial problems with TDEC personnel wanting to re-teach us how to do inspections and our complaints about the kindergarden treatment they are better. Now after the QHP certification and the wetland delineation class we sponsored we have a good relationship with them.*
20. *I do not believe a QLP would change the relationship with the City and TDEC as it is positive already.*
21. *I don't think it would change it.*
22. *I believe it gives peace of mind to TDEC on a community becoming a QLP. With all the measures that have to be stepped up with TDEC oversight then I truly believe TDEC reaches it goal with uniform enforcement across Tennessee*
23. *I really don't see how it will change the relationship.*
24. *Attitudes most change at TDEC to affect relationships between State and Local Governments.*
25. *I think the relationship would improve by supporting a program that TDEC desires to see rolled out, but in general the real gains will come from the relationship with the development community.*

26. *As we would be working closer with them, I think it would surely improve*
27. *They would not be as strong of an influence in our community.*
28. *I don't know if becoming a QLP means that I will get more access to TDEC staff or less.*
Not sure.
29. *More focus on City compliance rather on the development community. If development community non-compliant, blame would be on City.*
30. *I think it would allow us to take the bulk of the responsibility and work load off of TDEC by performing tasks that we routinely do.*
31. *The changes shouldn't affect the working relationship.*
32. *I think it would remain the same.*
33. *We've always worked well together and this binds even more.*

14. Based on your records, how many active construction stormwater permits did you have open during the following fiscal years (please refer to actual records for an accurate answer) or annual reporting periods:

FY 2010 (Average): 88 (May 2013)
 FY 2011 (Average): 84 (May 2013) | 44 (Nov. 2013)
 FY 2012 (Average): 80 (May 2013) | 49 (Nov. 2013)
 FY 2013 (Average): 53 (Nov. 2013)

15. Based on your records, how many complaints related to construction stormwater activities did you receive and track during the following fiscal years (please refer to actual records for an accurate answer) or annual reporting periods?

FY 2007 (Average): 30 (2010)
 FY 2008 (Average): 36 (2010)
 FY 2009 (Average): 35 (2010)
 FY 2010 (Average): 26 (May 2013)
 FY 2011 (Average): 21 (May 2013) | 13 (Nov. 2013)
 FY 2012 (Average): 21 (May 2013) | 12 (Nov. 2013)
 FY 2013 (Average): 15 (Nov. 2013)

16. On average, how long does your city's (county's) approval process for construction stormwater activities currently take? Please provide the typical number of days elapsed from receiving the initial application to granting permission for activity to begin on the site.

Responses to this question were open ended:

Approval Process Time for Construction Stormwater Activities		
2010	May 2013	November 2013
10 days for review of engineering stormwater erosion	60 days minimum	30

Approval Process Time for Construction Stormwater Activities		
2010	May 2013	November 2013
control and post-construction run off control plans.		
24	15	30 days
5	14	30 days or less
20	12 weeks	We try to process permits in one working week.
12 weeks	3 working days	2 weeks
7	up to 30	10-20 Days
1-2 weeks	7	20-30 days
30	1-2	It depends on the developments engineering firm response time on answering the proposed revisions from our MS4 preplanning staff meeting. On average a jobsite approval will take 30-60 days.
30 days	40	30 days. However, the stormwater approvals are not the main drivers in our approvals process. Site engineering for utilities etc. are the most time consuming.
45 days	10	If planning commission approval has already been granted - 3-4 weeks / If planning commission approval has NOT been granted - 8-10 weeks
20	30-60 days (this to a certain degree depends on the quality of plans initially submitted and how soon applicants' engineers resubmit corrected plans that were returned for correction)	60 days
30 DAYS	30 days	0 days. Construction activity is permitted when the application includes an NOC from TDEC.
2-4 days	30	1 Week
14	30 days	Construction stormwater activities are permitted with the Site Plan Approval process. This typically take 60-120 days depending on how well the applicant puts the whole project together. The construction stormwater activities portion typically takes only about one day of review time during this process.
14-90		We give a notice to proceed date then construction starts on or before that date.
site/construction plans 30-60 days, individual permits 24-48 hours		14 day
5		2 weeks average.
10		1-2 days

Approval Process Time for Construction Stormwater Activities		
2010	May 2013	November 2013
5		A simple land disturbance permit for a single takes a day or 2. For a large subdivision, the land disturbance permit is part of the larger process of the subdivision review process, which varies depending on the size and complexity of the site.
<14 days		It depends upon the quality of the submittal. A high quality submittal can navigate our process in 3 to 5 weeks - shorter if no plan backlog.
15		1-2 weeks /
14		N/A-City of Memphis does not issue permits.
14		14 days
3 days		5 days
20		1 day
10 business days as our goal is to provide a two week review/approval (although much of that depends on the quality of the plans/application)		2 weeks
20		15
Two weeks if no NOI is required, 30 if it is		Average length of time was 30 days, these included resubmittal by applicants due to incomplete applications and revisions required by the city. There was also several permits picked up as much as a month after approval was given but the applicant was not prepared pay for the warranty at the time. Time ranged from 7 days to 66 days. Median time was 21 days.
approximately 10 days		4 weeks
~30		Seven to ten days.
10		30 days
7		30 days
14		Less than 30 days
1-7 days		10 -15 days
60		30 to 60 days
30 days, with a performance bond		No recent experience.
14 days		None in past four years. In the past if the application were complete and accurate, 45 days was the average.
35		Depending on the size and scale of the activity, and the volume of applications usually less than ten working days.
2 weeks depending on how quick the developer can post his		This is variable based on the type of development and how

Approval Process Time for Construction Stormwater Activities		
2010	May 2013	November 2013
surety and get initial erosion control structures set up		many times revisions have to be made to plans and permits have to be secured.. I'd guess several weeks as planning commission approval is typically required as part of major projects.
< 1 week		3 days
NA		Once we receive a site plan, I try to get it reviewed within a week. It also depends on engineer submitting the plans and the complexity of the site. On average approval doesn't take longer than 2 weeks, again it depends on the turn-a-round time to comments of the submitting engineer.
5-15 Days		5
14 days		one week
3 - 10 days depending on whether a pre-construction conference is needed		Depends on how large of a project. All site plans and major subdivisions must be approved by the planning commission. Also depends on contractors availability to start. On average 20-30 days
30		10 days
2		5 days
1		At this time, we do not approve anything until they have a NOC from TDEC. During their review time, we review site plans or subdivision plats and take it through Planning Commission with a "Subject to TDEC approval". could take 2 days or a month - all depends if the development requires Planning Commission approval or staff approval.
7		2-5 days depending on EPSC plan review.
60		There are so many variables that can and do affect the duration of this process that it is next to impossible to give you an answer that has much meaning. A wild guess would be anywhere from 15 to 60 days, considering the process beginning with the initial staff review meeting and ending with the grading permit issuance.
21		30 days.
10		60 days or more
30 days		Prior to issuing a grading permit,

Approval Process Time for Construction Stormwater Activities		
2010	May 2013	November 2013
		we review all construction drawings and EPSC plans. Depending on the number of corrections to be made to the plans, the approval process may 1 to 3 weeks.
1 month or less		3 months
5		Within 1 month. The plans are initially reviewed within a week of submittal and comments provided. The plans have to be approved by the Planning Commission which meets once per month.
5 - 7 weeks		15 days
10		30 DAYS
Our stormwater approval process is included with the Site Plan approval process. The Site Plan approval process takes an average of 150 days from initial meeting with developer. The minimum number of days to complete the Site Plan approval process is 90 days.		
1-3 days		
30 days		
30-days		
1-2 days		
30		
30		
30 days		
< 15 DAYS		
30 DAYS		

17. In your opinion, would participation in the Qualified Local Program Option:

1-Increase the process time 2-Have no effect on the process time 3-Decrease the process time

2010 =2.02

2013 (May) = 1.56

2013 (Nov.) = 1.91

Percent change from 2010 to Nov. 2013 = - 5%

28a. Briefly, please explain why.

We received the following 39 responses in 2010:

- 1. Due to the additional work load, all aspects of the program would be impacted.*
- 2. We strive to be expeditious in our reviews to the Development Community.*

3. *The City currently requires a SWPPP to be approved and developers will get SWPPP prior to applying. Therefore the time would be roughly the same*
4. *The administration wouldn't allow for it to delay the process time.*
5. *Small city without commercial activity or zoning does not process the number of permits as a larger city with commercial development.*
6. *Our office attempts to contact TDEC when we receive a new permit to discuss the plan review and questions concerning the SWPPP. This has helped to limit duplicating requests for plan revisions and speeds up the approval process, however we realize that both us and TDEC are doing much of the same work at the developers and taxpayers expense.*
7. *TDEC has a minimum 30 day approval window. We do not allow grading to start before we have a copy of the NOC. If we issue NOC's in-house, we will have no reason to hold up a project after the date of Planning Commission final approval (our average 45 days and the TDEC approval time hardly ever run concurrently).*
8. *Having no idea what the specifics of the QLP are, it is difficult to project the programs effects on the application process.*
9. *We are doing more thorough plans review than TDEC*
10. *More efficient reviews balanced by more complex designs.*
11. *More resources for City to do and maintain.*
12. *Increased coordination with TDEC and additional/duplicate document reviews.*
13. *I answered the question based on time to process our construction/land disturbance permit, not based on our entire planning approval, construction/engineering review, and land disturbance/grading permit review. Typically, our office receives final land disturbance/site grading permit applications after the operator has received TDEC permit approval; so TDEC permit approval is not a time factor in our permit process.*
14. *Less hoops to jump through*
15. *Per the draft process criteria, I think it safe to say that our jurisdiction would have to add some steps to our current process to supplant certain "mandatory" CGP elements that would fall to the QLP to now perform.*
16. *Our staff could review plans faster because we would not see as many plans as the state and we have the staff to review plans now.*
17. *The approval process currently resides in the Planning and Zoning Commission.*
18. *We have to wait on the NOC from TDEC now. This would be eliminated but would not add time to our review.*
19. *I would have to review plans and SWPPP more thoroughly on the larger permits that now are reviewed by TDEC and I. I believe TDEC would not monitor those sites as often if we were a QLP. We see TDEC review as good for our city to catch what we might miss and to help with enforcement.*
20. *Most of the time constraint has nothing to do with the NPDES permit*
21. *Takes the State review process out of the mix*
22. *The process will work the same at our level; the only difference would be the issuance of the TDEC NOC.*

23. *It will slightly increase the process time as I'm sure there are additional state requirements. Once those bugs are hammered out, it would most likely go back to approximately 2 weeks.*
24. *Until I know for certain the permitting requirements for the program, I must assume additional time somewhere down the line would have to be spent on this program.*
25. *The permit requirements are the same so it would have no effect on processing time.*
26. *If they could do their TDEC permitting through the municipality, it would likely shave off anywhere from 5 - 7 days in my opinion. Then again, someone doing work now could probably have a even more reasonable turn around if they submitted jointly to all permitting authorities.*
27. *More that we will have to do to ensure compliance, such as research, etc.*
28. *Our approval time is based on Planning Commission turn- around time for those activities covered under a site plan review.*
29. *We are bound by a preset submittal deadline and approval process and therefore, regardless of how much staff time is devoted to the application process, the deadline has to be met assuming application for construction plan approval was submitted properly - complete.*
30. *The same criteria will have to be considered.*
31. *I really have no idea, but it would make sense that more work takes more time to complete.*
32. *Developer would only be submitting plans for review to one government agency.*
33. *There is enough time included in the Site Plan approval process for which stormwater approval can occur.*
34. *It will add a minimum of additional 30 days to current process depending on the number of steps added to the process.*
35. *Being able to ask to the right questions and know the correct response to questions will always increase the process or turnaround time for development*
36. *If the development has a NOC from TCEC and an approved Erosion Control Plan, the City issues a Land Disturbance Permit free of charge.*
37. *We won't have to wait for TDEC to review the plans and SWPPP. We would do that in house.*
38. *It would require more staff time to review.*
39. *PROGRAM IS BEING IMPLEMENTED SLOWLY TO INSURE UNDERSTANDING AND COMPLIANCE*

We received the following 8 responses in May 2013:

1. *Additional time will be required because of the added reviews by our engineering consultant.*
2. *We spend roughly 15% more time now that we are the QLP in processing applications, to do the entire NOI and SWPPP check. Preparing for the QLP program also entailed a large amount of time getting the ordinance on Erosion and Sediment control ready as well as all the forms we got to prepare.*
3. *Too many other factors with the Planning process dictate review times.*

4. *We are currently reviewing the information so don't expect a dramatic change in the process time.*
5. *Not really relevant since we do not have the staff to do the thorough review that TDEC does and our process is fast because we depend on the TDEC review and spend our time with specifics and promoting low impacts, detention requirements, and field inspections and modifications if failures are found.*
6. *If the site is over an acre, we wait until TDEC has approved the SWPPP.*
7. *Could increase certain review scope elements.*
8. *The City's approvals process and TDEC's are not synchronized. We have to work around a Planning Commission agenda. Our 30 days and the State's approval period may not run simultaneously, thereby stretching the combined approval time.*

We received the following 33 responses in November 2013:

1. *In-house processing is usually faster although TDEC responds very fast/well*
2. *Less volume of plan review than TDEC has so should decrease the process time for the permit.*
3. *MS4 processes very few permits*
4. *It would increase our review time*
5. *Sevier County has an effective plan review process in place*
6. *I believe that if the applicant's engineering firm applies for a TDEC permit while they are going through our planning approval process they will receive Notice Of Coverage from TDEC at about the same time as they get our MS4 planning commission approval.*
7. *Please see above.*
8. *No delay in waiting for the State NOC to be issued.*
9. *MS4 would be required to review the NOI for completeness, appropriateness and effectiveness.*
10. *More paperwork (applications, etc.) to be completed and reviewed.*
11. *The CGP requirements offered no significant difference so do not require additional time.*
12. *Presently the process time is driven by degree to which the applicant is prepared. The process time can be very short (days) if all materials are in order. This would not change much if we were a QLP.*
13. *City staff can usually meet on-site same or next day to resolve most questions or concerns.*
14. *It could increase process time, particularly during implementation phase - but overall any time increase should be minimal.*
15. *We depend on the NOC from the state as a review. This second review would be done in house for a QLP*
16. *It would be faster, but with no staff that is assigned to stormwater probably would not be as good as the TDEC review.*
17. *We would still need about the same time to have it checked for compliance*
18. *Increased time required to meet all state requirements. Getting the application and the SWPPP checked, checking the T & E and determining the requirements for ARAP takes time we did not have to spend on our own permits.*
19. *need to hire additional staff to review SWPPP*

20. *I would have to learn another set of requirements when it is already pretty plain what physically needs to be done on project sites for water quality. Our paper work consists of two pieces of paper, a surety, and a set of plans. If everything isn't working, the surety is used to make it work unless the contractors fix it in a timely manner.*
21. *Our requirements are similar to the State's and would not impact processing time.*
22. *Not sure! I would think maybe a slight increase in process time, but more like no change*
23. *Our policy is to have plans reviewed within 30 days. This policy would not change as the time spend on review would not significantly increase.*
24. *We have totally invested our office in support of the MS-4 program, and are committed to the services we supply to our county and the development community and the protection of our local waters. With this said I do not see how we could do anything to affect the process time under today's administration.*
25. *They would only need one permit. Less paperwork.*
26. *It seems as though there would be more involved and thus create the additional time in which to do it.*
27. *With our staff, it would take longer for us to review the SWPPPs and Construction Drawings. There would be a longer review period on all development.*
28. *Again, in order to do it right, we would need to hire a stormwater engineer tech at the very least to handle this effectively. Right now it is a team effort. Fortunately with the economy, we have seen a decline in development so we are able to handle plans review well. If things pick up, we will really need to consider hiring someone full time just to take over the stormwater program.*
29. *Would not have to confirm contractor has obtained appropriate permits, but application would probably be lengthier to review.*
30. *It can take more time to submit an NOI to TDEC, have them review it depending upon work load, and issue an NOC than the MS4. Also, we have to wait on the NOC before we can issue a grading, demolition or construction permit. With the QLP, we can initiate these steps more efficiently.*
31. *Longer review process required through contract engineer.*
32. *We usually have documents from the state before our process is approved*
33. *Before QLP, the designer received two sets of comments-one from County and one from TDEC. TDEC's review usually took longer than the local review. In a perfect world assuming the applicant had all of the required information in their SWPPP, a NOC could be ready to issue within a few days to a week of receiving the plans since the County reviews projects quickly. Usually the plans aren't quite that good the first submittal plus the Planning Commission must formally approve them.*

Appendix “D”

[TDEC statewide education talking points:](#)

[Qualifying Local Program Education and Advertising Guidance](#) 61

[PowerPoint for statewide QLP educations for MS4’s: Tennessee Qualified Local Program](#) ... 63

Qualifying Local Program Education and Advertising Guidance



Qualifying Local Program (QLP) Program Education and Advertising:

Internal and external education is required to ensure stakeholders (development community, elected officials, citizens etc.) understand the roles and responsibilities of Municipal Separate Storm Sewer Systems (MS4s) participating in the QLP program.

Once an applicant has been approved, the MS4 receives provisional QLP status, which establishes time for any program modifications necessary to satisfy all QLP elements. Modifications may include revision of ordinances and policies, hiring or training of personnel, or purchasing related equipment.

The provisional period also provides the time necessary to educate all stakeholders, and procedurally move construction activities from a dual permit system to a single administered by the QLP. Stakeholder education is expected to be critical to the success of a smooth MS4 to QLP transition. There is no minimum amount of education required during the provisional period. However, it is expected that the provisional QLP will target appropriate internal and external stakeholders, and utilize various educational methods such as email and mailing lists, public meetings, signage and website content.

The following are examples for consideration:

- ☐ Press conference with Mayor and Public Works Director, etc.
- ☐ Post related content on MS4, Planning Dept. or Building codes websites
- ☐ Brochures and signage in City/County buildings
- ☐ Presentations at public/commission meetings
- ☐ Direct mail/email correspondence with local developers, engineers and builders.
- ☐ Meetings with local Home Builders Association, Association of General Contractors, TN Society of Professional Engineers, ASCE etc.
- ☐ Looped presentations on local access TV

TDEC will also assist with education and advertising to ensure that the development community in the QLP area is aware of the changes that will affect their site submittals and fees.

- ☐ TDEC will provide a poster for each state Environmental Field Office to post in the lobby describing the QLP and listing the current QLPs
- ☐ TDEC will educate Environmental Field Office administrative personnel on QLP details and contact information
- ☐ TDEC will update the QLP webpage on TDEC's website with a list of approved QLPs and contact info
- ☐ TDEC will contact TNSA to add a listing of approved QLPs and contact info to their website
- ☐ TDEC will send out a Press Release recognizing the approved QLPs
- ☐ TDEC will send out a mass email correspondence to all developers/builders/contractors describing the QLP and listing the QLPs
- ☐ TDEC will send out a mass email correspondence to Home Builders Association, Association of General Contractors, TN Society of Professional Engineers, ASCE and other stakeholder groups
- ☐ TDEC will continue to relay QLP information at conferences, meetings, presentations etc
- ☐ Scheduled Public Recognition Events

Qualified Local Program Talking Points

The following are several talking points TDEC has utilized to explain the QLP program and its benefits. Please consider including these as part of your QLP education plan:

- ☐ Under [C.F.R. §122.44\(s\)](#) and [T.C.A. §69-3-148](#) TDEC can formally recognize an MS4 as [QLP](#) that has been shown to meet or exceed the provisions of the Tennessee Construction General Permit (CGP).
- ☐ Coverage under the CGP may be obtained through a QLP. If a construction site has submitted a Notice of Intent (NOI) to a participating QLP, and has obtained a notice of coverage (NOC), the operator of the construction activity is authorized to discharge under the CGP without the submittal of a NOI, Stormwater Pollution Prevention Plan (SWPPP), Notice of Termination (NOT) or permit fee to TDEC.
- ☐ Regulated MS4s must implement and maintain a construction site stormwater runoff control program that addresses stormwater runoff from construction activities, as identified in [Sub-section 4.2.4](#) of the MS4 general permit.

- ☐ A QLP program must also include the following:
 1. Requirements for construction site operators to prepare and submit an NOI, and related comprehensive SWPPP, as identified in Section 3 (SWPPP Requirements) of the CGP,
 2. Specific procedures for SWPPP review, approval and NOC issuance
 3. Requirements for construction site operators to perform inspections as identified in Sub-section 3.5.8, and site assessments as identified in Sub-section 3.1.2, of the CGP,
 4. A system for reporting to the division, information related to construction sites authorized by the QLP.

- ☐ The QLP program is expected to eliminate duplication of the effort between state and local construction stormwater programs, simplify requirements for construction site operators, and promote effective EPSC programs resulting in the improved protection our state's waters



Tennessee Qualified Local Program

Tennessee Stormwater Association

2013 Annual Conference

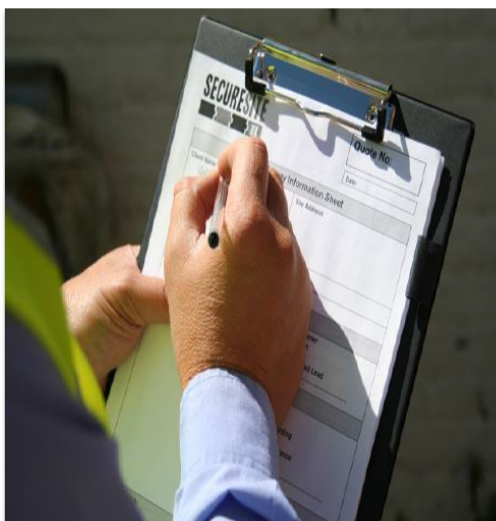
Tennessee Department of Environment and Conservation

Division of Water Resources



tn.gov/environment

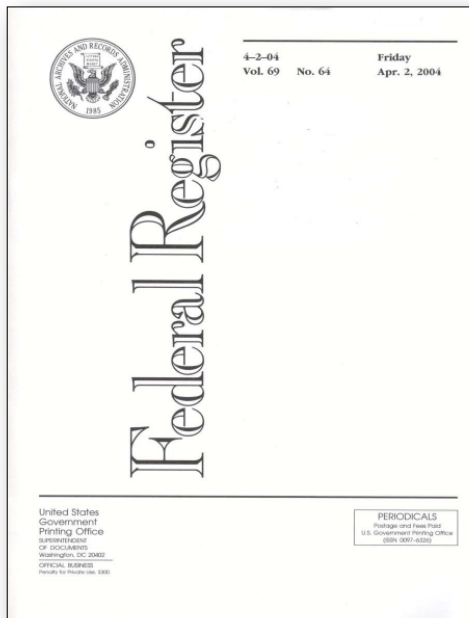
MS4 Construction Site Runoff Control



Construction operators
within an MS4 must
obtain permit **coverage**
from both TDEC and
the MS4



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Federal stormwater regulations allow for **streamlining** and **coordination** among state and local programs relating to the regulation of construction site runoff

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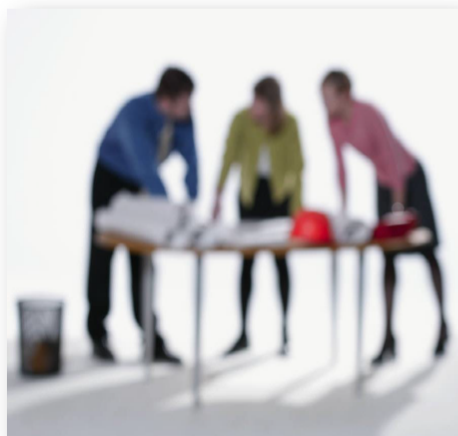


Under CFR 122.44(s), TDEC can formally recognize an MS4 as a Qualified Local Program (**QLP**) that has been shown to meet or exceed the provisions of the CGP



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What are the benefits of the QLP program?



Creation of a streamlined process by eliminating duplication of the effort between MS4s and TDEC



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What are the benefits of the QLP?

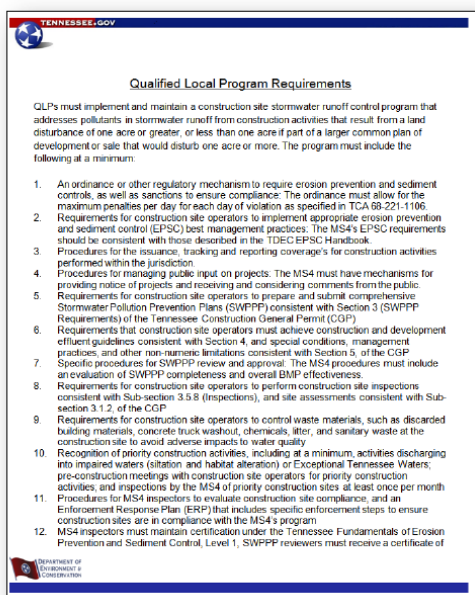


More effective stormwater programs resulting in greater improvement and protection of Tennessee waters



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Minimum QLP Criteria:



- Must maintain compliance with MS4 permit
- Include QLP program elements identified in federal regulation
- Maintain a system for sharing information related to permit coverages issued by the QLP



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QLP Application Process:

- Meetings held to review applications and document program minimums
- Approved QLPs begin under a provisional status period provided to meet any missing minimums and educate stakeholders
- After the provisional period, QLPs have full status and may begin issuing permit coverages





Full Status QLPs:

- Washington County
- Cookeville
- Knoxville



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Full Status QLPs:

- Bristol
- Knox County



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How does it work?

- Construction operators in QLP jurisdictions **do not submit** NOI, SWPPP, NOT or fee **to TDEC**
- Submit QLP specific NOI and SWPPP **directly to the QLP**



How does it work?

- QLP reviews NOI and SWPPP following specific checklist
- Issued NOCs include local and state coverage
- TNQ000000 tracking number format
- QLP reports coverage information to TDEC



QLP

City/County

Seal

NOTICE OF COVERAGE

Under

Name of the QLP >

Address >

And

The State of Tennessee, General NPDES Permit for Stormwater Discharges
Associated with Construction Activity TNR100000

QLP Tracking Number:

TNQ

Under authority of the Tennessee Water Quality Control Act of 1977 (T.C.A. 69-3-101 et seq.) and the delegation of authority from the United States Environmental Protection Agency under the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251, et seq.):

Name of the Construction Project:

Permittee Name:

Contractor(s):

is authorized to discharge stormwater associated with construction activity from the site located at:

to receiving waters named:

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

Likely presence of threatened or endangered species in one mile radius:

Additional pollution prevention requirements apply for discharges into waters identified as:

a) impaired by situation XXXXXX

b) discharging into Exceptional Tennessee waters: XXXXXX

Your coverage under the CGP shall become effective on XXXXXX, and shall be terminated upon receipt of Notice of Termination, or the date of expiration of the CGP.

Insert QLP/MS4 Language and signature Block





How does it work?

- QLP inspects construction activities and ensures compliance
- TDEC available for cooperative enforcement on persistent non-compliant activities
- TDEC performs QLP compliance evaluations



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QLP permitting to date:

Project	Tracking Number	QLP Jurisdiction	Acres
Dynamic Recycling LLC	TNQ040002	Bristol	1.5
Pinnacle Water Storage Tank	TNQ040001	Bristol	4
Wastewater Treatment Plant Outfall	TNQ010001	Washington County	8.4
Dennison Sinkhole	TNQ010002	Washington County	0.95
Dustin Pearson Property	TNQ010003	Washington County	1.6
Chris Wilson Property	TNQ010004	Washington County	0.7
Larry McCall Property	TNQ010005	Washington County	0.53
Corcoran Property	TNQ010006	Washington County	0.16
Liberty Place	TNQ020008	Cookeville	8.3
Soard Broad@Crescent	TNQ020009	Cookeville	4.5
CVS Caremark	TNQ050003	Knox County	1.5
HPUD Water Tank	TNQ050001	Knox County	2.6
Russell Coach	TNQ050002	Knox County	2.6
Middleton Park	TNQ050006	Knox County	14.5
Hampton Phase 2	TNQ050005	Knox County	8
Jefferson Park West	TNQ050008	Knox County	12.7
Hall and Taylor Residences	TNQ050007	Knox County	1.44
Andes Road Development	TNQ050009	Knox County	1.65
Annex at Jefferson Park West	TNQ050004	Knox County	14
Bullrun Creek Restoration Project	TNQ050012	Knox County	4.9
Greystone Vista Apartments	TNQ050013	Knox County	15.7
HPUD Elkins Rd.	TNQ050014	Knox County	4.4
Fox Creek 2A	TNQ030020	Knoxville	5
City View Grading #1	TNQ030021	Knoxville	0.94
City View Grading #2	TNQ030022	Knoxville	1.08
Family Dollar	TNQ030023	Knoxville	1.2
Knoxville Wholesale Furniture	TNQ030024	Knoxville	2.91
Custom Foods	TNQ030025	Knoxville	1.7
Webb School Facility	TNQ030001	Knoxville	1.9

- Permit coverages: **56**
- Average acres per coverage: **5**
- CGP fee savings: **\$31,250**
- Activities include: commercial, residential and utilities



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For more QLP information:

<http://www.tn.gov/environment/water/qlp>

Robert Karesh
Statewide Stormwater Coordinator
Tennessee Department of Environment and Conservation
Division of Water Resources
robert.karesh@tn.gov
(615) 253-5402



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Appendix “E”

QLP Cookeville’s CGP coverage documents for developers:

<u>Cookeville QLP CGP Notice of Intent</u>	73
<u>Cookeville QLP CGP Notice of Coverage</u>	74
<u>Cookeville QLP CGP Notice of Termination</u>	74



Notice of Intent (NOI) for General NPDES Permit for Stormwater Discharges from Construction Activities (TNR100000) Located within a Qualifying Local Program (QLP)



Purpose of this Form: The State of Tennessee General NPDES Permit for Stormwater Discharges from Construction Activities ([TNOGP](#)) allows for construction activities within the jurisdiction of a Qualifying Local Program (QLP) to only have to apply and obtain coverage for both the TNOGP and the local program from the QLP itself. By signing this Notice of Intent, the permittee agrees to be responsible for compliance under the requirements of the TNOGP. The permittee will not be required to submit an NOI, a SWPPP, a notice of termination, or a permit fee to the local TDEC Environmental Field Office. For additional information, please see Section 1.4.5 of the [TNOGP](#) or the state's QLP webpage at <http://tn.gov/environment/wpc/stormh2o/qlp.shtml>.

Site or Project Name: _____		QLP Tracking Number: TNQ _____	
Street Address or Location: _____		Start date: _____	
		Estimated end date: _____	
Site Description: _____		Latitude (dd.dddd): _____	
		Longitude (dd.dddd): _____	
County(ies): _____	QLP/MS4 Jurisdiction: _____	Acres Disturbed: _____	
		Total Acres: _____	
Are there streams <input type="checkbox"/> and/or wetlands <input type="checkbox"/> on or adjacent to the construction site?			
If wetlands are located on-site and may be impacted, attach wetlands delineation report. <input type="checkbox"/> Wetlands Delineation Report Attached			
If an Aquatic Resource Alteration Permit has been obtained for this site, what is the permit number? ARAP permit No.: _____			
Receiving waters: _____			
Attach the SWPPP with the NOI <input type="checkbox"/> SWPPP Attached Attach a site location map <input type="checkbox"/> Map Attached			
Name of Site Owner or Developer (Site-Wide Permittee): (person, company, or legal entity that has operational or design control over construction plans and specifications):			
Site Owner or Developer Contact name: (individual responsible for site)		Title or Position: (the party who signs the certification below)	
_____		_____	
Mailing Address:		City:	State: Zip:
_____		_____	_____
Phone: (____) _____	Fax: (____) _____	E-mail: _____	
_____		_____	
Optional Contact:		Title or Position:	
_____		_____	
Address:		City:	State: Zip:
_____		_____	_____
Phone: (____) _____	Fax: (____) _____	E-mail: _____	
_____		_____	
Owner/Developer Certification (must be signed by president, vice-president or equivalent, or ranking elected official)			
I certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision. The submitted information 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 fine and imprisonment. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.			
Owner/Developer name, print or type	Signature	Date	
_____	_____	_____	
Contractor(s) Certification (must be signed by president, vice-president or equivalent, or ranking elected official)			
I certify under penalty of law that I have reviewed this document, any attachments, and the SWPPP referenced above. Based on my inquiry of the construction site owner/developer identified above, and for my inquiry of the person directly responsible for assembling this NOI, I believe the information submitted is accurate. I am aware that this NOI, if approved, makes the above-described construction activity subject to NPDES permit number TNR100000, and that certain of my activities on-site are thereby regulated.			
Primary contractor name and address	Signature	Date	
_____	_____	_____	
Other contractor name and address	Signature	Date	
_____	_____	_____	
Other contractor name and address, print or type	Signature	Date	
_____	_____	_____	

**Notice of Intent (NOI) for General NPDES Permit for Stormwater Discharges from Construction Activities
(TNR100000) Located within a Qualifying Local Program (QLP)**

Additional Instructions:

Who must submit the NOI form to the QLP? The NOI form must be signed by the "operator(s)" of the construction site. Operators will most likely include the developer of the site, and the primary contractor(s). "Operator" means any party associated with the construction project that meets either of the following two criteria: (1) the party has design or operational control over project specifications (including the ability to make modifications in specifications); or (2) the party has day-to-day operational control of those activities at a project site which are necessary to ensure compliance with the stormwater pollution prevention plan (SWPPP) or other permit conditions (e.g., they are authorized to direct workers at the site to carry out activities identified in the stormwater pollution prevention plan or comply with other permit conditions). If a contractor has not been identified at the time the NOI is submitted by the developer, the contractor(s) must sign an NOI for the project in order to obtain authorization under this permit. The contractor must include the NPDES permit number that is already assigned to the site, along with the name of the construction project and its location.

Notice of Coverage. The QLP will review the NOI for completeness and accuracy and prepare a notice of coverage (NOC). Stormwater discharge from the construction site is authorized as of the effective date of the NOC.

Complete the form. Type or print clearly, using ink and not markers or pencil. Answer each item or enter "NA" for not applicable, if a particular item does not fit the circumstances or characteristics of your construction site or activity. If you need additional space, attach a separate piece of paper to the NOI form. The NOI will be considered incomplete without a map and the SWPPP.

Describe and locate the project. Use the legal or official name of the construction site. If a construction site lacks street name or route number, give the most accurate geographic information available to describe the location (reference to adjacent highways, roads and structures; e.g. intersection of state highways 70 and 100). Latitude and longitude (expressed in decimal degrees) of the center of the site can be located on USGS quadrangle maps. The quadrangle maps can be obtained at the USGS World Wide Web site: <http://www.usgs.gov/>; latitude and longitude information can be found at numerous other web sites. Attach a copy of a portion of a 7.5 minute quad map, showing location of site, with boundaries at least one mile outside the site boundaries. Provide estimated starting date of clearing activities and completion date of the project, and an estimate of the number of acres of the site on which soil will be disturbed, including borrow areas, fill areas, stockpiles and the total acres. For linear projects, give location at each end of the construction area.

Give name of the receiving waters. Trace the route of stormwater runoff from the construction site and determine the name of the river(s), stream(s), creek(s), wetland(s), lake(s) or any other water course(s) into which the stormwater runoff drains. Note that the receiving water course may or may not be located on the construction site. If the first water body receiving construction site runoff is unnamed ("unnamed tributary"), determine the name of the water body which the unnamed tributary enters.

ARAP permit may be required. If your work will disturb or cause alterations of a stream or wetland, you must obtain an appropriate Aquatic Resource Alteration Permit (ARAP). If you have a question about the ARAP program or permits, contact your local Environmental Field Office (EFO).

Submitting the form and obtaining more information. Note that this form must be signed by the company President, Vice-President, for details see permit subpart 2.5. For more information, contact QLP or your local EFO at the toll-free number 1-888-891-8332 (TDEC).



NOTICE OF COVERAGE

Under

City of Cookeville, Tennessee
45 E. Broad Street, Cookeville, TN 38501

And

The State of Tennessee, General NPDES Permit for Stormwater Discharges
Associated with Construction Activity ([TNR100000](#))

QLP Tracking Number:

TNQ020011

Under authority of the Tennessee Water Quality Control Act of 1977 (T.C.A. 69-3-101 et seq.) and the delegation of authority from the United States Environmental Protection Agency under the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251, et seq.):

Name of the Construction Project:

West Broad Cottages

Permittee Name:

Aaron Bernhardt

Contractor(s):

Bernhardt LLC & Jerry Gaux

is authorized to discharge stormwater associated with
construction activity from the site located at:

423 W. Broad St.

to receiving waters named:

Pigeon Roost Creek

~~in~~ accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

Likely presence of threatened or endangered species in
one mile radius:

Yes

Additional pollution prevention requirements apply for discharges into waters identified as:

a) impaired by siltation: Yes b) discharging into Exceptional Tennessee waters: No

Your coverage under the OGP shall become effective on 12/9/13, and shall be terminated upon receipt of
Notice of Termination, or the date of expiration of the OGP.

Tracy Meggs, P.E. or Greg Brown, P.E.
Public Works Department – City of Cookeville QLP

Version 1.1



City of Cookeville – Public Works & Engineering Department
45 E. Broad Street
Cookeville, Tennessee 38501
(931) 520-5249



Notice of Termination (NOT) for General NPDES Permit for Stormwater Discharges from Construction Activities
(CGP) Located within a Qualifying Local Program (QLP)

This form is required to be submitted to the local QLP when requesting termination of coverage from the CGP. The purpose of this form is to notify the QLP that either all stormwater discharges associated with construction activity from the portion of the identified facility where you, as an operator, have ceased or have been eliminated; or you are no longer an operator at the construction site. Submission of this form shall in no way relieve the permittee of permit obligations required prior to submission of this form. Please submit this form to the local QLP from which you received your coverage. For additional information, please contact the QLP or the state's QLP webpage at <http://tn.gov/environment/wpc/stormh2o/qlp.shtml> or contact your local EFO at the numbers identified below.

Type or print clearly, using ink and not markers or pencil.

Site or Project Name: _____		QLP Tracking Number: TNQ	
Street Address or Location: _____		County(ies): _____	
Name of Permittee Requesting Termination of Coverage: _____			
Permittee Contact Name: _____		Title or Position: _____	
Mailing Address: _____		City: _____	State: _____ Zip: _____
Phone: (____) _____		E-mail: _____	

Check the reason(s) for termination of permit coverage:

<input type="checkbox"/>	Stormwater discharge associated with construction activity is no longer occurring and the permitted area has a uniform 70% permanent vegetative cover OR has equivalent measures such as rip rap or geotextiles, in areas not covered with impervious surfaces.
<input type="checkbox"/>	You are no longer the operator at the construction site (i.e., termination of site-wide, primary or secondary permittee coverage).

Certification and Signature: (must be signed by president, vice-president or equivalent ranking elected official)

I certify under penalty of law that either: (a) all stormwater discharges associated with construction activity from the portion of the identified facility where I was an operator have ceased or have been eliminated or (b) I am no longer an operator at the construction site. I understand that by submitting this notice of termination, I am no longer authorized to discharge stormwater associated with construction activity under this general permit, and that discharging pollutants in stormwater associated with construction activity to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Clean Water Act.

I certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision. The submitted information 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 fine and imprisonment. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.

For the purposes of this certification, elimination of stormwater discharges associated with construction activity means that all disturbed soils at the portion of the construction site where the operator had control have been finally stabilized, the temporary erosion and sediment control measures have been removed, and/or the site or portions of the site have obtained permit coverage by subsequent operation or that all stormwater discharges associated with construction activities from the identified site that are authorized by a NPDES general permit have otherwise been eliminated from the portion of the construction site where the operator had control.

Permittee name (print or type): _____	Signature: _____	Date: _____
---------------------------------------	------------------	-------------