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**ENFORCEMENT** 



### "US EPA should ditch the new US WATERS RULE" says Small Business Administration



On October 1, 2014, the U.S. Small Business Administration Office of Advocacy sent a letter to US EPA and the Army Corps <u>urging withdrawal</u> of the proposed "Waters of the U.S." (WOTUS) rule. Both EPA and the Army Corps claim

that WOTUS rule "will not have a significant economic impact" and no small business analysis is needed. However, in comments submitted to both agencies, the Office of Advocacy disagrees. The office of Advocacy believes that EPA and the Corps have improperly certified the proposed rule under the Regulatory Flexibility Act (RFA) because it would have direct, significant effects on small businesses. Advocacy recommends that the agencies withdraw the rule and that the EPA conduct a Small Business Advocacy Review panel before proceeding any further with this rulemaking. **READ MORE** 

**<u>CLICK HERE</u>** for Southeast Stormwater Association (SESWAs) analysis of EPAs proposed rule change.

A few days ago following SBAs letter, the US EPA extended the rule making comment period to November 14, 2014.



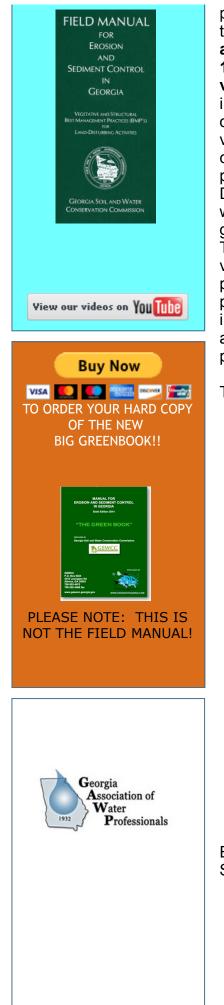
### WILL YOUR BOAT NEED TO APPLY FOR AN NPDES PERMIT?!

NEW NDPES PERMIT FOR SMALL VESSELS

The EPA published the small vessel general permit (sVGP) on **September 10, 2014** to

provide NPDES permit coverage for discharges from nonmilitary, non-recreational vessels less than 79 feet (i.e., small vessels") <u>operating in a capacity as a means of transportation</u>.

Unless specifically excluded in Part 1.5 of the sVGP, discharges incidental to the normal operation of a vessel less than 79 feet, when that vessel is operating in a capacity as a means of transportation, are eligible for coverage under this



permit EPA estimates that the final sVGP will affect approximately 115,000 to 138,000 vessels. All discharges incidental to the normal operation of these vessels are eligible for coverage under this permit beginning December 19, 2014 when the NPDES permit

United States Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES)

SMALL VESSEL GENERAL PERMIT FOR DISCHARGES INCIDENTAL TO THE NORMAL OPERATION OF VESSELS LESS THAN 79 FEET (sVGP)

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Clean Water Act, as amended (33 U.S.C. 1251 et seq.), the owner or operator of any non-recreational, non-military vessel less than 79 feet in length that is operating in a capacity as a means of transportation, and is eligible for permit coverage under Part 1.1 of this permit is authorized to discharge into waters subject to this permit in accordance with the requirements set forth in this permit.

Required best management practices are found in Part 2. Additional requirements are set forth in Parts 3 and 4 of this permit.

when the NPDES permit requirement for these discharges goes into effect.

The Clean Water Act defines a recreational vessel as any vessel that is either: (1) manufactured or used primarily for pleasure, or (2) leased, rented, or chartered to a person for the pleasure of that person. The term recreational vessel does not include a vessel that is both subject to Coast Guard inspection and either (1) engaged in commercial use or (2) carries paying passengers.

#### The following kinds of vessels **ARE NOT SUBJECT** to the NPDES Small Vessel General Permit:

- Boston whaler-type recreational vessel manufactured for activities like water skiing, but also used for law enforcement purposes, for example, operated by a state police department or fish and wildlife agency.
- UTILITY VESSEL used by the Army Corps of Engineers or a state or federal wildlife agency for public resource management purposes such as hydrographic surveys, wildlife management, buoy marker setting, water patrol, inspections, etc., for which the same model is also manufactured and utilized for recreational uses (e.g., a 26 foot aluminum hulled jon-boat, flatbottom, or
- skiff). • A VESSEL
- A VESSEL ORIGINALLY MANUFACTURED FOR PLEASURE and not subject to Coast Guard inspection requirements.



- A SMALL VESSEL
  - CHARTERED TO ANOTHER FOR PLEASURE of that person, including for fishing, but of a size that is not subject to Coast Guard inspection.

#### Examples of **VESSELS THAT** <u>ARE</u> **SUBJECT** to the NPDES Small Vessel General Permit:

- A charter fishing vessel subject to Coast Guard inspection carrying 12 paying passengers or more.
- A purpose built vessel manufactured for non-recreational purposes
- such as a steel hull towboat or aluminum hull crew boat.
- A small utility vessel manufactured for barge transport.
- A commercial fishing vessel manufactured for that purpose.



#### OCTOBER 22, 2014 We are near capacity with OVER 220 REGISTERED for this GREAT EVENT!

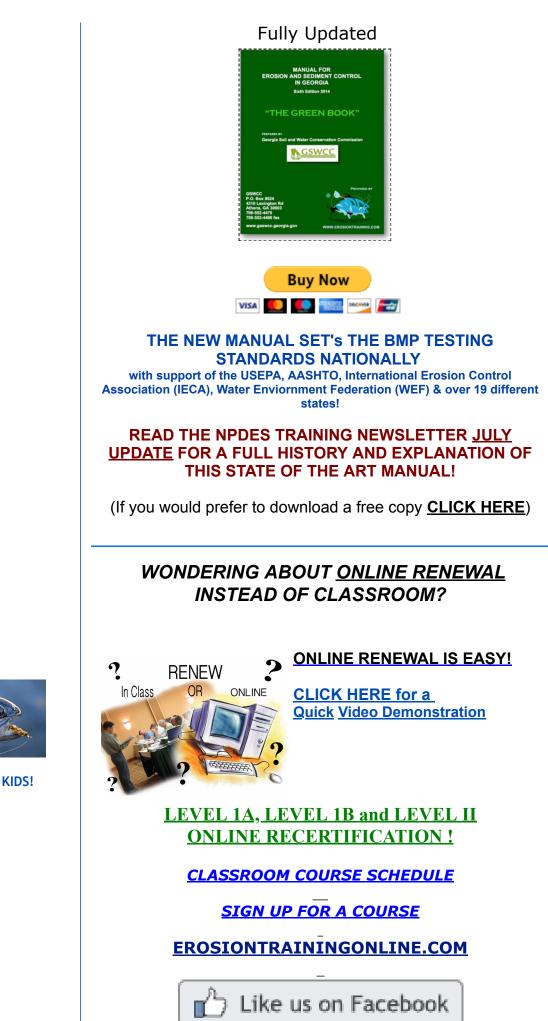


This is Georgia's most popular construction stormwater training event. <u>It's practical and offers the latest information and tools</u> to help keep our state waters free of sediment and other pollutants! Come join us and network with old and new friends alike. Learn from others and share your experiences with stormwater pollution AND erosion and sediment control. We have the BEST classroom session speakers and BMP field demonstrators in the business!



We're near capacity, so <u>CLICK HERE (you must pay to</u> register!)

The 6th Edition Green Book Printed and Bound \$45 plus S&H





FISH WITH KIDS!

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### PROUD TO BE ON AGC'S NATIONAL ENVIRONMENTAL STEERING COMMITTEE

# COMPLIANCE TOOL BOX



NPDES Training Institute "Training That Helps It All Make Sensel"



GREEN BOOK (Manual for E&SC in Georgia - New 2014)

**GREEN BOOK Video Presentation** 

**GREEN BOOK Update Presentation Free Download** 

**GREEN BOOK Transition Period Guidance (NOW CANCELLED)** 

2013 NOI & NOT Forms

2013 FACT SHEET - NPDES General Permit for Construction (GA)

2013 FACT SHEET ADDENDUM - NPDES General Permit for Construction

2013 GAR100001 - NPDES GENERAL PERMIT - STAND ALONE

2013 GAR100002 - NPDES GENERAL PERMIT - INFRASTRUCTURE

2013 GAR100003 - NPDES GENERAL PERMIT - COMMON DEVELOPMENT

WHO NEEDS TO BE CERTIFIED in GEORGIA - FACT SHEET

March 5, 2012 Memo for Projects Less than 1-Acre

2012 303d LIST - GEORGIA

2007 EPD GUIDANCE TO SWCC DISTRICTS FOR PLAN REVIEWS

CITY OF ATLANTA - Forms, Checklists & CAD Sample Plans

2009 MODEL ORDINANCE (Read Page 7, paragraph C)

BUILDING & RENOVATING A POND in GEORGIA

**CONCRETE WASHOUT PROCEDURES** 

STATE WATERS (CCouch Ltr 2004)

LOCAL ISSUING AUTHORITIES - NEW FEB 2012 List



**ALTERNATIVE BMP GUIDANCE DOC** 

**TMDL IMPLEMENTATION PLANS** 

**STREAMBANK & SHORELINE RESTORATION in GEORGIA** 

**GESA Exemption #8** 

### **BUFFER VARIANCE REQUIREMENTS FOR DAMS**



## MORE STORMWATER CONFERENCES & **TRAINING EVENTS**



NPDES Training Institute S.T.R.E.A.M - City of Griffin & NPDES TRAINING INSTITUTE have partnered to provide Georgia's most popular Annual Stormwater & Erosion/Sedimentation Field Seminar on OCTOBER 22nd!



SOUTHEAST STORMWATER ASSOCIATION (UPCOMING CONFERENCES)





**GEORGIA ASSOCIATION OF WATER** PROFESSIONALS (UPCOMING CONFERENCES)



**GRWA** (UPCOMING CONFERENCES)









### MS4 CECI Compliance & Enforcement Certified Inspector

### Officials from US EPA & GA EPD speak

**MS4 CECI Training Event** 





Hosted by the NPDES Training Institute, you won't find an NPDES certification course with more useful information than the MS4 CECI seminar ANYWHERE, or your money back!

Municipalities and private consultants alike love the MS4 CECI training!

"The videos with equipment demonstrations really helped make it practical"

The EPA and EPD discussions made the course practical and helped me understand how to properly regulate water quality problems in my MS4"

Great training! I feel like I know what to do now with my inspections, both for illicit discharges and construction sites."

"I liked the interaction with the instructor, updated information and all the new resources given out."

"The instructor was patient and really did a good job of answering questions"

"Excellent Course! Video's and Interaction with Instructor!"







In addition to the material you receive, after passing your exam, you will receive a Certificate of Completion worth 8 CEUs and a MS4 CECI photo ID card.

Call us at 678-469-5120 and speak with our helpful staff and/or email us at Needinfo@MS4training.com

# Water Quality AND Economic Growth (A NECESSARY BALANCE)





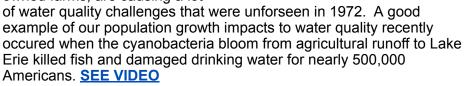
Where people are, pollution is! Whether it's one of the estimated 250 Billion cigarette butts flicked on American soil each year, a 200-acre farm with stormwater runoff full of fertilizer that creates algae blooms, or a 3.5 acre construction site in a downtown area: when it rains it drains to the nearest creek. I have to say I don't envy the USEPA's position in trying to promote and keep the goals of the Clean Water Act nowadays! Today, as our massive population explosion sprawls into areas of our country that never imagined having more than 1 to 2 people per square mile or few boats per lake; we are seeing a

rise in downstream pollutant loads from stormwater runoff into our creeks and lakes. Along with water quality complaints from people living downstream, comes more effort to pass federal and state laws intended to increase water quality protection.

While remembering how horrible our surface water quality was prior

the amendments of the Clean Water Act in 1972, we have been spoiled with clean water and expect it to be clean. Water quality problems related to population growth from poorly managed concentrated animal feeding operations (CAFO's) and agrictultural runoff of nutrients (fertilizers, etc.) from non-point source corporate owned farms, are causing a lot





### CLEAN WATER ENFORCEMENT

COMBINED SEWER OVERFLOW (CSO) FINES STILL HAUNT MANY AMERICAN CITIES



With a federal lawsuit looming for Clean Water Act violations, Fort Smith, Arkansas policy-makers adopted a resolution Tuesday that reaffirms the city's willingness to work with federal agencies that abruptly ended talks in late September after eight years of negotiations toward a solution.

Fort Smith has been under a long-standing federal mandate to comply with the Clean Water Act by eliminating sewer overflows and discharges into the Arkansas River during heavy rains. Since 2006, the city worked with the Environmental Protection Agency and Department of Justice toward a consent decree that would set a schedule for construction projects and require a program for ongoing care of the aging sewer system at the city's cost.

#### GEORGIA EPD

<u>Under authority of the Water Quality Control Act (including Surface Water Allocation) :</u>

Facility:

Location: Order Number: Date of Issue: Cause of Order: Requirement(s) of Order:

Settlement Amount:

Facility:

Location: Order Number: Date of Issue: Cause of Order: City of Cartersville sewer system; order issued to Mr. J. Sidney Forsyth Bartow County EPD-WQ-MDO-14-034 September 23,2014 Unpermitted discharge to waters of the state

Correct immediately

\$750.00

Reinhardt College /Waleska; order issued to Mr. John W. Young Cherokee County EPD-WQ-MDO-14-031 September 23,2014 Violations of NPDES Permit; exceeded Permit limitations

**Requirement(s) of Order:** 

**Settlement Amount:** 

\$500.00

Correct immediately

**Sportsmen** for Fish & Wildlife **Facility:** City of Port Wentworth sewer system Location: Chatham County **Order Number:** EPD-WQ-6059 Date of Issue: September 22.2014 **Cause of Order:** Flooding to City and inflow/infililtration problems causing spill to waters of the state **Requirement(s)** Provide complete evaluation of facilityto make of Order: needed improvements, including revisions to influent automatic valves, capacity of effluent pumps; also include any interim corrective actions that have or will take place; submit approvable corrective action plan/schedule; implement plan, providing progress reports; requirements in EPD-WQ-5453 are still in effect Settlement \$5,000.00

Amount:

Facility:

Professional Products Unlimited Inc/Fayettvile; order issued to Cyrus Jackson

Location: Order Number: Date of Issue: Cause of Order:

Requirement(s) of Order:

Fayette County
EOD-WQ-6061 September 22,2014
Unpermitted discharge of untreated wastewater into waters of the state
Immediately stop any unpermitted discharge to waters of the state; prepare/implement appropriate corrective action plan to clean-up affected areas; report to EPD implementation schedule; within 90 days submit a notice of intent (NOI)

Settlement Amount:

### \$10,000.00

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

It's important that we sacrifice a little today to give our kids an equally great place to live, swim, fish, and hunt tomorrow! There is a lot happening with water regulations that affect a diverse community of public and private entities. If you have areas of interest that you would like included in this newsletter, please contact us at 678-469-5120.



T. Luke Owen,PG President/Principal Trainer and Consultant



International Erosion Control Association JOIN TODAY

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