

November 2019 Newsletter



**Is This Sediment Basin on the Approved ES&PC Plan?
If Not, What Can the Permittee Do to Make it Compliant?**



www.NPDEStraining.com
678-469-5120
NPDES Stormwater Training Institute



Sediment from an Unpermitted Construction Site

the result of a Public Works Department and MS4 Inspector that did not require a Land Disturbing Activity permit.

The sediment basin above was not on the Erosion, Sedimentation and Pollution Control (ES&PC Plan). To bring it into compliance, the permittee (Level 1A Certified) must have the Designer of Record (Level II Certified) change the design to either include it, and/or find a solution through Georgia's Best Management Practice (BMP) requirements (i.e. Green Book).

Last month we discussed the fact that for a floating surface skimmer device to operate effectively, a significant amount of stormwater pretreatment must take place. [Our course Sediment Basin course on Thursday, November 14 this week](#) in Marietta goes into great detail about this.

When it comes to making wise choices with NPDES Permit compliance on a construction site, what does does "wise" really mean? Wisdom, usually comes by learning from your own mistakes, or someone else. When it comes to mistakes that Georgia has made regarding erosion, we have plenty to learn from, but today, with the lack of funding our environmental protection agencies, many would say there's not a lot of wisdom being made in the decisions to underfund these valuable agencies.

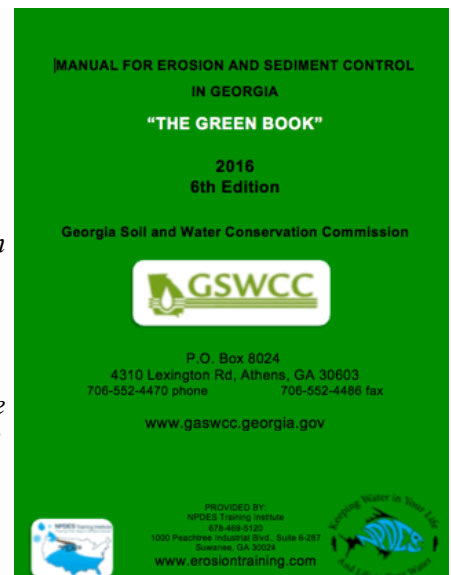
A few years ago, one of my land developer clients suffered a lot of personal property damage from another developer whose sediment discharged onto his personal property. What he told me from his experience, I want to share with you. *He said, "As a developer, I always knew it wasn't right to go the cheap route when it came to hiring erosion plan designers and erosion control contractors. I always hoped for a local inspector to be slack in their enforcement, and they usually were. I knew, every now and then my attitude might come back to haunt me, but I never dreamed that I would have to go through the horrible experience of having my own property's creeks and lake fill up with sediment." He said, "With erosion control, I'll never be on the cheap again!"* At the end, I was able to help him get some damages from the NPDES permit violator that caused him so much grief, but not enough to put his property back the way it was. He understands today from his own personal experience that poor erosion control compliance and local enforcement, is damaging more than you can imagine!

To be more specific, when it comes to Georgia's NPDES Permit requirement for sediment storage on a qualified construction sites of 67 cubic yards "per acre draining" into a designed stormwater treatment system. Approved sediment storage best management practices (BMPs) are most commonly sediment basins and sediment traps. So let's talk about the NPDES and LDA permit requirements, and what

a permittee can do to stay in compliance with these very stringent rules. Regarding sediment basins in Georgia, the NPDES Permit says:

*"Sediment basins. For common drainage locations a temporary (or permanent) sediment basin providing at least 1800 cubic feet (67 cubic yards) of storage per acre drained, or equivalent control measures, shall be provided until final stabilization of the site. The 1800 cubic feet (67 cubic yards) of storage area per acre drained does not apply to flows from off-site areas and flows from on-site areas that are either undisturbed or have undergone final stabilization where such flows are diverted around both the disturbed area and the sediment basin. For drainage locations where a temporary sediment basin providing at least 1800 cubic feet (67 cubic yards) of storage per acre drained, or equivalent controls is not attainable, sediment traps, silt fences, wood mulch berms or equivalent sediment controls are required for all side slope and down slope boundaries of the construction area. **When the sediment fills to a volume at most of 22 cubic yards per acre for each acre of drainage area, the sediment shall be removed to restore the original design volume.** This sediment must be properly disposed.*

Sediment basins may not be feasible at some construction projects sites. Careful consideration must be used to determine when a sediment basin cannot be used and/or when 67 cubic yards of storage per acre drained is not attainable and a written justification explaining the decision(s) must be included in the Plan. Perennial and intermittent waters of the State shall not be used for temporary or permanent sediment detention.



The seemingly impossible issue for most construction NPDES permittees in Georgia, is storing the required volume of sediment when their site gets hit by a big thunderstorm. Problem is, many permittees can't often prove they were "properly" complying with their NPDES permit when the sediment that should have been stored on site, runs offsite into state water or someones property.

In the United States, accountability for pollution goes to the owner and/or operator (permittee) of the NPDES permitted site, and since it's up to the permittee to maintain the ES&PC Plan by ensuring the BMPs are properly installed and maintained, stop work orders and big fines cost the permittee a lot of money.

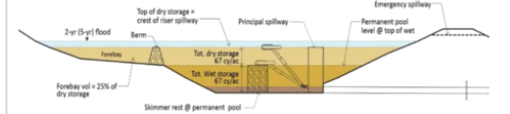
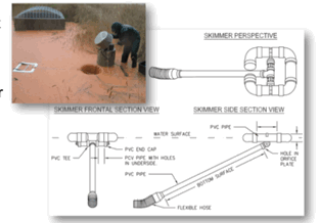
If you're a stormwater consultant and/or local, state or federal regulator, it's critically important to understand your primary role is that of an educator, always teaching the permittee what it means to be ready to demonstrate their "intent to comply" with their NPDES permit obligations. Practically speaking, that means teaching them to complete and store their daily rainfall logs, daily inspection forms, weekly and after 1/2 inch rain inspection forms, water sample reports otherwise known as stormwater discharge monitoring reports (DMRs), turbidimeter calibration forms, monthly forms, deficiency/violations logs, etc. Always keeping them up to date to prove BMPs match the ES&PC Plan and are being maintained! These documents verify the permittee's legal efforts to improve and maintain the chemical, physical and biological condition of the watersheds to which their stormwater drains.

I am fortunate to have great friends that are Land Developers, Design Professionals, Environmentalists (all of whom love to fish), and there's one thing I've learned, **we all want clean, abundant water!** In Georgia, a state that on average receives anywhere from 55 to 75 inches of rain per year, it is all the more imperative that we inspect and maintain the ES&PC Plan and BMPs on our construction sites.

DOWNLOAD your [GUIDANCE for NPDES Permit Compliance](#) for Georgia Construction Sites

[REGISTER HERE \(4 CEUs\) for the Sediment Basin Design and Installation course on November 14th](#) if you want to learn more about how sediment basins, skimmers, baffles, filters and polymers are designed to operate. This is our most popular hands-on course.

If you need some clarity when it comes to sediment basin design, installation and maintenance of surface skimmers and baffles, this class will cover everything you **need** to know!
BONUS: A certificate of completion will be provided for each attendee that can be used to fulfill your GSWCC recertification as well!



Answers to questions covered in the class will include:
 1) What types of Surface skimming (Sk) devices can I legally install?
 2) How do I connect the skimmer to the outlet of a temporary basin?
 3) What kind of baffle designs will work best in various situations?
 4) Are there resources available to design and construct one myself so I can save money?
 5) Can I use the 5th Edition Greenbook instead of the 6th Edition and not worry about installing a surface skimmer device?

EROSION & SEDIMENT CONTROL COURSES

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Level 1B Advanced Fundamentals (Red Card) - Click Here

Level II Introduction to Design (Tan/Gray Card) - Click Here

for Design Pros (Tan Card) and Plan Reviewers (Gray Card)

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[AMERICA NEEDS LOCAL ENFORCEMENT](#)

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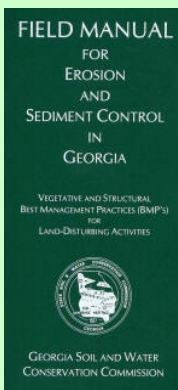
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is as Effective as Americans Want It To Be



**NPDES Permit Compliance:
The Primary Reason Lake Lanier
is Fishable, Swimmable & Boatable!**

Clean, abundant water resources: who would argue against that? In actuality, the NPDES permits and ordinances that serve to assure Americans that only *clean* water will be discharged from industrial, construction and municipal operations are increasingly violated today.

It's an important truth that one of the fundamental roles of the government is to serve the public, but when the public is silent about its concerns regarding clean water, the government often slacks in its enforcement of the laws that have been so effective at protecting Americans in the past. Today, the responsibility for enforcement of federal and state regulations has largely been handed down to local governments, referred to as Municipal Separate Storm Sewer Systems (MS4's). It's the local [MS4 Inspector](#) that must have public support so as to be able to keep our rivers and lakes fishable, swimmable and boatable.

[MORE](#)

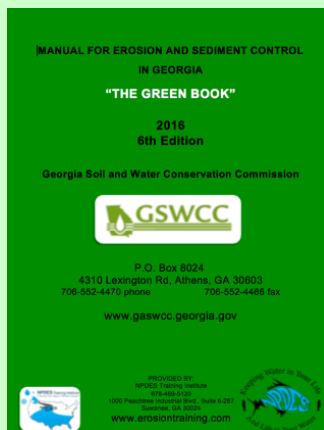
MS4CECI



**Next Class in
Marietta, Georgia**

**NOVEMBER 18th &
19th, 2019**
[Click Here](#)

**Hands On
Field IDDE & Outfall Investigations,
Construction or Industrial Site Inspections**
This course meets and exceeds the NPDES Permit requirements for



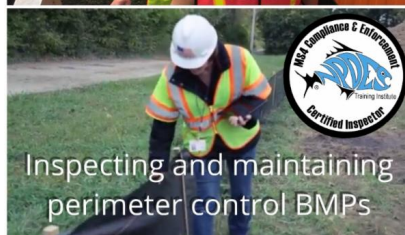
OR
 DOWNLOAD A
**FREE COPY OF THE
 GREENBOOK HERE!**

**AS OF JULY 1, 2016 ONLY
 THE 2016 EDITION
 GREENBOOK CAN BE USED IN
 GEORGIA.**



www.waterwatchpro.com

stormwater training.



[Click Here for MS4CECI Course Dates](#)

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**Building a Strong America
One Brick and
Creek at a Time**

**GETTING IT DONE IN BOTH
THE CLASSROOM & THE FIELD!**



**Stormwater
Training Institute**

678-469-5120
www.NPDESTraining.com

*COURSE EVALUATIONS;
these are just a few!*

"Luke is an excellent instructor, his knowledge and experience was communicated clearly and on point with interesting facts and examples."

"The instructor was incredibly knowledgeable and shared his experience that really made the point. Different media in the training (video, whiteboard and slides with few words and big pictures) made a potentially boring class, fun. The NPDES Training Institute rocks!"

"The trainer was knowledgeable of the material, his anecdotes and teaching method of involving others was great."

"Of all the stormwater classes I've had to take, this one was by far the most stimulating and educational yet! Thank you, your passion for America and our quality of life shines through your training!"

"Excellent facility, field exercise, excellent media presentation, great lunch."

"The presentation was well organized with multiple uses of media & dry erase board illustrations. The Impaired Stream field visit was icing on the cake"

"Instructor had a great training style, I liked how he mixed it up"

"These guys know their stuff!"

"THE BEST STORMWATER CLASS I'VE EVER ATTENDED!"

CALL RITA

678-469-5120 for help registering!

www.ms4training.com

#MS4sMatter



Research shows:

5% will violate water quality laws no matter what,
20% will comply with water quality law s no matter what , and

75% will comply only with effective Local Enforcement!

"Improving the Efficiency and Effectiveness of Compliance Monitoring and Enforcement of Environmental Policies"

Cheryl Wasserman, USEPA



List of Common Violations to Avoid

COMPLIANCE TOOL BOX



NPDES Permit Construction Compliance Guidance

Construction Inspection Forms for NPDES Permit Compliance

GREEN BOOK (Manual for E&SC in Georgia - New 2016)

FIELD MANUAL for E&SC in Georgia - New 2016

WHO NEEDS TO BE CERTIFIED in GEORGIA - FACT SHEET

Enforcement Requirements for Local Issuing Authorities

EPD GUIDANCE TO SWCC DISTRICTS FOR PLAN REVIEWS

PONDS - BUILDING or RENOVATING

STREAMBANK and SHORELINE Stabilization Restoration



Southeast
Stormwater Association



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Erosion Issue?**

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PERMITTEE SCENARIOS FOR COMPLIANCE


[GA Stormwater Management Manual \(GI Guidance\)](#)

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[FIND IMPAIRED WATERS WHERE YOU LIVE](#)



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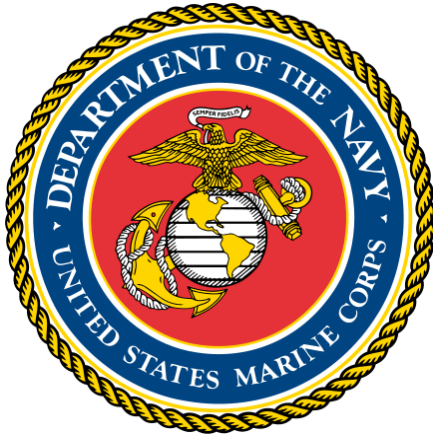


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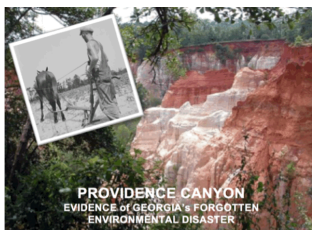
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Expires on November 30, 2019



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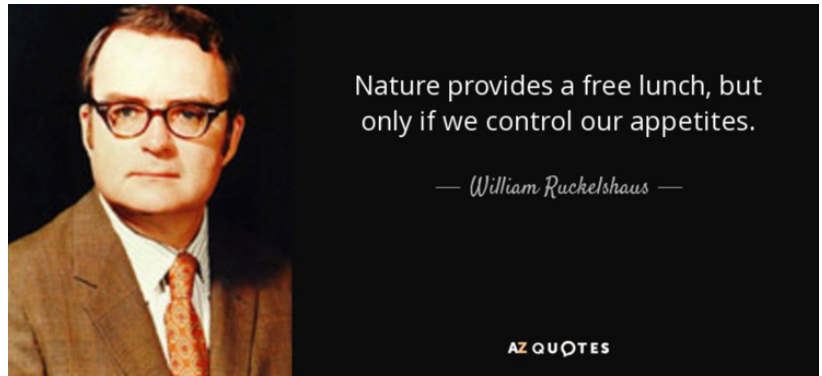
[GEORGIA ASSOCIATION OF WATER PROFESSIONALS](#)



[INTERNATIONAL EROSION CONTROL ASSOCIATION](#)



[WATER ENVIRONMENT FEDERATION](#)



Respecting our neighbors downstream is what America is all about and it's compliance and enforcement of the NPDES permit program that makes our nation the envy of the world!

*OUR CHILDREN will be living through
decisions we make today with our water . Let's be considerate and
respectful of their quality of life when we're gone.*

NPDES permit compliance is an investment in our nation's future generations so they too can have an equally great place in which to live, swim, fish, boat, and hunt tomorrow!

Sincerely,
NPDES TRAINING INSTITUTE

A handwritten signature in blue ink, appearing to read "T. Luke Owen".

T. Luke Owen, PG MS4CECI
President

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www.erosiontraining.com

tlowen@npdestraining.com