

**Storm Water Management Program Plan (SWMPP)
Gadsden-Etowah MS4 Entities
Gadsden, Etowah County, Alabama
S&ME Project No. 4482-14-028**



Prepared for:
Gadsden-Etowah MS4

Prepared by:
S&ME, Inc.
360D Quality Circle NW, Ste 450
Huntsville, AL 35806

October 26, 2016



January 1, 2017

Attention: Gadsden-Etowah MS4 Steering Committee

Reference: **Storm Water Management Program Plan (SWMPP)**
Gadsden-Etowah MS4 Entities
Gadsden, Etowah County, Alabama
S&ME Project No. 4482-14-028

Dear Gadsden-Etowah MS4 Steering Committee:

S&ME, Inc. has prepared the attached Storm Water Management Program (SWMPP) for the Gadsden-Etowah Phase II Small Municipal Separate Storm Sewer System in accordance with S&ME Proposal No. 44-16000420 REV 2, dated October 18, 2016.

S&ME, Inc. appreciates the opportunity to provide our services to the City of Gadsden, Rainbow City, City of Hokes Buff, City of Southside, City of Glencoe, City of Attalla, and Etowah County. If you should have questions concerning this report, or if additional information is required, please contact us.

Sincerely,

S&ME, Inc.

Christa C. Lyons
Project Manager

Charles Olgee, P.E.
Senior Engineer



STORM WATER MANAGEMENT PROGRAM

JANUARY 1, 2017

Gadsden, Alabama Urbanized Area
Phase II Small MS4 NPDES General Permit

Gadsden-Etowah MS4 Entities

City of Attalla - ALR040052
City of Gadsden - ALR040053
City of Glencoe - ALR040054
City of Hokes Bluff - ALR040055
City of Rainbow City - ALR040056
City of Southside - ALR040057
Etowah County - ALR040009

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S&ME Project No. 4482-15-028

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Table of Contents

1.0	Introduction	1
1.1	Permit History	2
1.2	Storm Sewer System	2
1.3	Area and Population Description	2
1.4	Hydrologic Units in the Urbanized Area	3
1.5	Water Quality Concerns	4
1.6	Coordination Between Entities	5
1.7	Responsible Party	6
1.8	Annual Review	6
1.9	Updates to the SWMPP	6
1.10	SWMPP Components	6
2.0	Storm Water Monitoring	1
2.1	Rationale Statement	1
2.2	Monitoring Parameters	1
2.3	Field Documentation	2
2.4	Sampling Procedures	2
2.5	Monitoring Locations	2
2.6	Quality Assurance / Quality Control	3
2.6.1	<i>Sample Containers and Preservation</i>	<i>3</i>
2.6.2	<i>Quality Assurance</i>	<i>3</i>
2.6.3	<i>Equipment Decontamination</i>	<i>4</i>
2.6.4	<i>Sample Identification</i>	<i>4</i>
2.6.5	<i>Chain of Custody</i>	<i>4</i>
2.6.6	<i>Sample Shipment</i>	<i>4</i>
2.7	Analytical Results	4
2.8	Evaluation of Results	4
3.0	Reporting and Record-Keeping	1
3.1	Annual Reports	1
3.2	Recordkeeping	1



4.0	City of Attalla	1
4.1	Public Education and Public Involvement on Storm Water Impacts.....	1
4.1.1	<i>Rationale Statement</i>	1
4.1.2	<i>Target Audiences</i>	1
4.1.3	<i>Planned Activities</i>	2
4.1.4	<i>Responsible Party</i>	5
4.2	Illicit Discharge Detection and Elimination	5
4.2.1	<i>Rationale Statement</i>	5
4.2.2	<i>Target Audiences</i>	5
4.2.3	<i>Outreach Strategies</i>	6
4.2.4	<i>Responsible Party</i>	12
4.3	Construction Site Storm Water Runoff	12
4.3.1	<i>Rationale Statement</i>	12
4.3.2	<i>Target Audiences</i>	12
4.3.3	<i>Outreach Strategies</i>	13
4.3.4	<i>Responsible Party</i>	17
4.4	Post-Construction Storm Water Management in New Development and Redevelopment	17
4.4.1	<i>Rationale Statement</i>	17
4.4.2	<i>Target Audiences</i>	17
4.4.3	<i>Outreach Strategies</i>	17
4.4.4	<i>Responsible Party</i>	20
4.5	Pollution Prevention and Good Housekeeping for Municipal Operations.....	20
4.5.1	<i>Rationale Statement</i>	20
4.5.2	<i>Target Audiences</i>	20
4.5.3	<i>Outreach Strategies</i>	21
4.5.4	<i>Responsible Party</i>	23
4.6	Agency Certification	24
5.0	City of Gadsden	1
5.1	Public Education and Public Involvement on Storm Water Impacts.....	1
5.1.1	<i>Rationale Statement</i>	1
5.1.2	<i>Target Audiences</i>	1



5.1.3	Planned Activities	2
5.1.4	Responsible Party	7
5.2	Illicit Discharge Detection and Elimination	7
5.2.1	Rationale Statement	7
5.2.2	Target Audiences	7
5.2.3	Outreach Strategies	8
5.2.4	Responsible Party	15
5.3	Construction Site Storm Water Runoff	15
5.3.1	Rationale Statement	15
5.3.2	Target Audiences	15
5.3.3	Outreach Strategies	15
5.3.4	Responsible Party	19
5.4	Post-Construction Storm Water Management in New Development and Redevelopment	20
5.4.1	Rationale Statement	20
5.4.2	Target Audiences	20
5.4.3	Outreach Strategies	20
5.4.4	Responsible Party	23
5.5	Pollution Prevention and Good Housekeeping for Municipal Operations	23
5.5.1	Rationale Statement	23
5.5.2	Target Audiences	23
5.5.3	Outreach Strategies	24
5.5.4	Responsible Party	27
5.6	Agency Certification	28
6.0	City of Glencoe	2
6.1	Public Education and Public Involvement on Storm Water Impacts	2
6.1.1	Rationale Statement	2
6.1.2	Target Audiences	2
6.1.3	Planned Activities	3
6.1.4	Responsible Party	6
6.2	Illicit Discharge Detection and Elimination	7
6.2.1	Rationale Statement	7
6.2.2	Target Audiences	7



6.2.3	Outreach Strategies.....	7
6.2.4	Responsible Party.....	14
6.3	Construction Site Storm Water Runoff.....	14
6.3.1	Rationale Statement	14
6.3.2	Target Audiences.....	14
6.3.3	Outreach Strategies.....	14
6.3.4	Responsible Party.....	18
6.4	Post-Construction Storm Water Management in New Development and Redevelopment	18
6.4.1	Rationale Statement	18
6.4.2	Target Audiences.....	19
6.4.3	Outreach Strategies.....	19
6.4.4	Responsible Party.....	22
6.5	Pollution Prevention and Good Housekeeping for Municipal Operations.....	22
6.5.1	Rationale Statement	22
6.5.2	Target Audiences.....	22
6.5.3	Outreach Strategies.....	22
6.5.4	Responsible Party.....	25
6.6	Agency Certification	26
7.0	City of Hokes Bluff.....	1
7.1	Public Education and Public Involvement on Storm Water Impacts.....	1
7.1.1	Rationale Statement	1
7.1.2	Target Audiences.....	1
7.1.3	Planned Activities	2
7.1.4	Responsible Party.....	6
7.2	Illicit Discharge Detection and Elimination	6
7.2.1	Rationale Statement	6
7.2.2	Target Audiences.....	6
7.2.3	Outreach Strategies.....	7
7.2.4	Responsible Party.....	13
7.3	Construction Site Storm Water Runoff.....	13
7.3.1	Rationale Statement	13
7.3.2	Target Audiences.....	14



7.3.3	Outreach Strategies.....	14
7.3.4	Responsible Party.....	18
7.4	Post-Construction Storm Water Management in New Development and Redevelopment	18
7.4.1	Rationale Statement	18
7.4.2	Target Audiences.....	18
7.4.3	Outreach Strategies.....	18
7.4.4	Responsible Party.....	21
7.5	Pollution Prevention and Good Housekeeping for Municipal Operations.....	21
7.5.1	Rationale Statement	21
7.5.2	Target Audiences.....	21
7.5.3	Outreach Strategies.....	21
7.5.4	Responsible Party.....	24
7.6	Agency Certification	25
8.0	Rainbow City.....	1
8.1	Public Education and Public Involvement on Storm Water Impacts.....	1
8.1.1	Rationale Statement	1
8.1.2	Target Audiences.....	1
8.1.3	Planned Activities	2
8.1.4	Responsible Party.....	6
8.2	Illicit Discharge Detection and Elimination	6
8.2.1	Rationale Statement	6
8.2.2	Target Audiences.....	6
8.2.3	Outreach Strategies.....	6
8.2.4	Responsible Party.....	13
8.3	Construction Site Storm Water Runoff	13
8.3.1	Rationale Statement	13
8.3.2	Target Audiences.....	13
8.3.3	Outreach Strategies.....	13
8.3.4	Responsible Party.....	17
8.4	Post-Construction Storm Water Management in New Development and Redevelopment	18
8.4.1	Rationale Statement	18



8.4.2	Target Audiences.....	18
8.4.3	Outreach Strategies.....	18
8.4.4	Responsible Party.....	21
8.5	Pollution Prevention and Good Housekeeping for Municipal Operations.....	21
8.5.1	Rationale Statement	21
8.5.2	Target Audiences.....	21
8.5.3	Outreach Strategies.....	21
8.5.4	Responsible Party.....	24
8.6	Agency Certification	24
9.0	City of Southside	1
9.1	Public Education and Public Involvement on Storm Water Impacts.....	1
9.1.1	Rationale Statement	1
9.1.2	Target Audiences.....	1
9.1.3	Planned Activities	2
9.1.4	Responsible Party.....	7
9.2	Illicit Discharge Detection and Elimination	7
9.2.1	Rationale Statement	7
9.2.2	Target Audiences.....	7
9.2.3	Outreach Strategies.....	7
9.2.4	Responsible Party.....	14
9.3	Construction Site Storm Water Runoff.....	14
9.3.1	Rationale Statement	14
9.3.2	Target Audiences.....	14
9.3.3	Outreach Strategies.....	14
9.3.4	Responsible Party.....	18
9.4	Post-Construction Storm Water Management in New Development and Redevelopment	18
9.4.1	Rationale Statement	18
9.4.2	Target Audiences.....	19
9.4.3	Outreach Strategies.....	19
9.4.4	Responsible Party.....	22
9.5	Pollution Prevention and Good Housekeeping for Municipal Operations.....	22
9.5.1	Rationale Statement	22



9.5.2	Target Audiences.....	23
9.5.3	Outreach Strategies.....	23
9.5.4	Responsible Party.....	26
9.6	Agency Certification	26
10.0	Etowah County.....	1
10.1	Public Education and Public Involvement on Storm Water Impacts.....	1
10.1.1	Rationale Statement	1
10.1.2	Target Audiences.....	1
10.1.3	Planned Activities	2
10.1.4	Responsible Party.....	5
10.2	Illicit Discharge Detection and Elimination	6
10.2.1	Rationale Statement	6
10.2.2	Target Audiences.....	6
10.2.3	Outreach Strategies.....	6
10.2.4	Responsible Party.....	13
10.3	Construction Site Storm Water Runoff	13
10.3.1	Rationale Statement	13
10.3.2	Target Audiences.....	13
10.3.3	Outreach Strategies.....	13
10.3.4	Responsible Party.....	17
10.4	Post-Construction Storm Water Management in New Development and Redevelopment	17
10.4.1	Rationale Statement	17
10.4.2	Target Audiences.....	17
10.4.3	Outreach Strategies.....	17
10.4.4	Responsible Party.....	20
10.5	Pollution Prevention and Good Housekeeping for County Operations	20
10.5.1	Rationale Statement	20
10.5.2	Target Audiences.....	20
10.5.3	Outreach Strategies.....	20
10.5.4	Responsible Party.....	23
10.6	Agency Certification	23



List of Figures

No table of contents entries found.

List of Tables

Table 1-1: Responsible Officials and Authorization Dates	1
Table 1-2: Permit Numbers for MS4 Entities	1
Table 1-3: Populations from 2000 and 2010 Census	3
Table 1-4: Hydrologic Hierarchy.....	3
Table 1-5: Watersheds in the Urbanized Area.....	3
Table 1-6: Subwatersheds in the Urbanized Area.....	3
Table 1-7: Impaired Waterbody Segments in the Urbanized Area	4
Table 1-8: MS4 Storm Water Steering Committee	6
Table 2-1: Monitoring Point Coordinates.....	2
Table 2-2 Sample Containers and Preservation	3

Appendices

Appendix A –Figures

Appendix B – NPDES Permit

Appendix C – IDDE Program dated March 2014

Appendix D – City of Attalla

Appendix D-1 – City of Attalla Figures

Appendix D-2 – City of Attalla Tables

Appendix D-3 – City of Attalla Ordinances

Appendix D-4 – City of Attalla SOPs

Appendix E – City of Gadsden

Appendix E-1 – City of Gadsden Figures

Appendix E-2 – City of Gadsden Tables

Appendix E-3 – City of Gadsden Ordinances

Appendix E-4 – City of Gadsden Forms

Appendix F – City of Glencoe

Appendix F-1 – City of Glencoe Figures

Appendix F-2 – City of Glencoe Tables

Appendix F-3 – City of Glencoe Ordinances

Appendix G – City of Hokes Bluff



Appendix G-1 – City of Hokes Bluff Figures

Appendix G-2 – City of Hokes Bluff Tables

Appendix G-3 – City of Hokes Bluff Ordinances

Appendix H – City of Rainbow City

Appendix H-1 – City of Rainbow City Figures

Appendix H-2 – City of Rainbow City Tables

Appendix H-3 – City of Rainbow City Ordinances

Appendix H-4 – City of Rainbow City Forms

Appendix I – City of Southside

Appendix I-1 – City of Southside Figures

Appendix I-2 – City of Southside Tables

Appendix I-3 – City of Southside Ordinances

Appendix J – Etowah County

Appendix J-1 – Etowah County Figures

Appendix J-2 – Etowah County Tables

Appendix J-3 – Etowah County Ordinances



1.0 Introduction

S&ME, Inc. has prepared this Storm Water Management Program Plan (SWMPP) for the Gadsden – Etowah MS4 Entities that comprise the *Gadsden, Alabama Urbanized Area* Phase II Small Municipal Separate Storm Sewer System in accordance with S&ME Proposal No. 44-15-217, dated June 30, 2015 and Proposal No. 44-1600450, dated October 7, 2016. The urbanized area consists of the following entities (jurisdictions): The City of Gadsden, City of Rainbow City, City of Southside, City of Glencoe, City of Hokes Bluff, City of Attalla, and portions of unincorporated Etowah County.

Authorization date and responsible official for each entity are provided in Table 1.1.

Table 1-1: Responsible Officials and Authorization Dates

Entity	Name	Date
City of Attalla	Larry Means, Mayor	August 5, 2015
City of Gadsden	Sherman Guyton, Mayor	July 29, 2015
City of Glencoe	Charles C. Gilchrist, Mayor	July 14, 2015
City of Hokes Bluff	Jeff Cheatwood, Mayor	August 14, 2015
City of Rainbow City	Terry John Calhoun, Mayor	October 27, 2016
City of Southside	Wally Burns, Mayor	July 9, 2015
Etowah County	Larry Payne, President	July 21, 2015

The SWMPP is required by Part III of the Alabama Department of Environmental Management (ADEM) National Pollutant Discharge Elimination System (NPDES) General Permit ALR040000 for discharges from regulated small municipal separate storm sewer systems (MS4) with an effective date of October 1, 2016. Permit numbers for each entity are provided in Table 1.2.

Table 1-2: Permit Numbers for MS4 Entities

Entity	ADEM Permit Number
City of Attalla	ALR0400052
City of Gadsden	ALR0400053
City of Glencoe	ALR0400054
City of Hokes Bluff	ALR0400055
City of Rainbow City	ALR0400056
City of Southside	ALR0400057
Etowah County	ALR0400009



1.1 Permit History

The Storm Water Phase II Final Rule issued by the United States Environmental Protection Agency (USEPA) in 1999 requires nationwide coverage of all operators of small MS4s located within the boundaries of an “urbanized area” as defined by the latest decennial Census. Based on the results of the 2010 census, the Bureau of the Census designated the *Gadsden, Alabama Urbanized Area* to include the City of Attalla, the City of Gadsden, the City of Glencoe, the City of Hokes Bluff, City of Rainbow City, the City of Southside, and portions of unincorporated Etowah County. A map outlining the approximate boundary of the *Gadsden, Alabama Urbanized Area* is included in **Appendix A, Figure 1**.

The *Gadsden, Alabama Urbanized Area* initially applied for and received a NPDES MS4 Phase II General Permit from the ADEM in 2003. The five-year permit expired on March 9, 2008. A Notice of Intent for renewal of the permit was submitted 180 days prior to expiration and permit coverage was extended through re-issuance of the MS4 Phase II General Permit ALR04-0009 with an effective date of February 1, 2011. This permit expired on February 1, 2016 and was administratively continued. A Notice of Intent for renewal of the permit was submitted by each entity 180 days prior to expiration; therefore the permit coverage was extended until the Alabama Department of Environmental Management (ADEM) issued a separate permit for each entity with an effective date of October 1, 2016. Maps outlining the approximate urbanized area and city limits for each entity are included in their corresponding appendix.

A copy of the NPDES General Permit is included in **Appendix B**.

1.2 Storm Sewer System

A Municipal Separate Storm Sewer System (MS4) is defined by 40 CFR Part 122.26(b)(8) to be a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is:

- (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, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;
- (ii) Designed or used for collecting or conveying storm water;
- (iii) Not a combined sewer; and,
- (iv) Not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

1.3 Area and Population Description

The *Gadsden, Alabama Urbanized Area* is located in northeast Alabama and encompasses approximately 38,223 acres. Populations of each entity covered by the referenced NPDES General Permits are shown in the following table.

**Table 1-3: Populations from 2000 and 2010 Census**

Entity	2000 Census Population	2010 Census Population
City of Attalla	6,592	6,048
City of Gadsden	38,978	36,856
City of Glencoe	5,152	5,160
City of Hokes Bluff	4,149	4,286
City of Rainbow City	8,428	9,602
City of Southside	7,036	8,412

* Total for the county, including municipalities

1.4 Hydrologic Units in the Urbanized Area

Neely Henry Lake (Coosa River) is the primary receiving water for the Gadsden-Etowah MS4. Hydrologic Hierarchy, Watersheds, and Subwatersheds are provided in the tables below.

Table 1-4: Hydrologic Hierarchy

REGION	03	South Atlantic-Gulf
SUBREGION	0315	Alabama River Basin
BASIN	031501	Coosa-Tallapoosa: Above the confluence of and including the Coosa and Tallapoosa River Basins
SUBBASIN	03150106	Middle Coosa

Table 1-5: Watersheds in the Urbanized Area

Watershed	HUC
Coosa River-Black Creek	03150106-01
Big Wills Creek	03150106-02
Coosa River-Big Canoe Creek	03150106-03

Table 1-6: Subwatersheds in the Urbanized Area

SUBWATERSHED	HUC	TOTAL AREA (ACRES)
Little Wills Creek	03150106-01-06	18,121
Black Creek	03150106-01-07	40,879
Horton Creek	03150106-01-08	16,902
Dry Creek	03150106-02-02	9,778
Big Cove Creek	03150106-02-03	18,028



Turkey Town Creek	03150106-02-04	57,474
Little Canoe Creek - Lake Sumatanga	03150106-03-04	20,260
Lower Big Canoe Creek	03150106-03-06	33,299
Coosa River - H. Neely Henry Lake	03150106-03-09	46,439
Lower Ohatchee Creek	03150106-04-05	19,980

1.5 Water Quality Concerns

Section 303(d) of the Clean Water Act (CWA), as amended by the Water Quality Act of 1987, and EPA's Water Quality Planning and Management Regulations (40CFR130) require states to identify waterbodies not in compliance with the water quality standards applicable to their designated use classifications. The identified waters are prioritized based on severity of the pollution. Section 303(d) then requires that total maximum daily loads (TMDLs) be determined for all pollutants causing violation of applicable water quality standards in each identified segment. The TMDL process establishes the allowable loading of pollutants, or other quantifiable parameters for a waterbody, based on the relationship between pollution sources and in-stream water quality conditions.

As mentioned in Section 1.3, Neely Henry Lake is the primary receiving water for the Gadsden-Etowah MS4. In 1996, the ADEM identified five of the six reservoirs on the Coosa River within the State of Alabama's borders as being impaired, including Neely Henry Lake. The following table summarizes the impaired segments of Neely Henry Lake.

Table 1-7: Impaired Waterbody Segments in the Urbanized Area

ASSESSMENT UNIT ID	WATERBODY NAME	USES	CAUSES	SOURCES
AL03150106-0309-101	Coosa River (Neely Henry Lake)	Swimming Fish & Wildlife	Nutrients pH Organic Enrichment (CBOD, NBOD)	Industrial Municipal Flow regulation/modification Upstream sources
AL03150106-0309-102	Coosa River (Neely Henry Lake)	Fish & Wildlife	Nutrients pH Organic Enrichment (CBOD, NBOD)	Industrial Municipal Flow regulation/modification Upstream sources
AL03150106-0104-101	Coosa River (Neely Henry Lake)	Fish & Wildlife	Nutrients pH Organic Enrichment (CBOD, NBOD) Priority Organics (PCBs)	Industrial Municipal Flow regulation/modification Upstream sources Contaminated sediments
AL03150106-0104-102	Coosa River (Neely Henry Lake)	Public Water Supply Fish & Wildlife	Nutrients pH Organic Enrichment (CBOD, NBOD)	Industrial Municipal Flow regulation/modification



Table 1-7: Impaired Waterbody Segments in the Urbanized Area

ASSESSMENT UNIT ID	WATERBODY NAME	USES	CAUSES	SOURCES
			Priority Organics (PCBs)	Upstream sources Contaminated sediments

Sources of nutrient and organic enrichment from non-point sources within the Coosa River watershed include:

- Runoff from pastures
- Runoff from animal operations
- Direct discharge to streams due to cattle
- Improper land application of animal waste
- Failing septic systems
- Urban runoff

Point source contributors of storm water pollution within the Coosa River watershed include:

- Discharge from wastewater treatment plants
- Discharge from industrial operations

In 2008 the EPA approved TMDLs for Neely Henry Lake related to Nutrients (Total Phosphorous), pH, and Dissolved Oxygen. The Gadsden-Etowah MS4 is required to achieve a **30% reduction in Total Phosphorus discharge loading**.

Part IV.D of the NPDES General Permit requires that the SWMPP include BMPs and control measures specifically targeted to achieve the waste load allocations prescribed in the TMDL. The SWMPP must also include monitoring provisions to document that the waste load allocations prescribed in the TMDL are being achieved.

1.6 Coordination Between Entities

Each of the eight entities will provide at least one member to the Gadsden-Etowah Storm Water Steering Committee. Each entity will be responsible for providing the required annual updates and monitoring data to the Steering Committee.

Coordination between departments and individuals internal to each of the eight entities is established in each section of the Plan specific to the individual entities.

In March 2014, the Gadsden-Etowah Storm Water Steering Committee developed an Illicit Discharge Detection and Elimination (IDDE) Program for the entities to collectively use as a guidance. The IDDE Program is included in **Appendix C**.



1.7 Responsible Party

Each entity is responsible for the coordination and implementation of their entity's Storm Water Management Plan. Each entity provides a representative to participate on the Storm Water Steering Committee for the urbanized area. The Storm Water Steering Committee is responsible for the implementation of the monitoring plan. Current membership of the Storm Water Steering Committee is as follows:

Table 1-8: MS4 Storm Water Steering Committee

ENTITY	CONTACT	PHONE NO.	EMAIL
City of Gadsden	Jeramy Ward	256-549-4527	jward@cityofgadsden.com
City of Gadsden	Heath Williamson	256-549-4520	hwilliamson@cityofgadsden.com
City of Attalla	Jason Nicholson	256-441-9200	j.nicholson@attallacity.com
City of Rainbow City	Kevin Ashley	256-413-1240	kashley@rbcalabama.com
City of Southside	Jimmy Whittemore	256-442-9775 Ext. 103	jwhittemore@cityofsouthside.com
City of Glencoe	Brian Bramblett	256-492-1424	brianbramblett@cityofglencoe.net
City of Hokes Bluff	Lisa Johnson	256-492-2414	hbcity@cityofhokesbluff.net
Etowah County	Tim Graves	256-549-5358	tgraves@etowahcounty.org
Etowah County	Robert Nail	256-549-5358	Rnail@etowahcounty.org

1.8 Annual Review

The Storm Water Management Plan will be reviewed annually by the each entity in preparation for the annual report required by Part V of the NPDES General Permit. The Storm Water Steering Committee will review the monitoring plan annually.

An annual report will be prepared by each entity for submittal to ADEM.

1.9 Updates to the SWMPP

The SWMPP may be updated following the procedures laid out in Part IV.B.2 of the NPDES General Permit. Changes to the SWMPP adding components, controls, or requirements may be made at any time, provided the ADEM is notified in writing. The changes must also be documented in the annual report.

Permission to make changes to the SWMPP to remove or replace components, controls, or requirements must be requested from the ADEM a minimum of 60 days prior to making the change. If the request is denied, the ADEM will provide a written response giving the reason for the decision.

1.10 SWMPP Components

Part III.B of the NPDES General Permit requires that the Permittee develop and implement a storm water management program that includes the following five minimum control measures:



1. Public Education and Public Involvement on Storm Water Impacts
2. Illicit Discharge Detection and Elimination (IDDE)
3. Construction Site Storm Water Runoff Control
4. Post-Construction Storm Water Management in New Development and Redevelopment
5. Pollution Prevention/Good Housekeeping for Municipal Operations

Program details pertaining to each entity within the urbanized area are outlined in the following



2.0 Storm Water Monitoring

2.1 Rationale Statement

As discussed in Section 1.4, the Gadsden-Etowah MS4 currently discharges to an impaired waterbody. Part IV.D.1(c) of the NPDES General Permit requires that the SWMP include a monitoring plan to assess the effectiveness of the BMPs in achieving the waste load reductions/allocations outlined in the TMDL.

The intent of the proposed monitoring program is to evaluate the effectiveness of the City's BMPs in achieving the required reduction as established in the TMDL and to generally evaluate overall water quality. Where deviations are documented and/or expected, the collected monitoring data will be used to determine the extent and cause of the pollutant of concern.

2.2 Monitoring Parameters

The Gadsden-Etowah MS4 is required to achieve a **30% reduction in Total Phosphorus discharge loading**. To demonstrate the MS4's compliance with the established waste load reduction, the MS4 will conduct monitoring along the Coosa River throughout the *Gadsden, Alabama Urbanized Area* using grab sampling and manual field and laboratory analyses.

Both point and non-point sources of particulate and dissolved phosphorous are linked to runoff.

Particulate phosphorous moves primarily by soil erosion. Dissolved phosphorous may result from leaking septic systems, animal wastes, or the over-application of fertilizer. The greatest opportunity for excess phosphorous loading into the Coosa River from the Gadsden-Etowah MS4 is likely to occur during runoff events; therefore, **monitoring will be conducted within 72 hours of a qualifying rain event of 0.75 inch**.

Monitoring parameters were selected to indicate the effectiveness of the BMPs outlined in the *Gadsden, Alabama Urbanized Area* Storm Water Management Program. In addition to total phosphorous, parameters related to soil erosion (sedimentation) and eutrophication (nutrient enrichment) were also selected for monitoring.

Monitoring will be conducted **quarterly** at the designated outfalls to Neely Henry Lake for the following parameters:

- Total Suspended Solids (TSS)
- Total Phosphorous
- Orthophosphate
- Nitrate-Nitrite
- Total Kjeldahl Nitrogen (TKN)

The following parameters will also be measured in the field at the time of sample collection:

- Turbidity
- pH



- Dissolved Oxygen (DO)
- Temperature

2.3 Field Documentation

The following observations were documented in the field at each monitoring location:

- Monitoring point ID
- Date and time
- Person conducting the sampling
- Equipment used
- Depth of sample collection
- Weather conditions
- Waterbody conditions
- Field parameters (turbidity, pH, DO, temperature)

2.4 Sampling Procedures

Samples collected on land will be obtained from approximately the mid-channel of each stream using a stainless steel 1-quart bucket attached to either a 30-foot telescoping fiberglass pole or nylon rope. S&ME personnel will extend the sampling bucket to mid-channel at each location and collect a sample at mid-depth or two (2) feet below the water surface, whichever was shallower. The sample will then be poured into a 6-quart stainless steel bucket. Four to five quarts will be collected and mixed in the 6-quart bucket prior to analysis. The stainless steel buckets will be decontaminated prior to use and between samples.

Samples collected from the boat will be obtained using a horizontal Van Dorn sampler. S&ME personnel will insert the sampler into the water upstream of the boat, lower it to a depth of five (5) feet below the water surface then trigger the seals. The collected sample will be discharged from a valve in the sampler. A total of two, 2-liter samples will be collected from each location then mixed in a 6-quart stainless steel bucket. The Van Dorn sampler will be decontaminated prior to use and in between samples.

2.5 Monitoring Locations

A series of primary monitoring locations have been identified along the river and in contributing tributaries at points determined to be representative of the typical land uses in the sub-watersheds.

The primary monitoring locations selected for determining compliance of the Gadsden-Etowah MS4 with the 2008 phosphorous TMDL are identified on the map in **Appendix A, Figure 2**. Coordinates for each point are listed in the table below. Secondary monitoring locations will be selected in the event monitoring of the primary points indicates a need for further assessment of a tributary to the Coosa River.

Table 2-1: Monitoring Point Coordinates

OUTFALL ID	LATITUDE	LONGITUDE	ACCESS	WATERBODY EVALUATED
AT 5	34.006446°	-86.069061°	LAND	Big Wills Creek / Little Wills Creek
GD 8	33.999535°	-86.024463°	LAND	Black Creek



Storm Water Management Program Plan (SWMPP)

Gadsden-Etowah MS4 Entities

Gadsden, Etowah County, Alabama

S&ME Project No. 4482-14-028

OUTFALL ID	LATITUDE	LONGITUDE	ACCESS	WATERBODY EVALUATED
RC 2	33.967683°	-86.039476°	LAND	Horton Creek
SS 13	33.891352°	-86.049229°	LAND	Neely Henry Lake
SS 14	33.885921°	-86.030683°	LAND	U.T. to Neely Henry Lake
GD 12	33.952567°	-86.003495°	LAND	U.T. to Neely Henry Lake
CO 14	33.940904°	-85.967704°	LAND	U.T. to Neely Henry Lake
SME 2	34.002461°	-86.001571°	LAND	U.T. to Coosa River
GD 6	34.015350°	-85.995617°	LAND	Town Creek
CO 15	33.972280°	-85.965354°	LAND	U.T. to Neely Henry Lake
RC 14	33.905786°	-86.111656°	BOAT	Rook Creek / Dry Creek
SS 5	33.941329°	-86.021569°	BOAT	U.T. to Coosa River
SME 1	33.990184°	-86.004048°	BOAT	Big Wills Creek / Black Creek
GD 9	33.989718°	-85.998472°	BOAT	U.T. to Coosa River (East Gadsden)
GD 7	34.008361°	-85.999777°	BOAT	Storm sewer outfall to Coosa River
GD 5	34.014324°	-85.924013°	BOAT	Big Cove Creek / Little Cove Creek
GD 3	34.012380°	-85.953651°	BOAT	U.T. to Neely Henry Lake
SME 3	34.009698°	-85.956230°	BOAT	Coal Creek
HB 3	34.002129°	-85.882808°	BOAT	U.T. to Neely Henry Lake

2.6 Quality Assurance / Quality Control

Quality Assurance (QA) and Quality Control (QC) activities are designed to achieve the specific data quality goals associated with the sampling program and will follow EPA and ADEM guidance.

2.6.1 Sample Containers and Preservation

All samples will be collected in new laboratory-provided containers containing analyte-appropriate preservatives as listed below:

Table 2-2 Sample Containers and Preservation

PARAMETER	CONTAINER	PRESERVATIVE	HOLD TIME
Total Suspended Solids (TSS)	HDPE - 1 L	NONE	7 days
Total Phosphorous	HDPE - 250 mL	H ₂ SO ₄	48 hours
Orthophosphate	HDPE - 250 mL	NONE	48 hours
Nitrate-Nitrite	HDPE - 250 mL	H ₂ SO ₄	28 days
Total Kjeldahl Nitrogen (TKN)	HDPE - 250 mL	H ₂ SO ₄	28 days

2.6.2 Quality Assurance

A minimum of one duplicate for every 10 samples will be submitted to the laboratory.



2.6.3 *Equipment Decontamination*

All reusable sampling equipment will be decontaminated prior to use and in-between samples using the following procedure:

- Rinse with tap water.
- Wash with non-phosphatic detergent solution.
- Rinse with deionized water.
- Allow equipment to air dry.
- Containerize all rinsate for disposal.

2.6.4 *Sample Identification*

Sample containers will be labeled with the following information in waterproof ink:

- Project number
- Sample location
- Collection date and time
- Preservative
- Analysis to be performed

2.6.5 *Chain of Custody*

Chain of custody documents will originate in the field and will accompany the samples to the laboratory. Copies of the chain of custody documents will be included with the laboratory reports in the annual report.

2.6.6 *Sample Shipment*

The samples will be shipped overnight to the laboratory in sealed coolers containing ice.

2.7 **Analytical Results**

Field observations and analytical results will be recorded at the time of sampling. The resulting field notes and laboratory analytical reports will be retained by each entity for a minimum of 3 years.

A report consolidating the results from each quarterly monitoring event will be submitted by the entity/company performing the monitoring to the representatives of the City of Attalla, the City of Gadsden, the City of Glencoe, the City of Hokes Bluff, the City of Southside, City of Rainbow City, and Etowah County. Each quarterly monitoring report will be incorporated into the Annual Update of the SWMPP. Monitoring reports will be retained by each entity for a minimum of 3 years.

2.8 **Evaluation of Results**

Results from each sampling event will be evaluated annually.



3.0 Reporting and Record-Keeping

Part V.A of NPDES General Permit ALR040000 issued to each entity of the Gadsden-Etowah MS4 that comprises the *Gadsden, Alabama Urbanized Area* outlines the monitoring, recordkeeping, and reporting requirements.

3.1 Annual Reports

Annual reports are due to the ADEM by May 31 of each year. The annual report will cover the period from April 1 through March 31 of the year prior to the submittal date and will include:

1. List of contacts/responsible parties for the preparation of the Annual Report
2. Evaluation of SWMPP and discussion of the following:
 - a. Major accomplishments
 - b. Overall program strengths/weaknesses
 - c. Future direction of the program
 - d. Evaluation of the effectiveness of the SWMPP in achieving water quality/watershed improvements
 - e. Measureable goals that were not performed and reasons why
 - f. Evaluation of monitoring data
3. Measurable goals for each of the five minimum control measures
4. Proposed changes to the SWMPP, including changes to BMPs or measurable goals
5. An assessment of whether or not the existing BMPs are appropriate
6. Summary of storm water activities planned for the upcoming year
7. Progress toward reducing the discharge of pollutants to the maximum extent practicable

3.2 Recordkeeping

The following records must be maintained by each entity and will be made available for examination. Records will be retained for a minimum period of at least three (3) years from the data of the sample, measurement, report, or application for the term of the NPDES General Permit, whichever is longer.

The following is a list of records to be retained:

- Copies of all reports required by the permit
- Copies of monitoring reports
- Copy of the NPDES General Permit
- Copy of the Notice of Intent

6.0 City of Glencoe

The City of Glencoe encompasses approximately 5% of the Urbanized Area and accounts for 4.4% of the population. A map depicting the City of Glencoe's urbanized area and city limits is located in **Appendix F-1, Figure 1**.

The following sections detail the rationale statement, targeted audiences, planned activities, evaluation criteria, and the responsible party regarding the referenced control measure.

6.1 Public Education and Public Involvement on Storm Water Impacts

6.1.1 *Rationale Statement*

The City's goal is to have a comprehensive and effective public education and public involvement program, the intent of which is to:

1. Generate awareness of storm water pollution prevention by educating people about the storm water system and its relationship to the health of local waterways;
2. Modify behavior patterns through education and encouragement of active participation in water pollution prevention;
3. Educate the public of steps they can take to reduce pollutants in storm water runoff; and
4. Involve the general public by providing activities and opportunities for public participation in the storm water management program.

6.1.2 *Target Audiences*

The primary target audiences within the City are as follows:

- **General Public** (homeowners and citizens)
 - Potential contributors of storm water pollution through litter, yard waste, vehicle washing, illicit discharges on and off impervious surfaces, and the application of pesticides, herbicides, and fertilizers.
- **Local Businesses**
 - Potential contributors of storm water pollution through illicit discharges, litter, waste handling procedures.
- **Landscape Companies**
 - Potential contributors of storm water pollution through the application of pesticides, herbicides, and fertilizers and illicit discharges on impervious surfaces.
- **Engineers, Developers, and Contractors**
 - Potential contributors of storm water pollution through off-site sedimentation from development and construction.



6.1.3 *Planned Activities*

The City plans to implement the following activities as part of their Public Education and Public Involvement Program during each reporting period. To evaluate the success of the program and aid in preparing the required Annual Report, evaluation criteria have been established for each strategy.

A table identifying each Public Education and Public Involvement activity planned for each reporting period is provided in **Appendix F-2**. This table may aid in completion of the annual report.

Activity 1. Distribute Storm Water Educational Material

The City will use available resources obtained through networking or online resources, such as those provided by EPA, to prepare storm water education material to increase awareness of the public on storm water topics. The City will distribute these materials to citizens and business owners by placing materials at the Building Department and the Public Library.

Topics might include the following:

- Introduce the MS4 to the general public and discuss the storm water cycle and how common contaminants enter the storm water system.
- Educate households and businesses about proper and improper use, storage, and disposal of common household chemicals such as herbicides, pesticides, and fertilizers.
- Make the public aware of how the improper use of these chemicals can impact storm water quality.
- Discuss storm water impacts specifically related to litter, floatables, and debris
- Discuss how the cumulative effect of these contaminants impact the Coosa River and what individual households and businesses can do to reduce storm water pollutants.
- Provide information on how to identify and report illicit discharges.
- Provide information on additional resources pertaining to storm water, storm water pollution, and Neely Henry Lake TMDLs.
- Provide information on storm water contacts within the City of Glencoe and information on reporting potential storm water violations.

Evaluation Criteria: The City will report the number of materials placed at the City owned locations and how often the materials were replaced during the reporting period. This information will indicate the number of people who received educational materials.

Activity 2. Maintain the Storm Water Webpage

The City provides information on the City's MS4 Program and permit on the Code Enforcement Department webpage and Storm Water webpage within the City of Glencoe's website. The City will maintain this webpage and provide additional educational

materials each reporting period. Participation will be tracked though the number of “hits” on the webpage. The webpage will continue to be updated periodically to:

- Include general information on the MS4 permit and SWMPP;
- Discuss the storm water cycle and how common contaminants enter the storm water system;
- Provide educational materials about proper and improper use, storage, and disposal of common household chemicals;
- Provide educational materials on storm water impacts specifically related to litter, floatables, and debris
- Provide links to related storm water resources;
- Provide information on how to identify and report illicit discharges; and,
- Provide a calendar of upcoming community events related to storm water outreach.

The webpage can be viewed at the link provided below:

<http://www.cityofglencoe.net/storm-water/>

Evaluation Criteria: The City will report what information was added to the webpage and the number of “hits” on the webpage. This information will indicate the number of people who view the webpage and the associated educational materials.

Activity 3. Annual Report and SWMPP Availability

The City will provide the SWMPP and the current Annual Report available for public viewing on the City’s website.

The webpage can be viewed at the link provided below:

<http://www.cityofglencoe.net/storm-water/>

Evaluation Criteria: The City will report number of “hits” on the webpage. This information will indicate the number of people who view the webpage and the associated SWMPP and Annual Report.

Activity 4. Partnerships in Educational and Public Involvement Events

The City will partner with Keep Etowah Beautiful, Clean Water Partnership of Alabama, and/or Alabama Power to distribute storm water educational material on storm water impacts specifically related to litter, floatables, and debris. The City will assist in promoting events such as *Renew Our Rivers*, *Message in a Bottle*, and/or community cleanup days. The events will be advertised and promoted by the City. Event details may be posted at the City Hall, the Public Library, and other businesses. Promotion methods may include co-sponsoring radio, television, and/or print advertisement with co-permittees and other stakeholders. City personnel will participate in the events.



Evaluation Criteria: The City will report number of participants who received educational materials during the events and the ways in which the City promoted and/or advertised the events. The City will report the number of City employees/representatives that participated in the event. This information will indicate the number of people who received educational materials and will help measure the public awareness of the events and degree of public participation.

Activity 5. Promote and Participate in the Etowah County Water Festival

The *Etowah County Water Festival* is an annual event for fourth grade students from public schools in Etowah County, Alabama. The festival provides hands-on activities that teach students the importance of surface and groundwater, its role in the environment and its effect on human, animal and plant life. The City will promote and participate in the annual *Etowah County Water Festival* through City resources. Promotion methods may include co-sponsoring radio, television, and/or print advertisement with co-permittees and other stakeholders. City personnel will participate in the festival.

Evaluation Criteria: The City will report number of City volunteers at the event and the ways in which the City promoted and/or advertised the event. This information will indicate the City's participation and will help measure the public awareness of the event and degree of public and City participation.

Activity 6. Gadsden-Etowah MS4 Steering Committee Meetings

The City will coordinate and/or participate in meetings of the Storm Water Steering Committee for entity updates, networking, and coordination of activities and BMP strategies.

Evaluation Criteria: The City will provide meeting agendas and attendance records during the reporting period. The City will report who attended each meeting. This information will indicate the participation of the steering committee and their interest in networking and coordination of activities.

Activity 7. Provide Information on Construction Site Storm Water Impacts

The City will provide pre-printed information on how construction site runoff can impact storm water quality to individuals requesting plan review and building/development permits.

Evaluation Criteria: The City will report the number of permits issued during the reporting period. This information will indicate the number of people who received educational materials.

Activity 8. Provide Information on Low Impact / Green Development

The City will provide pre-printed educational information on green development to individuals requesting plan review and building/development permits. Information may



include references to additional resources such as the Green Building Alliance, Low Impact Development Center, and U.S. Department of Housing and Urban Development.

The City will encourage developers and engineers to consider green infrastructure alternatives during the plan review process.

Evaluation Criteria: The City will report the number of permits issued and number of projects that incorporate these techniques during the reporting period. This information will indicate the number of people who received educational materials.

Activity 9. Public Reporting and Tracking System

The City provides a contact number on the City's Storm Water webpage for the public to provide input on the development, revision, and implementation of the SWMPP. Additionally the public can report non-compliant construction sites, illicit discharges (including spills or illegal dumping), impaired waterways, and violations of ordinances relating to storm water pollution. The public may contact the City's Code Enforcement Department to make reports. The City utilizes a form to track the reports and follow-up with investigations where necessary.

Records of public reports, comment, or complaints will include:

- Date, time, and description of the report
- Location of subject construction sites
- Identification of any actions taken (inspections, enforcement, corrections, etc.) that are sufficient to cross-reference inspection and enforcement records

The City will continue to publicize the reporting number on the City's website and track received reports and the City's responses to the received reports. The City will evaluate the current public reporting and tracking methods.

Evaluation Criteria: The City will report the total number of inquiries received, the number of complaints addressed, and the number of complaints resolved during the reporting period. The City will also report whether or not the received reports contain the required information to find and address the suspected problem. The City will provide a summary of at least one complaint received during the reporting period. This information will help evaluate the effectiveness of the tracking and reporting system, as well as the public awareness and concern of storm water issues.

6.1.4 Responsible Party

The City of Glencoe Mayor's office and Code Enforcement Department are responsible for overseeing, developing, and coordinating the Public Education and Public Involvement efforts.



6.2 Illicit Discharge Detection and Elimination

6.2.1 *Rationale Statement*

The City of Glencoe Illicit Discharge Detection and Elimination (IDDE) program is designed to locate, identify, and correct illicit discharges to the MS4. Program emphasis will be placed on identifying and correcting pollutant discharges which could influence compliance with the Neely Henry Lake TMDLs and the Gadsden-Etowah monitoring program.

6.2.2 *Target Audiences*

The primary target audiences within the City for the IDDE program are:

- **Municipal Employees**
 - Primarily responsible for identifying and reporting illicit discharges
- **General Public** (homeowners and citizens)
 - Potential contributors of illicit discharges from activities such as dumping paint, motor oil, or other chemicals into a storm drain.
- **Local Businesses**
 - Potential contributors of illicit discharges through inadequate management practices and/or unpermitted facilities

6.2.3 *Outreach Strategies*

The City developed an IDDE Program in March 2014, a copy of which is provided in **Appendix C**. The City will continue to review and modify the program as necessary.

The City plans to implement the activities described in their IDDE Program during each reporting period. The IDDE Program has been simplified for the purposes of this section of the SWMPP to describe required activities. To evaluate the success of the program and aid in preparing the required Annual Report, evaluation criteria have been established for each strategy.

A map depicting all known outfalls, waters of the state that receive discharges from these outfalls, and structural BMPS owned, operated or maintained by the City is located in **Appendix F-1, Figures 2 and 3**. A table that provides latitude/longitude as well as other details of each known outfall is provided in **Appendix F-2**.

A table identifying each Illicit Discharge Detection and Elimination activity planned for each reporting period is provided in **Appendix F-2**. This table may aid in completion of the annual report.

Identifying Priority Areas

The City has delineated 18 drainage basins within the urbanized area (see **Appendix F, Figure 4**).



Activity 1. Identify Priority Areas

The City will identify which drainage basins are considered Priority Areas for each reporting period using the illicit discharge potential (IDP) calculation procedures detailed in Section 3 of the IDDE Program. The City will maintain records of the IDP calculations for each drainage basin.

Evaluation Criteria: The City will report the total IDP score for each drainage basin and will provide an updated map showing the identified Priority Areas. The City will report drainage basins that are newly listed or de-listed from the previous reporting year's calculations.

Field Assessment Activities

Based on Section 4 of the IDDE Program, the City will walk approximately 20% of their total stream length within the regulated MS4 each reporting period. Based on the stream lengths obtained from the national hydrography dataset, the City has 5.63 miles of total stream length (inventory) to walk. The City has walked 4.01 miles of the total inventory to date. The stream-walking programs will target Priority Areas first. The anticipated date of completion for the initial mapping is **March 31, 2019**.

The City has identified 27 outfalls within the MS4 Boundary.

Activity 2. Outfall Identification

The City has implemented a stream-walking program designed to identify previously unknown outfalls to the MS4 as well as verify and re-evaluate known outfalls. The City plans to complete an average of four to five miles of stream inventory each reporting period. The implementation process is detailed in Section 4 of the IDDE Program.

Evaluation Criteria: The City will maintain records of field observations. The City will report the number of outfalls identified and the stream length walked during the reporting period. The City will provide updated tables and maps that include the outfalls identified by the stream-walking program.

Activity 3. Probable Outfall Verification

Probable outfalls may be identified during field and/or mapping activities, during review of proposed development plans, or through illicit discharge reports. When a probable outfall is identified, it will be added to the Storm Sewer System Map and labeled as unverified.

The City will verify probable outfalls through field observation within 18 months of their addition to the Storm Sewer System Map. The implementation process is detailed in Section 4 of the IDDE Program.

Evaluation Criteria: The City will report the number of probable outfalls that were identified and the number of outfalls that were verified during the reporting period. The



City will provide updated tables and maps that include the verified outfalls, as well as probable outfalls that are planned to be verified in the following reporting period. The City will maintain records of field observations.

Activity 4. Outfall Reconnaissance Inventory (ORI) Dry Weather

As required by the permit, 15% of all known outfalls will be inspected during each reporting period and all outfalls will be inspected in the 5 year permit cycle. Additionally, the City or subcontracted crews will conduct dry weather monitoring of major outfalls in Priority Areas at a frequency of 20% each reporting period. The implementation process is detailed in Section 7 of the IDDE Program. Dry weather monitoring activities may be combined with outfall verification as described in Activity 3.

Evaluation Criteria: The City will maintain records of field observations. The City will report the number of outfalls inspected during the reporting period. The City will also provide a summary of the results of outfall reconnaissance inventory activities conducted during the reporting period that will include a list of outfalls observed during each reporting period.

Activity 5. Suspect Discharge Sampling

If a dry weather flow has a severity index of 3 on one or more indicators in Section 4 of the Outfall Reconnaissance Inventory Field Sheet, or if field screening indicates a suspect discharge, field crews will collect samples for further analysis. The implementation process is detailed in Section 7 of the IDDE Program.

Evaluation Criteria: The City will report the number of identified dry weather flows, suspect discharges, and samples collected during the reporting period. The City will report the analysis results for the collected samples. The City will report if the suspect discharge was confirmed to be an illicit discharge and, if known, the type of illicit discharge.

IDDE Investigation

Activity 6. Outfall Ranking

During field activities, data from each Outfall Reconnaissance Inventory Field Sheet will be analyzed to characterize the observed outfall as having obvious, suspect, possible, or unlikely discharge potential. This characterization will prioritize the outfall investigation during field activities as well as reported discharges. The implementation process is detailed in Section 7 of the IDDE Program.

Evaluation Criteria: The City will report the ranking of each outfall inspected during the reporting period. The City will report the number of outfalls that required further investigation.



Activity 7. Discharge Investigation

Illicit discharge investigations will be performed to determine the source of a discharge problem and the responsible party. When the source is not known for an obvious illicit discharges, an investigation will be performed to determine the source within 10 days. When a suspect illicit discharges, an investigation will be performed to determine the source within 30 days. Potential illicit discharges will be investigated within 60 days. Within 10 days of the identification of the source of a discharge and responsible party, the discharge shall be eliminated. Where this is not possible, the discharge shall be minimized until it can be eliminated. The implementation process is detailed in Section 7, 8, and 9 of the IDDE Program.

Evaluation Criteria: The City will report the number of illicit discharge investigations performed during the reporting period. The City will also report the number of confirmed illicit discharges, if a source was determined, and if the discharge was eliminated.

Corrective Action Record Keeping

Activity 8. Corrective Action Record Keeping

When a suspect illicit discharge or illicit connection is identified, a case log detailing pertinent information will be created. Throughout the corrective action process, all information related to the resolution of the illicit discharge will be documented in the case log.

Evaluation Criteria: The City will maintain records of the correction actions. The City will report the number of confirmed illicit discharges and the number of illicit discharges corrected or eliminated during the reporting period. The City will also report the number of confirmed illicit discharges where corrective action is pending.

Storm Water System Mapping

As stated in Section 4.2, the City has created a Storm Water System map depicting all known outfalls, waters of the State that receive discharges from these outfalls, and structural BMPS owned, operated or maintained by the City. This map is a hard copy in the Building Department. Additionally, the City is utilizing Google Earth to locate and store outfalls. A copy of the map is located in **Appendix F-1, Figures 2 and 3**. A table that provides latitude/longitude as well as other details of each known outfall is provided in **Appendix F-2**.

Activity 9. Update Storm Water System Map – Existing Features

The City will update the Map as new outfalls are located and new structural BMPs are identified or added to the MS4. The implementation process is further discussed in Section 5 of the IDDE Program.



Evaluation Criteria: The City will provide an updated Storm Water System Map showing the features added during the reporting period.

Activity 10. Update Storm Water System Map – Future Additions

Proposed additions within the City, including new storm sewer and drainage conveyances, will be mapped based on the civil plans provided to the City by developers. Outfalls from proposed development will be verified after construction is complete, as part of Activity 3. The implementation process is further discussed in Section 5 of the IDDE Program.

Evaluation Criteria: The City will report the number of civil plans provided to the City and the number of verified new features or outfalls during the reporting period. The City will provide an updated Storm Water System Map showing the features added during the reporting period.

Illicit Discharge Ordinance

Activity 11. Evaluate IDDE Ordinance

Section 8 of Ordinance 07-06 dated November 8, 2007 defines illicit discharges and responsibility of the public as well as procedures for escalating enforcement and removal actions. This is also further discussed in Section 6 of the IDDE Program. The City will evaluate the effectiveness of the ordinance each reporting period. If updates are required, the City will amend the existing ordinance or prepare a new ordinance. The ordinance is included in **Appendix F-3** and can be downloaded from the City Webpage at the link provided below:

<http://www.cityofglencoe.net/ordinances/>

Evaluation Criteria: The ordinance will be evaluated on its effectiveness in addressing identified illicit discharges and preventing repeat offenders. The City will report the number of complaints received, number of illicit discharges identified during the reporting period, the number of resolved violations, the number of repeat offenders, and the number of enforcement actions taken.

IDDE Public Education

Activity 12. Distribute Storm Water Educational Material

The City will provide educational materials highlighting identification and reporting of potential illicit discharges on the City's storm water webpage and/or place educational materials at City owned locations such as the City Hall, the Public Library, and/or Building Department.

Evaluation Criteria: The City will report the number of hits to the webpage and/or the number of materials placed at the City owned locations and how often the materials were



replaced during the reporting period. This information will indicate the number of people who received educational materials.

Activity 13. Public Reporting and Tracking System

The City provides a contact number on the City's Storm Water webpage for the public to report non-compliant construction sites, illicit discharges (including spills or illegal dumping), impaired waterways, and violations of ordinances relating to storm water pollution. The public may contact the City's Code Enforcement Department to make reports. The City utilizes a form to track the reports and follow-up with investigations where necessary.

Records of public complaints will include:

- Date, time, and description of the complaint
- Location of subject of the subject complaint
- Identification of any actions taken (inspections, enforcement, corrections, etc.) that are sufficient to cross-reference inspection and enforcement records

The City will continue to publicize the reporting number on the City's website and track received complaints and the City's responses to the received complaints. The City will evaluate the current public reporting and tracking methods.

Evaluation Criteria: The City will track the total number of reports received, the number of complaints addressed, and the number of complaints resolved during the reporting period. The City will also report whether or not the received reports contain the required information to find and address the suspected problem. The City will provide a summary of at least one complaint received during the reporting period. This information will help evaluate the effectiveness of the tracking and reporting system, as well as the public awareness and concern of storm water issues.

Activity 14. Municipal Training

Municipal workers will be trained in the identification of illicit discharges as well as the prevention of storm water pollution at municipal facilities or related to municipal activities. Specific municipal operations such as fueling, vehicle maintenance, vehicle washing, paint and paint waste storage and disposal, and used oil disposal may be addressed. The training session will be conducted annually during each reporting period.

Municipal workers will be notified of the procedures for reporting suspected illicit discharges to the City Engineer and/or the City IDDE Program Manager, including the preferred method of contact (email) and the information to be included in the report (e.g., location, date, time, observations).

Evaluation Criteria: The City will provide details on the training topics presented to the municipal workers. The City will maintain attendance records and report the number of



municipal workers trained during the reporting period. This information will help evaluate the municipal workers awareness of illicit discharges and storm water issues.

Storm Water Monitoring

Activity 15. Storm Water Monitoring Locations

Storm water monitoring locations were identified in Table 2.1, Section 2.5 and those within the City's MS4 boundaries are depicted on the City's Storm Water System Map. The remaining monitoring locations were added to the Google Earth file. If additional monitoring locations are recommended as a result of the analysis of the monitoring data, the City will update the map with the revised or additional locations.

Evaluation Criteria: If additional locations are added, the City will provide an updated Storm Water System Map showing the features added during the reporting period.

Activity 16. Evaluation of Monitoring Data

In conjunction with the monitoring provisions of Section 2.2 of the SWMPP, the City will evaluate the collected monitoring data for indicators of potential illicit discharges within the City and to assess the effectiveness of the BMPs in achieving the reductions outlined in the 2008 TMDL.

Evaluation Criteria: The City will report which monitoring points appear to have relatively higher pollutant levels. The City will make recommendations to the Gadsden-Etowah MS4 Storm Water Steering Committee to add and/or modify monitoring points to better characterize discharges from the MS4.

NPDES Industrial Permitting

Activity 17. NPDES Industrial Permitting

As authorized by the Clean Water Act, the NPDES Permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Title 40, Part 122 of the Code of Federal Regulations (40CFR122) specifies that discharges associated with certain industrial activities must obtain an NPDES permit. The ADEM currently provides for individual and general NPDES permitting.

Information pertaining to permitted facilities will be obtained from available public sources such as MYWATERS Mapping, EPA ECHO Database, and/or ADEM E-file and incorporated into the Storm Water System Map. This information will be used in conjunction with the storm water system mapping and monitoring data to evaluate potential sources of storm water pollution and to identify unpermitted facilities.



Unpermitted facilities that require an NPDES permit will be reported to the Industrial Section of the ADEM in Montgomery, Alabama by phone and/or email. The City of Glencoe continues to rely on the ADEM for industrial NPDES permitting and enforcement.

Evaluation Criteria: The City will provide the number of unpermitted facilities reported to ADEM during the reporting period, if any. This information will help measure the effectiveness of the reporting and identification of unpermitted facilities.

6.2.4 *Responsible Party*

The City of Glencoe Mayor's office and Code Enforcement Department are responsible for overseeing, developing, and coordinating the IDDE program in the City of Glencoe regulated MS4 area.

6.3 **Construction Site Storm Water Runoff**

6.3.1 *Rationale Statement*

The City's construction site storm water runoff control program is primarily designed to address storm water pollution due to off-site sedimentation from qualifying construction sites to the maximum extent practicable.

6.3.2 *Target Audiences*

The primary target audiences within the City are:

- **Developers, Contractors, and Homebuilders**
 - Potential contributors of storm water pollution through development and construction activities.
- **Engineers**
 - Responsible for designing effective best management practices to minimize off-site sedimentation from construction activities.

6.3.3 *Outreach Strategies*

The City plans to implement the following activities as part of their Construction Site Storm Water Runoff Program during each reporting period. To evaluate the success of the program and aid in preparing the required Annual Report, evaluation criteria have been established for each strategy.

A table identifying each Construction Site Storm Water Runoff strategy planned for each reporting period is provided in **Appendix F-2**. This table may aid in completion of the annual report.

Activity 1. Erosion and Sediment Control Ordinance

The City's Ordinance 07-06 dated November 8, 2007 regulates storm water management within the City. Section 3 of the ordinance requires that construction sites obtain a land disturbance permit from the City if the total disturbed area is greater than one acre or the activity adjoins a river or stream that has running water. The ordinance also requires the



submittal of a Sediment and Erosion Control Plan and a Storm Water Management Plan to the City with the permit application. Approval of each land disturbance permit application and associated plans is provided by the City in writing. Section 9 of the ordinance provides for enforcement of the City storm water regulations. Section 10 provides for penalties between \$50.00 and \$500.00 per day per violation.

Section 5 states the *Alabama Handbook for Erosion Control, Sediment Control, and Storm Water Management on Construction Sites and Urban Areas* as the City's standard for BMP design.

The ordinance is included in **Appendix F-3** and can be downloaded from the City Webpage at the link provided below:

<http://www.cityofglencoe.net/ordinances/>

The City will evaluate the effectiveness of the Ordinance 07-06 during each reporting period. If changes are warranted, a new or revised ordinance will be approved and implemented.

Evaluation Criteria: The ordinance will be evaluated on its effectiveness in addressing erosion and sediment control. The City will report the number of non-compliant construction sites identified by the City, the number of enforcement actions taken, the number of non-compliant sites reported to the ADEM, and whether the individuals or businesses responsible for identified non-compliant construction sites are repeat offenders.

Activity 2. Construction Site Inspection Program

Designated City personnel will inspect all qualifying construction sites within 60 days of initial disturbance, at periodic intervals during construction, and following stabilization. At a minimum an inspection will be conducted once a month for each priority construction site as defined by the ADEM based on the most recent 303(d) list. The Building Department Inspectors and Code Enforcement Department personnel work together to perform the necessary inspections and implement work orders for subsequent inspections and potential enforcement when sites are non-compliant. Ordinance No. 07-06 provides for periodic inspections of construction sites at the discretion of the Enforcement Officer or City Engineer.

The City will maintain inspection documentation for review upon request. Records will include at a minimum:

- Facility type
- Inspection date
- Name and signature of inspector
- Location of construction project
- Owner/operator information (name, address, phone number, email)



- Description of storm water BMP condition
- Photographic documentation of storm water BMP components (at the discretion of the Permittee)

The City will evaluate the effectiveness of the construction site inspection program during each reporting period.

Evaluation Criteria: The City will report the number of inspections completed, the number of non-compliant construction sites identified by the City, the number of enforcement actions taken, the number of non-compliant sites reported to the ADEM, and whether the individuals or business responsible for identified non-compliant construction sites are repeat offenders. The City will also provide a summary of at least one inspection conducted during the reporting period that resulted in enforcement actions.

Activity 3. Sediment and Erosion Control Plan Review

Section 3(4)(b) of Ordinance 07-06 requires that each application for a Land Disturbance Permit be accompanied by a Sediment and Erosion Control Plan and a Storm Water Management Plan providing for storm water management during the land disturbing activity and after the activity has been completed. Prior to approval or denial of a land disturbance permit application, the City will review the provided plans. Ordinance No. 07-06 provides the plan review process and requirements.

Plan review will ensure proposed projects adequately address the City's erosion, sediment, and pollution control requirements. Plan review will also take into consideration what potential impacts to water quality the project may have.

Evaluation Criteria: The City will report the total number of plans reviewed, the number of plans approved or denied during the reporting period, and number of plans that meet the requirements the Alabama Construction General Permit.

Activity 4. BMP Training Program

City personnel tasked with plan review and/or conducting BMP inspections will undergo annual training on proper design, installation, inspection, and maintenance of on-site control measures and on new technology and practices. All inspectors will complete initial storm water awareness training and attend annual refreshers. The City will maintain Qualified Credentialed Inspector (QCI) certification for one employee, should additional plan reviewers or inspectors be needed, they will be trained accordingly. QCI certification will be maintained through the approved annual refresher courses.

Evaluation Criteria: The City will provide a copy of the QCI certificates and records of awareness training received during the reporting period.



Activity 5. Public Reporting and Tracking System

The City provides a contact number on the City's Storm Water webpage for the public to report non-compliant construction sites, illicit discharges (including spills or illegal dumping), impaired waterways, and violations of ordinances relating to storm water pollution. The public may contact the City's Code Enforcement Department to make reports. The City utilizes a form to track the reports and follow-up with investigations where necessary.

Records of public complaints will include:

- Date, time, and description of the complaint
- Location of subject construction sites
- Identification of any actions taken (inspections, enforcement, corrections, etc.) that are sufficient to cross-reference inspection and enforcement records

The City will continue to publicize the reporting number on the City's website and track received complaints and the City's responses to the received complaints. The City will evaluate the current public reporting and tracking methods.

Evaluation Criteria: The City will report the total number of complaints received, the number of complaints addressed, and the number of complaints resolved during the reporting period. The City will also report whether or not the received reports contain the required information to find and address the suspected problem. The City will provide a summary of at least one complaint received during the reporting period. This information will help evaluate the effectiveness of the tracking and reporting system, as well as the public awareness and level of concern of storm water issues.

Activity 7. Enforcement of Non-Compliant Sites

The City is relying on ADEM to establish the standards for appropriate erosion and sediment controls for qualifying construction sites. The City will notify the ADEM of any construction sites where a possible violation of the Clean Water Act has occurred such as lack of NPDES permit or ineffective BMPs following an inspection by the City.

Section 9 of Ordinance 07-06, included in **Appendix F-3**, describes the enforcement process. The process is summarized below.

1. When the City finds that any permitted or any other person discharging storm water has violated or is violating the ordinance, the City will issue a written notice of violation.
2. Within ten days of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention shall be submitted.
3. The City is empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the person responsible for the noncompliance.



4. When the City finds that any person has violated or continues to violate this ordinance or a permit or order issued hereunder, a compliance order may be issued.
5. When the City finds that any person has violated or continues to violate this ordinance or a permit or order issued hereunder, an order to cease and desist.

The City will rely on the ADEM for construction NPDES enforcement when a permit is required but has not been obtained or of situations where the City's enforcement actions have not resulted in compliance. These non-compliant sites will be reported to the Construction Section of the Stormwater Management Division of ADEM in Birmingham, Alabama by phone and/or email.

The City will maintain records of non-compliant sites referred to ADEM. Records will include:

- Name of the owner/operator
- Location of construction project
- Description of violation
- Required schedule for returning to compliance
- Description of enforcement response used, including escalated responses if repeat violations occur
- Accompanying documentation of enforcement responses (notices of non-compliance, notices of violations, etc.)

Evaluation Criteria: The City will report the total number of non-compliant construction sites reported to ADEM during the reporting period.

6.3.4 Responsible Party

The City of Glencoe Mayor's office and Engineering Department are responsible for implementing and tracking the construction site storm water provisions of the ordinance as well as other Construction Site Storm Water Runoff strategies.

6.4 Post-Construction Storm Water Management in New Development and Redevelopment

6.4.1 Rationale Statement

Post-construction runoff can significantly impact a water body by increasing the type and quantity of pollutants in storm water runoff and by increasing the volume of water delivered to the water body during storms. As runoff flows over areas altered by development, it collects sediment and chemicals such as oil, grease, pesticides, heavy metals, and nutrients. Instead of infiltrating, water is collected from surfaces such as asphalt and concrete and routed to drainage systems where large volumes of runoff are delivered to the nearest receiving water. Both impacts can be mitigated by proper post-construction planning.



6.4.2 Target Audiences

The primary target audiences within the City are:

- **Developers, Contractors, and Homebuilders**
 - Responsible for development and construction activities that can impact post-construction storm water management.
- **Engineers**
 - Responsible for designing post-construction storm water management plans

6.4.3 Outreach Strategies

The City plans to implement the following activities as part of their Post-Construction Storm Water Management Program during each reporting period. To evaluate the success of the program and aid in preparing the required Annual Report, evaluation criteria have been established for each strategy.

A table identifying each Post-Construction Storm Water Management strategy planned for each reporting period is provided in **Appendix F-2**. This table may aid in completion of the annual report.

Activity 1. Reducing Post-Construction Runoff Volume

Ordinance No. 07-06, Section 6 provides for post-construction storm water management measures to reduce runoff volume. Designs should control the peak flow rates of stormwater discharge associated with storms and reduce the generation of post construction stormwater runoff to preconstruction levels. Specifically, all sites are required to have at least 10% vegetated area, and re-vegetated areas are required to have a minimum 75% survival of the cover crop for one year. Design should be intended to maintain or restore quality and quantity of storm water runoff to pre-development levels.

The ordinance will be evaluated each reporting period. If changes are warranted, a new or revised ordinance will be approved and implemented.

Evaluation Criteria: The ordinance will be evaluated on its effectiveness in reducing runoff from new development or redevelopment. The City will report the number of submitted plans that include measures to reduce runoff volume. The City will report how many submitted plans meet or exceed the 10% green area rule, the number of enforcement actions taken, and an assessment of whether 75% survival of cover crops is achieved at constructions sites across the City during the reporting period. The evaluation may also examine which control measures are typically utilized and if additional examples should be added to the ordinance.

Activity 2. Reducing Pollutants from Development

Ordinance No. O-77-05, Section 7 requires that storm water runoff be controlled to prevent pollution of local waters and provides a list of possible control measures. Section 5 states that designs should “seek to utilize pervious areas for storm water treatment and



to infiltrate storm water runoff from driveways, sidewalks, rooftops, parking lots, and landscaped areas to the maximum extent practical to provide treatment for both water quality and quantity”.

Section 7 of Ordinance No. 07-06 requires that storm water runoff be controlled to prevent pollution of local waters and provides a list of possible control measures.

The ordinance will be evaluated each reporting period. If changes are warranted, a new or revised ordinance will be approved and implemented.

Evaluation Criteria: The ordinance will be evaluated on its effectiveness in reducing runoff from new development or redevelopment. The evaluation may also examine which control measures are typically utilized and if examples of appropriate control measures should be added to the ordinance. The City will report the number of developments where treatment of storm water runoff is required and the criteria for requiring treatment of storm water runoff.

Activity 3. Long-Term Maintenance of Storm Water Controls

Ordinance No. 07-06, Section 6 requires long-term maintenance of storm water control structures and provides for the City to require inspection, funding, and planning for permanent storm water management structures. Section 5 requires that the design and planning of all storm water management facilities include detailed maintenance and repair procedures. The plans should identify the parts or components that need to be maintained and the necessary equipment. This Section also requires that the owner of the property execute an inspection and maintenance agreement that shall operate as a deed restriction binding on the current property owner and all subsequent property owners.

Section 6 of Ordinance No. 07-06 requires long-term maintenance of storm water control structures and provides for the City to require inspection, funding, and planning for permanent storm water management structures. Section 5 requires that the design and planning of all storm water management facilities include detailed maintenance and repair procedures.

The ordinance will be evaluated each reporting period. If changes are warranted, a new or revised ordinance will be approved and implemented.

Evaluation Criteria: The ordinance will be evaluated on its effectiveness in addressing long-term maintenance of storm water controls. The City will report the number of submitted plans that include detailed maintenance procedures, the number of maintenance agreements reviewed, the number of maintenance provisions approved or denied, and the number of enforcement actions taken.

Activity 4. Evaluate Obstacles to Low Impact/Green Development



The City will review and evaluate policies and ordinances related to building codes, or other local regulations, with a goal of identifying regulatory and policy impediments to the installation of green infrastructure and low-impact development techniques.

Evaluation Criteria: The City will report if obstacles are identified and provide a brief summary on how the conflicts will be resolved.

Activity 5. Plan Review

The City will review Sediment and Erosion Control Plans and Storm Water Management Plans for all new construction, prior to the approval or denial of a land disturbance permit application. If changes to post-construction controls are required, the City requires the plans to be resubmitted and the changes approved. The plans must provide a means of documenting that post-construction storm water measures have been installed per design specifications. Ordinance No. O-77-05 provides the plan review process and requirements.

Plan review will ensure proposed projects adequately address the City's erosion, sediment, and pollution control requirements. Plan review will also take into consideration what potential impacts to water quality the project may have.

Evaluation Criteria: The City will report the total number of plans reviewed, the number of plans approved or rejected during the reporting period, and the number of post-construction designs approved or rejected.

Activity 6. Construction Site Inspection Program

Designated City personnel will perform post-construction inspections for all post-construction controls within written notice that stabilization is complete to confirm post-construction storm water measures/structures have been installed according to the submitted plan. At a minimum an inspection will be conducted annually for each site to confirm post-construction BMPs are functioning as designed.

The City will maintain inspection documentation for review upon request. Records will include at a minimum:

- Facility type
- Inspection date
- Name and signature of inspector
- Location of construction project
- Owner/operator information (name, address, phone number, email)
- Description of storm water BMP condition
- Photographic documentation of storm water BMP components (at the discretion of the Permittee)



The City will evaluate the effectiveness of the construction site inspection program during each reporting period.

Evaluation Criteria: The City will report the number of inspections completed and the number of projects that were completed as per the submitted plans, the number of projects that were not constructed in accordance to the plans, and the resolution of those projects that were not. The City will also provide a summary of at least one inspection conducted during the reporting period that resulted in enforcement actions.

Activity 6. Post-construction Structural Controls Inventory

The City will compile an inventory of post-construction structural controls including those owned by the City. The list will be updated annually.

Evaluation Criteria: The City will a table of the post-construction structural controls with the owner/operator. The City will identify the newly added controls during the reporting period.

6.4.4 Responsible Party

The City of Glencoe Mayor's office and Engineering Department are responsible for implementing the provisions of the ordinance pertaining to post construction storm water management as well as other Post - Construction Site Storm Water Runoff strategies.

6.5 Pollution Prevention and Good Housekeeping for Municipal Operations

6.5.1 Rationale Statement

The City of Glencoe will develop and utilize BMPs designed to minimize pollution related to municipal operations and maintenance. These BMPs are intended to address storm water pollution from nutrients, sediments, petroleum products, and other common pollutants.

6.5.2 Target Audiences

The primary target audiences within the City are:

- **Municipal Employees**
 - Primarily responsible for identifying and reporting illicit discharges
 - Potential contributors to storm water impacts through municipal operations

6.5.3 Outreach Strategies

The City will implement the following activities as part of their Pollution Prevention and Good Housekeeping for Municipal Operations Program during each reporting period. To evaluate the success of the program and aid in preparing the required Annual Report, evaluation criteria have been established for each strategy.



A table identifying each Pollution Prevention and Good Housekeeping for Municipal Operations strategy planned for each reporting period is provided in **Appendix F-2**. This table may aid in completion of the annual report.

Activity 1. Municipal Facilities

The City has 3 municipal facilities that have the potential to discharge pollutants through storm water runoff. A list of facilities and addresses are provided in **Appendix F-2**.

Standard Operating Procedures (SOP) will be established detailing good housekeeping practices to be employed at each facility, where appropriate. SOPs will be developed by **May 31, 2017** and provided in the 2016-2017 Annual Report.

The City will inspect each facility for good housekeeping practices on a quarterly basis. A checklist will be established by **May 31, 2017** (and provided in the 2016-2017 Annual Report) to be used during inspections and to track noted deficiencies.

Evaluation Criteria: The City will provide a list of municipal facilities, the number of inspections performed at each facility, and the number of noted deficiencies. This information will help measure the municipal workers awareness of storm water issues.

Activity 2. Employee Training

The City will develop and implement a training program for municipal employees that focus on pollution prevention, good housekeeping measures, identification of potential illicit discharges, and other potential threats to storm water quality. Training materials will focus on vehicle maintenance and identification and reporting of potential illicit discharges.

A training session will be conducted each reporting period.

Evaluation Criteria: The City will provide details on the training topics presented to municipal workers during the reporting period. The City will keep attendance records and report the number of municipal workers trained during the reporting period. This information will help measure the municipal workers awareness of storm water issues.

Activity 3. Vehicle Maintenance Program

The City of Glencoe owns and operates a variety of vehicles and equipment used in municipal operations and maintenance. These vehicles include passenger cars, trucks, vans, and equipment. The City will continue to conduct routine maintenance of owned vehicles and will inspect vehicles for the presence of fluid leaks during routine maintenance using the vehicle inspection log. The City will promptly repair vehicles determined to have leaks. The City will log all repairs with an inspection checklist.

Evaluation Criteria: The City will provide a completed inspection log for at least one vehicle used during the reporting period. The City will report the frequency of inspections



and the number of vehicle or equipment leaks identified during the reporting period as a result of the inspection program. This information will help measure the effectiveness of the vehicle inspection and maintenance program.

Activity 4. Vehicle Wash Area

Vehicle washing will be performed only in designated areas. Each location will be reviewed, inspected, and modified as needed throughout the year. During the annual BMP training, the City will notify all employees of the locations of the designated wash areas.

The City will prohibit the use of phosphate-containing soaps for vehicle washing (unless washing takes place at an NPDES-permitted facility).

Evaluation Criteria: The City will report the number of designated municipal vehicle washing areas. The City will also keep attendance records and report the number of municipal workers trained during the reporting period. This information will help measure the municipal workers awareness of storm water issues.

Activity 5. Pesticide Application

Currently, the City of Glencoe does not spray pesticides (insecticides and herbicides) to control insect pests and unwanted vegetation; however, if the City decides to do so, the City will contract out pesticide application until select City employees obtain the necessary certification. Prior to entering into or renewing any additional contracts the City will require the contractor to provide all necessary certifications and licensing during the bid process.

To reduce potential impact to waterways, the City will review all areas where pesticides are to be used. Areas where pesticides are determine to post a threat to water quality should be noted on the storm water map and identified in the annual report.

The City will comply with pesticide application and disposal regulations.

Evaluation Criteria: If the City contracts for pesticide application, the City will maintain a copy of the applicator's current certification. The City will report the areas where the pesticides were applied and whether or not there was a potential for waterways to be impacted.

Activity 6. Litter, Floatables, and Debris – Brush Pickup

The City performs brush, limb, bagged leaves, and grass clipping pickup throughout the year on an as needed basis. Citizens may call City Hall and request a pickup. The City will continue to implement a brush and leaf pickup program.



Evaluation Criteria: The City will also report the number of scheduled pickups and pounds of debris collected from pickups during the reporting period. This information will help measure the effectiveness of the brush and leaf pickup program.

6.5.4 Responsible Party

The City of Glencoe Mayor's office and Engineering Department are responsible for implementing and tracking Pollution Prevention and Good Housekeeping strategies within municipal operations.



6.6 Agency Certification

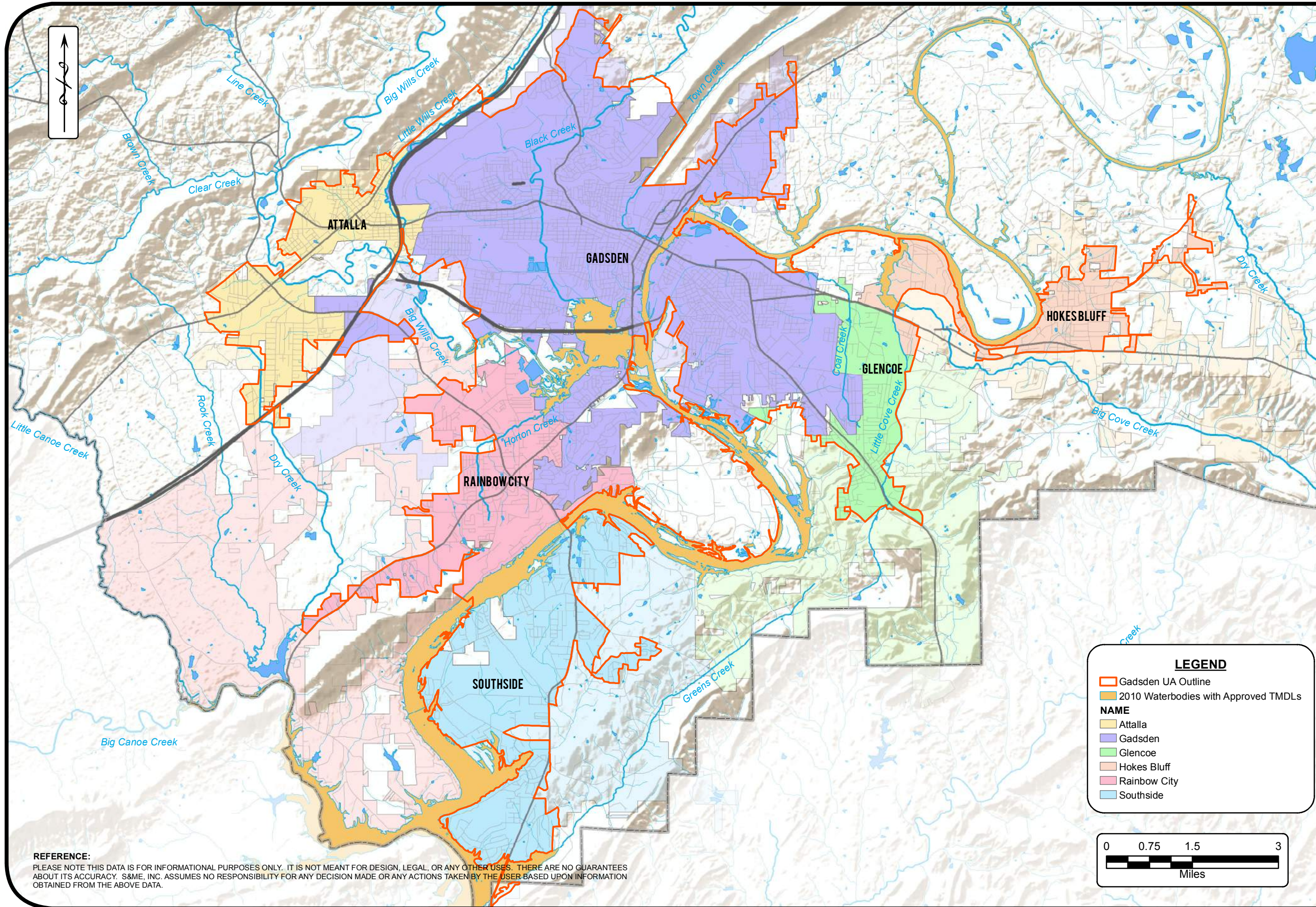
I certify under penalty of law that this document and all attachments pertaining to the City of Glencoe were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry 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 or imprisonment for knowing violations.

Charles Gilchrist by [Signature]
Charles Gilchrist, Mayor
City of Glencoe, Alabama
Mayor Pro Tempore
City of Glencoe

12/21/16
Date

Appendices

Appendix A –Figures



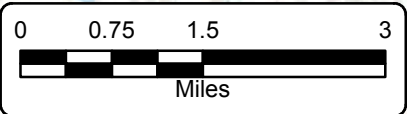
REFERENCE:
 PLEASE NOTE THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT MEANT FOR DESIGN, LEGAL, OR ANY OTHER USES. THERE ARE NO GUARANTEES ABOUT ITS ACCURACY. S&ME, INC. ASSUMES NO RESPONSIBILITY FOR ANY DECISION MADE OR ANY ACTIONS TAKEN BY THE USER BASED UPON INFORMATION OBTAINED FROM THE ABOVE DATA.

LEGEND

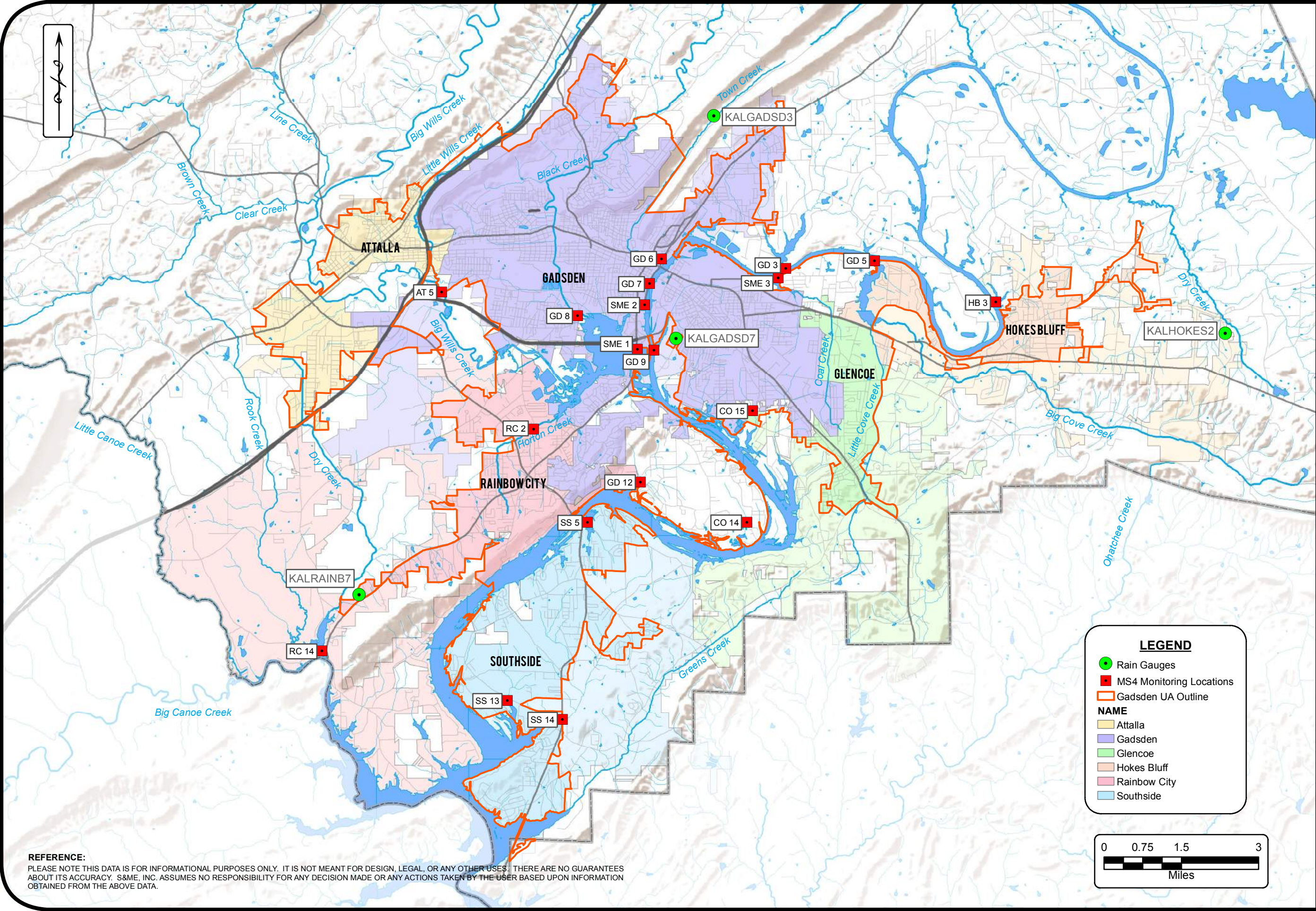
- Gadsden UA Outline
- 2010 Waterbodies with Approved TMDLs

NAME

- Attalla
- Gadsden
- Glencoe
- Hokes Bluff
- Rainbow City
- Southside



 www.smeinc.com		DATE: 3/10/14	
		SCALE: 1:100,000	
GADSDEN-ETOWAH MS4 BOUNDARIES		PROJECT NO: 4482-14-021	
GADSDEN ALABAMA URBANIZED AREA PHASE II SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM		DRAWN BY: SLY	
FIGURE NO. 1		NPDES NO: ALR040009	
		CHECKED BY: CRO	



MS4 MONITORING LOCATIONS	DATE: 3/10/14	
	SCALE: 1:100,000	DRAWN BY: SLY
GADSDEN ALABAMA URBANIZED AREA PHASE II SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM	PROJECT NO: 4482-14-021	
	NPDES NO: ALR040009	
FIGURE NO.	2	

www.smeinc.com

Appendix B – NPDES Permit

LANCE R. LEFLEUR
DIRECTOR



ROBERT J. BENTLEY
GOVERNOR

Alabama Department of Environmental Management
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

September 13, 2016

Honorable Charles Gilchrist
Mayor, City of Glencoe
201 W. Chastain Blvd
Glencoe, Alabama 35905

Re: Municipal Separate Storm Sewer System (MS4) Phase II General Permit
NPDES Permit No. ALR040054
Etowah County (055)

Dear Mayor Gilchrist:

The Department has made a final determination to reissue General NPDES Permit No. ALR040000 for discharges from regulated small municipal separate storm sewer systems. The reissued permit will become effective on October 1, 2016 and will expire on September 30, 2021.

The Department notified the public of its tentative determination to reissue General NPDES Permit No. ALR040000 on November 18, 2015. Interested persons were provided the opportunity to submit comments on the Department's tentative decision through December 18, 2015. In accordance with ADEM Admin Code r. 335-6-6-.21(7), a response to all comments received during the public comment period will be available on the Department's efile system.

Based on your request, as evidenced by the submittal of a Notice of Intent, coverage under the General NPDES Permit No. ALR040054 is granted. The effective date of issuance coverage is October 1, 2016.

Coverage under this permit does not authorize the discharge of pollutant or non-stormwater that is not specifically identified in the permit and by the Notice of Intent which resulted in granting this coverage.

You are responsible for compliance with all provisions of the permit, including, but not limited to, the performance of any monitoring (if applicable), the submittal of any reports, and the preparation and implementation of any plans required by the permit. Part II.A.4. of the re-issued permit requires the submittal of an updated Stormwater Management Program Plan (SWMPP) within three months of the issuance date of this permit (January 1, 2017).

If you have any additional questions or concerns, please contact Marla Smith by email at mssmith@adem.state.al.us or by phone at 334-270-5616.

Sincerely,

Jeffery W. Kitchens, Chief
Stormwater Management Branch
Water Division

JWK/mss

File: FPER/XXX

Enclosure: Final Permit ALR040054

Cc: Ms. Kacy Sable, EPA (via email)
Mr. Rodney Ward, City of Glencoe (via email)



Birmingham Branch
110 Vulcan Road
Birmingham, AL 35209-4702
(205) 942-6168
(205) 941-1603 (FAX)

Decatur Branch
2715 Sandlin Road, S.W.
Decatur, AL 35603-1333
(256) 353-1713
(256) 340-9359 (FAX)

Mobile Branch
2204 Perimeter Road
Mobile, AL 36615-1131
(251) 450-3400
(251) 479-2593 (FAX)

Mobile-Coastal
3664 Dauphin Street, Suite B
Mobile, AL 36608
(251) 304-1176
(251) 304-1189 (FAX)



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

DISCHARGE AUTHORIZED: STORMWATER DISCHARGES FROM REGULATED
SMALL MUNICIPAL SEPARATE STORM SEWER
SYSTEMS

AREA OF COVERAGE: THE STATE OF ALABAMA

PERMIT NUMBER: ALR040053

RECEIVING WATERS: ALL WATERS OF THE STATE OF ALABAMA

In accordance with and subject to the provisions of the Federal Water Pollution Control Act, as amended, 33 U.S.C. §§1251-1378 (the "FWPCA"), the Alabama Water Pollution Control Act, as amended, Code of Alabama 1975, §§ 22-22-1 to 22-22-14 (the "AWPCA"), the Alabama Environmental Management Act, as amended, Code of Alabama 1975, §§22-22A-1 to 22-22A-15, and rules and regulations adopted thereunder, and subject further to the terms and conditions set forth in this permit, the Permittee is hereby authorized to discharge into the above-named receiving waters.

ISSUANCE DATE: SEPTEMBER 6, 2016

EFFECTIVE DATE: OCTOBER 1, 2016

EXPIRATION DATE: SEPTEMBER 30, 2021

GIENNA L. DEAN

Alabama Department of Environmental Management

Table of Contents

Part I. Coverage Under This Permit.....	4
A. Permit Coverage.....	4
B. Authorized Discharges.....	4
C. Prohibited Discharges.....	5
D. Obtaining Authorization.....	6
E. Implementation.....	6
Part II. Notice of Intent (NOI) Requirements.....	7
A. Deadline of Applications.....	7
B. Continuation of the Expired General Permit	7
C. Contents of the Notice of Intent (NOI).....	8
D. Where to Submit MS4 Documents.....	8
Part III. Storm Water Pollution Prevention and Management Program for Small MS4s.....	9
A. Storm Water Management Program (SWMP).....	9
B. Minimum Storm Water Control Measures.....	10
1. Public Education and Public Involvement on Storm Water Impacts.....	10
2. Illicit Discharge Detection and Elimination (IDDE) Program.....	12
3. Construction Site Storm Water Runoff Control.....	14
4. Post-Construction Storm Water Management in New Development and ReDevelopment	17
5. Pollution Prevention/Good Housekeeping for Municipal Operations.....	18
Part IV. Special Conditions.....	20
A. Responsibilities of the Permittee.....	20
B. SWMPP Plan Review and Modification.....	20
C. Discharge Compliance with Water Quality Standards.....	20
D. Impaired Waters and Total Maximum Daily Loads (TMDLs).....	21
E. Requiring an Individual Permit.....	22
Part V. Monitoring and Reporting.....	22
Part VI. Annual Reporting Requirements.....	23
Part VII. Standard and General Permit Conditions.....	24
A. Duty to Comply.....	24
B. Continuation of the Expired General Permit.....	24

Table of Contents (continued)

C. Need to Halt or Reduce an Activity Not a Defense.....	24
D. Duty to Mitigate.....	24
E. Duty to Provide Information.....	24
F. Other Information.....	25
G. Signatory Requirements.....	25
H. Property Rights.....	25
I. Proper Operation and Maintenance.....	25
J. Inspection and Entry.....	26
K. Permit Actions.....	26
L. Permit Transfers.....	26
M. Anticipated Noncompliance.....	26
N. Compliance with Statutes and Rules.....	26
O. Severability.....	26
P. Bypass Prohibition.....	26
Q. Upset Conditions.....	27
R. Procedures for Modification or Revocation.....	27
S. Re-opener Clause.....	27
T. Retention of Records.....	27
U. Monitoring Methods.....	28
V. Additional Monitoring by the Permittee.....	28
W. Definitions.....	28

PART I Coverage Under This General Permit

A. Permit Coverage

This permit covers the urbanized areas designated as a Phase II Municipal Separate Storm Sewer System (MS4) within the State of Alabama.

B. Authorized Discharges

1. This permit authorizes discharges of storm water from small MS4s, as defined in 40 CFR Part 122.26(b)(16). An entity may discharge under the terms and conditions of this general permit if the entity:
 - a. Owns or operates a small MS4 within the permit area described in Section A;
 - b. Is not a "large" or "medium" MS4 as described in 40 CFR Part 122.26(b)(4) or (7);
 - c. Submits a Notice of Intent (NOI) in accordance with Part II of this general permit; and
 - d. Either:
 - i. Is located fully or partially within an urbanized area as determined by the latest Decennial Census by the Bureau of Census, or
 - ii. Is designated for permit authorization by the Department pursuant to 40 CFR Part 122.32(a)(2).
2. This permit authorizes the following non-storm water discharges provided that they do not cause or contribute to a violation of water quality standards and that they have been determined not to be substantial contributors of pollutants to a particular small MS4 applying for coverage under this permit and that is implementing the storm water management program (SWMP) set forth in this permit:
 - a. Water line flushing
 - b. Landscape irrigation
 - c. Diverted stream flows
 - d. Uncontaminated ground water infiltration
 - e. Uncontaminated pumped groundwater
 - f. Discharges from potable water sources
 - g. Foundation drains
 - h. Air conditioning condensate
 - i. Irrigation water (not consisting of treated, or untreated, wastewater)
 - j. Rising ground water
 - k. Springs
 - l. Water from crawl space pumps
 - m. Footing drains
 - n. Lawn watering runoff
 - o. Individual residential car washing, to include charitable carwashes

- p. Residual street wash water
- q. Discharge or flows from firefighting activities (including fire hydrant flushing)
- r. Flows from riparian habitats and wetlands
- s. Dechlorinated swimming pool discharges, and
- t. Discharges authorized and in compliance with a separate NPDES permit.

C. Prohibited Discharges

The following discharges are not authorized by this permit:

1. Discharges that are mixed with sources of non-storm water unless such non-storm water discharges are:
 - a. In compliance with a separate NPDES permit; or
 - b. Determined by the Department not to be a significant contributor of pollutants to waters of the State;
2. Storm water discharges associated with industrial activity as defined in 40 CFR Part 122.26(b)(14)(i)-(ix) and (xi);
3. Storm water discharges associated with construction activity as defined in 40 CFR Part 122.26(b)(14)(x) or 40 CFR 122.26(b)(15) and subject to Alabama Department of Environmental Management (ADEM) Code r. 335-6-12;
4. Storm water discharges currently covered under another NPDES permit;
5. Discharges to territorial seas, contiguous zone, and the oceans unless such discharges are in compliance with the ocean discharge criteria of 40 CFR Part 125, Subpart M;
6. Discharges that would cause or contribute to instream exceedances of water quality standards; Your storm water management program plan (SWMPP) must include a description of the Best Management Practices (BMPs) that you will be using to ensure that this will not occur. The Department may require corrective action or an application for an individual permit if an MS4 is determined to cause an instream exceedance of water quality standards;
7. Discharges of any pollutant into any water for which a total maximum daily load (TMDL) has been approved or developed by EPA unless your discharge is consistent with the TMDL; This eligibility condition applies at the time you submit a NOI for coverage. If conditions change after you have permit coverage, you may remain covered by the permit provided you comply with the applicable requirements of Part V. You must incorporate any limitations, conditions and requirements applicable to your discharges, including monitoring frequency and reporting required, into your SWMPP in order to be eligible for permit coverage. For discharges not eligible for coverage under this permit, you must apply for and receive an individual or other applicable general NPDES permit prior to discharging;
8. This permit does not relieve entities that cause illicit discharges, including spills, of oils or hazardous substances, from responsibilities and liabilities under State and Federal law and regulations pertaining to those discharges.

D. Obtaining Authorization

1. To be authorized to discharge storm water from small MS4s, you must submit a Notice of Intent (NOI) and a description of your storm water management program (SWMP) in accordance with the deadlines presented in Part II of this permit.
2. You must submit the information required in Part II on the latest version of the NOI form (or photocopy thereof). Your NOI must be signed and dated in accordance with Part VII of this permit.
3. No discharge under the general permit may commence until the discharger receives the Department's acknowledgement of the NOI and approval of the coverage of the discharge by the general permit. The Department may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI.
4. Where the operator changes, or where a new operator is added after submittal of an NOI under Part II, a new NOI must be submitted in accordance with Part II within thirty (30) days of the change or addition.
5. For areas extended within your MS4 by the latest census or annexed into your MS4 area after you received coverage under this general permit, the first annual report submitted after the annexation must include the updates to your SWMP, as appropriate.

Note: If the Department notifies the dischargers (directly, by the public notice, or by making information available on the Internet) of other NOI form options that become available at a later date (e.g., electronic submission of forms), you may take advantage of those options to satisfy the NOI use and submittal requirements in Part II.

E. Implementation

1. This permit requires implementation of the MS4 Program under the State and Federal NPDES Regulations. MS4s shall modify their programs if and when water quality considerations warrant greater attention or prescriptiveness in specific components of the municipal program.
2. If a small MS4 operator implements the minimum control measures in 40 CFR 122.34(b) and the discharges are determined to cause or contribute to non-attainment of an applicable water quality standard as evidenced by the State of Alabama's 303(d) list or an EPA-approved or developed Total Maximum Daily Load (TMDL), the operator must tailor its BMPs within the scope of the six minimum control measures to address the pollutants of concern and implement permit requirements outlined in Part IV.D. and Part V of this permit.
3. Existing MS4s, unless otherwise stated within this permit, shall implement each of the minimum control measures outlined in Part III.B. of this permit immediately upon the effective date of coverage. Newly designated MS4s, unless otherwise stated in this permit, shall implement the minimum control measures outlined in Part III.B. of this permit within

365 days of the effective date of coverage. However, for newly designated MS4s, where new or revised ordinances are required to implement any of the minimum control measures, such ordinances shall be enacted within 730 days from the effective date of coverage.

PART II Notice of Intent (NOI) Requirements

A. Deadlines of Applications

1. If you are automatically designated under 40 CFR Part 122.32(a)(1) or designated by the Department, then to request recoveage, you are required to submit an NOI or an application for an individual permit and a description of your SWMP at least 90 days before the expiration of this permit.
2. If you are designated by the Department after the date of permit issuance, then you are required to submit an NOI or an application for an individual permit and a description of your SWMP within 180 days upon notification. Within six months of initial issuance, the operator of the regulated small MS4 shall submit a storm water management program plan (SWMPP) to the Department for review. A SWMPP can be submitted electronically in a .PDF format, or in another prescribed manner acceptable to the Department that contains all necessary components
3. You are not prohibited from submitting an NOI after the dates provided in Part II.A.1-2. If a NOI is submitted after the dates provided in Part II.A.1-2., your authorization is only for discharges that occur after permit coverage is granted. The Department reserves the right to take appropriate enforcement actions for any unpermitted discharges.
4. Within three months of the date of re-issuance of coverage under this permit, all operators of regulated small MS4s shall submit a revised storm water management program plan (SWMPP) to the Department for review.
5. **On or after December 21, 2020, all NOIs shall be made electronically in a prescribed manner acceptable to the Department.**

B. Continuation of the Expired General Permit

If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the ADEM Code r. 335-6-6 and remain in force and effect if the Permittee re-applies for coverage as required under Part II of this Permit. Any Permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of:

1. Reissuance or replacement of this permit, at which time you must comply with the Notice of Intent conditions of the new permit to maintain authorization to discharge; or
2. Issuance of an individual permit for your discharges; or
3. A formal permit decision by the Department not to reissue this general permit, at which time you must seek coverage under an alternative general permit or an individual permit.

C. Contents of the Notice of Intent (NOI)

The Notice of Intent must be signed in accordance with Part VII.G of this permit and must include the following information:

1. Information on the Permittee:
 - a. The name of the regulated entity, specifying the contact person and responsible official, mailing address, telephone number and email address; and
 - b. An indication of whether you are a Federal, State, County, Municipal or other public entity.
2. Information on the MS4:
 - a. the name of your organization, county, city, or town and the latitude/longitude of the center or the MS4 location;
 - b. The name of the major receiving water(s) and an indication of whether any of your receiving waters are included on the latest 303(d) list, included in an EPA-approved and/or EPA developed total maximum daily load (TMDL) or otherwise designated by the Department as being impaired. If you have discharges to 303(d) or TMDL waters, a certification that your SWMPP complies with the requirements of Part V;
 - c. If you are relying on another governmental entity, regulated under the storm water regulations (40 CFR Part 122.26 & 122.32) to satisfy one or more of your permit obligations (see Part III), the identity of that entity(ies) and the elements(s) they will be implementing. The Permittee remains responsible for compliance if the other entity fails to fully perform the permit obligation, and may be subject to enforcement action if neither the Permittee nor the other entity fully performs the permit obligation; and
 - d. Must include if you are relying on the Department for enforcement of erosion and sediment controls on qualifying construction sites in accordance with Part III.B.3.b.
3. Include a brief summary of the best management practices (BMPs) for the minimum control measures in Part III of this permit (i.e. a brief summary of the MS4's SWMPP), your timeframe for implementing each of the BMPs, and the person or persons responsible for implementing or coordinating your SWMPP.

D. Where to Submit MS4 Documents

You are to submit your NOI or individual application, and a description of your SWMP as allowed under Part II.A., signed in accordance with the signatory requirements of Section VII of this permit, to the Department at the following address:

**Alabama Department of Environmental Management
Water Division
Storm Water Management Branch
Post Office Box 301463
Montgomery, Alabama 36130-1463**

Certified and Registered Mail shall be addressed to:

**Alabama Department of Environmental Management
Water Division
Storm Water Management Branch
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2059**

On or after December 21, 2020, all NOIs shall be made electronically in a prescribed manner acceptable to the Department.

PART III Storm Water Pollution Prevention and Management Program for Small MS4s

A. Storm Water Management Program (SWMP)

1. The Permittee is required to develop, revise, implement, maintain and enforce a storm water management program (SWMP) which shall include controls necessary to reduce the discharge of pollutants from its MS4 consistent with Section 402(p)(3)(B) of the Clean Water Act and 40 CFR Parts 122.30-122.37. These requirements shall be met by the development and implementation of a storm water management program plan (SWMPP) which addresses the best management practices (BMPs), control techniques and systems, design and engineering methods, public participation and education, monitoring, and other appropriate provisions designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable (MEP).
2. The Permittee shall provide and maintain adequate finance, staff, equipment, and support capabilities necessary to implement the SWMPP and comply with the requirements of this permit.
3. The SWMPP must address the minimum storm water control measures referenced in Part III.B. to include the following:
 - a. A map of the Permittee's MS4 urbanized areas;
 - b. The BMPs that will be implemented for each control measure. Low impact development/green infrastructure shall be considered where feasible. Information on LID/Green Infrastructure is available on the following websites: <http://www.adem.alabama.gov/programs/water/waterforms/LIDHandbook.pdf> and <http://epa.gov/pol/waste/green/index.cfm>.
 - c. The measureable goals for each of the minimum controls outlined in Part III.B.;
 - d. The proposed schedule—including interim milestones, as appropriate, inspections, and the frequency of actions needed to fully implement each minimum control; and
 - e. The person and/or persons responsible for implementing or coordination the BMPs for each separate minimum control measure.

4. Once the initial SWMPP is acknowledged by ADEM, activities and associated schedules outlined by the SWMPP or updates to the SWMPP are conditions of the permit.
5. Unless otherwise specified in this permit, the Permittee shall be in compliance with the conditions of this permit by the effective date of coverage.

B. Minimum Storm Water Control Measures

1. Public Education and Public Involvement on Storm Water Impacts

- a. The Permittee must develop and implement a public education and outreach program to inform the community about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff to the MEP. The Permittee shall continuously implement this program in the areas served by the MS4. The Permittee shall also comply, at a minimum, with applicable State and local public notice requirements when implementing a public involvement/participation program.
- b. The Permittee shall include within the SWMPP the methods for how it will:
 - i. Seek and consider public input in the development, revision, and implementation of the SWMPP;
 - ii. Identify targeted pollutant sources the Permittee's public education program is intended to address;
 - iii. Specifically address the reduction of litter, floatables and debris from entering the MS4, that may include, but is not limited to:
 1. Establishing a program to support volunteer groups for labeling storm drain inlets and catch basins with "no dumping" message; and
 2. Posting signs referencing local codes that prohibit littering and illegal dumping at selected designated public access points to open channels, creeks, and other relevant waterbodies;
 - iv. Inform and involve individuals and households about the steps they can take to reduce storm water pollution; and
 - v. Inform and involve individuals and groups on how to participate in the storm water program (with activities that may include, but not limited to, local stream and lake restoration activities, storm water stenciling, advisory councils, watershed associations, committees, participation on rate structures, stewardship programs and environmental related activities). The target audiences and subject areas for the education program that are likely to have significant storm water impacts should include, but is not limited to, the following:
 1. General Public
 - a. General impacts litter has on water bodies, how trash is delivered to streams via the MS4 and ways to reduce the litter;

- b. General impacts of storm water flows into surface water from impervious surface; and
 - c. Source control BMPs in areas of pet waste, vehicle maintenance, landscaping and rain water reuse.
- 2. General Public, Businesses, Including Home-Based and Mobile Businesses
 - a. BMPs for use and storage of automotive chemicals, hazardous cleaning supplies, carwash soaps and other hazardous materials; and
 - b. Impacts of illicit discharges and how to report them.
- 3. Homeowners, Landscapers, and Property Managers
 - a. Yard care techniques that protect water quality;
 - b. BMPs for use and storage of pesticides and fertilizers;
 - c. BMPs for carpet cleaning and auto repair and maintenance;
 - d. Runoff reduction techniques, which may include but not limited to site design, pervious paving, retention of forests, and mature trees; and
 - e. Storm water pond maintenance.
- 4. Engineers, Contractors, Developers, Review Staff and Land Use Planners
 - a. Technical standards for construction site sediment and erosion control;
 - b. Storm water treatment and flow control BMPs;
 - c. Impacts of increased storm water flows into receiving water bodies; and
 - d. Run-off reduction techniques and low impact development (LID)/green infrastructure (GI) practices that may include, but not limited to, site design, pervious pavement, alternative parking lot design, retention of forests and mature trees to assist in storm water treatment and flow control BMPS.
- vi. Evaluation of the effectiveness of the public education and public involvement program.
- c. The Permittee shall report each year in the annual report the following information:
 - i. A description of the activities used to involve groups and/or individuals in the development and implementation of the SWMPP;
 - ii. A description of the individuals and groups targeted and how many groups and/or individuals participated in the programs;
 - iii. A description of the activities used to address the reduction of litter, floatables and debris from entering the MS4 as required in Part III.B.1.b.iii.;

- iv. A description of the communication mechanisms or advertisements used to inform the public and the quantity that were distributed (i.e. number of printed brochures, copies of newspapers, workshops, public service announcements, etc); and
 - v. Results of the evaluation of the public education and public involvement program as required in Part III.B.1.b.vi.
- d. The Permittee shall make their SWMPP and their annual reports required under this permit available to the public when requested. The current SWMPP and the latest annual report should be posted on the Permittee's website, if available.

2. Illicit Discharge Detection and Elimination (IDDE) Program

- a. The Permittee shall implement an ongoing program to detect and eliminate illicit discharges into the MS4, to the maximum extent practicable. The program shall include, at a minimum, the following:
 - i. An initial map shall be provided in the SWMPP with updates, if any, provided each year in the annual report. The map shall include, at a minimum:
 - 1. The latitude/longitude of all known outfalls;
 - 2. The names of all waters of the State that receive discharges from these outfalls; and,
 - 3. Structural BMPs owned, operated, or maintained by the Permittee.
 - ii. To the extent allowable under State law, an ordinance or other regulatory mechanism that effectively prohibits non-storm water discharges to the MS4. The ordinance or other regulatory mechanism shall be reviewed annually and updated as necessary and shall:
 - 1. Include escalating enforcement procedures and actions; and
 - 2. Require the removal of illicit discharges and the immediate cessation of improper disposal practices upon identification of responsible parties. Where the removal of illicit discharge within ten (10) working days is not possible, the ordinance shall require an expeditious schedule for removal of the discharge. In the interim, the ordinance shall require the operator of the illicit discharge to take all reasonable and prudent measures to minimize the discharge of pollutants to the MS4.
 - iii. A dry weather screening program designed to detect and address non-storm water discharges to the MS4. This program must address, at a minimum, dry weather screening of fifteen percent (15%) of the outfalls once per year with all (100 percent) screened at least once per five years. Priority areas, as described by the Permittee in the SWMPP, will be dry weather screened on a more frequent schedule as outlined in the SWMPP. If any indication of a suspected illicit discharge, from an unidentified

source, is observed during the dry weather screening, then the Permittee shall follow the screening protocol as outlined in the SWMPP.

- iv. Procedures for tracing the source of a suspect illicit discharge as outlined in the SWMPP. At a minimum, these procedures will be followed to investigate portions of the MS4 that, based on the results of the field screening or other appropriate information, indicate a reasonable potential of containing illicit discharges or other sources of non-storm water.
- v. Procedures for eliminating an illicit discharge as outlined in the SWMPP;
- vi. Procedures to notify ADEM of a suspect illicit discharge entering the Permittee's MS4 from an adjacent MS4 as outlined in the SWMPP;
- vii. A mechanism for the public to report illicit discharges discovered within the Permittee's MS4 and procedures for appropriate investigation of such reports;
- viii. A training program for appropriate personnel on identification, reporting, and corrective action of illicit discharges;
- ix. Address the following categories of non-storm discharges or flows (i.e., illicit discharges) only if the Permittee or the Department identifies them as significant contributors of pollutants to your small MS4: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (infiltration is defined as water other than wastewater that enters a sewer system, including 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, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering run-off, individual residential car washing, flows from riparian habitats and wetlands, discharge or flows from firefighting activities (to include fire hydrant flushing); dechlorinated swimming pool discharges, and residual street wash water, discharge authorized by and in compliance with a separate NPDES permit; and
- x. The Permittee may also develop a list of other similar occasional incidental non- storm water discharges (e.g. non-commercial or charity car washes, etc.) that will not be addressed as illicit discharges. These non- storm water discharges must not be reasonably expected (based on information available to the Permittees) to be significant sources of pollutants to the municipal separate storm sewer system, because of either the nature of the discharges or conditions you have established for allowing these discharges to your MS4 (e.g., a charity car wash with appropriate controls on frequency, proximity to impaired waterbodies, BMPs on the wash water, etc.). You must document in your SWMPP any local controls or conditions placed on the discharges. The Permittee must include a provision prohibiting any individual non- storm water discharge that is

determined to be contributing significant amounts of pollutants to your MS4.

- b. The Permittee shall report each year in the annual report the following information:
 - i. List of outfalls observed during the dry weather screening;
 - ii. Updated MS4 map(s) unless there are no changes to the map that was previously submitted. When there are no changes to the map, the annual report must state this;
 - iii. Copies of, or a link to, the IDDE ordinance or other regulatory mechanism; and
 - iv. The number of illicit discharges investigated, the screening results, and the summary of corrective actions taken to include dates and timeframe of response.

3. Construction Site Storm Water Runoff Control

- a. The Permittee must develop/revise, implement and enforce an ongoing program to reduce, to the maximum extent practicable, the pollutants in any storm water runoff to the MS4 from qualifying construction sites. The program shall include the following at a minimum:
 - i. Specific procedures for construction site plan (including erosion prevention and sediment controls) review and approval: The MS4 procedures must include an evaluation of plan completeness and overall BMP effectiveness;
 - ii. To the extent allowable under State law, an ordinance or other regulatory mechanism to require erosion and sediment controls, sanctions to ensure compliance, and to provide all other authorities needed to implement the requirements of Part III.B.3 of this permit;
 - iii. A training program for MS4 site inspection staff in the identification of appropriate construction best management practices (example: QCI training in accordance with ADEM Admin Code. R. 335-6-12 or the Alabama Construction Site General Permit);
 - iv. Procedures for the periodic inspection of qualifying construction sites to verify the use of appropriate erosion and sediment control practices that are consistent with the Alabama Handbook for Erosion Control, Sediment Control, And Stormwater Management on Construction Sites and Urban Areas published by the Alabama Soil and Water Conservation Committee (hereinafter the "Alabama Handbook"). The frequency and prioritization of inspection activities shall be documented in the SWMPP and must include a minimum inspection frequency of once each month for priority construction sites;
 - v. Procedures, as outlined in the SWMPP, to notify ADEM of construction sites that do not have a NPDES permit or ineffective BMPs that are discovered during the periodic inspections. The notification must provide,

at a minimum, the specific location of the construction project, the name and contact information from the owner or operator, and a summary of the site deficiencies; and

- vi. A mechanism for the public to report complaints regarding discharges from qualifying construction sites.
- b. ADEM implements a State-wide NPDES construction storm water regulatory program. As provided by 40 CFR Part 122.35(b), the Permittee may rely on ADEM for the setting of standards for appropriate erosion controls and sediment controls for qualifying construction sites and for enforcement of such controls, and must document this in its SWMPP. If the Permittee elects not to rely on ADEM's program, then the Permittee must include the following, at a minimum, in its SWMPP:
- i. Requirements for construction site operators to implement appropriate erosion and sediment control BMPs consistent with the Alabama Handbook for Erosion Control, Sediment Control, And Stormwater Management on Construction Sites and Urban Areas published by the Alabama Soil and Water Conservation Committee (hereinafter the "Alabama Handbook");
 - ii. Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;
 - iii. Development and implementation of an enforcement strategy that includes escalating enforcement remedies to respond to issues of non-compliance;
 - iv. An enforcement tracking system designed to record instances of non-compliance and the MS4's responding actions. The enforcement case documentation should include:
 - 1. Name of owner/operator
 - 2. Location of construction project or industrial facility
 - 3. Description of violations
 - 4. Required schedule for returning to compliance
 - 5. Description of enforcement response used, including escalated responses if repeat violation occur or violations are not resolved in a timely manner;
 - 6. Accompanying documentation of enforcement response (e.g., notices of noncompliance, notices of violation, etc);
 - 7. Any referrals to different departments or agencies; and
 - 8. Date violation was resolved
 - v. The Permittee must keep records of all inspections (i.e. inspection reports) and employee training required by Part III.3.a.
- c. The Permittee shall include within the SWMPP the following information:
- i. Procedures for site plan reviews as required by Part III.B.3.a.i;
 - ii. A copy or link of the ordinance or other regulatory mechanism required by Part III.B.3.a.ii;

- iii. Plans for the training of MS4 site inspection staff as required by Part III.B.3.a.iii; and
- iv. A site inspection plan meeting the requirements of Part III.B.3.a.iv; and
- d. The Permittee shall maintain the following information and make it available upon request:
 - i. Documentation of all inspections conducted of qualifying construction sites as required by Part III.B.3.a.iv. The inspection documentation shall include, at a minimum, the following:
 - 1. Facility type;
 - 2. Inspection date;
 - 3. Name and signature of inspector;
 - 4. Location of construction project;
 - 5. Owner/operator information (name, address, phone number, email);
 - 6. Description of the storm water BMP condition that may include, but not limited to, the quality of vegetation and soils, inlet and outlet channels and structures, embankments, slopes and safety benches, spillways, weirs, and other control structures; and sediment and debris accumulation in storage and forebay areas as well as in and around inlet and outlet structures; and
 - 7. Photographic documentation of any issues and/or concerns.
 - ii. Documentation of referrals of noncompliant construction sites and/or enforcement actions taken at construction sites to include, at a minimum, the following:
 - 1. Name of owner/operator
 - 2. Location of construction project;
 - 3. Description of violation;
 - 4. Required schedule for returning to compliance;
 - 5. Description of enforcement response used, including escalated responses if repeat violations occur; and
 - 6. Accompanying documentation of enforcement responses (e.g. notices of non-compliance, notices of violations, etc).
 - iii. Records of public complaints including:
 - 1. Date, time and description of the complaint;
 - 2. Location of subject construction sites; and
 - 3. Identification of any actions taken (e.g. inspections, enforcement, corrections). Identifying information must be sufficient to cross-reference inspection and enforcement records.
- e. The Permittee shall report each year in the annual report the following information:
 - i. A description of any completed or planned revisions to the ordinance or regulatory mechanism required by Part III.B.3.a.i and the most recent copy, or a link to the ordinance; and
 - ii. List of all active construction sites within the MS4 to include the following summary:

1. Number of construction site inspections;
2. Number of non-compliant construction site referrals and/or enforcement actions and description of violations;
3. Number of construction site runoff complaints received; and
4. Number of MS4 staff/inspectors trained.

4. Post-Construction Storm Water Management in New Development and Redevelopment

- a. Post-construction storm water management refers to the activities that take place after construction occurs, and includes structural and non-structural controls including low-impact development and green infrastructure practices to obtain permanent storm water management over the life of the property's use. These post construction controls should be considered during the initial site development planning phase.
 - i. The Permittee must develop/revise, implement, and enforce a program to address storm water runoff from qualifying new development and redevelopment projects, to the maximum extent practicable. This program shall ensure that controls are in place to prevent or minimize water quality impacts. Specifically, the Permittee shall:
 1. Develop/revise and outline in the SWMPP procedures for the site-plan review and approval process and a required re-approval process when changes to post-construction controls are required; and
 2. Develop/revise and outline in the SWMPP procedures for a post-construction process to demonstrate and document that post-construction storm water measures have been installed per design specifications, which includes enforceable procedures for bringing noncompliant projects into compliance.
 - ii. The Permittee must develop and implement strategies which may include a combination of structural and/or non-structural BMPs designed to ensure, to the maximum extent practicable, that the volume and velocity of pre-construction stormwater runoff is not significantly exceeded. A design rainfall event with an intensity up to that of a 2yr-24hr storm event shall be the basis for the design and implementation of post- construction BMPs.
 - iii. To the extent allowable under State law, the Permittee must develop and institute the use of an ordinance or other regulatory mechanism to address post-construction runoff from qualifying new development and redevelopment projects.
 - iv. The Permittee must require adequate long-term operation and maintenance of BMPs. One or more of the following as applicable:

1. The developer's signed statement accepting responsibility for maintenance until the maintenance responsibility is legally transferred to another party; and/or
 2. Written conditions in the sales or lease agreement that require the recipient to assume responsibility for maintenance; and/or
 3. Written conditions in project conditions, covenants and restrictions for residential properties assigning maintenance responsibilities to a home owner's association, or other appropriate group, for maintenance of structural and treatment control management practices; and/or
 4. Any other legally enforceable agreement that assigns permanent responsibility for maintenance of structural or treatment control management practices.
- v. The Permittee shall perform or require the performance of post-construction inspections, at a minimum of once per year, to confirm that post-construction BMP's are functioning as designed. The Permittee shall include an inspection schedule, to include inspection frequency, within the SWMPP.
 - vi. The Permittee shall maintain or require the developer/owner/operator to keep records of post-construction inspections, maintenance activities and make them available to the Department upon request and require corrective actions to poorly functioning or inadequately maintained post-construction BMP's.
 - vii. The Permittee shall review and evaluate policies and ordinances related to building codes, or other local regulations, with a goal of identifying regulatory and policy impediments to the installation of green infrastructure and low-impact development techniques.
- b. The Permittee shall report each year in the annual report the following information:
 - i. Copies of, or link to, the ordinance or other regulatory mechanism required by Part III.B.4.a.iii;
 - ii. A list of the post-construction structural controls installed and inspected during the permit year;
 - iii. Updated inventory of post-construction structural controls including those owned by the Permittee;
 - iv. Number of inspections performed on post-construction structural controls; and,
 - v. Summary of enforcement actions.

5. Pollution Prevention/Good Housekeeping for Municipal Operations

- a. The Permittee shall develop, implement, and maintain a program that will prevent or reduce the discharge of pollutants in storm water run-off from municipal operations to the maximum extent practicable. The program elements shall include, at a minimum, the following:

- i. An inventory of all municipal facilities, including municipal facilities that have the potential to discharge pollutants via storm water runoff;
 - ii. Strategies for the implementation of BMPs to reduce litter, floatables and debris from entering the MS4 and evaluate those BMPs annually to determine their effectiveness. If a BMP is determined to be ineffective or infeasible, then the BMP must be modified. The Permittee shall also develop a plan to remove litter, floatable and debris material from the MS4, including proper disposal of waste removed from the system;
 - iii. A Standard Operating Procedures (SOP) detailing good housekeeping practices to be employed at appropriate municipal facilities and during municipal operations that may include, but not limited to, the following:
 - 1. Equipment washing;
 - 2. Street sweeping;
 - 3. Maintenance of municipal roads including public streets, roads, and highways, including but not limited to unpaved roads, owned, operated, or under the responsibility of the Permittee;
 - 4. Storage and disposal of chemicals, Pesticide, Herbicide and Fertilizers (PHFs) and waste materials;
 - 5. Vegetation control, cutting, removal, and disposal of the cuttings;
 - 6. Vehicle fleets/equipment maintenance and repair;
 - 7. External Building maintenance; and
 - 8. Materials storage facilities and storage yards.
 - iv. A program for inspecting municipal facilities for good housekeeping practices, including BMPs. The program shall include checklists and procedures for correcting noted deficiencies;
 - v. A training program for municipal facility staff in good housekeeping practices as outlined in the SOP developed pursuant to Part III.B.5.a.iii; and
- b. The Permittee shall include within the SWMPP the following information:
- i. The inventory of municipal facilities required by Part III.B.5.a.i;
 - ii. Schedule for developing the SOP of good housekeeping practices required by Part III.B.5.a.iii;
 - iii. An inspection plan and schedule, including checklists and any other materials needed to comply with Part III.B.5.a.iv; and
 - iv. A description of the training program and training schedule required by Part III.B.5.a.v.
- c. The Permittee shall report each year in the annual report the following information:
- i. Any updates to the municipal facility inventory;
 - ii. An estimated amount of floatable material collected from the MS4 as required by Part III.B.5.a.ii;
 - iii. Any updates to the inspection plan
 - iv. The number of inspections conducted; and
 - v. Any updates to the SOP of good housekeeping practices.

d. The Permittee shall maintain the following information and make it available upon request:

- i. Records of inspections and corrective actions, if any; and
- ii. Training records including the dates of each training activities and names of personnel in attendance.

PART IV Special Conditions

A. Responsibilities of the Permittee

1. If the Permittee is relying on another entity to satisfy one or more requirements of this permit, then the Permittee must note that fact in the SWMPP. The Permittee remains responsible for compliance with all requirements of this permit, except as provided by Part III.B.3.b and reliance on another entity will not be a defense or justification for non-compliance if the entity fails to implement the permit requirements.
2. If the Permittee is relying on the Department for the enforcement of erosion and sediment controls on qualifying construction sites and has included that information in the SWMPP as required by Part III.A.3.e., the Permittee is not responsible for implementing the requirements of Part III.B.3.b of this permit as long as the Department receives notification of non-compliant qualifying constructions sites from the Permittee as required by Part III.B.3.a.v.

B. SWMPP Plan Review and Modification

1. The Permittee shall submit a SWMPP and/or revised SWMPP to the Department as required by Part II.A of the permit. The Permittee shall implement plans to seek and consider public input in the development, revision and implementation of this SWMPP, as required by Part III.B.1.b.i. Thereafter, the Permittee shall perform an annual review of the current SWMPP and must revise the SWMPP, as necessary, to maintain compliance with the permit. Any revisions to the SWMPP shall be submitted to the Department at the time a revision is made for the Department review. Revisions made to the SWMPP may include, but are not limited to, the replacement of ineffective or infeasible BMPs or the addition of components, controls and requirements; and
2. The Permittee shall implement the SWMPP on all new areas added to their municipal separate storm sewer system (or for which they become responsible for implementation of storm water quality controls) as soon as practicable, but not later than one (1) year from addition of the new areas. Implementation of the program in any new area shall consider the plans of the SWMPP of the previous MS4 ownership, if any.

C. Discharge Compliance with Water Quality Standards

This general permit requires, at a minimum, that the Permittee develop, implement and enforce a storm water management program designed to reduce the discharge of pollutants to the

maximum extent practicable. Full implementation of BMPs, using all known, available, and reasonable methods of prevention, control and treatment to prevent and control storm water pollution from entering waters of the State of Alabama is considered an acceptable effort to reduce pollutants from the municipal storm drain system to be the maximum extent practicable.

D. Impaired Waters and Total Maximum Daily Loads (TMDLs)

1. The Permittee must determine whether the discharge from any part of the MS4 contributes directly or indirectly to a waterbody that is included on the latest §303(d) list or designated by the Department as impaired;
2. If the Permittee's MS4 discharges to a waterbody included on the latest §303(d) or designated by the Department as impaired, it must demonstrate the discharges, as controlled by the Permittee, do not cause or contribute to the impairment. The SWMPP must detail the BMPs that are being utilized to control discharges of pollutants associated with the impairment. If existing BMPs are not sufficient to achieve this demonstration, the Permittee must, within six (6) months following the publication of the latest final §303(d) list, Department designation, or the effective date of this permit, submit a revised SWMPP detailing new or modified BMPs. The SWMPP must be revised as directed by the Department and the new or modified BMPs must be implemented within one year from the publication of the latest final §303(d) list or Department designation.
3. Permittees discharging from MS4s into waters with EPA-Approved TMDLs and/or EPA-Established TMDLs
 - a. The Permittee must determine whether its MS4 discharges to a waterbody for which a total maximum daily load (TMDL) has been established or approved by EPA. If an MS4 discharges into a water body with an EPA approved or established TMDL, then the SWMPP must include BMPs targeted to meet the assumptions and requirements of the TMDL. If additional BMPs will be necessary to meet the requirements of the TMDL, the SWMPP must include a schedule for installation and/or implementation of such BMPs. A monitoring component to assess the effectiveness of the BMPs in achieving the TMDL requirements must also be included in the SWMPP. Monitoring can entail a number of activities including, but not limited to: outfall monitoring, in-stream monitoring, and/or modeling. Monitoring data, along with an analysis of this data, shall be included in the Annual Report.
 - b. If, during this permit cycle, a TMDL is approved by EPA or a TMDL is established by EPA for any waterbody into which an MS4 discharges, the Permittee must review the applicable TMDL to see if it includes requirements for control of storm water discharges from the MS4.
 1. If it is found that the Permittee must implement specific allocations of the TMDL, it must assess whether the assumptions and requirements of the TMDL are being met through implementation of existing BMPs or if additional BMPs are necessary. The SWMPP must include BMPs targeted to meet the assumptions and requirements of the TMDL. If existing BMPs are not sufficient, the Permittee must, within six (6)

months following the approval or establishment of the TMDL by EPA, submit a revised SWMPP detailing new or modified BMPs to be utilized along with a schedule of installation and/or implementation of such BMPs. Any new or modified BMPs must be implemented within one year, unless an alternate date is approved by the Department, from the establishment or approval of the TMDL by EPA. A monitoring component to assess the effectiveness of the BMPs in achieving the TMDL requirements must also be included in the SWMPP. Monitoring can entail a number of activities including, but not limited to: outfall monitoring, in-stream monitoring, and/or modeling. Monitoring data, along with an analysis of this data, shall be included in the Annual Report.

E. Requiring an Individual Permit

The Department may require any person authorized by this permit to apply for and/or obtain an individual NPDES permit. When the Department requires application for an individual NPDES permit, the Department will notify the Permittee in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form and a statement setting a deadline for the Permittee to file the application.

PART V Monitoring and Reporting

1. If there are no 303(d) listed or TMDL waters located within the Permittee's MS4 area, no monitoring shall be required. The SWMPP shall include a determination stating if monitoring is required.
2. If a waterbody within the MS4 jurisdiction is listed on the latest final §303(d) list, or otherwise designated impaired by the Department, or for which a TMDL is approved or established by EPA, during this permit cycle, then the Permittee must implement a monitoring program, within 6 months, to include monitoring that addresses the impairment or TMDL. A monitoring plan shall be included in the SWMPP and any revisions to the monitoring program shall be documented in the SWMPP and Annual Report.
3. Proposed monitoring locations, and monitoring frequency shall be described in the monitoring plan with actual locations described in the annual report;
4. The Permittee must include in the monitoring program any parameters attributed with the latest final §303(d) list or otherwise designated by the Department as impaired or are included in an EPA-approved or EPA-established TMDL;
5. Analysis and collection of samples shall be done in accordance with the methods specified at 40 CFR Part 136. Where an approved 40 CFR Part 136 does not exist, then a Department approved alternative method may be used;
6. If the Permittee is unable to collect samples due to adverse conditions, the Permittee must submit a description of why samples could not be collected, including available documentation of the event. An adverse climatic condition which may prohibit the collection of samples includes weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.)

or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.);

7. Monitoring results must be reported with the subsequent Annual Report and shall include the following monitoring information:

- a. The date, latitude/longitude of location, and time of sampling;
- b. The name(s) of the individual(s) who performed the sampling;
- c. The date(s) analysis were performed;
- d. The name(s) of individuals who performed the analysis;
- e. The analytical techniques or methods used; and
- f. The results of such analysis.

PART VI Annual Reporting Requirements

1. The Permittee shall submit to the Department an annual report (1 hardcopy and 1 electronic copy) no later than May 31st of each year. The annual report shall cover the previous April 1 to March 31. If an entity comes under coverage for the first time after the issuance of this permit, then the first annual report should cover the time coverage begins until March 31st of subsequent year.
2. **On or after December 21, 2020, all annual reports shall be submitted to the Department electronically in a prescribed manner acceptable to the Department.**
3. The Permittee shall sign and certify the annual report in accordance with Part VII.G.
4. The annual report shall include the following information, at a minimum, and in addition to those requirements referenced in Part III-V:
 - a. A list of contacts and responsible parties (e.g.: agency, name, phone number, address, & email address) who had input to and are responsible for the preparation of the annual report;
 - b. Overall evaluation of the storm water management program developments and progress for the following:
 - i. Major accomplishments;
 - ii. Overall program strengths/weaknesses;
 - iii. Future direction of the program;
 - iv. Overall determination of the effectiveness of the SWMPP taking into account water quality/watershed improvements;
 - v. Measureable goals that were not performed and reasons why the goals were not accomplished; and
 - vi. If monitoring is required, evaluation of the monitoring data.
 - c. Narrative report of all minimum storm water control measures referenced in Part III.B of this permit. The activities shall be discussed as follows:
 - i. Minimum control measures completed and in progress;
 - ii. Assessment of the controls; and
 - iii. Discussion of proposed BMP revisions or any identified measureable goals that apply to the minimum storm water control measures.

- d. Summary table of the storm water controls that are planned/scheduled for the next reporting cycle;
- e. Results of information collected and analyzed, if any, during the reporting period, including any monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP.
- f. Notice of reliance on another entity to satisfy some of your permit obligations; and
- g. If monitoring is required, all monitoring results collected during the previous year in accordance with Part V, if applicable. The monitoring results shall be submitted in a format acceptable to the Department.

PART VII Standard and General Permit Conditions

A. Duty to Comply

You must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of CWA and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

B. Continuation of the Expired General Permit

If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the ADEM Code r. 335-6-6 and remain in force and effect if the Permittee re-applies for coverage as required under Part II of this Permit. Any Permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of:

- 1. Reissuance or replacement of this permit, at which time you must comply with the Notice of Intent conditions of the new permit to maintain authorization to discharge; or
- 2. Issuance of an individual permit for your discharges; or
- 3. A formal permit decision by the Department not to reissue this general permit, at which time you must seek coverage under an alternative general permit or an individual permit.

C. Need to Halt or Reduce Activity Not a Defense

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

D. Duty to Mitigate

You 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.

E. Duty to Provide Information

The Permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, suspending, or terminating the permit or to determine compliance with the permit. The Permittee shall also furnish to the Director upon request, copies of records required to be kept by the permit.

F. Other Information

If you become aware that you have failed to submit any relevant facts in your Notice of Intent or submitted incorrect information in the Notice of Intent or in any other report to the Department, you must promptly submit such facts or information.

G. Signatory Requirements

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

1. Notice of Intent. All Notices of Intent shall be signed by a responsible official as set forth in ADEM Admin. Code r. 335-6-6-.09.
2. Reports and other information. All reports required by the permit and other information requested by the Department or authorized representative of the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. Signed authorization. The authorization is made in writing by a person described above and submitted to the Department.
 - b. 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 matters for the regulated entity.
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 Part VII.G.2.b. above must be submitted to the Department prior to or together with any reports or information, and to be signed by an authorized representative.
4. Certification. Any person signing documents under Part VII.G.1-2. above 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 gathered and evaluated 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 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."

H. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege, nor it 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.

I. Proper Operation and Maintenance

You must at all time properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by you to achieve compliance with the conditions of this permit and with the conditions of your SWMPP. 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 you only when the operation is necessary to achieve compliance with the conditions of the permit.

J. Inspection and Entry

1. You must allow the Department or an authorized representative upon the presentation of credentials and other documents as may be required by law, to do any of the following:
 - a. Enter your 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.

K. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. Your 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.

L. Permit Transfers

This permit is not transferable to any person except after notice to the Department. The Department 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.

M. Anticipated Noncompliance

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

N. Compliance with Statutes and Rules

1. The permit is issued under ADEM Admin. Code r. 335-6-6. All provisions of this chapter that are applicable to this permit are hereby made a part of this permit.
2. This permit does not authorize the noncompliance with or violation of any laws of the State of Alabama or the United States of America or any regulations or rules implementing such laws.

O. 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 be affected thereby.

P. Bypass Prohibition

Bypass (see 40 CFR 122.41(m)) is prohibited and enforcement action may be taken against a regulated entity for a bypass; unless:

1. The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during the normal periods of equipment downtime. This condition is not satisfied if the regulated entity should, in the exercise of reasonable engineering judgment, have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance.
3. The Permittee submits a written request for authorization to bypass to the Director at least ten (10) days prior to the anticipated bypass (if possible), the Permittee is granted such authorization, and the Permittee complies with any conditions imposed by the Director to minimize any adverse impact on human health or the environment resulting from the bypass.

The Permittee has the burden of establishing that each of the conditions of Part VII.P. have been met to qualify for an exception to the general prohibition against bypassing and an exemption, where applicable, from the discharge specified in this permit.

Q. Upset Conditions

An upset (see 40 CFR 122.41(n)) constitutes an affirmative defense to an action brought for noncompliance with technology-based permit limitations if a regulated entity shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

1. An upset occurred and the Permittee can identify the specific cause(s) of the upset;
2. The Permittee's facility was being properly operated at the time of the upset; and
3. The Permittee promptly took all reasonable steps to minimize any adverse impact on human health or the environment resulting from the upset.

The Permittee has the burden of establishing that each of the conditions of Part VII.Q. of this permit have been met to qualify for an exemption from the discharge specified in this permit.

R. Procedures for Modification or Revocation

Permit modification or revocation will be conducted according to ADEM Admin. Code r. 335-6-6-.17.

S. Re-opener Clause

If there is evidence indicating potential or realized impacts on water quality due to storm water discharge covered by this permit, the regulated entity may be required to obtain an individual permit or an alternative general permit or the permit may be modified to include different limitations and/or requirements.

T. Retention of Records

1. The Permittee shall retain the storm water quality management program developed in accordance with Part III-V of this permit until at least five years after coverage under this permit terminates.
2. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
3. The Permittee shall retain records of all monitoring information including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of reports required by this permit, and records of all data used to

complete the application of this permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended at the request of the Director at any time.

U. Monitoring Methods

Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

V. Additional Monitoring by the Permittee

If the Permittee monitors more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the monitoring report. Such increased monitoring frequency shall also be indicated on the monitoring report.

W. Definitions

1. Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, 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, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
2. 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.
3. CWA or The Act means the 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.
4. Department means the Alabama Department of Environmental Management or an authorized representative.
5. Discharge, when used without a qualifier, refers to "discharge of a pollutant" as defined as ADEM Admin. Code r. 335-6-6-.02(m).
6. Green Infrastructure refers to systems and practices that use or mimic natural processes to infiltrate, evapotranspire (the return of water to the atmosphere either through evaporation or by plants), or reuse storm water or runoff on the site where it is generated.
7. Illicit Connection means any man-made conveyance connecting an illicit discharge directly to municipal separate storm sewer.
8. Illicit Discharge is defined at 40 CFR Part 122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not entirely composed of storm water, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from fire fighting activities.
9. Indian Country, as defined in 18 USC 1151, means (a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation; (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a State, and (c) all Indian allotments, the Indian titles to which have

not been extinguished, including rights-of-way running through the same. This definition includes all land held in trust for an Indian tribe.

10. Infiltration means water other than wastewater that enters a sewer system, including 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.
11. Landfill means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application unit, surface impoundment, injection well, or waste pile.
12. Large municipal separate storm sewer system means all municipal separate storm sewers that are either: (i) located in an incorporated place (city) with a population of 250,000 or more as determined by the latest decennial census.
13. Low Impact Development (LID) is an approach to land development (or re-development) that works with nature to manage storm water as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat storm water as a resource rather than a waste product.
14. Medium municipal separate storm sewer system means all municipal separate storm sewers that are either: (i) located in an incorporated place (city) with a population of 100,000 or more but less than 250,000 as determined by the latest decennial census.
15. MEP is an acronym for "Maximum Extent Practicable," the technology-based discharge standard for municipal separate storm sewer systems to reduce pollutants in storm water discharges that was established by CWA Section 402(p). A discussion of MEP as it applies to small MS4s is found at 40 CFR Part 122.34.
16. MS4 is an acronym for "Municipal Separate Storm Sewer System" and is used to refer to either a large, medium, or small municipal separate storm sewer system. The term is used to refer to either the system operated by a single entity or a group of systems within an area that are operated by multiple entities.
17. Municipal Separate Storm System is defined at 40 CFR Part 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, storm water, 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 United States; (ii) Designed or used for collecting or conveying storm water; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined in ADEM Admin. Code r. 335-6-6-.02(nn).
18. 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.
19. Permittee means each individual co-applicant for an NPDES permit who is only responsible for permit conditions relating to the discharge that they own or operate.
20. 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 storm water runoff.

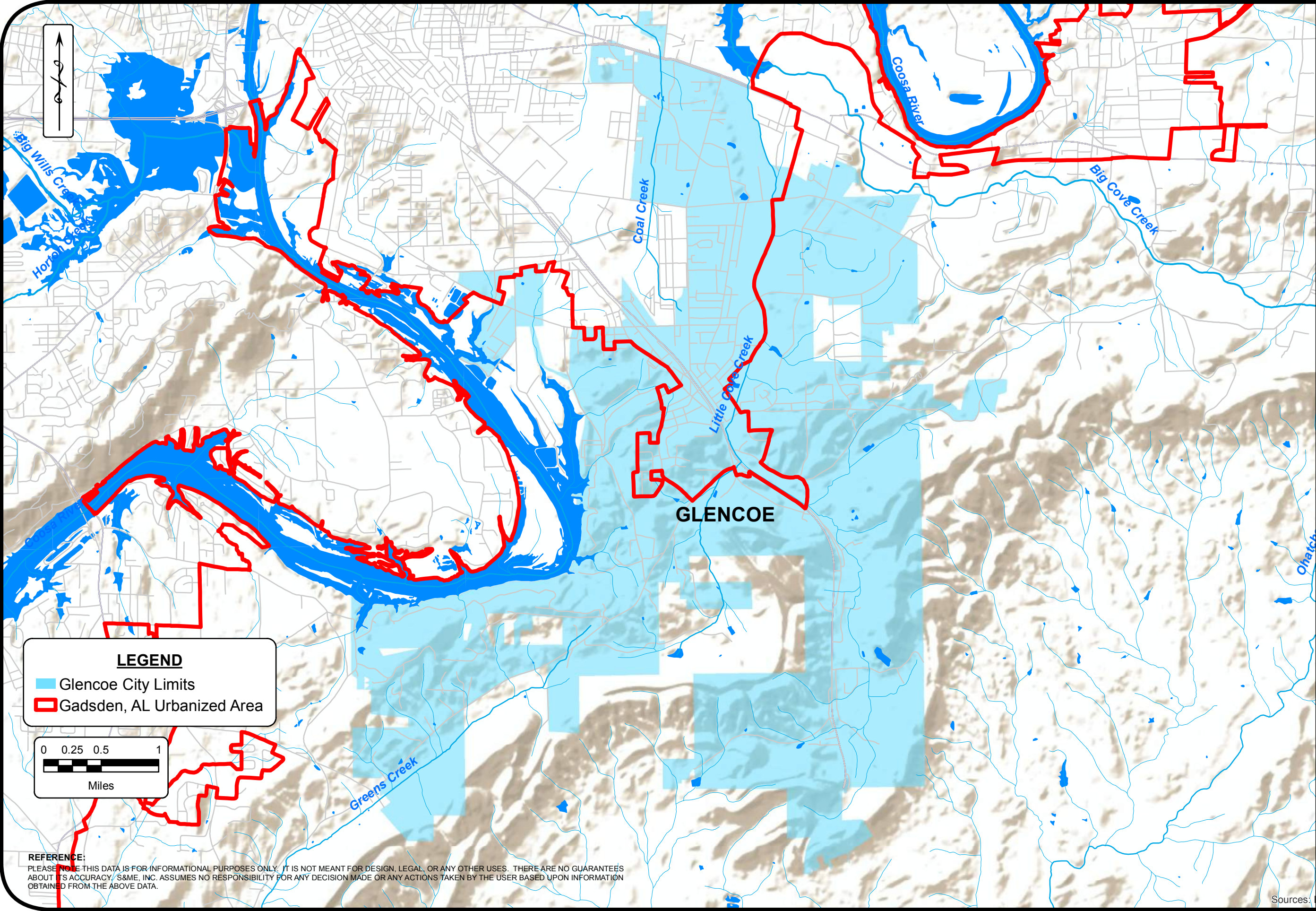
21. Priority construction site means any qualifying construction site in an area where the MS4 discharges to a waterbody which is listed on the most recently approved 303(d) list of impaired waters for turbidity, siltation, or sedimentation, any waterbody for which a TMDL has been finalized or approved by EPA for turbidity, siltation, or sedimentation, and any waterbody assigned specific water quality criteria, such as Outstanding Alabama Water use classification, in accordance with ADEM Admin. Code r. 335-6-10-.09 and any waterbody assigned a special designation in accordance with ADEM Admin. Code r. 335-6-10-.10.
22. Qualifying Construction Site means any construction activity that results in a total land disturbance of one or more acres and activities that disturb less than one acre but are part of a larger common plan of development or sale that would disturb one or more acres. Qualifying construction sites do not include land disturbance conducted by entities under the jurisdiction and supervision of the Alabama Public Service Commission.
23. Qualifying New Development and Redevelopment means any site that results from the disturbance of one acre or more of land or the disturbance of less than one acre of land if part of a larger common plan of development or sale that is greater than one acre. Qualifying new development and redevelopment does not include land disturbances conducted by entities under the jurisdiction and supervision of the Alabama Public Service Commission.
24. Small municipal separate storm sewer system is defined at 40 CFR Part 122.26(b)(16) and refers to all 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, storm water or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to water of the United States, but is not defined as "large" or "medium" municipal separate storm sewer system. 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.
25. Storm water is defined at 40 CFR Part 122.26(b) (13) and means storm water runoff, snow melt runoff, and surface runoff and drainage.
26. Storm Water Management Program (SWMP) refers to a comprehensive program to manage the quality of storm water discharged from the municipal separate storm sewer system.
27. SWMP is an acronym for "Storm Water Management Program."
28. Total Maximum Daily Load (TMDL) means the calculated maximum permissible pollutant loading to a waterbody at which water quality standards can be maintained. The sum of wasteload allocations (WLAs) and load allocations (LAs) for any given pollutant.

29. You and Your as used in this permit is intended to refer to the Permittee, the operator, or the discharger as the context indicates and that party's responsibilities (e.g., the city, the country, the flood control district, the U.S. Air Force, etc.).

Appendix C – IDDE Program dated March 2014

Appendix F – City of Glencoe

Appendix F-1 – City of Glencoe Figures



GLENCOE MS4		SCALE: AS SHOWN	DATE: 10/17/16
GADSDEN ALABAMA URBANIZED AREA		PROJECT NO: 4482-15-028	DRAWN BY: EJK
PHASE II SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM		NPDES NO: ALR040009	CHECKED BY: CCL
FIGURE NO.		1	

Figure 2

GLENCOE

ALABAMA

Legend

Urbanized Area 2010

Major Outfall Minor Outfall

Scale

1,000 500 0 1,000 2,000 3,000 4,000 5,000

Feet

Prepared By The East Alabama Regional Planning And Development Commission, March 2010.



Figure 3

GLENCOE ALABAMA

Legend

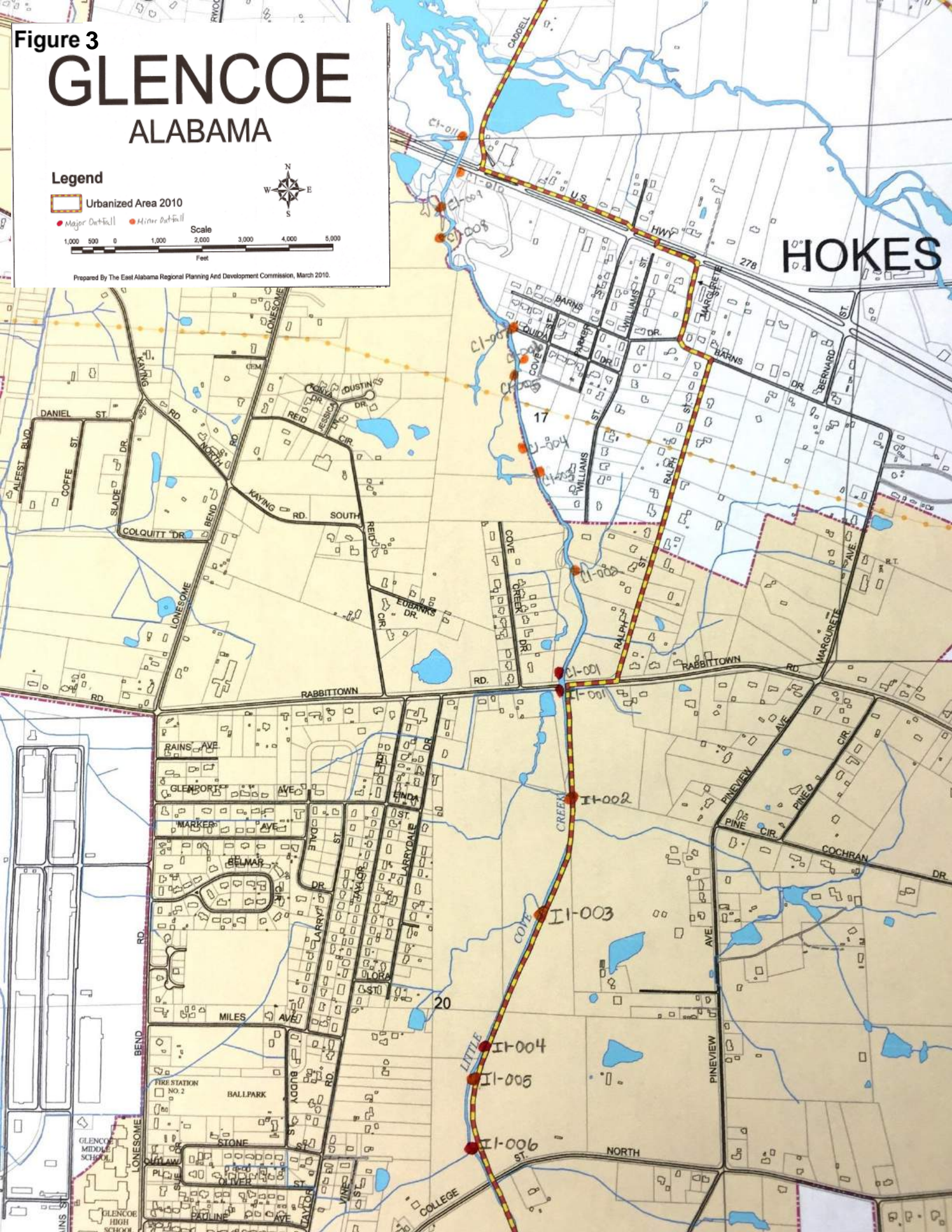
Urbanized Area 2010

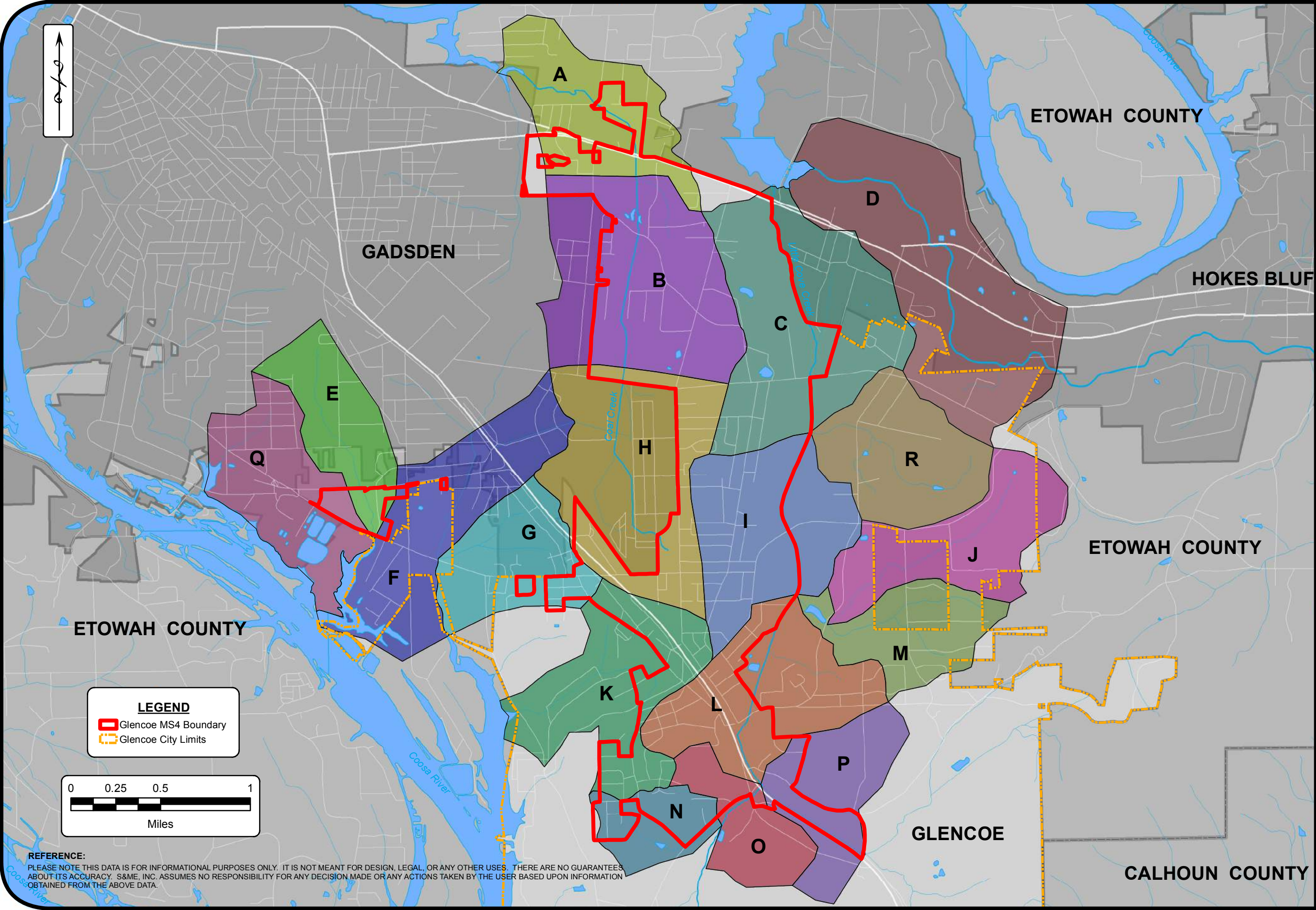
Major Outfall Minor Outfall

Scale
1,000 500 0 1,000 2,000 3,000 4,000 5,000
Feet



Prepared By The East Alabama Regional Planning And Development Commission, March 2010.





 www.smeinc.com		DATE: 11/23/15 DRAWN BY: EJK CHECKED BY: DJJ
GLENCOE MS4 DELINEATED DRAINAGE BASINS		SCALE: AS SHOWN PROJECT NO: 4482-14-061 NPDES NO: ALR040009
GADSDEN ALABAMA URBANIZED AREA PHASE II SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM		FIGURE NO. 4

Appendix F-2 – City of Glencoe Tables

THE CITY OF GLENCOE						
CONTROL MEASURE 1 - PUBLIC EDUCATION AND OUTREACH						
See Section 6.1 of the SWMP						
ACTIVITY NO.	STRATEGIES	IMPLEMENTATION STATUS FOR REPORTING PERIOD	PROPOSED EFFORTS NEXT REPORTING PERIOD	SUPPORTING DOCUMENTATION	COMMENTS	PROPOSED CHANGES
1	Storm Water Educational Material: Distribute educational materials to the Building Department and the Public Library.					
2	Storm Water Web Page: Update the Storm Water web page on the City of Glencoe website				http://www.cityofglencoe.net/storm-water/	
3	Annual Report and SWMPP Availability: Provide the SWMPP and current Annual Report for public viewing on the City's website				http://www.cityofglencoe.net/storm-water/	
4	Partnerships in Educational and Public Involvement Events: Partner with Keep Etowah Beautiful, Clean Water Partnership of Alabama, and Alabama Power to distribute educational material and promote events					
5	Etowah County Water Festival: Promote and participate in the Annual <i>Etowah County Water Festival</i>					
6	Gadsden - Etowah MS4 Steering Committee Meetings: Coordinate and/or participate in meetings as a Storm Water Steering Committee for entity updates, networking and coordination of activities and BMP strategies					
7	Educational Materials on Construction Site Storm Water Impacts: Provide pre-printed educational materials on storm water impacts from construction site runoff to individuals requesting building/development permits					

THE CITY OF GLENCOE						
CONTROL MEASURE 1 - PUBLIC EDUCATION AND OUTREACH						
See Section 6.1 of the SWMP						
ACTIVITY NO.	STRATEGIES	IMPLEMENTATION STATUS FOR REPORTING PERIOD	PROPOSED EFFORTS NEXT REPORTING PERIOD	SUPPORTING DOCUMENTATION	COMMENTS	PROPOSED CHANGES
8	Educational Materials on Low Impact / Green Development: Provide educational materials on green infrastructure alternatives to individuals requesting building/development permits					
9	Public Reporting and Tracking System: Provide a contact number on the City's Storm Water Management webpage for the public to provide input on the development, revision, and implementation of the SWMPP					

THE CITY OF GLENCOE						
CONTROL MEASURE 2 - ILLICIT DISCHARGE DETECTION AND ELIMINATION						
See Section 6.2 of the SWMP						
ACTIVITY NO.	STRATEGIES	IMPLEMENTATION STATUS FOR REPORTING PERIOD	PROPOSED EFFORTS NEXT REPORTING PERIOD	SUPPORTING DOCUMENTATION	COMMENTS	PROPOSED CHANGES
1	Identify Priority Areas: Re-evaluate the drainage basins and determine the Priority Areas for the reporting period					
2	Outfall Identification: Implement a stream-walking program to identify outfalls and map a portion of water bodies that receive discharge from the MS4					
3	Probable Outfall Verification: Add probable outfalls to the GIS database and label as unverified. Verify outfalls within 18 months					
4	Outfall Reconnaissance Inventory: Conduct dry weather monitoring of 15% of major outfalls in Priority Areas					
4a	Outfall Reconnaissance Inventory: Conduct dry weather monitoring of 15% of all outfalls in Priority Areas					
5	Suspect Discharge Sampling: Field crews will collect samples of suspected illicit discharges for laboratory analysis					
6	Outfall Ranking: Designate the inspected outfalls as having obvious, suspect, possible, or unlikely discharge potential based on data from each ORI Field Sheet					
7	Discharge Investigation: Illicit discharge investigations will be performed to determine the source of a discharge problem					

THE CITY OF GLENCOE						
CONTROL MEASURE 2 - ILLICIT DISCHARGE DETECTION AND ELIMINATION						
See Section 6.2 of the SWMP						
ACTIVITY NO.	STRATEGIES	IMPLEMENTATION STATUS FOR REPORTING PERIOD	PROPOSED EFFORTS NEXT REPORTING PERIOD	SUPPORTING DOCUMENTATION	COMMENTS	PROPOSED CHANGES
8	Corrective Action Record Keeping: Create a case log detailing pertinent information for each identified suspect illicit discharge or illicit connection					
9	Update Storm Water System Map - Existing Features: Update the existing GIS map as storm drain features are identified					
10	Update Storm Water System Map - Future Additions: Proposed additions to the City MS4, including new storm sewer and drainage ditches, will be mapped based on the civil plans provided to the City.					
11	Evaluate IDDE Ordinance: Ordinance No. 07-06 regulates Illicit Discharge enforcement Evaluate the effectiveness of the Ordinance each reporting period				http://www.cityofglencoe.net/ordinances/	
12	Distribute Storm Water Educational Material: Develop and distribute educational materials to public highlighting identification and reporting of potential illicit discharges					
13	Public Reporting and Tracking: Evaluate the storm water complaint form on the Storm Water web page for illicit discharges (including spills or illegal dumping), impaired waterways, and violations of ordinances relating to storm water pollution.					
14	Municipal Training: Train City personnel on the identification of illicit discharges and procedures for reporting illicit discharges within the City organization					
15	Storm Water Monitoring Locations: Update existing Storm Water System Map with storm water monitoring locations					

THE CITY OF GLENCOE						
CONTROL MEASURE 2 - ILLICIT DISCHARGE DETECTION AND ELIMINATION						
See Section 6.2 of the SWMP						
ACTIVITY NO.	STRATEGIES	IMPLEMENTATION STATUS FOR REPORTING PERIOD	PROPOSED EFFORTS NEXT REPORTING PERIOD	SUPPORTING DOCUMENTATION	COMMENTS	PROPOSED CHANGES
16	Evaluation of Monitoring Data: Evaluate the collected monitoring data and make recommendations to add and/or modify monitoring points					
17	NPDES Industrial Permitting: Evaluate permitted and unpermitted facilities in the City MS4					

THE CITY OF GLENCOE						
CONTROL MEASURE 3 - CONSTRUCTION SITE STORM WATER RUNOFF						
See Section 6.3 of the SWMP						
ACTIVITY NO.	STRATEGIES	IMPLEMENTATION STATUS FOR REPORTING PERIOD	PROPOSED EFFORTS NEXT REPORTING PERIOD	SUPPORTING DOCUMENTATION	COMMENTS	PROPOSED CHANGES
1	Erosion and Sediment Control Ordinance: Ordinance 07-06 dated November 8, 2007 regulates storm water management within the City Evaluate the effectiveness of the Ordinance each reporting period				http://www.cityofglencoe.net/ordinances/	
2	Construction Site Inspection Program: Conduct regular inspections of construction sites within the city					
2a	Construction Site Inspection Program: Evaluation of the effectiveness of the inspection program					
3	Sediment and Erosion Control Plan Review: Review Sediment and Erosion Control Plans and Storm Water Management Plans for all new construction					
3a	Sediment and Erosion Control Plan Review: Evaluate plan review program					
4	BMP Training Program: Conduct annual CBMP training for City inspectors and reviewers					
5	Public Reporting and Tracking: Evaluate the reporting and tracking methods for non-compliant construction sites, illicit discharges, impaired waterways, and violations of ordinances relating to storm water pollution, as well as, comments concerning the SWMPP.					
6	Notify ADEM of Non-Compliant Sites: The City will notify the ADEM of any construction sites where a possible violation of the Clean Water Act has occurred					

THE CITY OF GLENCOE						
CONTROL MEASURE 4 - POST-CONSTRUCTION STORM WATER MANAGEMENT						
See Section 6.4 of the SWMP						
ACTIVITY NO.	STRATEGIES	IMPLEMENTATION STATUS FOR REPORTING PERIOD	PROPOSED EFFORTS NEXT REPORTING PERIOD	SUPPORTING DOCUMENTATION	COMMENTS	PROPOSED CHANGES
1	Reducing Post-Construction Runoff: Ordinance No. 07-06, Section 6 provides for post-construction storm water management measures to reduce runoff volume Evaluate the effectiveness of the Ordinance each reporting period				http://www.cityofglencoe.net/ordinances/	
2	Reducing Pollutants from Development: Ordinance No. O-77-05, Section 7 requires that storm water runoff be controlled to prevent pollution of local waters Evaluate the effectiveness of the Ordinance each reporting period				http://www.cityofglencoe.net/ordinances/	
3	Long-Term Maintenance for Storm Water Controls: Ordinance No. 07-06, Section 6 requires long-term maintenance of storm water control structures Evaluate the effectiveness of the Ordinance each reporting period				http://www.cityofglencoe.net/ordinances/	
4	Evaluate Obstacles to Low Impact/Green Development: Review and evaluate policies and ordinances to identify regulatory and policy impediments to the installation of green infrastructure and low-impact development techniques					
5	Sediment and Erosion Control Plan Review: Review Sediment and Erosion Control Plans for all new construction for review of post-construction controls Evaluate the effectiveness of the plan review program					

THE CITY OF GLENCOE						
CONTROL MEASURE 4 - POST-CONSTRUCTION STORM WATER MANAGEMENT						
See Section 6.4 of the SWMP						
ACTIVITY NO.	STRATEGIES	IMPLEMENTATION STATUS FOR REPORTING PERIOD	PROPOSED EFFORTS NEXT REPORTING PERIOD	SUPPORTING DOCUMENTATION	COMMENTS	PROPOSED CHANGES
6	Construction Site Inspection Program: Inspect post-construction controls after stabilization is complete to confirm post-construction storm water measures/structures have been installed according to the submitted plan Annually inspect each site to confirm post-construction BMPs are functioning as designed Evaluate the effectiveness of the inspection program					
7	Post-Construction Structural Controls Inventory: Update an inventory of post-construction structural controls including those owned by the City					

THE CITY OF GLENCOE

CONTROL MEASURE 5 - POLLUTION PREVENTION AND GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

See Section 6.5 of the SWMP

ACTIVITY NO.	STRATEGIES	IMPLEMENTATION STATUS FOR REPORTING PERIOD	PROPOSED EFFORTS NEXT REPORTING PERIOD	SUPPORTING DOCUMENTATION	COMMENTS	PROPOSED CHANGES
1	Municipal Facilities: Maintain a list of municipal facilities that have the potential to discharge pollutants through storm water runoff Update SOPs for facilities as needed and inspect facilities monthly					
2	Employee Training: Implement a BMP training program for City personnel each reporting period					
3	Vehicle Maintenance Program: Conduct routine inspections of municipal vehicles and equipment					
4	Vehicle Wash Area: Specify areas for vehicle washing. Each Department location will be reviewed, inspected, and modified as needed throughout the year					
5	Pesticide Application: Ensure pesticide applicators have current certifications Review all areas where pesticides are to be used					
6	Litter, Floatables, and Debris - Brush Pickup: Perform brush, limb, bagged leaves, and grass clipping pickup throughout the year on an as needed basis					

GLENCOE MS4 ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE) PROGRAM

IDENTIFIED OUTFALLS

OUTFALL ID #	LOCATION (LAT/LONG)		OUTFALL DESCRIPTION			RECEIVING WATER BODY	DATE IDENTIFIED	FLOW (YES/NO)	OUTFALL CHARACTERIZATION
			CLOSED/OPEN	MATERIAL	MAJOR/MINOR				
L1-001	33.954040	-85.927270	CLOSED PIPE	RCP	MAJOR	LITTLE COVE CREEK	10/1/2014	YES	UNLIKELY
L1-002	33.956967	-85.926946	CLOSED PIPE	RCP	MINOR	LITTLE COVE CREEK	10/1/2014	NO	UNLIKELY
L1-003	33.957669	-85.926713	CLOSED PIPE	RCP	MAJOR	LITTLE COVE CREEK	10/1/2014	NO	UNLIKELY
L1-004	33.959038	-85.926132	CLOSED PIPE	PVC	MINOR	LITTLE COVE CREEK	10/1/2014	NO	UNLIKELY
L1-005	33.959368	-85.926105	CLOSED PIPE	HDPE	MINOR	LITTLE COVE CREEK	10/1/2014	NO	UNLIKELY
L1-006	33.957575	-85.926375	CLOSED PIPE	RCP	MAJOR	LITTLE COVE CREEK	10/1/2014	NO	UNLIKELY
L1-007	33.956224	-85.926887	CLOSED PIPE	CMP	MAJOR	LITTLE COVE CREEK	10/1/2014	NO	UNLIKELY
L1-008	33.955181	-85.927542	OPEN DRAINAGE	EARTHEN	MINOR	LITTLE COVE CREEK	10/1/2014	NO	UNLIKELY
L1-009	33.950510	-85.928783	CLOSED PIPE	RCP	MINOR	LITTLE COVE CREEK	10/2/2014	NO	UNLIKELY
L1-010	33.954113	-85.928580	OPEN DRAINAGE	EARTHEN	MINOR	LITTLE COVE CREEK	10/2/2014	NO	UNLIKELY
I1-003	33.974881	-85.922585	OPEN DRAINAGE	EARTHEN/RIP-RAP	MINOR	LITTLE COVE CREEK	11/13/2015	NO	UNLIKELY
I1-004	33.971217	-85.924517	CLOSED PIPE	STEEL	MAJOR	LITTLE COVE CREEK	11/13/2015	NO	UNLIKELY
I1-005	33.970575	-85.924857	OPEN DRAINAGE	EARTHEN	MINOR	LITTLE COVE CREEK	11/13/2015	NO	UNLIKELY
I1-006	33.968946	-85.924777	CLOSED PIPE	HDPE	MAJOR	LITTLE COVE CREEK	11/13/2015	NO	UNLIKELY
C1-001	33.980708	-85.922063	CLOSED PIPE	RCP	MAJOR	LITTLE COVE CREEK	11/17/2015	YES	UNLIKELY
C1-002	33.984209	-85.921838	OPEN DRAINAGE	EARTHEN	MINOR	LITTLE COVE CREEK	11/17/2015	NO	UNLIKELY
C1-003	33.986768	-85.922713	CLOSED PIPE	HDPE	MINOR	LITTLE COVE CREEK	11/17/2015	NO	UNLIKELY
C1-004	33.987272	-85.923124	OPEN DRAINAGE	EARTHEN	MINOR	LITTLE COVE CREEK	11/17/2015	NO	UNLIKELY
C1-005	33.989213	-85.923456	OPEN DRAINAGE	EARTHEN	MINOR	LITTLE COVE CREEK	11/17/2015	NO	UNLIKELY
C1-006	33.989447	-85.923245	OPEN DRAINAGE	CONCRETE	MINOR	LITTLE COVE CREEK	11/17/2015	NO	UNLIKELY
C1-007	33.990313	-85.923528	CLOSED PIPE	STEEL	MINOR	LITTLE COVE CREEK	11/17/2015	NO	UNLIKELY
C1-008	33.992782	-85.925943	OPEN DRAINAGE	EARTHEN	MINOR	LITTLE COVE CREEK	11/17/2015	NO	UNLIKELY
C1-009	33.993805	-85.925852	OPEN DRAINAGE	EARTHEN	MINOR	LITTLE COVE CREEK	11/17/2015	NO	UNLIKELY
C1-010	33.994649	-85.925316	OPEN DRAINAGE	EARTHEN	MINOR	LITTLE COVE CREEK	11/17/2015	NO	UNLIKELY
C1-011	33.995774	-85.925219	OPEN DRAINAGE	EARTHEN	MINOR	LITTLE COVE CREEK	11/17/2015	NO	UNLIKELY
I1-001	33.980390	-85.922008	CLOSED PIPE	HDPE	MAJOR	LITTLE COVE CREEK	11/13/2015	YES	UNLIKELY
I1-002	33.977765	-85.921672	OPEN DRAINAGE	EARTHEN	MINOR	LITTLE COVE CREEK	11/13/2015	NO	UNLIKELY

City of Glencoe Municipal Facilities	
Facility Name	Address
Street Department	201 West Chastain Blvd
Fire Department	205 West Chastain Blvd
Biodegradable Dump Site	Hill Avenue

Appendix F-3 – City of Glencoe Ordinances

ORDINANCE NO. 07-06

(Adopted November 8, 2007)

Adopting Storm Water Management Regulations;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLENCOE, ALABAMA, as follows:

Section 1. General Provisions.

- (1). Purpose. It is the purpose of this ordinance to:
 - (a) Protect, maintain, and enhance the environment of the city and the public health, safety and the general welfare of the citizens of the city, by controlling discharges of pollutants to the city's storm water system and to maintain and improve the quality of the receiving waters into which the storm water outfalls flow, including, without limitation, lakes, rivers, streams, ponds, wetlands, and groundwater of the city.
 - (b) Enable the city to comply with the National Pollution Discharge Elimination System (NPDES) permit and applicable regulations, 40 CFR §122.26, for storm water discharges.
 - (c) Allow the city to exercise the powers granted in Code of Alabama 1975 §§11-89C-1 et seq., pursuant to Act No. 97-931.
- (2). Administering entity. The departments of building and zoning of the city, or anyone appointed by the mayor, shall administer the provisions of this ordinance
- (3) (a) *Applicability*. Any person, firm, corporation, or business proposing to construct buildings or develop land within the City of Glencoe shall apply to the building department for approval of a "Storm water Management Plan". No building permit shall be issued or land developed except upon approval of such plan.

Section 2. Definitions.

For the purpose of this chapter, the following definitions shall apply. Words used in the singular shall include the plural, and the plural shall include the singular. Words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive. Words not defined in this section shall be construed to have the meaning given by common and ordinary use.

- (1) *As built plans* means drawings depicting conditions as they were actually constructed.
- (2) *Best management practices* or *BMPs* are physical, structural, and/or managerial practices that, when used singly or in combination, prevent or reduce pollution of water, that have been approved by the city, and that have been incorporated by reference into this ordinance as if fully set out therein.
- (3) *Channel* means a natural or artificial watercourse with a definite bed and banks that conducts flowing water continuously or periodically.

- (4) *Community water* means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wetlands, wells and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the city.
- (5) *Contaminant* means any physical, chemical, biological, or radiological substance or matter in water.
- (6) *Design storm event* means a hypothetical storm event, of a given frequency interval and duration, used in the analysis and design of a storm water facility.
- (7) *Discharge* means dispose, deposit, spill, pour, inject, seep, dump, leak or place by any means, or that which is disposed, deposited, spilled, poured, injected, seeped, dumped, leaked, or placed by any means including any direct or indirect entry of any solid or liquid matter into the municipal separate storm sewer system.
- (8) *Easement* means an acquired privilege or right of use or enjoyment that a person, party, firm, corporation, city or other legal entity has in the land of another.
- (9) *Erosion* means the removal of soil particles by the action of water, wind, ice or other geological agents, whether naturally occurring or acting in conjunction with or promoted by anthropogenic activities or effects.
- (10) *Erosion and sediment control plan* means a written plan (including drawings or other graphic representations) that is designed to minimize the accelerated erosion and sediment runoff at a site during construction activities.
- (11) *Hot spot (priority area)* means an area where land use or activities generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in storm water.
- (12) *Illicit connection* means illegal and/or unauthorized connections to the municipal separate storm water system whether or not such connections result in discharges into that system.
- (13) *Illicit discharge* means any discharge to the municipal separate storm sewer system that is not composed entirely of storm water and not specifically exempted under §315-3(3).
- (14) *Land disturbing activity* means any activity that results in a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography on property. Land-disturbing activities include, but are not limited to, development, re-development, demolition, construction, reconstruction, clearing, grading, filling, and excavation.
- (15) *Maintenance* means any activity that is necessary to keep a storm water facility in good working order so as to function as designed. Maintenance

shall include complete reconstruction of a storm water facility if reconstruction is needed in order to restore the facility to its original operational design parameters. Maintenance shall also include the correction of any problem on the site property that may directly impair the functions of the storm water facility.

- (16) *Maintenance agreement* means a document recorded in the land records that acts as a property deed restriction, and which provides for long-term maintenance of storm water management practices.
- (17) *Municipal separate storm sewer system (MS4) (Municipal separate storm water system)* means the conveyances owned or operated by the city for the collection and transportation of storm water, including the roads and streets and their drainage systems, catch basins, curbs, gutters, ditches, man-made channels, and storm drains.
- (18) *National Pollutant Discharge Elimination System permit or NPDES permit* means a permit issued pursuant to 33 U.S. Code §1342.
- (19) *Off-site facility* means a structural BMP located outside the subject property boundary described in the permit application for land development activity.
- (20) *On-site facility* means a structural BMP located within the subject property boundary described in the permit application for land development activity.
- (21) *Peak flow* means the maximum instantaneous rate of flow of water at a particular point resulting from a storm event.
- (22) *Person* means any and all persons, natural or artificial, including any individual, firm or association and any municipal or private corporation organized or existing under the laws of this or any other state or country.
- (23) *Priority area* means a hot spot as defined in §315-2(11).
- (24) *Runoff* means that portion of the precipitation on a drainage area that is discharged from the area into the municipal separate storm water system.
- (25) *Sediment* means solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, gravity, or ice and has come to rest on the earth's surface either above or below sea level.
- (26) *Sedimentation* means soil particles suspended in storm water that can settle in stream beds and disrupt the natural flow of the stream.
- (27) *Soils Report* means a study of soils on a subject property with the primary purpose of characterizing and describing the soils. The soils report shall be prepared by a qualified soils engineer, who shall be directly involved in the soil characterization either by performing the investigation or by directly supervising employees.
- (28) *Stabilization* means providing adequate measures, vegetative and/or structural, that will prevent erosion from occurring.

- (29) *Storm water* means storm water runoff, snow melt runoff, surface runoff, street wash waters related to street cleaning or maintenance, infiltration and drainage.
- (30) *Storm water management* means the programs to maintain quality and quantity of storm water runoff to pre-development levels.
- (31) *Storm water management facilities* means the drainage structures, conduits, ditches, combined sewers, sewers, and all device appurtenances by means of which storm water is collected, transported, pumped, treated or disposed of.
- (32) *Storm water management plan* means the set of drawings and other documents that comprise all the information and specifications for the programs, drainage systems, structures, BMPs, concepts and techniques intended to maintain or restore quality and quantity of storm water runoff to pre-development levels.
- (33) *Storm water runoff* means flow on the surface of the ground, resulting from precipitation.
- (34) *Structural BMPs* means devices that are constructed to provide control of storm water runoff.
- (35) *Surface water* includes waters upon the surface of the earth in bounds created naturally or artificially including, but not limited to, streams, other water courses, lakes and reservoirs.
- (36) *Watercourse* means a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.
- (37) *Watershed* means all the land area that contributes runoff to a particular point along a waterway.

Section 3. Land disturbance permits.

- (1). When required. Every person will be required to obtain a land disturbance permit from the city when
 - (a) The activity adjoins a river or stream that has running water.
 - (b) The activity disturbs more than one acre of land.
- (2). Building permit. No building permit shall be issued until the applicant has obtained a land disturbance permit where the same is required by this ordinance.
- (3). Exemptions. The following activities are exempt from the permit requirement:
 - (a) Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.
 - (b) Existing nursery and agricultural operations conducted as a permitted main or accessory use.
 - (c) Any logging or agricultural activity that is consistent with an approved farm conservation plan or a timber management plan prepared or approved by the Environmental Protection Agency or the Alabama Department of Environmental Management.

- (d) Additions or modifications to existing single family structures.
- (4). Application for a land disturbance permit.
 - (a) Each application shall include the following:
 - (1) Name of applicant;
 - (2) Business or residence address of applicant;
 - (3) Name, address and telephone number of the owner of the property of record in the office of the assessor of property;
 - (4) Address and legal description of subject property including the tax reference number and parcel number of the subject property;
 - (5) Name, address and telephone number of the contractor and any subcontractor(s) who shall perform the land disturbing activity and who shall implement the erosion and sediment control plan;
 - (6) A statement indicating the nature, extent and purpose of the land disturbing activity including the size of the area for which the permit shall be applicable and a schedule for the starting and completion dates of the land disturbing activity.
 - (7) Where the property includes a sinkhole, the applicant shall obtain from the Alabama Department of Environmental Management appropriate permits.
 - (8) The applicant shall obtain from any other state or federal agency any other appropriate environmental permits that pertain to the property. However, the inclusion of those permits in the application shall not foreclose the city from imposing additional development requirements and conditions, commensurate with this ordinance, on the development of property covered by those permits.
 - (b) Each application shall be accompanied by:
 - (1) A sediment and erosion control plan as described in §315-5(5).
 - (2) A storm water management plan as described in §315-5(4), providing for storm water management during the land disturbing activity and after the activity has been completed.
 - (3) Each application for a land disturbance permit shall be accompanied by payment of land disturbance permit of \$25.00 for first acre and 10 dollars for each additional acre. Other storm water management fees as may be set by resolution.
- (5). Review and approval of application.
 - (a) The city will review each application for a land disturbance permit to

determine its conformance with the provisions of this ordinance. Within 30days after receiving an application, the city shall provide one of the following responses in writing:

- (1) Approval of the permit application;
- (2) Approval of the permit application, subject to such reasonable conditions as may be necessary to secure substantially the objectives of this ordinance, and issue the permit subject to these conditions; or
- (3) Denial of the permit application, indicating the reason(s) for the denial.

- (b) If the city has granted conditional approval of the permit, the applicant shall submit a revised plan that conforms to the conditions established by the city. However, the applicant shall be allowed to proceed with his land disturbing activity so long as it conforms to conditions established by the city.
- (c) No development plans will be released until the land disturbance permit has been approved.

(6). Permit duration.

Every land disturbance permit shall expire and become null and void if substantial work authorized by such permit has not commenced within 180 calendar days of issuance, or is not complete within 18 months from the date of the commencement of construction.

(7). Notice of construction.

The applicant must notify the city ten working days in advance of the commencement of construction. Regular inspections of the storm water management system construction shall be conducted by a QCI (qualified credentialed inspector) provided by the contractor. Erosion control measures shall be inspected according to program requirements after any rainfall event in excess of $\frac{3}{4}$ of an inch during a 24-hour period. All inspections shall be documented and written reports prepared that contain the following information:

- (1) The date and location of the inspection;
- (2) Whether construction is in compliance with the approved storm water management plan;
- (3) Variations from the approved construction specifications;
- (4) Any violations that exist.

(8). Performance bonds.

- (a) The city may, at its discretion, require the submittal of a performance security or performance bond prior to issuance of a permit in order to ensure that the storm water practices are installed by the permit holder as required by the approved storm water management plan. The amount of the installation performance security or performance bond shall be the total

estimated construction cost of the structural BMPs approved under the permit plus any reasonably foreseeable additional related costs, e.g., for damages or enforcement. The performance security shall contain forfeiture provisions for failure to complete work specified in the storm water management plan. The applicant shall provide an itemized construction cost estimate complete with unit prices which shall be subject to acceptance, amendment or rejection by the city. Alternatively the city shall have the right to calculate the cost of construction cost estimates.

- (b) The performance security or performance bond shall be released in full only upon submission of as-built plans and written certification by a registered professional engineer licensed to practice in Alabama that the structural BMP has been installed in accordance with the approved plan and other applicable provisions of this ordinance. The city will make a final inspection of the structural BMP to ensure that it is in compliance with the approved plan and the provisions of this ordinance. Provisions for a partial pro-rata release of the performance security or performance bond based on the completion of various development stages can be made at the discretion of the city.

Section 4. Waivers.

- (1). General. Every applicant shall provide for storm water management as required by this ordinance, unless a written request is filed to waive this requirement. Requests to waive the storm water management plan requirements shall be submitted to the city for approval.
- (2). Conditions for waiver. The minimum requirements for storm water management may be waived in whole or in part upon written request of the applicant, provided that at least one of the following conditions applies:
 - (a) It can be demonstrated that the proposed development is not likely to impair attainment of the objectives of this chapter.
 - (b) Alternative minimum requirements for on-site management of storm water discharges have been established in a storm water management plan that has been approved by the city.
 - (c) Provisions are made to manage storm water by an off-site facility. The off-site facility must be in place and designed to provide the level of storm water control that is equal to or greater than that which would be afforded by on-site practices. Further, the facility must be operated and maintained by an entity that is legally obligated to continue the operation and maintenance of the facility.
- (3). Downstream damage, etc. prohibited. In order to receive a waiver, the applicant must demonstrate to the satisfaction of the city that the waiver will not lead to any of the following conditions downstream:

- (a) Deterioration of existing culverts, bridges, dams, and other structures;
 - (b) Degradation of biological functions or habitat;
 - (c) Accelerated stream bank or streambed erosion or siltation;
 - (d) Increased threat of flood damage to public health, life or property.
- (4). Land disturbance permit not to be issued where waiver requested. No land disturbance permit shall be issued where a waiver has been requested until the waiver is granted. If no waiver is granted, the plans must be resubmitted with a storm water management plan.

Section 5. Storm water system design and management standards.

- (1) Storm water design or BMP manual.
- (a) Adoption. The city adopts as its storm water design and best management practices (BMP) manual the 2003 Alabama Handbook for Erosion Control, Sediment Control, and Storm water Management on Construction Sites and Urban Areas, prepared by the Alabama Department of Environmental Management. The Handbook is incorporated by reference in this chapter as if fully set out herein.
 - (b) This manual includes a list of acceptable BMPs including the specific design performance criteria and operation and maintenance requirements for each storm water practice. The manual may be updated and expanded from time to time, at the discretion of the city council, upon the recommendation of the chief building official, based on improvements in engineering, science, monitoring and local maintenance experience. Storm water facilities that are designed, constructed and maintained in accordance with these BMP criteria will be presumed to meet the minimum water quality performance standards.
- (2). General performance criteria for storm water management. Unless granted a waiver or judged by the city to be exempt, the following performance criteria shall be addressed for storm water management at all sites:
- (a) All site designs shall control the peak flow rates of storm water discharge associated with design storms of two-year, five-year, ten-year, 25-year, 50-year intensity and reduce the generation of post construction storm water runoff to pre-construction levels. These practices should seek to utilize pervious areas for storm water treatment and to infiltrate storm water runoff from driveways, sidewalks, rooftops, parking lots, and landscaped areas to the maximum extent practical to provide treatment for both water quality and quantity.
 - (b) To protect stream channels from degradation, specific channel protection criteria shall be provided as prescribed in the BMP manual.
 - (c) Storm water discharges to critical areas with sensitive resources (i.e., cold water fisheries, shellfish beds, swimming beaches, recharge areas, water

supply reservoirs) may be subject to additional performance criteria, or may need to utilize or restrict certain storm water management practices.

- (d) Storm water discharges from hot spots may require the application of specific structural BMPs and pollution prevention practices.
 - (e) Prior to or during the site design process, applicants for land disturbance permits shall consult with the city to determine if they are subject to additional storm water design requirements.
 - (f) The calculations for determining peak flows as found in the BMP manual shall be used for sizing all storm water facilities.
- (3). Minimum control requirements.
- (a) Storm water designs shall meet the multi-stage storm frequency storage requirements as identified in the BMP manual unless the city has granted the applicant a full or partial waiver for a particular BMP under §315-4.
 - (b) If hydrologic or topographic conditions warrant greater control than that provided by the minimum control requirements, the city may impose any and all additional requirements deemed necessary to control the volume, timing, and rate of runoff.
- (4). Storm water management plan requirements. The storm water management plan shall include sufficient information to allow the city to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, and the effectiveness and acceptability of the measures proposed for managing storm water generated at the project site. To accomplish this goal the storm water management plan shall include the following:
- (a) Topographic Base Map: A scale no greater than one inch equals 100 feet topographic base map of the site which extends a minimum of 50 feet beyond the limits of the proposed development and indicates:
 - (1) Existing surface water drainage including streams, ponds, culverts, ditches, sink holes, wetlands; and the type, size, elevation, etc., of nearest upstream and downstream drainage structures;
 - (2) Current land use including all existing structures, locations of utilities, roads, and easements;
 - (3) All other existing significant natural and artificial features;
 - (4) Proposed land use with tabulation of the percentage of surface area to be adapted to various uses; drainage patterns; locations of utilities, roads and easements; the limits of clearing and grading;
 - (5) Proposed structural BMPs;

- (6) A written description of the site plan and justification of proposed changes in natural conditions may also be required.
- (b) Calculations: Hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in the BMP manual. These calculations must show that the proposed storm water management measures are capable of controlling runoff from the site in compliance with this ordinance and the guidelines of the BMP manual. Such calculations shall include:
 - (1) A description of the design storm frequency, duration, and intensity where applicable;
 - (2) Time of concentration;
 - (3) Soil curve numbers or runoff coefficients including assumed soil moisture conditions;
 - (4) Peak runoff rates and total runoff volumes for each watershed area;
 - (5) Infiltration rates, where applicable;
 - (6) Culvert, storm water sewer, ditch and/or other storm water conveyance capacities;
 - (7) Flow velocities;
 - (8) Data on the increase in rate and volume of runoff for the design storms referenced in the BMP manual; and
 - (9) Documentation of sources for all computation methods and field test results.
- (c) Soils Information: If a storm water management control measure depends on the hydrologic properties of soils (e.g., infiltration basins), then a soils report shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles and soil survey reports. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soil types present at the location of the control measure.
- (d) Maintenance and Repair Plan: The design and planning of all storm water management facilities shall include detailed maintenance and repair procedures to ensure their continued performance. These plans will identify the parts or components of a storm water management facility that need to be maintained and the equipment and skills or training necessary. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan. A permanent elevation benchmark shall be identified in the plans to assist in the periodic inspection of the facility.

- (e) Landscaping Plan: The applicant must present a detailed plan for management of vegetation at the site after construction is finished, including who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved. Where it is required by the BMP, this plan must be prepared by a registered landscape architect licensed in Alabama.
- (f) Maintenance Easements: The applicant must ensure access to the site for the purpose of inspection and repair by securing all the maintenance easements needed. These easements must be binding on the current property owner and all subsequent owners of the property and must be properly recorded in the land record.
- (g) Maintenance Agreement:
 - (1) The owner of property to be served by an on-site storm water management facility must execute an inspection and maintenance agreement that shall operate as a deed restriction binding on the current property owner and all subsequent property owners.
 - (2) The maintenance agreement shall:
 - (a) Assign responsibility for the maintenance and repair of the storm water facility to the owner of the property upon which the facility is located and be recorded as such on the plat for the property by appropriate notation.
 - (b) Provide for a periodic inspection by the property owner for the purpose of documenting maintenance and repair needs and ensure compliance with the purpose and requirements of this ordinance. The property owner will arrange for this inspection to be conducted by a registered professional engineer licensed to practice in Alabama who will submit a sealed report of the inspection to the city. It shall also grant permission to the city to enter the property at reasonable times and to inspect the storm water facility to ensure that it is being properly maintained.
 - (c) Provide that the minimum maintenance and repair needs include, but are not limited to: the removal of silt, litter and other debris, the cutting of grass, grass cuttings and vegetation removal, and the replacement of landscape vegetation, in detention and retention basins, and inlets and drainage pipes and any other storm water facilities. It shall also provide that the

property owner shall be responsible for additional maintenance and repair needs consistent with the needs and standards outlined in the BMP manual.

- (d) Provide that maintenance needs must be addressed in a timely manner, on a schedule to be determined by the city.
- (e) Provide that if the property is not maintained or repaired within the prescribed schedule, the city shall perform the maintenance and repair at its expense, and bill the same to the property owner. The maintenance agreement shall also provide that the city's cost of performing the maintenance shall be a lien against the property.

- (3) The city shall have the discretion to accept the dedication of any existing or future storm water management facility, provided such facility meets the requirements of this ordinance, and includes adequate and perpetual access and sufficient areas, by easement or otherwise, for inspection and regular maintenance. Any storm water facility accepted by the city must also meet the city's construction standards and any other standards and specifications that apply to the particular storm water facility in question.

- (h) Sediment and Erosion Control Plans: The applicant must prepare a sediment and erosion control plan for all construction activities that complies with §315-5(5).

- (5). Sediment and erosion control plan requirements. The sediment and erosion control plan shall accurately describe the potential for soil erosion and sedimentation problems resulting from land disturbing activity and shall explain and illustrate the measures that are to be taken to control these problems. The length and complexity of the plan is to be commensurate with the size of the project, severity of the site condition, and potential for off-site damage. The plan shall be sealed by a registered professional engineer licensed in the state of Alabama. The plan shall also conform to the requirements found in the BMP manual, and shall include at least the following:

- (a) Project Description - Briefly describe the intended project and proposed land disturbing activity including number of units and structures to be constructed and infrastructure required.
- (b) A topographic map with contour intervals of two feet or less showing present conditions and proposed contours resulting from land disturbing activity.
- (c) All existing drainage ways, including intermittent and wet-weather. Include

any designated floodways or flood plains.

- (d) A general description of existing land covers. Individual trees and shrubs do not need to be identified.
- (e) Stands of existing trees as they are to be preserved upon project completion, specifying their general location on the property. Differentiation shall be made between existing trees to be preserved, trees to be removed and proposed planted trees. Tree protection measures must be identified, and the diameter of the area involved must also be identified on the plan and shown to scale. Information shall be supplied concerning the proposed destruction of exceptional and historic trees in setbacks and buffer strips, where they exist. Complete landscape plans may be submitted separately. The plan must include the sequence of implementation for tree protection measures.
- (f) Approximate limits of proposed clearing, grading and filling.
- (g) Approximate flows of existing storm water leaving any portion of the site.
- (h) A general description of existing soil types and characteristics and any anticipated soil erosion and sedimentation problems resulting from existing characteristics.
- (I) Location, size and layout of proposed storm water and sedimentation control improvements.
- (j) Proposed drainage network.
- (k) Proposed drain tile or waterway sizes.
- (l) Approximate flows leaving site after construction and incorporating water run-off mitigation measures. The evaluation must include projected effects on property adjoining the site and on existing drainage facilities and systems. The plan must address the adequacy of outfalls from the development: when water is concentrated, what is the capacity of waterways, if any, accepting storm water off-site; and what measures, including infiltration, sheeting into buffers, etc., are going to be used to prevent the scouring of waterways and drainage areas off-site, etc.
- (m) The projected sequence of work represented by the grading, drainage and sedimentation and erosion control plans as related to other major items of construction, beginning with the initiation of excavation and including the construction of any sediment basins or retention facilities or any other structural BMPs.
- (n) Specific remediation measures to prevent erosion and sedimentation run-off. Plans shall include detailed drawings of all control measures used; stabilization measures including vegetation and non-vegetation measures, both temporary and permanent, will be detailed. Detailed construction notes and a maintenance schedule shall be included for all control measures in the

plan.

- (o) Specific details for the construction of rock pads, wash down pads, and settling basins for controlling erosion; road access points; eliminating or keeping soil, sediment, and debris on streets and public ways at a level acceptable to the city. Soil, sediment, and debris brought onto streets and public ways must be removed by the end of the work day by machine, broom or shovel to the satisfaction of the city. Failure to remove the sediment, soil or debris shall be deemed a violation of this chapter.
- (p) Proposed structures; location (to the extent possible) and identification of any proposed additional buildings, structures or development on the site.
- (q) A description of on-site measures to be taken to recharge surface water into the ground water system through infiltration.

Section 6. Post Construction.

- (1). As built plans. All applicants are required to submit actual as built plans for any structures located on-site after final construction is completed. The plan must show the final design specifications for all storm water management facilities and must be sealed by a registered professional engineer licensed to practice in Alabama. A final inspection by the city is required before any performance security or performance bond will be released. The city shall have the discretion to adopt provisions for a partial pro-rata release of the performance security or performance bond on the completion of various stages of development. In addition, occupation permits shall not be granted until corrections to all BMPs have been made and accepted by the city.

- (2). Landscaping and stabilization requirements.

- (a) Any area of land from which the natural vegetative cover has been either partially or wholly cleared by present or past development activities shall be re-vegetated according to a schedule approved by the city. The following criteria shall apply to re-vegetation efforts:
 - (1) All sites shall have at least 10% “green” vegetated areas.
 - (2) Reseeding must be done with an annual or perennial cover crop accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion until such time as the cover crop is established over 90% of the seeded area.
 - (3) Replanting with native woody and herbaceous vegetation must be accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion until the plantings are established and are capable of controlling

erosion.

- (4) Any area of re-vegetation must exhibit survival of a minimum of 75% of the cover crop throughout the year immediately following re-vegetation. Re-vegetation must be repeated in successive years until the minimum 75% survival for one year is achieved.
 - (b) In addition to the above requirements, a landscaping plan must be submitted with the final design describing the vegetative stabilization and management techniques to be used at a site after construction is completed. This plan will explain not only how the site will be stabilized after construction, but who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved.
- (3). Inspection of storm water management facilities. Periodic inspections of facilities shall be performed as provided for in §315-5(4)(g)(2)(b).
- (4). Records of installation and maintenance activities. Parties responsible for the operation and maintenance of a storm water management facility shall make records of the installation of the storm water facility, and of all maintenance and repairs to the facility, and shall retain the records for at least 13 years after substantial completion of the storm water facility. These records shall be made available to the city during inspection of the facility and at other reasonable times upon request.
- (5). Failure to meet or maintain design or maintenance standards. If a responsible party fails or refuses to meet the design or maintenance standards required for storm water facilities under this ordinance, the city, after reasonable notice, may correct a violation of the design standards or maintenance needs by performing all necessary work to place the facility in proper working condition. In the event that the storm water management facility becomes a danger to public safety or public health, the city shall notify in writing the party responsible for maintenance of the storm water management facility. Upon receipt of that notice, the responsible person shall have fourteen calendar days, or such additional time as the city engineer shall determine to be reasonably necessary to complete the action, to effect maintenance and repair of the facility in an approved manner. In the event that corrective action is not undertaken within that time, the city may take necessary corrective action. The cost of any action by the city under this section shall be charged to the responsible party.

Section 7. Existing locations and developments.

- (1). Requirements for all existing locations and developments. The following requirements shall apply to all locations and development at which land disturbing activities have occurred subsequent to the enactment of this chapter:
 - (a) Denuded areas must be vegetated or covered under the standards and

guidelines specified in the BMP manual and on a schedule acceptable to the city.

- (b) Cuts and slopes must be properly covered with appropriate vegetation and/or retaining walls constructed.
- (c) Drainage ways shall be properly covered in vegetation or secured with rip-rap, channel lining, etc., to prevent erosion.
- (d) Trash, junk, rubbish, etc. shall be cleared from drainage ways.
- (e) Storm water runoff shall be controlled to prevent pollution of local waters.

Current control measures may include, but are not limited to, the following:

- (1) Ponds
 - (a) Detention pond
 - (b) Extended detention pond
 - (c) Wet pond
 - (d) Alternative storage measures
- (2) Constructed wetlands
- (3) Infiltration systems
 - (a) Infiltration/percolation trench
 - (b) Infiltration basin
 - (c) Drainage (recharge) well
 - (d) Porous pavement
- (4) Filtering systems
 - (a) Bio-retention area/rain garden
 - (b) Catch basin inserts/media filter
 - (c) Sand filter
 - (d) Filter/absorption bed
 - (e) Filter and buffer strips
- (5) Open channel
 - (a) Swale

- (2). Requirements for existing problem locations. When the city becomes aware of a problem location, the city shall in writing notify the owners of existing locations and developments of specific drainage, erosion or sediment problem affecting such locations and developments, and the action required to correct those problems. The notice shall also specify a reasonable time for compliance.

- (3). Inspection of existing facilities. The city may, to the extent authorized by state and federal law, establish inspection programs to verify that all storm water management facilities, including those built before as well as after the adoption of this ordinance, are functioning within design limits. These inspection programs may be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher

than typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of the city's NPDES storm water permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other BMPs.

- (4). Correction of problems subject to appeal. Corrective measures imposed by the city under this section are subject to appeal under §315-11.

Section 8. Illicit discharges.

- (1). Scope. This section shall apply to all water generated on developed or undeveloped land entering the city's separate storm sewer system.
- (2). Prohibition of illicit discharges. No person shall introduce or cause to be introduced into the municipal separate storm sewer system any discharge that is not composed entirely of storm water. The commencement, conduct or continuance of any non-storm water discharge to the municipal separate storm sewer system is prohibited except as described as follows:
 - (a) Uncontaminated discharges from the following sources:
 - (1) Water line flushing or other potable water sources,
 - (2) Landscape irrigation or lawn watering with potable water,
 - (3) Diverted stream flows,
 - (4) Rising ground water,
 - (5) Groundwater infiltration to storm drains,
 - (6) Pumped groundwater,
 - (7) Foundation or footing drains,
 - (8) Crawl space pumps,
 - (9) Air conditioning condensation,
 - (10) Springs,
 - (11) Non-commercial washing of vehicles,
 - (12) Natural riparian habitat or wet-land flows,
 - (13) Swimming pools (if de-chlorinated - typically less than one PPM chlorine),
 - (14) Fire fighting activities, and
 - (15) Any other uncontaminated water source.
 - (b) Discharges specified in writing by the city as being necessary to protect public health and safety.
 - (c) Dye testing is an allowable discharge if the city has so specified in writing.
- (3). Prohibition of illicit connections.

- (a) The construction, use, maintenance or continued existence of illicit connections to the separate municipal storm sewer system is prohibited.
 - (b) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (4). Reduction of storm water pollutants by the use of best management practices. Any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, may be required to implement, at the person's expense, the BMPs necessary to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.
- (5). Notification of spills. Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting in, or may result in, illicit discharges or pollutants discharging into storm water, the municipal separate storm sewer system, the person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials the person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, the person shall notify the city in person or by telephone or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the city within three business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least 13 years after the release.

Section 9. Enforcement

- (1). Enforcement authority. The departments of building and zoning of the city shall have the authority to issue notices of violation and citations.
- (2). Notification of violation.
 - (a) Written Notice. Whenever an authorized employee of the departments of building and zoning of the city finds that any permitted or any other person discharging storm water has violated or is violating this chapter or a permit or order issued hereunder, the employee may serve upon such person written notice of the violation. Within ten days of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to

include specific required actions, shall be submitted to the departments of building and zoning. Submission of this plan in no way relieves the discharger of liability for any violations occurring before or after receipt of the notice of violation.

- (b) Consent Orders. The authorized employees of the building and zoning departments are empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the person responsible for the noncompliance. Such orders will include specific action to be taken by the person to correct the noncompliance within a time period also specified by the order. Consent orders shall have the same force and effect as administrative orders issued pursuant to paragraphs (d) and (e) below.
- (c) Show Cause Hearing. An authorized employee of the building and zoning departments may order any person who violates this chapter or permit or order issued hereunder, to show cause why a proposed enforcement action should not be taken. Notice shall be served on the person specifying the time and place for the meeting, the proposed enforcement action and the reasons for such action, and a request that the violator show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten days prior to the hearing.
- (d) Compliance Order. When an authorized employee of the building and zoning departments finds that any person has violated or continues to violate this ordinance or a permit or order issued hereunder, he may issue an order to the violator directing that, following a specific time period, adequate structures, devices, be installed or procedures implemented and properly operated. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the construction of appropriate structures, installation of devices, self-monitoring, and management practices.
- (e) Cease and Desist Orders. When an authorized employee of the building and zoning departments finds that any person has violated or continues to violate this chapter or any permit or order issued hereunder, the employee may issue an order to cease and desist all such violations and direct those persons in noncompliance to:
 - (1) Comply forthwith; or
 - (2) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and terminating the discharge.

- (3). Conflicting standards. Whenever there is a conflict between any standard contained in this ordinance and in the BMP manual adopted by the city under this ordinance, the strictest standard shall prevail.

Section 10. Penalties.

- (1). Violations. Any person who shall commit any act declared unlawful under this chapter, who violates any provision of this chapter, who violates the provisions of any permit issued pursuant to this chapter, or who fails or refuses to comply with any lawful communication or notice to abate or take corrective action by the city, shall be guilty of a criminal offense.
- (2). Penalties. Under the authority provided in Alabama Code § 11-45-9, the city declares that any person violating the provisions of this chapter may be fined not less than \$50.00 and not more than \$500.00 per day for each day of violation. Each day of violation shall constitute a separate violation.
- (3). Recovery of damages and costs. The city may recover:
- (a) all damages proximately caused by the violator to the city, which may include any reasonable expenses incurred in investigating violations of, and enforcing compliance with, this chapter, or any other actual damages caused by the violation, and
 - (b) The costs of the city's maintenance of storm water facilities when the user of such facilities fails to maintain them as required by this chapter.
- (4). Other remedies. The city may bring legal action to enjoin the continuing violation of this chapter. The existence of any other remedy, at law or equity, shall be no defense to any such actions.
- (5). Remedies cumulative. The remedies set forth in this section shall be cumulative, not exclusive. It shall not be a defense to any action, civil or criminal, that one or more of the remedies set forth herein has been sought or granted.

Section 11. Appeals.

Any person aggrieved by the imposition of a civil penalty or damage assessment as provided by this chapter may appeal said penalty or damage assessment to the circuit court.

- (1). Appeals to be in writing. The appeal shall be in writing and filed with the city clerk within 15 days after the civil penalty and/or damage assessment is served in any manner authorized by law.

ADOPTED AND APPROVED by the Glencoe Council on this _____ day of _____, 2007.

Charles C. Gilchrist, Mayor

Bren Riley, Council Member

Chris Sims, Council Member

Danny Wagnon, Council Member

Dewayne Hare, Council Member

Wayne Farley, Council Member

ATTEST:

Susan Casey, City Clerk