

**2016 ANNUAL REPORT
CITY OF PELHAM**



MUNICIPAL SEPARATE STORM SEWER SYSTEM

JANUARY 2017

City of Pelham

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CERTIFICATION STATEMENT

FOR THE

CITY OF PELHAM MS4 PERMIT
NPDES PERMIT NO. ALS000009
ANNUAL REPORT
FIRST PERMIT YEAR, FIRST CYCLE
JANUARY 2017

I certify under penalty of law that through a collaborative effort between City departments, information has been provided, compiled, and reviewed. I further certify that all information provided for the preparation of this document is, to the best of my knowledge, true and accurate. This information was obtained from personnel, not under my supervision, in multiple departments with knowledge specific to their respective areas. I am in receipt of this report, have reviewed the report, and concur that to the best of my knowledge and belief, the information contained herein is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibilities of fine and imprisonment for knowing violations.

JESSE TOWERS

Print Name

Jesse E. Towers, Jr.

Signature

1/27/17

Date

Table of Contents

Part I:	Contact List	Page 3
Part II:	Program Evaluation	
	A. Objective of Program	Page 4
	B. Major Findings	Page 4
	C. Major Accomplishments	Page 4
	D. Overall Strengths and Weaknesses	Page 6
	E. Future Direction of Program	Page 6
Part III:	Narrative Report	
	A. Structural Controls	Page 9
	B. Public Education and Public Involvement	Page 12
	C. Illicit Discharge Detection and Elimination (IDDE)	Page 14
	D. Construction Site Storm Water Runoff	Page 17
	E. Post-Construction Storm Water Runoff	Page 19
	F. Spill Prevention and Response	Page 21
	G. Good Housekeeping for Municipal Operations	Page 22
	H. Application of Pesticides, Herbicides, and Fertilizers	Page 25
	I. Oils, Toxics, and Household Hazardous Waste Control	Page 27
	J. Industrial Storm Water Runoff	Page 29
	K. Monitoring Programs	Page 32
Part IV:	Proposed SWMP Modifications	Page 36
Part V:	Fiscal Analysis	Page 36
Appendices		
	Appendix A: TMDL Monitoring Results & Graphical Representation	
	Appendix B: Dry Weather Screening	
	SWMP: Storm Water Management Program	

Part 1: Contact List

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Part II: Program Evaluation

A. Objective of Program

The purpose of this program is to comply with the requirements of NPDES Permit ALS000009, to prohibit the discharge of non-storm water into the municipal separate storm sewer system (MS4), and to reduce the discharge of pollutants from the MS4 to the maximum extent practicable.

B. Major Findings

In this the first year of the first permit cycle of the new individual permit ALS000009, the Pelham MS4 Storm Water Management Program (SWMP) continued implementation of program elements that remained unchanged from the previous permit and began implementation of new program elements and permit requirements in accordance with the new permit. The most important finding of this year was ADEM's issuance of the new, individual permit for the City of Pelham. While this permit was anticipated by the City since ADEM's audit in July of 2014, the City can now move forward in how it approaches various program elements. The City appreciates ADEM's time and dedication to working with the City through the permitting process.

Although there are upcoming changes due to the new permit, this permit year was conducted very similar to the previous year. With regard to this year's Monitoring program, the MS4 significantly expanded its TMDL sampling for Buck Creek and Cahaba Valley Creek from the previous year and is encouraged by the direction of this sampling program. Additional detail is included in Part III, Section K and Appendix A.

The MS4 has continued to engage in new and existing cooperative efforts and technological advancements that will continue to improve implementation of the Storm Water Management Program and facilitate the program as experience is gained with both the institutional and technological relationships. The Pelham MS4 is pleased to provide this Annual Report to display the improvements and results of this past year's Storm Water Management Program activity.

C. Major Accomplishments

1. As was expected by the MS4, ADEM issued a new permit to the City of Pelham on November 16, 2015. This reporting year marks the first year that the City has operated under its own individual Phase I NPDES Permit.
2. In accordance with the recently issued permit mentioned above, the City submitted a draft Storm Water Management Program Plan (SWMPP) to ADEM on September 1, 2016 and is anticipating ADEM's comments and suggestions.

3. Continued to improve and update the MS4 GIS spatial database with SWMP data with a focus on Structural Control Maintenance, Illicit Discharge Detection and Elimination, Monitoring, and TMDL receiving waters.
4. For the SWMP's Illicit Discharge Detection and Elimination Program, Dry Weather Screening was conducted per the permit. The maps that have been developed through the GIS database for dry weather screening have proven a notable advancement in this programs efficiency and accuracy. Additional details regarding the annual dry weather screening findings are available in Part III, Section C and Appendix B.
5. As a part of the ongoing improvements to the SWMP administration, the MS4 has continued with cross-department coordination and procedure with respective municipal services to the benefit of the Construction, Post-Construction, Municipal Operations, and Pesticide, Herbicide, and Fertilizer Programs.
6. Continued monitoring and sampling of the two streams within the MS4's boundary, upstream of the Cahaba River for which ADEM has developed TMDLs. The effort includes a sampling series which was conducted during summer weather conditions with the intent of developing a geomean pathogen concentration, as well as suspended solids and phosphorus concentrations. This data is included in Appendix A.
7. Ongoing emphasis on improvement of record keeping continues to facilitate more effective program evaluation and tracking of control measures and practices, which better enables the assessment of the SWMP implementation including monitoring; structural controls; development review and inspection; pesticide, herbicide, and fertilizer practices; and educational outreach.
8. The City conducted an inventory of its municipal facilities capable of negatively impacting storm water and performed an inspection of each of these facilities.
9. Continued routine Industrial Inspections per the permit and SWMPP. Additionally, the MS4 has performed a review of all known NPDES permitted facilities' discharge monitoring reports for the past year.
10. Continued to distribute storm water pamphlets and educational materials targeted at the general public for educational purposes.
11. The MS4 is now in its third year of publishing information on the City's website that provides the public with educational material, an explanation of the program, and contact number and request for action form for reporting storm water violations (<http://www.pelhamonline.com>).
12. The City's 4th graders participated in the Shelby County Water Festival on December 15th and 16th, 2015 and January 15th, 2016; The Water Festival teaches 4th graders from across Shelby County about the impact of pollutants

on ground and surface water and how to reduce the discharge of pollutants.

13. The MS4 is developing new informational brochures for the basin that will include LID techniques and stormwater management. These brochures will be available at the various distribution sites including the City's website. Additionally, the City will be developing new MS4 Workshops and possibly partnering with neighboring MS4s in developing these. The MS4 Workshops will be open to the public and include information and education focused on specific topics including: pesticides, herbicides and fertilizers, Best Management Practices in Agricultural and Construction locations, oil gas and industrial impact and post construction monitoring.

D. Overall Strengths and Weaknesses

Strengths:

A key to the successful implementation of the City of Pelham's SWMP has been the proactive approach to administration. This proactive philosophy is represented in multiple ways from the MS4's cooperative relationships to the advancements in procedures that result in effective program evaluation. The MS4 has successfully developed relationships and pursued correspondence with state and federal regulators and local MS4s that have helped the program plan for the future and efficiently allocate resources. The MS4's relationships with stakeholders have helped in providing outlets and targeting recipients of educational information. The interdepartmental cooperation that the MS4 has actively developed is expected to increase program effectiveness and efficiency in nearly every aspect of the SWMP.

Another example would be the MS4's interest in implementing a series of sampling to investigate known impairments within and/or downstream of the permit boundary for which TMDLs have been developed. By initiating the sampling series once the impairment is presented, the MS4 has placed itself in a good position for developing a baseline and gathering more information to further track pollutant sources.

Weaknesses:

We don't believe there are any significant weaknesses in the MS4 program. Much of the SWMPP has been implemented or will be implemented in the near future. One weakness we see is not having the City's ordinances and regulations updated until after comments are received from ADEM regarding our SWMPP. Once these comments are received and modifications made to the Plan, the necessary changes to the City ordinances will be made.

E. Future Direction of the Program

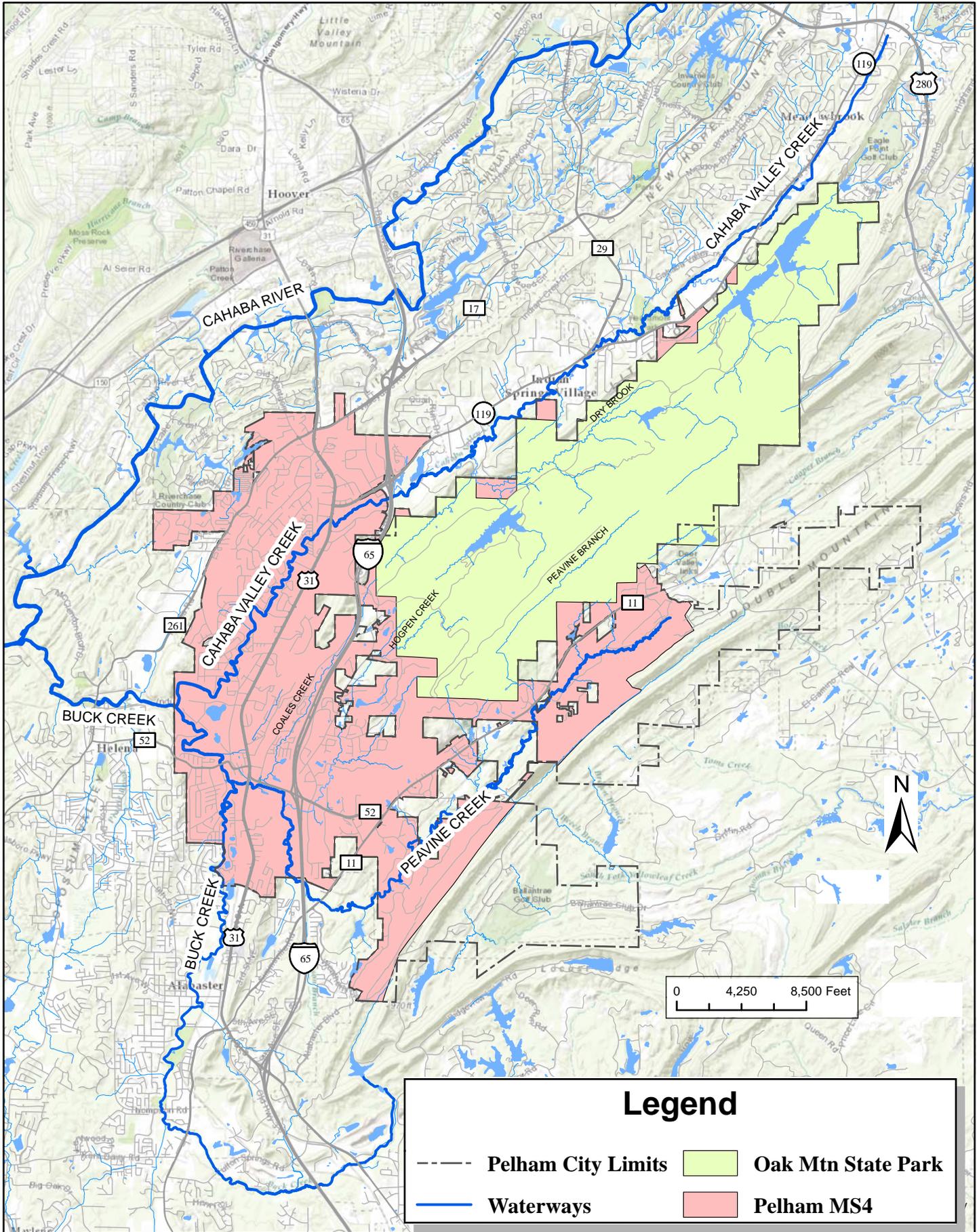
With this the first year of the first permit cycle, all required programs have been addressed and implemented per the schedule provided in the SWMPP. Additional changes currently being implemented will be reported in next year's annual

report, with many of the procedural changes either already in place or underway. The MS4 has already initiated in-stream monitoring and watershed evaluations that target receiving waters with approved TMDLs. Moving forward, we expect to see shared data with neighboring MS4s, ADEM, and other agencies in the coming years in an effort to increase our understanding of the Cahaba River drainage basin's characteristics and reduce redundant sampling and testing. In addition, the MS4 will continue to rely heavily on the GIS spatial database in guiding future efforts and managing data.

The MS4 has continued coordinated systems with the City's building department that inspects the construction best management practices (BMPs) on all construction sites regardless of size. The construction site inspection procedures have been developed as part of the SWMPP and include BMP inspections as part of each routine building inspection. This results in multiple inspections for all construction sites.

Future SWMP implementation is also expected to include continuation of targeted sampling series that focus on known water quality impairments. During the past permit year the MS4 evaluated watersheds that were identified in Pathogen TMDLs within the MS4 boundary. This targeted sampling was conducted to establish trends related to weather, watershed characteristics, and watershed location. It is expected that this sort of focused evaluation will be required in the future to identify potential pollution sources. Additionally, the City has initiated discussions with the USGS for the purpose of providing gage stations at the MS4's in-stream Wet Weather sampling sites so that the MS4 may produce pollutant loadings from sampling data gathered. This will provide an abundance of information in regards to water quality and loadings and help in assessing the SWMPP's effectiveness.

Figure 1: Overall MS4 Boundary



Part III: Narrative Report

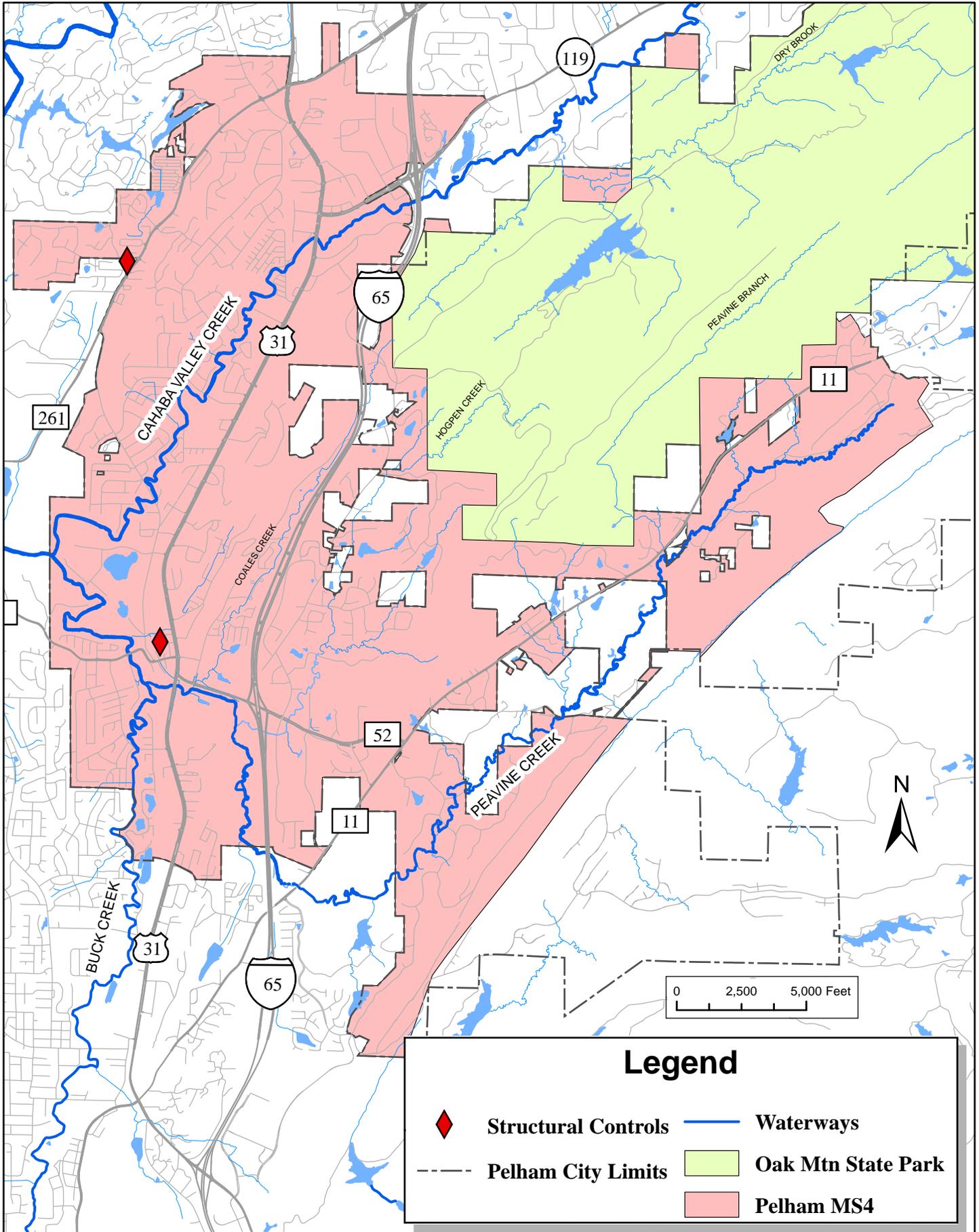
A. Structural Controls:

1. Objective:
The objective of the structural controls program is to inspect and maintain City owned structural controls in such a way as to minimize the contamination of the local waterways by storm water runoff.
2. Activities completed or in progress:
As a part of annual protocol, an inspection schedule was prepared and implemented for each structural control in the project area. Each structural control was inspected semi-annually.
3. General discussion:
All structural controls were added to the MS4 GIS spatial database in an effort to more accurately and efficiently maintain inspection and maintenance records. In addition it makes possible the correlation of structural control maintenance with water quality. The structural controls inventory consists of two detention ponds. All other structural controls in the MS4 are owned, operated, or maintained by private land owners or neighborhood associations.
4. Status:
All structural controls have been operating within their design parameters and the need for minor maintenance at both of the controls was noted.
5. Strengths and weaknesses:
A strength of this program is utilizing the MS4 GIS spatial database for structural control inspection and maintenance records.
6. Assessment:
All structural controls have been operating within their design parameters. Maintenance is required at both controls and will be addressed at a later time.
7. Proposed revisions:
Review of last year's list of structural controls has been made by the MS4, resulting in 1 control to be added for next year's annual report for a total of 3 structural controls. Additional controls are expected to be added which are included as part of a flood mitigation project. This project is currently under construction.

8. Measurable Goals:

Program Component	Description and Frequency	Completed
Structural Control Inventory	Update Inventory and Map as Needed	<u>0</u> Changes
Inspections	Inspect Semi-Annually	<u>2</u> Existing Structural Controls <u>4</u> Inspections Performed
Maintenance	Maintain as Needed	<u>2</u> Controls Recommended for Maintenance <u>0</u> Maintenance Performed
Program Evaluation	Evaluate Program Effectiveness Annually	<u>1</u> Review Performed

Figure 2: Structural Controls



B. Public Education and Public Involvement:

1. Objective:
The objective of the public education and involvement program is to inform the community about the impacts of non-storm water discharges on water bodies.
2. Activities completed or in progress:
Multiple forms of educational material have been developed and distributed as a means of grass root education for the general public. This material is distributed throughout the MS4 boundary. The City's website also provides a method for reporting an illicit discharge or other storm drainage related problem as well as general educational information regarding storm water at www.pelhamonline.com. The MS4 also participated in the Shelby County Water Festival on December 15th and 16th, 2015 and January 15th, 2016; The Water Festival teaches 4th graders from across the County about the impact of pollutants on ground and surface water and how to reduce the discharge of pollutants. Additionally, the City is pursuing an educational interactive kiosk to place in the City Library that is dedicated to storm water education.
3. General discussion:
Several forms of literature and media have been developed by the City and made available to the public through multiple distribution points. More details of this and other educational programs are provided in the SWMPP.
4. Status:
The City is currently working toward a higher level of public involvement and education in this program. The City is also in the process of modifying their website to include additional information regarding the MS4, the SWMPP, and additional educational materials and obtaining an educational kiosk to place in the City Library.
5. Strengths and weaknesses:
The Public Education Program has benefited from the City's cooperative municipal and stakeholder partnerships and the MS4's ability for creative outreach. An additional strength that the MS4 anticipates is the potential for the GIS spatial database, to serve as a powerful tool for targeting areas public outreach efforts within the drainage basins of sensitive receiving waters.
6. Assessment:
The impact of these efforts is now more apparent with the improved documentation and tracking procedures that quantify the dissemination of educational materials.
7. Proposed revisions:
The MS4 is working on the development on new informational brochures to be available for distribution in water bill mail-outs along with developing new MS4 educational and training workshops. These workshops will be open to the public and include information and education focused on specific topics including: pesticides, herbicides and fertilizers, Best Management Practices in agricultural

and construction locations, oil, gas, and industrial impact, and post construction monitoring.

8. Measurable Goals:

Program Component	Description and Frequency	Completed
Educational Material Distribution	Distribution On-Going	<u>5</u> Material Distribution Site(s) City Hall, Building Department, Water & Sewer Dept., City Library, City website
Targeted Educational Material Mail outs	Distribute Once Annually per the SWMPP	To be Implemented in FY 2017
Educational Workshops and Training Courses	Participate and Promote Events Once Annually	To be Implemented in FY 2017
Participation in Shelby County Stormwater Festival	Participate Annually	Participated this Permit Year
Volunteer Clean-Up Events	Encourage Once Annually	To be Implemented in FY 2017
Municipal Facility Employee Training	Provide Annual Training	To be Implemented in FY 2018
City Employee PHF Training	Renew Training Annually	<u>3</u> Staff with State Applicator License <u>0</u> New Staff Receiving Training/License
Construction Inspection Staff Training	Renew QCI/QCP Training Annually	<u>6</u> Staff with QCI/QCP License <u>0</u> New Staff Receiving Training
Program Evaluation	Evaluate Program Effectiveness Annually	<u>1</u> Review Performed

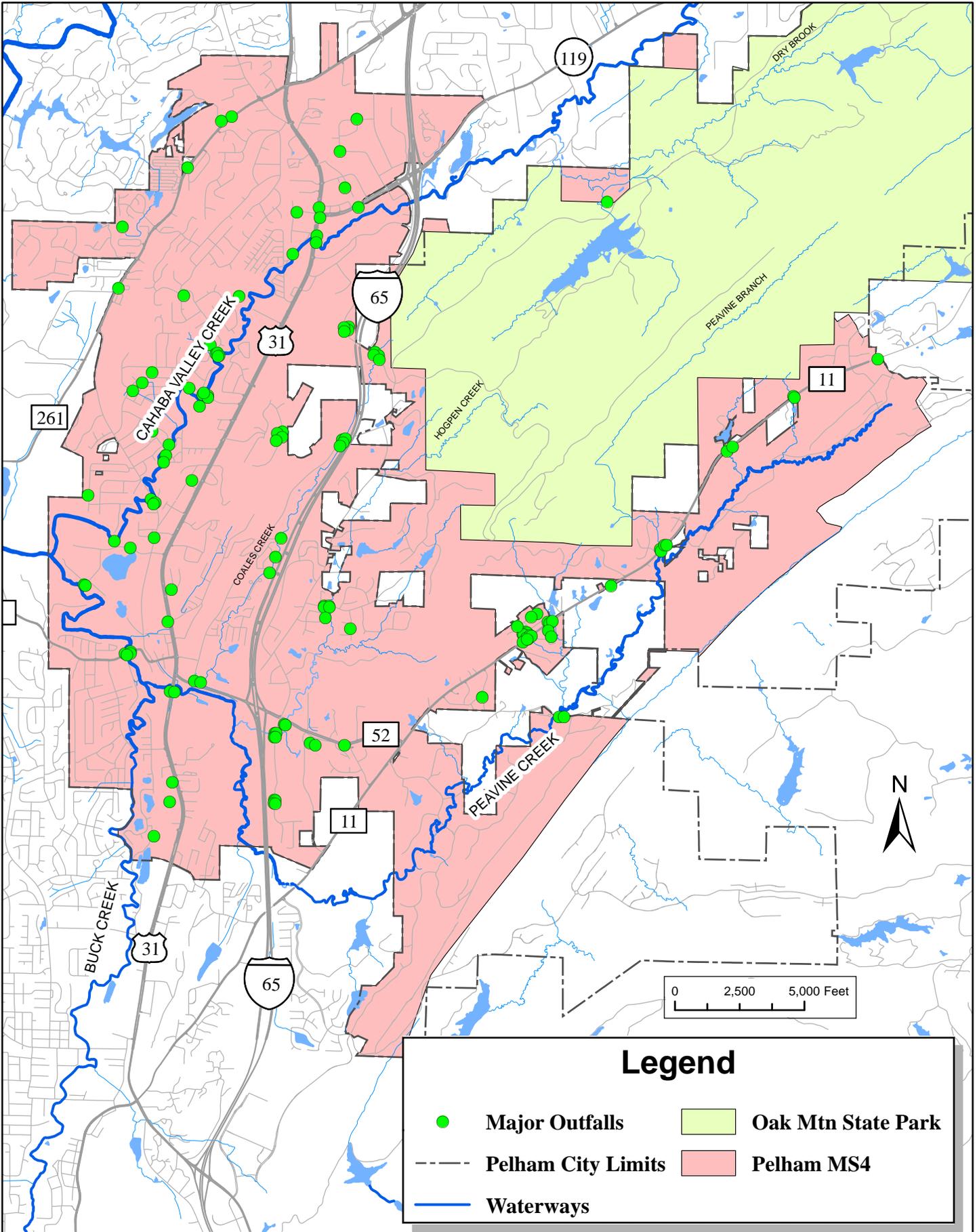
C. Illicit Discharge Detection and Elimination:

1. Objective:
The objective of the illicit discharge detection and elimination program is to detect and eliminate illicit discharges and improper disposal into the storm sewer system.
2. Activities completed or in progress:
With this the first year in the five-year permit cycle, 48 of the 128 known major outfalls were screened this year. As a result of inspections, no dry weather discharges were found.
3. General discussion:
A program to detect and investigate illicit discharges and the improper disposal of contaminants has been developed by the City and is outlined in the SWMPP. Following the guidelines of the Dry-Weather Screening Procedural Flow Chart presented in the SWMPP, a list of priority outfalls will be produced and maintained by the City. There is currently no priority list based on the results of this year's screening activities, but will be added as required in the SWMPP from future screening activities and/or citizen complaints. The goal is for all outfalls to be inspected this permit cycle.
4. Status:
All of the inventoried MS4 outfalls have been incorporated into the GIS spatial database. Screening activities were conducted as required and per the SWMPP this year.
5. Strengths and weaknesses:
The primary strength of this program is the pro-active approach the MS4 has taken to seek technological solutions to increase the efficiency and effectiveness of the Illicit Discharge Detection and Elimination Program. An additional strength is the training of multiple City employees who routinely spend time in the MS4 performing outdoor tasks. This greatly increases the opportunity for the MS4 to identify an illicit discharge.
6. Assessment:
The City is encouraged by the advancements with respect to the Illicit Discharge Detection and Elimination Program. The development of the GIS spatial database enables the integration of spatial and historical data required in effective assessment of the program.
7. Proposed revisions:
No revisions are proposed at this time.

8. Measurable Goals:

Program Component	Description and Frequency	Completed
Illicit Screening	All Sites Screened once per Permit Cycle, 20% per year	<u>128</u> Existing Major Outfalls <u>48</u> Outfalls Screened this Year
Illicit Discharge Investigation	Illicit Discharge Investigation as Needed	<u>0</u> Illicit Discharges Investigated
Illicit Discharge Monitoring	Sampling as Needed	<u>0</u> Illicit Discharges Sampled
Sanitary Sewer Overflow	Record Reported Raw Sewer Discharges Annually	<u>6</u> Raw Sewer Discharges Reported
Enforcement Action	Enforcement Action Taken as Needed	<u>0</u> Enforcement Action
Spill Response	Spill Response & Documentation as Needed	<u>2</u> Spill Responses (outside MS4)
Program Evaluation	Evaluate Program Effectiveness Annually	<u>1</u> Review Performed

Figure 3: Major Outfalls



D. Construction Site Storm Water Runoff:

1. Objective:
The objective of the construction site storm water runoff program is to reduce the discharge of pollutants from construction sites into the storm sewer system.
2. Activities completed or in progress:
Currently, the City has a storm water management ordinance in place to reduce the contamination of storm water from construction sites and has continued its emphasis on multiple BMP inspections per site during the course of construction. QCI renewal training has been completed for all of the City's construction site inspectors.
3. General discussion:
The City utilizes the Alabama Handbook for Erosion Control, Sediment Control, and Stormwater Management on Construction Sites and Urban Areas (Alabama Handbook) as its main reference and guide in its goal to reduce the discharge of pollutants from construction sites. All construction site operators in the project area are required by the storm water management ordinance and the SWMPP to acquire a City Land Disturbance Permit prior to land disturbance activities. As construction begins, construction sites will be monitored by an inspector to ensure compliance with the appropriate Best Management Practices, the site-specific storm water management plan, and the City's storm water ordinance. The scheduling of these visits coincides with each inspection conducted throughout the building process required by the building permit.
4. Status:
Several years ago, the City changed how it conducts construction site storm water inspections by training the City's building inspectors to conduct BMP inspections in conjunction with building inspections. This has expanded the program to include all construction sites and also improve the documentation of inspections to an existing inspection documentation archive. The summary table below outlines the MS4's achievements this reporting year.
5. Strengths and weaknesses:
A primary strength of this program is the MS4's coordination with the City's building inspection services. The cooperation increases the number of sites inspected and the frequency in which those sites are inspected. It also takes advantage of an existing inspection documentation archive that will improve the record keeping of these inspections. Another primary strength of this program is the ability for the City to place a hold on new building inspections or issue a stop work order based on the inadequacy of best management practices, which is an effective incentive for appropriate BMP implementation and maintenance.
6. Assessment:
As reflected in the summary table below, the City has maintained a consistent construction site inspection schedule. In addition, the City is encouraged by the cooperative effort between the MS4 and the City's Building Department, as it will lead to a dramatic improvement in the Construction Site Storm Water Runoff

Program.

7. Proposed revisions:
Outside of ongoing efforts to improve procedures, coordination, and training with building inspection services, there are no revisions proposed.
8. Measurable Goals:

Program Component	Description and Frequency	Completed
Construction Site Inspections	Inspect Monthly	<u>123</u> Sites Remaining at end of FY 15/16 <u>372</u> Inspections Conducted
Review of Permit Applications	Review as Required	<u>153</u> Applications Submitted <u>153</u> Applications Permitted
Program Evaluation	Evaluate Program Effectiveness Annually	<u>1</u> Review Performed

E. Post-Construction Site Storm Water Runoff

1. **Objective:**
The objective of this program is to ensure the adequate provision for and proper operation of structural and non-structural controls for any given development within the MS4 such that adequate storm water management is maintained over the useful life of the property.
2. **Activities completed or in progress:**
The City is currently considering revisions to its subdivision regulations, to be followed soon by revisions to its stormwater management ordinance. These changes are on hold until the City receives comments and suggestions from ADEM in regards to the City's draft SWMPP. On-going activities include plan review of post-construction BMPs in accordance with the Alabama Handbook and the City's current subdivision regulations.
3. **General Discussion:**
As discussed in the Construction Site Storm Water Runoff section of this report, the City requires all land disturbances to be permitted regardless of size. This permitting process requires a review of the proposed construction BMPs and post-construction BMPs by the City to ensure compliance with the Alabama Handbook and the City's subdivision regulations. The City is transitioning its requirements to align with several new items required by the new permit, primarily the requirement for post-construction BMPs to be designed to manage a 1.1" rainfall over a 24 hour period (preceded by a 72 hour dry period) and the inspection and documentation of inspection of each post-construction structural control in the project area. For additional procedures and requirements please refer to the SWMPP.
4. **Status:**
With the exception of plan reviews in accordance with the Alabama Handbook and the City's current subdivision regulations, the City will be implementing the remainder of this program in the next storm water fiscal year (2017).
5. **Strengths and Weaknesses:**
A primary strength of this program is the concurrent construction and post-construction review process, providing for efficient and effective plan review and incentive for developers to ensure adequate post-construction BMPs at the onset of construction.

A weakness of this program at this time is the transition period we are in between the SWMPP review process and finalizing and adopting revised regulations and ordinances that are consistent with the SWMPP.
6. **Assessment:**
The City is encouraged by the availability of GIS as well as the record drawing requirement for each development, which will greatly facilitate tracking of future post-construction controls.

7. Proposed Revisions:
 As stated previously, the City is currently revising the appropriate regulations in order to effectively enforce several new components of this program.

8. Measurable Goals:

Program Component	Description and Frequency	Completed
Post-Construction BMP Inventory	Update Inventory as Needed	To be Implemented in FY 2017
Inspections by Responsible Party	Inspect Post-Construction BMPs Annually	To be Implemented in FY 2017
Program Evaluation	Evaluate Program Effectiveness Annually	<u>1</u> Review Performed

F. Spill Prevention and Response:

1. Objective:
The objective of the spill prevention and response program is to prevent, respond, and contain spills that may discharge into the storm sewer system.
2. Activities completed or in progress:
The City Fire Department’s HAZMAT unit continues routine training and response to spills not only within the MS4 but within surrounding MS4s.
3. General discussion:
As a first responder to spills within the MS4 and surrounding MS4s, the City Fire Department’s HAZMAT unit is a highly trained and skilled unit in responding to spills of all types. The City coordinates closely with the Shelby County Emergency Management Agency in response to spills and inventorying of Tier II facilities that use, store, manufacture, or transport federally designated hazardous substances as required by Title III of the Superfund Amendment and Reauthorization Act (SARA). Tier II facilities are mandated to distribute Material Safety Data Sheets (MSDS) to the County EMA and City’s Fire Department. These existing protocols facilitate spill response planning.
4. Status:
With this now the twentieth year of operation under a MS4 Phase I permit, the MS4 is well coordinated with their respective county EMA and local first responders. There were no reported spills this reporting year.
5. Strengths and weaknesses:
The primary strength of this program is the close relationship between the Shelby County EMA and the City’s HAZMAT unit.
6. Assessment:
The City’s HAZMAT unit has responded to two major spills within the Cahaba River drainage basin, but no spills occurred within the MS4.
7. Proposed revisions:
No revisions are proposed at this time.
8. Measurable Goals

Program Component	Description and Frequency	Completed
Spill Response	Respond as Needed	<u>0</u> Spills within MS4 <u>0</u> Spills Responded to in MS4
HAZMAT Spill Response Training	Weekly SOP Training	<u>52</u> Training Events
Program Evaluation	Evaluate Program Effectiveness Annually	<u>1</u> Review Performed

G. Good Housekeeping for Municipal Operations:

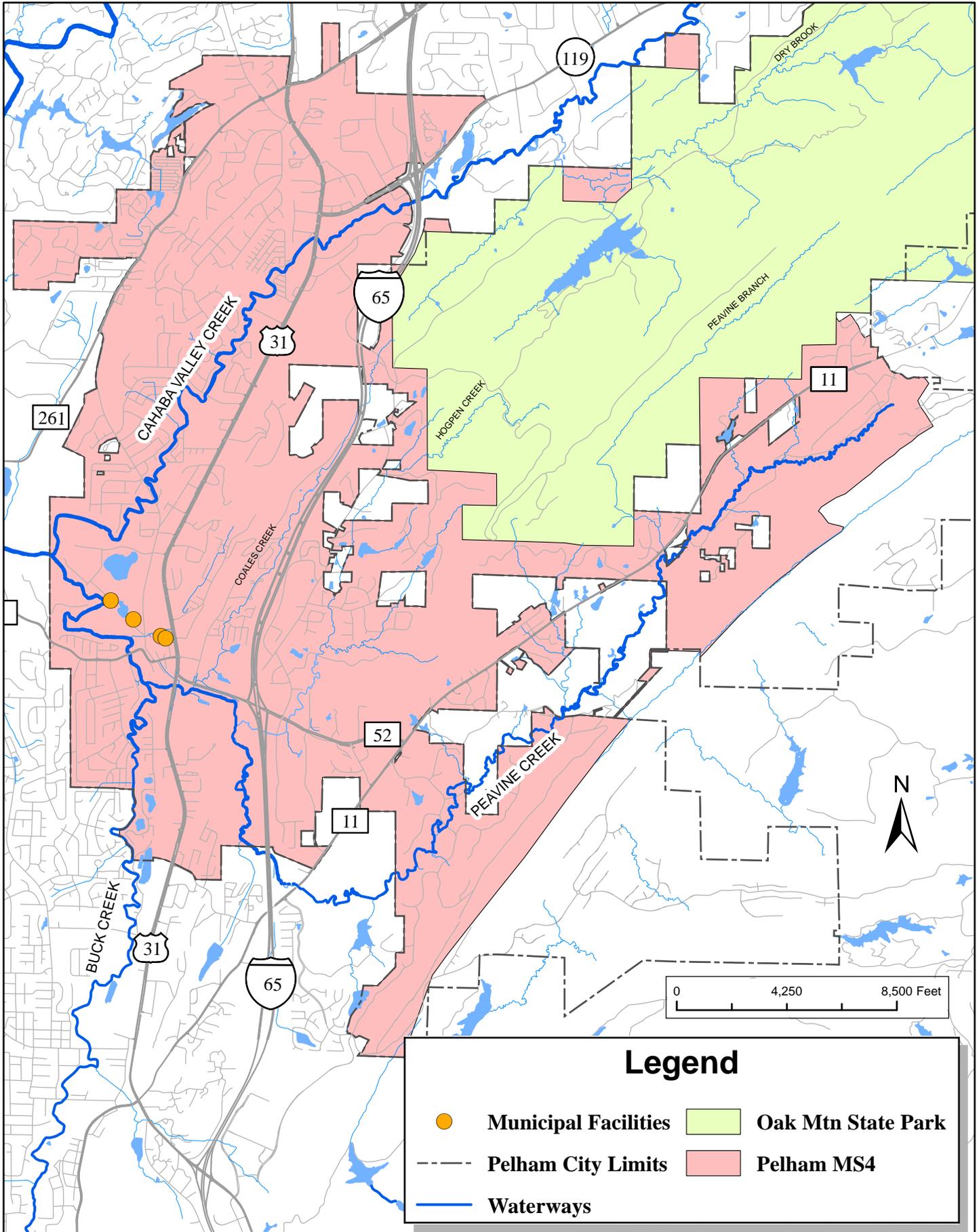
1. Objective:
The objective of the municipal facilities program is to identify and control the flow of pollutants into storm water runoff from municipal operations such as fleet maintenance, litter control, street maintenance, and pesticide and fertilizer application.
2. Activities completed or in progress:
As required by the drafting of the revised SWMPP, the MS4 inventoried potential municipal facilities and inspected each of these facilities. The inventory may be found in the SWMPP. Additionally, the litter control program that the City has implemented for years was in place throughout this permit year. All roadway maintenance and improvement projects within the project area adhered to guidelines for sediment and erosions control BMPs. Currently, there is one floodway project under construction in the permit area. A summary of activities can be found in the table below.
3. General discussion:
This program has received some additional changes over this permit year as a result of the new permit and draft SWMPP, primarily the inventorying and annual inspection of municipal facilities that have the potential to discharge pollutants via storm water runoff. The MS4 has planned for additional changes to include the development of additional standard operation procedures (SOPs) for activities such as equipment washing or materials storage, among other activities. The MS4 consistently tracks roadway maintenance and litter control activities and coordinates with volunteer litter control efforts to facilitate efficient and effective implementation of the litter control component of this program.
4. Status:
This Program is in good standing with the SWMPP and permit requirements. Additional time and resources will be allocated in the upcoming permit year(s) to provide adequate training to City employees as well as develop SOPs for various activities that could impact storm water.
5. Strengths and weaknesses:
A primary strength of this program is the self-evaluation the City performs on its municipal facilities, resulting in efficient inspections and constant accountability. An additional strength is the City's litter control program in general due to the strong incentive to keep the City clean and free from debris and litter.
6. Assessment:
The MS4 is encouraged by the direction of this program with respect to record keeping and future development of SOPs. The MS4 is also looking forward to more coordinated efforts in partnering with local environmental groups for creek clean-ups.
7. Proposed revisions:
Currently one municipal facility is proposed to be removed from the current

inventory and replaced with a different municipal facility. This program will be evaluated annually to determine if any modifications are needed.

8. Measurable Goals:

Program Component	Description and Frequency	Completed
Municipal Facility Inventory	Update Inventory as Needed	<u>4</u> Facilities
Municipal Facility Inspections	Inspection each Facility Annually	<u>4</u> Inspections Performed
City Road Work BMPs	Inspect City Projects Monthly	<u>0</u> Current Projects <u>0</u> Inspections Performed
Litter Control	Litter Control is On-going	<u>3.7</u> Tons/yr <u>8,640</u> Man Hours/yr
Flood Mgmt. Project Inventory	Update Inventory as Needed	<u>1</u> Project under Construction
Development of SOPs	Develop and Update as Needed	To be Completed FY 2018
Municipal Facility Staff Training	Train Employees Annually	To be Completed FY 2018
Program Evaluation	Evaluate Program Effectiveness Annually	<u>1</u> Review Performed

Figure 4: Municipal Facilities



H. Pesticide, Herbicide, and Fertilizer Application:

1. Objective:
The objective of the pesticide, herbicide, and fertilizer application program is to implement practices to reduce, to the MEP, the contamination of storm water runoff from the application, storage, or disposal of these products.

2. Activities completed or in progress:
The City of Pelham achieves the objectives of the Pesticide, Herbicide, and Fertilizer Program through responsible application practices, chemical-use reduction, and distribution of public education materials. The Pesticide, Herbicide, and Fertilizer Program is dedicated to ensuring safe and responsible application in accordance with State law. In addition this program is committed to reducing pesticide and herbicide application by implementing mowing practices within the project boundary. Also, cooperative efforts with the Shelby County MS4 have resulted in gaining informative resources, made available to the public through the City of Pelham's website, that explain how fertilizers affect water quality and provide the public with tips for responsible fertilizer application. The City has generated an inventory of City owned PHFs and PHF storage facilities within the past permit year and performed an inspection of these facilities to ensure proper storage of such chemicals.

3. General discussion:
The Professional Service Law of 1940, the Alabama Pesticide Law of 1971, and the Custom Pesticide Applicator Law of 1971 regulate the sale, distribution, transportation, and application of pesticides within the state of Alabama. The Alabama Commissioner of Agriculture and Industries is responsible for administering and enforcing these laws, which forbid the use, handling, or disposal of pesticides in a manner that would cause harm to humans, animals, or the environment. In addition, as of October 21, 1977, state certification is required for all persons applying pesticides.

The City of Pelham currently has 3 State certified applicators on staff. These personnel are in charge of implementing the City's annual herbicide and fertilizer program.

As indicated in the summary table below, the City consistently tracks the application of pesticide, herbicide, and fertilizers as well as mowing practices within the project boundary. The advancements in record-keeping that have been made have substantially enhanced the MS4's ability to track, document, and assess the progress of the Pesticide, Herbicide, and Fertilizer Program.

4. Status:
The City is currently following the state guidelines as outlined above. Through active coordination with existing administrative infrastructure, the MS4 is maintaining consistent, environmentally responsible application of pesticide, herbicide, and fertilizer. In addition, the use of current green space mowing programs within the MS4 allows the City to reduce the amount of chemical application within the project boundary as reflected in the summary table below.

5. Strengths and weaknesses:

A key strength of this program is the ability to rely on the State’s guidelines on the application of these products and the inherent consistency throughout the project area by doing so. Additionally the pesticide, herbicide, and fertilizer program is strengthened by the MS4's ability to coordinate with ongoing green space management practices, enabling the City to track and target activity. In addition, the improvements to record-keeping allow the MS4 to track and assess application rates and non-chemical solution efforts within the pesticide, herbicide, and fertilizer program. An additional strength that the MS4 anticipates is the potential for the GIS spatial database, to serve as a powerful tool for targeting areas within sensitive drainage basins with educational materials.

6. Assessment:

The City is encouraged by the improvements that have been made in documentation of green space management activity and how it has enabled the MS4 to more effectively direct and assess the pesticide, herbicide, and fertilizer program.

7. Proposed revisions:

As stated in the SWMPP, the MS4 will begin implementing annual training for City employees who handle PHFs in the following reporting year. Additionally, the City will inventory and prioritize areas within the MS4 that receive a significant amount of PHFs.

8. Measurable Goals:

Program Component	Description and Frequency	Completed
PHF Storage Facility Inventory	Inventory Annually	<u>1</u> PHF Storage Facility
PHF Storage Facility Inspection	Inspect Annually	<u>1</u> PHF Storage Facility Inspected
PHF Inventory	Inventory Annually	
PHF Usage	Track PHF Usage	<u>422</u> Gallons of Pesticide Applied <u>400</u> Gallons of Herbicide Applied <u>400</u> Gallons of Fertilizer Applied
Mowing Practices	Track Mowing Practices	<u>4,880</u> Man Hours/yr
Inventory and Prioritization of High-Use Areas	Inventory and Update as Needed	To be Completed in FY 2017
Development of SOP	Develop and Update as Needed	To be Completed in FY 2018
City Employee Training	Train City Employees Annually	To be Implemented in FY 2017
Program Evaluation	Evaluate Program Effectiveness Annually	<u>1</u> Review Performed

I. Oils, Toxics, and Household Hazardous Waste Control:

1. Objective:
The objective of the oils, toxics, and household hazardous waste control program is to promote, publicize, and facilitate the proper management and disposal of these substances.
2. Activities completed or in progress:
Currently, the City relies heavily on existing educational materials that are distributed at several City owned facilities that address responsible disposal of oil and hazardous waste. Also, the City website makes information available to the public that explains the impact automotive fluids have on water quality and how to prevent it. In accordance with the SWMPP and the permit, the City is planning additional public education materials and training to address proper use, storage, and disposal of oils and toxics that is scheduled to be implemented in the coming reporting year (storm water fiscal year 2017).
3. General discussion:
The education program dedicated to promoting, publicizing, and facilitating the proper management and disposal of used oil and household hazardous wastes, is detailed in Part II.I. of the SWMPP.
4. Status:
The City is currently meeting their obligations under the terms of this program as described in the SWMPP. Although the City continues to provide education materials at key locations throughout the City as well as on the City's website, the bulk of the measurable goals provided in the SWMPP will be implemented in the following reporting year to provide sufficient time to create additional effective educational materials and plan for public education targeting in portions of the MS4 that will provide the most effect. The City is currently compiling a list of used oil collection facilities throughout the City to post on the City's website.
5. Strengths and weaknesses:
The primary strength of this program is the close relationship between the MS4 and the Shelby County Landfill. An additional strength that the MS4 anticipates is the potential for the GIS spatial database, to serve as a powerful tool for targeting areas within sensitive drainage basins with educational materials.
6. Assessment:
The Oil and Household Hazardous Waste and programs like it that rely heavily on public education efforts benefit from the City's cooperative partnerships and ability for creative outreach. The impact of these efforts is now more apparent with the improved documentation and tracking procedures that quantify the amount of distributed educational material. In addition, the dry-weather screening program has not revealed any incidences of improper disposal of used oil or household hazardous wastes. The MS4 is encouraged with the current direction of the Oil and Household Hazardous Waste Program.

7. Proposed revisions:
No revisions are proposed at this time.

8. Measurable Goals:

Program Component	Description and Frequency	Completed
Development of Additional Public Education Materials	Develop as Needed Annually	To be Completed in Storm Water FY 2017
Posting of Used Oil Collection Facilities	Update as Needed Annually	To be Completed in Storm Water FY 2017
City Employee Training	Annual Training	To be Completed in Storm Water FY 2018
Program Evaluation	Evaluate Program Effectiveness Annually	To be Completed in Storm Water FY 2017

J. Industrial Storm Water Runoff:

1. Objective:
The objective of the industrial storm water runoff program is to identify and control pollutants in storm water discharges to the storm sewer system from industrial facilities.
2. Activities completed or in progress:
As part of drafting the SWMPP, the MS4 invested a significant amount of time and resources in updating its list of industrial and high risk commercial facilities, including Tier II facilities. Additionally, the MS4 re-evaluated its standard operating procedure for industrial inspections and included these procedures in the SWMPP. All of the inventoried industrial inspection sites have been incorporated into the GIS spatial database as shown in the Industrial Facilities figure included within the SWMPP. The MS4 performed routine inspections as required for a portion of the industrial facilities within the MS4 and reviewed each known NPDES permitted facility's discharge monitoring reports (DMRs) for the past year within the MS4 to ensure compliance.
3. General discussion:
A newfound resource for updating the list of industrial facilities throughout the MS4 is the use of the City's business license code list. From this list the MS4 has identified codes that generally consist of entities in need of inspection as they relate to storm water. The MS4 also keeps its list of Tier II facilities current by coordinating with both the City's Fire Department and the Shelby County EMA. As stated previously, Tier II facilities are required to issue annual reports under the Emergency Planning and Community Right-to-Know Act (EPCRA) to the Shelby County EMA and local fire department (Pelham Fire). The new permit requires provisions for ensuring that NPDES permitted facilities within the MS4 maintain compliance with their respective permit. As discussed in the SWMPP, the City has made provisions to review each facility's DMRs over the past year as part of meeting this requirement so that the City may allocate more resources to the facilities without an NPDES permit but requiring inspection. The procedures for inspections follow those presented in the SWMPP.
4. Status:
The results of the City's industrial program activities are detailed in the summary table below.
5. Strengths and weaknesses:
A key strength to this program is the City's knowledge of the businesses within their jurisdiction and the interdepartmental coordination between the City departments to maintain the most current facility list possible. A primary weakness in this program is the lack of standardized training to allow for additional personnel to conduct industrial inspections.
6. Assessment:
The MS4 is encouraged by the use of the City's business license codes to track

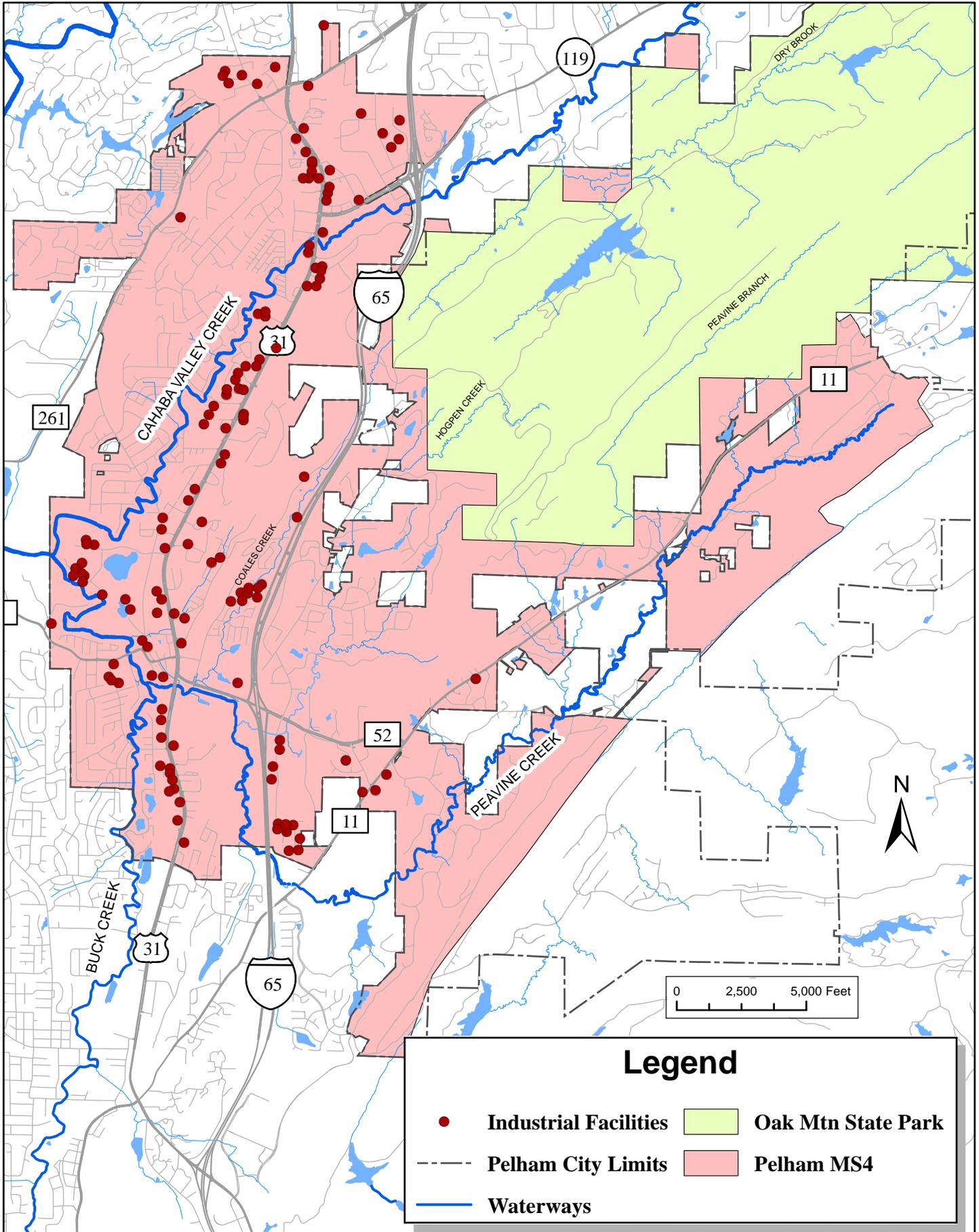
industrial and high risk commercial facilities within the MS4. This improvement alone will allow for a much more efficient method of updating the facility list in the future. The City is also encouraged by the ability to review the DMRs required to be submitted to ADEM for each NPDES permitted facility within the MS4 so that the City can divert additional resources to those facilities without an NPDES permit.

7. Proposed revisions:
There are no revisions proposed to the Industrial Storm Water Runoff Program at this time.

8. Measurable Goals:

Program Component	Description and Frequency	Completed
Facility Inspections	Inspect 20% Annually	<u>28</u> Facilities Inspected (20%)
Review Data of NPDES Permitted Facilities	Review Facilities' DMRs Annually	<u>10</u> NPDES Permitted Facilities <u>10</u> DMR Reviews Performed <u>0</u> Non-compliant Facilities
Update Facility List and Map	Update Annually as Needed	Updated
Industrial Facility Monitoring	As needed	<u>0</u> Monitoring Performed
Program Evaluation	Evaluate Program Effectiveness Annually	<u>1</u> Review Performed

Figure 5: Industrial Facilities



K. Monitoring Programs

1. Objective:
The objective of the monitoring program is to provide the data necessary to assess the effectiveness and adequacy of control measures implemented under the SWMPP.
2. Activities completed or in progress:
The MS4 has continued to increase its focus on sampling of impaired streams within the MS4 boundary that have ADEM approved TMDLs. In-stream sampling of target pathogen impaired receiving waters upstream of the Cahaba River was performed on Cahaba Valley Creek and Buck Creek. During this past permit year, each of these streams was sampled sufficiently to calculate one summer monthly geomean at both an upstream and downstream location within the MS4. Sampling locations were selected with the intent of understanding water quality entering and leaving the MS4 for both streams. Testing results have been included within Appendix A. The MS4 is also currently in discussions with the USGS to establish manual flow gage stations at several sampling sites.
3. General discussion:
As anticipated over the last several years, the new NPDES Permit recently issued places a much greater emphasis on in-stream sampling of impaired streams within the MS4 or directly affected by the MS4. This includes both Wet Weather Monitoring and TMDL Monitoring programs as defined in the SWMPP. Wet Weather sampling sites are in-stream sampling sites that require sampling elevated stream conditions due to storm events. TMDL Monitoring sites are in-stream sampling sites located on impaired streams within the MS4 or streams that drain to impaired streams such as the Cahaba River. For additional information regarding the MS4's plan for these programs, please see the City's SWMPP.
4. Status:
As stated above, the MS4 has completed one round of TMDL sampling this past year and is preparing for additional TMDL sampling in FY 2017 as described in the SWMPP. Additionally, the MS4 is preparing to begin Wet Weather monitoring as required by the permit and described in the SWMPP. Wet Weather sampling was not conducted this permit year since the major accomplishment of this year was the drafting of the SWMPP, which requires a sampling plan. Creating a sampling plan that takes time to determine the most effective and practical sites. Now that the plan is established, the City will begin monitoring accordingly as described in the Plan. The MS4 is currently anticipating an agreement from the USGS to establish manual flow gage stations at the City's Wet Weather Monitoring sites to provide an increased understanding of watershed characteristics and the ability to calculate pollutant loadings for various sampling events.
5. Strengths and weaknesses:
The primary strength of this program is the quality control in the sampling process. All field technicians adhere to detailed sampling procedures which were

prepared specifically for this project. In addition, the MS4 benefits from proactive administration with interest in not only meeting permit requirements, but making lasting contributions to water quality. An additional strength of this program is the City's relationships with surrounding MS4s which provides for sharing of data and reporting of problems discovered due to sampling.

6. **Assessment:**
The results of the TMDL Monitoring are presented in Appendix A. Although higher phosphorus and pathogen results were detected at Buck Creek's upstream site, results from sampling at the downstream site were significantly less, particularly in regards to pathogens, and therefore no investigative sampling was conducted within the MS4. The MS4 is encouraged by the direction of this program, particularly in regards to coordination with USGS to install future manual gage stations and the information the MS4 will be able to gather from this work.

7. **Proposed revisions:**
There are no proposed revisions at this time.

8. **Measurable Goals:**

Program Component	Description and Frequency	Completed
Wet Weather Sampling	Quarterly Sampling	To be Completed in FY 2017
TMDL Sampling	Semi-Annually Sampling	<u>1</u> Sampling Round Performed
TMDL Investigative Sampling	Investigative Sampling as Needed	<u>0</u> Investigative Sampling Rounds Performed
Program Evaluation	Evaluate Program Effectiveness Annually	<u>1</u> Review Performed

Figure 6: Wet Weather Sampling Sites

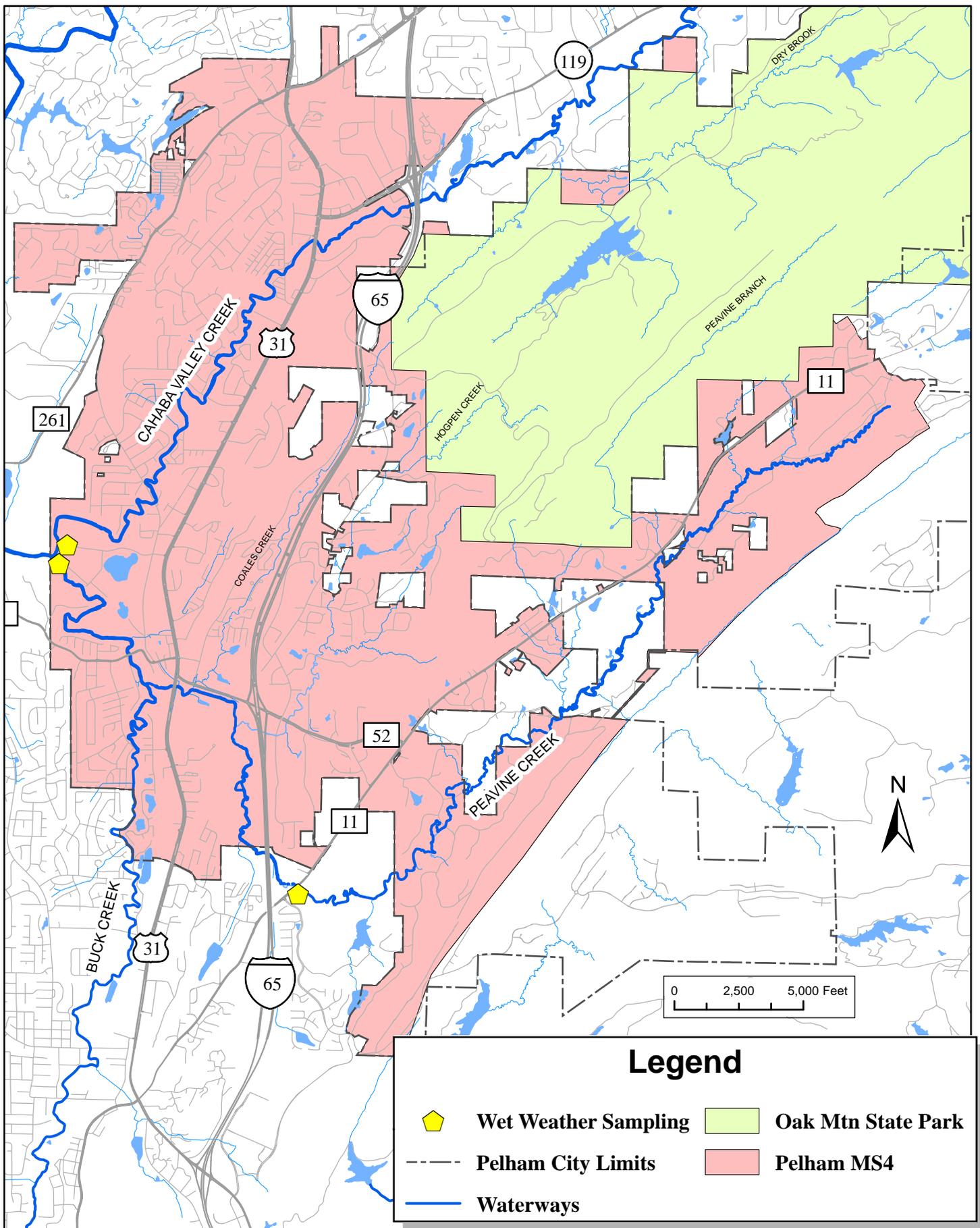
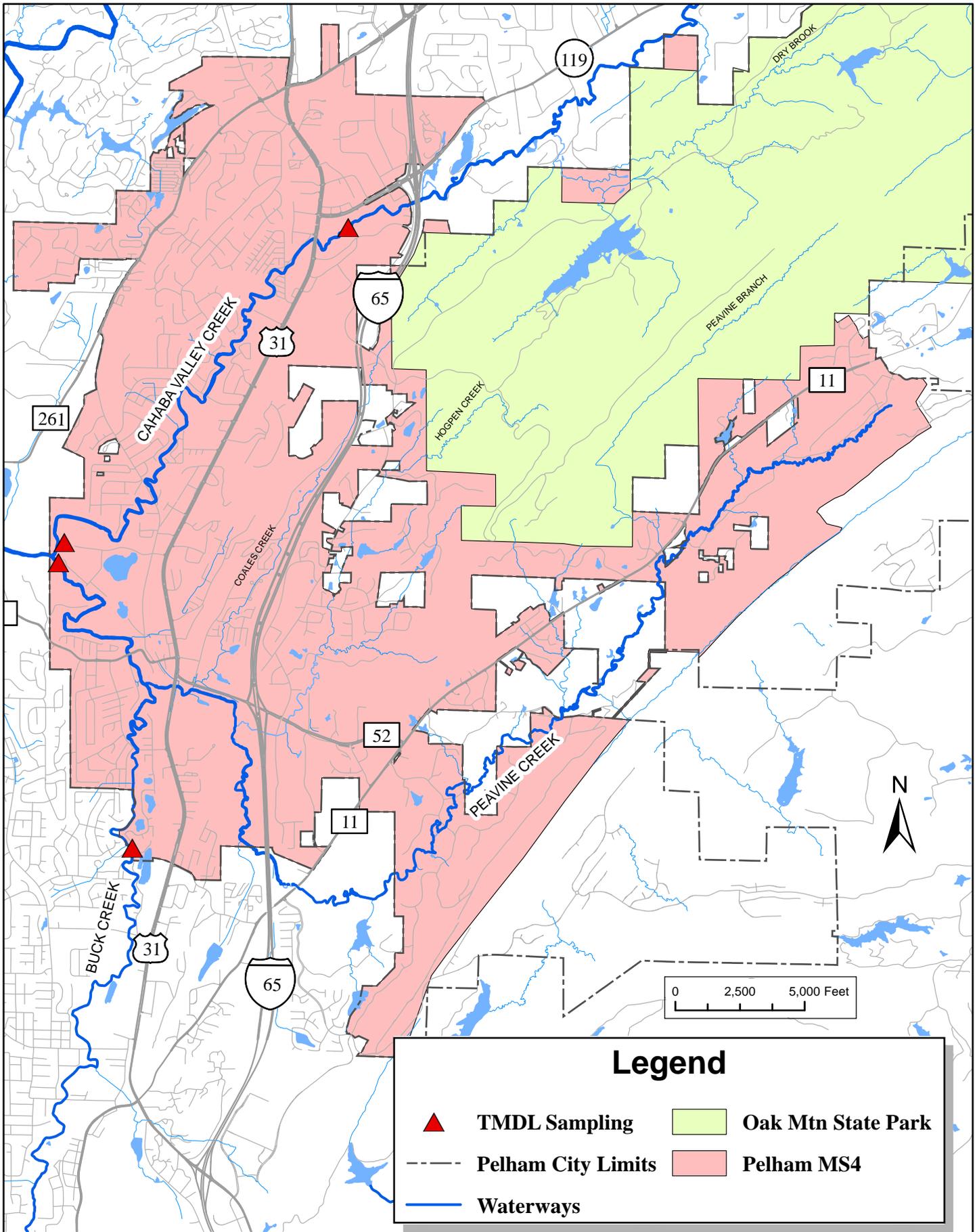


Figure 7: TMDL Sampling Sites



Part IV: Proposed SWMPP Modifications

No modifications are proposed at this time; however, the SWMPP is being evaluated now that the MS4 has entered the next storm water fiscal year.

Part V: Fiscal Analysis

All of the costs associated with fulfilling the requirements of the storm water management permit have been paid out of the general operating budget of the City of Pelham. A summary of costs associated with the City of Pelham's storm water management program compliance is included below.

Administrative, Engineering, Public Education, Etc...	\$ 108,854.79
Construction Sector	\$ 52,876.20
PHFs & Mowing Sector	\$ 38,600.00
Litter Control & Oils/Toxics Disposal	\$ 13,000.00
Monitoring, Screening, & Inspections	\$ 28,800.00
Storm Drain Maintenance	\$ 8,000.00
TOTAL	\$ 250,130.99

APPENDIX A
TMDL Monitoring Results
&
Representation

City of Pelham MS4
 Stormwater Management Program
 TMDL Monitoring Results for Storm Water FY2016

BUCS-4 - Holland Lakes Subdivision							Upstream
Date	pH* (s.u.)	Dissolved Oxygen* (mg/L)	Temperature* (°F)	TSS (mg/L)	Total PO ₄ (mg/L)	E. Coli (col/100mL)	Geomean (E.Coli Only)
7/5/2016	7.69	5.71	79.9	6	0.07	365	
7/7/2016	-	5.57	77.9	5	0.03	438	
7/12/2016	7.55	7.67	77.5	5	0.07	1170	
7/14/2016	7.47	5.53	76.4	3	0.02	587	626
7/19/2016	7.56	5.79	78.3	5	0.08	708	
7/21/2016	7.47	6.31	79.0	5	0.06	776	
Average	7.55	6.10	78.2	5	0.06		

Buck Creek - Police Firing Range							Downstream
Date	pH* (s.u.)	Dissolved Oxygen* (mg/L)	Temperature* (°F)	TSS (mg/L)	Total PO ₄ (mg/L)	E. Coli (col/100mL)	Geomean (E.Coli Only)
7/5/2016	8.05	7.51	80.6	3	0.05	98	
7/7/2016	-	7.00	83.5	3	0.02	56	
7/12/2016	7.79	7.40	77.0	4	0.04	56	
7/14/2016	7.75	6.88	77.3	3	<0.02	42	66
7/19/2016	7.83	7.24	79.1	3	0.05	203	
7/21/2016	7.75	7.26	78.9	1	<0.02	32	
Average	7.83	7.22	79.4	3	0.03		

Notes:

1. *Indicates field measured parameters
2. Fish & Wildlife Classification dictates E.Coli criteria as follows: From June-Sept. Single Sample limit of 487 col/100 mL and Geomean of 126 col/100 mL; from Oct.-May Single Sample limit of 2,507 col/100 mL and Geomean of 548 col/100 mL
3. TSS Target from 2013 Cahaba River Siltation TMDL is 45 mg/L
4. TP Target from 2006 Cahaba River Nutrients TMDL is 0.035 mg/L during the growing season (April-Oct.)

City of Pelham MS4
 Stormwater Management Program
 TMDL Monitoring Results for Storm Water FY2016

Bishop Creek - Oak Mountain Amphitheater							Upstream
Date	pH* (s.u.)	Dissolved Oxygen* (mg/L)	Temperature* (°F)	TSS (mg/L)	Total PO ₄ (mg/L)	E. Coli (col/100mL)	Geomean (E.Coli Only)
7/5/2016	7.93	6.49	80.6	3	0.06	346	
7/7/2016	-	7.58	76.8	2	0.04	58	
7/12/2016	7.99	7.65	76.5	5	0.02	100	154
7/14/2016	7.99	7.55	76.8	3	<0.02	109	
7/19/2016	8.01	7.34	77.9	2	<0.02	296	
7/21/2016	7.94	7.72	78.3	1	<0.02	209	
Average	7.97	7.39	77.8	3	0.03		

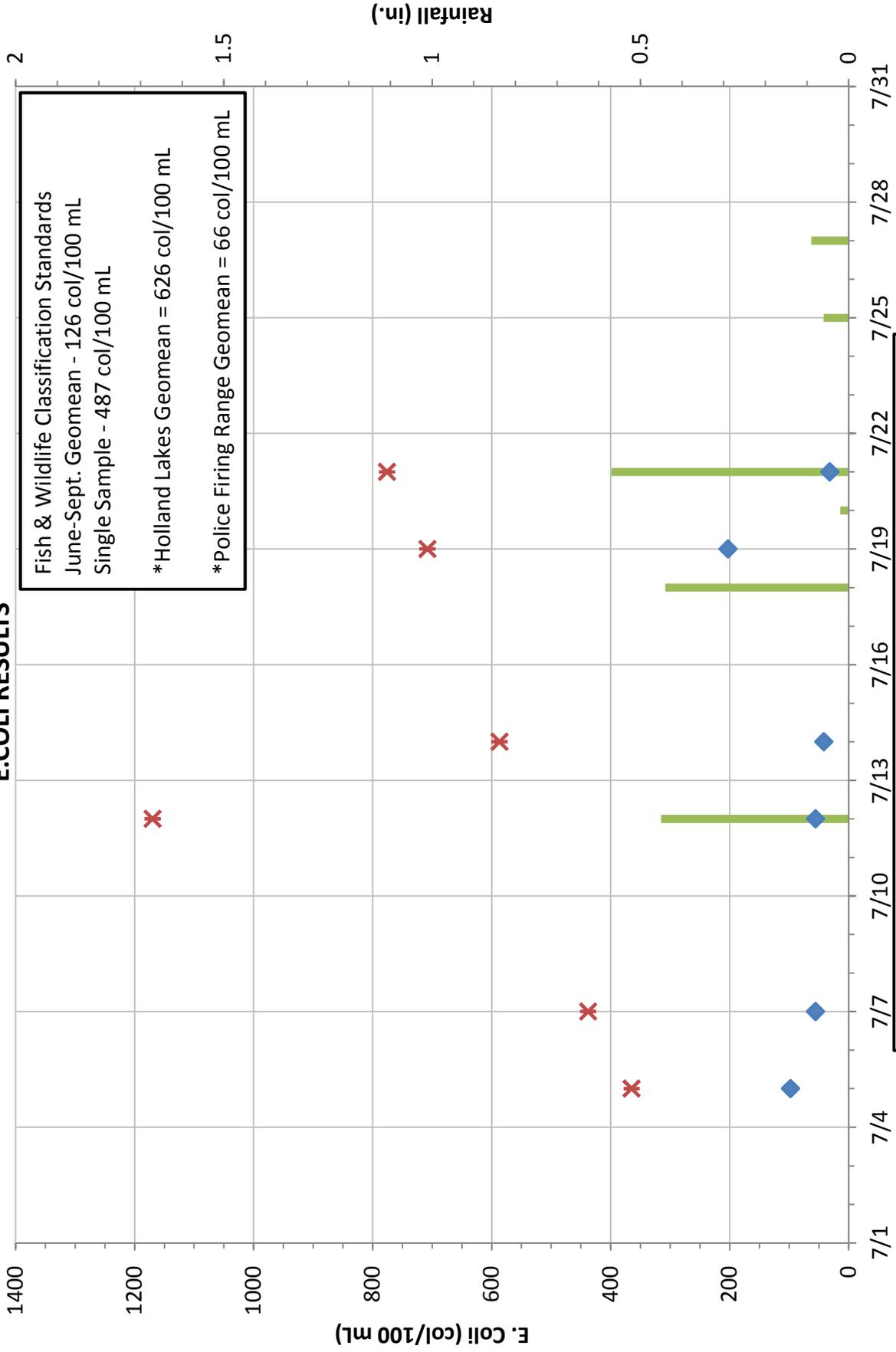
Bishop Creek - Police Firing Range							Downstream
Date	pH* (s.u.)	Dissolved Oxygen* (mg/L)	Temperature* (°F)	TSS (mg/L)	Total PO ₄ (mg/L)	E. Coli (col/100mL)	Geomean (E.Coli Only)
7/5/2016	8.24	8.12	81.0	5	0.04	95	
7/7/2016	-	7.68	78.4	1	<0.02	82	
7/12/2016	7.94	7.71	77.1	5	<0.02	91	80
7/14/2016	7.96	7.54	75.1	4	<0.02	56	
7/19/2016	7.97	7.65	77.9	2	<0.02	91	
7/21/2016	7.81	7.40	78.5	3	<0.02	75	
Average	7.98	7.68	78.0	3	0.02		

Notes:

1. *Indicates field measured parameters
2. Fish & Wildlife Classification dictates E.Coli criteria as follows: From June-Sept. Single Sample limit of 487 col/100 mL and Geomean of 126 col/100 mL; from Oct.-May Single Sample limit of 2,507 col/100 mL and Geomean of 548 col/100 mL
3. TSS Target from 2013 Cahaba River Siltation TMDL is 45 mg/L
4. TP Target from 2006 Cahaba River Nutrients TMDL is 0.035 mg/L during the growing season (April-Oct.)

BUCK CREEK TMDL SAMPLING

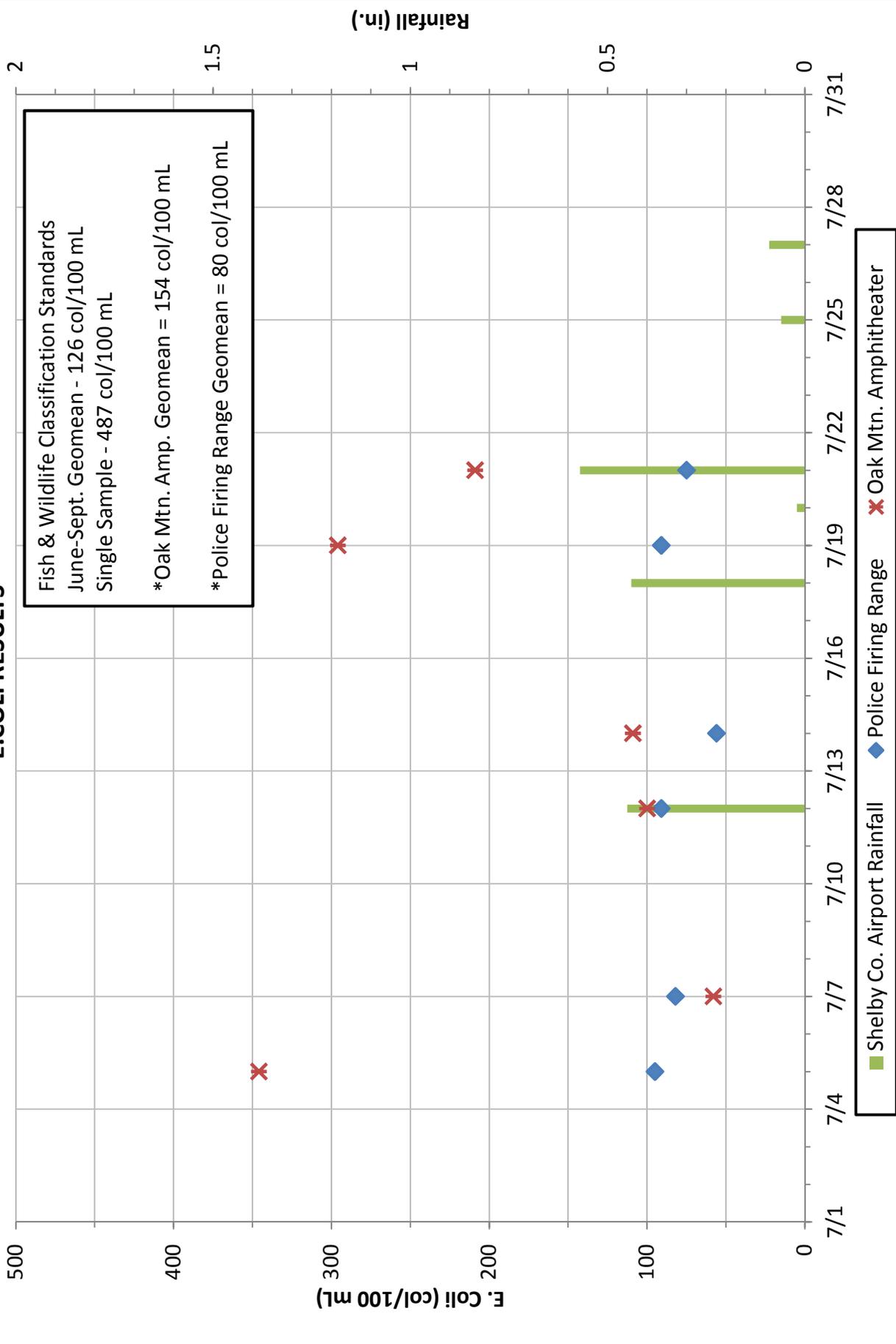
E. COLI RESULTS



■ Shelby Co. Airport Rainfall
 ◆ Police Firing Range
 ✘ BUCS-4

BISHOP CREEK TMDL SAMPLING

E. COLI RESULTS



APPENDIX B

Dry Weather Screening

The following information includes (1) a Summary Table of Dry Weather Screening activity over the past permit year (2) Dry Weather Screening Data Sheet that is representative of the data that was recorded for a typical outfall where no discharge was recorded. There were no discharges from the outfalls screened this permit year.

OUTFALL	DATE INSPECTED	XY COORDINATE (UTM)	SITE DESCRIPTION AND/OR PIPE SIZE	LAND USE	FLOW RATE (g/s)	ODOR	COLOR	CLARITY	FLOAT	DEPOS	VEG. PROBLEM	STRUC. PROBLEM	BIO.	TEMP (F)	SAMPLE
S13-085	9/23/2016	517380 / 3684549	Open Ditch	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-087	9/23/2016	517452 / 3684554	Open Ditch	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-088	9/23/2016	517396 / 3684510	Open Ditch	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-092	9/23/2016	518901 / 3684104	24" RCP	I	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-093	9/23/2016	518840 / 3683943	24" RCP	I	N/A	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-094	9/23/2016	518768 / 3683754	36" RCP	I	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-095	9/23/2016	516941 / 3684137	36" CMP	I	None	None	N/A	N/A	Garbage	None	Normal	Metal Corrosion	N/A	N/A	No
S13-096	9/23/2016	516925 / 3684065	36" RCP	I	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-098	9/23/2016	516557 / 3683610	Open Ditch	I	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-099	9/23/2016	516580 / 3683560	Open Ditch	I	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-223	9/23/2016	517406 / 3686128	54" CMP	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-226	9/23/2016	517733 / 3685997	36" CMP	R	None	None	N/A	N/A	None	None	Normal	Metal Corrosion	N/A	N/A	No
S13-229	9/23/2016	517680 / 3685972	18" RCP	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-230	9/23/2016	517858 / 3685910	36" CMP	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-231	9/23/2016	518014 / 3685903	Open Ditch	C	None	None	N/A	N/A	None	None	None	Normal	N/A	N/A	No
S13-232	9/23/2016	To Be Verified	Open Ditch	R,C	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-233	9/23/2016	517970 / 3685838	Open Ditch	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-234	9/23/2016	518036 / 3685899	Open Ditch	R,C	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-240	9/23/2016	517596 / 3685289	72" CMP	R	None	None	N/A	N/A	None	None	Normal	Other	N/A	N/A	No
S13-242	9/23/2016	518927 / 3685417	Open Ditch	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-243	9/23/2016	518866 / 3685396	Open Ditch	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-244	9/23/2016	518923 / 3685353	Open Ditch	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-245	9/23/2016	518852 / 3685310	Open Ditch	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-274	9/23/2016	517751 / 3687012	36" RCP	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-278	9/23/2016	518035 / 3686462	36" RCP	R	None	None	N/A	N/A	None	Sediment	Normal	Normal	N/A	N/A	No
S13-279	9/23/2016	518584 / 3686819	36" CMP	R	None	None	N/A	N/A	None	None	Normal	Metal Corrosion	N/A	N/A	No
S13-284	9/23/2016	518116 / 3686290	Open Ditch	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-285	9/23/2016	518176 / 3686356	Open Ditch	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-286	9/23/2016	518232 / 3686287	Open Ditch	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-287	9/23/2016	518185 / 3686253	Open Ditch	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-295	9/23/2016	517271 / 3686016	42" CMP	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-296	9/23/2016	517128 / 3685885	36" CMP	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-298	9/23/2016	517347 / 3685407	60" CMP	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-301	9/23/2016	516646 / 3684668	48" RCP	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S13-383	9/23/2016	517399 / 3684365	18" & 24" RCP	I	None	None	N/A	N/A	None	None	None	Normal	N/A	N/A	No
S13-389	9/23/2016	To Be Verified	Open Ditch	R	None	None	N/A	N/A	None	None	None	Normal	N/A	N/A	No
S14-004	9/23/2016	519713 / 3686645	Open Ditch	U	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S14-005	9/23/2016	519706 / 3686609	Open Ditch	U	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S14-006	9/23/2016	519657 / 3686636	Open Ditch	U	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S14-007	9/23/2016	519660 / 3686591	Open Ditch	U	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S14-008	9/23/2016	519992 / 3686360	Open Ditch	U	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S14-009	9/23/2016	520034 / 3686328	Open Ditch	U	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S14-010	9/23/2016	519976 / 3686313	Open Ditch	U	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S14-011	9/23/2016	520019 / 3686285	Open Ditch	U	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S14-013	9/23/2016	519623 / 3685327	Open Ditch	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S14-014	9/23/2016	519657 / 3685337	Open Ditch	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S14-015	9/23/2016	519648 / 3685291	Open Ditch	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No
S14-016	9/23/2016	513614 / 3685277	Open Ditch	R	None	None	N/A	N/A	None	None	Normal	Normal	N/A	N/A	No



City of Pelham Storm Water Management Program
Dry-Weather Screening Data Sheet

Outfall number: 13-301
Inspection Team: P. Lacey

Date: 9/23/16
Time: 11:27 AM / PM

Site Description: [] open channel [] manhole [x] outfall [] other

Dominant Watershed Land Uses: [] industrial [] commercial [x] residential [] unknown
[] other

Location: from Curb inlets @ 142 Cedar Cove Drive

Flow Present: [x] No [] Yes
1. width of water surface (ft):
2. approximate depth of water (ft):
3. approximate flow velocity (fps):
flow rate (cfs) = 1x2x3 =

Visual Observations:
Odor: [x] none [] musty [] sewage [] rotten eggs [] sour milk [] other
Color: [] clear [] red [] yellow [] brown [] green [] gray [] other
Clarity: [] clear [] cloudy [] opaque [] suspended solids [] other
Floatables: [x] none [] oily sheen [] garbage/sewer [] other
Deposits/Stains: [x] none [] sediments [] oily [] other
Vegetation Condition: [] none [x] normal [] excessive growth [] inhibited growth [] other
Structural Condition: [x] normal [] concrete cracking/spalling [] metal corrosion [] other
Biological: [] mosquito larvae [] bacteria/algae [] other

Field Analysis:
water temperature (°F):
pH Method of Analysis: (Strips/Meter)
Laboratory Sample Collected: [] yes [] no

Lab Analysis:
E. Coli (colonies/100ml): Potassium (mg/l): NH3N (mg/l):
Oil & Grease (mg/l): MBAS (mg/l): pH

Comments:

Data Sheet Filled Out By (signature): Patrick Lacey

SWMP

STORM WATER MANAGEMENT PROGRAM PLAN



CITY OF PELHAM MUNICIPAL SEPARATE STORM SEWER SYSTEM

Prepared by: Municipal Consultants, Inc.
Date Modified: August 31, 2016

Table of Contents

I. General Information		
A. Objective of Program		Page 3
B. Program Participants		Page 3
C. Roles and Responsibilities of Program Participants		Page 3
D. Area of Coverage		Page 3
E. Legal Authority		Page 3
F. Program Review and Modification		Page 4
II. Program Components		
A. Structural Controls		Page 7
B. Public Education and Public Involvement		Page 9
C. Illicit Discharge and Elimination (IDDE)		Page 13
D. Construction Site Storm Water Runoff Control		Page 20
E. Post-Construction Storm Water Management		Page 23
F. Spill Prevention and Response		Page 26
G. Good Housekeeping for Municipal Operations		Page 28
H. Application of Pesticides, Herbicides, and Fertilizers (PHFs)		Page 31
I. Oils, Toxics, and Household Hazardous Waste Control		Page 32
J. Industrial Storm Water Runoff		Page 33
K. Monitoring Programs		Page 36
Tables		
Table 1:	Contact List	Page 5
Figures		
Figure 1:	Overall MS4 Boundary	Page 6
Figure 2:	Structural Controls	Page 8
Figure 3:	Dry Weather Screening Flow Chart	Page 18
Figure 4:	Major Outfalls	Page 19
Figure 5:	Municipal Facilities	Page 30
Figure 6:	Industrial Facilities	Page 35
Figure 7:	Wet Weather Sampling Sites	Page 40
Figure 8:	TMDL Sampling Sites	Page 41
Appendices		
Appendix 1:	City of Pelham Storm Water Management Ordinance	
Appendix 2:	City of Pelham Subdivision Regulations	
Appendix 3:	Major Outfall List	
Appendix 4:	Inspection & Field Data Sheets	
Appendix 5:	SOPs and Standard Documents for Program Components	
Appendix 6:	Industrial & Commercial Facility Inventory	
Appendix 7:	Shelby County MS4 Storm Water Management Permit	

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

I. General Information

A. Objective of Program:

The City of Pelham was issued NPDES Permit No. ALS000009 (herein after referred to as the Permit) by the Alabama Department of Environmental Management (hereinafter referred to as ADEM) with an effective date of December 1, 2015. The purpose of this Storm Water Management Program Plan (SWMPP) is to prohibit the discharge of non-storm water into the municipal separate storm sewer system (MS4) and to reduce the discharge of pollutants from the MS4 to the maximum extent practicable. This Storm Water Management Program Plan has been developed in compliance with the requirements of the Permit.

B. Program Participants:

A contact list for the program participants is provided in Table 1.

C. Roles and Responsibilities of Program Participants:

Roles and responsibilities of the program participants are specified within each program element detailed in this SWMPP.

D. Area of Coverage

This SWMPP shall apply to the corporate boundaries of the City of Pelham within the Cahaba River drainage basin, with the exception of the Oak Mountain State Park. In December of 2014, ADEM notified Oak Mountain State Park that the Park does not qualify as needing NPDES coverage. Therefore, the Park is not included in the City's area of coverage. Figure 1 provides an overview of the City's MS4.

E. Legal Authority:

Act No. 95-775, Legislature of Alabama - 11-89C-1 - 14, Code of Alabama 1975, and other provisions thereof, grants the legal authority to set up a local storm water management program, with the associated ordinance and fees, to "the governing bodies of all Class 1 municipalities within the state and the county governing bodies in which the Class 1 municipalities are located and the governing bodies of all municipalities located within those counties, and where any such municipality is also located partially within an adjoining county, then the governing body of such adjoining county." Among other privileges, the Legislature granted the legal authority to: (1) control discharges and prohibit discharges to and from those portions of the MS4 over which it has jurisdiction, (2) control spills that may pose a threat to the MS4, (3) have interagency agreements, (4) require compliance with applicable local, state, and federal laws, and (5) perform inspections on private property to investigate sources of illicit discharges to the MS4. This legal authority was utilized by the City to adopt a local ordinance addressing these issues originally in 1995. The ordinance will be revised and will replace Appendix 1 once ADEM has reviewed and provided comments on this SWMPP. Likewise, the City's Subdivision Regulations, incorporated as Appendix 2, may also be revised once comments from ADEM are received.

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

F. Program Review and Modification:

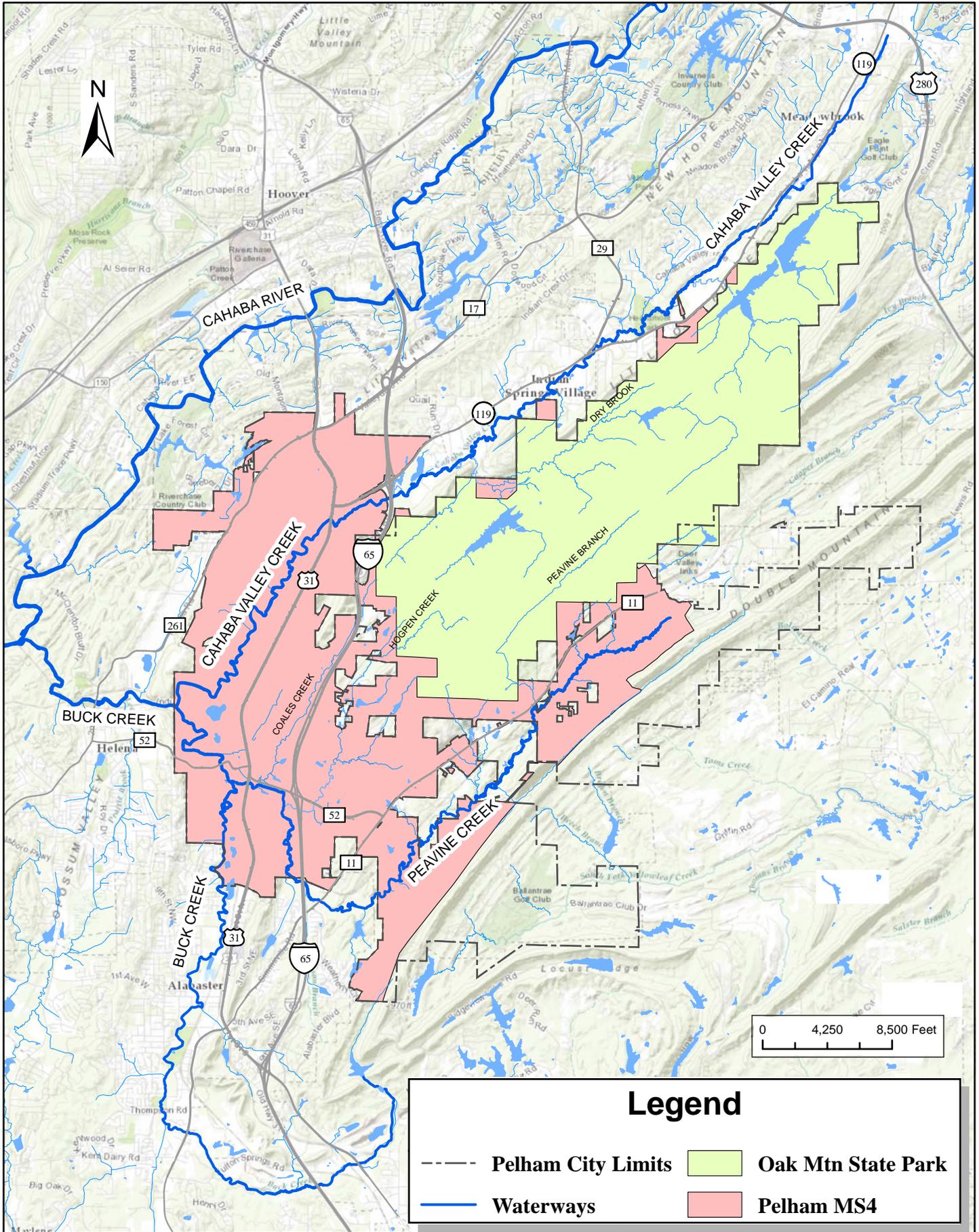
The SWMPP may be updated and modified as necessary to comply with the requirements set forth in the Permit.

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

TABLE 1

Agency	Contact	Address & Telephone
City of Pelham	Jesse Jowers City Engineer	P.O. Box 1419 Pelham, AL 35124 (205) 620-6408 jjowers@pelhamonline.com
	Eddy Jowers Director of Public Works	P.O. Box 1479 Pelham, AL 35124 (205) 620-6413 ejowers@pelhamonline.com
	Bob Miller Building Official	P.O. Box 1238 Pelham, AL 35124 (205) 620-6409 sweeney@pelhamonline.com
	Danny Fancher Sewer Dept. Supervisor	P.O. Box 1479 Pelham, AL 35124 (205) 620-6424 dfancher2@pelhamonline.com
	Mark Keith Street Dept. Supervisor	P.O. Box 1479 Pelham, AL 35124 (205) 620-6416 mkeith@pelhamonline.com
	Billy Crandall Parks & Rec. Dept. Supervisor	P.O. Box 1419 Pelham, Alabama 35124 (205) 620-6426 bcrandall@pelhamonline.com
	Chief Danny Ray Fire Department	P.O. Box 1419 Pelham, AL 35124 (205) 620-6500 dray@pelhamonline.com
Municipal Consultants, Inc.	Andrew Golden and Byron Woods	200 Century Park South, Suite 212 Birmingham, AL 35226 (205) 822-0387 agolden@municipalconsultants.org bwoods@municipalconsultants.org

Figure 1: Overall MS4 Boundary



STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

II. Program Components

All program components shall inherently include all requirements of the Permit as required.

A. Structural Controls

All storm water structural controls owned and/or operated by the City within the MS4 shall be inspected and maintained by the City in such a way as to reduce pollutants to the maximum extent practicable.

Multiple other structural controls, primarily retention and detention ponds, exist in the project area, but all are owned, operated, or maintained by private land owners or neighborhood associations (see Post-Development Construction portion of this document for requirements associated with proposed privately owned structural controls associated with developments and/or re-developments). The proposed construction of any new structural controls in the MS4 owned by the City shall be added to the SWMPP as necessary.

Inventory

The following City owned structural controls currently exist within the City's MS4:

1. City Hall Retention Pond
2. Chadwick Subdivision Detention Pond

Mapping

The City shall maintain a map of all City owned structural controls within the MS4. This map is included as Figure 2 of this SWMPP. The structural controls map shall be updated annually.

Standard Operating Procedures

The City shall utilize an inspection sheet, provided within Appendix 4, when performing an inspection of each structural control listed in the inventory above. Required maintenance and/or deficiencies noted shall be reported to the Public Works Department supervisor for action. Eroded areas shall be stabilized and re-vegetated as needed and all floatables, litter, sediment, and debris found shall be removed as needed. All maintenance performed shall be documented and retained for record purposes.

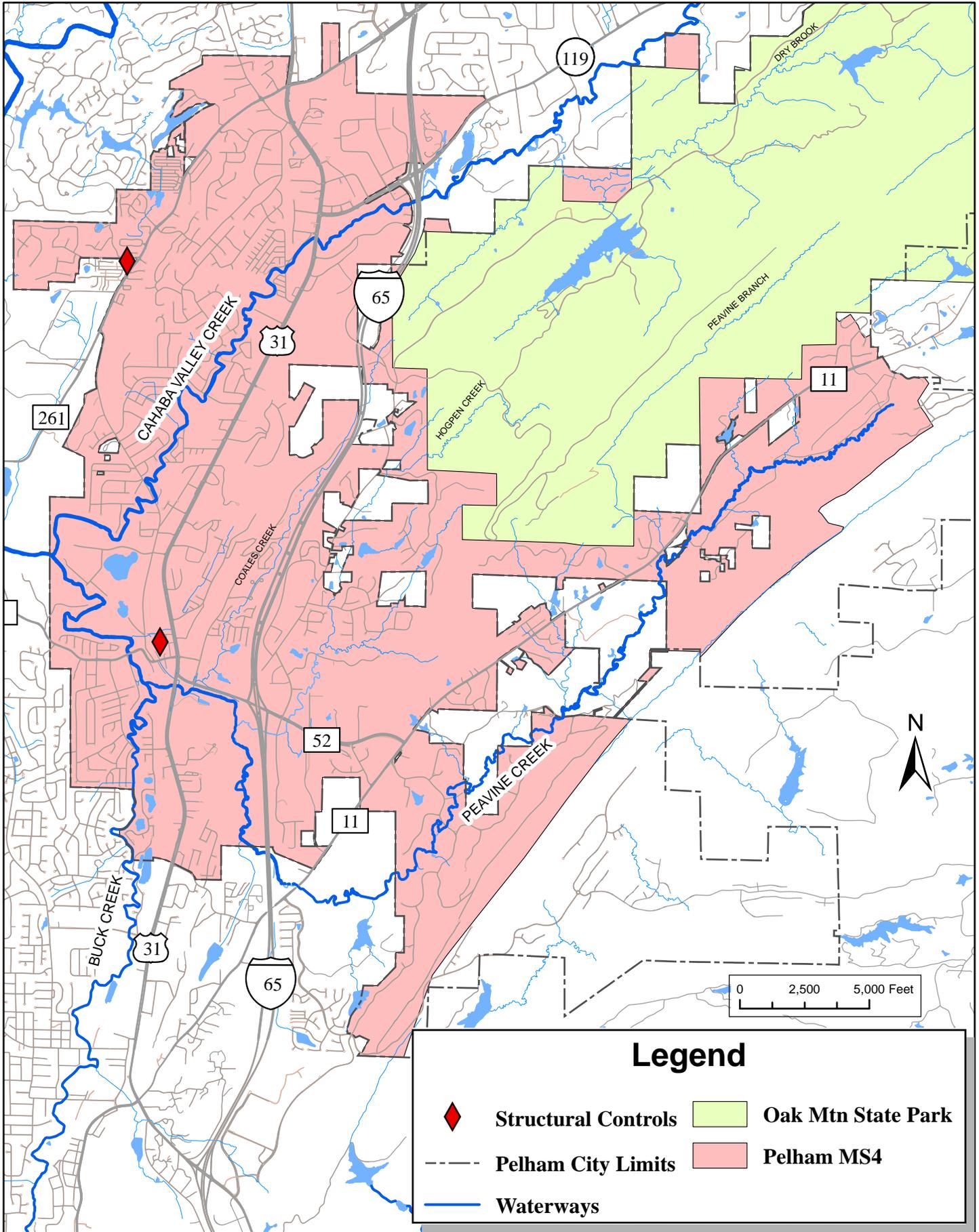
Responsible Departments

Inspections, Mapping, & Coordination: City Engineer & Municipal Consultants, Inc.
Maintenance & Repairs: Public Works Department

Measurable Goals

Goal	Schedule	Implementation
Update Map	As needed	December 1, 2015
Structural Control Inspection	Semi-Annually	December 1, 2015
Maintenance & Repair	As needed	December 1, 2015
Program Evaluation	As needed & At a minimum	December 1, 2015

Figure 2: Structural Controls



STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

B. Public Education and Involvement

The City shall develop and continually implement a public education and involvement program to inform the community about the impacts of storm water discharges on water bodies. The intent of this program is that, by educating the general public and other specific groups on the impacts of storm water discharges, pollutants entering the MS4 will be minimized or eliminated and stream impairments will be mitigated. The City plans to accomplish this program through the following elements described below.

Public Education

The public education portion of this program shall target the following pollutant sources and audiences:

Pollutant Sources

1. Illicit Discharges
2. Erosion and Sedimentation from Construction Sites
3. Pet Waste
4. Application and Storage of Pesticides, Herbicides, and Fertilizers
5. Disposal of oils, toxics, and household hazardous wastes
6. Litter, Floatables, and Debris

Audiences Targeted

1. General Public
2. Engineers, Developers, and Contractors
3. Businesses
4. Homeowners, Landscapers, and Property Managers
5. Elected Officials

The following elements of the public education program shall be used in targeting the pollutant sources and audiences listed above.

Education Materials

In order to The City has developed the following educational pamphlets/brochures which are posted on the City's website and also available at the City Library, Building Department, Water Department, and City Hall:

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

Pamphlet	Targeted Audience	Targeted Pollutant Source
Construction BMPs	Contractors, Developers, and Engineers	Erosion and Sedimentation
After the Storm	General Public	Illicit Discharges, Pet Waste, PHFs, Household Hazardous Waste, and Litter
Household Hazardous Materials	Homeowners, Businesses, General Public	Household Hazardous Wastes
Lawn Fertilizer	Homeowners, Landscapers, and Property Managers, General Public	Application and Storage of PHFs
Automobile Information	Homeowners, Businesses, General Public	Household Hazardous Wastes
Pet Information	Homeowners, General Public	Pet Waste
Household Septic Systems	Homeowners	Illicit Discharges

The City shall attempt to distribute educational pamphlets through water bill mail-outs or other targeted mailings with a goal of specifically addressing at least one target audience and/or pollutant source per year.

Public Education Events, Seminars, and Workshops

The City shall participate and promote public education events, seminars, and workshops addressing storm water into this program. These events shall include but not be limited to:

1. Training Workshops and/or events addressing, but not limited to, general storm water runoff impacts, PHFs, Pet Waste, Illicit Discharges, and incorporating LID/green infrastructure design in new and redevelopments
2. Annual QCI/QCP Construction Stormwater BMP Course
3. Annual participation in the Shelby County Water Festival for 4th graders in the City school system

All training and public education events shall be tracked and the following items documented: number of attendees, date of event, and course content. The City may choose to combine resources for training and public education events with surrounding municipalities.

Public Involvement

The public involvement portion of this program shall consist of the following:

STORM WATER MANAGEMENT PROGRAM PLAN

City of Pelham MS4

Public Input for SWMPP

The City shall seek and take into consideration input from the general public in the development and implementation of the initial SWMPP by providing an opportunity for the public to offer comments to be considered by the City for incorporation into the SWMPP through a public hearing. This public hearing was held on July 11, 2016 at City Hall with substantial participation and input from citizens of Pelham. The City will continue to involve the general public as necessary moving forward.

Storm Drain Labeling

The City shall implement a program to label storm drain inlets and catch basins with “No Dumping, Drains to Waterways” markers. This program shall utilize Street Department personnel as well as encourage public groups and organizations to participate in the program. The City will accommodate workers from these groups at the Building Department office.

No Littering/Dumping Signage

The Public Works Department shall post signage at designated areas which reference local codes that prohibit littering and illegal dumping. The City will also install and maintain pet waste removal stations at key locations within the City as funding allows.

Clean Up Events

The City shall encourage and support clean up events open to the public within the MS4 specifically targeting litter, debris, and floatables within the MS4 waterways, specifically within Buck Creek, Cahaba Valley Creek, Peavine Creek, tributaries to these creeks, and along the stream banks and surrounding areas of these creeks and waterways. Clean up areas shall be as determined by the event host. The City shall support creek clean up events within the MS4 as much as possible, assisting with advertising the event on the City’s website as well as providing trash disposal when possible. The City shall document the details of the event including but not necessarily limited to the 1) number of attendees, 2) location of the clean up event, 3) date of the event, and 4) if possible, amount of trash removed. The City plans to partner with local environmental groups which will be identified moving forward.

Recycling

The City provides weekly recycling pick up service available for citizens of Pelham. This service is posted on the City’s website.

The City shall attempt to receive funding for the placement of recycling receptacles at all public parks in addition to existing trash receptacles.

Responsible Departments

Coordination: City Engineer

Storm Drain Labeling, Signage and Clean Up Events: Public Works Department

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

Measurable Goals

Goal	Schedule	Implementation
Educational Material Distribution	Once Annually for each Target Audience/Pollutant Source	December 1, 2016
Educational Workshops and Training Courses	Once Annually	December 1, 2016
Participation in Shelby County Stormwater Festival	Annually	December 1, 2015
No Littering/Dumping Signage	As needed	December 1, 2016
Storm Drain Labeling	As needed	December 1, 2016
Support Clean Up Events	As Needed	December 1, 2016
Program Evaluation	Annually	December 1, 2015

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

C. Illicit Discharge Detection and Elimination

The MS4 shall implement an ongoing program to detect and eliminate illicit discharges into the MS4 to the maximum extent practicable, as required by Part II.B.3 of the Permit.

An illicit discharge is any discharge to the MS4 that is not composed entirely of storm water except for the following direct or indirect non-storm water discharges, unless they are determined by the City to be a source of contamination:

1. Waterline and fire hydrant flushing:
2. Discharges from potable water sources
3. Landscape irrigation
4. Diverted stream flows
5. Rising ground waters
6. Uncontaminated ground water infiltration
7. Uncontaminated pumped groundwater
8. Foundation and footing drains
9. Air conditioning condensation
10. Discharges from springs
11. Water from crawl space pumps
12. Irrigation watering (except treated and untreated wastewater unless authorized by ADEM)
13. Lawn watering runoff
14. Individual residential car washing and charitable car washes
15. Flows from riparian habitats and wetlands
16. Dechlorinated swimming pool discharges
17. Residual street wash water
18. Discharges from fire fighting activities

Outfall Mapping

The City shall develop and annually update a map of all known major storm water outfalls within the MS4. The current map provided as Figure 4 is based on recent revisions to the historical MS4 mapping. Based on the recent revisions, there are currently 128 known major outfalls in the project area. A list of these outfalls is located in Appendix 3. It should be noted that this list will continually be revised as needed when new outfalls are added and as annual dry weather screening and outfall mapping is performed.

Schedule to Screen Outfalls

The City shall maintain a schedule to screen each known major storm water outfall within the MS4 at least once during the life of the Permit. During each year of the Permit, the City shall screen a minimum of 20% of the total major outfalls, or approximately 26 outfalls based on the current list. The minimum number of outfalls screened per year shall increase if more major outfalls are constructed or located. The screening schedule will vary from location to location depending on rainfall totals and seasonal accessibility. Priority outfalls as categorized below shall be

STORM WATER MANAGEMENT PROGRAM PLAN

City of Pelham MS4

inspected annually.

Priority Outfall Inspections Schedule

A dry-weather screening schedule for all known major outfalls within the MS4 shall be maintained by the City based on the priority system described below. This prioritized list will be compiled from any citizen complaints received and from all wet outfalls discovered during the dry-weather screening process. The priority system shall be based on the following criteria:

1. All outfalls whose effluent contained more than 0.2 mg/l of MBAS;
2. All outfalls with a pH less than 6 and greater than 8;
3. All outfalls whose effluent contained more than 1 mg/l of NH₃N or 4.0 mg/l of oil and grease;
4. All outfalls whose effluent contained more than 126 colonies/100 mL of E.Coli; and
5. All outfalls whose effluent contained more than 10 mg/L of potassium.

The resulting list of outfalls shall be prioritized according to flow rate, with the highest flow rates receiving top priority. As stated above, priority outfalls shall be screened annually.

Dry-Weather Screening Procedures

The City shall use the EPA guidance manual, *Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments* by the Center for Watershed Protection, as the primary source of investigative techniques and guidance for the MS4's dry weather screening program. This manual has been incorporated within Appendix 5 of this SWMPP.

The City has developed an SOP for illicit discharge detection and reporting that has been provided to all City departments and is included in Appendix 5. Screening procedures shall consist of field locating the selected outfalls to be screened for the given year through the use of the MS4 outfall inventory and map. Outfalls shall be inspected after a minimum of 72 hours of dry weather. A field data sheet shall be filled out for each major outfall encountered by the field crew. Should an outfall be found discharging liquid, the source of the liquid shall be investigated and traced upstream in an effort to determine the source. If the source is unidentifiable or suspected to be illicit, a water sample shall be collected and tested. Based on the laboratory analysis of the sample, the outfall shall be prioritized and scheduled for further investigation as needed. A flow chart depicting the screening and investigative process is presented as Figure 3. A copy of the field data sheet used for screening outfalls is presented in Appendix 4. Outfalls requiring maintenance or repair shall be reported to the City's Public Works Department.

Sanitary Sewer Seepage

The City shall limit, to the MEP, the contamination of the MS4 by sanitary sewage. The two primary sources of contamination are sanitary sewage collection systems and

STORM WATER MANAGEMENT PROGRAM PLAN

City of Pelham MS4

septic tanks. Exfiltration from old or damaged sewer collection systems can contaminate storm water drainage systems that are located nearby. In addition, malfunctioning septic tank systems may cause partially treated wastewater to pool on the ground surface and to possibly flow into the storm water drainage system.

This type of contamination shall be detected by physical inspection of the storm water drainage path and by chemical analysis of the runoff. Physical signs might include turbidity, floatables, temperature, color, and odor. The chemical analysis of runoff containing sanitary sewage might reveal high levels of E. Coli., NH₃N, and MBAS. The dry-weather screening program offers one method of detection for sanitary sewage contamination.

However, a major reduction, to the MEP, of the infiltration and inflow of seepage, sanitary sewage overflows (SSO's), and bypasses from sanitary sewers into the MS4 can only be accomplished through prudent operation of the local sewer collection system and individual on-site septic systems. The City owns and operates a sanitary sewer treatment plant and collection system that serves a majority of the MS4. Contact information for the City's sewer system is provided in Table 1.

The City of Alabaster and Southwest Water Company own and operate wastewater treatment plants that drain to Pelham's MS4. Attention will be paid to any SSO's that may occur from these systems.

Individual on-site septic tank disposal systems are also located within the MS4 and are regulated by the Alabama Department of Public Health. The City shall notify the following in the event that an illicit discharge is suspected from a failing on-site disposal system:

Shelby County Health Department
2000 County Services Drive
Pelham, AL 35124
(205) 620-1650

All sanitary sewer infiltration and inflows, overflows, and illicit bypasses discovered by (or reported to) the MS4 shall be reported to the appropriate sewer authority as promptly as possible to reduce the possibility of contamination of the MS4. The City shall make an effort to coordinate with the Alabama Department of Public Health to locate and track existing on-site septic tank systems, particularly known problem areas. Additional educational BMPs shall be implemented specifically targeting owners of on-site septic tank disposal systems (e.g. educational pamphlets). These BMPs shall be relied on to facilitate proper operation and maintenance of individual on-site septic disposal systems.

The MS4 shall keep an updated record of all known raw sewage discharges that occur within the MS4 to better track illicit discharges within the MS4. This record shall be compiled annually by the City for incorporation into the annual storm water report.

STORM WATER MANAGEMENT PROGRAM PLAN

City of Pelham MS4

The following information shall be included in the record for each unpermitted discharge that occurs:

1. The cause of the discharge;
2. Date, duration, and volume of discharge (estimate if unknown);
3. Description of the source (e.g. manhole, lift station);
4. Location of the discharge, by street address or any other appropriate method;
5. The ultimate destination of the flow (e.g. surface waterbody, municipal separate storm sewer to surface waterbody) shown on a USGS Quad sheet or copy thereof; and
6. Corrective actions or plans to eliminate future discharges.

Elimination & Enforcement Procedures

Procedures for enforcement shall be included in the revised City of Pelham Storm Water Management Ordinance. This ordinance will be revised and incorporated as Appendix 1 of this SWMPP once ADEM has reviewed and provided comments on this SWMPP.

In general, if an illicit discharge is discovered, the discharger shall be provided a letter which shall serve as a written Notice of Violation. The Notice of Violation shall outline a time line for the discharger to provide: 1) an explanation of the violation, 2) schedule for the satisfactory correction of the violation, and 3) prevention of future illicit discharges. The City will also employ ADEM to provide clinical assistance when needed as well as potential enforcement action as appropriate to address an illicit discharge.

After response from the discharger, the MS4 shall ensure that the illicit discharge has ceased. Should the illicit discharge continue, a second Notice of Violation shall be sent to the discharger which shall include notification to the discharger of further action determined necessary by the MS4 if the illicit discharge continues. The proposed revised ordinance shall have provisions for fines as well as compensatory action (in lieu of fines), which could include but not be limited to attendance of storm water educational workshops, creek cleanups, etc. Additionally, the proposed revised ordinance shall have provisions for the violator to appeal the notice of violation.

Illicit Discharge Detection Training

The City shall provide illicit discharge detection training on an annual basis to field personnel within the City's Water, Sewer, Street, and Building Departments, and all field personnel performing dry weather screening activities. Training shall include identification, documentation, reporting, and corrective action of illicit discharges. Training shall also include a review of basic safety measures and precautions. City employees are an efficient force for identifying illicit discharges so making sure communication exists across all departments regarding illicit discharges is critical.

Training events shall be documented including, but not limited to, the date and duration of the training event, attendees, and items covered during the training event.

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

Reporting of Illicit Discharges

The public is encouraged to notify the City of Pelham of any suspected illicit discharges by either their website at the following link: <http://pelhamonline.com/action-center/> or by calling the City of Pelham's City Hall at (205) 620-6400. Upon notification, an MS4 representative shall investigate the suspected illicit discharge using the procedures mentioned above.

Should the MS4 be alerted to or discover an illicit discharge of sanitary sewage, the MS4 shall notify the owner of the sewer system causing the illicit discharge so that it may be corrected as quickly as possible.

Should the City suspect an illicit discharge from an adjacent MS4 into the City's MS4, the City shall notify the City and ADEM directly.

Responsible Department

Coordination and Training: City Engineer & Municipal Consultants, Inc.

Mapping and Screening Activities: City Engineer & Municipal Consultants, Inc

Measurable Goals

Goal	Schedule	Implementation
Dry Weather Screening	Annually	December 1, 2015
Updating Outfall Map	Annually	December 1, 2015
Public Education on Septic Tank Systems	Annually	December 1, 2015
Illicit Discharge Detection Training	Annually	December 1, 2015
Program Evaluation	Annually	December 1, 2015

STORM WATER MANAGEMENT PROGRAM PLAN

City of Pelham MS4

DRY-WEATHER SCREENING FLOW CHART

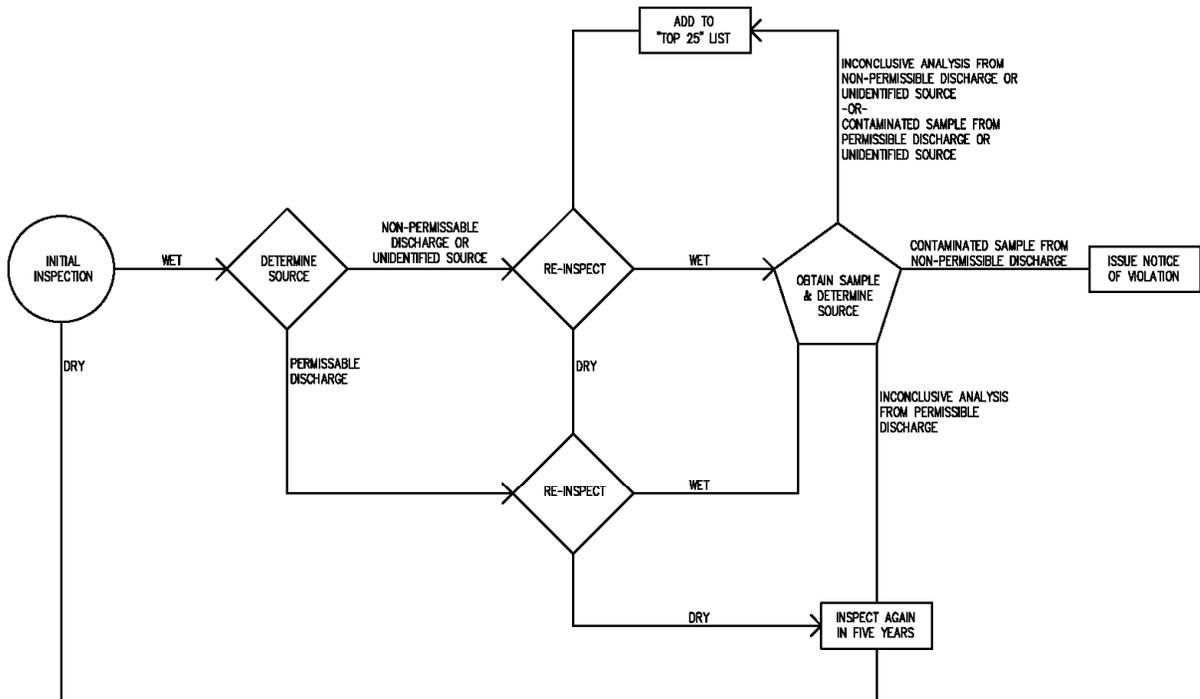
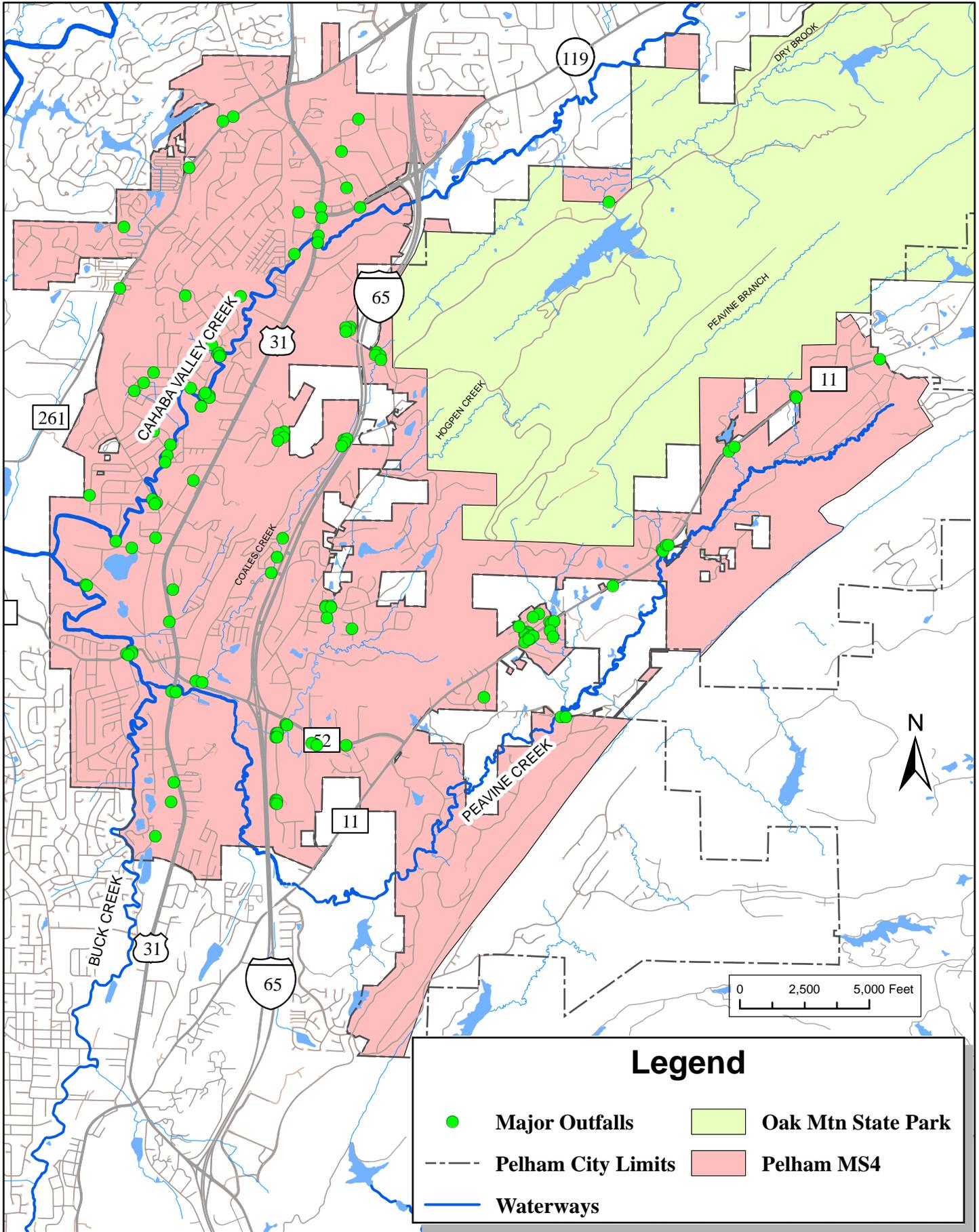


FIGURE 3

Figure 4: Major Outfalls



STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

D. Construction Site Storm Water Runoff

The City shall implement and enforce a program to reduce, to the maximum extent practicable, the pollutants in any storm water runoff to the MS4 from qualifying construction sites.

Site Plan Review:

Once an applicant initiates the process of obtaining a Building Permit with the City of Pelham Building Department, the applicant is provided with a packet of requirements for the permitting process. If land disturbance is involved in the project, this packet will include a Land Disturbance Permit application, a “Typical Erosion Control General Notes” document, and a certification statement required to be signed by the applicant stating that Stormwater BMPs will be followed. These documents have been provided in Appendix 5 for reference. The City requires that all land owners, contractors, and/or developers acquire a Land Disturbance Permit prior to any land disturbance, regardless of the size of the site. As part of this process, the City requires evidence of a NPDES permit if required by ADEM, as well as a site plan detailing the limits of disturbance and the proposed BMPs that will be used to control storm water runoff from the site. The BMP plan submitted by the applicant shall be reviewed by the City with respect to the criteria set forth in the *Alabama Handbook for Erosion Control, Sediment Control, and Stormwater Management on Construction Sites and Urban Areas* (Alabama Handbook). Inconsistencies noted shall be corrected by the applicant prior to issuance of a Land Disturbance Permit. A link to the Alabama Handbook (as provided in Appendix 5), as well as various other educational materials regarding construction site erosion and best management practices, shall be posted on the City’s website for ease of access for local engineers, developers, contractors, and the general public and hard copies made available for use at the City’s Building Department.

Construction Site Inspections

The City shall perform on-site inspections of the applicant’s BMPs to verify the use and proper maintenance of the BMPs. Inspections shall follow the inspection report contained in Appendix 4. All inspections shall be documented as required with photos, descriptions or site BMPs, site information, date of inspection, etc. The City shall maintain a current list of construction sites and track inspections and enforcement actions for each site.

- **Standard Procedures**

The City inspects each construction site prior to construction activities to ensure that storm water BMPs are in place and adequate. During construction, the City shall conduct a BMP inspection simultaneously with other routine inspections (e.g. foundation, plumbing, electrical, etc...). If deficiencies are noted, no further inspections will be performed until corrective actions of the BMPs are completed. Enforcement actions may be necessary as detailed below. Upon final inspection of the site and prior to issuing the certificate of occupancy, the site is inspected to ensure there are no erosion or sediment deficiencies on the site, the site is stabilized, and all landscaping is complete before a Certificate of Occupancy is issued.

STORM WATER MANAGEMENT PROGRAM PLAN

City of Pelham MS4

- **Inspection Frequency for Priority Construction Sites**
Due to the sensitivity of the Cahaba River watershed, all construction sites within the City's MS4 are considered priority construction sites by the NPDES Permit. All priority construction sites shall be inspected at least once a month.

Additionally, should the City receive a complaint from the public concerning erosion and siltation from a construction site, the City shall conduct an inspection of the site.

- **Training of Inspection Staff**
All building site inspectors shall be QCI certified through an ADEM approved training program. Certification shall be renewed annually.

Notification by the Public

The public is encouraged to report failing construction site BMPs or lack of construction site BMPs. The public may report such violations to the City Engineer or on the City's website (Action Center) at <http://www.pelhamonline.com/action-center/>. The City shall document all public complaints regarding construction site storm water runoff.

Enforcement

If construction site storm water BMPs are found to be deficient upon inspection by the City, the City shall verbally notify the responsible party immediately. If the deficiency is not or cannot be remedied immediately, a Notice of Violation may be issued by the City. This notice shall provide the reason for the violation and require the violation to be remedied as quickly as practicable, but not more than 10 days. The notice shall also be provided to ADEM for their records. Additional building inspections required (e.g. foundation, plumbing, electrical, etc.) to obtain a certificate of occupancy shall be withheld until the noted BMP deficiencies are corrected.

On a case by case basis and under extreme circumstances, the City may pursue monetary fines and penalties as provided in the Stormwater Management Ordinance if withholding inspections is not sufficient for compliance. If the City elects to levy fines, a second Notice of Violation shall be provided to the responsible party stating that the deficiency has not been corrected and that the City will begin levying fines upon the responsible party if the deficiency is not corrected within 10 days. If the deficiency continues and the responsible party is not cooperative, the City may escalate fines as needed and provided by the Ordinance.

Legal Authority

The City's Stormwater Management Ordinance and Subdivision Regulations provide the legal authority to enforce this program and are provided as Appendix 1 and 2 respectively. As mentioned previously, these documents will be revised once the City receives comments on this SWMPP. These documents will also be posted on the City's website.

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

Responsible Departments

Plan Review and Coordination: City Engineer/Building Department

Construction Site Inspections and Enforcement: Building Department

Measurable Goals

Goal	Schedule	Implementation
Construction Site Inventory	Update as Needed	December 1, 2015
Construction Site Inspections	Monthly (minimum)	December 1, 2015
Training of Inspection Staff	Annually	December 1, 2015
Program Evaluation	Annually	December 1, 2015

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

E. Post-Construction Site Storm Water Runoff

The City shall develop and enforce a program to address the discharge in post-construction storm water runoff to the MS4 from new development and re-development. Management of post-construction site storm water runoff refers to activities that take place after construction occurs, and includes maintenance of 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.

Plan Review, Design, & Continued Management

Plan review of Post-Construction BMPs shall be conducted by the City simultaneously with the construction plan review process mentioned in the Construction Site Storm Water Runoff Program. Land Disturbance Permit applicants shall be required to consider the following criteria in preparing their plans:

1. Provide vegetated buffers along waterways and reduce discharges to surface waters from impervious surfaces such as parking lots;
2. Preserve and protect ecologically sensitive areas that provide water quality benefits;
3. Minimize the amount of impervious areas resulting from construction to the maximum extent possible;
4. Minimize topsoil stripping and compacted soils where feasible;
5. Grades should be made as gradual as possible without altering the existing site conditions significantly;
6. Encourage low impact development (LID)/green infrastructure which utilizes infiltration, evapotranspiration, and/or stormwater harvesting or reuse.

At the discretion of the City, a permit may be withheld if the applicant fails to consider the guidelines presented above.

Applicants shall develop and maintain best management practices to ensure, to the maximum extent practicable, that post-construction runoff mimics pre-construction hydrology of the site. Post-construction BMPs shall be designed for a 1.1" rainfall over a 24 hour period preceded by a 72 hour antecedent dry period. Additional structural control design requirements are provided in the Subdivision Regulations included in Appendix 2.

Record Drawings

The applicant shall provide as-built drawings with an as-built certification within 120 days of construction completion. Construction is considered complete when the applicant receives a certificate of occupancy or final plat is approved (for large developments). As-built drawings shall reflect any changes made from the approved construction drawings and shall show all pertinent information including but not limited to edges of pavement, storm sewers (including all pertinent elevations), utilities, 2' contours, proposed future structures, etc. All hydrology calculations initially provided for plan review shall be revised and provided with the as-built drawings. As-builts shall be provided in hard copy and digital format acceptable to the City for incorporation into the City's GIS website.

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

Inspections

The party responsible for managing the site shall perform, at a minimum, annual post-construction inspections of the site's structural controls (i.e. detention and retention ponds, filter strips, bioretention areas, etc.) to ensure that design standards are being met. Documentation shall remain on file with the responsible party for a minimum of 5 years after coverage of the City's Permit expires and shall include:

1. Facility type,
2. Inspection date,
3. Name and signature of inspector,
4. Site information,
5. Owner information,
6. Description of the stormwater BMP conditions, including the overall quality and effectiveness of the BMPs,
7. Photographic documentation of all critical BMPs,
8. Specifically maintenance items or violations that need to be corrected by the operator,
9. Any maintenance agreements for long-term BMP operations and maintenance.

The operator of the property shall keep records of post-construction inspections, maintenance activities, etc. and make them available to the City upon request. Annual notice shall be provided to the City documenting all inspections and necessary maintenance has been performed. Corrective actions shall be made to poorly functioning or inadequately maintained BMPs.

In addition, Owners/Operators/Developers shall provide the following, as applicable:

1. A signed statement from the developer/operator excepting responsibility for maintenance of the property until the responsibility for maintenance 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 homeowner 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.

Enforcement

The responsible party shall provide documentation to the City of all annual inspections and necessary corrective actions as required above. The City shall provide written Notice of Violation if this information is not provided as required. If the responsible party does not perform the necessary reporting after said notice, the City shall utilize all resources available to ensure the responsible party performs the necessary work.

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

Responsible Departments

Plan Review and Coordination: City Engineer

Site Inspections: Site's Responsible Party

Measurable Goals

Goal	Schedule	Implementation
Post-Construction BMP Inventory	Update as Needed	December 1, 2016
Inspections by Responsible Party	Annually	December 1, 2016
Program Evaluation	Annually	December 1, 2015

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

F. Spill Prevention & Response

The City has developed and will implement a program to prevent, contain, and respond to spills that may discharge to the MS4.

Spill Prevention

The City has identified two separate groups to address spill prevention within the MS4. These groups are the 1) general public and 2) City's Municipal Facility employees.

The City shall rely upon its public education and involvement program in order to educate the general public. Municipal Facility employees shall be trained on the potential detrimental impacts of hazardous substance spills, how to prevent spills, and how to respond to spills as part of Part II.G of this SWMPP.

Spill Response

The first responder to spills within the MS4 is the Pelham Fire Department's HAZMAT unit. The Fire Department also utilizes the Shelby County Emergency Management Agency (EMA) to respond and assist to spills within the City. The EMA plans for the protection of the environment in the event of a spill. In coordination with the EMA, the City's emergency operation centers and fire departments assist in responding to a spill. The EMA notifies ADEM of any spills greater than 25 gallons.

Facilities that use, store, manufacture, or transport federally designated hazardous substances within the City of Pelham are mandated to distribute Material Safety Data Sheets to the local Shelby County EMA and Pelham Fire Department per Title III of the Superfund Amendment and Reauthorization Act. Through this reporting system, the EMA and Pelham Fire Department are able to track all entities that handle federally designated hazardous substances. These entities shall be inspected by the City as part of the City's Industrial Storm Water Runoff Program included in Part II.J of this SWMPP.

Mapping

The City shall maintain a map of all known spills in an effort to track and identify historical trends and potential problem areas (if any).

Training

Training events shall be documented to include the topic of training as well as dated attendance sheets. Typically, the Pelham Fire Department's HAZMAT Unit holds weekly spill response training sessions. Training for City employees on spill prevention and response is covered under Part II.G of this SWMPP.

Standard Operating Procedures

Appendix 5 includes a copy of the Pelham Fire Department HAZMAT Unit's SOP. A Municipal Facility SOP shall be developed in accordance with the schedule provided in Part II.G.

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

Responsible Departments

Mapping & Coordination: Municipal Consultants, Inc.

Spill Response: Shelby County EMA & Pelham Fire Department/HAZMAT

Measurable Goals

Goal	Schedule	Implementation
Spill Prevention Education Materials	See Part II. B	See Part II.B
Spill Response	As needed	December 1, 2015
Spill Prevention and Response Training (Municipal Facility Employees)	See Part II.G	See Part II.G
HAZMAT Spill Response Training	Weekly	December 1, 2015
Program Evaluation	Annually	December 1, 2015

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

G. Good Housekeeping for Municipal Operations

The City shall 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 as required by the Permit. Municipal operations include City vehicle fleet maintenance, litter control, street maintenance, and pesticide and fertilizer application.

Municipal Facilities

Below is a list of City owned facilities associated with the activities listed above. A map of these facilities is provided as Figure 5.

1. City Garage
2. Street Department Material Storage Yard
3. City WWTP
4. Water Department Shop

Inspections

All municipal facilities listed above shall be inspected on an annual basis. A copy of the inspection form is provided in Appendix 4.

Training

Training on good housekeeping practices shall be required for all municipal facility staff or staff that routinely visit the facilities listed above. Training shall be performed annually and shall include standard training for operation of municipal type facilities. Dates and attendance of training events shall be documented.

Litter Control Program

A litter control program shall be continued by the City in an effort to minimize litter entry to the MS4. The current litter control program utilizes the resources of the City to collect litter along City roads and main corridors as well as City parks on a weekly schedule. In addition to routine litter collection performed by the City, the City shall encourage the direct removal of trash from waterbodies within the MS4 through annual creek clean up events, alternative disposal methods through recycling, and additional BMPs concerning litter as described within the Public Education and Involvement program contained within this SWMPP. The City encourages proper disposal of trash at City parks by providing public trash receptacles within all City owned parks. Additionally, the City provides assistance with trash collection for large events where substantial quantities of trash are generated such as events held within the Oak Mountain State Park or Oak Mountain Amphitheater.

Street Maintenance

Street maintenance includes but is not limited to pothole, sidewalk, and curb and gutter repairs, storm sewer cleaning, repair, or replacement, road reconstruction and resurfacing, and City R.O.W. maintenance. In order to minimize pollutants from street maintenance, the City shall follow guidelines provided in the *Alabama Handbook for Erosion Control, Sediment Control, and Stormwater Management on Construction Sites and Urban Areas* (Alabama Handbook). The City currently utilizes this document in preparing BMP plans

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

for its projects within City R.O.W. The City of Pelham performs the majority of their road work through the public bid process, with the exception of routine maintenance and small repairs. The BMPs provided by the Alabama Handbook and other documents as recommended by ADEM, shall be required of contracts for work within the MS4 and used when performing these minor repairs. Road improvement projects where asphalt overlaying is required but no land disturbance or milling is required shall not be subject to the Alabama Handbook.

PHF Application

Regarding pesticide, herbicide, and fertilizer application (PHFs), please refer to the Application of PHFs program within this SWMPP.

Flood Management Projects

There is one proposed flood management project currently within the MS4. Design of this project is complete and the project is waiting for FEMA funding. Once this project is complete, it shall be added to the City’s list of structural controls and inspected accordingly.

Standard Operating Procedures

SOPs will be implemented as they are developed and included within Appendix 5 of this SWMPP. SOPs will be developed for but not limited to equipment washing, City street and R.O.W. maintenance, storage and disposal of chemicals and waste, spill prevention and response, and vehicle maintenance.

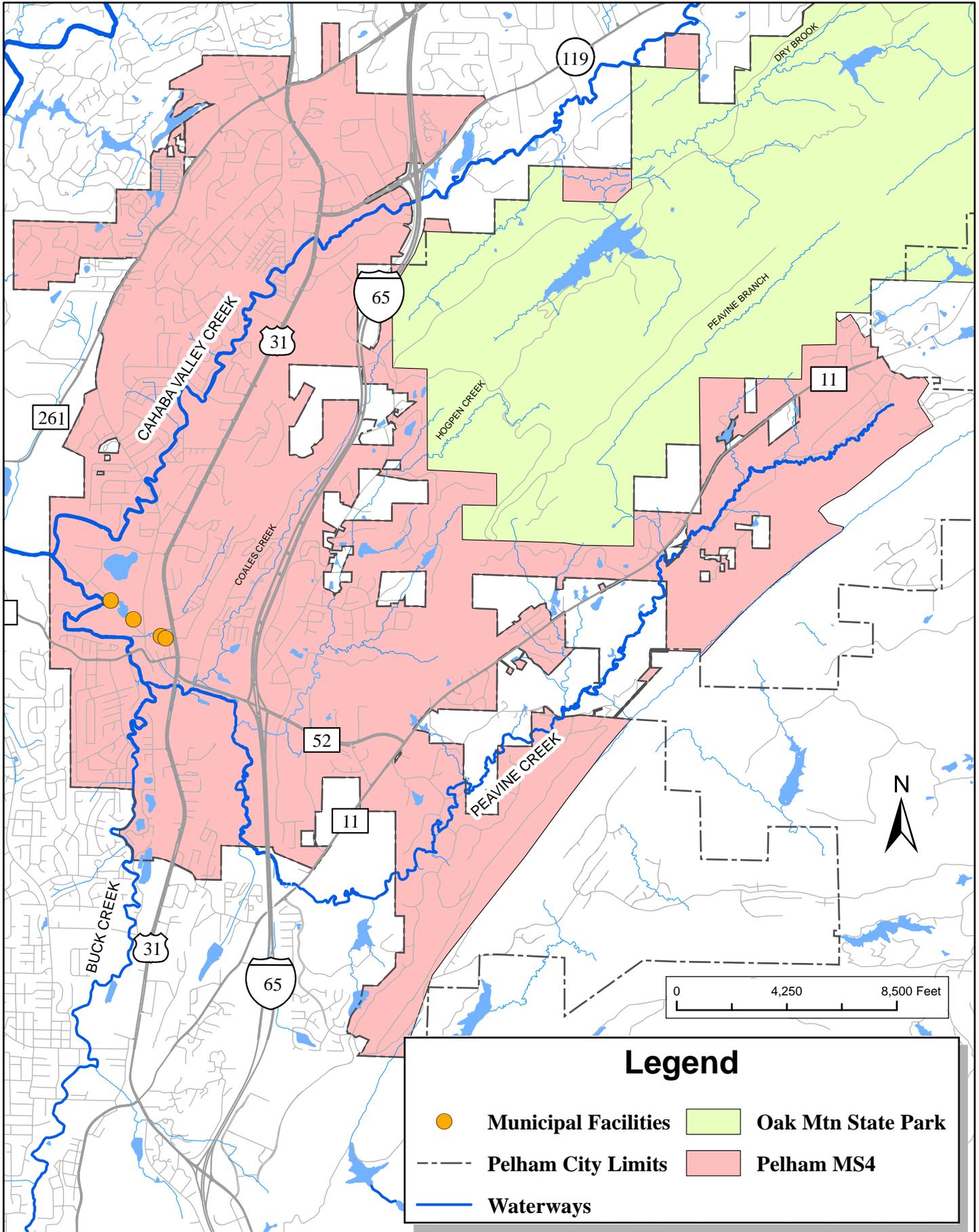
Responsible Departments

City Engineer and Public Works Department

Measurable Goals

Goal	Schedule	Implementation
Municipal Facility Inventory	Update as needed	December 1, 2015
Municipal Facility Inspection	Annually	December 1, 2015
Street Maintenance BMPs	As needed	December 1, 2015
Litter Control	On-going	December 1, 2015
Flood Mngmt. Project Inventory	Update as needed	December 1, 2015
Development of SOPs	Develop/Update as needed	December 1, 2017
Municipal Facility Staff Training	Annual	December 1, 2017
Program Evaluation	Annually	December 1, 2015

Figure 5: Municipal Facilities



STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

H. Application of PHFs

The City implements measures to ensure the safe storage, use, and application of pesticides, herbicides, and fertilizers (PHFs). In general, the City only applies PHFs on an as need basis and utilizes mowing practices to reduce the use of such products. The City typically refrains from using fertilizers, with the exception of City parks, which is typically performed by a commercial applicator. All commercial applicators hired by the City shall be required to provide evidence of proper certification and licensure for applying the desired product. The City shall include within each annual report records of the amounts and specific types of products the City stores and applies each year along with MSDS sheets for each chemical. Typically, the City only applies commercially available products and applies in full accordance with the manufacturer’s recommended practices. The City shall adhere to all applicable requirements set forth by the Alabama Department of Agriculture and Industries and shall also review the City’s eligibility of the ADEM NPDES Pesticide General Permit ALG870000 and apply if necessary. The City shall also develop a standard operating procedure to detect improper usage of PHFs as described in Part II.G of this SWMPP.

Inspection of PHF Storage Facilities

The City shall inspect all facilities that store PHFs on an annual basis. Currently there is one location that stores such products. Please refer to Appendix 4 for a sample of the facility inspection form.

Training

PHFs shall be applied by certified employees for the particular product being applied. All applicators, whether a City employee or a commercial applicator retained by the City, shall maintain current certification and training as required by the Alabama Department of Agriculture and Industries. In general, City employees shall receive annual training on PHF storage, application, and disposal of PHFs.

Responsible Departments

City Engineer, Public Works Department, Parks and Recreation Department

Measurable Goals

Goal	Schedule	Implementation
PHF Storage Facility Inventory	Update as needed	December 1, 2015
PHF Storage Facility Inspection	Annually	December 1, 2015
PHF Inventory	Update as needed	Decemeber 1, 2015
Inventory and Prioritization of High-Use Areas	Develop/Update as needed	December 1, 2016
Development of SOP	See Part II.G	See Part II.G
City Employee Training	Annually	December 1, 2016
Program Evaluation	Annually	December 1, 2015

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

I. Oils, Toxics, and Household Hazardous Waste Control

The City shall implement a program to promote, publicize, and facilitate the proper management and disposal of used oil and household hazardous wastes and prohibit, to the maximum extent practicable, the discharge or disposal of used motor vehicle fluids and household hazardous wastes into the MS4. The City intends to accomplish this through the items listed below.

Public Education

The City shall develop and maintain an educational pamphlet to meet this requirement. This pamphlet shall describe the management and disposal options available to the public for household hazardous wastes and the proper disposal of used oil and shall be available at the distribution locations listed within Part II.B of this SWMPP as well as on the City's website. The City shall expand the distribution of this pamphlet, and develop other pamphlets dealing with similar issues, as resources allow.

The City shall also provide a list of used oil collection facilities within the MS4 and shall post this information on the website.

Spill Prevention & Response Training

City employees who directly handle, manage, and dispose of oils or other toxic materials shall receive annual spill prevention and response training as part of the training specified in Part II.G of this SWMPP.

Responsible Departments

City Engineer

Measurable Goals

Goal	Schedule	Implementation
Development of Public Education Materials	See Part II.B	See Part II.B
Posting of Used Oil Collection Facilities	Update as Needed	December 1, 2016
City Employee Training	See Part II.G	See Part II.G
Program Evaluation	Annually	December 1, 2016

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

J. Industrial Storm Water Runoff

The City shall implement a program to inspect, monitor, and control pollutants in storm water discharges to the MS4 from municipal waste landfills, hazardous waste treatment, storage, disposal, and recovery facilities, and industrial facilities and high risk commercial facilities that are subject to EPCRA Title III, Section 313; and any other industrial or commercial discharge the permittee determines is contributing a substantial pollutant loading to the MS4. There are currently no municipal waste landfills or hazardous waste treatment, storage, disposal, or recovery facilities within the MS4 at this time.

The City shall inspect those industrial and commercial sites believed to be capable of contaminating the MS4 that do not operate under an individual NPDES permit issued by ADEM. The City shall maintain a list of these facilities and update annually. This inventory shall be amended based on the City's list of business license codes as well as a windshield survey of the MS4. The current list is presented in Appendix 6. If it is determined that any of these sites may be contributing pollutants to the MS4, monitoring shall be initiated on a frequency determined by the MS4 on a case-by-case basis to include the collection of quantitative data on the following constituents:

1. any pollutants listed in an existing NPDES permit for an identified facility;
2. oil and grease;
3. chemical oxygen demand (COD);
4. pH;
5. biochemical oxygen demand, five-day (BOD₅);
6. total suspended solids (TSS);
7. total phosphorous;
8. total Kjeldahl nitrogen (TKN);
9. nitrate plus nitrite nitrogen; and
10. any information on discharges required under 40 CFR 122.21(g)(7)(iii) and (iv).

Specifically regarding facilities operating under an individual NPDES permit issued by ADEM, said facilities shall submit to the City Engineer the following: 1) a copy of the Notice of Intent provided to ADEM, 2) ADEM's verification of coverage, 3) a copy of the final permit, 4) facility's contact person and contact information. The City shall review all sampling data gathered by the facility/permittee with respect to the facility's NPDES permit. Review of available data shall be sufficient for the City to determine if the facility is contributing substantial pollutant loadings to the MS4. Should the City determine that the facility is in non-compliance, the City may elect to perform an inspection of the facility. The City shall maintain a list of facilities operating under an individual NPDES permit and update this list annually. These facilities are included in the list referenced above (provided in Appendix 6).

Facility Inspections

The facilities list provided in Appendix 6 shall be inspected based on availability of personnel, reporting of problems by the general public or ADEM, and as a result of data gathered during dry-weather screening. Each facility shall be prioritized based on this

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

information and the high-priority facilities will be inspected first. The remaining facilities shall be inspected at least once within the permit cycle. Currently no priority industries exist, thus a random sampling schedule will be used.

The procedures for inspections shall follow those found in Appendix 5. A copy of the field data sheet used for the inspections is presented in Appendix 4. If it is determined by the MS4 inspector that upon facility inspection that the facility does not present a potential pollutant loading to the MS4, the facility will not be re-inspected and shall be removed from the current list of facilities to be inspected.

Enforcement and Elimination

See Part II.C. – Illicit Discharge Detection and Elimination

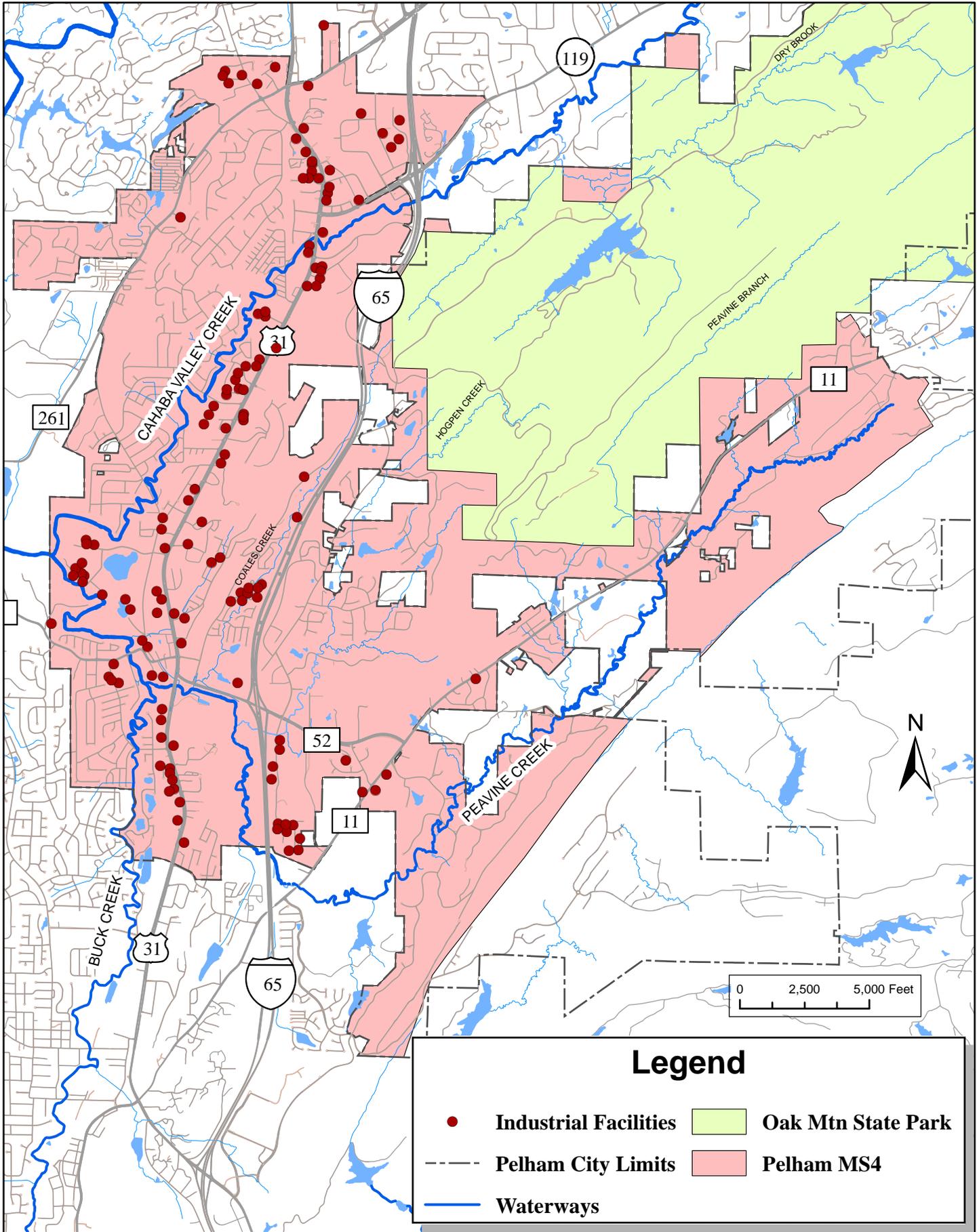
Responsible Departments

City Engineer and Municipal Consultants, Inc.

Measurable Goals

Goal	Schedule	Implementation
Facility Inspections	20% Annually	December 1, 2015
Review of Data from Facilities with NPDES Permit	Annually	December 1, 2015
Update Industrial Facility List and Map	Annually	December 1, 2015
Industrial Facility Monitoring	As needed	December 1, 2015
Program Evaluation	Annually	December 1, 2015

Figure 6: Industrial Facilities



STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

K. Monitoring Programs

As required by Part III of the Permit, the MS4 shall implement a monitoring program to assess the effectiveness and adequacy of BMPs implemented under this SWMPP. The MS4 plans to accomplish this by implementing the following monitoring programs:

1. Wet Weather Monitoring Program
2. TMDL Monitoring Program

Wet Weather Monitoring Program

The Wet Weather Monitoring Program shall consist of grab samples collected per the locations and frequencies listed in the following table:

Waterbody	Representative Watershed	Sampling Frequency
Buck Creek	Residential/Commercial	Quarterly
Cahaba Valley Creek	Industrial/Commercial	Quarterly
Peavine Creek	Residential	Semi-Annually

Refer to Figure 7 for sample locations

Sampling Parameters shall consist of the following:

1. Temperature
2. pH/ORP
3. Turbidity (NTU)
4. Conductivity
5. Dissolved Oxygen
6. Ammonia Nitrogen
7. Biochemical Oxygen Demand (BOD)
8. Chemical Oxygen Demand (COD)
9. E.Coli
10. Hardness
11. Nitrate plus Nitrite Nitrogen
12. Oil and Grease
13. Total Dissolved Solids
14. Total Kjeldahl Nitrogen
15. Total Nitrogen
16. Total Phosphorus
17. Total Suspended Solids

Sample type, collection, and analysis shall be as specified in Part III.C. of the Permit, with grab samples taken within the first 2 hours of discharge for qualifying rain events. Qualifying rain events are defined as events with greater than 0.1 inch of rainfall that occur at least 72 hours from the previously measurable (>0.1”) storm event. Field data shall be recorded on the field data sheet included within Appendix 4. Additionally, and to the extent possible, the depth of rainfall and duration of the event should not deviate by more than 50% from the average depth and duration as recommended by the EPA

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

NPDES Storm Water Sampling Guidance document (EPA, 1992). In general, this equates to a 0.375” to 1.125” depth of rainfall over a period of 4.35 to 13.05 hours for the Southeastern region.

The sampling locations of this program are as listed below:

Waterbody	Location
Buck Creek	End of Stuart Lane (within City Police Firing Range)
Cahaba Valley Creek	End of Stuart Lane (within City Police Firing Range)
Peavine Creek	Hwy. 11 Bridge over Peavine Creek

Refer to Figure 7 for sampling locations

Water Quality Standards

When evaluating Wet Weather sampling results, the MS4 shall use water quality parameters set forth in Chapter 335-6-10 of ADEM’s Regulations as a baseline, which can be found at <http://www.adem.state.al.us/alEnviroRegLaws/files/Division6Vol1.pdf> as well as EPA’s National Recommended Water Quality Criteria – Aquatic Life Criteria Table found at <https://www.epa.gov/wqc/national-recommended-water-quality-criteria-aquatic-life-criteria-table>.

TMDL Monitoring Program

The TMDL Monitoring Program shall consist of monitoring waterbodies that are listed on the latest final 303(d) list, or otherwise designated impaired by ADEM, or for which a TMDL is approved or established by the EPA that are either within the MS4 or are suspected to be impaired indirectly by the MS4, as required by Part II.E. and Part III.A.2 of the Permit.

The following TMDLs exist within the MS4 or in close downstream proximity of the MS4:

Waterbody	TMDL
Cahaba Valley Creek	Pathogens (Fecal)
Buck Creek	Pathogens (Fecal)
Cahaba River	Pathogens (E.Coli), Siltation, Nutrients

The TMDL Monitoring Program shall consist of collecting in-stream grab samples typically collected at the locations and frequencies outlined below:

Waterbody	Sampling Frequency	Sampling Location(s)
Cahaba Valley Creek	2 Geomeans (Semi-Annually)	End of Stuart Lane (within City Police Firing Range)
		Oak Mountain Amphitheater
Buck Creek	2 Geomeans (Semi-Annually)	End of Stuart Lane (within City Police Firing Range)
		End of Creekside Lane

Refer to Figure 8 for sampling locations

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

Sampling Parameters shall consist of the following:

1. E. Coli
2. Total Suspended Solids
3. Total Phosphorus

Additional attention shall be given to the collection of samples. All sampling shall be conducted in a manner that ensures that hold times are followed. At this time, the shortest hold time is for pathogen parameters (E.Coli). Samples shall be adequately temperature controlled as necessary for each parameter tested.

TMDL Sampling – Pathogens

An attempt shall be made to conduct sufficient testing to provide 2 geomean calculations for pathogen results each stormwater fiscal year at the sampling locations listed above. This testing shall consist of a minimum of 5 samples per site. Samples shall be separated by a minimum of 24 hours but within a 30 day period for the purposes of calculating a geomean. Typically, grab sampling shall be conducted two days a week for three consecutive weeks. Additional investigative sampling shall be conducted if results indicate levels above the parameters listed in the table below.

Currently the TMDL for Buck Creek, Cahaba Valley Creek, and the Cahaba River adhere to ADEM’s water quality standards for the designated use classification of that stream. Since all three streams are classified as Fish and Wildlife, the following water quality parameters in the table below shall apply to all three streams in regards to pathogen testing (note that although the Buck Creek and Cahaba Valley Creek TMDLs were written for Fecal Coliform, this parameter has since been replaced by E. Coli. in an effort by ADEM to standardize pathogen testing across the State). It should be noted that although portions of the Cahaba River are designated as Outstanding Alabama Waterways, the segment of stream directly below the Buck Creek confluence with the Cahaba River where a majority of the MS4 drains from is listed as Fish and Wildlife.

E. Coli. Criteria for Fish and Wildlife Use Classification

	Single Sample (col/100 mL)	Geomean (col/100 mL)
Summer (June – September)	487	126
Winter (October – May)	2507	548

Sampling rounds shall be independent of weather conditions (i.e. sampling rounds may be conducted either during wet weather or dry weather).

As stated above, investigative sampling shall be conducted as determined by the MS4 if water quality standards (listed above) are exceeded for multiple samples and the MS4 suspects an illicit discharge. If investigative sampling is initiated, it shall begin at the sampling location where water quality parameters have been exceeded and continue upstream as needed in an effort to determine the source of contamination.

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

TMDL Sampling – Nutrients

Nutrient sampling shall be taken at the same locations, frequencies, and conditions as stated above for pathogen sampling. Nutrient sampling shall consist of Total Phosphorus sampling since the Cahaba River Nutrient TMDL is centered on Total Phosphorus.

Similar to pathogen sampling, investigative sampling shall be conducted as determined by the MS4 if water quality standards (listed below) are exceeded for multiple samples and the MS4 suspects an illicit discharge. If investigative sampling is initiated, it shall begin at the sampling location where water quality parameters have been exceeded and continue upstream as needed in an effort to determine the source of contamination.

Water quality standards for Total Phosphorus shall be in accordance with the applicable TMDL, which states a target in-stream concentration of 0.035 mg/L of Total Phosphorus during the growing season (April-October).

TMDL Sampling – Siltation

Siltation sampling shall be taken when pathogen (and nutrient) sampling is performed at the same locations, frequencies, and conditions as stated above. Siltation sampling shall consist of Total Suspended Solids sampling in an effort to be consistent with the Cahaba River Siltation TMDL.

Similar to pathogen and nutrient sampling, investigative sampling shall be conducted as determined by the MS4 if water quality standards (listed below) are exceeded for multiple samples and the MS4 suspects an illicit discharge. If investigative sampling is initiated, it shall begin at the sampling location where water quality parameters have been exceeded and continue upstream as needed in an effort to determine the source of contamination.

Water quality standards for Total Suspended Solids shall be in accordance with the applicable TMDL, which states a target year-round in-stream concentration of 45 mg/L of Total Suspended Solids.

Responsible Department

City Engineer and Municipal Consultants, Inc.

Measurable Goals

Goal	Schedule	Implementation
Wet Weather Sampling	Quarterly	October 1, 2016
TMDL Sampling	Semi-Annually	December 1, 2015
TMDL Investigative Sampling	As needed	December 1, 2015
Program Evaluation	Annually	December 1, 2015

Figure 7: Wet Weather Sampling Sites

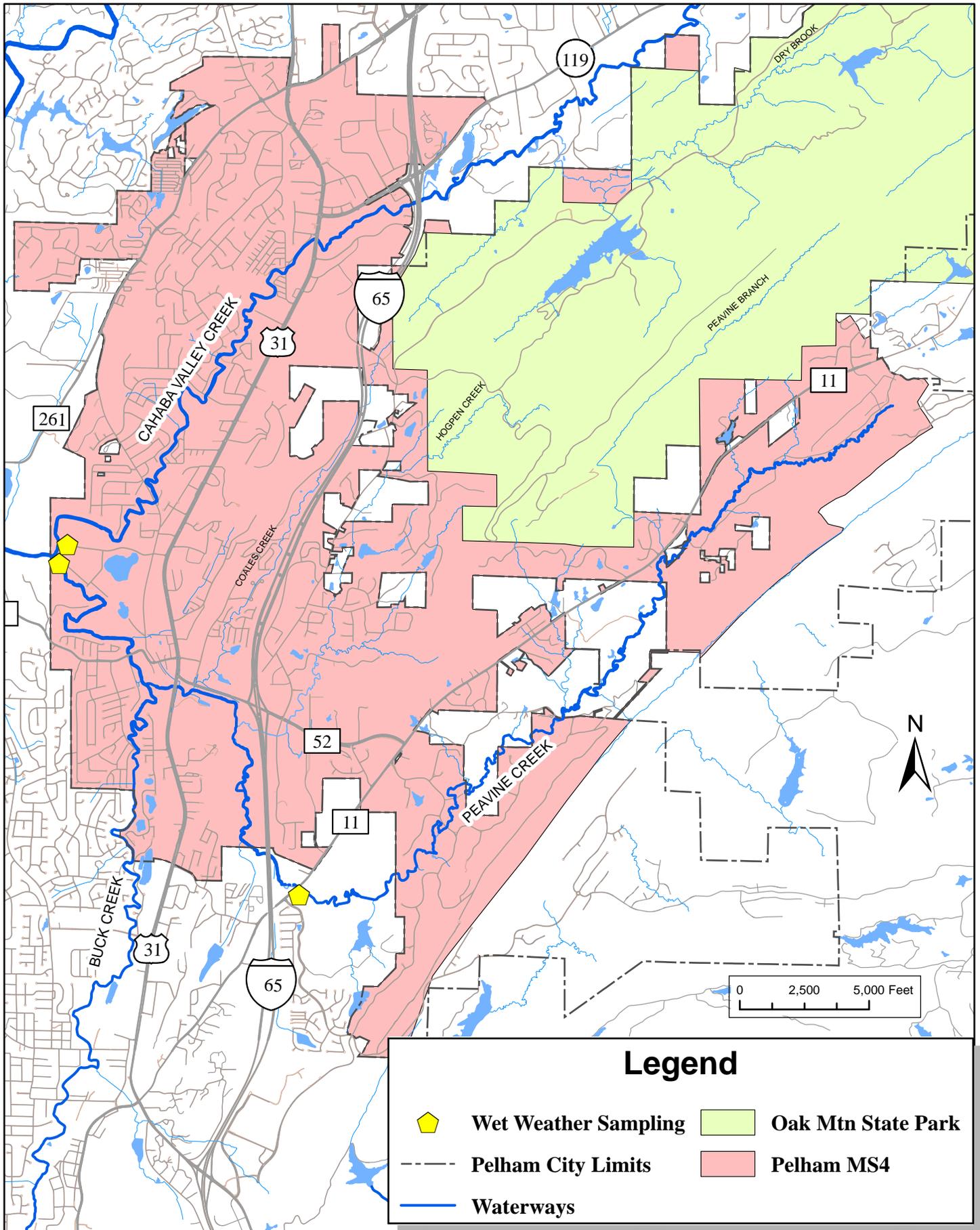
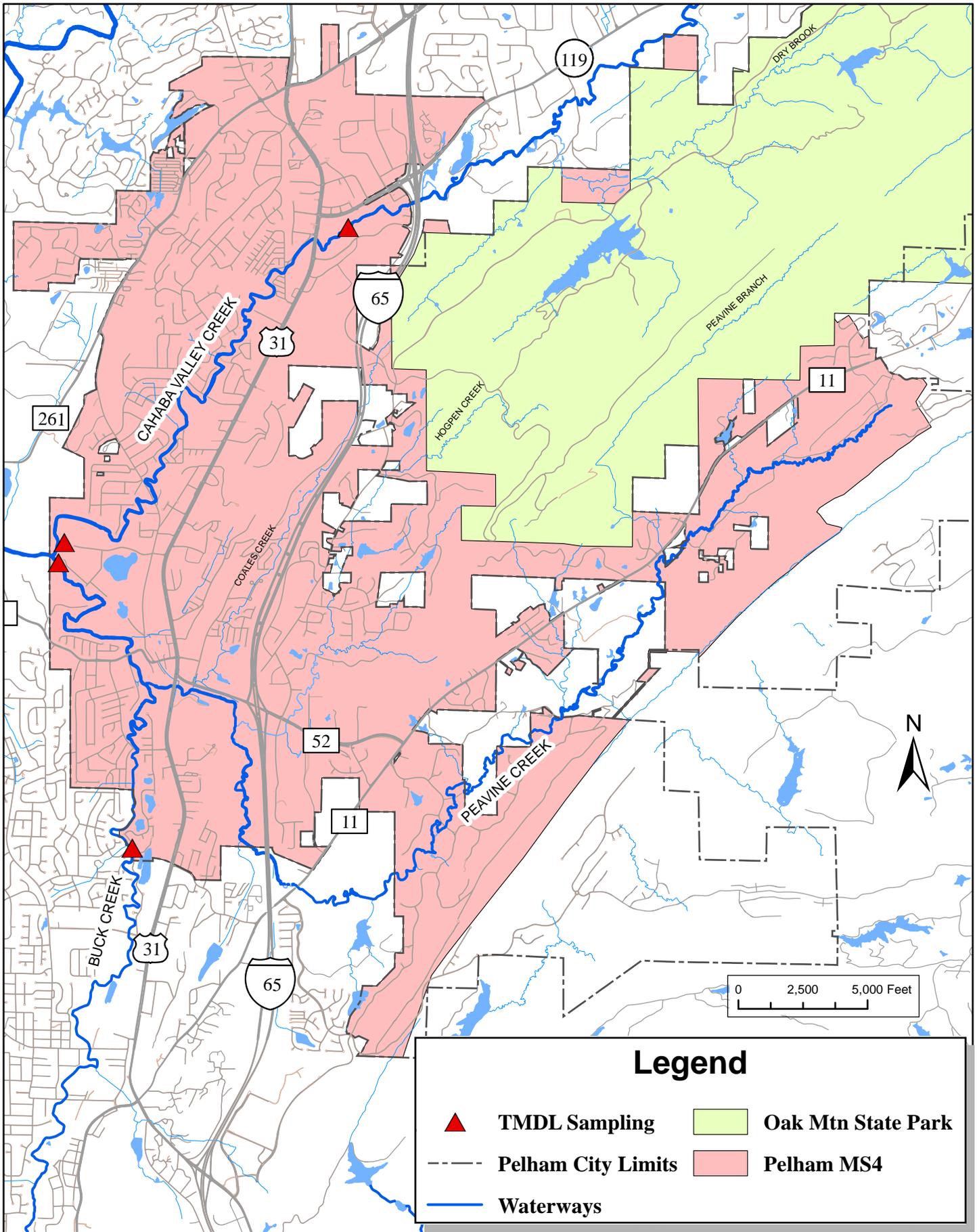


Figure 8: TMDL Sampling Sites



STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

APPENDIX 1

City of Pelham Stormwater Management Ordinance

ORDINANCE NO 328

AN ORDINANCE TO ESTABLISH STORM WATER
MANAGEMENT AND WATER QUALITY CONTROLS,
PROGRAMS, REGULATIONS, PROHIBITIONS, AND
PENALTIES FOR THE CITY OF PELHAM, ALABAMA

THEREUPON Ken Maynard a member moved and Karyl Rice, a
member seconded the move that said Ordinance be given a vote. Said Ordinance passed by vote
of all members of the Council present and the Mayor declared the same passed.

ADOPTED this the 21 day of Sept. 1998.

Bobby Hayes
Mayor

Ken Maynard
Council Member

W. B. Sullivan
Council Member

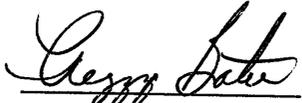
Willard C. Bogue
Council Member

Karyl D. Rice
Council Member

J. W. Phillips
Council Member

Seal

ATTEST


Cheryl Baker
City Clerk

ORDINANCE NO. _____

AN ORDINANCE TO ESTABLISH STORM WATER
MANAGEMENT AND WATER QUALITY CONTROLS,
PROGRAMS, REGULATIONS, PROHIBITIONS, AND
PENALTIES FOR THE CITY OF PELHAM, ALABAMA

WHEREAS, uncontrolled storm water drainage and discharge may have a significant, adverse impact on the health, safety, and general welfare of the City of Pelham and the quality of life of its citizens by carrying pollutants into the receiving community waters; and

WHEREAS, the City of Pelham is required by federal law, particularly 33 U.S.C. ¶ 1342 (P) and 40 CFR ¶ 122.26, to obtain a National Pollutant Discharge Elimination System (NPDES) permit from the Alabama Department of Environmental Management for storm water discharges from the Municipal Separate Storm Sewer System (MS4). The NPDES permit requires the City to impose controls to reduce the discharge of pollutants in storm water to the maximum extent practicable using management practices, control techniques and system design and engineering methods, and such other provisions which are determined to be appropriate for the control of such pollutants.

NOW, THEREFORE,
BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF Pelham, ALABAMA:

That the following ordinance is hereby adopted and enacted and shall be implemented to address storm water drainage and discharge in those areas specifically designated by NPDES Permit ALS000003 from the Alabama Department of Environmental Management and all other areas of the City of Pelham.

INDEX

	Page
DIVISION 1. GENERALLY	
Sec. 01-001. Authority	.....4
Sec. 01-002. Purpose	.....4
Sec. 01-003. Definitions	.....4
Sec. 01-004. Severability	.....4
Sec. 01-005. Effective Date	.....4
DIVISION 2. APPLICATIONS AND PERMITS FOR INDUSTRIAL AND COMMERCIAL FACILITIES	
Sec. 01-009. Existing facilities required to obtain permit	.....8
Sec. 01-010. Existing facilities required to have an NPDES permit	.....9
Sec. 01-011. New facility permits	.....9
Sec. 01-012. New facilities required to have an NPDES permit	.....10
Sec. 01-013. Permit application fees	.....10
DIVISION 3. APPLICATIONS AND PERMITS FOR LAND DISTURBANCE AND CONSTRUCTION ACTIVITIES	
Sec. 01-019. Land disturbance and construction activities required to have a permit	.....11
Sec. 01-020. General requirements for land disturbance activities	.....13
Sec. 01-021. Land disturbance and construction activities required to have an NPDES permit	.....14
Sec. 01-022. Permit application fees	.....15

DIVISION 4. GENERAL PERMIT REQUIREMENTS

Sec. 01-028. Availability of Permit15
Sec. 01-029. Transfer of permit15
Sec. 01-030. Signatory requirements15

DIVISION 5. MONITORING AND INSPECTION

Sec. 01-036. Monitoring16
Sec. 01-037. Detection of illicit connections and improper disposal16
Sec. 01-038. Inspections17

DIVISION 6. ENFORCEMENT AND ABATEMENT

Sec. 01-044. Unauthorized discharge a public nuisance17
Sec. 01-045. Allowable non-storm water discharges18
Sec. 01-046. Illicit discharge and illegal dumping18
Sec. 01-047. Accidental discharges19
Sec. 01-048. NPDES permits issued by ADEM20
Sec. 01-049. Administrative Enforcement Remedies20
Sec. 01-050. Unlawful acts, misdemeanor21
Sec. 01-051. Civil penalty22
Sec. 01-052. Judicial proceedings and relief23
Sec. 01-053. Disposition of permit fees, damage payments
and penalties24

DIVISION 7. STORM WATER REGULATIONS BOARD

Sec. 01-059. Established24
Sec. 01-060. Composition; terms; filling vacancies24
Sec. 01-061. General duties of the Board25
Sec. 01-062. Variances25
Sec. 01-063. Meetings; quorum26
Sec. 01-064. Hearing Procedure; judicial review26

DIVISION 1. GENERALLY

Sec. 01-001. Authority.

The Alabama Department of Environmental Management, pursuant to the authority delegated to it under the Clean Water Act, 33 U.S.C. Section 1251, *et seq.*, has required the City of Pelham to obtain a National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges from the Municipal Separate Storm Sewer System (MS4), effective October 1, 1995. Therefore, the City is subject to the federal storm water laws, as presented in 33 U.S.C. ¶ 1342 (P) and 40 CFR ¶ 122.26, and as such, is required to adopt local storm water management ordinances. Act No. 95-775, Legislature of Alabama - § 11-89C-1 - 14, Code of Alabama 1975, and other provisions thereof, grants the authority to adopt such ordinances to the governing bodies of all Class 1 municipalities within the state and to the county governing bodies in which the Class 1 municipalities are located and to the governing bodies of all municipalities located within those counties, and where any such municipality is also located partially within an adjoining county, then to the governing body of such adjoining county and to which governing bodies are specifically designated by ADEM pursuant to the authority delegated to it under the Clean Water Act, 33 U.S.C. Section 1251, *et seq.*

Sec. 01-002. Purpose.

- (a) It is the purpose of this ordinance to protect, maintain, and enhance the environment of the City of Pelham and the short-term and long-term public health, safety, and general welfare of the citizens of the City of Pelham by controlling discharges of pollutants to the MS4 and to maintain and improve the quality of the community waters into which the storm water outfalls flow, including, without limitation, the lakes, streams, ponds, wetlands, sinkholes, and groundwater of the City of Pelham. This ordinance prohibits the discharge of non-storm water into the MS4 and the community waters and provides enforcement procedures and penalties to ensure compliance.
- (b) It is further the purpose of this ordinance to enable the City of Pelham to comply with the National Pollutant Discharge Elimination System (NPDES) permit and applicable regulations (40 CFR ¶ 122.26) for storm water discharges.

Sec. 01-003. Definitions.

For the purpose of this ordinance the following terms, phrases and words and their derivatives, shall have the meaning given herein:

“Accidental Discharge” shall mean a discharge prohibited by this article into the “Community Waters” or to the “Waters of the State” which occurs by chance and without

planning or consideration prior to occurrence.

“Alabama Department of Environmental Management” or “ADEM” shall mean the State of Alabama regulatory agency which administers and enforces those laws governing storm water in the State of Alabama.

“Applicant” shall mean any person, firm or corporation required by this ordinance to obtain a City of Pelham Storm Water Discharge Permit.

“Best Management Practices” or “BMPs” shall mean schedules of activities, prohibitions or practices, maintenance procedures and other management practices to prevent or reduce the discharge of pollutants to the municipal separate storm sewer system. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

“Clean Water Act” shall mean the Federal Water Pollution Control Act, as amended, codified at 33 U.S.C. ¶ 1251, *et seq.*, and regulations promulgated thereunder.

“Community Waters” shall mean any or 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 of Pelham or the waters into which the City of Pelham Municipal Separate Storm Sewer System outfalls flow.

“City” shall mean the City of Pelham, Alabama.

“Discharge” shall mean the addition of any substance to the municipal separate storm sewer system.

“Environmental Protection Agency” or “EPA” shall mean the federal regulatory agency which administers those laws governing storm water in the United States of America.

“Erosion” shall mean wearing away of the lands by running water, winds, or waves.

“Illicit Discharge” shall mean a discharge to the municipal separate storm sewer system or to the community waters that is not composed entirely of storm water, except discharges pursuant to an NPDES permit and other allowable discharges dictated by this ordinance.

“Industrial Facility” shall mean a business or businesses engaged in industrial production, manufacturing or service which may or may not have raw materials stored on site, produce excessive dust or other industrial by-products, or, in the opinion of the City of Pelham Environmental Office, or other agency or department designated and authorized by the City of Pelham, may pose a threat of contamination to the MS4 or to the community waters.

These facilities are typically located in areas which are zoned as M-1 or M-2, in those portions of the City regulated by zoning laws.

“Manager” shall mean the person, or his or her duly authorized representative, designated by the City Council to supervise the operations of the storm water management program and who is charged with certain duties and responsibilities by this ordinance.

“Municipal Separate Storm Sewer System” or “MS4” shall mean a conveyance or system of conveyances (including roads with drainage systems, streets, catch basins, curbs, gutters, easements, swales, ditches, man-made channels or storm drains) carrying storm water runoff which is directly or indirectly discharged into the Cahaba River drainage basin upstream of Big Piney Woods Creek, and which are owned, operated or maintained by the City. Privately-owned storm water conveyances may be included in this definition at the City’s discretion in order to prevent contamination of the public portion of the MS4.

“National Pollutant Discharge Elimination System” or “NPDES” permit shall mean a permit issued pursuant to Section 402 of the Clean Water Act (33 U.S.C. ¶ 1342).

“Notice of Intent” or “NOI” shall mean a written notice by a discharger to the Director of ADEM, that the person wishes his or her discharge to be authorized under a general storm water discharge permit authorized by state law or regulation.

“Person” shall mean any individual, partnership, copartnership, firm, syndicate, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated in text.

“Pollutants” shall mean any substance deemed by the Manager to be a threat to human health or the environment, including, but not limited to: dredged soil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical waste, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended), heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, domestic and agricultural waste.

“Pollution” shall mean a condition created by the presence of harmful or objectionable material in water.

“Sanitary Sewer” shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

“Sediment” shall mean the organic or inorganic solid material settled from suspension in a liquid.

“Significant Spills” shall mean spills which include, but are not limited to, releases of oil or hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act (see 40 CFR 110.10 and CFR 117.21) or Section 102 of CERCLA (see 40 CFR 302.4).

“Storm Water” shall mean runoff associated with a rain event, snow melt runoff, and surface runoff and drainage.

“Storm Water Management” shall mean the collection, conveyance, storage, treatment and disposal of storm water runoff in a manner to meet the objectives of this ordinance and its terms, including, but not limited to, measures that control the increased volume and rate of storm water runoff and water quality impacts caused by manmade changes to the land.

“Storm Water Management Program” shall mean the program developed by the City of Pelham pursuant to NPDES Permit ALS000003 to control the flow of pollutants into the MS4.

“Toxic Pollutants” shall mean any pollutant or combination of pollutants listed as toxic in 40 CFR Part 401 promulgated by the Administrator of the Environmental Protection Agency under the provisions of 33 U.S.C. ¶ 1317.

“Variance” shall mean the modification of the minimum storm water management requirements contained in this ordinance and the Storm Water Management Program for specific circumstances where strict adherence of the requirements would result in unnecessary hardship as limited by the terms of the permit, and not fulfill the intent of this ordinance.

“Wastewater” shall mean the spent water of a community. It may be a combination of liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water and storm water that may be present. Also, called sanitary sewage.

“Water Quality” shall mean those characteristics of storm water runoff that relate to the physical, chemical, biological, or radiological integrity of water.

“Water Quantity” shall mean those characteristics of storm water runoff that relate to the rate and volume of the storm water runoff.

“Wetland” shall mean lands that are inundated or saturated with water to the extent that the soil will support vegetation typically adapted to saturated soil conditions. The lands may or may not be saturated at all times.

Sec. 01-004. Severability.

If any section, sub-section, phrase, clause or provision of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of the ordinance as a whole or any part or portion thereof other than the part declared to be involved.

Sec. 01-005. Effective Date.

This ordinance shall take effect upon its adoption or otherwise as provided by law.

Secs. 01-006 - - 01-008. Reserved.

DIVISION 2. APPLICATIONS AND PERMITS FOR INDUSTRIAL AND COMMERCIAL FACILITIES

Sec. 01-009. Existing facilities required to obtain permit.

(a) All existing industrial facilities, service stations, convenience stores with gasoline pumps, vehicular repair shops and vehicular parts repair shops which discharge storm water directly or indirectly into the municipal separate storm sewer system and which do not have current NPDES permits issued by ADEM authorizing the discharge of storm water, are required to apply for a City of Pelham Storm Water Discharge Permit on or before the dates set forth in the following schedule:

(1) Service stations, convenience stores with gasoline pumps, vehicular repair shops and vehicular parts repair shops by August 1, 1999;

(2) Industrial facilities by February 1, 2000.

All other existing commercial facilities located in the City of Pelham, and which do not have current NPDES storm water permits, are not required to apply for a City of Pelham Storm Water Discharge Permit. However, these facilities shall comply with Divisions 5 and 6 of this ordinance.

(b) Permit application forms may be acquired from the Manager beginning March 31, 1999. Completed application forms are to be returned to the Manager by the dates set forth in the above schedule. Upon receipt of the application, the Manager will evaluate the information provided and either deny a permit to the applicant or issue the applicant a City of Pelham Storm Water Discharge Permit. An approved permit may require the facility or commercial establishment to implement additional structural and non-structural Best Management Practices to reduce or eliminate the potential to discharge pollutants. If the application is denied, the Manager shall notify the applicant of deficiencies and allow thirty (30) days for the application to

be revised and resubmitted. If the noted deficiencies are not corrected within thirty (30) days and/or the permit is not resubmitted, any discharge of storm water after that date into the municipal separate storm sewer system shall be unlawful. Once issued, a permit shall be valid for five (5) years, unless sooner revoked for violations of permit conditions, changes in applicable law, or other good cause.

- (c) The application for a City of Pelham Storm Water Discharge Permit for an existing facility or commercial establishment shall include, at a minimum, the following information:
- (1) description and type of facility and the nature of work performed;
 - (2) a description of significant materials that are currently, or were formerly, treated, stored or disposed outside the facility or commercial establishment; materials management practices currently used to minimize contact of these materials with storm water runoff; and a description of any treatment the storm water receives prior to discharge;
 - (3) the name of contact person for permit compliance, including job title, facility address and telephone number;
 - (4) a description of ways the facility or commercial establishment plans to implement programs to reduce the discharge of pollutants through storm water flow; and
 - (5) any other information deemed necessary by the Manager to effectively evaluate the potential for contamination of the MS4 by storm water runoff.

Sec. 01-010. Existing facilities required to have an NPDES permit.

- (a) All existing industrial facilities, service stations, convenience stores with gasoline pumps, vehicular repair shops and vehicular parts repair shops which discharge storm water directly or indirectly into the municipal separate storm sewer system and which have current NPDES permits issued by ADEM authorizing the discharge of storm water are required to submit to the Manager a copy of the Notice of Intent (NOI) and ADEM's subsequent letter of verification of coverage under the NPDES General Permit, on or before March 31, 1999. If the facility has an individual NPDES storm water discharge permit, a copy of the permit, in its entirety, shall be submitted to the Manager on or before March 31, 1999.
- (b) Upon expiration and renewal of the existing NPDES permit, the facility shall be required to submit a copy of the new NOI and coverage verification, or individual NPDES permit, to the Manager within thirty (30) days.

- (c) The NOI or NPDES permit shall be accompanied by the name of the contact person for permit compliance, including his or her job title and the telephone number.

Sec. 01-011. New facility permits.

- (a) All new industrial facilities, service stations, convenience stores with gasoline pumps, vehicular repair shops and vehicular parts repair shops which discharge storm water directly or indirectly into the municipal separate storm sewer system, and which do not require an NPDES permit issued by ADEM authorizing the discharge of storm water, are required to apply for a City of Pelham Storm Water Discharge Permit prior to construction. This permit shall be required in addition to any permit required by ADEM for storm water discharges associated with construction activity and any other permit required by this ordinance for land clearing activities. All other new commercial facilities located in the City of Pelham, and which do not require an NPDES storm water permit, are not required to apply for a Shelby County Storm Water Discharge Permit. However, these facilities shall comply with Divisions 5 and 6 of this ordinance.
- (b) Permit application forms may be acquired from the Manager beginning March 31, 1999. Completed application forms are to be returned to the Manager. Upon receipt of the application, the Manager will evaluate the information provided and either deny a permit to the applicant or issue the applicant a City of Pelham Storm Water Discharge Permit. An approved permit may require the facility to implement additional structural and non-structural Best Management Practices to reduce or eliminate the potential to discharge pollutants. If the application is denied, the Manager shall notify the applicant of deficiencies and allow thirty (30) days for the application to be revised and resubmitted. If the noted deficiencies are not corrected within thirty (30) days and/or the permit is not resubmitted, any discharge of storm water after that date into the municipal separate storm sewer system shall be unlawful. Once issued, a permit shall be valid for five (5) years, unless sooner revoked for violations of permit conditions, changes in applicable law, or other good cause.
- (c) The application for a City of Pelham Storm Water Discharge Permit for a new facility shall include, at a minimum, the same information as that required for an existing facility.

Sec. 01-012. New facilities required to have an NPDES permit.

- (a) All new industrial facilities, service stations, convenience stores with gasoline pumps, vehicular repair shops and vehicular parts repair shops which discharge storm water directly or indirectly into the municipal separate storm sewer system, and which require an NPDES permit issued by ADEM authorizing the discharge of storm

water are required to submit to the Manager a copy of the Notice of Intent (NOI) and ADEM's subsequent letter of verification of coverage under the NPDES General Permit. If the facility requires an individual NPDES permit, a copy of the permit, in its entirety, shall be submitted to the Manger. In addition, any permit required by ADEM for storm water discharges associated with land clearing and construction activities shall be submitted to the Manager prior to construction.

- (b) Upon expiration and renewal of the NPDES permit, the facility will be required to submit a copy of the new NPDES permit to the Manager within thirty (30) days.
- (c) The NPDES permit shall be accompanied by the name of the contact person for permit compliance, including his or her job title, and the telephone number.

Sec. 01-013. Permit application fees.

- (a) Each application for the issuance of a City of Pelham Storm Water Discharge Permit for an existing industrial or commercial facility shall be accompanied by a non-refundable fee of one hundred dollars (\$100.00) plus fifteen dollars per acre (\$15.00/acre).
- (b) Each application for the issuance of a City of Pelham Storm Water Discharge Permit for a new industrial or commercial facility shall be accompanied by a non-refundable fee of one hundred dollars (\$100.00) plus fifteen dollars per acre (\$15.00/acre) and any such additional fees for land disturbance or construction activities as may be required per this ordinance.

Secs. 01-014 - - 01-018. Reserved.

DIVISION 3. APPLICATIONS AND PERMITS FOR
LAND DISTURBANCE AND CONSTRUCTION ACTIVITIES

Sec. 01-019. Land disturbance and construction activities required to have a permit.

- (a) All land disturbance and construction activities which discharge storm water directly or indirectly into the municipal separate storm sewer system, and which are not required to have an NPDES permit issued by ADEM authorizing the discharge of storm water will require a City of Pelham Storm Water Discharge Permit prior to the commencement of the land disturbance or construction. It shall be unlawful for any person to conduct, or permit to be conducted, any land disturbing activity upon land owned or controlled by them without a permit issued under this ordinance if less than five acres are disturbed and if the discharge flows into the MS4. For purposes of this

ordinance the phrase "land disturbing activity" is defined as follows:

Land disturbing activity is any change which may result in soil erosion from water and wind and the movement of sediments, directly or indirectly, into the community waters, including, but not limited to, clearing, dredging, grading, excavating and filling of land, except that the term shall not include the following:

- (1) such minor land disturbing activities as home gardens, individual home landscaping, home repairs, home maintenance work and other related activities which result in minor soil erosion;
- (2) the construction of single-family residences when built separately on lots within a subdivision which has a current City of Pelham Discharge Permit issued pursuant to this ordinance, provided that excavation is limited to trenches for the foundation, basements, utility service and sewer connections, and minor grading for driveways, yard areas and sidewalks;
- (3) individual utility service and sewer connections for single- or two-family residences;
- (4) construction, installation or maintenance of electrical, telephone and cable television lines and poles, provided these activities do not pose a significant threat of contamination to community waters; and
- (5) installation, maintenance and repair of any underground public utility lines when such activity occurs on an existing hard-surface road, street or sidewalk, provided the activity is confined to the area of the road, street or sidewalk which is hard-surfaced.

These activities may be undertaken without a permit; however, the persons conducting these excluded activities shall remain responsible for otherwise conducting those activities in accordance with the provisions of this ordinance and other applicable laws.

- (b) Permit application forms may be acquired from the Manager beginning April 1, 1999. Completed application forms are to be returned to the Manager. Upon receipt of the application, the Manager will evaluate the information provided and either deny a permit to the applicant or issue the applicant a City of Pelham Storm Water Discharge Permit. An approved permit may require the applicant to implement additional structural and non-structural Best Management Practices to reduce or

eliminate the potential to discharge pollutants. If the application is denied, the Manager shall notify the applicant of deficiencies and allow the application to be revised and resubmitted. It shall be unlawful to commence land disturbance or construction activities as described in this Section prior to the issuance of a City of Pelham Storm Water Discharge Permit. Once issued, a permit shall be valid for two (2) years, unless sooner revoked for violations of permit conditions, changes in applicable law, or other good cause. Upon project completion, the applicant shall notify the Manager and request termination of permit coverage. The Manager shall grant termination within thirty (30) days unless it is determined that the applicant has failed to meet the requirements of this ordinance, particularly those regarding proper soil stabilization.

- (c) The application for a Storm Water Discharge Permit for land disturbance and construction activities shall include, at a minimum, the following information:
- (1) name and telephone number of applicant;
 - (2) business or residence address of applicant;
 - (3) name and address of owner of subject property;
 - (4) address and legal description of subject property;
 - (5) name and address of the contractor and any subcontractors who shall perform the land disturbing activity and who shall implement the Best Management Practices;
 - (6) 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) a description of specific Best Management Practices that will be used to control the discharge of storm water runoff from the site, the extent of which shall be commensurate with the size of the project, severity of site conditions, and the potential for contamination of community waters; and
 - (8) any other information deemed necessary by the Manager to effectively evaluate the potential for contamination of the MS4 by storm water runoff.

Sec. 01-020. General requirements for land disturbance activities.

No land disturbing activity shall be conducted within the City of Pelham except in such manner that:

- (a) Stripping of vegetation, regrading and other development activities shall be conducted so as to minimize erosion. Clearing and grubbing must be held to the minimum necessary for grading and equipment operation. Construction shall be sequenced to minimize the exposure time of cleared surface area.
- (b) Property owners shall be responsible upon completion of land disturbing activities to leave slopes so that they will not erode, through such methods as revegetation, mulching, rip-rapping, or gunniting. Regardless of the method used, the objective shall be to leave the site as erosion-free and maintenance-free as practicable.
- (c) Whenever feasible, natural vegetation shall be retained, protected and supplemented, especially adjacent to natural drainage ways. If feasible, natural streams flowing to and through the site shall be maintained in their natural channel and provided with a vegetative buffer zone.
- (d) Permanent or temporary soil stabilization must be applied to disturbed areas to the extent feasible within seven (7) days on areas that will remain unfinished for more than thirty (30) calendar days. Permanent soil stabilization with perennial vegetation shall be applied as soon as practicable after final grading is completed on any portion of the site. Soil stabilization refers to measures which protect soil from the erosive forces of wind, raindrop impact and flowing water, and includes the growing of grass, sod, application of straw, mulch, fabric mats, and the early application of gravel base on areas to be paved.
- (e) A permanent vegetative cover shall be established on disturbed areas not otherwise permanently stabilized.
- (f) To the extent necessary, sediment in runoff water shall be trapped by the use of sediment basins, silt traps or similar measures until the disturbed area is stabilized.
- (g) Erosion and sediment control measures must be in place and functional before earth moving operations begin, and must be constructed and maintained throughout the construction period as necessary. Temporary measures may be removed at the beginning of the work day, but shall be replaced at the end of the workday.
- (h) Structural controls shall be designed and maintained as required to prevent pollution. All surface water flowing toward the construction area shall, to the extent practicable, be diverted by using berms, channels, or sediment traps as necessary. Erosion and sediment control measures shall be designed according to the size and slope of disturbed and/or drainage areas to effectively detain runoff and trap sediment.
- (i) All control measures shall be checked and repaired as necessary to prevent the contamination of community waters.

- (j) The storm water runoff from the site shall contain no floating scum or oil, shall not cause an objectionable color contrast in the receiving water, and shall not contain any materials in concentrations sufficient to be hazardous or otherwise detrimental to humans, livestock, wildlife, plant life, or fish and aquatic life in the receiving stream.

Sec. 01-021. Land disturbance and construction activities required to have an NPDES permit.

- (a) All land disturbance and construction activities which are larger than five acres in size or that are a part of a larger development or project that is, or will eventually be, larger than five acres in size require an NPDES permit issued by ADEM authorizing the discharge of storm water. If an NPDES permit is required, a copy of the Notice of Intent (NOI) shall be submitted to the Manager prior to the land disturbance or construction. A copy of ADEM's verification of coverage shall also be submitted when available.
- (b) If the current NPDES permit should expire during land clearing or construction, a copy of the new NOI and ADEM's subsequent verification of coverage shall be submitted to the Manager.
- (c) The NOI shall be accompanied by the name of the contact person for NPDES permit compliance, including job title, site and office addresses and telephone numbers.

Sec. 01-022. Permit application fees.

Each application for the issuance of a City of Pelham Storm Water Discharge Permit for land disturbance and construction activities shall be accompanied by a non-refundable fee of one hundred dollars (\$100.00) plus fifteen dollars per acre (\$15.00/acre).

Secs. 01-023 - - 01-027. Reserved.

DIVISION 4. GENERAL PERMIT REQUIREMENTS

Sec. 01-028. Availability of permit.

An approved copy of the City of Pelham Storm Water Discharge Permit shall be stored in the office of the designated contact person and at the permitted site or facility and shall be made available for review at any time by the Manager, or his or her representative.

Sec. 01-029. Transfer of permit.

A City of Pelham Storm Water Discharge Permit may be transferred only upon the filing of

an amendment to the permit application or an amended or restated application containing all changes from the original application providing there are no changes in the operation of the industrial or commercial facility or construction site which may affect the quantity or quality of the storm water runoff. If there are to be any changes in the operation of the facility or construction site which may affect the quantity or quality of storm water runoff, then the new owner or operator shall reapply for a City of Pelham Storm Water Discharge Permit prior to the beginning of operation of the facility or construction activities. The filing of an amended or restated application shall be treated as an interim permit allowing the continued operation of the facility or construction site pending review of the application by the Manager, which shall remain in force until the application shall be approved or denied by the Manager.

Sec. 01-030. Signatory requirements.

- (a) All applications and correspondence required by this ordinance to be submitted to the Manager shall be signed as follows:
 - (1) Corporation: by a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-making or decision-making functions for the corporation.
 - (2) Partnership or sole proprietorship: by a general partner or the proprietor.
 - (3) Municipality, State, Federal, or other public facility: by either a principal executive officer or the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
- (b) Any person signing any application or correspondence required by this article shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision and that I have personally examined and am familiar with the information therein. Based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and civil penalty."

Secs. 01-031 - - 01-035. Reserved.

DIVISION 5. MONITORING AND INSPECTION

Sec. 01-036. Monitoring.

The Manager shall periodically monitor the quantity of, and the concentration of pollutants in storm water discharges from the industrial and commercial facilities and construction sites permitted pursuant to this ordinance and from any other facilities or sites the Manager deems a potential source of contamination to the community waters, including those facilities and sites which hold current NPDES permits.

Sec. 01-037. Detections of illicit connections and improper disposal.

- (a) The Manager, or his or her duly authorized representatives, shall take appropriate steps to detect and eliminate illicit connections to the municipal separate storm sewer system.
- (b) The Manager, or his or her duly authorized representative, shall take appropriate steps to detect and eliminate improper discharges to the municipal separate storm sewer system.

Sec. 01-038. Inspections.

- (a) The Manager, or his or her designee, bearing proper credentials and identification, may enter and inspect all properties for regular periodic inspections, investigations, monitoring, observation, measurement, enforcement, sampling and testing, to effectuate the provisions of this ordinance and the City of Pelham Storm Water Management Program. The Manager, or his or her designee, shall duly notify the owner of said property or the representative on site and the inspection shall be conducted at reasonable times.
- (b) Upon refusal by any property owner to permit an inspector to enter or continue an inspection, the inspector shall terminate the inspection or confine the inspection to areas concerning which no objection is raised. The inspector shall immediately report the refusal and the grounds to the Manager. The Manager may seek appropriate compulsory process.
- (c) In the event the Manager, or his or her designee, reasonably believes that discharges from the property into the MS4 or the community waters may cause an imminent and substantial threat to human health or the environment, the inspection may take place at any time and without notice to the owner of the property or a representative on site. The inspector shall present proper credentials upon reasonable request by the owner or representative.
- (d) At any time during the conduct of an inspection or at such other times as the Manager, or his or her designee, may request information from an owner or

representative, the owner or representative may identify areas of the facility or establishment, material or processes which contain or which might reveal a trade secret. If the Manager, or his or her designee, has no clear or convincing reason to question such identification, the inspection report shall note that trade secret information has been omitted. To the extent practicable, the Manager shall protect all information which is designated as a trade secret by the owner or their representative.

- (e) In the event a substantial pollutant loading to the community waters exists, the Manager will take the following steps:
- (1) Field Inspection to verify possible source of pollution, when needed.
 - (2) Additional sampling to verify possible source of pollution, if needed.
 - (3) Informing the owner and/or operator of the facility or site found to be the source of the problem and working with them to determine appropriate corrective actions.
 - (4) Following up with the owner and/or operator to determine the status of corrective actions.
 - (5) Enforcement procedures shall be as provided in Division 6 of this ordinance, if needed.

Secs. 01-039 - - 01-043. Reserved.

DIVISION 6. ENFORCEMENT AND ABATEMENT

Sec. 01-044. Unauthorized discharge a public nuisance.

Discharge of storm water in any manner in violation of this ordinance or of any condition of a permit issued pursuant to this ordinance is hereby declared a public nuisance and shall be corrected or abated.

Sec. 01-045. Allowable non-storm water discharges.

The following direct or indirect discharges into the MS4 or the community waters are allowable under the terms of this ordinance unless determined by the Manager to be a source of contamination to the MS4 or the community waters:

- (1) waterline and fire hydrant flushings;

- (2) landscape irrigation;
- (3) rising ground waters;
- (4) uncontaminated ground water;
- (5) uncontaminated water from foundation and footing drains;
- (6) air conditioning condensation;
- (7) discharges from springs;
- (8) water from crawl space pumps;
- (9) lawn watering;
- (10) individual residential car washing;
- (11) flows from riparian habitats and wetlands;
- (12) dechlorinated swimming pool and hot tub discharges;
- (13) street wash water; and
- (14) discharges from fire fighting activities.

Sec. 01-046. Illicit discharge and illegal dumping.

The following direct or indirect discharges into the MS4 or the community waters and direct or indirect discharges therein or thereto caused by or resulting from the following activities, practices and/or conditions are prohibited and shall be unlawful:

- (1) non-storm water discharges, except pursuant to a storm water discharge permit issued by ADEM or Section 01-045 of this ordinance;
- (2) chlorinated swimming pool or hot tub discharge;
- (3) discharge of any polluted household wastewater, such as, but not limited to, laundry washwater and dishwater, except to a sanitary sewer or septic system;
- (4) leaking sanitary sewers and connections, which shall have remained uncorrected for seven (7) days or more;

- (5) leaking water lines which shall have remained uncorrected for seven (7) days or more;
- (6) commercial, industrial or public vehicle wash discharge;
- (7) garbage or sanitary waste disposal;
- (8) animals carcasses or animal fecal waste;
- (9) sewage dumping or dumping of sewage sludge;
- (10) dredged or spoil material;
- (11) solid or chemical waste; and
- (12) wrecked or discarded vehicles or equipment.

Sec. 01-047. Accidental discharges.

- (a) In the event of any discharge of a hazardous substance in amounts which could cause a threat to public drinking supplies, a "significant spill" or any other discharge which could constitute a threat to human health or the environment, the owner or operator of the facility shall give verbal notice to the Storm Water Manager and ADEM as soon as practicable, but in no event later than the close of business on the day the accidental discharge occurs or the day the discharger becomes aware of the circumstances. A written report must be provided within five days of the time the discharger becomes aware of the circumstances, unless this requirement is waived by the Manager for good cause shown on a case-by-case basis, containing the following particulars: (1) a description of the discharge, (2) the exact dates and times of discharge and (3) steps being taken to eliminate and prevent recurrence of the discharge.
- (b) The discharger shall take all reasonable steps to stop the discharge and minimize any adverse impact to the community waters, including such accelerated or additional monitoring as necessary to determine the nature and impact of the discharge. It shall not be a defense for the discharger in an enforcement action that it would have been necessary to halt or reduce the business or activity of the facility in order to maintain water quality and minimize any adverse impact that the discharge may cause.
- (c) It shall be unlawful for any person to fail to comply with the provisions of this section.

Sec. 01-048. NPDES permits issued by ADEM.

- (a) Compliance with the conditions, limitations and restrictions set forth in an individual or general NPDES storm water discharge permit issued by ADEM, excluding NPDES Permit ALS000003, shall be deemed compliance with the terms of this ordinance, excluding the requirements of Sections 01-010, 01-012, 01-021 and 01-047. However, all NPDES permit holders are subject to enforcement action under the terms of this ordinance for continued substantial violation of the NPDES permit, as determined by the Manager. The following procedure shall be used for NPDES permit holders:
- (1) ADEM will provide the Manager with access to the NPDES storm water permits for any property within the County's jurisdiction.
 - (2) The Manager will notify ADEM and the permit holder in writing when it has been determined that the NPDES permit holder is causing a continuing substantial pollutant load to the community waters.
 - (3) The Manager will rely on ADEM to regulate and take enforcement action against NPDES permit holders until such time that the permit holder is in continuing substantial violation of its NPDES permit and ADEM has failed to respond in a timely manner.
 - (4) At this time the NPDES permit holder will be subject to the terms and penalties of this ordinance.
- (b) No enforcement action shall be taken by the City against any person for violation of the terms of this ordinance if any of the following occur:
- (1) ADEM has issued a notice of violation with respect to the same alleged violation and is proceeding with enforcement action;
 - (2) ADEM has issued an administrative order with respect to the same alleged violation and is proceeding with enforcement action; or
 - (3) ADEM has commenced and is proceeding with enforcement action or has completed any other type of administrative or civil action with respect to the same alleged violation.
- (c) Any determination or resolution with respect to an alleged violation made by ADEM shall be final, and such alleged violation shall not be made the subject of any additional enforcement action by the City, provided, however, that enforcement action may be pursued by the City for continued or continuing violations.

Sec. 01-049. Administrative enforcement remedies.

- (a) **Notification of Violation**: Whenever the Manager finds that any applicant or any person discharging storm water has violated or is violating this ordinance, or a City of Pelham Storm Water Discharge Permit or order issued hereunder, the Manager or his or her agent may serve upon said discharger written notice of the violation. Within ten (10) days of the receipt date of this notice, an explanation of the violation and a plan and schedule for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the Manager. 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 Manager is hereby 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 discharger 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 paragraph (d) below.
- (c) **Show Cause Hearing**: The Manager may order any person who causes or contributes to violation of this ordinance or Storm Water Discharge 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 (10) days prior to the hearing. Such notice may be served on any principal executive, general partner or corporate officer.
- (d) **Compliance Order**: When the Manager finds that any person has violated or continues to violate this ordinance or a City of Pelham Storm Water Discharge Permit or order issued hereunder, he or she may issue an order to the violator, directing that, following a specified time period, adequate structures and 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 the Manager finds that any person has violated or continues to violate this ordinance or a City of Pelham Storm Water Discharge Permit or order issued hereunder, the Manager 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.

Sec. 01-050. Unlawful acts, misdemeanor.

It shall be unlawful for any person to:

- (a) violate any provision of this ordinance;
- (b) violate the provisions of any permit issued pursuant to this ordinance;
- (c) fail or refuse to comply with any lawful notice to abate, issued by the Manager, which has not been appealed to the Storm Water Regulations Board within the time specified by such notice; or
- (d) violate any lawful order of the Storm Water Regulations Board within the time allowed by such order.

Said persons shall be guilty of a misdemeanor; and each day of such violation, failure or refusal to comply shall be deemed a separate offense and punishable accordingly. Any person found to be in violation of the provisions of this ordinance shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for each offense.

Sec. 01-051. Civil penalty.

- (a) Any person who performs any of the following acts or omissions shall be subject to a civil penalty of up to five thousand dollars (\$5000.00) per day each day during which the act or omission continues or occurs:
 - (1) fails to obtain any permit required by this ordinance;
 - (2) violates the terms or conditions of a permit issued pursuant to a pretreatment program;
 - (3) violates a final determination or order of the Storm Water Regulations Board;
or
 - (4) violates any provisions of this ordinance.
- (b) Any civil penalty shall be assessed in the following manner:

- (1) The Manager may issue an assessment against any person responsible for the violation;
 - (2) Any person against whom an assessment has been issued may secure a review of such assessment by filing with the Manager a written petition setting forth the grounds and reasons for his or her objections and asking for a hearing in the matter involved before the Storm Water Regulations Board and if a petition for review of the assessment is not filed within thirty (30) days after the date the assessment is served, the violator shall be deemed to have consented to the assessment and it shall become final;
 - (3) Whenever any assessment has become final because of a person's failure to appeal the Manager's assessment, the Manager may apply to the appropriate court for a judgement and seek execution of such judgement, and the court, in such proceedings, shall treat a failure to appeal such assessment as a confession of judgement in the amount of the assessment;
 - (4) In assessing the civil penalty, the Manager may consider the following factors:
 - (i) whether the civil penalty imposed will be a substantial economic deterrent to the illegal activity;
 - (ii) damages to the City, including compensation for the damage or destruction of public storm water facilities, and also including any penalties, costs and attorneys' fees incurred by the City as a result of the illegal activity, as well as the expenses involved in enforcing this ordinance and the costs involved in rectifying any damages;
 - (iii) cause of the discharge or violation;
 - (iv) the severity of the discharge and its effects upon public storm water facilities and upon the quality and quantity of the receiving waters;
 - (v) effectiveness of action taken by the violator to cease the violation;
 - (vi) the technical and economic reasonableness of reducing or eliminating the discharge; and
 - (vii) the economic benefit gained by the violator.
- (c) The Storm Water Regulations Board may establish, by regulation, a schedule of the

amount of civil penalty which can be assessed by the Manager for certain specific violations or categories of violations.

Sec. 01-052. Judicial proceedings and relief.

- (a) The Manager may initiate proceedings in any court of competent jurisdiction against any person who has or is about to:
 - (1) violate the provisions of this ordinance;
 - (2) violate the provisions of any permit issued pursuant to this ordinance;
 - (3) fail or refuse to comply with any lawful order issued by the Manager, which has not been timely appealed to the Storm Water Regulations Board, within the time allowed by this ordinance; or
 - (4) violates any lawful order of the Storm Water Regulations Board within the time allowed by such order.
- (b) Any person who shall commit any act or fail to perform any act declared unlawful under this ordinance shall be guilty of a misdemeanor, and each day of such violation or failure shall be deemed a separate offense and punishable accordingly.
- (c) The Manager, with the consent of the City Council of the City of Pelham, may also initiate civil proceedings in any court of competent jurisdiction seeking monetary damages for any damages caused to publicly owned storm water facilities by any person, and to seek injunctive or other equitable relief to enforce compliance with the provisions of this ordinance or to force compliance with any lawful orders of the Manager or the Storm Water Regulations Board.

Sec. 01-053. Disposition of permit fees, damage payments and penalties.

All permit fees collected pursuant to this ordinance, all damages collected under the provisions of Section 01-050 and civil penalties collected under Section 01-051, following adjustment for the expenses incurred in making such collections, shall be allocated and appropriated to the City of Pelham for the administration of its storm water management programs.

Secs. 01-054 - - 01-058. Reserved.

DIVISION 7. STORM WATER REGULATIONS BOARD

Sec. 01-059. Established.

There is hereby established a Board of five (5) members to be known as the "Storm Water Regulations Board."

Sec. 01-060. Composition; terms; filling vacancies.

The five (5) members of this board shall be appointed by the City Council of the City of Pelham for terms of four (4) years. All members shall serve until their successor is appointed and all members shall serve at the pleasure of the City Council. In the event of a vacancy, the City Council shall appoint a member to fill the unexpired term. The Board shall select its own chairman, vice-chairman and secretary. The members shall serve without compensation, are eligible for reimbursement of their actual expenses incurred in attending meetings of the Board and the performance of any duties as members of the Board as are properly documented and authorized by Law.

Sec. 01-061. General duties of the Board.

In addition to any other duty or responsibility otherwise conferred upon the Board by this chapter, the Board shall have the duty and power as follows:

- (a) To recommend from time to time to the City Council that it amend or modify the provisions of this ordinance;
- (b) To hold hearings upon appeals from orders or actions of the Manager as may be provided under any provision of this chapter;
- (c) To hold hearings related to the suspension, revocation or modification of a City of Pelham Storm Water Discharge Permit and issue appropriate orders relating thereto;
- (d) To hold such other hearings as may be required in the administration of this chapter and to make such determinations and issue such orders as may be necessary to effectuate the purposes of this ordinance;
- (e) To request assistance from any officer, agent or employee of the City of Pelham and to obtain such information or other assistance as the Board might need;
- (f) The Board, acting through its chairman, shall have the power to issue subpoenas requiring attendance and testimony of witnesses and the production of documentary evidence relevant to any matter properly heard by the Board; and

- (g) The chairman, vice-chairman or chairman pro tem shall be authorized to administer oaths to those persons giving testimony before the Board.

Sec. 01-062. Variances.

- (a) The Board may grant a variance from the requirements of this ordinance providing to do so would not result in the violation of any state or federal law or regulation and if exceptional circumstances applicable to the site exist such that strict adherence to the provisions of this ordinance will result in unnecessary hardship and will not result in a condition contrary to the intent of the ordinance.
- (b) A written petition for a variance shall be required and shall state the specific variance sought and the reasons, with supporting data, why a variance should be granted. The request shall include all information necessary to evaluate the proposed variance. The petition shall be filed with the Manager.
- (c) The Manager shall conduct a review of the request for a variance within ten (10) working days after receipt and may either support the petition or may object to the petition. If the Manager objects to the variance, he or she shall state the reasons therefor.
- (d) Once the Manager's review is complete or the ten (10) days for review have expired, the petition shall be subject to Board action at the next regularly scheduled meeting or at a special meeting called at the discretion of the chairman.

Sec. 01-063. Meetings; quorum.

- (a) The Board shall hold regular semiannual meetings and such special meetings as the Board may find necessary.
- (b) Three (3) members of the Board shall constitute a quorum, but a lesser number may adjourn a meeting from day to day. Any substantive action of the Board shall require three (3) votes, but a majority of the quorum may decide any procedural matter.

Sec. 01-064. Hearing Procedure; judicial review.

- (a) When to be held: The Storm Water Regulations Board shall schedule an adjudicatory hearing to resolve disputed questions of fact and law whenever provided by any provision of this ordinance.
- (b) Record of hearing: At any such hearing, all testimony presented shall be under oath or upon solemn affirmation in lieu of oath. The Board shall make a record of such hearing, but the same need not be a verbatim record. Any party coming before the

Board shall have the right to have such hearing recorded stenographically, but in such event the record need not be transcribed unless any party seeks judicial review of the order or action of the Board as herein provided, and in such event the parties seeking such judicial review shall pay for the transcription and provide the Board with the original of the transcript so that it may be certified to the court.

- (c) Subpoenas: The chairman may issue subpoenas requiring attendance and testimony of witnesses or the production of evidence, or both. A request for issuance of a subpoena shall be made by lodging with the chairman at least ten (10) days prior to the scheduled hearing date a written request for a subpoena setting forth the name and address of the party to be subpoenaed and identifying any evidence to be produced. Upon endorsement of a subpoena by the chairman, the same shall be delivered to the Sheriff of Shelby County for service by any officer of the County, if the witness resides in the County. If the witness does not reside in the County, the chairman shall issue a written request that the witness attend the hearing.
- (d) Depositions: Upon agreement of all parties, the testimony of any person may be taken by deposition or written interrogatories. Unless otherwise agreed, the deposition shall be taken in a manner consistent with state regulations, with the chairman to rule on such matters as would require a ruling by the court under such rules.
- (e) Hearing procedure: The party at such hearing bearing the affirmative burden of proof shall first call his or her witnesses, to be followed by witnesses called by other parties, to be followed by any witnesses which the Board may desire to call. Rebuttal witnesses shall be called in the same order. The chairman shall rule on any evidentiary questions arising during such hearing and shall make such other rulings as may be necessary or advisable to facilitate an orderly hearing, subject to approval of the Board. The Board, the Manager, or his or her representative, and all parties shall have the right to examine any witness. The Board shall not be bound by or limited to rules of evidence applicable to legal proceedings.
- (f) Appeal to Board of Manager's order: Any person aggrieved by any order or determination of the Manager may appeal said order or determination to the Board and have such order or determination reviewed by the Board under the provisions of this section. A written notice of appeal shall be filed with the Manager and with the chairman, and such notice shall set forth with particularity the action or inaction the Manager complained of and the relief sought by the person filing said appeal. A special meeting of the Board may be called by the chairman upon the filing of such appeal, and the Board may, in its discretion, suspend the operation of the order or determination of the Manager until such time as the Board has acted upon the appeal.
- (g) Absence of chairman: The vice-chairman or the chairman pro tem shall possess all

the authority delegated to the chairman by this section when acting in his or her absence or in his or her stead.

- (h) Review of Board's decision: Any person aggrieved by any final order of determination of the Board hereunder may within fifteen (15) days thereafter appeal therefrom to the Circuit Court of Shelby County or other court within Shelby County having jurisdiction by filing with the Board a written notice of appeal specifying the judgment or decision from which appeal is taken. In case of such appeal, the Board shall cause a transcript of all the proceedings in the cause to be certified to the court to which the appeal is taken and the cause in such court shall be tried ~~de~~ *de* novo.

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

APPENDIX 2

City of Pelham Subdivision Regulations

SUBDIVISION REGULATIONS

CITY OF PELHAM, ALABAMA

Adopted by the

PELHAM PLANNING COMMISSION

TABLE OF CONTENTS

<u>SUBJECT</u>	<u>PAGE NO.</u>
ARTICLE I. GENERAL PROVISIONS	1
Section 1:01 Authority	1
1:02 Jurisdiction	1
1:03 Separability and Severability	1
1:04 Amendments	1
1:05 Penalty	1
1:06 Definitions	2-3
ARTICLE II. PROCEDURE	4
Section 2:01 Application for Approval	4
2:02 Fees and Notice	4
2:03 Preliminary Plat Approval	4-5
2:04 Effect of Preliminary Plat Approval	5
2:05 Engineering Requirements	5
2:05.1 Minor Subdivisions	5-A
2:06 Final Plat Filing and Execution	5
2:07 Approval of Final Plat	5-6
2:08 Final Plat Fees and Recording	6
2:09 Small Subdivisions and Resubdivisions	6
ARTICLE III. PLAT REQUIREMENTS	7
Section 3:01 Preliminary Plat	7-8
3:02 Vicinity Sketch	8
3:03 Final Plat	8-12
3:04 Vacation of Public Lands	12
ARTICLE IV. DESIGN STANDARDS	13
Section 4:01 Street Plan	13-14
4:02 Street Grades	14
4:03 Street and Subdivision	14-15
4:04 Alleys, Easements and Half Streets	15
4:05 Storm Water Drainage and Grading	15-16
4:06 Platting Requirements	16-17
4:07 Utilities	17
ARTICLE V. REQUIRED IMPROVEMENTS: BOND	18
Section 5:01 Improvements	18
5:02 Bond and Surety: Amount & Release	18
5:03 Maintenance Bond	18
ARTICLE VI. VARIANCES	19
Section 6:01 Modifications, Variances and Waivers	19
6:02 Conditions of and Applications for Variances	19

SUBDIVISION REGULATIONS

TOWN OF PELHAM, ALABAMA

ARTICLE I. GENERAL PROVISIONS.

SECTION 1:01 Authority

Under the provisions of Section 797 through 803 of Title 37 of The 1940 Code of Alabama, which provisions are hereby made a part thereof, these following regulations governing the Subdivision of land are hereby adopted by The Planning Commission, City of Pelham, Alabama at its regular meeting on _____, 1987. A copy of these regulations shall be certified to the Probate Judge of Shelby County, Alabama and to the Clerk of the City of Pelham, Alabama.

SECTION 1:02 Jurisdiction

From and after the date of adoption, these regulations shall govern each and every subdivision of land within the corporate limits of The City of Pelham, Alabama, as now or hereafter established and within such territory outside the corporate limits of The City of Pelham, Alabama as the Planning Commission shall now and hereafter have within its jurisdiction.

SECTION 1:03 Separability and Severability

The provisions of this Act are severable. Should any article, section, subsection, or provision of these regulations be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not effect the validity or constitutionality of these regulations as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

SECTION 1:04 Amendments

The Planning Commission may from time to time adopt amendments that will tend to increase the effectiveness of these regulations or expedite the approval of subdivision plats. These regulations and amendments thereto may be changed or amended by The Planning Commission after a public hearing by giving due notice as required by law.

SECTION 1:05 Penalty

The Planning Commission is hereby authorized to provide a penalty not to exceed \$100 per lot to be paid by anyone who subdivides property and conveys lots there from without first having recorded the plat of such subdivision as is herein provided.

SECTION 1:06 Definitions

- (a) Alley: Any public right-of-way designed primarily for vehicular access to the back or side of premises otherwise abutting on a street.
- (b) The Pelham City Council: The chief legislative body of the City of Pelham, Alabama.
- (c) Curb or Curb Line: The inside vertical face of a masonry curb, the center line of a valley gutter, or the edge of the pavement where no curb or gutters exist.
- (d) Dedication: The deliberate assignation of land by its owners for any general or public uses, reserving to himself no other right than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.
- (e) Engineer: A Professional Engineer and registered by the State of Alabama Board of Registration for Professional Engineers and Surveyors.
- (f) Final Plat: The completed subdivision plat in form for approval and recording.
- (g) Lot: A parcel or portion of land in a subdivision or plat of land, separated from other parcels or portions by description as on a subdivision of record or survey map or by metes and bounds.
- (h) Planning Commission: The City of Pelham Planning Commission.
- (i) Preliminary Plat: A tentative plat of a proposed subdivision for presentation to the Planning Commission for its consideration.
- (j) Roadway: That portion of a street between the regularly established curb lines, or that part of a street or alley devoted to vehicular traffic.
- (k) Sidewalk Area: That portion of a street not included in the roadway and devoted in whole or in part to pedestrian traffic.
- (l) Street: A public right-of-way for vehicular and pedestrian traffic whether designated as a street, highway, throughfare, parkway, throughway, road, avenue, boulevard, land, place, or however otherwise designated, excepting, however an alley.

- (m) Subdivider or Applicant: Any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity commencing proceedings under these regulations to effect a subdivision of land hereunder for himself or for another.
- (n) Subdivision: The division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites or other divisions of land, whether described by metes and bounds or by any other description, for the purpose, whether immediate or future, of sale or of building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.
- (o) Surveyor: A Land Surveyor and registered by the State of Alabama Board of Registration for Professional Engineers and Land Surveyors.

ARTICLE II. PROCEDURE

SECTION 2:01 Application for Approval

- (a) To obtain approval of a proposed subdivision, the subdivider or applicant shall submit to the Planning Commission a preliminary plat, a vicinity sketch, and a final plat prepared in accordance with the requirements as set forth in these regulations. No owner of land or subdivider shall proceed with improvement or sale of land subdivided without the written approval of the Planning Commission.
- (b) The subdivider shall in addition, submit four copies of the preliminary plat and three copies of a vicinity sketch to the office of the Pelham Planning Commission at least ten (10) days prior to the regular scheduled meeting of the Planning Commission.

SECTION 2:02 Fees and Notice

- (a) To partially defray the cost of filing said application, notifying interested parties, investigation, and holding a hearing upon the preliminary plat, a fee of two hundred fifty dollars (\$250.00) plus ten dollars (\$10.00) per lot shall be paid to the Planning Commission by the subdivider at the time of filing the application, together with the cost of giving legal notice.
- (b) When application is made for approval of a subdivision under the provisions of Article II, Section 2:09, a final plat fee of twenty-five dollars (\$25.00) shall be paid at the time of filing the application.

SECTION 2:03 Preliminary Plat Approval

The Planning Commission shall approve, approve conditionally, or disapprove such preliminary plat within sixty (60) days after the submission thereof at its regular meeting. If approved conditionally, the conditions and reasons therefore shall be stated and if necessary the Planning Commission may require the subdivider to submit a revised preliminary plat. If any of the requirements are modified or waived, the reasons for such shall be specified. If the Planning Commission should disapprove the preliminary plat, the reasons for such action shall be stated and if possible recommendations made on the basis of which the proposed subdivision would be approved. One (1) copy of the preliminary plat as acted upon by the Planning Commission shall be retained in its office, and one (1) copy returned to the subdivider.

The approval of the preliminary plat shall not be deemed final acceptance but rather an expression of approval of the subdivision layout as proposed on the preliminary plat.

SECTION 2:04 Effect of Preliminary Plat Approval

Receipt of the approved copy of the preliminary plat by the subdivider is authorization that he may proceed with the staking of streets and lots in preparation for final platting.

SECTION 2:05 Engineering Requirements

- (a) The subdivider shall furnish the City Engineer all plans and information necessary for engineering consideration and approval for the construction of the proposed improvements as requested by the City Engineer. Such plans and information shall be furnished separately and apart from the preliminary plat and vicinity sketch, and shall be certified by a Registered Professional Engineer except as provided in Article II, Section 2:09.
- (b) Before starting construction, necessary arrangements must be made between the subdivider and the City Engineer for adequate laboratory and construction inspection to insure that the proposed improvements shall comply with the requirements of the City of Pelham. All testing shall be the responsibility of the subdivider and shall be done by an approved Testing Laboratory.

SECTION 2:06 Final Plat and Execution

- (a) The Subdivider shall file the final plat and four (4) copies thereof with the Pelham Planning Commission at least ten (10) days prior to the date of the meeting of the Planning Commission at which time it is to be considered.
- (b) All final plats shall have been signed and executed by all necessary parties before being filed.

SECTION 2:07 Approval of Final Plat

- (a) Approval or disapproval of the final plat shall take place within sixty (60) days after the date of submission unless the subdivider agrees to an extension of that time. If the final plat is disapproved, the grounds for refusal shall be stated in the records of the Planning Commission. The action of the Planning Commission shall be shown on the final plat with the date of action shown over the signature of the person authorized by the Planning Commission to sign such plats.

Subdivisions containing 5 lots or less with access for each of said lots fronting on a dedicated and paved road with no public improvements required: Application shall consist of a final plat for recording in Shelby County Probate Office. The plat must be approved by the City Engineer, Planning Commission Chairman, and Mayor after field reviews are completed and other applicable approvals have been obtained.

- (b) Approval of the final plat carries with it the condition that: (1) all required improvements have been satisfactorily installed and completed by the subdivider, or: (2) a bond has been posted to secure the same, before such final plat is signed as approved by the Planning Commission.

SECTION 2:08 Final Plat Fees and Recording

- (a) When application is made for final plat approval the subdivider shall pay an additional fee of one hundred dollars (\$100.00) plus twenty-five dollars (\$25.00) per lot in the subdivision to partially defray the expense of investigating, hearing and acting upon the final plat.
- (b) The final plat shall be filed for record in the office of the Probate Judge of Shelby County by the subdivider after Planning Commission approval is affixed thereupon.
- (c) The Subdivider shall then provide the Planning Commission with the map book, volume and page numbers where the final plat is recorded.

SECTION 2:09 Small Subdivisions and Resubdivisions

- (a) Where a proposed subdivision is of such small size or contains so few lots as to present no engineering problems and few, if any planning problems, the Planning Commission may waive the filing of the preliminary plat, may require only four (4) copies of the final plat and three (3) copies of the vicinity sketch, and may approve the final plat.
 - 1. At the time of hearing or
 - 2. At the time of filing without hearing.
- (b) Where applications for subdivisions are filed under (a) above, such shall be filed together with all maps and other matter on or before 5 o'clock PM, ten (10) days prior to a regular scheduled meeting of the Planning Commission.
- (c) Where applications for subdivisions are filed under (a) above, the Planning Commission may at its discretion waive the requirements of Article II, Section 2:02 subsection (b) or any of the requirements of Article III and IV when it is deemed that the strict enforcement of these provisions will cause undue hardship in the subdivision of small parcels of land.

ARTICLE III PLAT REQUIREMENTS

Except as provided in Article II, Section 2:09, for small subdivisions the following plat requirements shall apply.

SECTION 3:01 Preliminary Plat

The Preliminary Plat shall show the following:

- (a) Title, graphic scale, written scale, north arrow, date and name and registration number of surveyor. The scale shall be sufficient to accurately portray existing conditions and proposed improvements.
- (b) Topography: Based on U.S. Geological Survey, or U.S. Coast and Geodetic Survey sea level datum. On grades of five percent (5%) or less, contours shall be shown at one (1) foot intervals. On grades between five percent (5%) and ten percent (10%), contours shall be shown at two (2) foot intervals. On grades greater than ten percent (10%), contours shall be shown at five (5) foot intervals unless otherwise specified by the Planning Commission.
- (c) Names of all streets, highways, or roads: Names shall not be in conflict with other named streets within the County.
- (d) Right-of-way and Easements: The location, dimensions, and purposes of all easements shall be shown. All street or road right-of-way and road-way or pavement widths shall be shown. Approximate locations and dimensions will be permitted.
- (e) Utilities: Location of existing or proposed utilities on or adjacent to the tract to be subdivided, including size and elevation.
- (f) Lot lines, lot and block numbers and approximate dimensions.
- (g) Purpose of subdivision.
- (h) Proposed Street Lights and Signs: Location, size and type.
- (i) Public Facilities: All proposed public facilities, including schools, parks, and public open spaces be shown.
- (j) Location: Quarter section, section, township and range with approximate ties to all existing quarter section or section corners within or close to the proposed subdivision.

- (k) Names and addresses of the owners of the property, including existing mortgages and subdivider.
- (l) Names and addresses of record owners of adjoining lots or parcels of land.
- (m) Certificate of, or letter from the State and/or County Health Department indicating their approval of the proposed water supply and sanitary facilities.
- (n) If any portion of the land of the proposed subdivision is subject to inundation by storm drainage, overflow, or ponding of local storm water, such fact and portion shall be clearly shown and identified.
- (o) Any other information that may be considered necessary by the Planning Commission for full and proper consideration of the proposed subdivision.

SECTION 3:02 Vicinity Sketch

A vicinity sketch or key map shall be shown on, or accompany the preliminary plat. This sketch or map shall show all existing subdivisions, streets and tract lines of acreage parcels and right-of-way widths of all streets abutting the proposed subdivision. It shall also show how streets and alleys in the proposed subdivision may connect with existing and proposed streets and alleys in neighboring subdivisions or undeveloped property to produce the most advantageous development of the entire neighboring area.

SECTION 3:03 Final Plat

The final plat shall be an original drawing in ink, on cloth or film and shall be referenced to an accepted section corner based on the U.S. Government survey of the area. A re-survey of a part of a subdivision, previously referenced to an accepted section corner, may be referenced to the original survey. All items shown on the preliminary plat shall also be shown on the final plat except as provided below.

Contours may be eliminated unless otherwise specified by the Planning Commission.

Right-of-way lines, easements, and property lines shall be shown with accurate dimensions and bearings; deflection angles, radii, arcs, and central angles of all curves.

Accurate grades shall be shown on all streets or roadways.

The final plat shall also show the following:

- (a) The purpose for which sites are dedicated or reserved, it being understood that any reservations of areas shall be subject to the proper zoning, if applicable.
- (b) The minimum building setback line on all lots and other sites in those areas subject to the Pelham Zoning Ordinance.
- (c) The location and description of monuments. (Iron pipes shall be designated by a small open circle at point of installation.)
- (d) Reference to recorded subdivision plats of adjoining platted land by map, book, volume and page number.
- (e) Space for approval of the Pelham Planning Commission, the Mayor, and City Clerk.
- (f) Where a street or alley has been vacated, a note shall be shown on the plat indicating such and referring to the recorded instruments of vacation by deed book and page number.
- (g) If there are existing structures on land proposed to be subdivided, three (3) copies of a survey plot plan showing the exact locations of such structures with their relation to the proposed subdivision shall accompany the final plat.
- (h) The final plat shall be accompanied by three (3) copies of any protective covenants running with the land in form for recording.
- (i) On all plats when there is no mortgagee, whether there is a dedication of property for street purposes or not, a certificate substantially in form as follows:

THE STATE OF ALABAMA
CITY OF PELHAM

The undersigned _____, Registered Land Surveyor, State of Alabama, and _____ owner(s) hereby certify that this plat or map was made pursuant to a survey made by said surveyor and that said survey and this plat or map were made at the instance of said owner(s); that this plat or map is a true and correct map of lands shown therein and known as _____ showing the subdivisions into which it is proposed to divide said lands, giving the length and bearings of the boundaries of each lot and its number, showing the streets, alleys and public grounds, giving the bearings, length, width and name of each street, as well as the number of each lot and block, and showing the relation of the lands to the government

survey (or, if the plat is a re-survey of an existing recorded subdivision, "showing the relation of the lands to the survey of _____ as recorded in the office of the Probate Judge of Shelby County in Map Book _____, page _____", and that iron pins have been installed at all lot corners and curve points as shown and designated by small open circles on said plat or map). Said owner(s) also certifies (certify) that he (she, they, it) is (are) the owner(s) of said lands and that the same are not subject to any mortgage.

Dated _____, 19____.

(Execution and acknowledgement by Surveyor and Owner(s))

- (j) On all plats when there is a mortgagee, whether there is a dedication of property for street purposes or not, a certificate substantially in form as follows:

THE STATE OF ALABAMA
CITY OF PELHAM

The Undersigned _____, Registered Land Surveyor, State of Alabama, and _____, owner(s) hereby certify that this plat or map was made pursuant to a survey made by said surveyor and that said survey and plat or map were made at the instance of said owner(s); that this plat or map is a true and correct map of lands shown therein and known as _____ showing the subdivisions into which it is proposed to divide said lands, giving the length and bearings of the boundaries of each lot and its number showing the streets, alleys, and public grounds, giving the bearings, length, width and name of each street, as well as the number of each lot and block, and showing the relation of the lands to the government survey (or, if the plat is a resurvey of an existing recorded subdivision; "showing the relation of the lands to the survey of _____ as recorded in the Office of the Probate Judge of Shelby County in Map Book _____, Page _____", and that iron pins have been installed at all lot corners and curve points as shown and designated by small open circles on said plat or map). Said owner(s) also certified (certify) that he (she, they, it) is (are) the owner(s) of said lands and that the same are not subject to any mortgage, except a mortgage or mortgages held by the following mortgagee(s): _____

Dated _____, 19____.

(Execution and acknowledgement by Surveyor, Owner(s) and Mortgagee(s).)

(K) Notary's acknowledgment of the certificate referred to in (i) or (j) above, substantially in form as follows:

STATE OF ALABAMA
CITY OF PELHAM

I, _____, as Notary Public, in and for said County and State, do hereby certify that _____, whose name is signed to the foregoing certificate as a surveyor, and _____, whose name is signed to same as Owner (and _____, whose name is signed to same as mortgagee), all of whom are known to me, acknowledged before me, on this date, that after having been duly informed of the contents of said certificate, they executed same voluntarily as such individuals (or in any other capacities) with full authority therefor.

Given under my hand and seal this _____ day of _____, 19_____.

Notary Public (Seal)

(L) On all plats where there is a dedication of land for street purposes, whether in the form of new streets, additional right-of-way for existing streets or merely curve radii where there were angle corners formerly existing, a resolution substantially in form as follows:

BE IT RESOLVED BY the PELHAM CITY COUNCIL that the assent of this body be, and the same hereby is, given to the dedication of the streets, alleys, and public grounds as shown on plat or map of _____, which said plat or map is certified to have been made by _____ as surveyor, at the instance of _____ as owner, and has been exhibited to this Board; said plat or map being further identified by a recital of the approval of this Board signed by _____, City Clerk, of even date herewith.

(M) The final plat, as referred to in Article II, Section 2:09, for small subdivisions shall be an original drawing in ink, on cloth or film and shall be referenced to an accepted section corner based on the U.S. Government Survey of the area. A re-survey of a part of a subdivision may be referenced to the original subdivision. This plat shall show as a minimum the following:

(1) Title, graphic scale, written scale, north arrow, date, and name of person making the survey. The scale shall be sufficient to accurately portray existing conditions and proposed improvements.

- (2) Purpose of Subdivision
- (3) Tract boundary lines, right-of-way lines of streets, easements, and other rights-of-way, and property lines of lots, with accurate dimensions and bearings, deflection angles, radii, arcs, and central angles of all curves.
- (4) Number to identify each lot or site.
- (5) Location and description of monuments. (Iron pipes shall be designated by a small open circle at point of installation.)
- (6) Reference to recorded subdivision plats of adjoining platted land by map, book, volume, and page number.
- (7) Names and addresses of the owners of the property, including existing mortgagee, subdivider, and owners of adjoining lots or parcels of land.
- (8) Certificate of, or letter from the State and/or County Health Department indicating their approval of the proposed water supply and sanitary facilities.
- (9) Space for the approval of the Planning Commission, Public Works Director, Mayor, City Clerk, and Professional Surveyor and/or Professional Engineer.

SECTION 3:04 Vacation of Public Lands

The vacation of public ways is a function of the Pelham City Council; however, the effect of vacating public ways establishes new property lines of abutting properties in the centers of such vacated ways. The applicant shall, therefore, within a reasonable time after the passage of the resolution assenting to the vacation thereof by the Pelham City Council, submit a final plat indicating old property lines removed and establishing new ones, for the approval of the Planning Commission.

ARTICLE IV. DESIGN STANDARDS

All proposed subdivisions shall conform to the Pelham Zoning Ordinance in those areas where the Zoning Ordinance is in effect. Whenever a tract to be subdivided embraces any part of a highway, street, or road so designated on any county or regional plan, such part of such proposed public way shall be platted by the same width as indicated on such county or regional plan. The design standards of this Article shall be the minimum standards allowable for development. Standards above the minimum may be required by the Planning Commission or the City Engineer. Detailed construction specifications and engineering requirements may be obtained from the City Engineer.

SECTION 4:01 Street Plan

- (a) All streets shall be platted along contour elevations which will result in minimum grades and greater visibility wherever

practical, with consideration given to the anticipated use of the land.

- (b) The proposed street layout shall be made according to good land planning practices for the type development proposed and shall be coordinated with the street systems of the surrounding areas. All streets must provide for the continuation or appropriate projection of principal streets in surrounding areas.
- (c) In subdivisions which border on or have included within the proposed area to be subdivided any expressway, major highway or arterial street, access to lots abutting such major traffic arteries shall be provided in a manner such that the individual lots shall not have direct access to such expressway or arterial street.
- (d) The platting of any land, the purpose of which is to deny access to rights-of-way is prohibited, except as otherwise provided herein.
- (e) Street right-of-way widths shall be in accord with recommendations of the Planning Commission and shall not be less than sixty (60) feet except a cul-de-sac or short street may be less if adequate right-of-way is provided for public utilities. Subdivisions along existing or dedicated or platted streets or highways where rights-of-way are inadequate shall provide additional rights-of-way to meet these minimum standards.
- (f) All public streets shall be paved. The minimum roadway pavement shall be twenty-three (23) feet. A suitable hard surfaced, permanent type of pavement shall be constructed as recommended by the Planning Commission. As a minimum, that will be approved, double surface treatment type paving on a suitable base may be recommended by the Planning Commission. Greater roadway widths and/or concrete curbs may be required by the Planning Commission. Curb type and size shall be constructed as recommended by the City Engineer.
- (g) Sidewalks may be required where deemed necessary for public safety by the Planning Commission.
- (h) Street alignment shall be designed to eliminate sharp curves and street jogs. No street plan will be approved with intersections which offset less than one hundred twenty-five (125) feet between center lines. Streets shall intersect as nearly at right angles as possible and in no case at an angle of less than sixty (60) degrees.
- (i) Tangents of at least one hundred (100) feet on all curves will be required unless there are local conditions that would warrant a shorter tangent.

- (j) Dead-end streets will not be approved except in cases where topography or surrounding development would warrant them or unless a dead-end street is for the purpose of connecting future development. The Planning Commission may require temporary easements for turn-around facilities.
- (k) Cul-de-sacs shall not exceed one thousand (1000) feet in length and shall terminate in a circle with a property line radius of not less than fifty (50) feet and an outside pavement raidium of not less than forty (40) feet.
- (l) Curb radii of twenty (20) feet or more shall be provided at the intersections of all other streets.
- (m) Substandard streets whether existing city streets or private streets, providing access to any subdivision shall be upgraded to meet city specifications before approval of the final plat. All construction costs of upgrading such streets shall be the responsibility of the subdivider.

SECTION 4:02 Street Grades

- (a) Grades of all streets shall comply with good engineering practice. Street grades shall not exceed fifteen percent (15%) or be less than five-tenths percent (0.5%).
- (b) Grades approaching intersections shall not exceed five percent (5%) for a distance of not less than one hundred (100) feet from the center line of said intersection.
- (c) The Planning Commission may permit some variation from these grade requirements if in its opinion such variation will not adversely affect the safety and general welfare of the public.
- (d) Streets shall be graded to a minimum line of seven (7) feet back of the curb line with a rise of not less than eight (8) inches or more than fifteen (15) inches from the flow line of the gutter.

SECTION 4:03 Street and Subdivision Names

- (a) Street names for all subdivision plats shall be subject to approval of the Planning Commission.

- (b) Subdivision names for plats shall be subject to the approval of the Planning Commission and shall not duplicate the name of any plat, already recorded in Shelby County.

ION 4:04 Alleys, Easements and Half Streets

- (a) Alleys will not be permitted in residential districts except as a continuation of an existing alley. Alleys shall be required in commercial or industrial districts if it is determined by the Planning Commission that conditions necessitate alleys in any such district. Where alleys are permitted, their width shall be not less than twenty (20) feet.
- (b) Easements shall be not less than ten (10) feet in width except in cases of double tiered lots where a width of five (5) feet from each tier will be permitted. Where there exists a storm water ditch, creek or any other such watercourse, the easement shall be of sufficient width that such watercourse may be installed and maintained efficiently. The location of any storm water ditch, creek or watercourse shall not be changed without the approval of the Planning Commission.
- (c) Half streets will not be permitted except in such cases where there exists a half street contiguous thereto. Half streets, however, will not be permitted as an extension or continuation of an existing half street.

ION 4:05 Storm Water Drainage and Grading

- (a) All subdivisions shall be provided with adequate storm sewers.
- (b) The platting of lots for building purposes will not be allowed in any flood plain area. Areas subject to periodic flooding or excessive flows or surface runoff will not be acceptable for development unless the subdivider makes necessary provisions to eliminate such flooding.
- (c) All lots shall be graded in accordance with a grading plan approved by the City Engineer, which plan shall incorporate the following minimum requirements, except when more stringent requirements are necessary and so specified by the County Engineer.
- (1) No lot shall shed channeled surface runoff water on to any other lot, unless such runoff is contained within an easement provided, graded and dedicated for such purpose.
 - (2) The finished slope along the bottom centerline of any lot drainage easement shall be not less than one percent (1%).

- (3) The side slopes of any lot drainage easement shall not be greater than 4 (horizontal) to 1 (vertical).
- (4) No street pavement shall shed surface runoff water, either as surface runoff or an outfall from storm sewerage structures on to any adjoining land unless such runoff is contained within an existing drainage easement, ditch, structure or right-of-way. And provided further, that such existing drainage easement, ditch, structure or right-of-way provides outfall to and established drainage channel.
- (5) All stormwater piping shall extend from the street to a point at the rear of the proposed house location.
- (6) All other drainage ways shall be piped or concrete flumed throughout the subdivision at the discretion of the City Engineer.

SECTION 4:06 Platting Requirements

(a) Blocks:

- (1) Blocks shall be laid out with special attention given to the type of use contemplated.
- (2) Blocks shall be a minimum of five hundred (500) feet in length.
- (3) Width of blocks shall be not less than three hundred fifty (350) feet.
- (4) Blocks with lots having double frontage on streets shall not be permitted.
- (5) The foregoing dimensions may be adjusted by the Planning Commission where the type of use or nature of the topography requires such modification.

(b) Lots:

- (1) Lot sizes, and configurations shall be made with due regard to topographic conditions, contemplated use, and the surrounding area. A re-subdivision, or a subdivision in an area already subdivided, shall be compatible in character with the surrounding neighborhood.
- (2) Where easements for public utilities, storm or sanitary sewers are contemplated, the lot lines shall be located in such manner as to facilitate the construction of such improvements and the maintenance thereof.
- (3) Lot areas and widths shall meet or exceed minimum zoning and health requirements in the area in which the property is located. Minimum zoning requirements, would tend to depreciate the value of surrounding or adjacent properties, or would impose undue burden on the City in furnishing public services to the area.

- (4) Corner lots shall provide at least the same minimum setback on the side as required on the front by the Zoning Ordinance. Lot lines shall be substantially at right angles to the streets except on curves where they shall be radial. Where the distance between rear lot corners on double tiered lots would be less than ten (10) feet the radial lines shall be deviated so that the distance between rear lot corners will be a minimum of ten (10) feet.

ON 4:07 Utilities

- a) All subdivisions shall be provided with sanitary sewage systems as approved by the Planning Commission and the State and/or County Health Department.
- b) All subdivisions shall be provided with water distribution systems as approved by the Planning Commission and State and/or County Health Department. Individual wells will be permissible unless conditions are such that their use would result in a hazard to health.
- c) The number, location and spacing of fire hydrants shall be in accord with the recommendations of the City of Pelham Fire Department.
- d) Utility poles shall be installed in alleys or rear lot easements unless otherwise permitted by the Planning Commission.
- e) Utility appurtenances where required, such as transformer installations, sewage pumping stations, water tanks, pressure regulating stations, and other similar facilities shall be located and installed as approved by the City Engineer.
- f) Water, gas, and sanitary mains, and appurtenances if applicable, will be constructed prior to installation of paving with all mains being extended for service to all lots so that no subsequent cutting of pavement will be required to permit service to all lots.

ARTICLE V. REQUIRED IMPROVEMENTS: BOND

SECTION 5:01 Improvements

Prior to the approval of the final plat the subdivider shall have installed or constructed the required improvements, or posted bond as provided for in this Article.

SECTION 5:02 Bond and Surety: Amount and Release

- a) In the event the Planning Commission may consider that the requirements set out in Article V, Section 5:01 need not immediately be met by the subdivider, the requirements may be modified by the execution of an agreement with the subdivider that such improvements shall be installed and constructed within a reasonable and specified length of time. Bond shall be required to insure the fulfillment of such agreement and shall be in cash, by certified or cashier's check, or made by a surety company authorized to do business in the State of Alabama.
- b) Such bond shall not exceed one hundred fifteen percent (115%) of the estimated cost of the improvements. The surety shall not be released from said bond except by a release in writing from the Pelham Planning Commission.

SECTION 5:03 Maintenance Bond

- a) The City Clerk shall secure from all developers a letter or statement in which said developer shall agree to maintain backfill to the level of finished grade and to maintain improvements located thereon or therein of any excavation or fill which has been made in connection with the installation of improvements and such letter or statement shall be binding on the developer for a period of one (1) year after the acceptance of such improvements by the Pelham City Council.

VI. VARIANCES

DN 6:01 Modifications, Variances and Waivers

If it be determined that strict compliance with these regulations would result in extraordinary hardship to the subdivider due to unusual topography, or other special conditions exist which warrant modifications, then the Planning Commission may modify, vary or waive such requirements provided that such modification, variance, or waiver will not tend to injure or place the public health, safety or welfare in jeopardy, nor nullify the stated or implied intent or purpose of those regulations, and provided further that such modification, variance, or waiver and the reason therefor shall be entered upon the minutes of the Planning Commission.

DN 6:02 Conditions of, and Applications for Variances

- a) In granting modifications, variances or waivers, the Planning Commission may attach such other reasonable conditions as will, in its judgment, justify such modifications, variances or waivers and still maintain substantially the objectives of these regulations.
- b) Each and every modification, variance, or waiver of these regulations sought by a subdivider shall be specially applied for, in the numerical order of these regulations, in writing by the subdivider and submitted to the Planning Commission. Any condition shown on the preliminary or final plat (or on engineering plans or data called for by Article II, Section 2:05) which would require a modification, variance, or waiver, shall constitute a ground for disapproval of the preliminary or final plat unless such special application for a modification, variance, or waiver is made.

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

APPENDIX 3

Major Outfall List

City of Pelham MS4
Storm Water Management Program
Dry Weather Screening Outfall List

OUTFALL	DATE INSPECTED	X/Y COORDINATE (UTM)	SITE DESCRIPTION AND/OR PIPE SIZE	LAND USE	FLOW RATE (CFS)	ODOR	COLOR	CLARITY	FLOAT	DEPOS	VEG. PROBLEM	STRUC. PROBLEM	BIO.	TEMP	SAMPLE
10-326		519807 / 3689022	36" RCP	C											
10-327		519600 / 3688671	42" RCP	C											
10-331		519797 / 3688003	Open Ditch	C											
10-348		519675 / 3688279	48" RCP	C											
10-352		522762 / 3688099	36" CMP	O											
10-387		519371 / 3688049	Open Ditch	C											
10-388		519396 / 3688134	Open Ditch	C											
10-396		519113 / 3688206	42" RCP	C											
11-012		518465 / 3689245	36" x 36" Box Culvert	C											
11-013		518226 / 3689071	36" CMP	R											
11-014		517845 / 3688610	Open Ditch	C											
13-085		517380 / 3684549	Open Ditch	R											
13-087		517452 / 3684554	Open Ditch	R											
13-088		517396 / 3684510	Open Ditch	R											
13-092		518901 / 3684104	24" RCP	I											
13-093		518840 / 3683943	24" RCP	I											
13-094		518768 / 3683754	36" RCP	I											
13-095		516941 / 3684137	36" CMP	R											
13-096		516925 / 3684065	30" RCP	I											
13-098		516557 / 3683610	Open Ditch	R											
13-099		516580 / 3683560	Open Ditch	R											
13-100		517019/3682794	Open Ditch	R											
13-101		517108 / 3682843	Open Ditch	R											
13-102		517135/3682771	Open Ditch	R											
13-103		517074/3682749	Open Ditch	R											
13-116		517562/3682380	Open Ditch	C											
13-117		517639 / 3682358	Open Ditch	C											
13-118		517864/3682495	Open Ditch	C											
13-119		517985/3682484	Open Ditch	C											
13-120		518895 / 3682001	Open Ditch	C / R											
13-121		518954 / 3681979	Open Ditch	C											
13-122		518687 / 3681880	Open Ditch	U											
13-123		518764 / 3681864	Open Ditch	U											
13-124		518387 / 3681809	Open Ditch	I											
13-125		518764 / 3681798	Open Ditch	I											
13-126		517578/3681068	Open Ditch	C											
13-127		518573 / 3681233	Open Ditch	I											
13-128		518824 / 3681255	Open Ditch	I											
13-129		518764 / 3681178	Open Ditch	I											
13-130		518819 / 3681162	Open Ditch	I											
13-223		517406 / 3686128	54" CMP	R											
13-226		517733 / 3685997	36" CMP	R											
13-229		517680 / 3685972	36" CMP	R											
13-230		517858 / 3685910	36" CMP	R											
13-231		518014 / 3685903	Open Ditch	C											
13-232		518064 / 3685875	Open Ditch	R,C											
13-233		517970 / 3685838	Open Ditch	R											
13-234		518036 / 3685899	Open Ditch	R,C											
13-240		517596 / 3685289	72" CMP	R											
13-241		517553 / 3685146	36" elliptical	R											
13-242		518927 / 3685417	Open Ditch	R											
13-243		518866 / 3685396	Open Ditch	R											
13-244		518923 / 3685353	Open Ditch	R											
13-245		518852 / 3685310	Open Ditch	R											
13-274		517751 / 3687012	36" RCP	R											
13-278		518035 / 3686462	36" RCP	R											
13-279		518584 / 3686819	36" CMP	R											
13-284		518116 / 3686290	Open Ditch	R											
13-285		518176 / 3686356	Open Ditch	R											
13-286		518232 / 3686287	Open Ditch	R											
13-287		518185 / 3686253	Open Ditch	R											
13-289		517055 / 3687832	Open Ditch												
13-295		517271 / 3686016	42" CMP	R											
13-296		517128 / 3685885	36" CMP	R											
13-298		517347 / 3685407	60" CMP	R											
13-301		516646 / 3684668	48" RCP	R											
13-320		517730/3683598	Open Ditch	C											

City of Pelham MS4
Storm Water Management Program
Dry Weather Screening Outfall List

OUTFALL	DATE INSPECTED	X/Y COORDINATE (UTM)	SITE DESCRIPTION AND/OR PIPE SIZE	LAND USE	FLOW RATE (CFS)	ODOR	COLOR	CLARITY	FLOAT	DEPOS	VEG. PROBLEM	STRUC. PROBLEM	BIO.	TEMP	SAMPLE
13-321		517624/3683160	Open Ditch	C											
13-331		517610/3681298	Open Ditch	R											
13-332		517389/3680668	Open Ditch	R											
13-343		517376 / 3687004	48" CMP (2)	C											
13-345		517859 / 3684847	52" CMP	C											
13-383		517399 / 3684365	12" RCP & 18" RCP	I											
13-385		517539 / 3685246	Open Ditch	R											
13-389		To Be Verified	Open Ditch	R											
14-001		519330 / 3687695	Open Ditch	C											
14-002		519320 / 3687649	Open Ditch	C											
14-004		519713 / 3686645	Open Ditch	U											
14-005		519706 / 3686609	Open Ditch	U											
14-006		519657 / 3686636	Open Ditch	U											
14-007		519660 / 3686591	Open Ditch	U											
14-008		519992 / 3686360	Open Ditch	U											
14-009		520034 / 3686328	Open Ditch	U											
14-010		519976 / 3686313	Open Ditch	U											
14-011		520019 / 3686285	Open Ditch	U											
14-013		519623 / 3685327	Open Ditch	R											
14-014		519657 / 3685337	Open Ditch	R											
14-015		519648 / 3685291	Open Ditch	R											
14-016		513614 / 3685277	Open Ditch	R											
14-021		521973 / 3683255	Open Ditch	R											
14-023		521998 / 3683154	Open Ditch	R											
14-024		522021 / 3683119	Open Ditch	R											
14-025		522053 / 3683140	Open Ditch	O											
14-026		521636 / 3683104	Open Ditch	R											
14-027		521739 / 3683048	Open Ditch	R											
14-028		521766 / 3683016	Open Ditch	R											
14-029		521711 / 3683028	Open Ditch	R											
14-030		521741 / 3682998	Open Ditch	R											
14-031		521757 / 3682980	Open Ditch	R											
14-032		521785 / 3692996	Open Ditch	R											
14-033		521780 / 3682947	Open Ditch	R											
14-034		521808 / 3682966	Open Ditch	R											
14-035		522048 / 3683060	Open Ditch, inferred	R											
14-036		522081 / 3682991	Open Ditch	R											
14-041		519408 / 3683395	Open Ditch	R											
14-042		519486 / 3683392	Open Ditch	R											
14-043		519399 / 3683343	Open Ditch	R											
14-044		519475 / 3683331	Open Ditch	R											
14-045		519324 / 3683218	42" RCP	R											
14-046		519551 / 3683034	Open Ditch	R											
14-047		519235 / 3681753	Open Ditch	R											
14-048		519296 / 3681723	Open Ditch	R											
14-049		519672 / 3681713	Open Ditch	C											
14-063		528808 / 3687557	Open Ditch	R											
14-066		528838 / 3687513	Open Ditch	R											
14-069		528044 / 3686906	Open Ditch	R											
14-070		528079 / 3686934	Open Ditch	R											
14-071		522796 / 3683549	48" CMP	R											
14-075		527193 / 3685766	Open Ditch	O											
14-076		527229 / 3685725	Open Ditch	O											
14-078		520787 / 3682019	Open Ditch	R											
14-080		520794 / 3682007	Open Ditch	R											
14-082		527238 / 3685810	Open Ditch	O											
14-083		527568 / 3685761	Open Ditch	O											
14-120		519168 / 3687847	48" RCP	C											
14-126		521651 / 3683329	Open Ditch	R											
14-127		521772 / 5683132	Open Ditch	R											
14-128		521769 / 5683130	Open Ditch	R											

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

APPENDIX 4

Inspection & Field Data Sheets



Structural Controls Inspection

Site: _____ Owner: _____

Site Location: _____

Date: _____ Time: _____ Inspection Team: _____

Pond Inlets

	N/A	Yes	No
Inlet damaged or obstructed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sediment accumulation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Slope erosion?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trash accumulation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments: _____

Pond Conditions

	N/A	Yes	No
Poor bank vegetation or ground cover?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Undesirable vegetative growth?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bank erosion?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sediment accumulation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floating debris or trash accumulation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Oily Sheen Present?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments: _____

Outlet Structures

	N/A	Yes	No
Outlet structure obstructed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trash rack damaged or clogged?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Damage to risers?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outfall channel flowing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Emergency spillway damaged or obstructed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments: _____

Site Assessment

Overall Condition: Acceptable Unacceptable
Maintenance Needed: Yes No

Comments: _____



City of Pelham Storm Water Management Program

Dry-Weather Screening Data Sheet

Outfall number: _____

Date: ___/___/___

Inspection Team: _____

Time: _____ AM / PM

Site Description: open channel manhole outfall other _____

Dominant Watershed Land Uses: industrial commercial residential unknown
 other _____

Location: _____

Flow Present: No Yes

1. width of water surface (ft): _____
2. approximate depth of water (ft): _____
3. approximate flow velocity (fps): _____
flow rate (cfs) = $1 \times 2 \times 3 =$ _____

Visual Observations:

Odor: none musty sewage rotten eggs sour milk other _____

Color: clear red yellow brown green gray other _____

Clarity: clear cloudy opaque suspended solids other _____

Floatables: none oily sheen garbage/sewer other _____

Deposits/Stains: none sediments oily other _____

Vegetation Condition: none normal excessive growth inhibited growth other _____

Structural Condition: normal concrete cracking/spalling metal corrosion other _____

Biological: mosquito larvae bacteria/algae other _____

Field Analysis:

water temperature (°F): _____

pH _____ Method of Analysis: _____ (Strips/Meter)

Laboratory Sample Collected: yes no

Lab Analysis:

E. Coli (colonies/100ml): _____ Potassium (mg/l): _____ NH₃N (mg/l): _____

Oil & Grease (mg/l): _____ MBAS (mg/l): _____ pH _____

Comments: _____

Data Sheet Filled Out By (signature): _____



Construction Site Inspection Form

Permittee Name: _____

Date: ___/___/___

Facility/Site Name: _____

Time: _____ AM / PM

Site Location: _____

Site Contact: _____ Phone #: _____ Email: _____

Does Site have ADEM NPDES Permit? Yes/No If yes, the permit # is

AL _____

Phase of Development: Initial Site Grading Building and Construction Punch List

BMPs Applied

(check all that apply)

Condition of BMPs

Good Fair Poor

Comments

__ Construction Exit

__ Silt Fence Barrier

__ Storm Drain Inlet Protection

__ Outlet Protection (Rip-rap apron, etc.)

__ Sediment Basin

__ Check Dams (Rip-rap or hay bale)

__ Temporary Seeding/Mulching

__ Permanent Seeding

__ Groundskeeping (Litter control)

Yes No N/A

BMPs Installed in accordance with approved BMP Plans?

Concrete washout facilities provided and maintained?

All disturbed areas not actively under construction stabilized?

Comments/Follow Up Items: _____

Inspector: _____ Signature: _____ Photos Taken? Yes/No

Reason for Inspection: Routine Inspection Complaint Follow Up



City of Pelham
STORM WATER DISCHARGE INSPECTION
For Industrial, Commercial, and Municipal Facilities
(Ordinance 328-5-01-038)

Inspector: _____ Date: ____ / ____ / ____ Time: ____ AM / PM

Facility Name		
Facility Contact and Title		
Facility Street Address		
City	State	Zip
Phone Number	Fax Number	

Business License No. _____ Facility Size (acres) _____ (rounded to nearest tenth)

Provide a description of facility and the nature of work performed.

Provide a description of significant materials that are currently, or were formerly, treated, stored or disposed outside the facility or commercial establishment; materials management practices currently used to minimize contact of these materials with storm water runoff; and a description of any treatment the storm water receives prior to discharge.

Cleanup schedule for debris, material storage areas, garbage storage or disposal areas, or other areas that have the potential to pollute storm water.

Description of plan of instruction, to employees of all levels, in ways to prevent storm water pollution. Identify periodic dates for such training.

Deficiencies Noted/Action Items:

Attach site map showing existing buildings, parking, drives, type of each impervious surface, ditches, pipes, catch basins, drainage basin limits, area of facility, discharge points from the property or to Community Waters, and the name of the receiving waters.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system design to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Printed Name of Inspection Team Member	Title	
Signature		Date

Note that if the total aggregate capacity of aboveground oil storage containers is greater than 1,320 gallons or the total aggregate capacity of buried storage tanks is greater than 42,000 gallons, the facility may be required to have an SPCC plan according to the EPA.

City of Pelham Storm Water Management Program
Municipal Consultants, Inc.
Wet Weather Screening – Field Data

SAMPLING SITE

- Cahaba Valley Creek Site (Police Firing Range)
- Buck Creek Site (Police Firing Range)
- Peavine Creek Site (Hwy 11)

Date: _____ Time: _____ Inspector(s): _____

SAMPLE SITE DATA

Ambient Temperature: _____ °F

Color: Clear Red Yellow Brown Green Gray Other _____

Clarity: Clear Cloudy Opaque Turbid Other _____

Flow: Fast Moderate Slow Stagnant Other _____

Temperature: _____ Time: _____

pH Reading: _____ Time: _____

pH Method of Measurement: _____

Dissolved Oxygen Reading: _____ Time: _____

Water Level Reading (USGS): _____ Time: _____

STORM EVENT DATA (to be completed by office staff)

Rainfall Began (Time): _____

Rainfall Ended (Time): _____ Length of Storm (hr.): _____

Total Rainfall (in): _____

End of last rainfall event: Date: _____

Time: _____

Time since last rainfall (hr.) _____

Comments: _____

Data Sheet completed by (signature): _____

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

APPENDIX 5

SOPs and Standard Documents for Program Elements

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

Illicit Discharge Detection and Elimination: A Guidance Manual for Program
Development and Technical Assessments
by
the Center for Watershed Protection and Dr. Robert Pitt

A hard copy of this manual has not been included in an effort to conserve
resources. This manual can be found at the following link:
https://www3.epa.gov/npdes/pubs/idde_manualwithappendices.pdf

Memorandum

To: Mayor Waters, Chief Ray, Chief Palmer, Eddy Jowers, Billy Crandall, Byron Woods, Andrew Golden

From: Jesse Jowers

Date: September 28, 2015

Subject: MS4 Stormwater – SOP for Detection of Illicit Discharges

The Pelham Municipal Separate Storm Sewer System (MS4) Program combines resources across multiple City Departments to create a cooperative effort to improve the quality of stormwater runoff within the areas of the City that drain to the Cahaba River. One component of the MS4 program is the elimination of illicit discharges. ADEM defines an illicit discharge as “any discharge to a MS4 that is not composed entirely of storm water except discharges pursuant to a NPDES permit.” In other words, any discharge that occurs that is not a result of rain or permitted by ADEM.

Since personnel from all departments are routinely working throughout all areas of the City, any assistance in detecting illicit discharges would be greatly appreciated. Please see the attached Standard Operating Procedure (SOP) that should be followed if a possible illicit discharge to the storm sewer system within the city limits of Pelham is detected. This procedure has been developed as required by the City’s MS4 Stormwater permit issued by the Alabama Department of Environmental Management (ADEM).

Please contact me if you have any questions or concerns regarding this.

Sincerely,

Handwritten signature of Jesse E Jowers, Jr. in cursive script.

**Illicit Discharge Detection
Standard Operating Procedure
8/31/2015**

Definition: An **illicit discharge** is any discharge to the City's storm sewer system that is not composed entirely of storm water except discharges pursuant to a NPDES permit (see acceptable discharges listed below).

Acceptable Discharges:

1. Water line and fire hydrant flushing
2. Landscape Irrigation
3. Rising ground waters
4. Uncontaminated ground water
5. Uncontaminated water from foundation and footing drains
6. Air conditioning condensation
7. Discharges from springs
8. Water from crawl space pumps
9. Individual residential car washing
10. Flows from riparian habitats and wetlands
11. Dechlorinated swimming pool and hot tub discharges
12. Street wash water
13. Discharges from fire fighting activities

What to do if an Illicit Discharge is suspected:

1. Determine the source of flow (if possible)
2. If illicit discharge is still suspected or determined, notify the City Engineer
3. Document:
 - (1) Location
 - (2) Source, if determined
 - (3) Characteristics of flow (i.e. color, odor, estimated flow/volume)
 - (4) Name and date
 - (5) Take pictures of discharge
4. Please forward all documentation to the City Engineer.

Note:

1. Safety is always the highest priority. Never enter a confined space unless all confined space entry procedures are followed and you are authorized to do so by a confined space entry supervisor.
2. Do not enter private property without permission from supervisor and property owner.

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

Erosion Control, Sediment Control and Stormwater Management on Construction
Sites and Urban Areas
by
the Alabama Soil and Water Conservation Committee

A hard copy of this manual has not been included in an effort to conserve
resources. This manual can be found at the following link:
<http://conservealabama.gov/resources/erosion-and-sediment-control/>

CITY OF PELHAM
APPLICATION FOR LAND DISTURBING ACTIVITY PERMIT

This application must be completed for any project requiring land disturbing activity. **PLEASE PRINT**

Property Location Parcel ID Number _____

Legal Description Lot # _____ Block # _____ Subdivision _____

Street Address _____

Area of Property _____ Sq. Ft. Is property in Flood Hazard Area _____

Applicant Name _____

Address _____
Street City State Zip

Phone # (____) _____ Fax # (____) _____ E-Mail _____

Property Owner Name _____

Address _____
Street City State Zip

Phone # (____) _____ Fax # (____) _____ E-Mail _____

Contractor _____ Address _____

Phone # (____) _____ Beeper or Mobile # _____ Fax # (____) _____

City of Pelham License # _____ State of Alabama License # _____

Type of Construction is for Single Family Commercial New Construction Addition
 Utility Installation Demolition Excavation (Fill or Cut) Other _____

Plot plan showing approximate limits of land disturbance must be attached. The nature, extent and purpose of the land disturbing activity, including the size of the area for which the permit shall be applicable, must be included. A description of specific Best Management Practices that will be used to control the discharge of storm water runoff from the site, the extent of which shall be commensurate with the size of the project, severity of site conditions, and the potential for contamination of community waters must be included.

** I certify, under penalty of law, this document and all attachments were prepared under my direction or supervision and that I have personally examined, and I am familiar with, the information in this document and such attachments. Based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and civil penalty.* I fully understand the provisions of the City of Pelham Storm Water Management and Water Quality Controls Ordinance. I accept responsibility for carrying out adequate erosion and sediment control measures for the project as required by the City of Pelham Ordinance. If an erosion and sediment control plan is required for the project, I accept responsibility for carrying out the plan as submitted. I further grant the right of access onto this property as described above to the designated personnel of the City of Pelham for the purpose of inspecting and monitoring for compliance with the aforesaid ordinances.*

Signed _____ Date _____

NPDES Permit Issued by ADEM Attach a copy of the NPDES permit issued by ADEM if applicable.

Permit Application Fees (City of Pelham Ordinance No. 328, Section 01-022)

Each application for the issuance of a City of Pelham Storm Water Discharge Permit for land disturbance and construction activities shall be accompanied by a non-refundable fee of one hundred dollars (\$100.00) plus fifteen dollars per acre (\$15.00/acre).



FOR OFFICE USE ONLY
Permit Number _____ Date _____ Fee Amount _____

Erosion & Sediment Control Plan Required _____ Received by _____



City of Pelham

"TYPICAL"
EROSION CONTROL
GENERAL NOTES

SEQUENCE OF EROSION CONTROL ACTIVITIES FOR CONSTRUCTION PROJECTS.

1. INSTALL SILT FENCES ALONG THE SIDE SLOPE BOUNDARIES OF THE PROPERTY.
2. PROTECT STORM DRAIN INLETS DOWNSTREAM OF CONSTRUCTION WITH HAY BARRIER AND/OR OTHER PROTECTIVE MEASURES.
3. CLEARING AND GRUBBING AS REQUIRED.
4. APPLY STONE TO DRIVE WAY TO STABILIZE ENTRANCE TO PROPERTY.
5. INSTALL SILT FENCE AROUND STOCKPILES.
6. CONSTRUCT PROJECT.
7. TEMPORARILY OR PERMANENTLY STABILIZE STRIPPED AREAS AND STOCKPILES WITHIN 14 DAYS OF LAST CONSTRUCTION ACTIVITY IN THAT AREA.
8. COMPLETE GRADING AND INSTALL PERMANENT SEEDING AND PLANTINGS.
9. COMPLETE FINAL PAVING FOR ROADS.
10. WHEN ALL CONSTRUCTION ACTIVITY IS COMPLETE, REMOVE SILT FENCE AND RESEED ANY BARE SPOTS OR WASHOUTS.

EROSION CONTROL NOTES.

1. EROSION CONTROL MEASURES ARE TO BE ACCOMPLISHED PRIOR TO ANY OTHER CONSTRUCTION ON THE JOB SITE AND MAINTAINED UNTIL PERMANENT GROUND COVER IS ESTABLISHED.
2. ALL CONSTRUCTION SHALL BE DONE IN A LOGICAL SEQUENCE SO TO MINIMIZE THE AREA OF EXPOSED SOIL AT ANY ONE TIME.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION SITE SAFETY.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED PERMITS. NO WORK IS TO BEGIN UNTIL COPIES OF ALL REQUIRED PERMITS ARE ON SITE.
5. THE CONTRACTOR IS TO INSTALL ALL EROSION CONTROL DEVICES BEFORE ANY CONSTRUCTION BEGINS. SUCH DEVICES SHALL BE INSPECTED AFTER EVERY 0.50" OF RAINFALL AND BE REPAIRED AND MAINTAINED UNTIL ALL CONSTRUCTION IS COMPLETED.
6. ALL DISTURBED GROUND LEFT INACTIVE FOR 14 OR MORE DAYS SHALL BE STABILIZED BY SEEDING OR SODDING.
7. ANY SEDIMENT REACHING THE ROADWAY SHALL BE REMOVED BY STREET CLEANING, AND NOT BY FLUSHING, BEFORE THE END OF EACH DAY.
8. ALL DISTURBED AREAS SHALL BE SEEDED & MULCHED AS PER AL. D.O.T. STANDARDS AND SPECIFICATIONS OR LANDSCAPED.
9. PRIOR TO FINAL INSPECTION, SILT FENCING OR FILLED SOCK BAGS WILL NEED TO BE PLACED AT LOCATIONS BASED ON A PRELIMINARY WALK THROUGH BY THE CITY OF PELHAM.
10. CONTRACTOR SHALL OBTAIN A LAND DISTURBANCE PERMIT FROM THE CITY OF PELHAM PRIOR TO STARTING CONSTRUCTION.
11. ALL FEDERAL, LOCAL, ETC LAWS SHALL BE COMPLIED WITH BEFORE, DURING AND AFTER COMPLETION OF JOB.



City of Pelham

I UNDERSTAND THAT ALL BEST MANAGEMENT PRACTICES WILL BE ENFORCED, WHICH INCLUDES SILT FENCES, HAY BALES AROUND THE LOT AND GRAVEL ON THE DRIVEWAY FOR ACCESS TO THE STRUCTURE. THE STREETS WILL BE KEPT CLEAN FROM SILT AND MUD AT ALL TIMES DURING THE CONSTRUCTION. I ALSO UNDERSTAND THAT NO INSPECTIONS WILL BE GIVEN UNTIL THE BEST MANAGEMENT PRACTICES ARE IN PLACE AND APPROVED BY EITHER THE BUILDING OFFICIAL OR THE BUILDING INSPECTOR.

(PLEASE SIGN)

Hazardous Materials SOP – Index

Section Title	Section Number	Page Number
Introduction	22.1	2
Objectives	22.2	2
Team Structure	22.3	2
Incident Response	22.4	3
HazMat Operations	22.5	3
Scene Procedures	22.6	5
Entry Team Procedures	22.7	6
Decontamination Procedures	22.8	7
Emergency Decontamination	22.9	9
Command Procedures	22.10	9
Incident Command Positions and Responsibilities	22.11	10
Dress Out Procedures	22.12	15
Termination Procedures	22.13	16
References	22.14	17
Record of Changes		18

22.1 Introduction

These procedures establish guidelines for response and operations of the Pelham Fire Department Hazardous Materials Personnel

The purpose of the Hazardous Materials Teams are to provide the City of Pelham and the local emergency service providers in Shelby County with a technically trained and specially equipped group of personnel to assist in the mitigation of emergencies involving hazardous materials.

Throughout the remainder of this procedure Hazardous Materials shall be referred to as HAZMAT.

Functions and responsibilities of the HAZMAT Teams will include the following:

- Development and analysis of technical information to assist the Local Incident Commander in decision – making.
- The use of specialized equipment and protective clothing to mitigate an incident.
- Supervise and coordinate HAZMAT Branch/Group operations under control of the Incident Commander.
- To provide support services to the Fire and EMS and Police services in the event of an incident involving materials of a hazardous nature.

22.2 Objectives

22.2.1 The objective of the HAZMAT Team is to assist in mitigating or minimizing the effects of a hazardous material incident on the population, and to the property and environment of the City of Pelham by safely controlling, containing or neutralizing the hazardous material. This would, also, include notification of proper authorities for expedition of cleanup and returning scene to pre-incident conditions.

22.3 Team Structure

The team is divided into the following levels of training: Operations Level, Technician Level, Specialist employee, Incident Commander (Team Leader)

22.3.1 Hazardous Materials Operations – Operations level employees are qualified to assist in dressing the Entry and Decontamination Teams, Operation of Apparatus to and from the scene, engagement in defensive HAZMAT operations, and other support functions as assigned. The HAZMAT Operations Level is required to participate with the HAZMAT Teams and qualification is attained through courses which meet the requirements of 29 CFR 1910.120/40 CFR 311.

22.3.2 Hazardous Materials Technicians – Technician level employees are qualified to engage in all offensive actions undertaken by the HAZMAT Team and all functions of the HAZMAT Staff with the exception of the following: Operations and Safety Officers. Consideration for HAZMAT Technician level requires the completion of an approved course of study in keeping with 29 CFR 1910.120/40 CFR 311, and the standards set forth in NFPA 472.

- The minimum required yearly training to maintain this level is 40 hours or demonstrate competency for this level. **(The Operations Officer and Safety Officer must be an Officer with the Department with Incident Command Training along with the above.)**

22.3.3 Hazardous Materials Specialist – Specialist level employees who, in the course of their regular job duties, work with and are trained in the hazards of specific hazardous substances, and who will be called upon to provide technical advise or assistance at a hazardous substance release incident to the individual in charge, shall receive training or demonstrate competency in the area of their specialization annually.

22.3.4 Hazardous Materials Incident Commander (Team Leader) – will assume control of the Hazardous Materials Operations beyond the first responder awareness level, shall have received training equal to the operations level and incident command levels.

22.4 Incident Response

22.4.1 The HazMat Response Teams will respond to a request for assistance from any emergency service organization in Shelby County. The team will also respond to out of county incidents at the request of that county's HazMat Team. Requests should be made through the County 911 center and the information given to the County Fire Radio and Radio Room Supervisor for proper dispatch of the team.

22.4.2 Although any organization may request the HazMat Team, the HazMat Team requires the fire department-having-jurisdiction be dispatched to the scene.

22.4.3 The HazMat Team will be dispatched by the City of Pelham Communications Center.

22.5 HazMat Operations

22.5.1 An offensive situation for the HazMat Team implies an environment that requires that Hazard Zones have been or will be set up to deal with a chemical hazard, known or unknown, and the operations including Entry Teams working in a Hot Zone or Exclusion Zone will be utilized to mitigate an incident. A total of 8 persons are recommended to outfit a HazMat Team in an offensive situation:

- 2 – Primary Entry Team
- 2 – Backup Entry Team/Rescue Team
- 4 – Support Team

22.5.2 Defensive Operations

22.5.2.1 The HazMat team in a defensive situation implies the team is being utilized by the Incident Commander for operations that involve no zone setup or no entry into a Hot Zone or Warm Zone. These operations include, but are not limited to the following:

- Operations involving materials into waterways that require no respiratory or splash protection above coveralls or firefighter protective clothing such as fuel oil or diesel fuel into lakes or streams.
- Operations involving materials on hard surfaces that require no additional respiratory or splash protection.

22.5.3 Protocol Dispatch

The following is a suggested list of HazMat Team dispatches. This can be done by the On-Scene Incident Commander or by information received by the City of Pelham Communications Center.

- 22.5.3.1 At the request of any emergency service field provider, including fire, EMS, or law enforcement personnel responding or on location.
- 22.5.3.2 Any spill, leak or release of an unknown HazMat requiring the dispatch of the local fire company.
- 22.5.3.3 Any spill, leak, or release of one hundred gallons or more of a flammable liquid. i.e. gasoline, aviation fuel, toluene
- 22.5.3.4 Any spill, leak, or release of five hundred gallons or more of a combustible liquid. i.e. fuel oil, diesel fuel, or kerosene.
- 22.5.3.5 Any incident involving a truck, van, or car transporting Hazardous Materials, which is on fire, leaking or overturned. This excludes vehicle fuel or saddle tanks.
- 22.5.3.6 Any fire at a SARA Title III facility involving Hazardous Materials.
- 22.5.3.7 Any incident involving mixed chemicals. This does not include fluids on the highway from accidents such as gasoline and radiator fluid.
- 22.5.3.8 Any incident involving radioactive materials.
- 22.5.3.9 Any fire involving Hazardous Materials, excluding gasoline and fuel oil fires.
- 22.5.3.10 Any flammable gas leaks in large tanks (500 lbs. or more) or pipelines (excluding service lines).
- 22.5.3.11 Accidents involving chemicals in labs, businesses, warehouses, and industrial complexes.
- 22.5.3.12 Rupture of an underground flammable liquid pipeline.

22.5.3.13 Any large discharge (over 55 gallons) of hazardous materials into any waterways. This does not include the investigation of unknown substances or waterways.

22.5.3.14 Dispatcher discretion.

22.6 Scene Procedures

22.6.1 Personnel arriving on location in personal vehicles should park their vehicles in an area removed from the scene in an uphill, upwind direction of the location of the spill. Proper response PPE for the situation should be worn.

22.6.2 Personnel arriving on location prior to the arrival of an officer should assume the role of liaison and make contact with the incident commander, ascertaining as much information as is available on the situation. A location for setup for the team should be designated and communicated to the team personnel. It is also vital to begin documentation as soon as possible and ensure the recording of the chain of events as they pertain to the incident.

22.6.3 First arriving personnel should also ascertain whether zones have been established and if they are appropriate for the hazard involved. Should the zones be inappropriate, the team member should communicate his/her concerns to the Incident Commander. The first arriving HazMat Team Officer, will assume the role of Team Leader.

22.6.4 The establishment of zones should be initiated, if not already completed by the Incident Commander as soon as possible. These zones will consist of the following:

- Hot Zone – This is the immediate area around the product where the entry is controlled and only properly protected personnel will be permitted. This area should be considered an Immediately Dangerous to Life and Health (IDLH) atmosphere.
- Warm Zone – This is the area surrounding the Hot Zone. This area should encompass at least seventy – five feet to accommodate the decontamination line. Again, only proper protected personnel should be in this area; however, this area is deemed to be a clean area until the entry goes through the Decontamination Area.
- Cold Zone – This is the area surrounding the Warm Zone, where response personnel are staged. This area should also include the Incident Command Post, but does not exclude the general public or the press without specific instructions from the IC or HazMat Team Leader or his designee.
- Decontamination Corridor – This area located in the Warm Zone is where the Entry Team will enter and exit from the Hot Zone. This area includes

the Decontamination stations and should incorporate an area of 25' wide by 75' long.

22.7 Entry Team Procedures

22.7.1 All entries into the area designated as the Hot and Warm Zones shall be limited to personnel trained to the Technician Level or higher. All personnel trained to these levels will wear the proper protective equipment as determined by the HazMat Branch Safety Officer.

22.7.2 All entry team members will remove personal belongings, such as wallets, watches, pagers, jewelry, etc. and place them into Ziploc bags and give those bags to the Entry Officer. Personnel effects bags will be locked in a secure storage area.

22.7.3 All entry and reconnaissance operations shall be conducted utilizing a minimum of four personnel:

- A primary entry team designated as "Entry One" and a back up team designated as "Entry Two" will be established prior to any entry into the Hot Zone.

22.7.4 All personnel entering the Hot Zone shall be equipped with radio communications. These radios will be set to the primary entry channel (TAC 1). **The Entry Team, Backup Team, Entry Officer, and Safety Officer will communicate on the channel designated TAC 1 for all communications conducted between the above listed members.**

22.7.5 All other communications will be conducted on the scene frequency (OPS 1). This includes, but is not limited to: Operations, Safety, Team Leader, Liaison, Medical and Research. The Entry Officer and the Safety Officer should have the capability to monitor the scene and entry channel.

22.7.6 Prior to entry into the Hot Zone, the Entry and Backup Teams will be briefed by the Entry and Safety Officer as to objectives of the entry, expected conditions, control techniques, decontamination procedures, and any emergency procedures.

22.7.7 All HazMat Team personnel should remain alert to possible members in distress while operating in protective clothing. The emergency distress signal for members in PPE shall consist of waving both arms above the head.

22.7.8 Unless it is not physically possible, the Safety Officer should maintain visual contact with the entry teams at all times. If visual contact is not possible, the Entry Officer should maintain radio contact with the Entry Team every five minutes.

- 22.7.9 The maximum allowable working time on SCBA for the Entry Team shall not exceed ½ capacity of their air supply. I.e. a 1 hour bottle will allow 30 minutes of working time.
- 22.7.10 Any team entering the Hot Zone for offensive operations should have monitoring equipment specific to the hazard that will be encountered. If the chemical(s) are unknown, the monitoring equipment should consist of the following: PH paper, Radiation meter, and O2/LEL monitor. This is done to rule out corrosive, radioactive, oxygen-deficient, and flammable atmospheres. Use of Terrorism – agent detection equipment should be considered for any suspected terrorism incident. I.e. M-8 paper and M – 256 Kit.
- 22.7.11 Any readings indicating an IDLH or unsafe environment in the Hot or Warm Zone should be reported to the Entry Officer. Should an Entry Team obtain a reading of 23% oxygen or higher, that team should remove itself from the area until that reading can be lowered or appropriate safety measures taken. Any reading of 10% of the LEL shall be considered IDLH and the Entry Team will cease operations until levels can be lowered or appropriate safety measures taken.
- 22.7.12 The medical status/vital signs of each member of the Entry and Decontamination Teams should be checked prior to donning of PPE. Vital signs taken should include: pulse, blood pressure, respirations, oral temperature and existing medical conditions.
- 22.7.13 Any individual with vital signs greater than the following should not wear protective clothing:
- Oral temperature greater than 99.2 degrees F.
 - Resting pulse greater than 110 beats per minute.
 - Blood Pressure greater than 150/90
- 22.7.14 Any individual with the following should be assessed as to whether they are capable of wearing PPE:
- Recent illness, especially with diarrhea, vomiting, lung or sinus congestion.
 - Sunburn
 - Medications affecting fluid balance, such as antihistamines
- 22.7.15 To compensate for excessive water loss through sweating, all members should take between 8 – 16 ounces of fluids prior to and after entries requiring donning of protective equipment
- 22.7.16 Entry personnel will be briefed on all hand signals.

22.8 Decontamination Procedures

22.8.1 At every incident involving hazardous materials there exists the possibility that response personnel and equipment will be contaminated. These contaminants pose a threat, not only to the personnel contaminated, but also to other personnel who may have subsequent contact with them or the equipment.

22.8.2 Decontamination consists of removing the contaminants by chemical or physical processes. While it is advantageous to avoid becoming contaminated, all personnel and equipment entering the Hot Zone are to be considered contaminated and are to be processed through a decontamination line.

22.8.3 All personnel assigned to the Decontamination Team generally, will wear protective clothing at the same level or one level less than the Entry Team. This level will be proportional to the hazard involved.

22.8.4 The basic decontamination setup will consist of a seven-step fundamental decontamination line. This basic decontamination line will consist of the following:

- An area of approximately twenty-five feet wide by seventy-five feet long will be used for setup of the area.
- Two lined containers will be placed at the entrance to the decontamination line. These containers will be placed on either side of the line itself and are to be used for an instrument and “Hot” tool drop.

22.8.5 Basic decontamination will consist of the following steps:

- Step 1 will consist of gross body rinse and washing of gloves and boot covers or boots.
- Step 2 will consist of the removal of the outer tape and boot covers if applicable. These items will be placed in a lined trashcan for disposal.
- Step 3 will be a manned station that will consist of a rinse, wash with detergent, and a final complete rinse.
- Step 4 will consist of the removal of boots and or boot covers and inner tape. These items will be placed in a lined trashcan for disposal.
- Step 5 will be a manned station that will consist of a rinse, wash with detergent, and a final complete rinse.
- Step 6 will consist of the removal of all PPE with the exception of self-contained breathing apparatus.
- Step 7 will consist of the removal of the SCBA.

- 22.8.6 After completion of the seven-step decontamination process, each member will report to the medical officer or designee for medical surveillance, rest and rehabilitation.
- 22.8.7 This initial seven-step process is considered to be the minimum allowable process for a wet-type decontamination. A dry-type decontamination (i.e. brushing off of solid material or air decontamination of a hazardous gas with mechanical fans) may require less steps depending on the contaminate. These procedures can and should be upgraded as additional information is obtained concerning the type and degree of hazard involved and the probability of exposure of response personnel.
- 22.8.8 The decision to add additional steps will be made by the team leader after consultation with the Research, Operations, Safety, Decontamination, and Entry Officers.
- 22.8.9 Many types of equipment are difficult to decontaminate and may have to be discarded after use. Whenever possible, equipment used in the Hot Zone should be of a disposable nature or made of a non-porous material.
- 22.8.10 Items such as monitoring and sampling equipment are costly to replace and are not considered disposable. Every attempt should be made to protect these items from contamination. Monitoring equipment may be placed in plastic bags with only the detecting element exposed to minimize potential for contamination.
- 22.8.11 The decontamination corridor and the Decontamination team will be ready for operations prior to any entry into the Hot Zone.

22.9 Emergency Decontamination

- 22.9.1 Persons at the scene of an incident who are injured or have been exposed to contaminants may require emergency decontamination than is suitable under the basic decontamination setup.
- 22.9.1 The Entry Team will assess the patient condition as rapidly as is possible. The Entry Team will place the patient on a stokes-basket or sked stretcher and delivered to the Decontamination Team. The following steps are to be taken:
- The Decontamination Team will do a gross rinse of the patient.
 - The clothing of the patient will be removed.
 - A secondary wash and rinse of the patient will be performed.
 - Patient will be packaged and turned over to EMS personnel for medical treatment.

- 22.9.2 Every attempt should be made to have a MSDS or a product label from an unopened container accompany the patient to the hospital.
- 22.9.4 If a member of the Entry Team were to become incapacitated as a result of injury or exposure, the backup team will be dispatched to assist in removal of the team member. The process for emergency decontamination will remain as shown in 22.9.2, and a member of the medical staff will accompany the team member to the closest available hospital.

22.10 Communication Procedures

- 22.10.1 The HazMat Teams will be equipped with radios that are intrinsically safe for use in suit-to-suit communications. These radios operate on separate frequencies from the communications provided for Fire, EMS, and police communications.
- 22.10.2 All Entry and Backup Team personnel donning personal protective equipment are to be outfitted with suit-to-suit radios. All radios for Entry and Decontamination personnel are to be set on the same frequency and tested prior to being issued to those members. Communications on the Entry Team channel is limited to: the Entry Team and Backup Team and the Entry Officer, Safety Officer, and Decontamination Officer will monitor this channel for radio traffic.
- 22.10.3 Whenever possible, all radio equipment is to be placed inside the suit. No radio equipment should be on the outside of any chemical protective clothing.
- 22.10.4 All communications for the HazMat Team will be in common terminology and using clear text. The following is a list of common identifiers for field communications:

Incident Commander	“Command”
HazMat Branch Officer	“HazMat”
Operations Officer	“Operations”
Safety Officer	“Safety”
Research Officer	“Research”
Liaison Officer	“Liaison”
Entry Officer	“Entry”
Entry Team One	“Team One”
Entry Team Two or Backup	“Team Two”
Decontamination Officer	“Decon”
Decontamination Team	“Decon Team”
Medical Officer or Team	“Medical”

22.11 Incident Command Positions and Responsibilities

- 22.11.1 HazMat Division Officer (HMO)

- Shall be designated at all Hazardous Material incidents.
- The HMO is responsible for planning, directing, and controlling all HazMat Operations.
- The HMO reports to the overall scene Incident Commander or Operations Officer.
- The first arriving team technician shall assume the role of the HMO until relieved by a higher ranking or higher trained HazMat team member.
- The HMO shall maintain communications with the Incident Commander and keep him informed of all HazMat Team operations
- The HMO shall appoint the Command positions and coordinate their activities.
- The HMO shall conduct a briefing with the Incident Commander and Operations Officer to present an operations plan for the incident. this briefing will be conducted before a Hot Zone entry is made.
- The HMO will coordinate with the Safety Officer to ensure that field operations are conducted safely.
- The HMO shall ensure that all incident records regarding the incident are completed.
- The HMO will hold an incident critique with the team members as soon as time allows.
- The HMO shall be trained to the Operations level with HazMat Incident Command and will be an officer or acting officer within the Pelham Fire Department.
- The HMO can assign a HazMat Team Leader to assist in the management of the HazMat operations.

22.11.2 HazMat Team Leader

- Works with the HMO to develop a tactical or action plan that addresses the goals and objectives set forth by the Incident Commander.
- Reviews the plan with the Safety Officer.
- These decisions should be made with the team's training, manpower, and equipment limitations in mind.
- Assembles teams and assigns tasks.
- Supervises all operations.
- Provides the HMO with timely progress reports.
- Reviews available resources, and requests additional resources from the HMO.
- Plan for rotations or relief of crews.
- This position shall be trained to the Technician level with HazMat Incident Command training and an officer or acting officer within the Pelham Fire Department.

22.11.3 Safety Officer

- The HazMat Safety Officer shall be trained to the Technician level with HazMat Incident Command training as well as a certified Fire Department Safety Officer course.
- The Safety Officer shall perform a review of incident action plans to identify and rectify potentially unsafe situations and actions.
- The Safety Officer shall perform a review of entry plans for the safety of the entry teams. This includes but is not limited to suit compatibilities, air supply, working times, potential environmental hazards, and safety procedures with working in the Hot Zone.
- The Safety Officer shall direct the preparation and implementation of a Site Safety Plan.
- The Safety Officer shall investigate any accidents or injuries that occur during HazMat Team Operations.
- The Safety Officer shall monitor activities in the Warm and Hot Zones and advise the Operations and Entry Team leaders of any dangerous or potentially dangerous situations.
- The Safety Officer shall supervise the work/rest cycles for the Entry Team, Decontamination Team, and all others who are required to wear personal protective equipment.
- The Safety Officer shall ensure that all personnel working in the Warm and Hot zones receive medical monitoring.
- It is the responsibility of the Safety officer to ensure the operation unfolds in a safe manner, not to make tactical decisions, or set strategic goals or objectives.
- The Safety Officer has the authority to stop all operations in order to prevent any unsafe actions during the operations.
- The Safety Officer shall insure that all personnel working in capacities that require contact during defensive operations, are at trained to the Hazardous Materials Operations level or higher.

22.11.4 Scribe

- Will be the official recorder of minutes for the HazMat Incident.
- Will be involved in all team meetings.
- Will keep an accurate written log of the incident and make an official report for the record.
- Will initial all official entries and changes into the logbook.

22.11.5 Research Officer

- It is the responsibility of the Research Officer to research all forms of data pertaining to chemicals involved in the incident. This includes but is not limited to: chemical properties, hazards, medical signs and symptoms,

proper PPE, proper instrumentation, and supplies or equipment needed to mitigate the incident. This information must be communicated to the Operations Officer, Entry Officer, Medical Officer, Decontamination Officer, and the Safety Officer.

- Provide other types of data relating to weather conditions, present and future, product ownership, and maps relating to incidents including conventional, aerial, and geological survey.
- Interpret technical data acquired from environmental monitoring and field-testing.
- Project the potential environmental effects of the release.
- It is required by the Research Officer that in researching chemicals involved in an incident, that three (3) different types of reference sources be used to garner information.
- The number of persons assigned to this function may be supplemented depending on the chemicals or suspected chemicals involved, and/or the complexity of the incident.

22.11.6 Entry Officer

- It is the Entry Officer's responsibility to identify all personnel entering the Hot Zone for offensive operations. This includes documentation of working times, actions to be undertaken and proper radio contact with those personnel working in the Hot Zone.
- Provide recommendations to the Operations and Team Leader Officers for control actions.
- Plan, approve, and directly supervise all entry operations while maintaining communication with the Entry Team
- Maintain communications and coordinate operations with the Decontamination Officer and/or Decontamination Team and the Research Officer.
- Prepare and maintain the Entry Operation Sheets.

22.11.7 Decontamination Officer (Decon Officer)

- It is the responsibility of the Decon Officer to determine the level of protection for the Decon Team, and the number and layout of the decon station in the contamination reduction area.
- To determine what equipment and supplies are needed to complete the decontamination operations, and if necessary, request additional personnel and supplies through the Operations Officer.
- Relay decontamination setup to the Entry Officer and Entry Teams.
- Coordinate with the Safety Officer for approval of Decon layout to insure controlled entry/exit to the Cold and Hot Zones.
- To insure the Entry, Backup, and Decon personnel are properly decontaminated prior to entry into the Cold Zone.

- It is also the responsibility of the Decon officer to ensure the contamination reduction area is in full working order prior to any entry into the Hot Zone by Entry Teams.

22.11.8 Medical Officer

- The Medical Officer is responsible for coordinating the medical monitoring of HazMat Team Entry and Decon. This person shall be a Paramedic with ALS/HazMat training.
- Medical monitoring includes, but is not limited to, the taking of vital signs, documentation of exposure signs and symptoms, rehydration and rehabilitation of the Entry and Decon Teams, and the maintaining of records pertaining to the above listed items.
- Consult any reference materials for possible signs and symptoms of overexposure to a hazardous material.
- Evaluate, release or restrict team personnel prior to suit-up per the following criteria, and consider denying entry to any personnel, based on their respective history, with any one of the following:
 - * Temperature greater than 99.2 F
 - * Respirations greater than 24
 - * Pulse greater than 110
 - * Blood pressure greater than 150/90
- Coordinate with the Incident Commander for transport of injured persons in the Hot Zone or injuries occurring to any team member.

22.11.9 Defensive Control Officer

- It is possible that HazMat Team personnel may be in charge of fire department personnel when engaged in defensive operations such as damming, diking, diversion and the like. These personnel will be designated as Control Officers. As long as the fire department personnel are engaged in defensive actions and are trained to the Hazardous Materials Operations level as defined in this SOG, they are permitted to assist with control operations.
- Since the nature of an incident could require that more than one defensive action be taken simultaneously, two or more persons could be assigned as Control Officers with the responsibility for different sectors, utilizing responders from those Fire/EMS stations involved in the incident.
- Responsibilities of the Control Officers include but is not limited to: determining the best locations to mount control measures, such as where to place booms, erect dams or fences, or any other device that could impede water or chemical flow. The responsibilities of the Control Officer also includes determining which supplies, such as booms, pads, oil absorbents, or other materials used to construct dams or fences and other extraneous items such as vacuum trucks, and front end loaders, are going to be required to adequately mitigate the situation.

22.12 Dressout Procedures

22.12.1 It is the responsibility of the personnel assigned “dress-out” of the Entry and Decon team members to insure proper dressing and outfitting is accomplished in a timely manner.

- To make sure that PPE to be used is in the proper sizes, in excellent condition, and that equipment to be used by those Entry Teams is in proper working order and calibrated/zeroed prior to entry into the Hot Zone.
- To insure that communications equipment to be used by the Entry and Decon Teams is properly assembled, in good working order and fitted in a manner most comfortable to those personnel using the equipment.

22.12.2 Warm Weather Dressout

- Secure (tag/bag) personnel items such as wallets, keys, pagers, watches, etc.
- Receive medical surveillance checkout, including the proper intake of fluids. This should checkout be done in a shaded area and with the entry team member sitting down.
- Don nomex coveralls, if applicable.
- Check SCBA bottle for proper pressure.
- Apply radio communications units. I.e. ear microphones, radio, body transmitter, and radio case for each member of the Entry and Decon Team.
- Put on cooling vests or suits
- Don SCBA, utilizing straps for radio components
- Don suit to the waist
- Put on chemical resistant boots.
- Put on inner gloves.
- Tape wrists, boots, and/or other exposed areas.
- Don SCBA face piece, check for good seal.
- Place nomex hood over SCBA face piece.
- Don remainder of the suit and if fully encapsulated, go on air and record the on air time.
- Perform final radio check with the Entry Officer
- If suit is non-encapsulated, go on air and record the time.
- No personnel should go on air until entry into the Hot Zone is ready to be made.

22.12.2.1 All of the above steps should be done as a single unit and no one gets ahead or behind. Performing the above steps in order will insure safety and accurate timing.

22.12.3 Cold Weather Dressout

- Secure (tag/bag) personal items such as wallets, keys, pagers, watches, etc.
- Receive medical surveillance checkout, including the proper intake of fluids.
- Don nomex coveralls, if applicable.
- Check SCBA bottle for proper pressure.
- Apply radio communications units. i.e. earmics, radio, body transmitter and radio case for each member of the Entry/Decon team
- Don SCBA, utilizing straps for radio components
- Don suit to the waist
- Put on chemical resistant boots.
- Put on inner gloves.
- Tape wrists, boots, and/or other exposed areas.
- Don SCBA face piece, check for good seal.
- Place nomex hood over SCBA face piece.
- Don remainder of the suit and if fully encapsulated, go on air and record the on air time.
- Perform final radio check with the Entry Officer
- If suit is non-encapsulated, go on air and record the time.
- All of the above steps should be done as a single unit and no one gets ahead or behind. Performing the above steps in order will insure safety and accurate timing.
- No personnel should go on air until entry into the Hot Zone is ready to be made.

22.13 Termination

22.13.1 Termination of an incident is the phase in which the activities of the HazMat Team are concluded and the responsibility for clean-up is to be turned over to Federal, State, local authorities, and/or a private cleanup contractor. The transition from the containment/control operations to the termination phase is one that may be obscure.

22.13.2 Containment, control, and/or mitigation is the main concern of the HazMat team and once this phase is completed, operations should be turned over to private contractors for remediation. However, the fire department have jurisdiction, may have concerns about private contractors and this may require officers and members of the HazMat team to remain on the scene to observe operations.

Termination of the HazMat team's involvement should be based on the following criteria:

- 22.13.3 Has the release of the material(s) been stopped, and/or the reaction of the materials controlled? Is the overall emergency scene secure?
- 22.13.4 Have the released materials been contained in a localized and manageable area?
- 22.13.5 Are Federal, State, or local authorities responsible for assuming site control on the scene? If so, have they been briefed regarding scene conditions, actions taken, identity of the parties responsible for cleanup, and the materials needed for the cleanup present?
- 22.13.6 Is the cleanup contractor on site? Are they adequately supervised and familiar with the hazards involved?
- 22.13.7 Proper termination of activities for the HazMat Team requires that certain items be addressed with members of the team. These include but are not limited to:
- Signs and symptoms of exposure.
 - Problems with equipment, communications, and personnel.
 - Problems that require immediate attention or follow up.
- 22.13.8 Incident documentation should be collected for post-incident debriefing. This includes medical reports, site safety plan, entry forms, lists of materials used and needed, copies of shipping papers or MSDS, photographs, team worksheets, and any written personal accounts. A team debriefing should take place as soon as possible after the completion of the incident. Depending on the complexity of the incident or if problems were found with the HazMat Team and the local fire department, or other municipal authority, a joint debriefing involving all parties and/or critique should take place as soon as possible.
- 22.13.9 Proper termination also involves completion of any injury and/or exposure documentation, if applicable. These forms must be retained for a period of thirty-years beyond employment as per OSHA regulations.

22.14 References

National Fire Protection Association – Standard 471
“Recommended practice for responding to Hazardous Materials Incidents”

National Fire Protection Association – Standard 472
“Standard on professional Competence of responders to Hazardous Materials Incidents”

National Fire Protection Association – Standard 473

HAZARDOUS MATERIALS OPERATIONS September 4, 2006

“Standard on Competencies for EMS Personnel Responding to Hazardous Materials Incidents”

National Fire Academy – Hazardous Materials Site Operating Practices

National Fire Academy – Hazardous Materials Incident Management

International Association of Firefighters – Hazardous Materials Incident Management

29 Code of Federal Regulations 1910.120 (q) – Emergency Response to Hazardous Materials Incidents

Record of Changes

Change Number	Page	Section	Date of Change	Change Made by:
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City of Pelham
Industrial, Commercial, and Municipal Facility
Site Inspection SOP

In general, the following procedures shall be followed when conducting routine on-site inspections of applicable facilities as determined by the MS4 that could potentially contaminate the MS4. In general, the inspection shall consist of an indoor and outdoor inspection as described below.

Outdoor Inspection

Generally, the outdoor inspection shall consist of walking the facility's site with the objective of locating and visually inspecting (to the extent practicable) all storm sewer infrastructure, material storage areas, rooftop drainage, material loading and unloading areas, and general condition of the site grounds. Observations shall be made as to good housekeeping of site grounds, spill control measures of outdoor material storage areas (if applicable), and the potential for contact of outdoor material storage with storm water runoff.

Indoor Inspection

The indoor inspection should be conducted in a similar fashion to that of the outdoor inspection in regards to visual observations. During the indoor inspection the following should be identified:

- 1) Nature of operations and processes
- 2) Chemicals used for operations
- 3) Type of discharge, if any (continuous, batch, etc.)
- 4) Location of discharge(s)
- 5) Building floor drains and similar features
- 6) Storage areas
- 7) Spill control measures and training

Conclusion

Upon completion of the inspection, deficiencies and/or action items noted by the inspector shall be made known to the facility contact and all information required by the inspection form documented and filed. A map of the site identifying all relevant information shall be attached to the inspection form for each site inspection.

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

APPENDIX 6

Industrial and Commercial Facility Inventory

City of Pelham
Industrial and Commercial Facility List

BUSINESS LICENCE CODE	BUSINESS NAME	ADDRESS	SIC-CODE(S)	CITY	ZIP	PHONE	NPDES PERMIT	COMMENTS
3399	23 Design Inc	115-A David Green Road		Pelham	35244	941-9999		
4413	4 Wheel Parts	2367 Pelham Parkway		Pelham	35124	663-8579		
444	Acme Brick	2299 Pelham Parkway		Pelham	35124	988-3913		
48841	Action Towing & Recovery Inc	2075 Valleydale Terrace		Pelham	35244	979-8697		
561731	Adam Truitt	129-A Clark Street		Pelham	35214			TIER II
424	Advanced Plastics	30 Commerce Drive		Pelham	35124	664-1429		
4413	Advance Auto Parts #5865	3308 Pelham Parkway		Pelham	35124	621-0571		
4413	Advance Auto Parts #6632	2247 Pelham Parkway		Pelham	35124	987-5186		
424	Airgas USA, LLC	3440 Pelham Parkway		Pelham	35124	663-6546		TIER II
2362	Alabama Controls, Inc.	50 Commerce Drive	3312	Pelham	35124	664-9686		
332	Alabama Gas Company - Pelham	273 Cahaba Valley Parkway		Pelham	35124	716-2880		TIER II
441	Alabama Wire, Inc.	3000 Highway 11	1381	Pelham	35124	663-6743		
333/335	American Car Center	3296 Pelham Parkway		Pelham	35124	378-4200		
3399	American Safety Tread Co., Inc.	3201 Johnson Street	4225	Pelham	35124	664-0511		Has ADEM Air Permit
333	Amerson Engraving, Inc	512 Business Center Drive		Pelham	35244	968-1919		
56173	Applied Fluid Systems, Inc	1100 Court Place		Pelham	35124	664-0590		
4413	Aqua Chem Lawn Care Inc.	1007 Yeager Parkway		Pelham	35124	663-3444		
4413	Autozone Store #306	3460 Pelham Parkway		Pelham	35124	663-4190		
4413	Autozone Store #3841	2180 Pelham Parkway		Pelham	35124	989-8350		
327	Bama Concrete Products Co., Inc.	3166 Lee Street	3273	Pelham	35124	664-3500	ALG110261	TIER II
423	Barnette Wholesale Cars	147 Corporate Way		Pelham	35124	365-3939		
4413	Batteries Plus	2302 Pelham Parkway		Pelham	35124	621-9888		
562	Big Tex Trailers	1500 McCain Parkway		Pelham	35124	663-3200		
441	Bin There Dump That	633 Stuart Lane		Pelham	35124	406-5850		
441	Brookwood Motors Pelham	3135 Pelham Parkway		Pelham	35124	663-0300		
453	Budget Janitorial Supply, Inc.	90 Pardue Road	2541	Pelham	35124	663-1822		
4413	Cahaba Radial Tire, Inc.	3406 Pelham Parkway		Pelham	35124	663-0433		
4442	Cahaba Tractor Company	2411 Pelham Parkway		Pelham	35124	663-1470		
324	Cain Manufacturing Co., Inc.	2956 Highway 11	3272	Pelham	35124	663-2200		TIER II
493	Carbolime Company	309C Cahaba Valley Parkway		Pelham	35124	(888) 227-2654		TIER II
3399	CGS Vinyl	1960 Chandalar Drive		Pelham	35124	259-5902		
326	Clear Advantage Pantry Corp	1992 McCain Parkway		Pelham	35124	988-4490		
486	Colonial Pipeline Company	2999 Hwy. 52 East		Pelham	35124		ALG340001	TIER II
444	Conveyor-Convoyor Systems	1062-A Highway 72	3999	Pelham	35124	664-3002		
441/4413	Counter Dimensions, Inc.	2726 Chandalar Place Drive	2541	Pelham	35124	208-8429		
56171	CRM Motors/CRM Extreme Offroad, Inc.	2710 Pelham Parkway		Pelham	35124	358-3603		
441	DC Scientific Pest Control Inc.	180 North Yeager Court		Pelham	35124	663-2260		
441	Donohoo Auto LLC	8122 Helena Road		Pelham	35124	444-9333		
441	Driver's Way	100 Drivers Way		Pelham	35124	(866)828-1900		
441	Drivetime	2205-A Pelham Parkway		Pelham	35124	909-1221		
56173	Emerald Green Landscapes LLC	160 Applegate Circle		Pelham	35124	704-3121		
441	Emergency Equipment Professionals	31 Monroe Drive		Pelham	35124	685-8200		
441	Enterprise Car Sales	2650 Pelham Parkway		Pelham	35124	621-1343		
441	Exclusive Auto Wholesale LLC	196 Chandalar Place Drive		Pelham	35124	406-5644		
8111	Express Oil Change	2874 Pelham Parkway		Pelham	35124	664-1711		
8111	Express Oil Change	461 Cahaba Valley Road		Pelham	35124	402-0409		
4413	Firestone Complete Auto Care	2251 Pelham Parkway		Pelham	35124	705-3401		
444	Five Star Lumber	907 Belcher Drive		Pelham	35124	664-5509		

City of Pelham
Industrial and Commercial Facility List

BUSINESS LICENCE CODE	BUSINESS NAME	ADDRESS	SIC-CODE(S)	CITY	ZIP	PHONE	NPDES PERMIT	COMMENTS
4422	Floors, Inc.	134 Corporate Way		Pelham	35124	664-2324		
327	Forterra Pipe and Precast	380 Industrial Park Drive	3272	Pelham	35124	332-7113	ALG110402	TIER II
327	Forterra Pipe and Precast	400 Industrial Park Drive	3272	Pelham	35124	332-7113	ALG110161	TIER II
441	Fortune Automotive Group	3434 Pelham Parkway		Pelham	35124	621-8898		
337	Franks & Associates	111 Clark Street		Pelham	35124	365-1778		
441	Goldstar Auto Brokers LLC	3420 Pelham Parkway		Pelham	35124	685-1200		
	Halcy Transmission	2725 Pelham Parkway		Pelham	35124	664-8710		
8111	Havoline Express Oil	2308 Pelham Parkway		Pelham	35124	620-9244		
441	Heart of Dixie Harley Davidson	333 Cahaba Valley Parkway		Pelham	35124	560-1234		
423	Henry MD Company	120 Clark Drive	3612	Pelham	35124	663-6711		
532	Hertz Rental Equipment	2150 Pelham Parkway		Pelham	35124	988-8530		TIER II
441	Highway 31 Auto Sales LLC (RPM Auto Sales)	3438 Pelham Parkway		Pelham	35124	664-2434		
423	Ingram Equipment Company, LLC	11 Monroe Drive		Pelham	35124	663-3946	ALG140850	
441	J Brothers, LLC	2994 Pelham Parkway		Pelham	35124	406-5558		
441	J&C Auto Sales Inc.	2164 Pelham Parkway		Pelham	35124	403-0906		
8111	Jack's Garage and Radiator	2727 Pelham Parkway		Pelham	35124	664-8300		
8111	Joe Hudson's Collision Center	2737 Pelham Parkway		Pelham	35124	664-9952		
4413	Ken's Auto Parts	3412 Pelham Parkway		Pelham	35124	663-2990		
48841	Kirkland Chevron Service	1365 McCain Parkway		Pelham	35124	663-0364		
56171	Knox Pest Control	246 Yeager Parkway		Pelham	35124	989-6602		
56173	Land Management Associates	40-F Commerce Drive		Pelham	35124	620-0039		
335	Larkin Industries, Inc	114 David Green Road		Pelham	35124	987-1535		
561731	Leading Edge Lawn Services	3183 Lee Street		Pelham	35124			
441	Legacy Motors, LLC	2900 Pelham Parkway		Pelham	35124	620-0055		
4413	Line-X of Pelham	2633 Pelham Parkway		Pelham	35124	620-9070		
332	MacLean Betha Power Products, Inc.	3098 Pelham Parkway	3559/3613/3622	Pelham	35124	663-0765	ALG120260	
441	Max Motorsports, Inc.	400 Keystone Court		Pelham	35124	605-1904		
444	McCain Auto & Truck Repair	715 Thames Court		Pelham	35124	664-8620		
423	McCain Engineering	2000 McCain Parkway	3281	Pelham	35124	663-0123		
441	Med Center Mazda	80 Drivers Way		Pelham	35124	(800)749-0929		
441	Merrill Enterprises, Inc.	640 Stuart Lane		Pelham	35124			
332	Mid-South Steel, Inc.	15 Welborn Street	2752	Pelham	35124	663-1750	ALG120347	TIER II
441	Momentum Motorcars, Inc.	2075 Old Montgomery Highway		Pelham	35244	403-4626		
333	Morin Tyco Flow Control	110 Commerce Drive	4225	Pelham	35124	663-0533		has ADEM Haz. Waste Permit
56171	Mosquito Terminators of AL	2531 Meadowview Lane		Pelham	35124	243-1898		
56171	Mr. Buggs Pest Control	3070 Pelham Parkway		Pelham	35124	663-1919		
4413	Napa Auto Parts #16	3529 Pelham Parkway		Pelham	35124	621-5627		
561731	Nature's Request	2001 McCain Pkwy.		Pelham	35124	663-2244		
56173	Naturescape Inc	159 Greenwick Drive		Pelham	35124	664-7774		
4413	O'Reilly Automotive Stores, Inc	101 Village Drive		Pelham	35124	620-9394		
56173	P.S. Site Management Consultants, Inc.	16 Belcher Drive		Pelham	35124	620-0029		
441	Pelham Imports, Inc.	2670 Pelham Parkway		Pelham	35124	663-6838		
332	Pelham Machine & Tool, Inc.	1 Breco Industrial Park		Pelham	35124	663-3851		PO Box 423
4413	Pep Boys Auto Service & Tires	3318 Pelham Parkway	2434/2899	Pelham	35124	663-6421		
4413	Performance Engineering	2345 Pelham Parkway		Pelham	35124	(855)878-8726		
48841/8111	Portera Auto & Towing Service	1450 Hwy 33		Pelham	35124	663-3030		
8111	Precision Tune Auto Care	98 Hilltop Business Center Drive		Pelham	35124	637-5523		
2362	ProcessBarron	2770 Welborn Street	2821/2295	Pelham	35124	663-5330	ALG120525	

**City of Pelham
Industrial and Commercial Facility List**

BUSINESS LICENCE CODE	BUSINESS NAME	ADDRESS	SIC-CODE(S)	CITY	ZIP	PHONE	NPDES PERMIT	COMMENTS
56171	Prowess Pest Control, LLC	108-C Hilltop Business Center		Pelham	35124	588-0888		
8111	Quimi Body Shop	300 Bearden Road		Pelham	35124	249-2816		
337	R & R Millworks & Granite, LLC	109 Owens Parkway		Pelham	35124	733-0733		
444	Ready Mix USA, LLC (Block Plant)	3166 Lee Street	3271	Pelham	35124	400-1473	ALG110440	TIER II
312	Reddy Ice #329	315 County Road 52 West	2097	Pelham	35124	663-6250		TIER II, no longer makes ice
325	Refrigerant Solutions, Inc	116 Hilltop Business Center Drive		Pelham	35124	987-4745		
3399	Reliable Sign	5003 Whiting Drive	4311	Pelham	35124	664-0955		
532	Rental Service Corporation #159 - United Rentals	1369 McCain Parkway		Pelham	35124	621-2633		TIER II
424	Research Solvents & Chemicals	402 Industrial Park Drive	4513	Pelham	35124	663-6350	AL 0074276	TIER II
441	Riverchase Kia	2200 Pelham Parkway		Pelham	35124	987-6518		
337	Robert Anderson Trucking	1761 Highway 33	3053	Pelham	35124	664-1688		
561731	Roberto's Lawn Service	4000 Hwy 11		Pelham	35124	664-3433		
444	Royal Bedding Manufacturing	2829 Pelham Parkway		Pelham	35124	664-8252		
444	Royal Marble	641 Stuart Lane		Pelham	35124	664-0083		
337	Ryan's Home Improvement, LLC	109-A Canyon Park Circle		Pelham	35124	914-3882		TIER II
5321	Ryder Transportation Services	140 Commerce Drive		Pelham	35124	663-0668		
4931	S&H Cabinet Works	200 Belcher Drive	3354	Pelham	35124	663-6381		
441	Selective Automotive	2221 Pelham Parkway		Pelham	35124	403-8601		
3399	Sign Faces LLC	652 Stuart Lane		Pelham	35124	591-7777		
23821	Southern Broadcast Services	80 Commerce Drive	3535	Pelham	35124	663-3709		
4413	Southern Off Road, Inc.	3347 Pelham Parkway		Pelham	35124	685-1911		
4431	Southern Power, Inc.	2001 Oak Mountain Drive	4141	Pelham	35124	664-2001		
337	Southern Woodsmith, Inc	40 Monroe Avenue		Pelham	35124	663-5299		
441	Southtown Motors	2841 Pelham Parkway		Pelham	35124	663-4590		
56173	Specialty Turf Supply Inc	320 Bearden Road		Pelham	35124	358-7630		
4413	Speedsouth	126 Corporate Way		Pelham	35124	621-6969		
4413	Sport Trucks	106-B David Green Road		Pelham	35244	733-1250		
441	Stallions Auto Sales, LLC	2025 Valleydale Road		Pelham	35244	733-0000		
337	Summer Classics	3140 Pelham Parkway		Pelham	35124	358-9400		
532	Sunbelt Rentals	160 Commerce Drive		Pelham	35124	664-9500		
441	Susan Schein Automotive, Inc.	3171 Pelham Parkway		Pelham	35124	664-1491		
5311	Sweet Pea Designs, Inc.	135 Cahaba Valley Parkway	2754	Pelham	35124	985-9690		
56173	System Green Landscape	1990 McCain Parkway		Pelham	35124	663-6099		
333	Technics, Inc.	636 Stuart Lane		Pelham	35124	664-0083		
441	The Car Shoppe, LLC	2788 Pelham Parkway		Pelham	35124	620-4500		
8111	The Garage	2174 Pelham Parkway		Pelham	35124	982-1984		
441	Transportation South, Inc.	1400 McCain Parkway		Pelham	35124	663-2287		
562	Trash Taxi of Alabama LLC	656 Stuart Lane		Pelham	35124	419-4005		
4413	Turbo Repair, LLC	2359 Pelham Parkway		Pelham	35124	874-6608		
326	Valley of Birmingham, Inc.	2787 Highway 11	2759	Pelham	35124	663-6961		
56171	Vulcan Termitite & Pest Control	115 Commerce Drive		Pelham	35124	663-4200		TIER II
	Vulcan Threaded Products	10 Cross Creek Trail		Pelham	35124	664-3733		
4442	Warrior Tractor & Equipment	2149 Pelham Parkway	3452	Pelham	35124	988-4472		
48841	Wheeler Wrecker Service	3180 Lee Street		Pelham	35124	685-1050		

STORM WATER MANAGEMENT PROGRAM PLAN
City of Pelham MS4

APPENDIX 7

City of Pelham MS4 Storm Water Management
NPDES Permit #ALS000009

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

NOV 16 2015

Certified Mail # 91 7108 2133 3936 7152 2319

Honorable Gary W. Waters
Mayor, City of Pelham
3162 Pelham Parkway
Pelham, Alabama 35124

RE: Municipal Separate Storm Sewer System (MS4) Individual Phase I Permit
NPDES Number ALS000009
City of Pelham MS4
Shelby County (117)

Dear Mayor Waters:

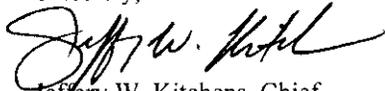
The Department has made a final determination to issue NPDES Permit No. ALS000009 to the City of Pelham for discharges from its MS4. The NPDES Permit Number ALS000009 will be effective December 1, 2015 and expire on November 30, 2020.

The Department notified the public of its tentative determination to issue NPDES Permit No. ALS000009 on April 1, 2015. Interested persons were provided the opportunity to submit comments on the Department's tentative decision through May 1, 2015. In accordance with ADEM Admin Code r. 335-6-6-.21(7), a response to all comments received during the public comment period are provided with the enclosed permit.

The City of Pelham is responsible for compliance with all provisions of the permit including, but not limited to, the performance of any monitoring, the submittal of any reports, and the preparation and implementation of any plans required by the permit.

If you have questions concerning this permit, please contact Marla Smith either 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

Enclosures: Permit and Response to Comments

cc: Ms. Kacy Sable /Environmental Protection Agency

Southern Environmental Law Center (May 1, 2015)

Comment (1): The TMDL language in the permit is unclear and unmeasurable.

While we appreciate the in-depth discussion of TMDL implementation, we remain concerned that the Permittee's adherence to the TMDL for sediment on the Cahaba River is not guided by permit language that is "clear, specific, and measurable". The TMDL's target is 220.3 lbs/acre/yr, which is a 48% reduction of siltation. The TMDL specifies that the MS4 reaches that goal by implementing BMPs and documenting its compliance with that goal in the stormwater management program plans ("SWMPP").

MS4s are BMP-based and currently have no numeric TSS limits. Compliance will be demonstrated and documented through stormwater management plans (SWMP). The SWMP will accomplish reductions to siltation by using appropriate BMPs, eliminating illicit discharges, conducting sampling, and education and outreach. If reductions are not met, the municipality will be required to reevaluate and revise their SWMP accordingly.

The TMDL leans on the MS4 permits to limit discharges to obtain the TMDL target, but this MS4 permit does not have sufficiently specific language to implement the TMDL. The majority of the requirements in Section II.E., Impaired Waters and Total Maximum Daily Loads, are nebulous. First, in Section II.E.1., in the first sentence, it is not clear that the permit limits new sources or new discharges to waters with TMDLs. It prohibits these discharges to impaired waters, but "impaired waters" is defined in the second sentence as waters that do not meet water quality standards *and* those that are on the 303(d) list. TMDL waters are not on the 303(d) list, and therefore do not meet the second half of this definition. We suggest adding an "or/" after the "and". The definition of impaired waters must be expanded.

After the Permittee determines whether the discharge from the MS4 contributes to a TMDL designated stream, the Permittee is required to "demonstrate" that the discharges "do not cause or contribute to impairment". As presented, this is an unenforceable and unspecific task. Permittees are not given instructions on how to do this. If it is ADEM's intention that the Permittee shows it is not contributing to impairment by demonstrating that its sediment data on the tributaries as well as ADEM's data on the main stem do not surpass the load allocation in the TMDL of 220.3 lbs/acre/yr, then this should be clearly specified in the permit. It would benefit the MS4 to know exactly what it has to do to demonstrate that it is not causing impairment, so that it does not waste its limited resources trying to demonstrate it another way. The EPA has stated:

Permitting authorities should also consider including numeric benchmarks for BMPs and associated monitoring protocols for estimating BMP effectiveness in stormwater permits. Benchmarks can support an adaptive approach to meeting applicable water quality standards. While exceeding the benchmark is not generally a permit violation, exceeding the benchmark would typically require the permittee to take additional action, such as evaluating the effectiveness of the BMPs, implementing and/or modifying BMPs, or providing additional measures to protect water quality. Permitting authorities should consider structuring the permit to clarify that failure to implement required corrective action, including a corrective action for exceeding a benchmark, is a permit violation.

In this case, ADEM has not clarified the Permittee's benchmark.

The permit also must give clear instructions to the Permittee on what to do if the BMPs are failing for existing TMDLs. If the Permittee does determine that it is causing impairment, according to the Permittee “within six (6) months *following the publication of the latest final 303(d) list or Department designation*, must submit a revised SWMPP detailing new or modified BMPs” (emphasis added). Although it may not have been ADEM’s intention, the draft permit does not give a timeframe to submit a revised SWMPP or improve BMPs if the Department has already issued a TMDL designation, as is the case for the Cahaba system.

Response (1): Based on comments received, the draft permit language in Part II.E. has been revised to the following:

E. *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.

Response to City of Pelham MS4 Permit ALS000009 Comments

- 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.

Comment (2): Waterways with TMDLs must be monitored and trends should be analyzed.

Another problem with implementing the TMDL is that monitoring on the main stem of the Cahaba, or at least referencing to monitoring done by others, is not required. The permit only requires monitoring for TMDLs established "during the permit cycle." Without this data, each MS4 cannot possibly implement the TMDL section of the permit which requires determining if current BMPs are sufficient to meet TMDL targets. If ADEM expects that the Permittee use and analyze its monitoring data on the main stem, then that monitoring plan should be laid out so that the public and Permittee understand and can comment on where and how often the main stem of the Cahaba is being monitored.

According to the Shelby County 2014 Annual Report, the municipalities attached to the Shelby County MS4 previously monitored in a comprehensive range of locations. However, it is not possible to evaluate whether the coverage of stream monitoring that will be undertaken by the individual municipalities in toto will compare favorably with the program Shelby County previously undertook until all the permits have been released; by which time the ability for the public to comment on the adequacy of the overall monitoring effort is lost. Shelby, Alabaster, Pelham, Helena, and Indian Springs all contribute cumulatively to the sediment loading of both tributaries and the main stem. If there is not a coordinated monitoring program that tracks hydrologic changes, sediment loading, and instream erosion, there will be no way to determine if progress is being made towards the Cahaba Siltation TMDL targets. We ask to be involved in conversations about developing a comprehensive monitoring plan, and that a comprehensive monitoring plan be published for public comment. We appreciate EPA's

Response to City of Pelham MS4 Permit ALS000009 Comments

recommendation that a watershed plan would be a productive process to develop a comprehensive monitoring plan and wish to explore that with ADEM, EPA, and other stakeholders. However, the permits are moving ahead now without sufficient specificity about monitoring.

The EPA also has stated that where BMPs will be used to reduce sediment for TMDLs, "Permits should also include milestones or other mechanisms where needed to ensure that the progress of implementing BMPs can be tracked." In this case, the draft permit does not include specific interim milestones or for an ongoing iterative process to strengthen BMPs or numeric standards if progress is not made towards TMDL targets. In the annual report, the Permittee should be required to demonstrate how TMDLs are being addressed. It should explain what steps were taken to implement the goals of the applicable TMDLs, and explain whether or not the TMDL allocation is being met. This would provide the basis for an ongoing learning and iterative process for all parties.

In fact, in comments to the 2001 Shelby County MS4 permit, EPA requested that "estimates of seasonal loading and event mean concentrations" be included in the Annual Report for year one and year four. ADEM agreed to that request. However, the 2014 Annual Report for the Shelby County MS4 does not document those values in units of measure comparable with the TMDL (lbs/acre/year), nor is there a requirement to document those parameters in the draft permit. This permit should require reporting of total annual pollutant loadings for the MS4, at least for those pollutants contributing to impaired waters or to waters which are the subject of TMDLs in order to better understand the trends of whether water quality standards are being met. Determining annual pollutant loadings will require appropriate frequency of sampling under various rainfall and runoff conditions.

In addition, in Part V. C. Retention of Records, the monitoring records should be maintained and be available for the indefinite future in order to assess the ongoing success of the program. The permit now only requires retention of monitoring records for three years past the termination of the current permit. A three-year time period is unlikely to yield enough data to show whether BMPs are sufficient to achieve TMDL targets and whether water quality improvements are occurring. Shelby County currently keeps reports from the inception of its efforts, so it is feasible to keep monitoring data for a longer period.

Response (2): Since MS4 permits are BMP-based and currently do not have numeric TSS limits, compliance with TMDLs will be demonstrated and documented through implementation of appropriate BMPs as outlined in stormwater management plans. This draft permit provides specific requirements, along with monitoring, that shall be addressed by the Permittee's Stormwater Management Program Plan (SWMPP), including BMPs selected by the Permittee which are adequate and appropriate to assist in compliance with the Cahaba TMDL. Also, please note that the public has an opportunity to engage in the development and implementation of the Permittee's SWMPP as detailed in Part II.D.1 of the draft permit.

The City of Pelham's proposed monitoring stations are located on Buck Creek, Cahaba Valley Creek and Peavine Creek, all tributaries to the Cahaba River. As SELC is likely aware, several other MS4 entities have monitoring requirements that include monitoring the main stem of the Cahaba River. The City of Pelham has a history of working with the surrounding MS4 entities regarding monitoring, and while the City of Pelham and these other MS4s are no longer "co-permittees" under one permit, nothing in the draft permit prohibits or restricts the MS4 entities from working together to address stormwater issues, to include monitoring.

Response to City of Pelham MS4 Permit ALS000009 Comments

Additionally, the Department has been conducting monitoring on both the main stem of the Cahaba River as well as tributaries, including Buck Creek. Other agencies, such as United States Geological Survey (USGS), also perform sampling with real-time stations on both the main stem of the Cahaba River and its tributaries.

To clarify the Permittee's responsibilities related to TMDL implementation and monitoring, Part II.E. of the draft permit has been revised to include the language noted in Response 1 above.

Regarding recordkeeping, Part V.C. of the draft permit language has been modified to the following language:

The Permittee shall retain the storm water quality management program developed in accordance with Part II of this permit until at least five years after coverage under this permit terminates. The Permittee shall retain monitoring records as detailed in Part V.Q of this permit.

Part V.Q of the draft permit is consistent with ADEM Admin Code r. 335-6-6-.12(j) and 40 CFR 122.41(j).

Comment (3): Effective BMPS should be implemented to meet TMDL targets.

We also submit that all MS4s are currently contributing to the sediment impairment of the Cahaba, and each MS4 should not have to demonstrate that it is causing impairment in order for it to strengthen its BMPs. Alterations in hydrology caused by urbanization cause instream erosion and siltation pollutants. The Cahaba TMDL states, "[I]ncreased urbanization of the Upper Cahaba River Watershed is widely considered one of the primary causes for habitat loss and sedimentation within portions of the Cahaba River." All MS4s in the upper watershed that drain to the Cahaba main stem are urbanized and primarily have the traditional stormwater management systems and impervious surfaces that cause and contribute to instream erosion and discharged sediment pollutants. As outlined thoroughly in our Shelby County comments (and appendices of the comments), findings of watershed science support our recommendation that strengthening the post-construction performance standard addresses the hydrologic changes that contribute significantly to sediment pollutants that are discharged from an MS4's outfalls.

The EPA has stated that for rivers with TMDLs, "the permit's administrative record needs to provide an adequate demonstration that, where a BMP-based approach to permit limitations is selected, the BMPs required by the permit will be sufficient to implement applicable WLAs." For the post construction BMPs, ADEM has not demonstrated that controlling for a 1.1 inch rainfall with a 72 antecedent dry period is sufficient to begin to meet the TMDL's target. In fact, as stated in our previous comments, this standard is not sufficiently rigorous to protect any stream, especially not a river with a TMDL.

We also request that ADEM demonstrate that the construction sediment controls are sufficient to implement the WLA. Many of the undersigned groups continue to document serious construction sediment violations that continue unabated for months, without sufficient initial design review or timely and effective enforcement by either an MS4 or ADEM.

To actually reduce the current ongoing instream erosion by almost half may require retrofitting existing urban development. While we are not advocating retrofit requirements in this permit cycle, it should be recognized that some level of retrofit may be necessary to eventually reach TMDL targets. At the very least, the permit should require that, when flood control projects or other drainage projects are

Response to City of Pelham MS4 Permit ALS000009 Comments

undertaken, green infrastructure and low impact development methods be evaluated first for all projects (not just those owned by the Permittee, as stated in the draft permit). Only if those methods are not feasible should traditional flood control methods be permitted.

We are concerned not only with the post construction BMPs, but with the current state of several of Alabaster's BMPs. In response to a July 10, 2014 audit of Alabaster's emerging MS4 program, ADEM sent a Notice of Violation to Alabaster Mayor Marty Handlon. That letter identified nine conditions that ADEM determined were permit violations for Alabaster's MS4. These shortcomings include not knowing what structural controls are owned by the municipality, not having a mechanism to address and enforce against illicit discharges, not having established protocols to identify the source of illicit discharges, not having a program to allow the public to report illicit discharges or improper disposal activities, not having a list of industrial stormwater dischargers, not having a public education program, not having a protocol to identify, investigate, and address areas within the municipality that are disproportionately large sources of stormwater pollutants, not having a protocol to annually review all of the municipality's stormwater programs, not having a protocol to update the municipality's SWMP, and not having a standard operating procedure to address either large or small spills. As ADEM is aware, these are clearly significant shortcomings. This program must be improved quickly. We understand that for the City, initiating its own MS4 program is a new undertaking; however, at this late date, a quarter of a century after the Phase I program was established, it is not reasonable to grant these municipalities five or ten years to meet the basic permit requirements. If ADEM, at decadal intervals, allows these programs to 'start over', sediment will continue to suffocate and degrade the Cahaba River.

Response (3): The draft permit has been developed to require the Permittee, consistent with Section 402(p)(3)(B) of the Clean Water Act and 40 CFR Part 122.26, to reduce the discharge of pollutants to the maximum extent practicable. In addition, the Permittee shall not cause, nor contribute to, violations of Alabama Water Quality Standards, and shall be in compliance with TMDLs. As stated in Response 1 above, Part II. E. of the draft permit has been modified to clarify the language regarding TMDL implementation (See Response 1). This Part of the permit contains requirements regarding discharges into a water body with an EPA-approved or established TMDL, including BMPs targeted to meet the assumptions and requirements of the TMDL, schedules for installation and/or implementation of such BMPs, and monitoring to assess the effectiveness of the BMPs in achieving the TMDL requirements.

It appears that much of your comment centers around increases in in-stream flows. As stated previously, the intent of the draft permit is to require the Permittee to implement, maintain and enforce a comprehensive stormwater management program which involves using management practices, control techniques and system, design and engineering methods, and such other provisions which are appropriate to reduce the **discharge of pollutants** from its MS4 consistent with Section 402(p)(3)(B) of the Clean Water Act and 40 CFR Part 122.26. 40 CFR 122.26(d)(2)(iv)(A)(2) is clear that the Permittee is responsible for controlling the **discharge of pollutants** in stormwater runoff from new developments and significant redevelopments. Please note that flow is not a pollutant under the Clean Water Act. It is the Department's belief that the utilization of the design storm specified in the draft permit meets the statutory and regulatory requirements. To clarify the intent of Part II.B.5 of the Permit, the first sentence under Part II.B.5 of the Permit has been revised to read as follows:

The Permittee must develop/revise and implement a program, within 365 days from the effective date of this permit, to address the discharge of pollutants in post-construction storm water runoff to the MS4 from new development and re-development.

Response to City of Pelham MS4 Permit ALS000009 Comments

Regarding storm water runoff from construction sites, Part II.B.4 of the draft permit does require the City of Pelham to develop/revise, implement, and enforce an ongoing program to reduce, to the MEP, the pollutants in any storm water runoff to the MS4 from qualifying construction sites. The permit requirements include site plan reviews, inspections of construction sites, and appropriate enforcement for non-compliant sites. Comments regarding concerns with compliance issues at specific construction sites within Pelham's MS4 should be directed to the City of Pelham and the Department's Field Operations Division.

Regarding your comments about the recent NOV issued to the City of Pelham, please note that the city responded to the NOV on or about November 12, 2014. Based on the Department's review of this response, it appears that the City of Pelham has taken the appropriate steps to resolve the violations noted in the NOV.

Comment (4): Stakeholder participation should be encouraged.

To overcome barriers to post-construction implementation by MS4s, EPA has recommended including "broader stakeholder participation;" however, it has been the experience of the Alabama Stormwater Partnership groups that ADEM is currently discouraging stakeholder participation, as we discussed in our meeting. We recommend that the permit and ADEM encourage each MS4 to reach out to engage stakeholders in the permit and SWMPP drafting process early, not just at the formal public comment period. We also hope that, in the future, ADEM will be more forthcoming to the public about its schedule of when it plans to work on draft permits, and that it will update these permits on a more consistent and regular basis. Knowing the schedule of when permits will be revised will encourage open dialogue between stakeholders and the Permittee.

Response (4): The general public, which includes the SELC, has an opportunity to engage in the development and implementation of the Permittee's SWMPP as required by Part II.D.1 of the draft permit.

Comment (5): This draft permit must require a clearer assessment of whether the TMDL goal of reducing siltation to 220.3 lbs/acre/yr is being met on the Cahaba River. It must include a benchmark for the Permittee, who should monitor and report annually on whether it is meeting that benchmark. In addition, the permit must require a detailed and documented process to implement more rigorous BMPs if the TMDL is not being met. To require any less, ignores the TMDL and the Cahaba River, one of our nation's most biodiverse rivers and Birmingham's main drinking water supply. Thank you for taking the time to improve this important permit.

Response (5): Part II.E. of the permit requires monitoring to address the BMP effectiveness for TMDL implementation. If existing BMPs are not sufficient, then the BMPs must be revised.

Comment (6): SELC incorporated their comments to the draft Shelby County permit.

Response (6): As appropriate, please see the Department's response to the Shelby County draft MS4 permit ALS000008 comments. SELC requested, and the Department granted, a public hearing on Shelby County's draft MS4 permit. While it is not clear if SELC is requesting a public hearing on this draft permit

through the incorporation of its comments on the Shelby County draft permit, the Department has determined that a public hearing on the Pelham draft permit is not warranted.

Comment (7): We object to these permits and to EPA's determination, and ask that the permits be resubmitted to EPA in order that the Shelby County permit and this permit be reviewed consistently.

Response (7): Per the MOA between ADEM and EPA, the proposed permit was submitted to EPA for review prior to issuance of the final permit.

Cahaba River Society (CRS) May 1, 2015

Comment (1): The Permit requires revision of the SWMP within 6 months of a determination that existing BMPs have failed to meet the TMDL allocations. **We request these permits include greater clarity about the criteria for making that determination.** The permit language is not clear, specific, measurable and enforceable in describing the Permittees' accountability to meet the WLA. Also, the permit is unclear whether the WLA must be met at discharge points, within the tributaries being monitored, and/or just within the main stem of the Cahaba.

It is reasonable to expect substantial progress towards compliance with the TMDL allocations within the five year term of the permits. We understand from our conversation of April 29th, 2015, that ADEM staff will use their judgment, based on information provided by the Permittee, to assess whether annual progress would achieve compliance with the WLA. As stated in the SELC comment letter, the draft permit needs greater clarity about how that determination would be made and how much progress is sufficient progress.

Otherwise, MS4s could lose time and resources using a method that ADEM later determines is not adequate, and, beyond ADEM's judgment, no other party would have a basis for evaluating progress and compliance. For example, the criteria could be that if less than a 20% reduction in the difference between the TMDL pollutant allocation value and the existing pollutant concentration compared to baseline concentration has occurred annually, then revision of the SWMP that includes significant BMP upgrades would be necessary. However, this approach is problematical if the MS4 permit is administratively extended at the close of its term.

Response (1): See Responses 1 and 2 to SELC above.

Comment (2): Improve the post-construction performance standard with sufficient control of pollutants that would otherwise add to Cahaba sediment pollution and habitat degradation for federally-listed species. One important way to control pollutant discharge is to minimize the volume of stormwater runoff. We support that ADEM included a numeric post-construction standard, and we recommend that the standard be strengthened.

Appendix I presents two performance standard options and outlines the science supporting these options as necessary to achieve the Cahaba TMDL target and to meet the MEP standard of the MS4 program. Specifically, we recommend the following permit language, similar to the ALDOT MS4 permit and other MS4 permits in Region 4:

Part II.B.5.2 - ... that post-development runoff mimics the predevelopment hydrology of the site. The basis for design and implementation of BMPs to meet this requirement shall be rainfall events up to and including the 95th percentile rainfall event and retention onsite (including infiltration, capture and reuse, evapotranspiration, and other methods) of the first 1" of rainfall.

Please note that in recommending this standard, CRS respects the concept of the Maximum Extent Practicable basis for the MS4 program. MS4 permits should establish the stormwater management performance standards that are needed to restore water quality and achieve expectations of the Clean Water Act. The bar should be set at the level that is necessary to achieve TMDL targets, with the recognition that the maximum extent practicable concept is intended to advance and promote a continual improvement of practices towards meeting that goal. The bar should be set at the right level, for the right reasons, backed by sound science, and recognizing that MEP defines best efforts towards that level, rather than defining an absolute requirement to achieve that level in every instance.

The 1.1" rainfall event cited as basis for design in the current draft permit is a 'first flush, pollutant removal standard and is not an MEP requirement compared to other MS4 permits adopted in Alabama and in EPA Region 4. For instance, other Region 4 MS4s require on-site retention of runoff from the first inch of precipitation. It is our understanding of ADEM's position that the standard in the draft permits requires matching pre- and post-construction hydrology, including stormwater volume. However, the 1.1" standard is only the equivalent of the average annual 30 minute rainfall event. Surely it is reasonable to expect developers to manage a rain event of greater magnitude. This 1.1" standard does not address control of post-construction stormwater volumes at a sufficient level to reduce the erosive force of channel shaping flows, and thus does not address implementation of the Siltation TMDL, as described in Appendix 1.

Response (2): The intent of the draft permit is to require the Permittee to implement, maintain and enforce a comprehensive stormwater management program which involves using management practices, control techniques and system, design and engineering methods, and such other provisions which are appropriate to reduce the **discharge of pollutants** from its MS4 consistent with Section 402(p)(3)(B) of the Clean Water Act and 40 CFR Part 122.26. 40 CFR 122.26(d)(2)(iv)(A)(2) is clear that the Permittee is responsible for controlling the **discharge of pollutants** in stormwater runoff from new developments and significant redevelopments. Please note that flow is not a pollutant under the Clean Water Act. It is the Department's belief that the utilization of the design storm specified in the draft permit meets the statutory and regulatory requirements.

Regarding the differences between this draft permit and other MS4 permits, what constitutes MEP is not a "one size fits all," but is determined on a case-by-case basis, which means the provisions may be different for each Permittee based on numerous factors.

Comment (3): Provide sufficient monitoring requirements to evaluate MS4 implementation of Pelham and Alabaster's responsibility to contribute towards achieving the Cahaba TMDL targets for sediment, pathogens, and nutrients.

In our April 29th, 2015 conversation, ADEM pointed out that Shelby County's use of a SONDE to collect data, including turbidity, temperature, pH/ORP, conductivity, dissolved oxygen, and water levels, and semi-annual grab sampling for additional parameters should provide an adequate basis for assessing water quality of Cahaba Valley Creek. However, neither Pelham nor Alabaster are required to operate a

Response to City of Pelham MS4 Permit ALS000009 Comments

SONDE. Rather, they both have monitoring permits that require sampling four times a year. Sampling four times a year will be severely inadequate. Water quality sampling results are infamously variable and highly dependent on antecedent conditions. We agree that use of a SONDE would remedy these shortcomings and strongly urge ADEM to require their use as they have required for Shelby County. We understand that purchase and operation of a SONDE is expensive, but adequate monitoring is absolutely fundamental for assessment of the entire MS4 program. Having adequate feedback on the degree of success of these stormwater management efforts is essential.

We also ask ADEM to facilitate the coordination of monitoring requirements across MS4s to track water quality improvement towards achieving TMDL targets. As MS4 permit revisions are brought forth one by one, and previous combined Phase I permits are now disjointed into separate permits as ADEM proposes in some situations, how is ADEM determining an overall monitoring plan to track TMDL progress and to determine the monitoring contributions of each MS4? We request a process with ADEM and the Permittees in the geography formerly covered by the Shelby County ALS000003 permit to focus on how monitoring will be integrated to allow assessment of overall water quality in this portion of the Cahaba River. We appreciate the recommendation of EPA that a watershed plan would be a productive process to develop a comprehensive monitoring plan and wish to explore that with ADEM, EPA and other stakeholders. However, the permits are moving ahead now without sufficient specificity about monitoring.

We recognize that according to current EPA and ADEM policy, the MS4 programs may only regulate "pollutants". However, it is clear from the Cahaba Siltation and Habitat Alteration TMDL that instream erosion of tributaries in the Cahaba watershed are significant sources of the Cahaba's sediment loading and habitat degradation. In order to track the effectiveness of BMPs used by the MS4s toward achieving the TMDL allocation goals, the MS4s or other regulatory entity need to officially monitor the stream bank and streambed stability as was done for the Cahaba Siltation and Habitat Alteration TMDL. Rapid Geomorphic Assessments and measures of streambed embeddedness should be evaluated as part of the MS4's compliance assessment.

Response (3): This draft permit provides specific requirements, along with monitoring, that shall be addressed by the Permittee's Stormwater Management Program Plan (SWMPP), including BMPs selected by the Permittee which are adequate and appropriate to assist in compliance with the Cahaba TMDL. The Department reviews all SWMPPs, to include monitoring plans and provides comments as deemed appropriate. The Department has historically reviewed the monitoring plans both individually and on a watershed basis and plans to continue with this approach. Also, please note that the public has an opportunity to engage in the development and implementation of the Permittee's SWMPP as detailed in Part II.D.1 of the draft permit.

Regarding monitoring, the City of Pelham has a history of working with the surrounding MS4 entities, and while the City of Pelham and these other MS4s are no longer "co-permittees" under one permit, nothing in the draft permit prohibits or restricts the MS4 entities from working together to address stormwater issues, to include monitoring. Additionally, the Department has been conducting monitoring on both the main stem of the Cahaba River as well as tributaries, including Buck Creek. Other agencies, such as United States Geological Survey (USGS), also perform sampling with real-time stations on both the main stem of the Cahaba River and its tributaries.

In addition, Part V.d. of the draft permit requires the Permittee to submit within the Annual Report a monitoring section which discusses the progress and results of the monitoring programs and includes, at

Response to City of Pelham MS4 Permit ALS000009 Comments

a minimum, the following information: status of implementation of monitoring program; monitoring locations; raw data, to include, an explanation/discussion of the data for each component of the monitoring program; and an interpretation of the analytical data for determinacy of meeting water quality standards. As with monitoring plans, the Department reviews all annual reports, to include monitoring data, and will continue to review this data individually and on a watershed basis. The Department provides feedback on the data as deemed appropriate.

Regarding your comment on the use of sondes within NPDES Permit ALS000008, Shelby County MS4 Phase I, the use of sondes was an approach proposed by the permittee, not unilaterally required by the Department.

Comment (4): Include a requirement that the Permittee's SWMPP directly address protection of federally-listed species under the Endangered Species Act. This would entail a Section 7 consultation with the US Fish & Wildlife Service to assess whether impacts to listed species are likely associated with the City's SWMP.

Response (4): The United States Fish and Wildlife Service (USFWS) has jurisdiction in regard to endangered species. As required by ADEM Administrative Code r. 335-6-6-.21(3) and 40 CFR 124, the Department maintains a mailing list which includes federal, state and local governments. The individuals and entities on this list, which includes the USFWS, are mailed legal notices regarding proposed permits, including this draft permit. The Department received no comments on the draft permit from the USFWS. Questions or concerns related to endangered species should be directed to the USFWS.

Comment (5): Include required reporting of total annual pollutant loadings for the MS4, at least for those pollutants contributing to impaired waters or to waters which are the subject of TMDLs. In comments to the 2001 Shelby County MS4, EPA requested "estimates of seasonal loading and event mean concentrations shall be included in the Annual Report for year 1 and year 4." ADEM agreed to that request. However, in reviewing the 2014 Annual Report for the Shelby Co MS4, we have been unable to find documentation of those values. Nor do we see a similar requirement to document those parameters in the Alabaster or Pelham MS4. We would like to see this permit require reporting of total annual pollutant loadings for the MS4, at least for those pollutants contributing to impaired waters or to waters which are the subject of TMDLs.

Response (5): Reporting of total annual pollutant loadings of the cumulative discharges to waters of the U.S. and the event mean concentration of the cumulative discharges to waters of the U.S. from all identified municipal outfalls during a storm event was part of the MS4 Phase I application process per 40 CFR 126.26(d)(2)(B). The Department believes that the monitoring requirements provided in the draft permit coupled with the baseline water quality data the MS4s have previously collected as required by their current MS4 permit will be sufficient to assess the changes in water quality in the waterbodies within the MS4.

Comment (6): The adequacy of Alabaster's and Pelham's program is an outstanding question. In response to July 10th, 2014 and a July 11th, 2014 audit of Alabaster's and Pelham's emerging MS4 program, ADEM sent a Notice of Violation to Alabaster Mayor Marty Handlon dated Sept 5th, 2014 and similar NOV to Pelham Mayor Gary Waters. Those letters identified conditions that ADEM determined were permit violations for these MS4 programs. These shortcomings include major program elements that are required. The September 5th and September 15th letters from ADEM requested a response

Response to City of Pelham MS4 Permit ALS000009 Comments

from Alabaster and Pelham within 60 days. However, we have been unable to locate any response from either of the Cities in ADEM's eFile system under ALS000011, ALS000009, or under the previous Shelby County ALS000003. We request a copy of responses to the shortcomings identified in ADEM's 2014 audits of Pelham's and Alabaster's MS4 programs.

Response (6): The City of Pelham's NOV response is available on the Department's e-file under NPDES Permit ALS000003. Regarding your comments about the recent NOV issued to the City of Pelham, please note that the city responded to the NOV on or about November 12, 2014. Based on the Department's review of this response, it appears that the City of Pelham has taken the appropriate steps to resolve the violations noted in the NOV.

Comment (7): Require continuing retention of monitoring records. Part V. C. Retention of Records would require retention of monitoring records for only 3 years past the termination of the current permit. These monitoring records should be maintained and be available for the indefinite future in order to assess the ongoing success of these water quality improvement programs. Shelby Co currently keeps and reports data from the inception of their efforts, so they have demonstrated this is feasible. Alabaster and Pelham should not assume they may discard monitoring data after such a short interval. Perhaps this concern isn't an issue, and no one would really discard monitoring data, but if WQ improvements are not occurring, we could not possibly know based on such a short-term record.

Response (7): Part V.C. of the draft permit language has been modified to the following language:

The Permittee shall retain the storm water quality management program developed in accordance with Part II of this permit until at least five years after coverage under this permit terminates. The Permittee shall retain monitoring records as detailed in Part V.Q of this permit. Part V.Q of the draft permit is consistent with ADEM Admin Code 335-6-6-.12(j) and 40 CFR 122.41(j).

Comment (8): We request greater engagement of stakeholders in the permit drafting process. We appreciate the recent meeting to discuss the Shelby permit and ADEM's indication that the agency will continue to encourage MS4's to engage stakeholders and will share information about the status of each permit. We believe that ADEM has the ability to identify the order of permits to be drafted at least for the next in line, and ask that ADEM share that with stakeholders. Otherwise, EPA review is occurring well before the public has any opportunity to review the draft permits. It has been our experience over many years that ADEM makes only minimal changes to draft permits after EPA review is concluded and once this official public comment period is reached.

Response (8): The general public, which includes the CRS, has an opportunity to engage in the development and implementation of the Permittee's SWMPP as required by Part II.D.1 of the draft permit.

Comment (9): We object to these permits and to EPA's determination, and ask that the permits be resubmitted to EPA in order that the Shelby County permit and these permits be consistent in review and content.

Response (9): Per the MOA between ADEM and EPA, the proposed permit was submitted to EPA for review prior to issuance of the final permit.



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

PERMITTEE: CITY OF PELHAM

AREA OF COVERAGE: CORPORATE BOUNDARIES OF THE CITY OF PELHAM WITHIN
THE CAHABA RIVER DRAINAGE BASIN

PERMIT NUMBER: ALS000009

RECEIVING WATERS: WATERBODIES WITHIN THE CORPORATE BOUNDARIES OF
THE CITY OF PELHAM WITHIN THE CAHABA RIVER
DRAINAGE BASIN

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: NOVEMBER 16, 2015

EFFECTIVE DATE: DECEMBER 1, 2015

EXPIRATION DATE: NOVEMBER 30, 2020

GLENN L. DEAN

Alabama Department of Environmental Management

Table of Contents

Part I. Applicability 4

- A. Permit Area..... 4
- B. Authorized Discharges 4
- C. Prohibited Discharges 4

Part II. Storm Water Pollution Prevention & Management Programs 5

- A. Storm Water Management Program 5
- B. Storm Water Program Elements and Requirements..... 5
 - 1. Storm Water Collections System Operations 5
 - 2. Public Education and Public Involvement on Storm Water Impacts 6
 - 3. Illicit Discharge and Elimination (IDDE) 7
 - 4. Construction Site Storm Water Runoff Control 9
 - 5. Post-Construction Storm Water Management in New Development and Re-Development 11
 - 6. Spill Prevention and Response 14
 - 7. Pollution Prevention/Good Housekeeping for Municipal Operations 14
 - 8. Application of Pesticides, Herbicides, and Fertilizers (PHFs)..... 16
 - 9. Oils, Toxics, and Household Hazardous Waste Control 16
 - 10. Industrial Storm Water Runoff..... 17
- C. Legal Authority 17
- D. SWMPP Plan Review and Modification 18
- E. Impaired Waters and Total Maximum Daily Loads (TMDLs) 18
- F. Responsibilities of Permittee 20

III. Monitoring and Reporting 20

- A. Monitoring Locations 20
- B. Monitoring Parameters and Frequency 20
- C. Sample Type, Collection and Analysis 21

IV. Annual Reporting Requirements 21

Part V. Standard and General Permit Conditions 22

- A. Certification and Signature of Reports 22
- B. Submittals 23
- C. Retention of Records 23
- D. Duty to Comply 23
- E. Civil and Criminal Liability 23
- F. Duty to Reapply 23
- G. Need to Halt or Reduce an Activity Not a Defense 24

Table of Contents (continued)

H. Duty to Mitigate.....	24
I. Duty to Provide Information	24
J. Other Information	24
K. Signatory Requirements.....	24
L. Oil and Hazardous Substance Liability	24
M. Property and Other Rights.....	24
N. Severability.....	25
O. Compliance with Statutes and Rules	25
P. Proper Operations and Maintenance	25
Q. Monitoring Records.....	25
R. Monitoring Methods	25
S. Right of Entry and Inspection	25
T. Additional Monitoring by the Permittee	26
U. Permit Modification and Revocation.....	26
V. Termination of Coverage for a Single Permittee	27
W. Modification of Storm Water Mangament Program	27
X. Changes in Monitoring Outfalls	27
Y. Definitions	27

PART I Applicability

A. Permit Area

This permit applies to the corporate boundaries of the City of Pelham within the Cahaba River drainage basin that are regulated by the Permittee and discharge to the Permittee's Municipal Separate Storm Sewer System (MS4).

B. Authorized Discharges

1. This permit authorizes all existing or new storm water point source discharges to waters of the State of Alabama from those portions of the (MS4s) owned or operated by the Permittee. Discharge of pollutants shall be reduced to the Maximum Extent Practicable (MEP), shall not cause, nor contribute to, violations of Alabama Water Quality Standards, and shall be in compliance with Total Maximum Daily Loads (TMDLs) where applicable.
2. The following non-stormwater discharges have been determined not to be significant sources of pollution:
 - a. Water line flushing
 - b. Landscape irrigation (not consisting of treated, or untreated wastewater unless authorized by the Department)
 - c. Diverted stream flows
 - d. Uncontaminated ground water infiltration
 - e. Uncontaminated pumped groundwater
 - f. Discharges from potable water sources
 - g. Foundation and footing drains
 - h. Air conditioning drains
 - i. Irrigation water (not consisting of treated, or untreated, wastewater unless authorized by the Department)
 - j. Rising ground water
 - k. Springs
 - l. Water from crawl space pumps
 - m. Lawn watering runoff
 - n. Individual residential car washing, to include charitable carwashes
 - o. Residual street wash water
 - p. Discharge or flows from firefighting activities (including fire hydrant flushing)
 - q. Flows from riparian habitats and wetlands
 - r. Dechlorinated swimming pool discharges

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 in compliance with a separate NPDES permit or where those dischargers have been determined not to represent significant sources of pollution, as identified by, and in compliance with, Part I.B.2;
2. Discharges of materials resulting from a spill, except emergency discharges required to prevent imminent threat to human health or to prevent severe property damage, provided reasonable and prudent measures have been taken to minimize the impact of the discharges; and

3. The discharge of sanitary wastewater through cross connections or other illicit discharges through the MS4 is prohibited.

PART II Storm Water Management Program (SWMP)

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 Part 122.26. 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 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 program elements referenced in Part II.B. to include the following:
 - a. A map of the Permittee's MS4 jurisdictional boundaries;
 - b. The BMPs that will be implemented for each program element;
 - c. The measureable goals for each of the program elements outlined in Part II.B.;
 - d. The proposed schedule – including interim milestones, as appropriate, inspections, and the frequency of actions needed to fully implement each program element; and,
 - e. The person and/or persons responsible for implementing or coordinating the BMPs for each separate program element.
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 this permit.
5. Unless otherwise specified in this permit, the Permittee shall be in compliance with the conditions of this permit by the effective date.

B. Storm Water Program Elements and Requirements

1. **Storm Water Collection System Operations**
 - a. **Structural Controls**
 - i. For Permittee owned/maintained structural controls, the structural controls shall be operated in a manner to reduce the discharge of pollutants, to the MEP;
 - ii. For Permittee owned/maintained structural controls, the Permittee shall include in the SWMPP and implement the following:
 1. Maintain a map of the structural controls;
 2. Inspection of existing and newly constructed structural controls on a semi-annual basis, at a minimum;
 3. Develop a standard operating procedure (SOP) or inspection checklist for structural control inspection and maintenance procedures;

4. Stabilization and re-vegetation of eroded areas as needed; and
 5. Floatables, litter, sediment and debris, in structural controls, shall be removed as needed.
- iii. The Permittee shall maintain an inventory of structural controls, and maintain a tracking system for inspections and maintenance of the control structures; and
- iv. The Permittee shall report each year in the annual report the following structural control information:
1. The number of inspections performed on structural controls, to include follow-up inspections and the inspection documentation (i.e. checklist) shall be made available upon request;
 2. A summarization of the maintenance activities performed on structural controls;
 3. The estimated amount of floatable, litter, sediment and debris that was removed;
 4. Copies of any contractual agreements for maintenance activities if not performed by the Permittee, if requested by the Department. The contractual agreement should specify maintenance activities performed and schedule; and
 5. Updated structural controls map of Permittee-owned structural controls added during the preceding year with geographic coordinates.

2. Public Education and Public Involvement on Storm Water Impacts

- a. The Permittee must further develop and implement a public education and outreach program to inform the community about the impacts from 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.
- b. The Permittee shall include within the SWMPP the following information:
1. Plans to seek and consider public input in the development and implementation of the SWMPP;
 2. The targeted pollutant sources the Permittee's public education program is intended to address;
 3. Plans to specifically address the reduction of litter, floatables and debris from entering the MS4, to include at a minimum:
 - a. Labeling storm drain inlets and catch basins with "no dumping" message; and
 - b. Posting signs referencing local codes that prohibit littering and illegal dumping at designated public access points to open channels, creeks, and other relevant waterbodies
 4. Plans to inform individuals and households about the steps they can take to reduce storm water pollution; and
 5. Plans to inform individuals and groups on how to become involved in the storm water program (with activities such as local stream and lake restoration activities). The target audiences and subject areas for the education program that are likely to have significant storm water impacts should include the following, at a minimum:

- i. General Public
 - a. General impacts litter has on water bodies and ways to reduce the litter;
 - b. General impacts of storm water into surface water from impervious surface; and
 - c. Source control BMPs in areas of pet waste, vehicle maintenance, landscaping and rain water reuse.
 - d. Impacts of illicit discharges and how to report them.
 - ii. Businesses
 - a. BMPs for use and storage of automotive chemicals, hazardous cleaning supplies, carwash soaps and other hazardous materials;
 - b. Impacts of illicit discharges and how to report them.
 - iii. Homeowners, Landscapers, and Property Managers
 - a. BMPs for use and storage of pesticides and fertilizers;
 - b. Storm water pond maintenance.
 - c. General impacts of storm water into surface water from impervious surface.
 - iv. Engineers, Contractors and Developers
 - a. Impacts of increased storm water flows into receiving water bodies; and
 - b. 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.
- 6. Plans to evaluate the effectiveness of the public education program; and
- 7. Organize and participate in activities that target the removal of litter, floatables, and debris from area waterways. The minimum number and the waterways these activities will target will be addressed in the SWMPP.
- c. The Permittee shall report each year in the annual report the following information:
 - 1) A description of the activities used to involve groups and/or individuals in the development and implementation of the SWMPP;
 - 2) A description of the individuals and groups targeted and how many groups and/or individuals participated. If exact participation is not readily quantifiable, then an estimation will be sufficient;
 - 3) A description of the communication mechanisms or advertisements used to inform the public and the number of applications that were distributed (i.e. number of printed brochures, copies of newspapers, workshops, public service announcements, etc);
 - 4) Results of the evaluation plan as required in Part II.B.2.b.6.; and
 - 5) A list of the activities required in Part II.B.2.b.7 and the estimated amount of litter, floatables and debris removed during each activity.
- d. The current SWMPP and latest annual report should be posted on the Permittee's website.

3. Illicit Discharge Detection and Elimination (IDDE)

- 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:

- 1) The development and annual update of an MS4 map. An initial map shall be provided in the SWMPP with updates provided each year in the annual report. The map shall include, at a minimum:
 - a. The latitude/longitude of all known major outfalls;
 - b. The names of all waters of the State within the MS4 area that receive discharges from these major outfalls; and,
 - c. Structural BMPs owned/maintained by the Permittee.

- 2) To the extent allowable under State law, an ordinance or other regulatory mechanism that prohibits non-storm water discharges to the MS4. The ordinance or other regulatory mechanism shall:
 - a. Include escalating enforcement procedures and actions;
 - b. Require the removal of illicit discharges as expeditiously as practicable 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 the operator of the illicit discharge to take all reasonable and prudent measures to minimize the discharge of pollutants to the MS4; and
 - c. Provide for the review of the IDDE ordinance and update as necessary.

- 3) 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 twenty (20) percent of the major outfalls at least once per year with all (100 percent) major outfalls screened at least once per five years. Also, 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 flow, from an unidentified source, is observed during the dry weather screening of an outfall, then the Permittee shall follow the sampling protocol as outlined in the SWMPP and developed in accordance with EPA's guidance manual, *Illicit Discharge Detection and Elimination, A Guidance Manual for Program Development and Technical Assessments*, Center for Watershed Protection, October, 2004.

- 4) 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.

- 5) Procedures for eliminating an illicit discharge as outlined in the SWMPP;

- 6) Procedures to notify ADEM of a suspect illicit discharge entering the Permittee's MS4 from an adjacent MS4 as outlined in the SWMPP;

- 7) A mechanism for the public to report illicit discharges discovered within the Permittee's MS4 and procedures for appropriate investigation of such reports;

- 8) A training program for appropriate personnel on identification, reporting, and corrective action of illicit discharges; and

- 9) The Permittee shall post on its website the ordinance or other regulatory mechanism as required by Part II.B.3.a.2 of this Permit.

- b. The Permittee shall report each year in the annual report the following information:
- 1) List of outfalls observed during the dry weather screening of the current year and a list of the outfalls to be dry weather screened during the upcoming year;
 - 2) Updated MS4 map(s), if necessary;
 - 3) Copies of the IDDE ordinance or other regulatory mechanism or provide a hyperlink for the ordinance or regulatory mechanism location on the Permittee's website; and,
 - 4) The number of illicit discharges investigated, any associated sampling results, and the summary of corrective actions taken to include dates and timeframe of response.

4. Construction Site Storm Water Runoff Control

- a. The Permittee shall 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:
- 1) Procedures to require all applicable construction sites to obtain coverage under ADEM NPDES General Permit ALR10000 or other applicable NPDES permits;
 - 2) To the extent allowed under State law, an ordinance or other regulatory mechanism to require effective erosion and sediment controls on qualifying construction sites, as well as sanctions to ensure compliance;
 - 3) 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;
 - 4) Procedures for site plan review to ensure the selection of effective erosion and sediment controls 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") and are appropriate for site conditions. Site plan review may be prioritized based on criteria outlined in the Permittee's SWMPP and may include, but is not limited to, size and location within priority watersheds. The plan review process will also consider potential water quality impacts;
 - 5) A mechanism for the public to report complaints regarding pollution discharges from construction sites;
 - 6) Inspection of sites to verify use and proper maintenance of appropriate BMPs. Inspections of construction sites shall be performed in accordance with the frequency specified in the table below:

Site	Inspection Frequency
Priority Construction Sites (Defined in Part V.Y.)	At a minimum, inspections must occur monthly
Other sites determined by the Permittee or Permitting Authority to be a significant threat to water quality*	
All construction sites not meeting the criteria specified above.	At a minimum, inspections must occur every two months
*In evaluating the threat to water quality, the following factors must be considered: soil erosion potential; site slope; project size and type; sensitivity of receiving waterbodies; proximity to receiving waterbodies; non-storm water discharges; past record of non-compliance by the operators of the construction site; and other factors deemed relevant to the MS4.	

- 7) Training for the Permittee's construction 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);
 - 8) Development of a construction site inspection checklist;
 - 9) Implementation of an enforcement response plan (ERP), which sets out the Permittee's potential responses to violations through progressively stricter actions as needed to achieve compliance. Types of enforcement actions may include, but not limited to the following:
 - a. Verbal Warnings—Verbal warnings are primarily consultative in nature and must specify the nature of the violation and required corrective action;
 - b. Written Notices—Written Notices must stipulate the nature of the violation and the required corrective action, with deadlines for taking such action;
 - c. Escalated Enforcement Measures—Citations, stop work orders, withholding plan approvals/authorizations, monetary penalties, or additional measures to address persistent non-compliance, repeat or escalating violations or incidents of major environmental harm; and
 - d. Enforcement Tracking for formal actions and ADEM referrals
 - 10) A program to make available a list of education and training materials and resources to construction site operators in the appropriate application and maintenance of erosion and sediment controls; and
 - 11) The Permittee shall post on its website the ordinance or other regulatory mechanism required by Part II.B.4.a.2.
- b. The Permittee shall include within the SWMPP the following information:
- 1) Procedures for site plan reviews required by Part II.B.4.a.4;
 - 2) A site inspection plan meeting the requirements of Part II.B.4.a.6;
 - 3) Plans for the training of MS4 site inspection staff as required by Part II.B.4.a.7;
 - 4) A copy of the construction site inspection checklist as required by Part II.B.4.a.8;
 - 5) The ERP as required by Part II.B.4.a.9;
 - 6) Procedures and schedule for making available a list of education and training materials and resources to construction site operators in the appropriate application and maintenance of erosion and sediment controls required by Part II.B.4.a.10.
- c. The Permittee shall report each year in the annual report the following information:
- 1) A hyperlink to the ordinance or regulatory mechanism location on the Permittee's website;
 - 2) List of all active qualifying construction sites within the MS4 to include the inspections as required by Part II.B.4.a.6; and
 - 3) A summary of the following:
 - a. Number of construction site inspections;
 - b. Number of formal enforcement actions and description of violation;
 - c. Number of construction site runoff complaints received.

- d. Number of new staff trained and follow-up training provided to existing staff.
- d. The Permittee shall maintain the following information and make it available upon request:
- 1) Documentation of all inspections conducted of construction sites. The inspection documentation shall include, at a minimum, the following:
 - a. Facility type;
 - b. Inspection date;
 - c. Name and signature of inspector;
 - d. Location of construction project;
 - e. Owner/operator information (name, address, phone number, fax, and email);
 - f. 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
 - g. Photographic documentation of all critical storm water BMP components.
 - 2) Documentation of enforcement actions taken at construction sites to include, at a minimum, the following:
 - a. Name of owner/operator;
 - b. Location of construction project;
 - c. Description of violation;
 - d. Required schedule for returning to compliance;
 - e. Description of enforcement response used, including escalated responses if repeat violations occur;
 - f. Accompanying documentation of enforcement responses (e.g. notices of non-compliance, notices of violations, etc.); and
 - g. Any referrals to different Departments or Agencies.
 - 3) Records of public complaints including:
 - a. Date, time and description of the complaint;
 - b. Location of subject construction sites; and
 - c. Identification of any actions taken (e.g. inspections, enforcement, corrections). Identifying information must be sufficient to cross-reference inspection and enforcement records.
 - 4) Educational and Training Documentation for Construction Site Operators
 - a. List of education and training materials and resources
- 5. Post-Construction Storm Water Management in New Development and Re-Development**

The Permittee must develop/revise and implement a program, within 365 days from the effective date of this permit, to address the discharge in post-construction storm water runoff to the MS4 from new development and re-development. Post-Construction Stormwater

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 stormwater management over the life of the property's use.

- a. The Permittee shall develop and implement project review and enforcement procedures for qualifying new development and redevelopment projects, to the maximum extent practicable. Specifically, the Permittee shall:
 - 1) Require landowners and developers to, the MEP, implement systems of appropriate structural and/or non-structural BMPs designed to reduce the discharge of pollutants, which may include, but not limited to, the following:
 - a. Minimize the amount of impervious surfaces
 - b. Preserve and protect ecologically sensitive areas that provide water quality benefits;
 - c. Provide vegetated buffers along waterways, and reduce discharges to surface waters from impervious surfaces such as parking lots;
 - d. Implement policies to protect trees, native soils and other vegetation; and
 - e. Minimize topsoil stripping and compacted soils where feasible.
 - 2) Require landowners and developers to develop and maintain best management practices to ensure, to the maximum extent practicable, that post-construction runoff mimics pre-construction hydrology of the site. A 1.1 inch rainfall over a 24-hour period preceded by a 72-hour antecedent dry period shall be the basis for the design and implementation of post construction BMPs;
 - 3) Encourage landowners and developers to incorporate, where feasible, the use of low impact development (LID)/green infrastructure which infiltrate, evapotranspire, harvest or reuse stormwater. Information on low impact development (LID)/green infrastructure is available on the following website:<http://www.adem.alabama.gov/programs/water/waterforms/LIDHandbook.pdf> and <http://epa.gov/nps/lid>;
 - 4) To the extent allowed under State law, adopt or amend an ordinance or other regulatory mechanism to ensure the applicability and enforceability of post-construction BMPs at all new development and redevelopment projects;
 - 5) Require the submittal of a post-construction BMP plan, for review, as outlined in the SWMPP. The post-construction BMP plan review process may be integrated with the construction plan review process under Section II.B.4.a.4;
 - 6) Require the submittal of 'as built' certification within 120 days of completion of project;
 - 7) Perform and/or require the performance of annual post-construction inspections to ensure that design standards are being met. The Permittee shall document its post-construction inspection. Such documentation shall include, at a minimum:
 - a. Facility type
 - b. Inspection date
 - c. Name and signature of inspector
 - d. Site location
 - e. Owner information (name, address, phone number, fax, and email)
 - f. Description of the storm water BMP condition that may include 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;

- g. Photographic documentation of all critical storm water BMP components;
 - h. Specific maintenance items or violations that need to be corrected by the owner/operator of the storm water control or BMP; and
 - i. Maintenance agreements for long-term BMP operations and maintenance.
- 8) 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 BMPs;
- 9) Require and/or perform adequate long-term operation and maintenance of post-construction BMPs, including one or more of the following, as applicable:
- a. The developer's signed statement accepting responsibility for maintenance until the maintenance responsibility is legally transferred to another party; and/or
 - b. Written conditions in the sales or lease agreement that require the recipient to assume responsibility for maintenance; and/or
 - c. 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
 - d. Any other legally enforceable agreement that assigns permanent responsibility for maintenance of structural or treatment control management practices.
- b. The Permittee shall include within the SWMPP the following information:
- 1) Procedures to develop, implement and enforce systems of appropriate structural and/or non-structural BMPs;
 - 2) Procedures to develop, implement and enforce performance standards;
 - 3) Procedures for encouragement of the utilization of LID/green infrastructure practices;
 - 4) Procedures to ensure compliance with the ordinance or regulatory mechanism, including the sanctions and enforcement mechanisms the Permittee will use to ensure compliance. If an ordinance or regulatory mechanism needs to be developed, then the Permittee must provide a timeline for the development of the ordinance and/or regulatory mechanism;
 - 5) Procedures for post-construction inspections, to include tracking and enforcement;
 - 6) Procedures to ensure adequate long-term operation and maintenance of BMPs; and,
 - 7) Development of an inventory of post-construction structural controls.
- c. The Permittee shall report each year in the annual report the following information:
- 1) Provide a hyperlink for the ordinance or regulatory mechanism location on the Permittee's website;
 - 2) A list of the post-construction structural controls installed and inspected during the permit year;
 - 3) Updated inventory of post-construction structural controls including those owned by the Permittee;
 - 4) Number of inspections performed on post-construction structural controls; and,
 - 5) Summary of enforcement actions.

6. Spill Prevention and Response

- a. The Permittee shall develop and implement a program to prevent, contain, and respond to spills that may discharge into the MS4. The Permittee must, at a minimum:
 - 1) Investigate, respond, and conduct response actions or coordinate w/other agencies that may provide response actions as outlined in the SWMPP;
 - 2) Develop a mechanism to track spills, response, and cleanup activities for all spills;
 - 3) Use GIS or acceptable mapping scheme to identify spill locations, locations for inspections, and chronic problem areas;
 - 4) Implement a spill prevention/spill response plan;
 - 5) Provide training of appropriate personnel in spill and response procedures and techniques to mitigate pollutant discharges from spills to the MS4; and
 - 6) Establish procedures to ensure that all spills are able to be promptly reported to appropriate authority.
- b. The Permittee shall include within the SWMPP the following information:
 - 1) The spill prevention/spill response plan; and
 - 2) Procedures to provide training of personnel in spill prevention and response.
- c. The Permittee shall report each year in the annual report the following information:
 - 1) Summary of spills occurring during the reporting year, to include the following, at a minimum:
 - a. Location;
 - b. Spill Substance (i.e. fuel, oil, etc);
 - c. Photographs (Spill and After clean-up) to be made available upon request; and
 - d. Incident dates and time to resolution, including any enforcement actions taken and their result.
 - 2) Documentation of employee training as required by Part II.B.6.b.2
 - a. Title of Training Presentations; and
 - b. Dated Attendance Sheets.

7. 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 MEP. The program elements shall include, at a minimum, the following:
 - 1) An inventory of all municipal facilities, including municipal facilities that have the potential to discharge pollutants via storm water runoff;
 - 2) Develop and implement a short and long term strategy and program for the removal of trash from the waterways and tributaries in the permitted area in such a manner to quantify the removal of trash per year, which shall be included in the annual report. These strategies shall be included in the Permittee's SWMPP and shall be updated as necessary. This program shall address the following, at a minimum:

- a. Direct removal of trash from waterbodies;
 - b. Direct removal of trash from the MS4;
 - c. Direct removal of trash prior to entry to the MS4;
 - d. Prevention through disposal alternatives; and
 - e. Prevention through waste reduction practices, additional enforcement, and/or initiatives.
- 3) Require the following measures to be implemented in the public right of way for any event or wherever it is anticipated that substantial quantities of trash or litter may generated:
- a. Arrangement for temporary protection of preventative measures to the catch basins, where feasible, and
 - b. Provide proper disposal of trash receptacles, clean up of catch basins, as needed, and grounds of the event area within one business day subsequent to the event.
- 4) Ensure that trash receptacles, or similar trash capturing devices are provided and maintained in areas identified as high trash generated areas;
- 5) 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:
- a. Equipment washing;
 - b. Street sweeping;
 - c. Maintenance of municipal roads owned, operated, or under the responsibility of the Permittee;
 - d. Storage and disposal of chemicals and waste materials;
 - e. Vegetation control, cutting, removal, and disposal of the cuttings;
 - f. Vehicle fleets/equipment maintenance and repair;
 - g. External Building maintenance; and
 - h. Materials storage facilities and storage yards.
- 6) A program for inspecting municipal facilities, to include municipal maintenance shops and equipment yards, for good housekeeping practices, including BMPs. The program shall include checklists and procedures for correcting noted deficiencies;
- 7) A training program for municipal facility staff in good housekeeping practices as outlined in the SOP developed pursuant to Part II.B.7.a.(5); and
- 8) The Permittee shall assess the water quality impacts for those flood management projects owned, operated, or the responsibility of the Permittee. The feasibility of retro-fitting existing structural control devised to provide additional pollutant removal from the storm water shall be evaluated.
- b. The Permittee shall include within the SWMPP the following information:
- 1) The inventory of municipal facilities required by Part II.B.7.a.(1);
 - 2) Schedule for developing the SOP of good housekeeping practices required by Part II.B.7.a.(5);
 - 3) An inspection plan and schedule, including checklists and any other materials needed to comply with Part II.B.7.a.(6); and
 - 4) A description of the training program and training schedule required by Part II.B.7.a.(7).

- c. The Permittee shall report each year in the annual report the following information:
 - 1) Any updates to the municipal facility inventory;
 - 2) An estimated amount of floatable material collected from the MS4 as required by Part II.B.7.a.(2-4);
 - 3) Any updates to the inspection plan;
 - 4) Any updates to the SOP of good housekeeping practices; and
 - 5) Summary of inspection reports of municipal facilities

- d. The Permittee shall maintain the following information and make it available upon request:
 - 1) Records of inspections and corrective actions, if any; and
 - 2) Training records including the dates of each training activities and names of personnel in attendance.

8. Application of Pesticide, Herbicide, and Fertilizers (PHFs)

- a. For the *Application of Pesticide, Herbicide, and Fertilizers* (PHFs), the Permittee shall implement controls to reduce, to the *MEP*, the discharge of pollutants related to the storage and application of PHFs applied by employees or contractors, to public rights of way, parks, and other public property. The Permittee shall implement programs to encourage the reduction of the discharge of pollutants related to application and distribution of PHFs. For those controls implemented, the Permittee will obtain coverage and maintain compliance with ADEM NPDES Pesticide General Permit ALG870000, if applicable, or other applicable NPDES permits. In addition, the Permittee shall address priorities to include the following:
 - 1) Identify all areas known to receive high applications of PHFs, develop a program to detect improper usage, and prioritize problem areas;
 - 2) Require evidence of proper certification and licensing for all applicators contracted to apply pesticides or herbicides on municipal property; require that applicators contracted to apply fertilizer are qualified in utilizing proper nutrient management practices;
 - 3) Maintain an inventory of on-hand PHFs with information about the formulations of various products, including how to recognize the chemical constituents from the label, their respective uses, directions and precautions for applicators that explain if products should be diluted, mixed or only used alone, and, proper storage of products;
 - 4) Equipment use and maintenance;
 - 5) Training in safe use, storage and disposal of PHFs;
 - 6) Inspection and monitoring of facilities where PHFs are stored; and
 - 7) Record keeping.

9. Oils, Toxics, and Household Hazardous Waste Control

- a. The Permittee shall prohibit to the *MEP* the discharge or disposal of used motor vehicle fluids and household hazardous wastes into the MS4. Specific activities to be completed under this item are:
 - 1) Make available material educating the public about used oil facility locations, hotline numbers, and alternatives to toxic materials;

- 2) Advertise the location of used oil collection facilities; and
 - 3) Provide employee training on spill prevention at all municipal facilities where oils or toxic materials are used.
- b. The Permittee shall include within the SWMPP the following information:
- 1) Procedures to develop, implement, and enforce a program for oils, toxics, and household hazardous waste control to include educational information and employee training.
- c. The Permittee shall report each year in the annual report the following information:
- 1) Quantities of Household Hazardous Waste and used oil collected; and
 - 2) Oils, Toxics, and Household Hazardous Waste Control training workshops
 - a. Dated attendance sheet; and
 - b. Titles of presentations.

10. Industrial Storm Water Runoff

- a. The Permittee shall implement a program to inspect, monitor and control pollutants in storm water runoff to the MS4 from municipal waste landfills, hazardous waste treatment, storage, disposal and recovery facilities, and industrial facilities and high risk commercial facilities. Facilities to be addressed under this program include: facilities that have reported under the requirements of the Emergency Planning and Community Right to Know Act (EPCRA) Title III, Section 313; and any other industrial or commercial discharge that the Permittee determines is contributing substantial pollutants loading to the MS4 (“high risk facilities”). The program must provide for, at a minimum:
- 1) Annual inspections of municipal waste landfills, hazardous waste treatment, storage, disposal (TSD) and recovery facilities;
 - 2) Annual inspections, at a minimum, of industrial facilities and high-risk commercial facilities that do not have an NPDES permit issued by the Department as outlined in the SWMPP, and
 - 3) Data collected by a NPDES permitted facility to satisfy the monitoring requirements of an NPDES, State, land application or local pretreatment discharge permit may be used to satisfy Part II.B.10.a of the Permit. The Permittee may require the facility to conduct self-monitoring to satisfy this requirement, if necessary.
- b. The Permittee shall include in the SWMPP a list of all municipal waste landfills, hazardous waste treatment, storage, disposal and recovery facilities, high risk commercial facilities, and industrial facilities, both NPDES permitted and non-NPDES permitted, within the MS4.
- c. The Permittee shall include in the annual report a summary of inspections performed for the year and enforcement, if applicable.

C. *Legal Authority*

To the extent allowed under State law, the Permittee must review and revise its relevant ordinances or other regulatory mechanisms, or adopt any new ordinances that provide it with adequate legal authority to control pollutant discharges into and from its MS4, and to

implement and enforce its SWMPP. To be considered adequate, this legal authority must, at a minimum, authorize the Permittee to:

1. Prohibit non-storm water discharges unless such storm water discharges are in compliance with a separate NPDES permit, or determined by the Department not to be a significant contributor of pollutants to waters of the State;
2. Prohibit and eliminate illicit connections to the MS4. Illicit connections include pipes, drains, open channels, or other conveyances that have the potential to allow an illicit discharge to enter the MS4;
3. Control the discharge of spills, and prohibit dumping or disposal of materials other than storm water into the MS4;
4. Require operators of construction sites and industrial and commercial facilities to minimize the discharge of pollutants to the MS4 to the maximum extent practicable through the installation, implementation, and maintenance of appropriate controls, including installation, implementation and long-term maintenance of post construction controls;
5. Request information to determine compliance with ordinances or other regulatory mechanism;
6. Inspect and monitor at reasonable times any facilities, equipment, practices, or operations for active or potential polluted storm water discharges to the MS4;
7. Promptly require that dischargers cease and desist discharging and/or clean-up and abate a discharge;
8. Levy citations or administrative fines against responsible parties to include but not limited to non-compliant construction sites;
9. Require recovery and remediation costs from responsible parties; and
10. Provide the authority to enter into interagency agreements with other entities for the purpose of controlling the contribution of pollutants to the maximum extent practicable from one MS4 to another MS4.

D. SWMPP Plan Review and Modification

1. The Permittee shall submit to the Department within nine months of the effective date of this permit a revised SWMPP. The Permittee shall implement plans to seek and consider public input in the development and implementation of this SWMPP, as required by Part II.B.2.b.1. Thereafter, the Permittee shall perform an annual review of the current SWMPP and must modify the SWMPP, as necessary, to maintain compliance with the permit. Any modifications to the SWMPP shall be submitted to the Department at the time a modification is made. Modifications 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.
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. Implementation of the program in any new area shall consider the plans of the SWMPP of the previous MS4 ownership, if any.

E. 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.

F. Responsibilities of Permittee

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 the permit and reliance on another entity will not be a defense or justification for non-compliance if the entity fails to implement the permit requirements.

PART III Wet-Weather Monitoring and Reporting

The Permittee shall implement a monitoring program to provide data necessary to assess the effectiveness and adequacy of BMPs implemented under the SWMPP. The quality of the streams receiving MS4 discharges shall continue to be monitored to assess the water quality of the streams and to identify potential water quality impairments. This shall be accomplished by the following:

A. Monitoring Locations

1. Proposed monitoring locations and descriptions of their respective characteristics shall be described in the SWPPP with actual locations described in the annual report;

Waterbody	Representative Watershed	Frequency
Buck Creek	Residential/Commercial	Quarterly
Cahaba Valley Creek	Industrial/Commercial	Quarterly
Peavine Creek	Residential	Biannually

2. In addition to the requirements in Part III.A.1., if a waterbody (not listed in Part III.A.1) 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 revise its monitoring program to include monitoring that addresses the impairment or TMDL. Any revisions to the monitoring program shall be documented in the SWMPP and Annual Report. In addition, the permit may be modified by the Department to establish the additional or revised monitoring locations.

B. Monitoring Parameters and Frequency

1. Grab samples shall be collected at least semi-annually at each instream monitoring station and analyzed for the following parameters:
 - a. Temperature;
 - b. pH/ORP;
 - c. Turbidity (NTU);
 - d. Conductivity;
 - e. Dissolved Oxygen (mg/l);
 - f. Ammonia Nitrogen (NH₃-N) (mg/l);
 - g. Biochemical Oxygen Demand (BOD) (mg/l);
 - h. Chemical Oxygen Demand (COD) (mg/l);
 - i. E.Coli;
 - j. Hardness as CaCO₃ (mg/l);
 - k. Nitrate plus Nitrite Nitrogen (NO₃+NO₂-N) (mg/l);
 - l. Oil and Grease (mg/l);
 - m. Total Dissolved Solids (TDS) (mg/l);
 - n. Total Kjeldahl Nitrogen (TKN) (mg/l);
 - o. Total Nitrogen (TN) (mg/l);
 - p. Total Phosphorus (mg/l);
 - q. Total Suspended Solids (TSS) (mg/l); and

2. The Permittee must include in the instream monitoring program any additional 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.

C. *Sample Type, Collection and Analysis*

1. Grab samples taken within the first two hours of discharge shall be used for the analysis;
2. Grab samples shall be collected resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event;
3. Analysis and collection of grab 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;
4. If the Permittee is unable to collect grab 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.).

PART IV Annual Reporting Requirements

1. The Permittee shall submit to the Department an annual report (1 hardcopy and 1 electronic copy) no later than January 31 of each year. The annual report shall cover the previous fiscal year beginning October 1 through September 30, and annually thereafter.
2. The Permittee shall sign and certify the annual report in accordance with Part V.K.
3. The annual report shall include the following information, at a minimum, and in addition to those requirements referenced in Part II.B and Part III:
 - 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. An overall evaluation of the storm water management program developments and progress for the following:
 - 1) Major findings such as water quality improvements or degradation;
 - 2) Major accomplishments;
 - 3) Overall program strengths/weaknesses;
 - 4) Future direction of the program;
 - 5) The Permittee(s) will make an overall determination of the effectiveness of the SWMPP taking into account water quality/watershed improvements; and
 - 6) Required actions that were not performed, and reasons why the actions were not accomplished.
 - c. The annual report will include a narrative report of all program elements referenced in Part II.B of this permit. The activities concerning a program element shall be discussed as follows:
 - 1) Program element activities completed and in progress;

- 2) General discussion of element. Explanation for all element activities that have not been fully implemented or completed. Results of activities shall be summarized and discussed (e.g.: maintenance caused by inspection, pollutants detected by monitoring, investigations as a result of dry and wet weather screening, number and nature of enforcement item, education activities/participation);
 - 3) Status of program element with compliance, implementation, and augmentation schedules in Part II of the permit;
 - 4) Assessment of controls; and
 - 5) Discussion of proposed element revisions.
- d. The annual report shall contain a monitoring section which discusses the progress and results of the monitoring programs required under Part III of the permit and shall include, at a minimum, the following information.
- 1) Status of implementation of the monitoring program;
 - 2) Map(s) showing the monitoring station locations, latitude/longitude, and narrative site descriptions, including watershed size;
 - 3) Raw data, results, methods of evaluating the data, graphical summaries of the data, and an explanation/discussion of the data for each component of the monitoring program;
 - 4) An analysis of the results of each monitoring program component;
 - 5) A comparison of the reporting year's data to the previous five years of data to establish a trend analysis to determine the relative health of the receiving water;
 - 6) All monitoring reports and supporting data shall be submitted in hardcopy and/or electronically in a format deemed acceptable to the Department concurrently with the submission of the Annual Report; Failure to provide this data in a format appropriate to the Department for review shall be a violation of this permit; and
 - 7) The interpretation of the analytical data, required by Part III.B.1-2 of the Permit, for determinacy of meeting water quality standards.
- e. Provide the status of the implementation and proposed changes to the SWMPP to include assessment of controls and specific improvements or degradation to water quality;
- f. Provide a summary of inspections and enforcement actions for regulatory program. Enforcement actions should include a corrective actions summary;
- g. Implementation status of the public education programs; and
- h. Status of expenditures and budget for the past fiscal year and the next fiscal year for the Permittee's program. The analysis shall indicate budgets and funding sources.

PART V Standard and General Permit Conditions

A. Certification and Signature of Reports

All reports required by the permit and other information requested by the Director shall be signed and certified in accordance with Part V.K. of this permit.

B. Submittals

All documents required to be submitted to the Department by this permit, shall be addressed to:

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

Certified and Registered Mail shall be addressed to:

Alabama Department of Environmental Management
Stormwater Management Branch, Water Division
1400 Coliseum Blvd
Montgomery, Alabama 36110-2059

C. Retention of Records

The Permittee shall retain the storm water quality management program developed in accordance with Part II of this permit until at least five years after coverage under this permit terminates. The Permittee shall retain monitoring records as detailed in Part V.Q of this permit.

D. Duty to Comply

The Permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

E. Civil and Criminal Liability

1. Tampering

Any person, who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained or performed under this permit shall, upon conviction, be subject to penalties as provided by AWPCA.

2. False Statements

Any person knowingly makes any false statement, representation, or certification in any record or other documentation submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance, shall, upon conviction, be punished as provided by AWPCA

3. Relief from Liability

Nothing in this permit shall be construed to relieve the Permittee(s) of civil and criminal liability under AWPCA or FWPCA for non-compliance with any term or condition of this permit.

F. Duty to Reapply

1. If the Permittee intends to continue an activity regulated by this permit beyond the expiration of this permit, the Permittee must apply for and obtain a new permit. The application shall be submitted at least 180 days prior to expiration of this permit.

2. Failure of the Permittee to apply for re-issuance at least 180 days prior to permit expiration will void the automatic continuation of the expiring permit provided by ADEM Administrative Code, Rule 335-6-6-.06, and should the permit not be re-issued for any reason any discharge after expiration of this permit will be an unpermitted discharge.

G. *Need to Halt or Reduce an Activity Not a Defense*

It shall not be a defense for a Permittee 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.

H. *Duty to Mitigate*

The Permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human or the environment.

I. *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, suspending, or revoking this permit in whole or in part, or to determine compliance with this permit. The Permittee shall also furnish to the Director upon request copies of records required to be kept by this permit.

J. *Other Information*

If the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information with a written explanation for the mistake and/or omission.

K. *Signatory Requirements*

All reports and forms to be submitted by this permit, AWPCA and the Department's rules and regulations, shall be signed by a "responsible official" of the Permittee, as defined in ADEM Administrative Code, Rule 335-6-6-.09, or a "duly authorized representative" of such official, as defined by ADEM Administrative Code, Rule 335-6-6-.09, and shall bear the following certification:

"I certify under the penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the persons who manage the system, or those persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. *Oil and Hazardous Substance Liability*

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject under Section 311 of FWPCA.

M. *Property and Other Rights*

This permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to persons or property or invasion of other private rights, or any infringement of Federal, State, or local laws or regulations, nor does it authorize or approve the construction of any physical structures or facilities or the undertaking of any work in any waters of the State of Alabama.

N. Severability

The provision 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 the permit shall not be affected thereby.

O. Compliance with Statutes and Rules

This permit is issued under ADEM Administrative Code, Chapter 335-6-6. All provisions of this chapter that are applicable to this permit are hereby made a part of this permit.

This permit does not authorize the non-compliance 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.

P. Proper Operations and Maintenance

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit and with the requirements of storm water pollution prevention plans. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a Permittee only when necessary to achieve compliance with conditions of the permit.

Q. Monitoring Records

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
2. 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.

R. 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.

S. Right of Entry and Inspection

The Permittee shall allow the Director or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon any of the permittee's premises where a regulated facility or activity or point source is located or in which any records must be maintained under conditions of this permit;
2. Have access to and copy, at reasonable times, any records required to be maintained by the terms and conditions of this permit;
3. Inspect, at reasonable times, any point source, any monitoring equipment or practices being maintained to comply with this permit, or any treatment or control or systems being maintained to comply with this permit; and
4. Sample or monitor, at reasonable times, for the purposes of determining permit compliance or as otherwise authorized by AWPCA, any substances or parameters at any location.

T. *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.

U. *Permit Modification and Revocation*

1. This permit may be modified or revoked or reissued, in whole or in part, during its term for cause including but not limited to, the following:
 - a. If cause for termination under Part V.A.3., of this permit exists, the Director may choose to revoke or re-issue this permit instead of terminating the permit;
 - b. If a request to transfer this permit has been received, the Director may decide to revoke and re-issue or to modify the permit; or
 - c. If modification or revocation and re-issuance is requested by the Permittee and cause exists, the Director may grant the request.

2. This permit may be modified during its term for cause, including but not limited to:
 - a. If cause for termination under Part V.A.3., of this permit exists, the Director may choose to modify this permit instead of terminating this permit;
 - b. The Director has received new information that was not available at the time of permit issuance and that would have justified the application of different permit conditions at the time of issuance;
 - c. Errors in calculation of discharge limitation or typographical or clerical errors were made;
 - d. To the extent allowed by ADEM Administrative Code, Rule 335-6-6-.17, when the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or judicial decision after the permit was issued;
 - e. To the extent allowed by ADEM Administrative Code, Rule 335-6-6-.17, permit may be modified to change compliance schedules;
 - f. To incorporate an applicable Section 307(a) of FWPCA toxic effluent standard or prohibition;
 - g. When required by the re-opener conditions in this permit;
 - h. Upon failure of the State to notify, as required by Section 402(b)(3) of FWPCA, another State whose water may be affected by a discharge permitted by this permit;
 - i. When required to correct technical mistakes, such as errors in calculation, or mistaken interpretations of law made in determining permit conditions;
 - j. When requested by the Permittee and the Director determines that the modification has cause and will not result in a violation of federal or State law, rules, or regulations;

- k. To add a new Permittee who is the owner or operator of a portion of the Municipal Separate Storm Sewer System; or
 - l. To change portions of the Storm Water Quality Management Program that is considered permit conditions.
- 3. This permit may be terminated during its term for cause, including but not limited to, the following:
 - a. Violation of any term or condition of this permit;
 - b. The permittee's misrepresentation or failure to disclose fully all relevant facts in the permit application or during the permit issuance or the permittee's misrepresentation of any relevant facts at any time;
 - c. Materially false or inaccurate statements or information in the permit application or the permit;
 - d. The permittee's discharge threatens human life or welfare or the maintenance or water quality standards; or
 - e. Any other cause allowed by ADEM Administrative Code, Rule 335-6-6.
- 4. This permit may be suspended during its term for cause, including but not limited to, the reasons for termination listed above.
- 5. The filing of a request by the Permittee for modification, suspension or revocation of this permit, in whole or in part, does not stay any permit term condition.

V. Termination of Coverage for a Single Permittee

Permit Coverage may be terminated, in accordance with the provision of 30 CFR 122.64 and 124.5, for a single Permittee without terminating coverage for other permittees.

W. Modification of Storm Water Management Program

Only those portions of the Storm Water Management Program specifically required as permit conditions shall be subject to modification requirements of 40 CFR 124.5. Replacement of an ineffective or infeasible BMP implementing a required component of the Storm Water Management Program with an alternate BMP expected to achieve the goals of the ineffective or infeasible BMP shall be considered a minor modification to the SWMPP and not modification to the Permit.

X. Changes in Monitoring Outfalls

This permit is issued on a system-wide basis in accordance with CWA §402(p)(3)(i) and authorizes discharges from all portions of the MS4. Since all outfalls are authorized, changes in monitoring outfalls, other than those with specific numeric effluent limitations, shall be considered minor modifications to the permit and will be made in accordance with the procedures at 40 CFR 122.63.

Y. Definitions

- 1. "Arithmetic Mean" means the summation of the individual values of any set values divided by the number of individual values.

2. “AWPCA” means Code of Alabama 1975, Title 22, the Alabama Water Pollution Control Act, as amended.
3. “Best Management Practices” (BMPs) means activities, prohibitions of practices, maintenance procedures, and other management practices implemented to prevent or reduce the discharge of pollutants to waters of the State. BMPs also include treatment systems, operating procedures, and practices to control facility runoff, spillage or leaks, sludge or water disposal, or drainage from raw material storage.
4. “Bypass” means the intentional diversion of waste streams from any portion of a treatment facility.
5. “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.
6. “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.
7. “Department” means the Alabama Department of Environmental Management or an authorized representative.
8. “Discharge”, when used without a qualifier, refers to “discharge of a pollutant” as defined as ADEM Administrative Code 335-6-6-.02(m).
9. “Flood Management Project” means a project that will alter, modify or change the base flood elevation of a 1% annual chance flood event.
10. “Flow-weighted composite sample” means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge at the time of sampling.
11. “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 stormwater or runoff on the site where it is generated.
12. “Hydrology” refers to the physical characteristics of storm water discharge, including the magnitude, duration, frequency, and timing of discharge.
13. “Illicit connection” means any man-made conveyance connecting a non-storm water discharge directly to a municipal separate storm sewer system.
14. “Illicit discharge” means any discharge to a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to a NPDES permit.
15. “Industrial Land Use” means land utilized in connection with manufacturing, processing, or raw materials storage at facilities identified under Alabama State Law.
16. “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.

17. "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.
18. "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.
19. "Low Impact Development" (LID) is an approach to land development (or re-development) that works with nature to manage stormwater 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 stormwater as a resource rather than a waste product.
20. "Major outfall" is the point(s) where the MS4 discharges to a water of the State from (1) a pipe (or closed conveyance) system with a cross-sectional area equal to or greater than 7.07 square feet (e.g., if a single circular pipe system, an inside diameter of 36 inches or greater),(2) a single conveyance other than a pipe, such as an open channel ditch, which is associated with a drainage area of more than 50 acres,(3) a pipe (or closed conveyance) system draining "industrial land use" with a cross-sectional area equal to or greater than 0.79 square feet (e.g., if a single circular pipe system, an inside diameter of 12 inches or greater),(4) or a single conveyance other than a pipe, such as an open channel ditch, which is associated with an "industrial land use" drainage area of more than 2 acres;For the purpose of this permit, outfalls of the "double barrel" type, whose combined cross-sectional area is greater than 7.07 square feet, equivalent to a single circular pipe outfall with an inside diameter of 36 inches or greater, are also considered major outfalls.
21. "MEP" is an acronym for "Maximum Extent Practicable," the technology-based discharge standards and controls necessary for municipal separate storm sewer systems to reduce pollutants in storm water discharges that was established by CWA Section 402(p). These standards and controls may consist of a combination of best management practices, control techniques, system design and engineering methods, and such other provisions for the reduction of pollutants discharged from a MS4 as described in the storm water management system.
22. "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.
23. "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.
24. "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 Administrative Code 335-6-6-.02(nn).

25. "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.
26. "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.
27. "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, any waterbody assigned the 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 335-6-10-.10.
28. "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.
29. "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.
30. "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.
31. "Structural Controls" means an engineered BMP constructed with rigid walls and/or weirs and piped drainage that utilize active or passive treatment and/or mechanical systems for the purpose of treating storm water runoff.
32. "Structural Flood Control" means structural measures that control the 1% annual chance floodwaters by construction of barriers, storage areas or by modifying / redirecting channels.