

US EPA ARCHIVE DOCUMENT

Qualified Local Program (QLP) Option of the Stormwater Construction General Permit (April 18, 2013)			
1. How would you rate your attitude toward being a Qualified Local Program (QLP)?			
Value	Count	Percent	
Positive	5	20.8%	
	5	20.8%	
	4	16.7%	
Neutral	3	12.5%	
	3	12.5%	
	2	8.3%	
Negative	2	8.3%	
Statistics			
Total Responses	24		
Sum	106		
Avg.	4.4		
StdDev	1.9		
Max	7		
1A Did the outreach of the TDEC/EPA QLP Construction Initiative Process impact your attitude?			
Value	Count	Percent	
Yes	13	56.5%	
No	10	43.5%	
Statistics			
Total Responses	23		
1B Was the impact:			
Value	Count	Percent	
Negative	1	7.7%	
	0	0.0%	
	1	7.7%	
Neutral	4	30.8%	

	2	15.4%					
	2	15.4%					
Positive	3	23.1%					
Statistics							
Total Responses	13						
Sum	63						
Avg.	4.8						
StdDev	1.7						
Max	7						

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

Value	Count	Percent					
Negative	4	18.2%					
	2	9.1%					
	3	13.6%					
Neutral	5	22.7%					
	3	13.6%					
	3	13.6%					
Positive	2	9.1%					

Statistics							
Total Responses	22						
Sum	84						
Avg.	3.8						
StdDev	1.9						
Max	7						

2A Their attitude was influenced by (select all that apply):

	No influence		2	3	4
	%	#	%	#	%
Staff	18.2%	4	9.1%	2	18.2%

Development Community	33.3%	7	23.8%	5	14.3%	3	9.5%
Outreach of the TDEC/EPA QLP Construction Initiative process	61.1%	11	11.1%	2	16.7%	3	0.0%
Attitude or response by other mayors or county executives	60.0%	12	10.0%	2	20.0%	4	0.0%
2B Are there any other factors that influenced their attitudes?							
Count	Response						
1	A neutral attitude was given as the Mayor was not contacted for completion this survey.						
1	Cost to hire staff/administer the program						
1	The County mayor has not expressed an opinion.						
1	n/a						
1	Staff argued against QLP program but State Representative Ryan Williams changed the mind of the City Manager and we are now a QLP.						
1	TO THE BEST OF MY KNOWLEDGE OUR MAYOR HAS NOT BEEN INFORMED OF THIS PROGRAM. WITH THAT SAID, HE KNOWS VERY WELL THAT OUR TOWN HAS INCOME ISSUES, SO I AM QUITE DOUBTFUL A PROGRAM LIKE THE QLP, WHICH WOULD COST US MORE, WOULD BE MET FAVORABLY BY HIM.						
1	The County Mayor does not believe in or support the County Stormwater Program. In fact, he makes every effort annually to cut what funding available from the program. The mayor misrepresents the intent of the program to the building community.						
1	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.						
3. Did any of the Incentives for Qualified Local Programs developed during the outreach of TDEC/EPA Construction							

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

Value	Count	Percent					
Yes	6	27.3%					
No	16	72.7%					
Statistics							
Total Responses	22						

3A Which of the incentives?

Count	Response						
1	Making City the authority for the Construction Stormwater Program.						
1	Reducing the permitting requirement for development community						
1	Shared enforcement Fees						
1	Streamlined permitting process.						
1	The SQSH stream sampling waiver provided some tangible incentive.						

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

Value	Count	Percent					
Negatively	1	4.2%					
	3	12.5%					
	4	16.7%					
No Change	5	20.8%					
	2	8.3%					
	3	12.5%					
Positively	6	25.0%					
Statistics							

Total Responses	24						
Sum	109						
Avg.	4.5						
StdDev	1.9						
Max	7						

4A 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:

Count	Response						
1	Additional engineering costs to the City.						
1	Eliminate duplication						
1	It will require more staff.						
1	More staff work						
1	One stop shop for development community and City staff is very appealing.						
1	n/a						
1	a generally better working relationship with contractors and developers when it is on the local level						
1	Streamlined permitting process. Ability for localized interpretation of regulations. Consolidated work load to put TDEC in more of a much needed advisory position with entities.						
1	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.						
1	Additional resources would have to be dedicated to the QLP option, including an increase in contracted services costs.						
1	WE ADMINISTER THE CONSTRUCTION ISSUES QUITE WELL AS WE ARE NOW. REMOVING THE TDEC REVIEW, COULD WEAKEN OUR ABILITY TO ENFORCE OUR NPDES PERMIT.						
1	We do not have the staff to administer. It only benefits a larger city with designated MS4 Staff.						

	1	Meeting the paperwork and systematic requirements of participation would increase workload to some degree.							
	1	I believe that having the State as the administrator of the program provides for a better/stronger arm of enforcement of policies.							
4B How would you rate your ability to deal with problem/repeat construction offenders?									
Value		Count		Percent					
Poor		1		4.2%					
		2		8.3%					
		3		12.5%					
		2		8.3%					
		6		25.0%					
		6		25.0%					
Excellent		4		16.7%					
Statistics									
Total Responses		24							
Sum		116							
Avg.		4.8							
StdDev		1.7							
Max		7							
Briefly, please explain your answer.									
Count		Response							
	1	Current procedures and authority provide adequate ability to deal with repeat offenders.							
	1	I would consider our program average.							
	1	Most comply, but a select group ignore not only us but the state.							

1	We could fix issues after non-compliance. better enforcement tactic							
1	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.							
1	Properly trained inspectors are able to handle repeat construction offenders in a proper manner using the Enforcement Response Plan.							
1	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.							
1	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							
1	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.							
1	I DON'T THINK IT WOULD IMPROVE OUR ABILITIES AT ALL AND COULD WEAKEN THEM. THE FACT THAT TDEC HAS THE PERMIT STRENGTHENS OUR HAND WHEN IT COMES TO ENFORCEMENT.							
1	No one knows your area like yourself, nor your local developers which give you a better ability to control repeat offenders.							
1	It streamlined the ability to handle offenders quickly and effectively to ensure compliance to all permit requirements.							
1	Our enforcement response plan calls for escalated enforcements all the way from possible warnings to court action.							
1	We have an Administrative Hearing Process and stop work order and can also call TDEC to help enforce.							

1	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.						
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.						
1	We work with them to ensure compliance and make them aware that they will receive a N.O.V. if they become noncompliant.						
1	If we as a city are not able to get a repeat offender to comply, we have the ability to contact the State for help with enforcement. Often the "threat" of bringing in TDEC is enough to cause a repeat offender to comply.						
5. How would you rate your relationship with your Development Community?							
Value	Count	Percent					
Poor	0	0.0%					
	2	8.3%					
	1	4.2%					
	3	12.5%					
	3	12.5%					
	8	33.3%					
Excellent	7	29.2%					
Statistics							
Total Responses	24						
Sum	131						
Avg.	5.5						
StdDev	1.5						
Max	7						
Briefly, please explain your answer.							

Count	Response						
1	Almost every developer is local and knows that they can contact me anytime.						
1	I would consider our relationship good.						
1	My inspectors know them very well						
1	Negative information and propaganda circulated by the County Mayor.						
1	Our permits are simple and inexpensive and we have a one day turn around in most cases.						
1	Politics play too much of a role in city planning, codes and enforcement.						
1	Staff is actively engaged with the Development Community.						
1	WE GET ALONG WITH ALL OF THE DEVELOPERS AND HAVE DONE SO FOR MANY YEARS.						
1	We have a better than average relationship with our development community.						
1	We work with them to ensure compliance.						
1	Work well with all contractors, open to meeting with developers to solve problems						
1	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.						
1	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						
1	They understand why we require what we do. We endeavor to provide good customer service/response times. Our enforcements have clear rationale/evidence.						
1	We try to be proactive instead of reactive and the development community appreciates this approach.						

	1	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.							
6. How would you rate your MS4's current relationship with the local TDEC field office?									
Value		Count		Percent					
Poor		0		0.0%					
		0		0.0%					
		0		0.0%					
		7		29.2%					
		0		0.0%					
		10		41.7%					
Excellent		7		29.2%					
Statistics									
Total Responses		24							
Sum		137							
Avg.		5.7							
StdDev		1.2							
Max		7							
Briefly, please explain your answer.									
Count		Response							
	1	Because we have the same objectives and a desire to reach our goals.							
	1	Field office is very courteous and professional. We act as a team to protect the environment.							

1	I have always been supported by the local TDEC Field Office.						
1	I think we have a good working relationship.						
1	Mr Wade the staff at the Jackson office are easily accessible and generally quick to respond						
1	Still trying to stay on good terms with the local TDEC official.						
1	The relationship with the Field Office has been positive.						
1	WE HAVE ALWAYS GOTTEN ALONG WELL WITH THE TDEC-FIELD OFFICE STAFF.						
1	We have an average relationship with the TDEC field office.						
1	We have not experienced any problems.						
1	We view relationship as partner/working toward the same goal.						
1	We work with them to ensure our compliance.						
1	current officer is Ashley Farmer, she is very approachable, kind, and informative						
1	We operate in partnership as much as we can. Local TDEC officials are fair and consistent. Inspections are very thorough, but actions are balanced.						
1	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.						
1	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.						
1	The Memphis environmental office has wonderful staff and work with all the MS4s the best they can.						

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

Value	Count	Percent				
No Change	11	45.8%				
	5	20.8%				
Positively	4	16.7%				

	2	8.3%					
	1	4.2%					
	1	4.2%					
Negatively	0	0.0%					
Statistics							
Total Responses	24						
Sum	117						
Avg.	4.9						
StdDev	1.4						
Max	7						
Briefly, please explain your answer.							
Count							
	Response						
	1	Able to handle local issues at the local level					
	1	I believe it would be less support from TDEC and less involvement.					
	1	I cannot predict how being a QLP would affect our relationship with the TDEC field office.					
	1	It would be a team effort.					
	1	Relationship is touch and go at this time.					
	1	See above.					
	1	We are partners and becoming a QLP recognizes the trust we have in each other.					
	1	We will reduce TDEC workload, but probably not significantly.					
	1	We would need to hire more inspectors.					
	1	When problems are encountered the TDEC Field office will be consulted.					

1	I think it would prompt more interaction relating to questions, etc., but I think our relationship is strong even without participation (at this time).						
1	WE WOULD STILL BE DEPENDENT ON THE TDEC STAFF REGARDLESS OF QLP STATUS. HOPEFULLY, OUR RELATIONSHIP WOULD NOT DETERIORATE.						
1	We are coordinating better with them, it helps that we are considered qualified program now by the state office.						
1	Would give them less responceability and us more so they would be happy for that, but then the would need to police us giving them more to do so I say it comes out nuetral						

7. Based on your records, how many active construction stormwater permits did you have open during the following fiscal years:

FY2010							
Count	Response						
1	1						
1	11						
2	12						
1	28						
1	290						
1	33						
2	35						
1	36						
2	4						
1	53						
1	541						
1	57						
1	6						
1	85						

FY2011							
Count	Response						
1	11						
1	13						
1	15						
1	16						
1	20						
1	28						
1	3						
1	315						
1	32						
1	35						
1	42						
1	5						
1	51						
1	515						
1	53						
1	62						
1	85						
1	9						
FY2012							
Count	Response						
2	1						
2	10						
1	11						
1	12						
1	14						
1	23						
1	299						
1	31						
1	35						
1	38						
1	42						
1	480						
1	49						

FY2012									
Count	Response								
	3 1								
	1 13								
	1 135								
	1 14								
	1 23								
	1 32								
	1 42								
	1 49								
	2 5								
	1 6								

9. 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.

Count	Response								
	1 1-2								
	1 10								
	1 12 weeks								
	1 14								
	1 15								
	1 2 to 10 days								
	1 2 weeks								
	1 21								
	1 3 working days								
	1 30								
	2 30 days								
	1 40								
	1 50								
	1 60 Days minimum								
	1 7								
	1 7-10								
	1 75								

	1	90 days as this is completed with Site Plan application process.						
	1	N/A						
	1	up to 30						
	1	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)						
9A In your opinion, would participation in the Qualified Local Program Option:								
Value		Count		Percent				
Increase the process time		13		54.2%				
Have no affect on the process time		9		37.5%				
Decrease the process time		2		8.3%				
Statistics								
Total Responses		24						
Briefly, please explain why.								
Count		Response						
	1	Additional time will be required because of the added reviews by our engineering consultant.						
	1	As a Qualified Local Program, the process has been streamlined to allow for a faster response.						
	1	Could increase certain review scope elements.						
	1	If the site is over an acre, we wait until TDEC has approved the SWPPP.						
	1	Should not increase the process time.						
	1	Too many other factors with the Planning process dictate review times.						
	1	to ensure all necessary paper work is in order						

1	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.						
1	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.						
1	If nothing else, additional documentation requirements would result in an increase in the process time.						
1	IN ORDER TO COVER THE AMOUNT OF REVIEW OF THE NOTICE OF INTENT AS WELL AS THE SWPPP THAT THE PERMIT WOULD REQUIRE THEN ISSUE OUR OWN NOC, IT WOULD HAVE TO ADD TO THE AMOUNT OF TIME SPENT ON EACH PERMIT APPLICATION.						
1	right now we rely on the state to issue permits, if we had to process NOIs, review SWPPPS, add a database, etc. it would increase time and cost.						
1	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.						
1	We are currently reviewing the information so don't expect a dramatic change in the process time.						

