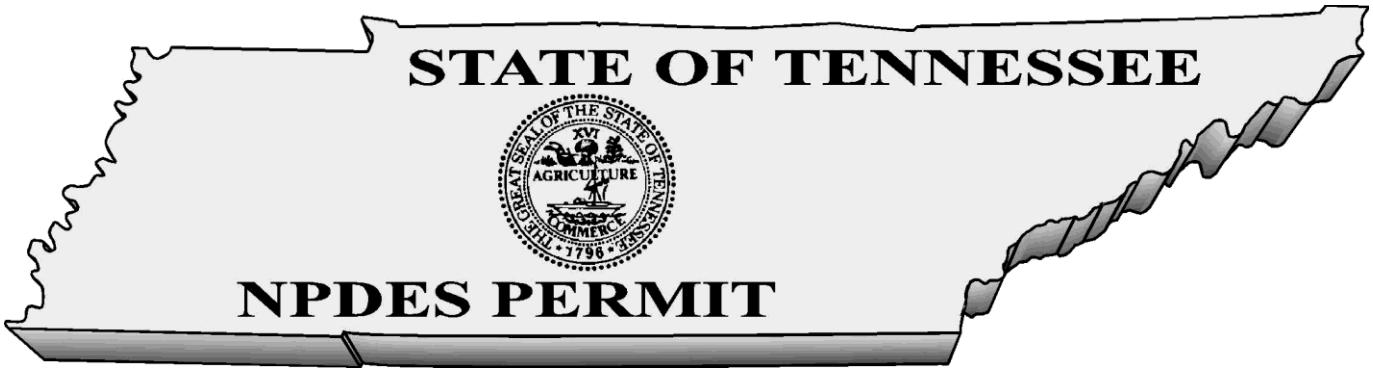

NPDES GENERAL PERMIT FOR DISCHARGES

From

SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

PERMIT NO. TNS000000

Under authority of the Tennessee Water Quality Control Act of 1977 (T.C.A. 69-3-101 et seq.) and approval 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.) and the Water Quality Act of 1987, P.L. 100-4, operators of small municipal separate storm sewer systems are authorized to discharge stormwater runoff into waters of the State of Tennessee in accordance with the various eligibility criteria, administrative procedures, program requirements, reporting requirements, etc. set forth in parts 1 through 7 herein.

This permit is issued on: **September 30, 2016**

This permit is effective on: **October 1, 2016**

This permit expires on: **September 30, 2021**

for Tisha Calabrese Benton
Director

NPDES GENERAL PERMIT FOR DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4)

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1. COVERAGE UNDER THIS PERMIT

1.1. Permit Area

This permit covers the entire State of Tennessee.

1.2. List of the Division's Environmental Field Offices and Corresponding Counties

EFO Name	Division of Water Resources Environmental Field Office Address	List of Counties
Chattanooga	1301 Riverfront Parkway, Suite 206 Chattanooga, TN 37402 (423) 634-5745	Bledsoe, Bradley, Grundy, Hamilton, McMinn, Marion, Meigs, Polk, Rhea, Sequatchie
Columbia	1421 Hampshire Pike Columbia, TN 38401 (931) 380-3371	Bedford, Coffee, Franklin, Giles, Hickman, Lawrence, Lewis, Lincoln, Marshall, Maury, Moore, Perry, Wayne
Cookeville	1221 South Willow Ave Cookeville, TN 38506 (931) 520-6688	Cannon, Clay, Cumberland, DeKalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Smith, Van Buren, Warren, White
Jackson	1625 Hollywood Drive Jackson, TN 38305-2222 (731) 512-1300	Benton, Carroll, Chester, Crockett, Decatur, Dyer, Gibson, Hardeman, Hardin, Haywood, Henderson, Henry, Lake, Lauderdale, McNairy, Madison, Obion, Weakly
Johnson City	2305 Silverdale Rd Johnson City, TN 37601 (423) 854-5400	Carter, Greene, Hancock, Hawkins, Johnson, Sullivan, Unicoi, Washington
Knoxville	3711 Middlebrook Pike Knoxville, TN 37921 (865) 594-6035	Anderson, Blount, Campbell, Claiborne, Cocke, Grainger, Hamblen, Jefferson, Knox, Loudon, Monroe, Morgan, Roane, Scott, Sevier, Union
Memphis	8383 Wolf Lake Drive Bartlett, TN 38133-4119 (901) 368-7939	Fayette, Shelby, Tipton
Nashville	711 RS Gass Boulevard Nashville, TN 37243-1550 (615) 681-7000	Cheatham, Davidson, Dickson, Houston, Humphreys, Montgomery, Robertson, Rutherford, Stewart, Sumner, Trousdale, Williamson, Wilson
Nashville Central Office	William R. Snodgrass Tennessee Tower 312 Rosa Parks Avenue 11th Floor Nashville, TN 37243	Statewide

All Environmental Field Offices (EFOs) may be reached by telephone at the toll-free number 1-888-891-8332.

1.3. Eligibility

1.3.1. Authorization to discharge

This permit authorizes discharges of stormwater from small municipal separate storm sewer systems (MS4s), as defined in 40 CFR § 122.26(b)(16). The permittee is authorized to discharge under the terms and conditions of this general permit if the permittee:

a. Operates a small MS4 within the permit area described in sub-part 1.1,

b. Is not a "large" or "medium" MS4 as defined in 40 CFR § 122.26(b)(4) or (7),

c. Is located fully or partially within an urbanized area as determined by the latest decennial census by the United States Census Bureau, or

d. Is designated for permit authorization by the division pursuant to 40 CFR § 122.32 and

e. Submits a complete Notice of Intent (NOI) in accordance with part 2 of this permit and receive a Notice of Coverage (NOC).

1.3.2. Area of MS4 authorized

Where a city, town or non-traditional MS4 (such as a university) is covered under this permit, this permit covers all portions and areas operated by the city, town or non-traditional MS4. Where a county is covered under this permit, the permit covers the urbanized area of the county and any additional portions of the county, or the whole county, as shall be indicated on the Notice of Intent.

1.3.3. Types of authorized discharges

1.3.3.1 Stormwater discharges

This permit authorizes stormwater discharges to waters of the state from the small MS4s identified in section 1.3.1, except as excluded in sub-part 1.4.

1.3.3.2 Non-stormwater discharges

The permittee is authorized to discharge the following non-stormwater sources provided that the permittee has not determined these sources to be substantial contributors of pollutants to the MS4:

- Water line flushing
- Landscape irrigation
- Diverted stream[1] flows
- Rising ground waters

[1] "Stream" as defined by TCA 69-3-103(40) ("stream" means a surface water that is not a wet weather conveyance).

- Uncontaminated ground water infiltration (Infiltration is defined as water other than wastewater that enters a sewer system, including sewer service connections and foundation drains, from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.)
- Uncontaminated pumped ground water
- Discharges from potable water sources
- Air conditioning condensate
- Irrigation water
- Springs
- Water from crawl space pumps
- Footing drains
- Lawn watering
- Individual residential car washing
- Flows from riparian habitats and wetlands
- Dechlorinated swimming pool discharges
- Street wash water
- Discharges or flows from firefighting activities.

1.4. Limitations on Coverage

This permit does not authorize:

a. Discharges that are mixed with sources of non-stormwater unless such non-stormwater discharges are covered under an NPDES permit.

b. Permitted stormwater discharges associated with industrial activity as defined in 40 CFR § 122.26(b)(14). Stormwater discharges from certain construction related industrial activities, as defined along with other construction activities in this permit, are excluded from this limitation.

c. Discharges or conducting discharge-related activities that are likely to jeopardize the continued existence of listed or proposed threatened or endangered aquatic species (or their critical habitat) under the Endangered Species Act (ESA) or other applicable state law or rule.

d. Discharges or conducting discharge related activities that will cause a prohibited take of federally listed aquatic species (as defined under Section 3 of the ESA and 50 CFR §17.3), unless such take is authorized under Sections 7 or 10 of the ESA.

e. Discharges or conducting discharge-related activities that will cause a prohibited take of state listed aquatic species (as defined in the Tennessee Wildlife Resources Commission Proclamation, Endangered or Threatened Aquatic Species, and in the Tennessee Wildlife Resources Commission Proclamation, Wildlife in Need of Management), unless such take is authorized under the provisions of T.C.A. § 70-8-106(e).

f. Discharges that would cause or contribute to an in-stream exceedance of water quality standards.

g. Discharges of stormwater-borne pollutants at levels that would be in violation of a specific wasteload allocation (WLA) applicable to MS4 permits and as defined in the implementation plan contained in an EPA approved or established Total Maximum Daily Load.

h. Discharges of materials resulting from a spill within the jurisdiction of the MS4, except emergency discharges required to prevent imminent threat to human health or to prevent severe property damage, provided reasonable and prudent measures have been taken to minimize the impact of the discharges.

i. Discharges that do not comply with the division's antidegradation policy for water quality standards, pursuant to the Rules of the Tennessee Department of Environment and Conservation (TDEC), Subchapter 0400-40-03-.06, titled "Tennessee Antidegradation Statement."

1.5. Obtaining Authorization

To be authorized to discharge stormwater from a small MS4, the entity that owns and operates the MS4 must submit an NOI (found in Appendix A and on the division's website) and a description of the Stormwater Management Program (Program) in accordance with sub-part 2.1. The NOI must be signed and dated in accordance with sub-part 6.7 of this permit.

If the division notifies dischargers of other NOI form options that become available at a later date (e.g., electronic submission of forms), the permittee may take advantage of those options to satisfy the submittal requirements of part 2.

Dischargers who submit an NOI in accordance with the requirements of this permit are authorized to discharge stormwater from small MS4s under the terms and conditions of this permit as of the effective date of coverage given in the NOC. The division may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information (see sub-part 6.17).

Where the operator changes, or where a new operator is added after submittal of an NOI under part 2, a new NOI must be submitted in accordance with part 2 prior to the change or addition.

2. NOTICE OF INTENT REQUIREMENTS

2.1. Deadlines for Notification

If the division designates a municipality or nontraditional MS4 as a small MS4, the designee is required to submit a NOI to the division at the appropriate EFO (see sub-part 1.2) within 180 days of notice. Existing permittees must submit an NOI within 90 days of the effective date of this permit, unless a permittee (1) intends to adopt programs that exceed the minimum requirements of federal law, and (2) currently administers post construction stormwater through control mechanisms other than ordinances or resolutions. In these cases the permittee must submit its NOIs within 180 days of the effective date of this permit.

The permittee is not prohibited from submitting an NOI after the dates provided above. If a late NOI is submitted, the authorization is only for discharges that occur after permit coverage is granted. The division may take appropriate enforcement actions for any unpermitted discharges.

2.2. Where and How to Submit Notice of Intent

The permittee may submit the NOI documents either by hard copy or electronically.

2.2.1. Hard copy option

The permittee may submit an NOI, signed in accordance with the signatory requirements of sub-part 6.7 of this permit to the address shown in sub-part 1.2 for the EFO responsible for the county where the MS4 is located.

2.2.2. Electronic copy option

The NOI may be sent by e-mail to water.permits@tn.gov and must conform to the signatory requirements in sub-part 6.7. The division prefers receiving NOIs electronically.

3. SPECIAL CONDITIONS

3.1. Discharges to Waterbodies with Unavailable Parameters or Exceptional Tennessee Waters

Using the most current 303(d) list published on the division's web site along with the GIS mapping tool, the permittee must determine whether it discharges stormwater into streams with unavailable parameters (previously referred to as impaired streams) for nutrients, pathogens, siltation, or other parameters related to stormwater runoff from urbanized areas or to streams designated as Exceptional Tennessee Water. The Stormwater Management Plan (SWMP) must include a description of the Best Management Practices (BMPs) the permittee will use to control discharges to such streams to the Maximum Extent Practicable (MEP). The division may require a corrective action plan if discharges from the MS4 are determined to cause or contribute to an in-stream exceedance of water quality standards, or may require the permittee to obtain coverage under an individual permit per subsection 6.17.1.

For waters with unavailable parameters, the permittee must determine whether or not a Total Maximum Daily Load (TMDL) has been established and approved by EPA. A list of EPA-Approved TMDLs as well as EPA-Established TMDLs for Tennessee waters can be found on the division's web site.

3.1.1. Discharges into Waterbodies with EPA-Approved or Established TMDLs

The permittee must implement stormwater pollutant reductions consistent with the assumptions and requirements of any applicable wasteload allocation(s) in TMDLs established or approved by EPA. If a TMDL is applicable, the Stormwater Management Plan must include Best Management Practices (BMPs) specifically targeted to achieve the reductions prescribed by the TMDL. The SWMP must also contain a monitoring and/or evaluation component to assess the effectiveness of the BMPs in achieving the reductions, and overall compliance with the standard of the Maximum Extent Practicable (MEP). Monitoring can entail a number of activities, including but not limited to: outfall monitoring, instream monitoring or modeling. Monitoring requirements are further described in part 5 of this permit.

Not later than 6 months following a newly approved or established TMDL, the SWMP must be revised to include BMPs specifically targeted to achieve the reductions prescribed by the TMDL.

3.1.2. Discharges to Waterbodies with Unavailable Parameters without TMDLs

For the discharge of nutrients, pathogens, siltation, or other parameters related to stormwater runoff from urbanized areas into a receiving water which has been identified according to section 3.1 as having unavailable parameters but not covered by a TMDL, the permittee must document in its SWMP how the BMPs will address the discharge of these pollutants. Compliance with this section shall be demonstrated through a monitoring component to assess the effectiveness of the BMPs in controlling the discharge of these pollutants. This component must also be included in the SWMP. Monitoring can entail a number of activities including but not limited

to: outfall monitoring, in-stream monitoring and/or modeling. Monitoring requirements are further described in part 5 of this permit.

3.2. Co-permittees and Coordinated Programs

3.2.1. Co-permittees

The MS4 jurisdiction may be covered under this general permit as a co-permittee with one or more other, neighboring MS4 jurisdictions. Co-permittees may submit an NOI at any time during the term of this permit.

In order to be permitted as co-permittees, the original permittee and the other MS4 jurisdictions must submit an NOI with a set of BMPs for all co-permittees. Responsible officials of each participating jurisdiction must sign a single NOI. If measurable goals and implementation milestones vary, each co-permittee must submit its own appendix to the NOI, "*Measurable Goals and Implementation Milestones*." The description of permittee's Stormwater Management Program must clearly describe which permittees are responsible for implementing each of the control measures.

Each co-permittee is individually liable for:

a. Permit compliance for discharges within its legal jurisdiction;

b. Implementing the six minimum measures in portions of the jurisdiction where it is the operator and in areas within its legal jurisdiction; and

c. If any permit conditions are established for specific portions of the MS4, co-permittees need only comply with the permit conditions relating to those portions of the MS4 for which they are the operator.

Each co-permittee is jointly liable for compliance with annual reporting requirements in sub-part 5.4, except that a co-permittee is individually liable for any parts of the annual report that relate exclusively to portions of the MS4 where it is the operator.

Co-permittees are jointly liable for permit compliance on portions of the MS4 as follows:

a. Where operational or Stormwater Management Program implementation authority over portions of the MS4 has been transferred from one co-permittee to another in accordance with legally binding interagency agreements, both the owner and operator may be jointly liable for permit compliance on those portions of the MS4; and

b. Where one or more co-permittees jointly own or operate a portion of the MS4, each owner/operator is jointly liable for compliance with permit conditions on the shared portion of the MS4.

3.2.2. Coordinated Programs

Implementation of one or more of the minimum measures described in sub-part 4.2 may be shared with another entity, or the entity may fully take over the measure. The permittee may rely on another entity only if:

a. The particular control measure, or component of that measure, is at least as stringent as the corresponding permit requirement; and

b. The other entity agrees to implement the control measure on the permittee's behalf. Written acceptance of this obligation is required. This obligation must be maintained as part of the description of the Stormwater Management Program. If the other entity agrees to report on the minimum measure, the permittee must supply the other entity with the reporting requirements contained in sub-part 5.4 of this permit. If the other entity fails to implement the control measure on the permittee's behalf, then the permittee remains liable for any discharges due to that failure to implement.

4. STORMWATER MANAGEMENT PROGRAM

4.1. Requirements

The permittee must continue to develop, implement, and enforce a Stormwater Management Program (Program) as described below and according to 40 CFR §§ 122.30 – 122.37 to protect water quality, and to satisfy the appropriate water quality requirements of the CWA. The Program shall include engineering methods, system design, control techniques and/or management practices appropriate for the control of pollutants of concern. The elements of the Program must be documented by the permittee in a Stormwater Management Plan (SWMP). The Program must be reviewed periodically in accordance with sub-part 4.4. and also in conjunction with the requirements found in various sections throughout this permit. Changes to the Program required by this permit must be completed within 18 months of the effective date of the permit unless otherwise specified. Changes to the SWMP must be approved and documented according to sub-part 4.4.

The SWMP must include the following information for each of the program elements described in sub-part 4.2:

- A detailed narrative description of the BMPs, programs and processes that the permittee or other entity will implement for each of the stormwater control minimum measures;
- The measurable goals for each of the BMPs including, as appropriate, the months and years in which the permittee will undertake required actions, including interim milestones and the frequency of the action;
- Identify by name, job title or department those with the responsibility for implementing or coordinating the Program elements in the SWMP; and
- A detailed description of the monitoring and inspection programs required in parts 4 and 5.

Implementation of the BMPs consistent with the SWMP and compliance with provisions of this permit, including reporting and monitoring requirements, constitutes compliance with the standard of reducing pollutants to the MEP. Unless otherwise specified in this permit, elements of the SWMP shall be implemented by the expiration of the permit.

4.1.1. Newly Permitted MS4 Jurisdictions

Permittees that have not been previously covered under an MS4 permit must develop and fully implement the program within five years from the effective date of the permit except for the following requirements:

Permit requirement	**Description**	**Implementation date**
4.2.3	Ordinance[2] or other regulatory mechanism prohibiting illicit discharges.	Within 18 months of coverage under this permit.
4.2.4	All components of construction site runoff pollutant control program, including plans review and inspections and staff training.	Within 24 months of coverage under this permit
4.2.4 a	Ordinance or other regulatory mechanism for construction site runoff pollutant control program.	Within 18 months of coverage under this permit
4.2.5	Ordinance or other regulatory mechanism and other components of permanent stormwater management including stormwater control measures (SCMs).	Within 24 months of coverage under this permit.

4.1.2. Previously Permitted MS4s

Renewing permittees shall have the elements required in this permit in place except for the following requirements:

[2] Throughout this permit, MS4s that do not have the regulatory authority to promulgate ordinances or other regulatory mechanisms (e.g., universities, federal facilities…) must create approved and implemented policies, memoranda of agreement, or other control mechanisms in place of ordinances or regulations.

Permit requirement	Description	Implementation date
4.2.4	Updates to construction site runoff pollutant control program as required in this permit.	Within 18 months of coverage under this permit
4.2.4 a	Modifications to ordinance or other regulatory mechanism for construction site runoff pollutant control program consistent with requirements of any reissued NPDES general permit for construction stormwater runoff.	Changes to regulatory mechanisms and implementation into the construction site runoff pollutant control program within 18 months of the reissuance of the construction general permit
4.2.5	Adopt an ordinance or other regulatory mechanism (or changes if appropriate) and other components of permanent stormwater management including SCMs.	Submit implementation plan within 90 days of permit coverage, with full implementation as early as possible but within 24 months of coverage under this permit (see 4.2.5).

Compliance schedules, once established, remain in effect regardless of new permit cycles, unless specifically indicated by the division.

4.2. Minimum Control Measures

The Stormwater Management Program shall include the following minimum control measures:

4.2.1. Public Education and Outreach

Permittees shall implement a public education and outreach program. The program must focus on the steps that the public (including residential, commercial, industrial, or institutional stakeholders) can take to minimize the discharge of pollutants of concern to receiving streams. For example, in certain areas known as hot spots, the permittee should focus education on the particular pollutant(s) of concern and address outreach to the communities where the hot spots are located. Permittees are encouraged to emphasize the water quality improvement aspect of education programs and document related or expected water quality improvements.

If not already developed, the permittee shall develop a Public Information and Education Plan (PIE) within 12 months of permit coverage. The plan shall include detailed specific goals and identify specific public information events/activities that are designed to meet those goals as well as a schedule indicating when the events will occur over the remainder of the permit cycle. The PIE shall document all public education and outreach components, and also incorporate an evaluation of components to assess overall effectiveness and the need for improvement. The evaluation methods could include but not be limited to: direct evaluations/observations, surveys, tracking the number of attendees, interviews,

review of media clippings, or tracking the number of stormwater related calls, emails and letters received.

At a minimum, the PIE shall also include targeted educational campaigns addressing the following issues. For flexibility, an issue may be omitted if the permittee can provide justification.

a. General public awareness of the impacts on water quality from general housekeeping maintenance/activities;
b. Home owner associations and other operators of permanent BMPs awareness of the importance of maintenance activities;
c. Local engineering and development community awareness of the stormwater ordinances, regulations, and guidance materials related to long-term water quality impacts;
d. General public and professional chemical applicators awareness on the proper storage, use, and disposal of pesticides, herbicides, and fertilizers use;
e. General public and related commercial and professional stakeholders awareness on the proper storage, use, and disposal of oil and other automotive-related fluids;
f. General public and municipal employees on the awareness of identifying and reporting procedures for illicit connections/discharges, sanitary sewer seepage, spills, etc.;
g. Local engineering, development, and construction community awareness of stormwater ordinances, regulations and guidance materials related to construction phase water quality impacts; and
h. Municipal employee/contractor awareness of water quality impacts from daily operations.

A summary of this information shall be included in the annual report. The PIE plan and education and outreach records must be maintained in the SWMP.

4.2.2. Public Involvement/Participation

Permittees shall implement a public involvement/participation program. Elements of the program may include participation opportunities such as; local stormwater management work groups, public notices of MS4 related meetings and public hearings, recruiting education volunteers, a citizens' stormwater advisory council, volunteer stream monitoring programs, storm drain marking, riparian plantings or stream clean-up events, and involvement of the public with program coordination, detection of illicit discharges and monitoring efforts. The program must include a mechanism for citizen reporting of illegal spillage, dumping, or otherwise illicit disposal of materials into the MS4 system.

Permittees shall develop and implement or revise as necessary, a plan to publicize public involvement and participation opportunities by methods designed to reach the intended audience. For example, the permittee may develop a website, a press release, or an advertisement on local cable networks, radio stations and/or newspapers, or other alternate means of notification.

New permittees must have the plan to publicize completed within 180 days of coverage under and implemented within one year of coverage under this permit.

Permittees shall track and maintain records of public involvement and participation opportunities and include them in the SWMP. A summary of this information shall be included in the annual report.

4.2.3. Illicit Discharge Detection and Elimination

Permittees shall develop, or modify as necessary, implement and enforce an illicit discharge detection and elimination program. Newly designated permittees shall have this program implemented within 18 months of coverage under this permit. Currently permitted MS4s shall continue to implement their existing illicit discharge detection and elimination program.

New permittees must develop, and existing permittees must continue to develop, update and maintain, a storm sewer system map (preferably Geographic Information System based) that shows the location of system outfalls where the municipal storm sewer system discharges into waters of the state or storm sewer systems owned or operated by another MS4 jurisdiction. Updates to the map should be completed within 6 months of the completion of a system modification or addition. The deadline may be extended for larger changes such as large annexations. The map must be available for review upon request. The map must also show:

a. the names and location of waters of the state that receive discharges from those outfalls;
b. inputs into the storm sewer collection system, such as the inlets, catch basins, drop structures or other defined contributing points to the sewershed of that outfall; and
c. general direction of stormwater flow.

To the extent allowable under state or local law, permittees shall effectively prohibit, through ordinance, or other regulatory mechanism, non-stormwater discharges (unless allowed by sub-section 1.3.3.2) into the storm sewer system and implement an appropriate Enforcement Response Plan (ERP). The illicit discharge ordinance and the ERP must be developed and in effect within 18 months of coverage under this permit.

Permittees must develop and implement a plan to detect, identify and eliminate non-stormwater discharges, including illegal disposal, throughout the MS4 jurisdiction. This plan must also include the identification of hot spots. The permittee shall develop and implement standard procedures to be followed to investigate portions of the MS4 jurisdiction that, based on the results of field screening or other identification programs, indicate a reasonable potential of containing illicit discharges. Illicit discharge investigations, and the results of those investigations, shall be documented and include the locations, times, parameters and sampling results, discharge source, and any other pertinent information. The plan to eliminate identified illicit discharges should be completed within 90 days of the initial report, and the discharge eliminated as soon as practicable. All plans and procedures in the IDDE program must be documented in the SWMP.

As indicated in the PIE plan, the permittee must educate public employees, businesses, and the general public concerning the hazards and damage to water quality associated with illegal dumping and connections to the storm sewer, and the

improper disposal of waste. The PIE plan must also address non-stormwater discharges or flows as defined in sub-section 1.3.3.2 if the permittee identifies them as significant contributors of pollutants to its MS4.

The permittee shall develop a mechanism for the public to report (e.g., via hotline or website), suspected illicit discharges. The permittee shall specify the timeframe for initiating complaint investigations within the ERP, but not to exceed seven days from the receipt of the complaint. Documented illicit discharges shall be eliminated as soon as practicable with the ordinance or other regulatory mechanism initiated within seven days of the investigation. Documentation of illicit discharge reports, responses, and resolutions shall be maintained in the SWMP.

The permittee shall foster interagency coordination for hazardous waste or material spills response and cleanup. The permittee shall inform local spill-response agencies and/or TEMA (Tennessee Emergency Management Agency) of the potential negative impacts to surface water (and ground water) of spill clean-up activities. If a set of guidelines and procedures is not already in place, the permittee should initiate a cooperative effort to develop a set of guidelines and procedures that local responders will follow to minimize damaging effects that spill response activities might have on water resources.

4.2.4. Construction Site Stormwater Runoff Pollutant Control

Permittees shall develop, continue to develop, implement and enforce a construction site stormwater runoff pollutant control program. Newly designated permittees shall have this program implemented within 24 months of coverage under this permit. Currently permitted MS4 jurisdictions shall continue to implement existing construction site stormwater runoff pollutant control program and must have any updates to the program resulting from this permit or a Construction General Permit reissuance completed within 18 months of coverage under this permit. Compliance schedules will be extended into the next permit cycle for permittees that receive coverage in the middle of a permit cycle.

The program must address the reductions of pollutants in stormwater runoff from construction activities that result in a land disturbance of equal to or greater than one acre or less than one acre if part of a larger plan of common development or sale. The program must include the development, implementation and documentation of, at a minimum:

a. An ordinance or other regulatory mechanism to require erosion prevention and sediment controls (EPSC), as well as sanctions to enforce compliance. For newly designated permittees, this regulatory mechanism must be in place within 18 months of coverage under this permit. The enforcement sanctions must be identified in an ERP as indicated in sub section 4.5. In order for the program to be consistent with requirements of the future NPDES general permit for construction stormwater runoff, modifications to ordinances or other regulatory mechanisms for construction site runoff control must be implemented within 18 months of the reissuance of a Tennessee Construction General Permit (CGP, TNR100000).

b. Requirements for construction site operators to implement appropriate erosion prevention and sediment control best management practices. The permittee's EPSC requirements shall be consistent with those described in the TDEC EPSC Handbook.

c. Requirements for design storm and special conditions for unavailable parameters waters or exceptional Tennessee waters must be consistent with those of the current Tennessee Construction General Permit (TNR100000).

d. An inventory of actively permitted public and private construction sites that result in a total land disturbance as defined in section 4.2.4. For existing permittees, the inventory must be updated as new projects are permitted and projects are completed. For new permittees, the inventory must be completed with 24 months of coverage and then updated as new projects are permitted and projects are completed. The inventory must contain relevant contact information for each project (e.g., tracking number, name, address, phone, etc.), the size of the project and area of disturbance, whether the project has submitted for permit coverage under the Tennessee Construction General Permit (TNR100000) and the date the permittee approved the construction site plan. The permittee must make this inventory available to TDEC upon request.

e. Requirements for construction site operators control wastes such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at construction sites within the jurisdiction to avoid adverse impacts to water quality.

f. Specific procedures for construction site plan (including erosion prevention and sediment controls) review and approval. The procedures must include an evaluation of plan completeness and overall BMP effectiveness.

g. Mechanisms or plans for public access to information on projects and receiving and considering comments from the public on those projects. As indicated in section 4.2.2, the permittee may use various forms of public communication and electronic communication is encouraged.

h. Procedures for permittee inspectors to evaluate and document construction site compliance. These procedures, as required in sub-part 4.5, must include specific enforcement steps to ensure construction operators maintain compliance with the permittee's construction program requirements.

i. Requirements for permittee inspectors who conduct inspections of construction sites must maintain certification under the Tennessee Fundamentals of Erosion Prevention and Sediment Control, Level 1 (or equivalent). Construction site plan reviewers must receive a certificate of completion from the Tennessee Erosion Prevention and Sediment Control Design Course, Level 2 or equivalent. It is recommended that permittee construction staff receive training under both courses.

j. Procedures to establish priority construction activities to include at a minimum:

- Pre-construction meetings with construction-site operators for priority construction activities;
- Inspections by the permittee of priority construction sites at least once per month; and
- Documentation of procedures, including related meetings and inspections.

4.2.5. Permanent Stormwater Management at New Development and Redevelopment Projects

4.2.5.1 Program Requirements

The permittee must implement a permanent stormwater management program focused on removing pollutants from stormwater discharges through management practices, control techniques and system, design and engineering methods implemented to the maximum extent practicable (MEP).

The program requirements apply to all new and redevelopment projects that disturb equal to or greater than one acre, or less than one acre if part of a larger common plan of development or sale (hereinafter "New Development Projects"), and that discharge into the permittee's small MS4.

The program must consist of plans review, site inspection, and a means to ensure permanent stormwater control measures (SCMs) are adequately maintained. The permittee shall identify and make information available for a suite of SCMs to be used in various situations. Application of innovative SCMs is encouraged. If the permittee decides to significantly limit the number of SCM options, it must document in the SWMP how the performance standards in section 4.2.5 can be met with the limited set of control measures that are allowed.

Permittees must develop and implement, or modify as necessary, an ordinance or other regulatory mechanism to address permanent stormwater pollutant management for New Development Projects. It is recommended that permittees include a mechanism for administrative appeal of site-specific stormwater determinations.

Permittees must submit an implementation plan for a permanent stormwater management program within 90 days of coverage under this permit. For permittees that have already implemented a permanent stormwater program in compliance with the 2010 general permit, the implementation plan may consist of a written statement that all components of the program have been implemented. The implementation plan shall otherwise include a brief description of the main aspects of the permanent stormwater management program and a timeline to develop and implement the program. Typical aspects of the program are expected to include codes and ordinance implementation, procedures for plans review and criteria for approval; procedures for conducting and tracking site inspections, and SCM maintenance policies. For permittees that have not yet fully implemented a permanent stormwater management program, the schedule must indicate completion as soon as feasible but no later than 24 months from the date of coverage under this permit. Further, if implementation will take longer than 12 months, the plan must include interim milestones.

Implementation plans must be submitted to the appropriate Environmental Field Office (see sub-part 1.2).

4.2.5.2 Permanent Stormwater Standards

The permanent stormwater management program must require New Development Projects to be designed to remove pollutants to the MEP.

SCMs that rely on infiltration, evapotranspiration, or capture/reuse of the water quality treatment volume (WQTV), as defined in sub-section 4.2.5.2.2, are practices that approach 100% pollutant removal and constitute MEP where site-specific conditions allow.

If site-specific limitations as described in sub-section 4.2.5.2.1 do not allow infiltration, evapotranspiration, or capture/reuse of the entire WQTV, then a combination of SCMs must be selected to maximize pollutant removal consistent with site-specific limitations and, at a minimum, be designed to achieve an overall treatment efficiency of 80% TSS removal.

Compliance with permanent stormwater standards for New Development Projects is determined by meeting design criteria and other permit requirements in this part, 4.2.5. For design purposes, total suspended solids may be used as the indicator for the removal of pollutants (such as sediment, nutrients, and pathogens). SCMs must be designed to provide full treatment capacity within 72 hours following the end of the preceding rain event for the life of the New Development Project.

The Division considers compliance with the permanent stormwater design performance standards detailed in the previous Phase II General NPDES permit issued August 31, 2010 to satisfy the permanent stormwater standards in this permit.

The permittee may also develop a mitigation program and/or system of payment into a public stormwater fund as described in sub-section 4.2.5.2.3.

4.2.5.2.1 Site-Specific Limitations

Site-specific limitations to infiltration, evapotranspiration, or capture/reuse of the entire WQTV may include:

a. Insufficient infiltration capacity of soils;
b. A potential for introducing excessive pollutants into groundwater;
c. Pre-existing soil contamination in areas subject to contact with infiltrated runoff;
d. Presence of sinkholes or other karst features on the site or in close proximity;
e. An extensive presence of shallow ground water table, shallow bedrock, or other restrictive layers;
f. Presence of contractive or expansive soils in close proximity to structures; and
g. Other conditions as identified by the permittee, submitted to the local EFO for review and authorization by the division in writing, and documented in the SWMP.

4.2.5.2.2 Water Quality Treatment Volume (WQTV)

The WQTV is defined as the runoff generated from impervious surfaces during the first inch of a rainfall event. A representative storm event or a volumetric runoff coefficient (Rv) can be used to review plans for the WQTV. Permittees may use other equivalent methods to evaluate treatment of the WQTV, with prior approval by the division.

The permanent Stormwater Management Program may allow for a reduction of the WQTV for a New Development Project up to 20% for any one of the following conditions, and up to a total maximum of 50% for a combination of the following conditions:

a. Redevelopment projects (including, but not limited to, brownfield redevelopment);
b. Vertical density (floor to area ratio of at least 2, or at least 18 units per acre); and
c. Incentives as identified by the permittee, submitted to the local EFO and approved by the division in writing, and documented in the SWMP.

4.2.5.2.3 Off-site Stormwater Mitigation or Payment into Public Stormwater Fund

A permittee may choose to develop an offsite mitigation program or payment in lieu into a public stormwater fund to offset the portion of the WQTV that cannot be treated on site to the MEP. The program must ensure that off-site stormwater mitigation will be accomplished within the same USGS 12-digit hydrologic unit code (HUC) watershed as the New Development Project, if practicable, and will treat a minimum of 1.5 times the portion of the WQTV not treated on site. The permittee may identify priority areas within the watershed in which stormwater mitigation projects are to be completed. The program must have a mitigation project approval procedure, and all projects must meet all requirements in this permit. Procedures and requirements in the offsite mitigation and payment in lieu programs should be documented in the SWMP and available for review.

If the permittee allows payment into a public stormwater fund, the permittee assumes responsibility to provide the required mitigation projects. The public stormwater fund should be used to fund public mitigation projects. The payment amount into a public stormwater fund must be sufficient to design, install, and maintain the stormwater mitigation measures.

4.2.5.2.4 Water Quality Riparian Buffers

Permittees shall develop and implement a set of requirements to establish, protect and maintain permanent water quality riparian buffers to provide additional water quality treatment in riparian areas of New Development Projects that contain streams. Riparian buffers must meet the following minimum standards:

1. Stormwater discharges should enter the water quality riparian buffer as sheet flow, not as concentrated flow, where site conditions allow.

2. Water quality riparian buffers must have the following minimum widths, based upon drainage area of the receiving stream adjacent to the project, unless site specific conditions necessitate alternative widths, as described later in this subpart:

Drainage area of stream (square miles)	**Minimum total buffer width (ft.)**	**Minimum inner zone (ft.)**
<1	30	30
1-2	45	30
>2	60	40

   The buffer requirement may be fulfilled with a combination of an inner and an outer zone. The predominant vegetation in the inner zone of the buffer (adjacent to the stream) should be trees. The outer zone (adjacent to the development) of 45- or 60-foot riparian buffers may be composed of herbaceous cover or infiltration-based SCMs. The outer zone allows for more flexibility in the type of vegetation and placement of SCMs.

3. Permittees may establish permissible land uses or activities within the buffer, such as biking and walking trails, infiltration-based SCMs in the outer zone, selective landscaping, habitat improvement, road and utility crossings or other limited uses as determined by the permittee. The permittee must have a process to review proposed activities within buffers to ensure the pollutant removal function of the buffer will be retained. Trails constructed within the buffer should prevent or minimize the generation of pollutants. If trails are constructed from impervious materials, runoff must either be directed to infiltration-based SCMs or the buffer width must be increased by the width of the trail.

4. Permittees may authorize buffer averaging as long as the minimum inner zone width is maintained at any location. If the New Development Project encompasses both sides of a stream, buffer averaging can be applied to both sides, but must be applied independently.

5. Permittees may authorize alternative buffer widths for New Development Projects where water quality riparian buffers cannot be fully implemented on-site. In order to allow alternative widths, the permittee must develop and apply criteria for determining the circumstances under which required buffer widths cannot be achieved based on the type of project, existing land use, and physical conditions that restrict the use of water quality riparian buffers.

6. Water quality riparian buffer widths are measured from the top of bank also referred to as the "*Ordinary high water mark*".

Existing ordinances and requirements for water quality riparian buffers that comply with the 2010 general permit are deemed to satisfy the conditions of this subpart.

4.2.5.3 Codes and Ordinances Review and Update

Within one year of obtaining initial permit coverage, newly permitted programs shall review local codes and ordinances using the EPA Water Quality Scorecard. A completed copy of the Scorecard shall be submitted with the subsequent annual report. Permittees who have completed the Scorecard in the past are not required to repeat this review.

Newly permitted programs shall update codes and ordinances or other legal instruments as necessary to comply with the permit within 24 months of coverage under this permit. Current permittees shall continue to implement the existing permanent Stormwater Management Program and update legal instruments according to the compliance schedule in sub-section 4.1.1.

4.2.5.4 Development Project Plan Review, Approval and Enforcement

The permittee shall develop and implement project review, approval and enforcement procedures. The review, approval and enforcement procedures shall apply at a minimum to projects applicable to section 4.2.5. These procedures shall include:

a. procedures for review and approval of development site plans, including inter-departmental consultations and a re-submittal process when modifications to the project require changes to an approved site development design plan;

b. a plans review process that must ensure that SCMs are properly designed, installed, and maintained to meet the performance standards established in section 4.2.5. The process must also include a review of all applicable site-specific limitations (sub-section 4.2.5.2.1) and incentives 4.2.5.2.2, along with appropriate water quality buffers (4.2.5.2.4). For New Development Projects that were unable to approach 100% pollutant removal and meet the MEP standard, a review of optional SCMs considered but rejected during the design process must also be included;

c. a process to verify that SCMs have been installed per design specifications, including enforceable procedures for bringing noncompliant projects into compliance. The enforcement procedures shall be detailed in the ERP (sub-part 4.5).

4.2.5.5 Maintenance of Permanent Stormwater Control Measure Assets

Permanent SCMs, including SCMs used at mitigation projects, must be installed, implemented, and maintained to meet the performance standards of sub-section 4.2.5.2 and provide full treatment capacity within 72 hours following the end of the preceding rain event. The permittee must develop a program to ensure implementation of appropriate SCM maintenance procedures to sustain pollutant removal efficiency for the life of the New Development Project.. The program must include at a minimum:

a. The development and documentation of maintenance and inspection procedures and frequencies for approved SCMs;

b. The development and documentation of the procedure the permittee will use to verify that SCMs are being inspected and maintained including any written reports from the responsible party;
c. A clear, documented, legally binding agreement assigning SCM maintenance responsibility to the owner/operator, a third party, or the permittee as appropriate;
d. An allowance or agreement for permittee personnel to access the SCMs for inspections and provide for enforcement action for failure to maintain SCMs according to agreement;

All procedures, reports and documentation must be maintained in the SWMP.

4.2.5.6 Inventory and Tracking of Permanent Stormwater Control Measure Assets

Existing permittees must continue to implement and maintain a system to inventory and track the status of all public and private SCMs installed on New Development Projects. New permittees must implement the system within 24 months of coverage under this permit. The system must be a searchable database, either paper or electronic, that retrieves SCM information by location or other similar identification and must be made available to the division upon request. Other than the basic information of location and project identification, the system should include information and records that the permittee will use to ensure that SCMs are maintained appropriately such as:

a. A brief description of the type of SCM and basic design characteristics;
b. The responsible party contact information;
c. Inspection schedules (both permittee and responsible party);
d. A brief description of or reference to maintenance procedures and frequency;
e. And maintenance and inspection records.

4.2.6. Pollution Prevention/Good Housekeeping for Municipal Operations

The permittee must develop and implement an operation and maintenance program that has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.

The permittee must develop or continue to develop and implement an employee training program for employees responsible for municipal operations at facilities within the jurisdiction of the permittee that handle, generate and/or store materials which constitute a potential pollutant of concern for MS4s. Examples of these materials may include, but are not limited to, lubricants, fuels, sand, gravel, soil, salt, pesticide, fertilizer, garbage, trash, clippings, vehicles, equipment, and other wastes. The goal of the training program should be to identify pollutants and prevent and/or reduce stormwater pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance. New employees must be trained within six months of their employment or movement into an applicable job category. All responsible employees must receive training and/or retraining within the permit term. Training should be documented and included in the Annual Report.

The permittee must develop an operation and maintenance plan for each of the following municipal operations as applicable. The plans must include information related to maintenance activities, schedules and the proper disposal of waste from structural and non-structural stormwater controls related to the following:

- streets, roads, highways,
- municipal parking lots,
- maintenance and storage yards,
- fleet or maintenance shops with outdoor storage areas,
- salt/sand storage locations,
- snow disposal areas operated by the permittee, and
- waste disposal, storage, and transfer stations.

All maintenance procedures and plans must be written and included in the SWMP. All maintenance activities must be documented, with methods such as photos, maintenance logs, and/or contractor invoices, and, at a minimum, a summary included in the Annual Report.

The permittee must consider ways to evaluate new flood management projects and assess the impacts on water quality and examine existing projects for incorporating additional water quality protection devices or practices.

4.3. Qualifying Tribe, State or Local Program (QLP)

A Qualifying Local Program (QLP) is an MS4 jurisdictional Stormwater Management Program that has been approved by the division as having met QLP minimum program requirements related to stormwater discharges associated with construction activity. If a construction activity is within the jurisdiction of and has obtained a notice of coverage from a QLP, the operator of the construction activity is authorized to discharge stormwater associated with construction activity under General NPDES Permit for Discharges of Stormwater Associated with Construction Activities Permit without submittal of an NOI to the division. Additional information, including QLP minimum requirements and application procedures, can be obtained from the local EFO or TDEC's stormwater QLP program website.

4.4. Reviewing and Updating Stormwater Management Programs

4.4.1. Annual Stormwater Management Program Review

In preparation for the annual report, the permittee must perform a review of the Stormwater Management Program which includes all aspects of the Stormwater Management Plan. This review must include an overall assessment of Program effectiveness. The permittee must develop and implement a plan and schedule to address the modifications and improvements identified by the assessment. MS4 related and municipal activities/control measures that are ineffective must be replaced or improved upon by the implementation of more effective activities/control measures.

Additionally, if the permittee determines that an activity/control measure in the SWMP is ineffective at any time during the permit, the permittee may modify or

replace the activity/control measure at any time during the permit cycle. The permittee must report the modification/replacement, along with a brief justification, in the next scheduled Annual Report. However, the permittee shall not eliminate a SWMP activity/control measure without the written approval of the division.

4.4.2. Stormwater Management Program Updates Required by the Division

The division may require changes to the Stormwater Management Program as needed to satisfy permit requirements. Changes requested by the division must be made in writing to the permittee, set forth the time schedule for the permittee to develop the changes, and offer the opportunity to propose alternative program changes to meet the objective of the requested modification.

4.4.3. Transfer of Ownership, Operational Authority, or Responsibility

The permittee must implement the Stormwater Management Program in any new areas added to the MS4 as expeditiously as practicable, but not later than one year from addition of the new areas. Implementation may be accomplished in a phased manner to allow additional time for controls that cannot be implemented within one year.

Within 90 days of a transfer of ownership, operational authority, or responsibility for Stormwater Management Program implementation, the permittee must have a plan for implementing the Stormwater Management Program in any newly added areas. The plan may include schedules for implementation. Information on newly annexed areas and any resulting updates required to the Stormwater Management Program must be included in the annual report.

4.5. Enforcement Response Plan

4.5.1. Development of Enforcement Response Plan

Within 18 months of the effective date of this permit, new permittee must develop and implement an enforcement response plan (ERP). Existing permittees must maintain and continue to implement, as necessary, their ERP as defined below. The plan must set out the permittee's potential responses to violations and address repeat violations through progressive enforcement as needed to achieve compliance. The permittee must have the legal ability to employ progressive enforcement actions such as those below (or their functional equivalent especially for non-traditional MS4 jurisdictions), and to escalate enforcement responses where necessary to address persistent non-compliance, repeat or escalating violations, or incidents of major environmental harm. The ERP must allow for the maximum penalties per day for each day of violation as specified in TCA 68-221-1106.

a. Verbal Warnings –At a minimum, verbal warnings should be as specific as possible to the nature of the violation and be documented.

b. Written Notices – Written notices stipulate the nature of the violation and the required corrective action, with deadlines for taking such action.

c. Citations with Administrative Penalties – These actions indicate when the permittee will assess monetary penalties, which may include civil and administrative penalties.

d. Stop Work Orders – These actions have the authority to require activities at a facility to be halted, except for those activities directed at cleaning up, abating discharge, and installing appropriate control measures.

e. Withholding of Plan Approvals or Other Authorizations – Where a facility is in non-compliance, the ERP may address how the permittee's approval process affecting the facility's ability to discharge to the MS4 can be used to abate the violation.

f. Additional Measures – The permittee may also use other escalated measures provided under local legal authorities. The permittee may perform work necessary to improve erosion control measures and collect the funds from the responsible party in an appropriate manner, such as collecting against the project's bond or directly billing the responsible party to pay for work and materials.

4.5.2. NPDES Permit Referrals

For those construction projects or industrial facilities subject to the TNR100000 (the NPDES general permit for stormwater discharges from construction activity) or TNR050000 (the NPDES general permit for stormwater discharges from industrial activity), the permittee must comply with the following:

a. If the permittee becomes aware that a construction activity or an industrial activity is discharging to an MS4 in violation of an NPDES permit or is discharging to the MS4 and does not have the required permit, the permittee should notify the appropriate EFO of the situation as soon as possible. Provide as much of the information below as possible so that the division may investigate and take appropriate enforcement action. The permittee may also pursue enforcement under the illicit discharge program, if applicable.

- Construction project or industrial facility location;
- Name of owner or operator;
- Estimated construction project size or type of industrial activity (including Standard Industrial Classification (SIC) code if known); and
- Records of communication with the owner or operator regarding filing requirements.

b. If the permittee has not been able, through its enforcement mechanisms and protocol, to bring an NPDES-permitted discharge into compliance with the permittee's stormwater- and water pollution-related ordinances, then the permittee must notify TDEC, at the local EFO, of this situation. In making such referrals, the permittee must provide, at a minimum, the following:

- Construction project or industrial facility location;
- Name of owner or operator;

- Estimated construction project size or type of industrial activity (including Standard Industrial Classification (SIC) code if known);
- Records of communication with the owner or operator regarding the violation, including at least two follow-up inspections, two warning letters or notices of violation, and any response from the owner or operator.

4.5.3. Enforcement Tracking

The permittee must track instances of non-compliance either in paper files or electronically. The enforcement case documentation must include, at a minimum, the following:

- Name of owner/operator;
- Location of construction project or industrial facility;
- Description of violation;
- Required schedule for returning to compliance;
- Description of enforcement response used, including escalated responses if repeat violations occur or violations are not resolved in a timely manner;
- Accompanying documentation of enforcement response (e.g., notices of noncompliance, notices of violations, etc.);
- Any referrals to different departments or agencies; and
- Date violation was resolved.

4.5.4. Requirements for Chronic Violators

The permittee must identify chronic violators of any Stormwater Management Program component and reduce the rate of noncompliance recidivism. The permittee must track the violations, apply incentives and/or disincentives, and increase the inspection frequency at the operator's sites. If corrective actions are not taken, the permittee shall pursue progressive enforcement and, if need be, perform the necessary work and assess against the owner/operator the costs incurred for repairs.

5. MONITORING, RECORDKEEPING, AND REPORTING

MS4 monitoring programs are intended to provide data that, when combined with other MS4 information, identifies pollutant sources, and assists in determining the effectiveness of the Program in improving water quality. Specifically, the Phase II MS4 monitoring program identified below consists of analytical monitoring and non-analytical monitoring components. Both components must include a process to evaluate monitoring results and take appropriate corrective action as applicable.

5.1. Analytical monitoring

The permittee shall perform analytical monitoring in compliance with the requirements in Option 1 below, or develop a jurisdiction-specific monitoring plan in compliance with the objectives in Option 2 below. Regardless of the option chosen, the permittee shall perform monitoring as prescribed for stream segments subject to EPA approved TMDLs as applicable to MS4 jurisdictions.

Option 1 - The permittee shall perform analytical monitoring as a part of its Stormwater Management Program within the MS4 program area. At a minimum, this monitoring shall be conducted in streams with unavailable parameters for nutrients, pathogens, siltation, or other MS4 pollutants of concern specifically required by the division, according to section 4.4.2.

For stream segments identified by the division as waters with unavailable parameters for siltation, habitat alteration and/or nutrients, biological stream sampling and habitat assessment must be performed utilizing the Semi-Quantitative Single Habitat (SQSH) Method as identified in the division's most current version of the Quality System Standard Operating Procedure for Macroinvertebrate Stream Survey. At least one sample per stream segment must be collected, with all segments within the MS4 jurisdiction sampled in a five-year period.

For stream segments identified by the division as waters with unavailable parameters for pathogens, bacteriological stream sampling must be performed utilizing methods identified in the division's most current version of the Quality System Standard Operating Procedure for Chemical and Bacteriological Sampling of Surface Water. Monitoring shall include the collection of five samples within a thirty-day period (to establish a geometric mean), and be performed during the summer (March through November). Corresponding flow measurement is recommended but not required. At least one series of five samples per stream segment must be collected, with all segments within the MS4 jurisdiction sampled in a five-year period.[3]

Option 2 – The permittee may develop a jurisdiction-specific monitoring plan as an alternative to the minimum plan identified in Option 1. For analytical monitoring, an alternate plan could include sampling and analysis, modeling and/or other methods.

[3] For the purpose of complying with sections 5.1 and 5.2, the permittee is only required to sample the stream segments that were designated by the division upon the effective date of this permit. This does not preclude permittees from sampling additional stream segments if designated during the permit term.

The analytical monitoring plan must be designed to meet, at a minimum, the following objectives:

a. Measure the effectiveness of the permittee's Stormwater Management Program;
b. Evaluate stormwater impacts to the receiving waters;
c. Identify sources of specific pollutants, including nutrients, pathogens, siltation or other parameters related to stormwater runoff from urbanized areas;
d. Gather data to inform program decisions and prioritization of future activities related to the protection of water quality;
e. Utilize division protocols identified above in Option 1 for instream monitoring; and
f. Include any monitoring required by a TMDL that is applicable to MS4 jurisdictions (see section 3.1.1).

When developing the alternative analytical monitoring plan, the permittee must examine and consider a variety of factors, including, but not limited to, land use conditions, stream status/characteristics, and utilization of monitoring results. The permittee does not have to perform analytical monitoring on every stream with unavailable parameters for nutrients, pathogens, siltation, or other parameters related to stormwater runoff from urbanized areas, with appropriate justification.

The alternate plan must contain:

i. A justification for the use of an alternative plan;
ii. Identification of pollutant(s) of concern;
iii. Monitoring details; and
iv. Records requirements identified below.

A proposed alternate plan must be submitted to the local division Environmental Field Office within 12 months of coverage under this permit for review and authorization. The plan must be implemented upon written authorization, and completed by the end of the permit cycle.

5.2. Non-analytical monitoring

Visual Stream Surveys and Unavailable Parameter Inventories must be performed on each stream segment within the MS4 jurisdiction with unavailable parameters for siltation, habitat alteration, pathogens, and nutrients to identify and prioritize sources of these pollutants of concern. If a stream segment is identified as having unavailable parameters of concern, it is recommended that visual stream surveys be performed throughout the entire HUC-12 sub-watershed including that stream segment. At a minimum, a visual stream survey must be performed immediately upstream and downstream of each MS4 outfall that discharges into that stream segment. The permittee shall refer to existing survey protocols such as the ones available through the Natural Resources Conservation Service, State of Maryland Department of Natural Resources, and/or the State of Tennessee Habitat Assessment Protocol and related Stream Survey Field Sheets. Permittees have the flexibility to select or modify a protocol to complement the existing MS4 program.

All stream segments with unavailable parameters in the permitted jurisdiction must be surveyed in a five-year period.

5.3. Record keeping

When the permittee conducts monitoring of stormwater discharges, or of receiving waters, it must comply with the following:

a. Representative monitoring. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity; and

b. Test Procedures. Monitoring results must be conducted according to test procedures approved under 40 CFR § 136.

Records of monitoring information shall include:

a. The date, exact place indicated by latitude and longitude, and time of sampling or measurements;

b. The names(s) of the individual(s) who performed the sampling or measurements;

c. The date(s) analyses were performed;

d. The names of the individuals who performed the analyses;

e. The analytical techniques or methods used; and

f. The results of such analyses.

The monitoring plan must be included in the SWMP. The records and results of analytical monitoring must be submitted to the division in the subsequent annual report. A summary of non-analytical activities and results must also be submitted in the subsequent annual report.

5.4. Reporting

The permittee must submit an annual report to the appropriate EFO by September 30 of each calendar year that covers the previous reporting year (July 1 through June 30). The permittee may fulfill this requirement by submitting the report via water.permits@tn.gov. Prior to submitting the annual report to the division, the permittee must present the annual report to the public for suggestions and comment. This may be done through any public communication method the permittee chooses such as a public hearing or by publishing a draft annual report on the permittee's website. The permittee should respond to any comments received. The annual report form is found in Appendix B and on the division's website.

6. STANDARD PERMIT CONDITIONS

6.1. Duty to Comply

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and/or the Tennessee Water Quality Control Act (TWQCA) and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Penalties for Violations of Permit Conditions

Pursuant to T.C.A. § 69-3-115:

a. Any person who violates an effluent standard or limitation or a water quality standard established under this part (T.C.A. § 69-3-101, et seq.); violates the terms or conditions of this permit; fails to complete a filing requirement; fails to allow or perform an entry, inspection, monitoring or reporting requirement; violates a final determination or order of the board, panel or commissioner; or violates any other provision of this part or any rule or regulation promulgated by the board, is subject to a civil penalty of up to ten thousand dollars ($10,000) per day for each day during which the act or omission continues or occurs.

b. Any person unlawfully polluting the waters of the state or violating or failing, neglecting, or refusing to comply with any of the provisions of this part (T.C.A. § 69-3-101, et seq.) commits a Class C misdemeanor. Each day upon which such violation occurs constitutes a separate offense.

c. Any person who willfully and knowingly falsifies any records, information, plans, specifications, or other data required by the board or the commissioner, or who willfully and knowingly pollutes the waters of the state, or willfully fails, neglects or refuses to comply with any of the provisions of this part (T.C.A. § 69-3-101, et seq.) commits a Class E felony and shall be punished by a fine of not more than twenty-five thousand dollars ($25,000) or incarceration, or both.

d. Nothing in this permit shall be construed to relieve the discharger from civil or criminal penalties for noncompliance. Notwithstanding this permit, the discharger shall remain liable for any damages sustained by the State of Tennessee, including but not limited to fish kills and losses of aquatic life and/or wildlife, as a result of the discharge of treated wastewater to any surface or subsurface waters. Additionally, notwithstanding this permit, it shall be the responsibility of the discharger to conduct its stormwater treatment and/or discharge activities in a manner such that public or private nuisances or health hazards will not be created. Furthermore, nothing in this permit shall be construed to preclude the State of Tennessee from any legal action or relieve the discharger from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or the Federal Water Pollution Control Act.

6.2. Continuation of the Expired General Permit

This permit expires on September 1, 2021. However, this permit will continue to be in full force and effect for discharges that were authorized prior to expiration until the new general permit is issued. If a small MS4 was granted permit coverage under this permit, it will automatically remain authorized by this permit until the earliest of:

- Issuance of a Notice of Coverage under a reissued general permit following timely and appropriate submittal of a complete and accurate NOI requesting authorization to discharge under the reissued permit; or
- Issuance or denial of an individual permit for the MS4's discharges, if the small MS4 submitted a complete application for an individual permit at least 180 days prior to expiration of this general permit or within the timeframe for submitting an NOI established by the reissued permit.

If the MS4 operator does not submit a timely NOI requesting authorization to discharge under the reissued permit or a timely application for an individual permit, authorization under this permit will terminate on the due date for the NOI under the reissued permit unless otherwise specified in the reissued permit.

6.3. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit.

6.4. Duty to Mitigate

The permittee must take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

6.5. Duty to Provide Information

The permittee must furnish to the division, within a time specified by the division, but in no case later than 30 days subsequent to any such request, any information that the division may request to determine compliance with this permit, including any and all records required by the permit.

6.6. Other Information

If the permittee becomes aware that it has failed to submit any relevant facts in its Notice of Intent or submitted incorrect information in the Notice of Intent or in any other report to the division, it must promptly submit such facts or information.

6.7. Signatory Requirements

All Notices of Intent, reports, certifications, or information submitted to the division, or that this permit requires be maintained by the permittee shall be signed, dated and certified as follows:

6.7.1. Notices of Intent

All Notices of Intent shall be signed as follows:

1. For a municipality, State, Federal, or other public agency, by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively.

3. For a corporation, by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

   (a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or

   (b) The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

   NOTE: The division does not require specific assignments or delegations of authority to responsible corporate officers. The division will presume these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the director to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

6.7.2. Reports and other information

All reports required by the permit and other information requested by the division or authorized representative of the division shall be signed by a person described in Section 6.7.1 or by a duly authorized representative of that person as provided in this sub-part.

6.7.2.1 Signed authorization

Person described in section 6.7.1 above must submitted written authorization for a specific position or individual to the division.

6.7.2.2 Authorization with specified responsibility

The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility for environmental matter for the regulated entity.

6.7.2.3 Changes to authorization

If an authorization is no longer accurate because a different operator has the responsibility for the overall operation of the MS4, a new authorization satisfying the requirement of 6.7.2.2 must be submitted to the division prior to or together with any reports, information, or notices of intent to be signed by an authorized representative.

6.7.3. Certification

Any person signing documents under sub-part 6.7 shall make the following certification:

> "*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.*"

6.8. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

6.9. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related equipment) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

6.10. Inspection and Entry

The permittee must allow the division or an authorized representative (including an authorized contractor acting as a representative of the division) upon the presentation of credentials and other documents as may be required by law, to do any of the following:

a. Enter the premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

b. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;

c. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment) practices, or operations regulated or required under this permit; and

d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the CWA, any substances or parameters at any location.

6.11. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

6.12. Permit Transfers

This permit is not transferable to any person except after notice to the division. The division may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Act.

6.13. Anticipated Noncompliance

The permittee must give advance notice to the division of any planned changes in the permitted small MS4 or activity, which may result in noncompliance with this permit.

6.14. State Environmental Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable Tennessee law or regulation under authority preserved by the Section 510 of the Clean Water Act. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

6.15. Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

6.16. Procedures for Modification or Revocation

Permit modification or revocation will be conducted according to 40 CFR §§ 122.62, 122.63, 122.64, and 124.5.

Only those portions of the Stormwater Management Program specifically required as permit conditions shall be subject to the modification requirements of 40 CFR § 124.5. Addition of components, controls, or requirements by the permittee(s) and replacement of an ineffective or infeasible BMP implementing a required component of the Stormwater Management Program with an alternate BMP expected to achieve the goals of the original BMP shall be considered minor changes to the Stormwater Management Program and not modifications to the permit.

6.17. Requiring an Individual Permit or an Alternative General Permit

6.17.1. Request by the Division

The division may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the division to take action under this paragraph. Where the division requires an entity that owns and operates an MS4 to apply for an individual NPDES permit, the division will notify it in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline to file the application, and a statement that on the effective date of issuance or denial of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Applications must be submitted to the appropriate Environmental Field Office (see 1.2 above). The division may grant additional time to submit the application upon request of the applicant. If an entity that owns and operates an MS4 fails to submit in a timely manner an individual NPDES permit application as required by the division under this paragraph, then the applicability of this permit to that entity is automatically terminated at the end of the day specified by the division for application submittal.

6.17.2. Request by permittee

Any discharger authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, the entity that administers an MS4 must submit an individual application in accordance with the requirements of 40 CFR §122.33(b)(2), with reasons supporting the request, to the division at the address for the appropriate Environmental Field Office (see 1.2). The request may be granted by issuance of any individual permit or an alternative general permit if the reasons cited are adequate to support the request.

6.17.3. General permit termination

When an individual NPDES permit is issued to a discharger otherwise subject to this permit, or if the discharger is authorized to discharge under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to an operator otherwise subject to this permit, or the operator is denied for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the date of such denial, unless otherwise specified by the division.

6.18. Planned Changes

The permittee shall give notice to the director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR § 122.29(b); or
b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR § 122.42(a)(1).

7. DEFINITIONS

All definitions contained in Section 502 of the Act and 40 CFR Part 122 shall apply to this permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided, but in the event of a conflict, the definition found in the Statute or Regulation takes precedence.

Analytical monitoring refers to monitoring of water bodies (streams, ponds, lakes, etc.) or of stormwater, according to 40 CFR Part 136 "Guidelines Establishing Test Procedures for the Analysis of Pollutants," or to state- or federally established protocols for biomonitoring or stream bioassessments.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, structural and non-structural practices, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control runoff pollutants, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Brownfield means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

Co-permittees are operators who by mutual consent request joint and severed responsibility for coverage under this general permit.

Common plan of development or sale for the purposes of this permit is broadly defined as any announcement or documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot. A common plan of development or sale identifies a situation in which multiple areas of disturbance are occurring on contiguous areas. This applies because the activities may take place at different times, on different schedules, by different operators.

Construction Site Operator for the purpose of this permit and in the context of stormwater associated with construction activity, means any person associated with a construction project that meets either of the following two criteria:

a) This person has operational or design control over construction plans and specifications, including the ability to make modifications to those plans and specifications. This person is typically the owner or developer of the project or a portion of the project, and is considered the primary permittee; or

b) This person has day-to-day operational control of those activities at a project which are necessary to implement compliance with a SWPPP for the site or other permit conditions. This person is typically a contractor or a commercial builder who is hired by the primary permittee, and is considered a secondary permittee.

It is anticipated that at different phases of a construction project, different types of parties may satisfy the definition of the "construction site operator."

Control Measure as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the state.

CWA or The Act means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L.92-500,as amended Pub.L.95-217, Pub.L.95-576, Pub.L.96-483 and Pub.L.97-117, 33 U.S.C. § 1251 et seq.

Developed Land, in general, is that which has been improved for the purpose of residential, commercial or industrial use.

Director means the director of the Tennessee Division of Water Resources, or an authorized representative.

Discharge, when used without a qualifier, refers to "discharge of a pollutant" as defined at 40 CFR § 122.2.

Discharge-related activities include: activities which cause, contribute to, or result in stormwater point source pollutant discharges; and measures to control stormwater discharges, including the site, construction and operation of best management practices (BMPs) to control, reduce or prevent stormwater pollution.

Division means the Tennessee Department of Environment and Conservation, Division of Water Resources.

Enforcement Response Plan (ERP) is a set of procedures which present the permittee's potential responses to violations and address repeat violations through progressive enforcement as needed to achieve compliance. These enforcement responses should be commensurate with the nature of the violation and must include enforcement responses progressing up to the maximum civil and criminal penalties as described in T.C.A. § 69-3-101, et seq. The enforcement response procedures or methods must address all violations of prohibitions and requirements applicable to this permit that are contained in the permittee's statutes, codes or other control mechanisms as well as other violations of the permit. The enforcement response procedures or methods documentation must be referenced by or included in the permittee's statutes, codes or other control mechanisms.

The enforcement responses may include actions such as written notices, citations with administrative penalties, stop work orders, withholding of plans approvals or other authorizations, or any other administrative or judicial action.

Exceptional Tennessee Waters are surface waters of the State of Tennessee that satisfy the characteristics as listed in Rule 0400-40-03-.06 of the official compilation - rules and regulations of the State of Tennessee. Characteristics include waters within state or national parks, wildlife refuges, wilderness or natural areas; State or Federal Scenic Rivers; Federally-designated critical habitat; waters within an area

designated as Lands Unsuitable for Mining; waters with naturally reproducing trout; waters with exceptional biological diversity or; other waters with outstanding ecological or recreational value as determined by the department.

Hot spot means an area where land use or activities generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater. Examples might include operations producing concrete or asphalt, auto repair shops, auto supply shops, large commercial parking areas and restaurants.

Illicit Connection means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

Illicit Discharge is defined at 40 CFR § 122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not entirely composed of stormwater, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from firefighting activities.

Load Allocation (LA): The portion of a receiving water's loading capacity that is attributed either to one of its existing or future nonpoint sources of pollution or to natural background (40 CFR § 130.2(g)).

Margin of Safety (MOS): The "MOS" accounts for uncertainty in the loading calculation. The MOS may not be the same for different water bodies due to differences in the availability and strength of data used in the calculations.

Monitoring refers to tracking or measuring activities, progress, results, etc., and can refer to non-analytical monitoring for pollutants by means other than 40 CFR § 136 (and other than state- or federally-established protocols in the case of biological monitoring and assessments), such as visually or by qualitative tools that provide comparative values or rough estimates.

Municipal Separate Storm Sewer (MS4) is defined at 40 CFR § 122.26(b)(8) and means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

(i.) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the state;

(ii.) Designed or used for collecting or conveying stormwater;

(iii.) Which is not a combined sewer; and

(iv.) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR § 122.2.

New Development Projects are new and redevelopment projects that disturb equal to or greater than one acre, or less than one acre if part of a larger common plan of development or sale.

NOI is an acronym for "Notice of Intent" to be covered by this permit and is the mechanism used to "register" for coverage under a general permit.

Nonpoint Source is essentially any source of pollutant(s) that is not a point source. See definition of point source, below.

Ordinary high water mark means that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas. Both of these terms are of a highly technical nature and the division realizes that, in practice, a certain degree of best professional judgement will be used to establish buffer boundaries.

Owner or operator means the owner or operator of any facility or activity subject to regulation under the NPDES program.

Point Source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

Priority construction activity shall be defined by the permittee, but shall include, at a minimum, those construction activities discharging directly into, or immediately upstream of, waters the state recognizes as unavailable parameters (for siltation or habitat alteration) or Exceptional Tennessee Waters . The permittee may define additional priority criteria to expand the priority construction program.

Qualifying Local Program (QLP) is an MS4 Stormwater Management Program for discharges associated with construction activity that has been formally approved by the division as having met specific minimum program requirements, including those identified in 40 CFR § 122.44(s). The intent of the QLP is to establish a streamlined and efficient process for managing discharges of stormwater associated with construction activities by eliminating duplication of the effort between the permittee and the Division.

Redevelopment means the alteration of developed land that disturbs one acre or more, or less than an acre if part of a larger common plan of development, and increases the site or building impervious footprint, or offers a new opportunity for stormwater controls that the permittee would like to identify. The term is not intended to include such activities as exterior remodeling, which would not be expected to cause adverse stormwater quality impacts.

Riparian areas are ecosystems that occur along watercourses or water bodies. They are distinctly different from the surrounding lands because of unique soil and vegetation characteristics that are strongly influenced by free or unbound water in the soil. Riparian ecosystems occupy the transitional area between the terrestrial and aquatic ecosystems. Typical examples would include floodplains, stream banks, and

lake shores. (U.S. Department of Agriculture Natural Resource Conservation Service (USDA-NRCS, 2005)

Significant Contributor is defined as a source of pollutants where the volume, concentration, or mass of a pollutant in a stormwater discharge can cause or threaten to cause pollution, contamination, or nuisance that adversely impact human health or the environment and cause or contribute to a violation of any applicable water quality standards for receiving water.

A regulated ***Small Municipal Separate Storm Sewer System (MS4)*** is not defined as "large" (municipality with a population of 250,000 or more) or "medium " (municipality with a population of 100,000 or more) municipal separate storm sewer system and refers to separate storm sewers that are owned or operated by the United States, a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the state. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

Stormwater is defined at 40 CFR § 122.26(b)(13) and means stormwater runoff, snowmelt runoff, and surface runoff and drainage.

Stormwater Control Measures (SCMs) are permanent practices and measures designed to reduce the discharge of pollutants from New Development Projects.

A ***Stormwater Management Plan (SWMP)*** is a written compilation of the elements of the Stormwater Management Program. It is considered a single document, even though it actually consists of separate stand- alone components. There is no requirement for the SWMP, or its portions, to be submitted to the division, unless the submission is a permit requirement or requested by the division in writing.

Stormwater Management Program (Program) refers to a comprehensive program to manage the quality of stormwater discharged from the municipal separate storm sewer system.

A ***Stormwater Pollution Prevention Plan (SWPPP)*** is a written plan that includes site map(s), an identification of construction/contractor activities that could cause pollutants in the stormwater, and a description of measures or practices to control these pollutants. It must be prepared and approved before construction begins. In order to effectively reduce erosion and sedimentation impacts, Best Management Practices (BMPs) must be designed, installed, and maintained during land disturbing activities. The SWPPP shall be prepared in accordance with the TDEC EPSC Handbook or local BMP Manual, whichever is more stringent and protective of waters of the state. The handbook is designed to provide information to planners, developers, engineers, and contractors on the proper selection, installation, and maintenance of BMPs. The handbook is intended for use during the design and

construction of projects that require erosion and sediment controls to protect waters of the state. It also aids in the development of SWPPPs and other reports, plans, or specifications required when participating in Tennessee's water quality regulations.

Stream means a surface water that is not a wet weather conveyance (***TCA 69-3-10. (40))*** Streams include linear watercourses, lakes, ponds, and wetlands.

TMDL (Total Maximum Daily Load) in this permit generally refers to a study that quantifies the amount of a pollutant that can be assimilated in a water body, identifies the sources of the pollutant, and recommends regulatory or other actions to be taken to achieve compliance with applicable water quality standards based on the relationship between pollution sources and in-stream water quality conditions. A TMDL can be expressed as the sum of all point source loads (Waste Load Allocations), non-point source loads (Load Allocations), and an appropriate margin of safety (MOS), which takes into account any uncertainty concerning the relationship between effluent limitations and water quality:

$$TMDL = \Sigma WLAs + \Sigma LAs + MOS$$

The objective of a TMDL is to allocate loads among all of the known pollutant sources throughout a watershed so that appropriate control measures can be implemented and water quality standards achieved. 40 CFR § 130.2 (i) states that TMDLs can be expressed in terms of mass per time, toxicity, or other appropriate measure.

Unavailable Parameters Waters means any stream segment that has been identified by the division as failing to support classified uses. This term was previously referred to as impaired waters. The division periodically compiles a list of such waters known as the 303(d) List.

Wasteload Allocation **(WLA):** The portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution (40 CFR § 130.2(h)).

Waters of the State or simply ***Waters*** is defined in the Tennessee Water Quality Control Act and means any and all water, public or private, on or beneath the surface of the ground, which are contained within, flow through or border upon Tennessee or any portion thereof except those bodies of water confined to and retained within the limits of private property in single ownership which do not combine to effect a junction with natural surface or underground waters.

Wet weather conveyance means, notwithstanding any other law or rule to the contrary, man-made or natural watercourses, including natural watercourses that have been modified by channelization:

(A) That flow only in direct response to precipitation runoff in their immediate locality;
(B) Whose channels are at all times above the groundwater table;
(C) That are not suitable for drinking water supplies; and
(D) In which hydrological and biological analyses indicate that, under normal weather conditions, due to naturally occurring ephemeral or low flow there is not

sufficient water to support fish, or multiple populations of obligate lotic aquatic organisms whose life cycle includes an aquatic phase of at least two (2) months.

8. APPENDIX A – NOTICE OF INTENT (NOI)

Tennessee Department of Environment and Conservation
Division of Water Resources
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor, Nashville, Tennessee 37243

Phase II Stormwater Permit Notice of Intent (NOI)
Phase II Municipal Separate Storm Sewer Systems (MS4)

PURPOSE

The purpose of this Notice of Intent (NOI) is for a Tennessee city, county, utility district, university or military base to submit the information necessary to obtain coverage under an NPDES permit to discharge stormwater runoff from a Phase II municipal separate storm sewer system.

INSTRUCTIONS

You must provide the following information to the Division of Water Resources as application material. You may either submit a hard copy of the signed NOI as described in sub-part 2.2.1 of the MS4 Permit, signed in accordance with the signatory requirements of sub-part 6.7 of the permit, and a copy of the NOI, to the address shown in sub-part 1.2 of the permit for the EFO responsible for the county where the facility is located; or you may submit by e-mail, the completed NOI and attachments (such as map and city ordinances) to water.permits@tn.gov.

After completing the questions in each section, list the Best Management Practices (BMPs) that you will implement in each program. Attached at the end of this NOI is an addendum to list BMP Measurable Goals and Implementation Milestones. You must complete the addendum, providing more details on the goals and milestones for each BMP outlined in this NOI.

After completing the BMP's in each section provide the administrative information to complete those BMP's as explained here:

Primary Contact and Position/Title	The person in your organization serving as the primary contact.
Other Department and Roles	Other departments within your organization involved in the project and how their role is identified.
Other Government Entity and Roles	Identification of other government entities responsible for implementing one or more of the BMP's. Include a copy of the contract or proposed agreement with execution schedule.
Other Institutions and Roles	Identification of partnerships with another MS4 operator or institution (e.g., Chamber of Commerce, environmental interest organizations, civic groups) to achieve the BMP's.
Target Groups (if applicable)	Specific kinds of groups that will be targeted, such as service industries (i.e., carpet cleaning), civic groups, schools, and church groups, etc.

PART I - ADMINISTRATIVE INFORMATION

Name of Phase II MS4 city, county, stormwater utility district or public institution: _____

Include a latitude and longitude of a representative location within your boundaries for mapping purposes.
Latitude (dd.dddd): _____ Longitude (dd.dddd): _____

Responsible Elected Official or Officer _____ Title _____

Street Address _____ City _____ State _____ Zip Code _____

PROGRAM CONTACT	TECHNICAL CONTACT
Name	Name
Email Address	Email Address
Phone Number	Phone Number

☐ Attach an organizational chart that shows the different departments involved in stormwater management.

PART II - DESCRIPTION OF STORM SEWER SYSTEM

ITEM A - AREA SERVED (IN SQUARE MILES)

For a city, town, university, or utility district university or military base:
Provide jurisdiction area within current boundaries _____
Provide additional area of urban growth boundary _____

For a county:
Provide total area: _____
Provide area that is unincorporated _____
Provide unincorporated, urbanized area (UA) _____
Indicate by checking the appropriate box if the permit will be used to regulate non-UA portions of the county:
☐ No
☐ Yes, the entire county (unincorporated)
☐ Yes, the non-UA portions, as follows: _____

ITEM B - STORM DRAINAGE INFRASTRUCTURE

Give figures for the following features of stormwater drainage infrastructure owned or operated by the local government. For a county government, indicate whether the figures represent the entire county or only the urbanized area. Figures for length and number of culverts and catch basins may be rough estimates.

For counties: Entire county ☐ Urbanized area only ☐

Storm Sewers _____ (miles or feet) Open Ditches _____ (miles or feet)
Culverts _____ Catch Basins _____
Water Quality Treatment Ponds _____

ITEM C - MAPS

Include a map or maps depicting the following information. A single map may be submitted, as long as the information is legible. If you are not able to provide all the information mark the applicable check box and attach an explanation as to why the information has not been submitted:

Zoned areas for commercial or industrial activity	☐	State vocational, technical, college or universities	☐
Actual areas of commercial or industrial activity	☐	Federal vocational, technical, college or universities	☐
Other municipally owned/operated industrial activities	☐	City Roads	☐
Municipal or County Wastewater Treatment Plants	☐	County Roads	☐
Vehicle Fleet Maintenance Centers	☐	Streams	☐
Power Plants	☐	Topography or Drainage Patterns	☐
Airports	☐	Landfills	☐
Military Installations	☐		

ITEM D - IDENTIFYING STREAMS WITH UNAVAILABLE PARAMETERS or EXCEPTIONAL TENNESSEE WATERS

Using the GIS mapping tool (http://www.tn.gov/environment/article/wr-water-resources-data-viewer) along with the most current 303(d) list (http://www.tn.gov/environment/article/wr-wq-water-quality-reports-publications) published on the division's web site, determine whether stormwater from any part of the MS4 discharges into streams with unavailable parameters (previously referred to as impaired streams) for nutrients, pathogens, siltation, or other parameters related to stormwater runoff from urbanized areas or to streams designated as Exceptional Tennessee Waters and list below. For any waterbody with unavailable parameters or Exceptional Tennessee Waters, indicate the waterbody ID#, name of the waterbody and nature of pollution (cause) or Exceptional status.

WATERBODY ID# AND NAME OF WATERBODY	NATURE OF POLLUTANT (CAUSE) OR EXCEPTIONAL

If you have additional streams to list, include in a separate attachment.

ITEM E - STATE OR EPA ISSUED TDMLs

Identify established and approved TMDLs with waste load allocations for MS4 discharges in your jurisdiction and check the appropriate box. A list of EPA-Approved TMDLs as well as EPA-Established TMDLs for Tennessee waters can be found on the division's web site: http://www.tn.gov/environment/article/wr-ws-tennessees-total-maximum-daily-load-tmdl-program.

Yes ☐ No ☐ If yes, list the waterbody ID#, name of unavailable waterbody and parameter(s) of concern:

WATERBODY ID# AND NAME OF UNAVAILABLE WATERBODY	PARAMETERS OF CONCERN

If you have additional streams to list, include in a separate attachment.

PART III
EXISTING LEGAL AUTHORITY TO CONTROL STORMWATER DISCHARGES TO MS4

You must review existing adopted and signed ordinances or regulations that are associated with stormwater discharges to your MS4. Attach a copy of ordinances and/or policies that give your MS4 the authority to control stormwater discharges into the MS4 storm sewer system. Ordinances and/or policies that deal with stormwater issues might be found, for example, in conjunction with litter control, prohibition of dumping, clean up of spills, grading/building permits, sewer connection ordinances, erosion prevention and sediment control practices, subdivision regulations or other land use/development ordinances.

PART IV - SIGNATURE OF RESPONSIBLE CORPORATE OFFICER

This Notice of Intent (NOI) must be signed as follows: For a municipality, state, federal, other public agency, and/or co-permittees by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes one of the following:

I. The chief executive officer of the agency.
II. A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

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."

Signature	Title/Municipality	Date
Signature	Title/Municipality	Date
Signature	Title/Municipality	Date
Signature	Title/Municipality	Date
Signature	Title/Municipality	Date
Signature	Title/Municipality	Date
Signature	Title/Municipality	Date

PART V - YOUR PROPOSED STORMWATER QUALITY MANAGEMENT PROGRAM

This NOI requires you to provide a brief description of your current and proposed activities as well as your BMPs for a stormwater management program. The following sections correspond to the six minimum control measures for a Phase II stormwater management program. If another MS4 will be responsible for implementing any or all portions of any or all following six minimum measures, then attach either the interlocutory agreement or the proposed agreement and schedule for adoption. You must still complete this NOI by answering the relevant questions for the six following measures.
For purposes of this NOI, the Public Education and Outreach and Public Participation and Involvement minimum measures have been combined.

SECTION 1 - PUBLIC EDUCATION AND OUTREACH AND PUBLIC INVOLVEMENT/PARTICIPATION

A. Current Activities:

The following is a set of questions on your current Public Education and Outreach and Public Involvement/Participation. These questions are intended to highlight minimum program requirements under the MS4 permit. Each question with a "No" answer must be addressed with a solution in the MS4's proposed program.

1. Does the municipality currently distribute educational materials on the topics of stormwater quality, instream water quality, pollution impacts, pollution prevention, etc.? If yes, briefly describe the materials, including media used (e.g., written brochures, public service announcements, etc.); the topic(s) covered, intended target audience(s), and the distribution method: _____.

Yes ☐ No ☐

2. Does the municipality currently conduct or participate in public outreach activities focusing on the topics of stormwater quality, stream water quality, pollution impacts, pollution prevention, etc.? If yes, briefly describe the outreach activities, topic(s) covered, intended target audience(s), and the frequency of activities: _____.

Yes ☐ No ☐

3. Does the current municipal stormwater management program comply with Local, State and Federal public notice requirements? If yes, describe how the public is notified: _____.

Yes ☐ No ☐

B. Proposed Activities:

1. List the BMPs that you will implement in the areas of Public Education and Outreach and Public Participation and Involvement. These should be based on a set of priorities that you have identified in the areas of Public Education and Outreach and Public Participation and Involvement. Provide a short descriptive name to the BMP in the left column. In the right column, more fully describe the BMP.

For Public Participation and Involvement BMPs, you may not desire to dictate the ways in which the public participates or is involved in the stormwater quality management program; in this case, your proposed program should provide a forum and/or a structure which guides and encourages the public in participation. On the other hand, there may be specific ways you do want the public to be involved, based on your program needs. For instance, you may want stream watch groups to be organized. In both cases, your proposed program should describe how you will accomplish this, along with a time schedule.

PROPOSED BEST MANAGEMENT PRACTICES FOR PUBLIC EDUCATION AND PUBLIC PARTICIPATION		
BMP	Name	DESCRIPTION
1A.		
1B.		
1C.		
1D.		

If you have additional BMPs to list, include in a separate attachment.

2. What specific groups will be targeted (e.g., service industries such as carpet cleaning, lawn care, civic groups, schools, church groups) if applicable: _____

C. Measurable Goals and Implementation Milestones:

Attached at the end of this NOI is an addendum to list BMP Measurable Goals and Implementation Milestones. You must complete the addendum, providing more details on the goals and milestones for each BMP outlined in this NOI.

D. Administrative Information:

ADMINISTRATIVE INFORMATION FOR PUBLIC EDUCATION AND PUBLIC PARTICIPATION	
PRIMARY CONTACT	POSITION OR TITLE

Identify other Department(s) that will be involved and their role.

OTHER DEPARTMENT(S)	ROLE

Identify if you will partner with another MS4 Operator, or with another institution (e.g. Chamber of Commerce, Environmental interest organizations, civic groups) in order to carry out the chosen BMPs.

ENTITY	BMP

Will another governmental entity be responsible for implementing one or more chosen BMPs? If so, identify the entity and which BMP(s) it will implement. Include a copy of the interlocutory agreement, or contract, or proposed agreement with execution schedule.

ENTITY	BMP

SECTION 2 - ILLICIT DISCHARGE DETECTION AND ELIMINATION

A. Current Activities

The following is a set of questions on your current Illicit Discharge Detection and Elimination Program. These questions are intended to highlight minimum program requirements under the MS4 permit. For MS4s who have not been previously covered under an MS4 permit, each element not currently performed must be implemented by the dates identified in Sub-part 4.1.1 of the permit. Thus, each question with a “No” answer must be addressed with a solution in the MS4’s proposed program.

1. Does the municipality currently have a storm sewer system map that shows the location of system outfalls where the municipal storm sewer system discharges into receiving waters or conveyances owned or operated by another MS4? The map must also show: the names and location of waters that receive discharges from those outfalls; inputs into the storm sewer collection system, such as the inlets, catch basins, drop structures or other defined contributing points to the sewershed of that outfall; and general direction of stormwater flow.

Yes ☐ No ☐

2. Does the municipality currently have an ordinance or regulatory mechanism that prohibits unauthorized non-stormwater discharges into the storm sewer system? If yes, attach a copy and give page and section number(s). If No, proceed to the next section (inspections and enforcement).

Yes ☐ No ☐ Page Number _____ Paragraph Number _____

3. Does the ordinance or regulatory mechanism clearly define non-stormwater discharges, either through a written description of a non-stormwater discharge or through a listing of authorized or unauthorized non-stormwater discharges?

Yes ☐ No ☐

4. Does the ordinance or regulatory mechanism allow right-of-entry on private property for inspection of suspected discharges?

Yes ☐ No ☐

5. Does the ordinance or regulatory mechanism prohibit dumping?

Yes ☐ No ☐

6. Does the ordinance or regulatory mechanism give the MS4 owner/operator the authority to eliminate unauthorized non-stormwater discharges in the event of violations? If yes, note page number and paragraph number.

Yes ☐ No ☐ Page Number _____ Paragraph Number _____

7. Does the ordinance or regulatory mechanism define penalties for violations? If yes, note maximum penalty, page number and paragraph number.

Yes ☐ No ☐ Maximum Penalty _____ Page Number _____ Paragraph Number _____

8. Does the municipality presently have personnel and procedures in place to detect, identify and eliminate non-stormwater discharges? If yes, describe and indicate percentage of system inspected: _____

Yes ☐ No ☐

9. Does the municipality presently have procedures and personnel in place for enforcement of violations of the illicit discharge ordinance? If yes, describe: _____

Yes ☐ No ☐

10. Describe how enforcement actions are documented: _____

11. Has the municipality defined "hot spots" for non-stormwater discharge screening and inspection purposes? If yes, describe and provide a map of illicit discharge screening hot spots: _____

Yes ☐ No ☐

12. Does the municipality presently have procedures in place to receive and consider information and complaints about non-stormwater discharges that are submitted by the public? If yes, provide brief description: responsible departments, personnel, steps followed: _____

Yes ☐ No ☐

B. Proposed Activities:

1. List the BMPs that you will implement in the area of Illicit Discharge Detection and Elimination. These should be based on a set of priorities that you have identified in the area of Illicit Discharge Detection and Elimination. Provide a short descriptive name to the BMP in the left column and more description in the right column.

PROPOSED BEST MANAGEMENT PRACTICES FOR ILLICIT DISCHARGE DETECTION AND ELIMINATION		
BMP	Name	DESCRIPTION
2A.		
2B.		
2C.		
2D.		

If you have additional BMPs to list, include in a separate attachment.

2. What specific groups will be targeted, if applicable?

C. Measurable Goals and Implementation Milestones

Attached at the end of this NOI is an addendum to list BMP Measurable Goals and Implementation Milestones. You must complete the addendum, providing more details on the goals and milestones for each BMP outlined in this NOI.

D. Administrative Information

ADMINISTRATIVE INFORMATION FOR ILLICIT DISCHARGE DETECTION AND ELIMINATION	
PRIMARY CONTACT	POSITION OR TITLE

Identify other Department(s) that will be involved and their role.

OTHER DEPARTMENT(S)	ROLE

Identify if you will partner with another MS4 Operator, or with another institution (e.g. Chamber of Commerce, Environmental interest organizations, civic groups) in order to carry out the chosen BMPs.

ENTITY	BMP

Will another governmental entity be responsible for implementing one or more chosen BMPs? If so, identify the entity and which BMP(s) it will implement. Include a copy of the interlocutory agreement, or contract, or proposed agreement with execution schedule.

ENTITY	BMP

SECTION 3 - CONSTRUCTION SITE STORMWATER RUNOFF PROGRAM

A. Current Activities

The following is a set of questions on your current Construction Site Stormwater Runoff Program. These questions are intended to highlight minimum program requirements under the MS4 permit. For MS4s who have not been previously covered under an MS4 permit, each element not currently performed must be implemented by the dates identified in Sub-part 4.1.1 of the permit. Thus, each question with a “No” answer must be addressed with a solution in the MS4’s proposed program.

1. Do the current ordinances/regulations for the municipal stormwater management program comply with Local, State and Federal public notice requirements? If yes, describe how the public is notified: _____

Yes ☐ No ☐

2. Do you currently have an erosion prevention and sediment control - or similar - ordinance or regulatory mechanism? If yes, include a copy and reference the paragraph number(s). If No, proceed to the next set of questions below about construction site plans review.

Yes ☐ No ☐ Page Number _____ Paragraph Number _____

3. Does the ordinance or regulatory mechanism require that site operators implement erosion prevention, sediment control, and other construction waste controls for land disturbance activities?

Yes ☐ No ☐

4. Does the ordinance/regulatory mechanism require that controls be implemented for any land disturbances greater than or equal to one acre, or less than one acre if part of a large common plan of development or sale that would disturb one acre or more? If yes, note the page number and paragraph number where this is defined.

Yes ☐ No ☐ Page Number _____ Paragraph Number _____

5. Does the ordinance or regulatory mechanism contain or reference technical standards for erosion and sediment control? If yes, note the page number and paragraph number where this is defined.

Yes ☐ No ☐

6. Do those technical standards meet or exceed the current effective Tennessee Construction General Permit (TNR100000) requirements for design storm and special conditions for waterbodies with unavailable parameters or exceptional Tennessee waters?

Yes ☐ No ☐

7. Do those technical standards require that construction activities maintain temporary water quality riparian buffers during construction?

Yes ☐ No ☐

8. Does the municipality presently have in place a technical review process (i.e. engineering department, planning department, zoning board) that evaluates new development and redevelopment construction for construction site runoff?

Yes ☐ No ☐

9. Does the technical review process require an erosion prevention and sediment control plan with appropriate BMPs?

Yes ☐ No ☐

10. Does the review process include a requirement for pre-construction meeting between the municipality and site developer, for priority construction sites?

Yes ☐ No ☐

11. If there is a review process, provide a brief narrative or a flow chart of the process, describing the process steps, responsible personnel, and criteria used for evaluation of information or plans that are submitted: _____

12. Does the municipality presently have procedures in place for receipt and consideration of information and complaints submitted by the public? If yes, provide a brief narrative of the receipt process and procedures, describing process steps, responsible departments, personnel (by title).

Yes ☐ No ☐

13. Does the municipality presently have personnel and procedures in place for construction site runoff inspection?

Yes ☐ No ☐

14. Does the program provide for pre-construction meeting and monthly inspection of priority construction activities?

Yes ☐ No ☐

15. Does the municipality presently have procedures and personnel in place for enforcement to the maximum extend for violations of construction site requirements?

Yes ☐ No ☐

16. Does the municipality use a Stop Work or similar order to enforce compliance with construction site policies and requirements?

Yes ☐ No ☐

17. How are enforcement actions documented? _____

18. Have MS4 inspectors who conduct inspections of construction sites received certification under the Tennessee Fundamentals of Erosion Prevention and Sediment Control, Level 1, and construction site plan reviewers a certificate of completion from the Tennessee Erosion Prevention and Sediment Control Design Course, Level 2?

Yes ☐ No ☐

B. Proposed Activities:

1. List the BMPs that you will implement in the area of Construction Site Runoff Program. These should be based on a set of priorities that you have identified in the area of Construction Site Runoff Program. Provide a short descriptive name to the BMP in the left column and more description in the right column.

PROPOSED BEST MANAGEMENT PRACTICES FOR CONSTRUCTION SITE RUNOFF PROGRAM		
BMP	Name	DESCRIPTION
3A.		
3B.		
3C.		
3D.		

If you have additional BMPs to list, include in a separate attachment.

2. Describe specific groups that will be targeted, if applicable: _____

C. Measurable Goals and Implementation Milestones

Attached at the end of this NOI is an addendum to list BMP Measurable Goals and Implementation Milestones. You must complete the addendum, providing more details on the goals and milestones for each BMP outlined in this NOI.

D. Administrative Information

ADMINISTRATIVE INFORMATION FOR CONSTRUCTION SITE RUNOFF PROGRAM	
PRIMARY CONTACT	POSITION OR TITLE

Identify other Department(s) that will be involved and their role.

OTHER DEPARTMENT(S)	ROLE

Identify if you will partner with another MS4 Operator, or with another institution (e.g. Chamber of Commerce, Environmental interest organizations, civic groups) in order to carry out the chosen BMPs.

ENTITY	BMP

Will another governmental entity be responsible for implementing one or more chosen BMPs? If so, identify the entity and which BMP(s) it will implement. Include a copy of the interlocutory agreement, or contract, or proposed agreement with execution schedule.

ENTITY	BMP

SECTION 4 - PERMANENT STORMWATER MANAGEMENT AT NEW DEVELOPMENT AND REDEVELOPMENT

A. Current Activities:

The following is a set of questions on your current Permanent Stormwater Management in New Development and Redevelopment Program. These questions are intended to highlight minimum program requirements under the MS4 permit. For MS4s who have not been previously covered under an MS4 permit, each element not currently performed must be implemented by the dates identified in Sub-part 4.1.1 of the permit. Thus, each question with a "No" answer must be addressed with a solution in the MS4's proposed program.

1. Does the municipality currently have in place mechanisms or strategies to address permanent stormwater runoff management from new development or redevelopment projects that result in land disturbance of one acre or more? For example, land use planning requirements, zoning directives, site-based pollutant removal controls; stormwater detention or storage; practices that infiltrate stormwater; vegetative practices.

Yes ☐ No ☐

If yes, provide a brief narrative of - and/or references to - the structural and non-structural strategies, describing strategies implemented, Best Management Practices allowed, technical guidance, responsible departments, and personnel (by title): _____

2. Do you currently have an ordinance or regulatory mechanism that addresses permanent stormwater runoff management from new development and redevelopment projects? If yes, reference the page number and paragraph number. If no, proceed to the next section on permanent stormwater management plans review.

Yes ☐ No ☐ Page Number _____ Paragraph Number _____

3. Does the ordinance or regulatory mechanism require controls to treat pollutants in stormwater runoff? If yes, note page number and paragraph number.

Yes ☐ No ☐ Page Number _____ Paragraph Number _____

4. Does the ordinance or regulatory mechanism require (explicitly or implicitly) that controls be implemented for any new development or redevelopment projects greater than or equal to one acre, including projects less than one acre that are part of a large common plan of development or sale, that discharge into your small MS4? If yes, note page number and paragraph number.

Yes ☐ No ☐ Page Number _____ Paragraph Number _____

5. Does the ordinance or regulatory mechanism contain or reference technical standards for water quality controls? If yes, note page number and paragraph number.

Yes ☐ No ☐ Page Number _____ Paragraph Number _____

6. Does the ordinance or regulatory mechanism clearly define the criteria for submittal -who must submit - of permanent stormwater management design information or plans? If yes, note page number and paragraph number.

Yes ☐ No ☐ Page Number _____ Paragraph Number _____

7. Does the ordinance or regulatory mechanism require approval prior to construction of permanent stormwater management controls? If yes, note page number and paragraph number.

Yes ☐ No ☐ Page Number _____ Paragraph Number _____

8. Does the ordinance or regulatory mechanism require re-submittal of permanent stormwater management design information or plans if site plans change after the initial design has been approved? If yes, note page number and paragraph number.

Yes ☐ No ☐ Page Number _____ Paragraph Number _____

9. Does the ordinance or regulatory mechanism give the MS4 owner/operator the authority to penalize the owner of permanent stormwater management controls for violations? If yes, note page number and paragraph number.

Yes ☐ No ☐ Page Number _____ Paragraph Number _____

10. Does the ordinance or regulatory mechanism require that permanent stormwater management controls have adequate and long-term operation and maintenance? If yes, note page number and paragraph number. If no, describe how the MS4 owner/operator maintains permanent stormwater management controls: _____

Yes ☐ No ☐ Page Number _____ Paragraph Number _____

11. Does the ordinance or regulatory mechanism require establishment and maintenance of water quality riparian buffers in areas of new development and redevelopment?

Yes ☐ No ☐

12. Does the municipality presently have in place a technical review process (i.e. engineering department, planning department, zoning board) that evaluates new development and redevelopment with regard to the impact that permanent stormwater runoff will have on receiving streams?

Yes ☐ No ☐

If Yes, provide a brief narrative or a flow chart of the review process, describing the process steps, responsible personnel (by department, title and contact person), and criteria used for evaluation of information or plans that are submitted: _____

B. Proposed Activities:

List the BMPs that you will implement in the area of the Permanent Stormwater Management Plans Review. These should be based on a set of priorities that you have identified in the area of the Permanent Stormwater Management Plans Review. Provide a short descriptive name to the BMP in the left column and more description in the right column.

PROPOSED BEST MANAGEMENT PRACTICES FOR PERMANENT STORMWATER PLANS REVIEW		
BMP	Name	DESCRIPTION
4A.		
4B.		
4C.		
4D.		

If you have additional BMPs to list, include in a separate attachment.

Describe the specific groups that will be targeted, if applicable? _____

C. Measurable Goals and Implementation Milestones:

Attached at the end of this NOI is an addendum to list BMP Measurable Goals and Implementation Milestones. You must complete the addendum, providing more details on the goals and milestones for each BMP outlined in this NOI.

D. Administrative Information:

ADMINISTRATIVE INFORMATION FOR PERMANENT STORMWATER MANAGEMENT PLANS REVIEW	
PRIMARY CONTACT	POSITION OR TITLE

Identify other Department(s) that will be involved and their role.

OTHER DEPARTMENT(S)	ROLE

Identify if you will partner with another MS4 Operator, or with another institution (e.g. Chamber of Commerce, Environmental interest organizations, civic groups) in order to carry out the chosen BMPs.

ENTITY	BMP

Will another governmental entity be responsible for implementing one or more chosen BMPs? If so, identify the entity and which BMP(s) it will implement. Include a copy of the interlocutory agreement, or contract, or proposed agreement with execution schedule.

ENTITY	BMP

SECTION 5 - POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

A. Current Activities:

The following is a set of questions on your current Pollution Prevention/Good Housekeeping for Municipal Operations Program. These questions are intended to highlight minimum program requirements under the MS4 permit. Each question with a "No" answer must be addressed with a solution in the MS4's proposed program.

1. Does the municipality's current Pollution Prevention/Good Housekeeping program provide annual training for employees responsible for municipal operations at facilities within the jurisdiction of the permittee that handle, generate and/or store materials which constitute a potential pollutant of concern for MS4s? Examples of these materials may include, but are not limited to, lubricants, fuels, sand, gravel, soil, salt, pesticide, fertilizer, garbage, trash, clippings, vehicles, equipment, and other wastes.

Yes ☐ No ☐

2. Are training activities documented? If yes, describe training and method of record-keeping: _____

Yes ☐ No ☐

3. Has the MS4 owner/operator obtained a Tennessee Multi-Sector General Permit or a no-exposure certification for all qualifying municipal industrial activities? If yes, give permit numbers or attach copies of the No-Exposure Certification form.

Yes ☐ No ☐ Permit Numbers(s) _____ _____ _____ _____ _____

4. List municipal operations or facilities that have a potential for contaminating stormwater runoff such as the following: streets, roads, highways, municipal parking lots, maintenance and storage yards, fleet or maintenance shops with outdoor storage areas, salt/sand storage locations, snow disposal areas operated by the MS4, and waste disposal, storage, and transfer stations. If there is more than one facility for a given type of operation; give the number of such facilities. Indicate if an operation and maintenance plan, which includes maintenance activities, schedules and the proper disposal of waste from related structural and non-structural stormwater controls, has been implemented for each facility or operation.

FACILITY OR TYPE OF OPERATION	NUMBER OF FACILITIES	OPERATION AND MAINTENANCE PLAN IMPLEMENTED?
		Yes ☐ No ☐
		Yes ☐ No ☐
		Yes ☐ No ☐
		Yes ☐ No ☐
		Yes ☐ No ☐
		Yes ☐ No ☐
		Yes ☐ No ☐
		Yes ☐ No ☐
		Yes ☐ No ☐
		Yes ☐ No ☐
		Yes ☐ No ☐
		Yes ☐ No ☐
		Yes ☐ No ☐
		Yes ☐ No ☐

B. Proposed Activities:

List the BMPs that you will implement in the area of the Pollution Prevention and Good Housekeeping Program. These should be based on a set of priorities that you have identified in the area of the Pollution Prevention and Good Housekeeping Program. Provide a short descriptive name to the BMP in the left column and more description in the right column.

In addition to considering industrial-type operations, you must also consider municipal infrastructure, and related maintenance activities, maintenance schedules and long-term inspection procedures for structural controls and the proper disposal of waste from storm sewers/catch basins.

PROPOSED BEST MANAGEMENT PRACTICES FOR POLLUTION PREVENTION AND HOUSEKEEPING		
BMP	Name	DESCRIPTION
5A.		
5B.		
5C.		
5D.		

If you have additional BMPs to list, include in a separate attachment.

Provide specific groups that will be targeted, if applicable: _____

C. Measurable Goals and Implementation Milestones:

Attached at the end of this NOI is an addendum to list BMP Measurable Goals and Implementation Milestones. You must complete the addendum, providing more details on the goals and milestones for each BMP outlined in this NOI.

D. Administrative Information:

ADMINISTRATIVE INFORMATION FOR POLLUTION PREVENTION AND HOUSEKEEPING	
PRIMARY CONTACT	POSITION OR TITLE

Identify other Department(s) that will be involved and their role.

OTHER DEPARTMENT(S)	ROLE

Identify if you will partner with another MS4 Operator, or with another institution (e.g. Chamber of Commerce, Environmental interest organizations, civic groups) in order to carry out the chosen BMPs.

ENTITY	BMP

Will another governmental entity be responsible for implementing one or more chosen BMPs? If so, identify the entity and which BMP(s) it will implement. Include a copy of the interlocutory agreement, or contract, or proposed agreement with execution schedule.

ENTITY	BMP

ADDENDUM TO SMALL MS4 NPDES PERMIT NOI - BMPs MEASURABLE GOALS AND MILESTONES

The purpose of this addendum is to record the measurable goals for each BMP, and the dates (month and year) by which interim actions are to be accomplished. Space is given for four BMPs for each of the six minimum measures. If necessary, attach additional BMP MEASURABLE GOALS AND MILESTONES as a separate attachment.

Measurable goals are BMP design objectives, or goals that will quantify the progress of implementing the actions or performance of a BMP. They are ways to measure activities or effects of a BMP. For each of the six minimum measures and for each BMP, define the measurable goal you will use to monitor effectiveness of this BMP. The BMPs you list here should match exactly those given in Part V., 1-5 of this NOI. For purposes of this NOI, the Public Education and Outreach and Public Involvement/Participation minimum measures have been combined.

For each BMP, establish milestones for implementation. These tables are set up for once/year milestones. You may change the milestone dates to time frames less than one year.

BEST MANAGEMENT PRACTICES FOR PUBLIC EDUCATION AND PUBLIC PARTICIPATION	
BMP 1A	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

BMP 1B	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

BMP 1C	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

BMP 1D	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

BEST MANAGEMENT PRACTICES FOR ILLICIT DISCHARGE DETECTION AND ELIMINATION	
BMP 2A	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	

Milestone Year 5	

BMP 2B	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

BMP 2C	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

BMP 2D	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

BEST MANAGEMENT PRACTICES FOR CONSTRUCTION SITE RUNOFF PROGRAM	
BMP 3A	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

BMP 3B	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

BMP 3C	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

BMP 3D	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	

Milestone Year 4	
Milestone Year 5	

BEST MANAGEMENT PRACTICES FOR PERMANENT (POST-CONSTRUCTION) STORMWATER MANAGEMENT PROGRAM	
BMP 4A	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

BMP 4B	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

BMP 4C	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

BMP 4D	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

BEST MANAGEMENT PRACTICES FOR MUNICIPAL POLLUTION PREVENTION AND GOOD HOUSEKEEPING	
BMP 5A	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

BMP 5B	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

BMP 5C	MEASURABLE GOALS AND MILESTONES

Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

BMP 5D	MEASURABLE GOALS AND MILESTONES
Goal(s)	
Milestone Year 1	
Milestone Year 2	
Milestone Year 3	
Milestone Year 4	
Milestone Year 5	

9. APPENDIX B – ANNUAL REPORT

Tennessee Department of Environment and Conservation
Division of Water Resources
William R. Snodgrass Tennessee Tower,
312 Rosa L. Parks Avenue, 11th Floor, Nashville, Tennessee 37243
1-888-891-8332 (TDEC)

Phase II Small Municipal Separate Storm Sewer System (MS4) Annual Report

1. MS4 Information

Name of MS4:		MS4 Permit Number:
Contact Person:		Email Address:
Telephone: ( )		MS4 Program Web Address:
Mailing Address:		
City:	State:	ZIP code:

What is the current population of your MS4? _____

What is the reporting period for this annual report? July1 _____ to June 30 _____

2. Discharges to Waterbodies with Unavailable Parameters or Exceptional Tennessee Waters (Section 3.1)

A. Does your MS4 discharge into waters with unavailable parameters (previously referred to as impaired) for pathogens, nutrients, siltation or other parameters related to stormwater runoff from urbanized areas as listed on TN's most current 303(d) list and/or according to the on-line state GIS mapping tool (tdeconline.tn.gov/dwr/)? If yes, attach a list. ☐ Yes ☐ No

B. Are there established and approved TMDLs (http://www.tn.gov/environment/article/wr-ws-tennessees-total-maximum-daily-load-tmdl-program) with waste load allocations for MS4 discharges in your jurisdiction? If yes, attach a list. ☐ Yes ☐ No

C. Does your MS4 discharge to any Exceptional TN Waters (ETWs - http://environment-online.tn.gov:8080/pls/enf_reports/f?p=9034:34304:4880790061142)? If yes, attach a list. ☐ Yes ☐ No

D. Are you implementing specific Best Management Practices (BMPs) to control pollutant discharges to waterbodies with unavailable parameters or ETWs? If yes, describe the specific practices: _____ ☐ Yes ☐ No

3. Public Education/Outreach and Involvement/Participation (Sections 4.2.1 and 4.2.2)

A. Have you developed a Public Information and Education plan (PIE)? ☐ Yes ☐ No

B. Is your public education program targeting specific pollutants and sources, such as Hot Spots? If yes, describe the specific pollutants and/or sources targeted by your public education program: _____ ☐ Yes ☐ No

C. Do you have a webpage dedicated to your stormwater program? If yes, provide a link/URL: _____ ☐ Yes ☐ No

D. Summarize how you advertise and publicize your public education, outreach, involvement and participation opportunities: _____

E. Summarize the public education, outreach, involvement and participation activities you completed during this reporting period: _____

F. Summarize any specific successful outcome(s) (e.g., citizen involvement, pollutant reduction, water quality improvement, etc.) fully or partially attributable to your public education and participation program during this reporting period: _____

4. Illicit Discharge Detection and Elimination (Section 4.2.3)

A. Have you developed and do you continue to update a storm sewer system map that shows the location of system outfalls where the municipal storm sewer system discharges into waters of the state or conveyances owned or operated by another MS4? ☐ Yes ☐ No

B. If yes, does the map include inputs into the storm sewer collection system, such as the inlets, catch basins, drop structures or other defined contributing points to the sewershed of that outfall, and general direction of stormwater flow? ☐Yes ☐ No

C. How many outfalls have you identified in your storm sewer system? _____

D. Do you have an ordinance, or other regulatory mechanism, that prohibits non-stormwater discharges into your storm sewer system? ☐Yes ☐ No

E. Have you implemented a plan to detect, identify and eliminate non-stormwater discharges, including illegal disposal, throughout the storm sewer system? If yes, provide a summary: _____ ☐ Yes ☐ No

F. How many illicit discharge related complaints were received this reporting period? _____

G. How many illicit discharge investigations were performed this reporting period? _____

H. Of those investigations performed, how many resulted in valid illicit discharges that were addressed and/or eliminated? _____

5. Construction Site Stormwater Runoff Pollutant Control (Section 4.2.4)

A. Do you have an ordinance or other regulatory mechanism requiring:

Construction site operators to implement appropriate erosion prevention and sediment control BMPs consistent with those described in the TDEC EPSC Handbook? ☐ Yes ☐ No

Construction site operators to control wastes such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste? ☐ Yes ☐ No

Design storm and special conditions for unavailable parameters waters or exceptional Tennessee waters consistent with those of the current Tennessee Construction General Permit (TNR100000)? ☐ Yes ☐ No

B. Do you have specific procedures for construction site plan (including erosion prevention and sediment BMPs) review and approval? ☐ Yes ☐ No

C. Do you have sanctions to enforce compliance? ☐ Yes ☐ No

D. Do you hold pre-construction meetings with operators of priority construction activities and inspect priority construction sites at least monthly? ☐ Yes ☐ No

E. How many construction sites disturbing at least one acre or greater were active in your jurisdiction this reporting period? _____

F. How many active priority and non-priority construction sites were inspected this reporting period? _____

G. How many construction related complaints were received this reporting period? _____

6. Permanent Stormwater Management at New Development and Redevelopment Projects (Section 4.2.5)

A. Do you have a regulatory mechanism (e.g. ordinance) requiring permanent stormwater pollutant removal for development and redevelopment projects? If no, have you submitted an Implementation Plan to the Division? ☐ Yes ☐ No ☐ Yes ☐ No

B. Do you have an ordinance or other regulatory mechanism requiring:

Site plan review and approval of new and re-development projects? ☐ Yes ☐ No

A process to ensure stormwater control measures (SCMs) are properly installed and maintained? ☐ Yes ☐ No

Permanent water quality riparian buffers? If yes, specify requirements: _____ ☐ Yes ☐ No

C. What is the threshold for development and redevelopment project plans plan review (e.g., all projects, projects disturbing greater than one acre, etc.)? _____

D. How many development and redevelopment project plans were reviewed for this reporting period? _____

E. How many development and redevelopment project plans were approved? _____

F. How many permanent stormwater related complaints were received this reporting period? _____

G. How many enforcement actions were taken to address improper installation or maintenance? _____

H. Do you have a system to inventory and track the status of all public and private SCMs installed on development and redevelopment projects? ☐ Yes ☐ No

I. Does your program include an off-site stormwater mitigation or payment into public stormwater fund? If yes, specify. _____ ☐ Yes ☐ No

7. Stormwater Management for Municipal Operations (Section 4.2.6)

A. As applicable, have stormwater related operation and maintenance plans that include information related to maintenance activities, schedules and the proper disposal of waste from structural and non-structural stormwater controls been developed and implemented at the following municipal operations:

Streets, roads, highways? ☐ Yes ☐ No

Municipal parking lots? ☐ Yes ☐ No

Maintenance and storage yards? ☐ Yes ☐ No

Fleet or maintenance shops with outdoor storage areas? ☐ Yes ☐ No

Salt and storage locations? ☐ Yes ☐ No

Snow disposal areas? ☐ Yes ☐ No

Waste disposal, storage, and transfer stations? ☐ Yes ☐ No

B. Do you have a training program for employees responsible for municipal operations at facilities within the jurisdiction that handle, generate and/or store materials which constitute a potential pollutant of concern for MS4s? ☐ Yes ☐ No

If yes, are new applicable employees trained within six months, and existing applicable employees trained and/or retrained within the permit term? ☐ Yes ☐ No

8. Reviewing and Updating Stormwater Management Programs (Section 4.4)

A. Describe any revisions to your program implemented during this reporting period including but not limited to:

Modifications or replacement of an ineffective activity/control measure. _____

Changes to the program as required by the division to satisfy permit requirements. _____

Information (e.g. additional acreage, outfalls, BMPs) on newly annexed areas and any resulting updates to your program. _____

B. In preparation for this annual report, have you performed an overall assessment of your stormwater management program effectiveness? If yes, summarize the assessment results, and any modifications and improvements scheduled to be implemented in the next reporting period. _____ ☐ Yes ☐ No

9. Enforcement Response Plan (Section 4.5)

A. Have you implemented an enforcement response plan that includes progressive enforcement actions to address non-compliance, and allows the maximum penalties specified in TCA 68-221-1106? If no, explain. _____ ☐ Yes ☐ No

B. As applicable, identify which of the following types of enforcement actions (or their equivalent) were used during this reporting period; indicate the number of actions, the minimum measure (e.g., construction, illicit discharge, permanent stormwater management), and note those for which you do not have authority:

Action	Construction	Permanent Stormwater	Illicit Discharge	In Your ERP?	
Verbal warnings	#_____	#_____	#_____	☐ Yes	☐ No
Written notices	#_____	#_____	#_____	☐ Yes	☐ No
Citations with administrative penalties	#_____	#_____	#_____	☐ Yes	☐ No
Stop work orders	#_____	#_____	#_____	☐ Yes	☐ No
Withholding of plan approvals or other authorizations	#_____	#_____	#_____	☐ Yes	☐ No
Additional Measures	#_____	#_____	#_____	Describe: _____	

C. Do you track instances of non-compliance and related enforcement documentation? ☐ Yes ☐ No

D. What were the most common types of non-compliance instances documented during this reporting period? _____

10. Monitoring, Recordkeeping and reporting (Section 5)

A. Summarize any analytical monitoring activities (e.g., planning, collection, evaluation of results) performed during this reporting period. _____

B. Summarize any non-analytical monitoring activities (e.g., planning, collection, evaluation of results) performed during this reporting period. _____

C. If applicable, are monitoring records for activities performed during this reporting period submitted with this report. ☐ Yes ☐ No

11. Certification

This report must be signed by a ranking elected official or by a duly authorized representative of that person. See signatory requirements in sub-part 6.7.2 of the permit.

"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."

Printed Name and Title _____ Signature _____ Date _____

Annual reports must be submitted by September 30 of each calendar year (Section 5.4) to the appropriate Environmental Field Office (EFO), identified in the table below:

EFO	Street Address	City	Zip Code	Telephone
Chattanooga	1301 Riverfront Pkwy, Suite 206	Chattanooga	37402	(423) 634-5745
Columbia	1421 Hampshire Pike	Columbia	38401	(931) 380-3371
Cookeville	1221 South Willow Ave.	Cookeville	38506	(931) 520-6688
Jackson	1625 Hollywood Drive	Jackson	38305	(731) 512-1300
Johnson City	2305 Silverdale Road	Johnson City	37601	(423) 854-5400
Knoxville	3711 Middlebrook Pike	Knoxville	37921	(865) 594-6035
Memphis	8383 Wolf Lake Drive	Bartlett	38133	(901) 371-3000
Nashville	711 R S Gass Boulevard	Nashville	37216	(615) 687-7000