



NOVEMBER 2016 Newsletter



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In our stormwater world as a point source of pollution, always be capable of demonstrating your "INTENT TO COMPLY". We're in a severe drought now but since it looks like it might start raining soon (hopefully, quite a bit), the "bad habits" I've seen out there of not doing inspections and maintaining best management practices (BMPs) could get a permittee in real trouble when that "gully washer" rain event finally hits the ground.

USEPA Considerations in Selection of Enforcement Response

- 1 - Is the violation isolated or infrequent?
- 2 - Frequent or repeat violations
- 3 - Other types of non-compliance involved
- 4 - Degree of impact to environment

Keeping your "Intent to Comply" mindset is very important! Demonstrating your efforts to comply with your permit means having proof that you have done your inspections, documented you repairs to BMPs as well as your changes to your design along the way.....and if you're really smart, take photo's to prove you've done your best. A few questions a US EPA, state or local regulator considers when issuing fines and stop work orders are listed in the photo to the right?

DUST, what a pain! More and more projects in metroAtlanta are getting shut down or fined from local municipalities due to neighborhood complaints.

Some of the questions I've received lately are.....

When it comes to DUST control enforcement by local governments, just how far can a local government be allowed, by law, to enforce? Can a county or city give you a stop work order when dust leaves the boundary of your construction site? Does the Georgia EPD back them up when they shut down or fine a project?



The answer to these questions is "Yes" and are found within the Georgia Erosion and Sedimentation Act (GESA), and the NPDES General Permit. If you want to know where, keep reading.

When a county or city adopts the Model Ordinance provided by the Georgia EPD, recently amended in June 2016, the Local Issuing Authority (LIA) enforces the state law, much of it through land disturbing activity (LDA) permits they issue.

Their hands are tied on some things as far as how far they can go, but for the most part when they issue Stop Work Orders and/or fines the state backs them up. The state and federal government give LIAs a lot of authority, and actually depend on them to be the primary force to require compliance regarding dust or any kind of sediment leaving the boundary of a construction site, especially if it's one or more acres. Local Ordinances as well as their adopted Model Ordinance (described below) requires they enforce as if they are the Georgia Environmental Protection Division (EPA), but also requires the elements found in the NPDES General Permit for construction sites, as applicable.



In the words of the state's **2016 Model Ordinance**,

The rules, regulations, ordinances, or resolutions adopted by the LIA for the purpose of governing land disturbing activities shall require, as a minimum, protections at least as stringent as the state general permit.

DUST CONTROL SOLUTION:

Dust Control (Du) in Georgia's 2016 Green Book is identified as a BMP. Everyone knows about water trucks, but water evaporates quickly and causes a muddy mess that is often tracked off the site. A possible solution could be to mix a tackifier (Tac) in the water truck, and if the driver dispatches in a timely fashion. Dr. Jim Spotts at Southeastern Environmental Consultants can be a great person to help you with dust control issues. He can be reached at (770) 216-9514.

Call Rita or Tami at 678-469-5120 (or go to www.erosiontraining.com to schedule yourself or your organization for one of our courses.



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CALL RITA at 678-469-5120 if you need help registering!



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CLEAN WATER ACT VIOLATIONS

USEPA

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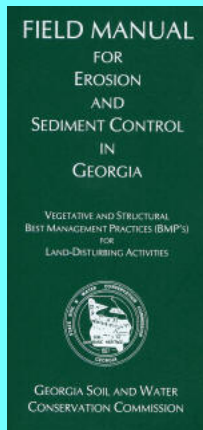
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2016 GREEN BOOK**



Welcome to DeKalb County's Consent Decree Program website

The Department of Watershed Management's (DWM) Capital Improvement Projects (CIP) Division is committed to providing first-class service to the citizens and business owners of DeKalb County, and a key component of service is communication.

Because we recognize the connection between a quality sanitary sewer system and a healthy environment, communicating how you can help us eliminate sewage pollution from cooking-related fats, oils, and grease from the County's rivers and streams, particularly the South River, where treated wastewater is discharged, will greatly improve water quality. Equally important is keeping you informed of our progress as we work to meet federal and state standards required by the consent decree agreement between DeKalb County, the Environmental Protection Agency (EPA), and the Georgia Environmental Protection Division (EPD).



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GEORGIA EPD

Facility: Aladdin Manufacturing Corporation
Location: Whitfield County
Order Number: EPD-WQ-8185
Date of Issue: November 14, 2016
Cause of Order: Unpermitted discharge to waters of the State resulting in fish kill
Requirement(s) of Order: Take actions to prevent future unpermitted discharges; construct waste water pipe improvements
Settlement Amount: \$13293.41

Facility: Gulf South Pole & Timber Company, Inc.
Location: Turner County
Order Number: EPD-WQ-8190
Date of Issue: November 14, 2016
Cause of Order: Failure to comply with NPDES Permit for Storm Water discharges associated with Industrial Activity
Requirement(s) of Order: Retain professional engineer to develop an appropriate Storm Water Pollution Prevention Plan (SWPPP)
Settlement Amount: \$6000.00

Facility: Southeast Pipe Survey, Inc.
Location: Clarke County
Order Number: EPD-WQ-8188
Date of Issue: November 10, 2016
Cause of Order: Unpermitted discharge to waters of State resulting in fish kill
Requirement(s) of Order: Correct immediately
Settlement Amount: \$2677.06

Facility: Hobbs Road Construction Project -- Jim Young
Location: Dodge County
Order Number: EPD-WQ-8200
Date of Issue: November 10, 2016
Cause of Order: Failure to submit Notice of Intent to obtain general Permit coverage; failure to implement BMPs
Requirement(s) of Order: Cease construction until notified by Division; prepare and fully implement Erosion Sedimentation and Pollution Control Plan
Settlement Amount: \$4000.00

MORE

**RECERTIFICATION
IN-CLASSROOM or ONLINE
"FOR THE OUTDOORSMAN IN ALL OF US!"**

MANUAL FOR EROSION AND SEDIMENT CONTROL
IN GEORGIA

"THE GREEN BOOK"

2016
6th Edition

Georgia Soil and Water Conservation Commission



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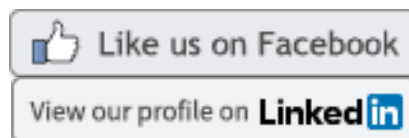
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Local Government NPDES Enforcement & Plan Review Authority

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

GREEN BOOK Video Presentation



[2013 NOI & NOT Forms](#)

[2013 FACT SHEET - NPDES General Permit for Construction \(GA\)](#)

[2013 FACT SHEET ADDENDUM - NPDES General Permit for Construction](#)

[WHO NEEDS TO BE CERTIFIED in GEORGIA - FACT SHEET](#)

[March 5, 2012 Memo for Projects Less than 1-Acre](#)

NEW [2014 303d LIST \(Georgia\) - for use as of July, 2016](#)

[EPD GUIDANCE TO SWCC DISTRICTS FOR PLAN REVIEWS](#)

[CITY OF ATLANTA - Forms, Checklists & CAD Sample Plan](#)

[BUILDING & RENOVATING A POND in GEORGIA](#)

[TMDL IMPLEMENTATION PLANS](#)

[STREAMBANK & SHORELINE RESTORATION in GEORGIA](#)

[GESA Exemption #8](#)

[BUFFER VARIANCE REQUIREMENTS FOR DAMS](#)



MORE STORMWATER CONFERENCES & TRAINING EVENTS



[SOUTHEAST STORMWATER ASSOCIATION \(SESWA\)](#)
(UPCOMING CONFERENCES)



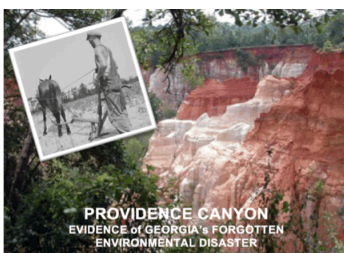
[GEORGIA ASSOCIATION OF WATER PROFESSIONALS](#) (UPCOMING CONFERENCES)



[GEORGIA RURAL WATER ASSOCIATION \(GRWA\)](#)
(UPCOMING CONFERENCES)



[INTERNATIONAL EROSION CONTROL ASSOCIATION](#)



MS4 Stormwater Compliance is CRITICAL to America's Future Quality of Life

"Our population is tremendously r eliant on **state enforcement** and even more on quality local enforcement efforts to ensure our streams, rivers, lakes and coasts. **A persons property value and physical health down stream is just as important to that land owner, as profitability & quality of life is to the land developer up stream!**



Research has shown that:

5% will violate water quality laws no matter what,

20% will comply with water quality laws no matter what, and

75% will comply only if their is local enforcement and compliance is perceived as non-arbitrary.

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

Cheryl Wasserman

HERE's TO TIGHT LINES & GOOD TIMES in Clean Abundant Water!!!

Respecting our neighbors downstream is what America is all about and it's the NPDES permit that helps us do that! It's OUR CHILDREN that will be living through decisions we make today. NPDES is an investment into our nations future generations so they can also have an equally great place to live, swim, fish, boat, and hunt tomorrow!



Sincerely,
NPDES  **TRAINING INSTITUTE**


T. Luke Owen, PG
President

www.npdestraining.com
www.ms4training.com
www.erosiontraining.com
tlowen@npdestraining.com



Answer: American citizens supporting the Clean Water Act through Local Compliance & Enforcement Efforts!