



## **TOWN OF SMYRNA STORM WATER ADVISORY COMMITTEE**

### **AGENDA**

**October 17, 2022**

**COUNCIL CHAMBERS, TOWN HALL**

**6:00PM**

**I. CALL TO ORDER**

**II. CITIZEN COMMENTS**

*Speakers are limited to (3) minutes. Additional comments may be submitted in writing.*

**III. REVIEW AND APPROVE MINUTES FOR JULY 18, 2022 MEETING OF STORM WATER ADVISORY COMMITTEE (SWAC)**

**IV. OLD BUSINESS**

A. None this quarter

**V. NEW BUSINESS**

A. ***Consent / Correction Agenda***

1. *Vacant / Inactive Account List (7/1/22-9/30/22)*

B. ***Adjustment Applications***

None this quarter

C. ***Credit Applications***

None this quarter

**VI. REPORTS OF OFFICERS, COMMITTEE, OR STAFF**

A. *Discuss Storm Water Utility inquiries to date*

B. *Presentation of Quarterly Report*

C. *Review and Approve*

1. *Stormwater Management Plan*

2. *Implementation Plan*

3. *Notice of Intent*

~ *TNSA 2021-2022 Social Media Campaign Final Numb*

~ *Public Information and Education*

~ *Illicit Discharge and Elimination Investigation*

~ *Enforcement Response Plan*

~ *Water Quality Monitoring, et al*

D. *Miscellaneous*

**VII. ADJOURNMENT**

**Town of Smyrna**  
**Storm Water Management Program**  
**Progress Report to the**  
**Storm Water Advisory Committee**  
*October 17, 2022 at 6:00 PM*  
*Smyrna Town Hall /Council Chambers*

- I. Discuss the following Storm Water Management (SWM) Program achievements made from: July 1 through September 30, 2022.
- A. More than thirty-five (35) certificates of occupancy issued this quarter were assessed for the corresponding SWU fee then reported monthly to CUD and the Town's Public Utilities Department. In addition, all SWU fee delinquent accounts were also tracked and reported to Utilities.
  - B. Mr. Rose reviewed all grading permits, in tandem with sediment control reviews by the program coordinator, and required the submission of as-built drawings for each and every project having its own detention pond as well as all applicable water quantity concerns.
  - C. Received no citizen inquiries about the Storm Water Utility (SWU) user fee.
  - D. Staff completed writing the quarterly report to SWAC. This satisfies a MS4 permit requirement.
  - E. Reviewed eighteen (18) sets of grading plans for new construction projects during three monthly staff plan review meetings then created project files once they were Planning Commission-approved. This satisfies a MS4 permit requirement.
  - F. Corresponded with developers and contractors about several imminent projects concerning grading permit issues. This satisfies a MS4 permit requirement.
  - G. Reviewed, commented, signed, and dated grading plans for forty - five (45) sets of new construction plans, some of which are repeats, in preparation for grading permit issuance. This satisfies a MS4 permit requirement.
  - H. Accompanied by a list of grading permit deficiencies, contacted developer and engineer immediately after their project was approved by the Public Works staff in an effort to keep them informed.
  - I. Completed sediment control measure inspections of sixteen (16) construction sites. This satisfies a MS4 permit requirement.
  - J. Facilitated grading - permit pre-construction meetings for eleven (11) new construction projects once these met all requirements now being electronically tracked on our Grading Progress Table. This satisfies a MS4 permit requirement.
  - K. Issued grading permits for eleven (11) new construction projects. This brings the annual cumulative total to thirty-three (33). The county's new G Street convenience center was one while none of the grading permits were Town of Smyrna projects [MS4 programs are NOT exempt from the requirements they enforce, MM - 6.]
  - L. Investigated one Illicit Discharge Detection and Elimination (IDDE-132) issue stemming from a sanitary sewer discharge along Rock Springs Branch, adjacent to Harts Branch. No pollutants reached either stream, so no NOV's were issued.

No	Project Name (Imperv. Surf. Area in sf or #/residential units >>ERUs) 1 ERU, equivalent residential unit = 3,543sf	Development Type	Monthly SWU Revenue (\$)	Annual SWU Revenue (\$)
1	Take Five Oil 14,921sf / 3,543sf/ERU = 4.2 ERUs X \$3.47/ERU = 14.57	Commercial	14.57	174.84
2	Rutherford Co. Conv Ctr 88,158sf / 3,543sf/ERU=24.88 ERUs X 3.47 = 86.33	Municipal	86.33	1,035.96
3	Short's Crossing II 25 homes X \$3.47 / home = 86.75	Residential	86.75	1,041.00
4	Smyrna Storage Ctr 144,365sf / 3,543sf/ERU = 40.75ERUs X \$3.47/ERU = 141.40	Commercial	141.40	1,696.80
5	Burn Boot Camp 35,719sf / 3,543sf/ERU = 10.08 ERUs X \$3.47 = 34.98	Commercial	34.98	419.76
6	Helmsley Place 57 homes X \$3.47 / home = 197.79	Residential	197.79	2,373.48
7	Chaney Road TownHomes 14 homes X \$3.47 / home = 48.58	Residential	48.58	582.96
8	Dutch Bros 75%X35,282sf =26,462/3,543sf/ERU=7.47 ERUs X \$3.47=25.92	Commercial	25.92	311.04
9	Greystone Amenity Ctr ~17,120sf / 3,543sf/ERU=4.83 ERUs X \$3.47= 16.70	Residential	16.70	200.40
10	Greystone Offsite Utility - Water Beneath the surface, no Imp. Surf. Area	Residential	0.00	0.00
11	Foundry-Tridon Ind. 16.98ac X 43,560sf/ac= 739,649sf / 3,543sf/ERU =	Industrial	724.40	8,692.80
	208.76 ERUs X \$3.47/ERU = 724.40			
	<b>TOTAL</b>			
<b>Monthly Total - \$1,377.42</b>			<b>1,377.42</b>	<b>16,529.04</b>
<b>Annual Total - \$ 16,529.04 (\$3.47/ERU, Equivalent Residential Unit)</b>				

- M. Bradly Jordan, Environmental Tech/Sediment Control Inspector is performing construction and sidewalk inspections, reviewing as built drawings and assuring they were followed, quarterly inspecting all outdoor grease receptacles, leading the preparations for the five-year water quality monitoring, among a whole host of other assignments, including some outreach events.
  - i. Organized and tracked monthly inspection calendar for all construction sites.
  - ii. Conducted monthly construction inspections and electronically recorded them in CityWorks, and worked with supervisors, developers, builders, and engineers during 168 (53/July. + 54/Sept. + 72/June) construction site inspections (of these ~98% per month are active).
  - iii. Issued no Notice of Violation/NOV for construction or any causes.
  - iv. Created a new education/outreach event for students, called Scavenger Hunt.
  - v. Provided educational outreach to ~250 students at the daylong Rutherford County - sponsored Stones River WaterFest, initiating the new Scavenger Hunt.
  - vi. Finalized online infrastructure needed to map stormwater structures within the Town of Smyrna.
  - vii. Continued to work with business and property owners, et al to educate and enforce detention pond corrections.
  - viii. Continued to respond to citizens' concerns.
  - ix. Reviewed 17 as-built plan submittals, crafted by Tom Rose.
  - x. Conducted at least 70 individual construction lot erosion control inspections.
  - xi. Continued to work with the Public Works Director on several ongoing construction projects.
  - xii. Conducted another quarterly round of free standing receptacles, totaling 86 inspections with all still in business, issuing one letter of warning.
- N. The July SWAC meeting was held, where only one member was absent.
- O. Forty-four certificates (44) of appreciation were signed by Mayor Mary Esther Reed then distributed to these fine individuals (31) and partnering agencies (13) who made the 14<sup>th</sup> Annual Boat Day-16<sup>th</sup> Annual WaterFest such a great success (417 attendance, second highest)
- P. Thanks to the great generosity of Academy Sports and Outdoors, five families and one individual collectively received two kayaks with paddle and lifejacket, one cooler on wheels, and three \$100 gift cards. These were certainly very elated 14<sup>th</sup> Annual Boat Day – 16<sup>th</sup> Annual WaterFest winners.
- Q. A Town of Smyrna employees' quarterly TDOT Adopt-A-Highway cleanup was held where some seven staff cleaned the under - construction Lowry Street (Enon Springs Road to Harts Branch), thus protecting Harts Branch from litter.
- R. Thanks to the SWAC's fine review of the Annual Report to TDEC, it was submitted electronically, via the Mayor's TDEC approved signature, for the first time and on time.
- S. All five existing Adopt-A-Stream (AAS) schools were contacted twice about fall participation. All but one of these schools has responded positively, plus a new school, Stewartsboro Elementary has signed on as well, bringing our current projected participation level to five of six. These events will be held near, and even on school property in the months of October and November.
- T. Responding to the Tennessee Department of Environment and Conservation and US EPA's required 5 - year permit renewal requirements, the MS4, aka Stormwater Coordinator received the TNSA 2021-2022 Social Media Campaign Final Number report (already sent to you) and revised the existing Public Information and Education (PIE) and Enforcement Response Plans (ERP) according to TDEC guidelines. Other documents, including Stormwater Management Program, Implementation Plan, and Future Schedule for Water Quality Sampling, Visual Stream Assessment, and Dry Weather Outfall (discharge to stream) Inspections were crafted following TDEC guidelines all prior to the permit deadline of November 29, 2022. This deadline also includes both SWAC and Smyrna Town Council review and approval.
- U. The Public Works Office Coordinator handled twelve (12) citizen inquiries regarding storm water drainage issues, while Bradly Jordan handled four (4) others that did not go through the Coordinator to bring the total to sixteen (16).
- V. Continued to provide the public works director with daily reports from which this quarterly report was written. (22 program achievements and 12 Bradly Jordan achievements).

# **MINUTES OF THE TOWN OF SMYRNA STORM WATER ADVISORY COMMITTEE**

July 18, 2022

## **1<sup>st</sup> Item: Call to Order**

The July meeting of the Town of Smyrna Storm Water Advisory Committee was held on Monday, July 18, 2022. The meeting was called to order by Chairman, Rhett Kimble, at 6:00 P.M. at Town Hall, Smyrna, Tennessee.

The following Storm Water Advisory Committee members and staff were present:

### Members:

Douglas Brown  
Natashia Floyd  
Scott Burchyett  
Katherine Green  
Rhett Kimble  
Daniel Newbern

### Absent:

Abhi Patra

### Staff:

Eric Hennessee, Staff Attorney  
Tom Rose  
Greg Upham  
Bradly Jordan  
Charles King  
Tammie Mitchell  
Tammy Rankin

### Absent:

## **2<sup>nd</sup> Item: Citizen Comments**

Chairman Rhett Kimble asked if there were any citizen comments to be heard by the Committee. There being none, the Committee proceeded to item #3 of the agenda.

## **3<sup>rd</sup> Item: Approval of Minutes of the April 18, 2022 Meeting**

The Committee considered a motion by Scott Burchyett to approve the minutes of the April 18, 2022 meeting as presented. The motion was seconded by Daniel Newbern. The motion was approved unanimously. A copy of the minutes as approved is attached hereto and marked Exhibit "1".

## **4<sup>th</sup> Item: Old Business**

There was no old business to discuss at this meeting.

## **5<sup>th</sup> Item: New Business**

### **A. Consent/Correction Agenda**

#### **1. Vacant / Inactive Account List**

The Stormwater Fee Vacant Account List (through 6/30/22) was presented by staff. The accounts on the list shall be re-opened with the fees being assessed to the property owners. A copy of the Stormwater Fee Vacant Account List (through 6/30/22) is attached hereto and marked as Exhibit "2".

The Committee then considered a motion by Daniel Newbern to approve this Vacant / Inactive Account List as recommended by staff. The motion was seconded by Natashaia Floyd. The motion was approved unanimously.

**B. Adjustment Applications**

There were no adjustment applications to consider at this meeting.

**C. Credit Applications**

There were no credit applications to consider at this meeting.

**6<sup>th</sup> Item: Reports of Officers, Committees, or Staff**

A. Greg Upham reported to the Committee that since the last meeting on 4/18/22, staff received one call/inquiry about the Storm Water User Fee.

B. Mr. Upham then presented to the Committee the Storm Water Management Program Quarterly Progress Report. This report was for the period of April 1, 2022 through June 30, 2022. A copy of this Storm Water Management Program Quarterly Progress Report is attached hereto and marked as Exhibit “3”.

C. At this time, Mr. Upham presented to the Committee the Storm Water Management Program Annual Report for the MS4 permit. This report is for the period July 1, 2021 through June 30, 2022. The annual report must first be reviewed and approved by the SWAC Committee, then by the Town Council, executed by the Mayor, then submitted to TDEC.

The Committee then considered a motion by Katherine Green to approve this Annual Report as recommended by staff. The motion was seconded by Daniel Newbern. The motion was approved unanimously. A copy of this Annual Report (MS4) is attached hereto and marked as Exhibit “4”.

D. Mr. Upham then presented to the Committee some statistics pertaining to the 2022 issued grading permits.

**7<sup>th</sup> Item: Adjournment**

There being no further business to come before the Committee, a motion was made by Daniel Newbern to adjourn the meeting and a second by Douglas Brown. Without objection, the meeting was adjourned at 6:19 PM.

Submitted by:

Certified by:

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Greg Upham, Secretary

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Rhett Kimble, Chairman

# Stormwater Fee Vacant Account List (through 9/30/22)

Item	Previous Occupant	Property Address	Account #	Monthly Fee	Vacant Date	Reason For Making Into Stormwater Only Account	Property Owner	Owner's Address
1	Better Body Fitness	719 S Lowry Street	3010707001	\$27.42		Tenant is currently still doing business but had utilities removed on 5/25/22. Still owed until 8/17/22 paid final.	George E. Patterson Shams Properties	PO Box 500 Smyrna, TN 37167
2	Karr Transportation Inc.	1401 S Lowry Street (FROM CUD)	6608	\$69.22	12/7/2021	Account to be opened up in property owner's name until occupied by another tenant.	Brickhouse Corner LLC	12806 Westmoreland Farm Rd Davidson, NC 28036

# **Town of Smyrna**

## **Storm Water Management Plan**

### **I. PURPOSE**

Since July 23, 2003, the Town of Smyrna officially managed its small MS4 Program in accordance with EPA regulations, 40 CFR 123.35(b). The Town of Smyrna was audited by the Tennessee Department of Environment and Conservation on three occasions as a regulated small MS4 (Municipal Separate Storm Sewer System) to be covered under the Phase II NPDES Storm Water Discharge Control Program.

### **II. REGULATORY REQUIREMENTS**

The Phase II Storm Water Regulations, 40 CFR Part 122, require the Town of Smyrna at a minimum, to develop, implement, and enforce a storm water management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable (MEP), to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act. The storm water management program shall be based around six Minimum Control Measures. These six Minimum Control Measures are as follows:

- PUBLIC EDUCATION AND OUTREACH
- PUBLIC INVOLVEMENT/ PARTICIPATION
- ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)
- CONSTRUCTION SITE STORMWATER RUNOFF CONTROL
- POST CONSTRUCTION / PERMANENT STORMWATER MANAGEMENT
- POLLUTION PREVENTION AND GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

### **III. PUBLIC EDUCATION AND OUTREACH**

#### **PERMIT REQUIREMENTS**

Permit Section 4.2.1 requires that the Town of Smyrna implement a public education and outreach program. The focus of the program shall be on impacts of stormwater discharges to water bodies and the steps that the public (along with commercial, industrial, or institutional entities) can take to reduce pollutants in the stormwater runoff.

**COMPLIANCE MECHANISMS** To comply with Section 4.2.1 of the General Permit, the Town of Smyrna will implement the following four Best Management Practices (BMPs):

#### **1. Outreach events**

Outreach efforts include stream bank cleanups, tree planting events, storm drain decal events, and Boat Day - WaterFests, all of which are coordinated and lead by the Storm Water Management

(SWM) Program with assistance from the SRWA, Rotary Club, Street, Parks, Fire, and Police Departments, USACE (Army Corps of Engineers).



All events are documented through field activity reports that delineate the activity, number of participants, amount of debris collected, trees/bushes planted, or decals affixed, along with ample number photographs.

## 2. Create Environmental Educational Packets

Order and copy all applicable brochures addressing water quality then load them into large envelopes for distribution at all outreach events.

## 3. Project WET

Played a lead role in the creation of the contract between the Rutherford County MS4 programs and the Discovery Center. Review all documents that support this important contract.

Contribute funding for the purchasing of vital educational materials used in this contract and the Project WET teacher training workshops lead by the Discovery Center.

Serves as a peer-reviewer of the progress to be made by the contract and will serve as a guest speaker to teachers, principals, and students whenever needed

## 4. Storm water Advisory Committee (SWAC)

The SWAC (Storm Water Advisory Committee) is comprised of seven Smyrna citizens who review and approve all ordinances, policies, events, and progress/annual reports related to the SWM Program. This organization was formed in the fall of 2003 and remains a vital ingredient in the success of Smyrna's storm water efforts. All meetings (mostly monthly) are filmed and broadcasted live and repeated on the Town's Ch 3 throughout the day.

## **IV. PUBLIC PARTICIPATION AND INVOLVEMENT**

### PERMIT REQUIREMENTS

Section 4.2.2 of the Permit requires that at a minimum, the Town shall implement a public involvement/participation program. Elements of the program may include participation in local stormwater management work groups, public notices of MS4 meetings and public hearings, recruiting education volunteers, and involving the public with program coordination, detection of illicit discharges and monitoring efforts.

### COMPLIANCE MECHANISMS

To comply with Section 4.2.2 of the Permit, the Town of Smyrna will implement the following four BMPs:

#### 1. Public Notice

The Town publishes all public notices and provides for a review and comment period prior to passing

any changes to the stormwater management ordinance.

## 2. Stormwater Advisory Committee

The Town holds quarterly SWAC meeting to discuss citizen comments, upcoming regulations, progress and activities of the stormwater department and to make decisions concerning stormwater program elements and implementation.

## 3. Watershed Cleanup

The Town partners with environmental / civic, and scout groups to host watershed cleanup events. The events target specific watersheds and will consist of trash and debris removal from the stormwater conveyance systems and tributaries.

## 4. Stormwater Hotline

The Town's maintains a telephone number and web address to be used for water quality and stormwater related complaints and issues.

# **V. ILLICIT DISCHARGE DETECTION AND ELIMINATION**

## PERMIT REQUIREMENTS

Section 4.2.3 of the Permit requires that the Town of Smyrna develop, implement, and enforce a program to detect and eliminate illicit discharges (as defined in 40 CFR Part 122.26(b)(2)) into the small MS4. 40 CFR Part 122.26(b)(2) defines an illicit discharge as any discharge to a municipal separate storm sewer that is not entirely composed of storm water, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from fire fighting activities.

Section 4.2.3 of the Permit requires that the Town develop a storm sewer system map, showing the location of all outfalls (ie., points where the town storm sewer system discharges into waters of the state or conveyances owned or operated by another MS4.

Section 4.2.3 of the Permit requires that the Town effectively prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into the storm sewer system and implement appropriate enforcement response plan.

Section 4.2.3 of the Permit requires that the Town develop and implement a plan to detect, identify and eliminate non-storm water discharges, including illegal disposal, to the stormwater system.

Section 4.2.3 of the Permit requires that the Town inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.

Section 4.2.3 of the Permit requires that the Town address the following sources of non-storm water discharges only if they are identified as a significant contributor of pollutants to the MS4: water line

flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (as defined in 40 CFR §35.2005(20)), uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, and street wash water (discharges or flows from fire fighting activities are excluded from the effective prohibition against non-storm water and need only be addressed where they are identified as significant sources of pollutants to waters of the state).

Section 4.2.3 of the Permit requires that the Town, by ordinance or other regulatory mechanism, prohibit contamination of stormwater runoff from hot spots (industrial and commercial properties, including restaurants, auto repair shops, auto supply shops, and large commercial parking areas).

## COMPLIANCE MECHANISMS

The Town of Smyrna will comply with each of the Permit requirements listed above through implementation of the following BMPs:

### 1. Education

Letters of introduction and visits by staff are made to ensure the proprietor of any business understands the importance of the IDDE program.

### 2. Inspections

Inspections are performed every three months to ensure that no violation goes unaddressed for very long.

### 3. Notices of Violations

NOVs are issued requiring immediate cleanup and remediation. Fees have been assessed against proprietors when the Town of Smyrna has had to do cleanups that have a chance of impacting neighboring water bodies.

### 4. Certificates of Appreciation

When a proprietor goes beyond the required practices, on their own accord, to ensure no IDDE occurs, a certificate of appreciation, signed by the mayor of the Town of Smyrna, is awarded.

## **VI. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL**

### **PERMIT REQUIREMENTS**

Section 4.2.4 of the Permit requires that the Town of Smyrna develop, implement, and enforce a construction site stormwater runoff control program to address pollutants in stormwater runoff to the MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of storm water discharges from construction activity disturbing less than one acre must be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more.

Section 4.2.4 of the Permit requires the Town to develop an ordinance, or other regulatory mechanism, to require erosion prevention and sediment controls, as well as sanctions to ensure compliance.

Section 4.2.4 of the Permit requires the Town to develop requirements for construction site operators to implement appropriate erosion and sediment control best management practices.

Section 4.2.4 of the Permit requires that the Town develop requirements corresponding to the Tennessee Construction General Permit, effective May 24, 2011.

Section 4.2.4 the Permit requires the Town to develop 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.

Section 4.2.4 of the Permit requires the Town to implement procedures for site plan review, which incorporate consideration of potential water quality impacts.

Section 4.2.4 of the Permit requires that the Town implement procedures for receipt and consideration of information submitted by the public.

Section 4.2.4 of the Permit requires that the Town implement procedures for site inspection and enforcement of control measures.

Section 4.2.4 of the Permit requires that the Town staff be trained in the fundamentals of erosion prevention and sediment control and in how to review erosion and sediment control plans. At a minimum, one member of the staff must attend the Tennessee Fundamentals of Erosion Prevention and Sediment Control and the Erosion Prevention and Sediment Control Design Course.

Section 4.2.4 of the Permit requires that the Town's program provide for the following:

- (a) Recognition of priority construction activity, including at a minimum those construction activities discharging directly into, or immediately upstream of, waters the state recognizes as impaired (for siltation) or high quality;
- (b) Pre-construction meetings with construction site operators, for priority construction activities; and
- (c) Inspections by the MS4, of priority construction sites at least once per month.

## COMPLIANCE MECHANISMS

The following BMPs will be implemented by the Town of Smyrna to comply with all of the requirements of the Construction Site Runoff Control portion of the Permit:

1. Education

The SWM Program mass mails TDEC EPSC changes in the form of a Fundamentals of Erosion Prevention - Sediment Control Measures guidance to all design engineers, developers, and contractors. The TDEC EPSC Handbook is also found as a link on the SWM Program website

2. Plan Reviews

TDEC Level I EPSC-approved staff reviews all plans twice before being sent to the planning commission for approval. The SWM Program Coordinator and Engineer of Record review the plans again prior to the pre-construction meeting. One of the four sets is given to the developer upon issuance of the grading permit, and must be kept on-site at all times.

3. EPSC inspections/ pre-construction meetings

All EPSC measures are inspected in accordance with the plans approved by the SWM Program Coordinator and Engineer of Record prior to the pre-construction meeting. These procedures must all be met before the grading permit can be issued by the Codes Department.

4. EPSC construction inspections — Notice of Violations

All construction sites are inspected monthly by the SWM Program staff once the grading permit is issued.

## **VII. POST CONSTRUCTION STORMWATER MANAGEMENT**

### PERMIT REQUIREMENTS

Section 4.2.5 of the Permit requires the Town to develop, implement, and enforce a program to address permanent (post-construction) stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the MS4. The program must ensure that controls are in place that would prevent or minimize water quality impacts.

Section 4.2.5 of the Permit requires that the Town develop and implement strategies which include a combination of structural and/or nonstructural BMPs appropriate for the community.

Section 4.2.5 of the Permit requires that the Town must develop and implement a set of requirements to establish, protect and maintain water quality buffer along all waters of the state in areas of new development and redevelopment.

Section 4.2.5 of the Permit requires the Town to develop and ordinance or other regulatory mechanism to address permanent runoff from new development and redevelopment projects to the extent allowable under State or local law.

## COMPLIANCE MECHANISMS

The Town will utilize the following BMPs to comply with the Permit requirements for Post Construction Runoff Controls:

### 1. Water Quality Buffer Zone - Enforcement

Continue to enforce the Water Quality Buffer Zone policy, adopted by the Smyrna Town Council in 2005, by posting it on the SWM Program website, informing prospective developers, and assessing all construction plans accordingly

### 2. Dry Detention Basin policy — Enforcement

Continue to enforce the Dry Detention Basin policy by contracting a professional engineer, an engineer of record, to ensure that all planned detention basins and devices adequately treat the first flush and detains runoff according to S. 4.2.5.2.1 of the newly issued MS4 permit through review and approval of storm water calculations prior to the construction project's pre-construction meeting as well as close inspection during its construction

### 3. Update Inventory/Inspections of Permanent Controls

Continue to enforce the Dry Detention Basin policy, adopted by the Smyrna Town Council in 2005, by keeping it posted on the SWM Program website, updating the existing detention basin and device inventory list, and annually inspecting -168 basins and devices. A Letter of Advisement is issued for non-compliant basins and devices causing a second inspection. If the site is still non-compliant even after the second issued Letter of Advisement and inspection the documented violations are given to the public works director for further enforcement actions. Once remediated, basins or devices issued a Letter of Advisement are also re-inspected six months later to ensure compliance before returning to the annual inspection schedule.

### 4. Revise Ordinance and Codes to reflect changes in MS4 and the General NPDES Construction Permit.

Revise all appropriate codes and policies to allow for the development of green infrastructure technologies as applied towards runoff reduction. Research and become knowledgeable of suitable green infrastructure technologies; modify existing codes and policies to allow for the use of these technologies then discuss these technologies with potential developers and design engineers in an effort to promote their use in as many future construction projects as possible.

## **VIII. POLLUTION PREVENTION / GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS**

### **PERMIT REQUIREMENTS**

Section 4.2.6 of the Permit requires that the Town develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing runoff from municipal operations.

Section 4.2.6 of the Permit requires that the Town use training materials that are available from EPA, the State, or other organizations to provide employee training to prevent and reduce stormwater pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance.

### **COMPLIANCE MECHANISMS**

The Town has completed SWPPP for the all Town operated facilities. The Town will utilize the following BMPs to comply with the Permit requirements for Pollution Prevention / Good Housekeeping for Municipal Operations:

#### **1. Parks Department/Golf Course**

Strict adherence to environmentally safe pesticide/fertilizer application rates, frequency, and distance from stream is required, leaving waterbodies are unharmed. EPSC is always used when building

#### **2. Street Department**

Ensure Fabric is used beneath rock in repairs. EPSC is always used during land disturbance

#### **3. Wastewater Treatment Plant**

Semi-annual storm water inspections of six storm drain outlets, 34 curb storm drains, field gates, and tiles beneath roadways located throughout the facility. Cleanups are performed immediately when deemed necessary, after semi-annual inspections and when observed by staff.

Preventative measures, via standard operating procedures, are also used. These include immediately notify supervisors of any spills then run lab tests on collected samples if deemed necessary. Do not store barrels or containers close to storm drains. Don't park trucks near storm drains. Continual litter cleanup. Slow vac-truck dumping rate at headworks to avoid overflows. Annual EPSC classes held.

#### **4. Water Treatment Plant**

Ensure All chemicals are stored inside buildings with containment. Bulk chemicals at the raw water intake are stored inside a concrete and steel reinforced building, because it is remote and surrounded by Corps property used for moderate hunting activity. Training is required through certification programs

**TOWN OF SMYRNA (TNS075779):****IMPLEMENTATION PLAN: NPDES PERMIT #4 (2022 - 2027)****(Created 8-23-22)**

	Minimum Control Measures	Measurable Goals	Permit Required Measurable Goals	Permittee's Efforts to Comply with permit requirements
1	4.2	4.2.1 Public Education & Outreach	4.2.1.1 General Public  4.2.1.2. Engineer, Contractor, Developer  4.2.1.3 Staff at facilities	-Initiated (2007) / continues to support the Project WET contract with the County in their efforts to train teachers and teach students about water quality; provides exhibits at events. - Created audit-approved PIE ; follow its guidance while adding new efforts when possible. - At all Public Participation events, Env. Ed. packets (24 flyers), plus brief, concise water quality statements will be presented to all participants before the event begins. - Continue to fund TNSA's TBA, now soc. media efforts in addressing water quality issues. - Use EPA-approved displays in two double-sided kiosks at a busy trailhead, soon at another. - Maintain 50 stream name signs installed (2009) at all 25 stream crossings (and add more). - All TDEC protocol changes will be passed along to engineers, contractors, et al ASAP. - During both pre- and post-Planning Commission-approval plan reviews, all EPSCs will be assessed/added, if not present, plus a chemical storage, cleanup, and litter abatement statement is placed on all EPSC sheets prior to precon meeting then discussed in meeting. -Facility supervisors will be trained biennially before instructing new/seasoned staff.
2	4.2	4.2.2 Public Involvement & Participation	4.2.2.1 General Public  4.2.2.2 Engin., Contractor, Developer	-Continue hosting annual Boat Days (14) - WaterFests (16) where citizens (350-500) paddle then learn about water quality. More exhibits need to be added. - Continue to host five fall Adopt-A-Stream events, where students and teachers are provided the standard Env. Ed. packet, plus are introduced to water quality before cleaning their stream site. More schools need to be added. -Continue hosting the advertised quarterly StormWater Advisory Committee meetings, where, since 2004, seven citizens review MS4 progress, approve quarterly and annual reports (before Council sees them), and learn about the importance of water quality. -Before each fall/spring stream cleanup, participants will be given the standard Env. Ed. packet, plus told a water quality introduction. More volunteer groups need to participate in this very worthy endeavor. -Before Smyrna Outdoor Adventure Center, SOAC, paddling treks begin, staff will continue to distribute an Env. Ed. packet (4 flyers) to all participants. Several of these events occur each summer. -Continue to reach out to all school principals and civic and religious groups to begin participating in these very worthy events. -No official event for engineers, contractors, and developers exists.



	Minimum Control Measures	Measurable Goals	Permit Required Measurable Goals	Permittee's Efforts to Comply with permit requirements
3	4.2	4.2.3 Illicit Discharge Detection & Elimination	4.2.3.1 Storm Sewer Maps Incident Tracking Report/Forms Corrective Action Plans Outfall Surveys Receiving Stream Maps	<p>-Storm Sewer maps were provided by the county and will be updated ASAP.</p> <p>-Continue investigating and reporting all IDDEs (2005) using the EPA-approved <u>Incident Tracking Report/Forms</u>, via Center for Watershed Protection, 2004 (130 to date). Plus, continue overseeing the receipt, review, and approval of submitted <u>Corrective Action Plans</u> as warranted.</p> <p>-Continue to rely on Town's Hotline phone number, listed on the website as a source for citations.</p> <p>- Continue to maintain/replace bilingual No Dumping: Drains to Lake, plus legal notice signs at all 27 streamside sites (2007) then add more as needed.</p> <p>- As often as biennially, hold 2 - 3 hour long workshops where Town Safety Manager, Utilities Safety Manager, and StormWater Coordinator instruct the protocol for chemical storage and application, spill cleanup, and EPSC measures to all department supervisors for dissemination to their pertinent staff members.</p> <p>- Continue free standing grease receptacle surveys (2004), when all existing sites are quarterly inspected for the presence of grease outside the receptacle, now susceptible to transport. Owners of failing receptacles are notified ASAP of their violation with a NOV.</p> <p>- Continue to perform Outfall Surveys as a part of the final review of a construction project to complement the eventual engineer certified As Built reports. Contractor is alerted ASAP.</p> <p>- Dry Weather Outfall surveys will continue to be done every five years according to permit requirements where the following are assessed: material type and condition, diameter, any discoloration of water or unnatural odors, structure apron staining, and the conditions of the receiving ground immediately beyond the apron, i.e. erosion, if so is there a fabric beneath rock apron? If not, notify the owner ASAP. This information is stored electronically for future use.</p> <p>- Receiving Stream Maps exist as a separate GIS layer and will continue to be used in conjunction with physical observations of the streams when determining homogeneous stream segments as part of the Visual Stream Assessment (VSA) program initiated in 2014/15 then repeated in 2020/2021.</p>

	Minimum Control Measures	Measurable Goals	Permit Required Measurable Goals	Permittee's Efforts to Comply with permit requirements
4	4.2	4.2.4 Construction Site Runoff Control	4.2.4.a Planning Commission approval MS4 & Public Works approval EPSC inspection/approval Pre-construct. meeting/briefing Grading permit issuance Random EPSC inspections As-built inspection / approval	<ul style="list-style-type: none"> <li>- Plans will continue to be cursory reviewed prior to Planning Commission approval.</li> <li>- Stormwater Coordinator and Public Works director will continue to review plans more thoroughly post- Planning Commission approval then sign and date three sets of plans.</li> <li>- Pre-grading permit issuance EPSC inspections will continue, following <u>TDEC Handbook</u>.</li> <li>- All Smyrna sites are considered 'Priority Construction Activity' sites. Thus, every pre-construction meeting will begin with the standard EPSC review briefing.</li> <li>- Grading permit issuance will only occur when water calculations / EPSC permit requirements are fully met.</li> <li>- Random EPSC inspections will continue to be held on a monthly basis where contractors are alerted of all deficiencies, thus abiding by the program audit-approved Enforcement Response Plan (ERP).</li> <li>- As-built inspections / approval will occur before certificates of occupancy are issued..</li> </ul>
5	4.2	4.2.4 Construction Site Runoff Control	4.2.4.b Follow <u>TDEC EPSC Handbook</u> & <u>Metro Nashville Manual</u>	All sediment control measures ever inspected on submitted plans; during pre-permit issuance SCM inspections and all subsequent post-permit issuance SCM inspections will always follow the <u>TDEC EPSC Handbook</u> for projects one acre in size and larger. Smaller projects still must follow the Smyrna guidance, which mirrors TDEC, but is more brief.
6	4.2	4.2.4 Construction Site Runoff Control	4.2.4.c Plans are designed & approved using the TN Constr. Gen. Permit	Plans will initially be reviewed during the Staff Plan Review meetings prior to the Planning Commission approval. A second, more intense wave of plan inspections will then occur prior to permit issuance by the Public Works director and the MS4 Coordinator, while no plans are signed/dated until all requirements are met. Only then can a permit be issued.
7	4.2	4.2.4 Construction Site Runoff Control	4.2.4.d Inventory is kept of all active & completed construction sites.	The MS4 Coordinator will track the pre-permit issuance grading permit progress in a format that is accessible by the Public Works director. After permit issuance, the Town's EPSC inspector will electronically update the status of all active construction sites through the approval of the As Built inspections. Only then will a certificate of occupancy be issued.
8	4.2	4.2.4 Construction Site Runoff Control	4.2.4.e Control of waste, spills, litter, chemicals, and cement mixer washouts.	All EPSC plan sheets must have "All Chemicals Must Be Stored Properly, All Spills Must Be Cleaned ASAP, All Littering Must Be Kept to a Minimum" as well as cement washout sites. All post-permit issuance EPSC inspections must include inspecting the site for sediment loss, spills, debris, litter, entrance rock size and thickness, washout, and any other poor SCMs. Enforcement of violations will begin with the first citing according to the Town's ERP.
9	4.2	4.2.4 Construction Site Runoff Control	4.2.4.f Pre-permit issuance & during construction EPSC field insp. forms	A standard Field Inspection form, including all TDEC required controls will be completed on sites prior to the issuance of any and all grading permits then monthly EPSC inspections will use the same form. All post-permit issuance EPSC inspections must include inspecting all <u>TDEC EPSC Handbook</u> requirements. Enforcement of violations will begin with the first citing according to the Town's ERP.

	Minimum Control Measures	Measurable Goals	Permit Required Measurable Goals	Permittee's Efforts to Comply with permit requirements
10	4.2	4.2.4 Construction Site Runoff Control	4.2.4.g Mechanism that enables citizens to view plans during the review process.	Smyrna will continue to follow its Open Records policy in responding to any citizen inquiries.
11	4.2	4.2.4 Construction Site Runoff Control	4.2.4.h Procedures for permittee inspector to evaluate / document site compliance.	All construction sites are considered as Priority Construction Activity sites, thus will be inspected monthly.
12	4.2	4.2.4 Construction Site Runoff Control	4.2.4.i TDEC EPSC Level I certificate of contracted inspector must be possessed by Town prior to grading permit issuance.	As has been practiced for many years the contracted EPSC inspector responsible for the site will continue to submit their up-to-date TDEC Level I Certificate to the Town prior to grading permit issuance.
13	4.2	4.2.4 Construction Site Runoff Control	4.2.4 j Inspect 100% of all Priority Construction Activity projects.	All Smyrna construction sites, regardless of size, one acre and larger or smaller than one acre and regardless of proximity to the nearest stream are considered as Priority Construction Activity sites. Thus, Smyrna will continue to enforce the <u>TDEC EPSC Handbook</u> standard at all times.
14	4.2	4.2.5 Post Construction	4.2.5.1 Post-Construction/Permanent a.1. Incoming flow	Existing Permanent Storm Water Management Program will continue to be used. All required <u>TDEC EPSC Handbook</u> required SCMs will be required on each site to prevent illegal amounts of sediment and suspended solids from leaving the forebay of the detention pond.
15	4.2	4.2.5 Post Construction	a.2. Slope and floor stability and outlet integrity	Existing Permanent Storm Water Management Program will continue to be used. All <u>TDEC EPSC Handbook</u> SCMs will be required in each pond to prevent any sediment or suspended solids from being moved from the slopes and/or floor of the pond then being discharged from the pond.
16	4.2	4.2.5 Post Construction	a.3. Discharge stability	Existing Permanent Storm Water Management Program will continue to be used.

	Minimum Control Measures	Measurable Goals	Permit Required Measurable Goals	Permittee's Efforts to Comply with permit requirements
17	4.2	4.2.5 Post Construction	b. Permanent SWM Program	A Permanent StormWater Management program for ponds has been in existence since 2005. All <u>TDEC EPSC Handbook</u> SCMs will be required at each outlet structure to prevent any erosion to the area immediately beyond that structure. This will continue to occur through annual inspections, which may require immediate repairs to rocked aprons, et al.
18	4.2	4.2.5 Post Construction	c . Post-Construction Ordinance	Smyrna has successfully enforced its Post-Construction/Detention Pond Ordinance since its inception in 2005 and will continue to do so. All ponds are assessed by an engineer prior to the issuance of a grading permit then GIS'd to ensure all corners and outlet structure are electronically saved. As-Built's are always required to ensure the proper detention and flow.
19	4.2	4.2.5 Post Construction		<u>Smyrna Detention Ponds and You</u> brochure was created by the SW Coordinator then mailed to ~120 pond owners, five active property management firms, and seven SWAC members, as gratitude and a reminder of what is necessary to ensure healthy streams and banks.
20	4.2	4.2.5 Post Construction	4.2.5.2 Treatment Train Calculations	Smyrna's Public Works director/certified civil engineer will continue to make certain all plans are drawn to ensure the proper construction of every permanent pond, so that all forebay settling rates and pond discharge rates are all in compliance with this permit.
21	4.2	4.2.5 Post Construction	4.2.5.3. Stormwater Mitigation	Smyrna elected several years ago not to become involved in this type of program.
22	4.2	4.2.5 Post Construction	4.2.5.4. Water Quality Buffer	Every set of plans will continue to be inspected for water quality buffer zones when encompassing a stream or significant sinkhole. Smyrna's Public Works director/civil engineer will continue to require this. Likewise, the EPSC inspector will continue to ensure no construction encroachment ever occurs in the Water Quality Buffer Zone.
23	4.2	4.2.5 Post Construction	4.2.5.5. Codes/Ordinance Review and Update	Smyrna will continue to update its StormWater Ordinance to comply with this permit.
24	4.2	4.2.5 Post Construction	4.2.5.6. Development Project Plan Review, Approval, and Enforcement	Smyrna will continue to follow its grading permit and oversight procedures from the point when the plans are first reviewed in the Staff Plan Review meetings until the Certificate of Occupation is issued.
25	4.2	4.2.5 Post Construction	4.2.5.7. Maintenance of Permanent Stormwater Control Measure Assets	Smyrna will continue to follow its grading permit during the construction of all ponds from the point when the plans are first reviewed in the Staff Plan Review meetings until the Certificate of Occupation is issued. Then, Smyrna will inspect every pond for slope stability, outlet structure integrity, and lack of erosion at the discharge point once per year.

	Minimum Control Measures	Measurable Goals	Permit Required Measurable Goals	Permittee's Efforts to Comply with permit requirements
26	4.2	4.2.5 Post Construction	4.2.5.8. Inventory and Tracking of Permanent SW Control Measure Assets	Smyrna will continue to electronically record all inspection findings as well as to notify the pond landowner of any required remediation. The EPSC inspector will also continue to determine if any WQBZ violations were violated, and take action to rectify the violation.
27	4.2	4.2.5 Post Construction	4.2.5.9. Management Measures, Goals, and Annual Reports	Smyrna will complete the EPA Water Quality Scorecard within one year of the effective date found on the TDEC Notice of Coverage. All annual reports will convey the completion of this permit requirement and any other significant management measure revisions.
28	4.2	4.2.6 Pollution Prevention and Good Housekeeping	4.2.6.1. Employee Training	Smyrna will continue its Employee Training effort by holding biennial workshops for all employees, new or seasoned as well as holding biennial meetings with facility supervisors to learn how they are guaranteeing their employees are following what was learned at these workshops.
29	4.2	4.2.6 Pollution Prevention and Good Housekeeping	4.2.6.2. Operation and Maintenance Program	Smyrna will continue its interactive program with all pertinent facility managers to ensure all activities and procedures are restricting the discharge of pollutants off-site to their maximum level practicable.
30	4.3	4.3 Qualifying Local Program	4.3. Qualifying Local Program - N/A	Smyrna elected not to become a Qualifying Local Program
	4.4	4.4 Stormwater Management Modifications	4.4. Stormwater Management Modifications	Smyrna will abide by the permit if circumstances for modification should ever arise.
31	4.5	4.5 Enforcement	4.5.1. Enforcement Response Plan 4.5.2. NPDES Permit Referrals 4.5.3. Enforcement Tracking 4.5.4. Requirements for Chronic Violators 4.5.5. Annual Report Requirements	Smyrna will continue to follow its program audit-approved ERP (2020).  Smyrna will abide by the permit if circumstances for referrals should ever arise.  Smyrna will continue to electronically track violations of Stop Work Orders and greater. Otherwise, copies of actual written/issued NOVs will be kept in the project file.  Smyrna will abide by the permit if circumstances of Chronic Violators should ever arise.  Smyrna will continue to follow the permit requirements.

	Minimum Control Measures	Measurable Goals	Permit Required Measurable Goals	Permittee's Efforts to Comply with permit requirements
32	4.6	4.6.1 Monitoring Program and Program Evaluation	<p>4.6.1.1. Monitoring</p> <p>4.6.1.2. Sampling methods and procedures</p>	<p>-Smyrna will continue to assess its permit compliance by measuring the effectiveness of its efforts; evaluate impacts to the receiving streams; identify sources of specific pollutants; and gather data to inform program decisions and prioritize future efforts.</p> <p>-Smyrna is not held to any Total Maximum Daily Load requirements on any stream.</p> <p>- Smyrna will continue to use the U.S. Geological Survey protocol when completing its Visual Stream Assessment survey.</p> <p>- Smyrna will continue to contract with MTSU-Biology, who will continue to use the state required methodology when performing the permit required five-year monitoring.</p>
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# NPDES Small MS4 NOI

version 1.4

(Submission #: HPM-W3V6-N1MNF, version 1)

## Details

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**Originally Started By** Gregory Andrew Upham

**Submission ID** HPM-W3V6-N1MNF

**MS4 Owner Name** Town of Smyrna

**Status** Draft

## Form Input

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### General Information

**Are any other operators of MS4s seeking coverage under this Notice of Intent**  
No

**MS4 Ownership Type**  
City or Town

**What is the estimated population of the MS4**  
53070

**Name of Municipality or Organization**  
Town of Smyrna

### **MS4 Responsible Official**

**Prefix**

*Ms.*

**First Name      Last Name**

Mary Esther      Reed

**Title**

*Mayor*

**Name of MS4**

*Town of Smyrna*

**Phone Type      Number      Extension**

Business      6154592553

**Email**

mary.reed@townofsmyma.org

**Address**

315 S. Lowry

Smyrna, TN 37167

**County**  
Rutherford

## MS4 Program Manager

**Prefix**

Mr.

**First Name**

Gregory

**Last Name**

Upham

**Title**

MS4 Program Coordinator

**Company/Organization Name**

Town of Smyrna

**Phone Type****Number****Extension**

Business

6153555701

**Email**

greg.upham@townofsmymrna.org

**Address**

315 S. Lowry Street

Smyrna, TN 37167

## Description Of Storm Sewer System

Is an electronic geospatial map of your system available?

Yes

If YES, provide a link to the REST Services:

[https://maps.townofsmymrna.org/server/rest/services/Smyrna\\_Stormwater\\_for\\_TDEC\\_MIL1/MapServer](https://maps.townofsmymrna.org/server/rest/services/Smyrna_Stormwater_for_TDEC_MIL1/MapServer)

## Summary Of Receiving Streams

### Please Lookup Waterbody Using Mapping Tool

Using the GIS mapping tool linked below to list the receiving waterbodies to which your MS4 discharges, the 12 Digit Hydrologic Unit Code and the number of MS4 outfalls discharging into it.

[DWR Waterbodies Spatial Tool](#)

### Streams with Unavailable Parameters

Use the most current EPA Approved List of Impaired and Threatened Waters linked below, along with the GIS mapping tool published on the division's web site, to determine whether stormwater from any part of the MS4 discharges into streams with unavailable parameters for nutrients, pathogens, siltation, or other.

[Water Quality Rules, Reports and Publications](#)

### Exceptional Tennessee Waters (ETW)

Use the division's data viewer linked below to determine whether stormwater from any part of the MS4 discharges into Exceptional Tennessee Waters.

[TDEC Data viewer](#)

### State or EPA Issued TMDL's

EPA-Approved TMDLs as well as EPA-Established TMDLs for Tennessee waters can be found on the division's web site at Tennessee's Total Maximum Daily Load (TMDL) Program (tn.gov). to determine whether stormwater from any part of the MS4 discharges into it.

[Tennessee's Total Maximum Daily Load \(TMDL\) Program \(tn.gov\)](#)

### List waters and parameters



Receiving Water (Enter Source_FeatureID Value)	Number of Outfalls	Nutrients	Pathogens	Siltation	Other	ETW	TMDL	MS4 Jurisdiction
Stewarts Creek from Old Nashville Highway to confluence with Rocky Fork Creek (TN05130203010_2000)	24	No	Yes	Yes	Yes	No	Yes	
Olive Branch Creek from Stewarts Creek to headwaters (TN05130203010_0200)	16	No	No	Yes	Yes	No	Yes	
Rock Spring Branch from mouth on Harts Branch to Waldron Road (TN05130203010_0310)	138	No	No	Yes	Yes	No	Yes	
Rock Spring Branch from Waldron Road to headwaters (TN05130203010_0315)	14	No	No	No	No	No	Yes	
Harts Branch from mouth on Percy Priest Reservoir to headwaters (TN05130203010_0300)	48	Yes	Yes	Yes	No	No	Yes	
Misc (TN05130203010_0999)	0	No	No	No	No	No	No	
Rocky Fork Creek from Stewarts Creek to headwaters (TN05130203010_0100)	12	No	No	No	No	No	Yes	
Misc (TN05130203010_0999)	0	No	No	No	No	No	No	
Stewart Creek from Percy Priest Embayment to Old Nashville Highway (TN05130203010_1000)	113	Yes	Yes	Yes	Yes	No	Yes	

## **MCM 1: Public Education and Outreach**

### **Public Education**

Target Audience	Management Measure	Delivery Method/Materials	MS4(s) Responsible for Implementation
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Target Audience	Management Measure	Delivery Method/Materials	MS4(s) Responsible for Implementation
General Public	Awareness of the impacts on water quality	<ol style="list-style-type: none"> <li>1. Continue funding the Rutherford County Project WET program.</li> <li>2. Continue utilizing Project WET presentations at all educ./outreach events.</li> <li>3. Continue distributing Env. Educ. packets (~25 brochures in each) at all events, plus the county's WaterFest.</li> <li>4. Continue updating/adding Env. Educ. materials to packets.</li> <li>5. Continue providing Env. Educ. packets to Smyrna Outdoor Activity Center for distribution at its paddling, et al events.</li> <li>6. Continue funding TNSA's social media program.</li> <li>7. Continue maintaining existing pair of double-sided educ. kiosks at Fitzhugh Trailhead.</li> <li>8. Create, with Parks, at least one more pair of double-sided educ. kiosks at its park, near the outdoor amphitheater.</li> <li>9. Continue maintaining paired stream-crossing signage on main thoroughfares.</li> <li>10. Begin installing paired watershed divide signage on main thoroughfares.</li> <li>11. Continue inviting informative exhibitors to our annual Boat Day - WaterFest in an effort to demonstrate how clean water depends on everyone.</li> </ol>	
General Public	Awareness of the importance of maintenance activities for operators of permanent BMPs/SCMs	<ol style="list-style-type: none"> <li>1. Continue inspecting all detention ponds on an annual basis, while reminding owners of proper maintenance through continuing to distribute the brochure Smyrna Detention Ponds and You.</li> <li>2. Insert the Smyrna Detention Ponds and You brochure on the MS4 Program's webpage/social media.</li> <li>3. Continue stressing the importance of BMP maintenance to contractors during pre-construction meetings and during monthly EPSC inspections.</li> <li>4. Continue stressing the importance of BMP maintenance during Town of Smyrna staff training workshops.</li> </ol>	
General Public	Awareness on the proper storage, use, and disposal of pesticides, herbicides, fertilizers, oil and other automotive-related fluids	<ol style="list-style-type: none"> <li>1. Continue including statements addressing proper storage of chemicals, immediate cleanup of spilled fluids, and restriction of litter on the MS4 Program website.</li> <li>2. Continue including proper pesticide usage and storage in the Env. Educ. packets distributed at all events.</li> <li>3. Rewrite portions of the MS4 Program's website, as well as adding statements to the Town's multi-media components, addressing proper chemical storage and usage.</li> <li>4. Continue teaming up with Utilities safety officer to address proper chemical storage and usage at all Town of Smyrna staff training workshops.</li> </ol>	

<b>Target Audience</b>	<b>Management Measure</b>	<b>Delivery Method/Materials</b>	<b>MS4(s) Responsible for Implementation</b>
General Public	Awareness of identifying and reporting procedures for illicit connections/discharges, sanitary sewer seepage, spills, etc.	1. Continue publicizing the importance of citizens to call in all significant spills, and discharges, as well as areas of littering through the Town's Hotline number listed on its webpage and multi-media components or by calling the MS4 Program Coordinator. 2. Continue to maintain all 27 'No Dumping' signs, paired with smaller 'TN legal penalty' signs, posted in 2007.	
Engineering & Development Community	Awareness of the stormwater ordinances, regulations, and guidance materials related to long-term water quality impacts	1. Continue reasserting during plan review that the design engineer includes all pertinent BMPs needed to keep each construction project in compliance with the Town's SW Ordinance. 2. Continue to inform all design engineers of any TDEC changes in BMP protocol. 3. Continue including statements addressing proper storage of chemicals, immediate cleanup of spilled fluids, and restriction of litter on all EPSC sheets of approved plans. 4. Continue stressing the need for the aforementioned plans statements to be adhered to during all pre-construction meetings.	
Engineering & Development Community	Awareness of the stormwater ordinances, regulations, and guidance materials related to long-term water quality impacts	Same as the previous submittal.	
Public Employees	Awareness of water quality impacts from daily operations	1. Continue working with the Town staff, stressing the importance to remember maintaining water quality impacts whenever they start to operate, regardless of Parks, Utilities, Building and Grounds, Streets affiliation.	
Public Employees	Pollution Prevention and Good Housekeeping (see Permit sub-part 4.2.6.)	1. Continue working with the managers of all Town facilities, stressing the importance of following those BMPs found in their Municipal Pollution Prevention Plans that they signed in 2006. 2. Continue to hold biennial training workshops for new staff and refresher efforts for seasoned staff addressing the BMPs listed in the MPPPs. 3. Continue to meet with the facility manager and operations staff member to review their MPPP - listed BMPs.	
Public Employees	The awareness of identifying and reporting procedures for illicit connections/discharges, sanitary sewer diversions or seepages, spills, etc.	1. Continue teaming up with the Utilities' safety officer and Town's Safety Manager to remind workers, during annual training workshops, of the requirement of properly reporting all illicit discharges to the MS4 Program, Utilities Department, and Smyrna Fire Department.	

**Are there additional education campaigns and audiences?**

No

## **MCM 2: Public Involvement/Participation**

**Public Involvement**

<b>Participants</b>	<b>Management Measure</b>	<b>Delivery Method/Materials</b>	<b>MS4(s) Responsible for Implementation</b>
General Public	Pollution Prevention	Boat Days - WaterFest successes depend on many citizens to contribute boats and/or come help in loading & unloading guests, serving as on the water (in kayaks) spotters as well as explaining the display they brought. Improve Town's display. Bring in more exhibitors, i.e. TWRA.	
General Public	Impacts on water quality or local storm water management issues	In addition to learning about the importance of water quality, Storm Water Advisory Committee (SWAC) members serve as conveyors of water quality information to others. The Town needs to return to broadcasting SWAC meetings.	
General Public	Storage, use, and disposal of household hazardous waste, automotive-related fluids, pesticides, herbicides, and fertilizers use	Return to advertising the upcoming TDEC/county sponsored Hazardous Waste Collection days on the website and/or social media.	
General Public	Identifying and reporting procedures for illicit connections/discharges, sanitary sewer seepage, spills, etc.	Continue to sponsor fall Adopt- A-Stream cleanup days at schools or specific sites where litter is removed. Here they can also learn about the importance of the cleanup from the Project WET coordinator. Continue promoting / supporting local businesses, churches, Scouts, schools in performing Adopt-A-Roadway and/or Adopt-A-Highway events where litter along thoroughfares is prevented from entering the Town's storm sewer system or worse yet, streams.	
Commercial & Development Community	Pollution Prevention	The MS4 Program must continue presenting to the Rotary Club, so members will participate in stream cleanups, where they set an example for others, while removing harmful litter from the stream buffer zone. Club members should continue to participate in Boat Days, while sponsoring the Stewarts Creek High School Adopt-A-Stream program.	
Commercial & Development Community	Impacts on water quality or local storm water management issues	Continue to find businesses, churches, civic groups, et al to participate in stream cleanups and other beneficial efforts, such as stewarding schools, Scouts, et al.	

**Have you implemented additional public involvement/participation activities?**  
No

**MCM 3: Illicit Discharge Detection & Elimination (IDDE)**

**1. Has an ordinance or other regulatory mechanism been established prohibiting non-stormwater discharges?**  
Yes

**1a. Name of ordinance or other regulatory mechanism**  
Storm Water Management Ordinance

**1b. Effective date of adoption**

01/11/2005

**2. Has a written plan to detect, identify, and eliminate non-stormwater discharges been established and implemented to include all components of the permit?**

Yes

**2b. Effective date of adoption**

01/11/2005

**3. Has a storm sewer system map been developed to include the minimum mapping requirements?**

Yes

**3a. If Yes, provide most recent date of mapping of MS4 outfalls & receiving streams**

08/31/2019

**4. Does the MS4's PIE plan include procedures to inform public employees, businesses, and the general public of the hazards and damage to water quality associated with illegal dumping and connections to the storm sewer, and the improper disposal of waste?**

Yes

**5. Has a mechanism been developed for the public to report suspected illicit discharges?**

Yes

**If yes, list the mechanism (e.g., hotline number, website URL or other)**

Hotline was dedicated in 2005 and has appeared on the MS4 Program website ever since. Generally though, citizens call the Storm Water Program coordinator directly or via front desk. More recently, Facebook, Instagram, and to a lesser degree Twitter have been avenues where citizens can alert the Town of illicit discharges.

## **MCM 4: Construction Site Stormwater Runoff Control**

**1. Has an ordinance or other regulatory mechanism been established to require erosion prevention and sediment controls (EPSCs) from construction activities that result in land disturbance of equal or greater than one acre or less than one acre if part of a larger common plan of development or sale, including sanctions to ensure compliance?**

Yes

**1a. Name of enforcement authority or other mechanism**

Stormwater (MS4) Program, Public Works Department, Town of Smyrna

**1b. Title/Code/Citation**

TCA 68-221-1105 enables Town of Smyrna Storm Water Ordinance 14-607

**1c. Effective date of adoption**

01/11/2005

**2. Have requirements for construction site operators to implement appropriate erosion and sediment control best management practices and control of waste at the construction site been established?**

Yes

**3. Have procedures for construction site plan (including erosion prevention and sediment controls) review and approval which incorporate consideration of potential water quality impacts been established?**

Yes

**4. Have mechanisms or plans for public access to information on projects and receiving and considering comments from the public on those projects been established?**

Yes

**4a. If Yes, describe**

The State of Tennessee Open Records Law requires all municipalities within the state of Tennessee to provide all requested documents to any inquirer if those documents still exist. A Hotline was established soon after 1/11/2005 and has been posted on the MS4 Program's website ever since. More recently Facebook, Instagram, and to a lesser degree Twitter have also provided this opportunity for citizens to alert the Town of illicit discharges.

**5. Have procedures to inspect construction sites and take enforcement actions to correct noncompliance been established?**

Yes

**MCM 5: Post Construction/Permanent Stormwater Management in New Development and Redevelopment**

---

**1. Has an ordinance or other regulatory mechanism been established to address post construction runoff from new development and redevelopment projects that disturb one or more acres of land, or less than one acre if part of a larger common plan of development**

Yes

**1b. Effective date of adoption**

01/11/2005

**2. Does the SWMP include requirements to ensure long-term operation and maintenance of SCMs for controlling runoff from new development and redevelopment projects?**

Yes

**2b. If yes, provide effective date of adoption**

11/08/2022

**3. Does your program meet all the requirements of State Rule Chapter 0400-40-10?**

Yes

**3a. If Yes, attach your implementation plan if available.**

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Comment

NONE PROVIDED

**MCM 6: Pollution Prevention/Good Housekeeping For Municipal Operations**

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**1. Indicate if the MS4 has the municipal operations listed below**

Municipal Operation	Included?	Responsible Department/Parties
Streets, roads, highways	Yes	Town of Smyrna Street Department
Parking lots	No	
Maintenance and storage yards	No	
Fleet or maintenance shops with outdoor storage areas	Yes	Vehicle Maintenance shop, combined with Street Department's relatively small area around shop where vehicles, equipment, and salt storage are all covered. Storage areas at Parks, Water & Sewer, and Gas are the same size, if not a bit smaller in area with lesser amount of vehicles, most which are covered.
Salt/sand storage locations	Yes	Street Department, fully covered beneath a corrugated sheet metal shelter, close to equipment and shop.

<b>Municipal Operation</b>	<b>Included?</b>	<b>Responsible Department/Parties</b>
Snow disposal areas operated by the permittee	No	
Waste disposal, storage, and transfer stations	No	

**2. Has an employee training program for employees responsible for municipal operations at these facilities been developed?**

Yes

**3. Has an O&M Facility Plan developed and implemented for these facilities?**

Yes

### **Enforcement Response Plan (ERP)**

**Has an Enforcement Response Plan for all required program elements been established?**

Yes

**Effective date of adoption**

05/11/2021

**ERP Attachment**

ERP2020a.pdf - 10/11/2022 03:19 PM

**Comment**

NONE PROVIDED

### **Stormwater Monitoring and Program Evaluation**

**Monitoring Program Type (see subpart 4.6 of the permit for details)**

Option 1

### **Attachments**

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<b>Date</b>	<b>Attachment Name</b>	<b>Context</b>	<b>User</b>
10/11/2022 3:19 PM	ERP2020a.pdf	Attachment	Gregory Upham
10/11/2022 3:16 PM	CIMPLEMENTATIONPLAN82322 (1).pdf	Attachment	Gregory Upham

**TOWN OF SMYRNA:****PUBLIC INFORMATION AND EDUCATION (P.I.E.) PROGRAM****(Revised on 8-17-22)**

	<b>GOALS [Frequency]</b>	<b>TARGETED AUDIENCE [Age]</b>	<b>METHODS OF ASSISTANCE</b>	<b>EXPECTATIONS</b>
	<b>ON-GOING PROJECTS</b>			
1.	Develop a Public Information and Education (PIE) program that details specific goals and audiences as well as year-round events. This shall also include targeting of specific pollution from known sources such as identified Hot Spots. [Implement year-round, while evaluating annually]	The targeted audience would be all citizens regardless if they own residents, businesses or industries, and are teachers or students. [All ages]	All goals will be listed along with the targeted audience and how the MS4 expects the citizens to respond.	A heightened awareness of the need for cleaner water and the stewardship needed to obtain it.
2.	Track and maintain records of public information/education and outreach efforts then include them in the Annual Report to TDEC. [Year-round]	The targeted audience would be all citizens regardless if they own residents, businesses or industries, and are teachers or students. [All ages]	All events are tracked on a standard table that includes dates, number of participants, and number of standard educational packets distributed.	Records of events are expected to indicate the amount of effort and the number of citizens contacted.
3.	At the time of the year when the Annual Report to TDEC is written, the effectiveness of all on-going public information and education efforts shall be assessed. The SWM Program staff should assess this then present its findings to the director.	The targeted audience would be all citizens regardless if they own residents, businesses or industries, and are teachers or students. [All ages]	If an ongoing public information and education effort is no longer an effective means it should be revised to improve its effectiveness or the effort should be eliminated.	The number of citizens, regardless of age, should continue to remain on status quo or hopefully, increase from one year to the next.
4.	Implement a method of advertising all public involvement and participation efforts via multi-media staff. [Year-round]	The targeted audience would be all citizens. [All ages]	Publicize on Smyrna's website and Channel 3, in local newspapers, on utility bills, and at SWAC meetings.	Citizens will become more involved in Smyrna sponsored public participation events.
5.	Continue to fund, assist, and assess a contractual effort between Rutherford County and the four other MS4 entities to implement the Project WET program within County and City of Murfreesboro schools as well as private schools. [Year-round]	The targeted audience would be students in all grades. [School age]	A Discovery Center educator trains teachers how to teach water quality issues to their students, while providing the needed classroom and stream monitoring supplies. School principals are kept apprised.	Students will understand that everyday activities are dependent upon clean water, thus they will adopt appropriate steps to change their habits in favor of cleaner water.
6.	Through TNSA, fund the social media efforts addressing water quality issues [Year-round]	Targeted audience of all citizens regardless of age or background.	Twitter and Facebook via brief, yet concise statements addressing water quality issues.	Citizens of all backgrounds will understand the importance of keeping our water resources clean and usable.
7.	Periodically, update the SWM Program website. [Year-round]	The targeted audience would be all citizens. [All ages]	Include definitions and official stormwater documents in a readily accessible and understandable format, adding new PSAs and links when found beneficial.	Citizens will understand that everyday activities are dependent upon clean water, thus will adopt appropriate steps to change their habits in favor of cleaner water.



P 2	GOALS [Frequency]	TARGETED AUDIENCE [Age]	METHODS OF ASSISTANCE	EXPECTATIONS
8	<p>Maintain a standard educational packet, comprising ~24 informative brochures. These packets are distributed, plus explained at the start of each Adopt-A-Stream, stream cleanup, and at the SW program exhibit at the annual Boat Day - WaterFest. [Spring, summer, fall]</p> <p>In addition, a smaller packet of four brochures is given away by SOAC (Smyrna Outdoor Activity Center) before each of their summer paddle trips on the Stones River. [Spring, summer]</p>	<p>The targeted audience would be all citizens. [All ages]</p>	<p>Distribute to citizens during events, i.e. stream and shoreline cleanups, storm drain decal, and tree planting events, Boat Days-WaterFests, GSA Twilight Camps and Public Land Days</p>	<p>Citizens will understand that everyday activities are dependent upon clean water, thus will adopt appropriate steps to change their habits in favor of cleaner water.</p>
9.	<p>Continue to provide the <u>Smyrna's Detention Ponds and You</u> brochure to all pond owners, HOAs, and all active property management firms. [Year-round]</p>	<p>The targeted audience could be any pond owner, property manager, or concerned citizen regardless of age.</p>	<p>This eight-fold color brochure addresses why ponds must be used and maintained according to ordinance</p>	<p>New owners will now know, plus management firms will know as well to maintain ponds, despite most of our ponds being well-maintained.</p>
10.	<p>Past/future training workshops of Town facility supervisors reiterate the need of water quality minimum measures during their daily operations as well as how to identify and report all IDDEs. They train their staff, new and seasoned then are biennially evaluated for their success. [Biennially, every two years]</p>	<p>All Smyrna staff handling chemicals or disturbing earth; Codes, Street, Parks, Utilities, Golf Course, and Building and Grounds departments. [All supervisors and related staff]</p>	<p>Facilitate local workshops/luncheons where guest speakers present very informative and applicable information. Provide staff with IDDE investigation procedures as derived from an EPA cooperative agreement.</p>	<p>All Smyrna facility staff will continue to prevent chemical and sediment pollution to surface and groundwater resources.</p>
11.	<p>Distribute at all outreach events, the 16-fold Stones River Watershed brochure/map created/printed by the Rutherford County MS4 programs and Cumberland River Compact. ~78 Motlow students were given these for six years. [Year-round]</p>	<p>The targeted audience would be all citizens. [All ages]</p>	<p>This half brochure - half map does a splendid job of defining the major water quality issues and listing the professional contacts in the Stones River watershed.</p>	<p>Citizens will understand that everyday activities are dependent upon clean water, thus will adopt appropriate steps to change their habits in favor of cleaner water.</p>
12.	<p>Co-facilitate, with the citizen-driven Stones River Watershed Association, the annual Boat Day (14)-WaterFest (16 at U.S. Army Corps of Engineers lakefront property. Here Project WET and SWM Program have staffed exhibits at this heavily attended (350 - 500) event. [Annually, June]</p>	<p>The targeted audience would be all citizens. [All ages]</p>	<p>Citizenry canoe/kayak, while learning about water quality issues from Project WET (county), TDEC-Water Supply and Water Resources, TWRA, and Smyrna staffed displays. Smyrna also distributes its standard environmental education packets.</p>	<p>Citizens will understand that fun boating is dependent upon clean water, thus will take appropriate steps to change their habits in favor of cleaner water.</p>
13.	<p>Built &amp; installed double-sided educational kiosks within the town's park system, using grant funds to purchase supplies and Smyrna staff for construction and installation (2018). Plan for more elsewhere as per Mike Moss, Parks director. [Year-round]</p>	<p>The targeted audience would be all citizens. [All ages]</p>	<p>Explain water quality issues to the citizenry of Smyrna in easy to understand text and straight forward illustrations.</p>	<p>Citizens will understand that fun boating is dependent upon clean water, thus will take appropriate steps to change their habits in favor of cleaner water.</p>
14.	<p>Reach out to even more principals, citizen groups, churches, and citizens to hold stream cleanups and Adopt-A-Stream events [Year-round].</p>	<p>The targeted audience would be all citizens. [All ages]</p>	<p>Participate in new efforts at additional sites along our streams, plus distribute more education..</p>	<p>Cleaner streams, more groups, and less littering.</p>

P 3	GOALS [Frequency]	TARGETED AUDIENCE [Age]	METHODS OF ASSISTANCE	EXPECTATIONS
15.	Create then broadcast more videos of a stream paddle trip filmed on Stewart Creek, where water quality impacts are highlighted. [Spring and summer]	The targeted audience would be all citizens old enough to safely paddle. [All ages]	Emphasize water quality issues and paddling safety, while showing actual filmed footage along Stewart Creek.	Citizens will realize the beauty and serenity of Stewart Creek then understand the need to change their habits in favor of cleaner water.
16.	In addition to the existing stream crossing signs, naming the stream below the overpass, post watershed divide signs, naming the watershed. [Year-round]	The targeted audience would be all citizens of all ages and backgrounds.	Paired signs would face opposing directions for all motorists.	Citizens will understand there is a stream near them that needs protecting.
17.	Replace or repair all existing No Littering, Drains to Lake signs posted at strategic locations near streams. [Year-round]	Targets motorists, riders, and fishing enthusiasts	Clearly states it is against state law to litter.	Tennesseans finally stop littering.
18.	Multimedia staff agreed to update 'The Stewart Creek Journey', a video of a paddling trip down Stewart Creek, where the speaker pointed out and explained damaged streambanks and down trees due to the absence of ponds in the past, while also addressing paddling safety measures. [Year-round]	The targeted audience would be all citizens, of ages and backgrounds.	Provides the reasoning for the Clean Water Act and why all citizens need to do their share.	Tennesseans will take greater stewardship in their water resources and aquatic biota.
19.	Encourage multi-media staff to continue filming public participation events, such as stream cleanups and tree planting events, plus explain why citizens need to assist in cleanups, while not littering themselves. [Year-round]	The targeted audience would be all citizens. [All ages]	Explain water quality issues to the citizenry of Smyrna in easy to understand text and straight forward illustrations.	Citizens will understand that everyday activities are dependent upon clean water, thus will adopt appropriate steps to change their habits in favor of cleaner water.
20.	Find teachers willing to take classes to the streams as was once done by Cedar Grove Elementary's Project WET stream monitoring event on Rocky Fork Branch. Then encourage multimedia staff to document it and present it on Channel 3. [Spring]	The targeted audience would be elementary school students and their parents and siblings. [All ages]	Actual footage showing local 5 <sup>th</sup> graders noting physical conditions and gathering chemical and biological samples in Rocky Fork Branch.	Students will understand that everyday activities are dependent upon clean water, thus will adopt appropriate steps to change their habits in favor of cleaner water.
21.	Re-visit holding new Guest Speaker presentations, where professionals address recycling, urban forestry, rain gardens, no littering, and other sustainable stream health methodologies. Then encourage multimedia staff to document and place on Channel 3. [Year-round]	The targeted audience would be all citizens. [All ages]	Citizens can watch presentations on Smyrna's Channel 3.	Citizens will understand that everyday activities are dependent upon clean water, thus will adopt appropriate steps to change their habits in favor of cleaner water.
22.	Write new articles for multimedia staff to use to highlight water quality events and issues. [Year-round]	The targeted audience would be citizens of all ages and backgrounds.	Explains water quality issues in an easily understandable format.	Generate greater citizenry awareness and involvement.

P 4	GOALS [Frequency]	TARGETED AUDIENCE [Ages]	METHODS OF ASSISTANCE	EXPECTATIONS
	<b>GENERAL CONTRACTORS &amp; ENGINEERS</b>			
23.	Whenever TDEC changes EPSC protocol, contact all active general contractors ASAP by word of mouth, email, or in writing of these changes. [Year-round]	All active earth movers, project managers, general contractors, and developers	Word of mouth, email, or in writing.	Better in the field responses to all EPSC-related changes.
24.	During all pre-construction meetings, reiterate all of the EPSC measures that are expected to be used and properly maintained as well as why they are so important. Please refer to the attachment called GradingPermitissuanceProceduresa. [Year-round]	Grading permit recipients, including earth movers, project managers, general contractors, and developers.	Word of mouth, email, or in writing.	Better in the field responses to all EPSC-related requirements.
25.	During plan review, all EPSCs are required to be in place, if not they are requested from the design engineer while no permit is ever issued without them. Plus, a statement addressing proper chemical storage, spill cleanup, and minimizing of litter is also required on all EPSC sheets of approved plans. [Year-round]	All engineering firms as well as all grading permit recipients, including earth movers, project managers, general contractors, and developers.	Discussed at all pre-construction meetings then strictly enforced.	Better in the field responses to all EPSC- related requirements.
	<b>PAST EFFORTS</b>			
	Applied for and received three TWRA grants (\$2,000) then used funds to purchase stream cleanup supplies.	All ages of citizens		Increase public awareness and stewardship
	Two Boy Scout Eagle candidates led separate efforts of affixing No Dumping decals to storm drains in many Smyrna neighborhoods. This was ceased due to the unfortunate adolescent thievery of many of these decals.	All ages of citizens		Increase public awareness and stewardship
	<b>POSSIBLE FUTURE EFFORTS</b>			
1.	Develop a mechanism for informing the citizenry of new construction projects and provide a means for citizens to report violations. [Year-round]	The targeted audience will be all citizens regardless of age or background.	Drop-downs on the SWM Program website.	Citizens will call the SWM Program when they observe a construction violation.
2	Create an informative 'Hot Spots' brochure then mail to owners of these properties.[Year-round]	Owners and operators of Hot Spot properties.	Provide guidance to these owners and operators.	Possible BMPs could be retrofitted onto their properties.
3.	Add 13 Watershed Divide signs to main thoroughfares.	All ages of citizens.		Citizens may gain an appreciation of where water flows once it leaves their property.

**CLOSING STATEMENT:** In addition to monthly sweeping of many of the main thoroughfares in Smyrna, our citizens do a great deal of volunteer work to reduce the litter load of our streams. Thanks to the Town's public participation-driven quarterly Adopt-A-Highway (state) and Adopt-A-Roadway (Town) events, plus spring and fall stream cleanup (public) events and fall Adopt-A-Stream (school) events, the litter loading of our streams has appeared to diminish as observed during our periodic stream assessments. With this said, it appears that these efforts were an effective means of improving local stream water quality and habitat over the course of the past fifteen (15) years. [This text is a 2020 program audit requirement, via R. Karesh, TDEC]. These events are often coupled with introductory explanations as to why these efforts help our water quality. PIE081622.doc

## TOWN OF SMYRNA

### PROCEDURES: ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE) INVESTIGATION

This procedure, in its entirety, came from Illicit Discharge Detection & Elimination, Ctr. for Watershed Protection & Robert Pitt, Univ. of Alabama, through a Cooperative Agreement with U.S. EPA, Oct., 2004

**STEP #1:** Receive information from the general public, Town staff members, or SWM Program staff, noting time and date of report as well as location and details of discharge. Also, learn about the most recent storm event, including rainfall amount and elapsed time since the event.

**IDDE investigations are 'high priority', thus must be addressed.**

**STEP #2:** Using the Illicit Discharge Hotline Incident Tracking Sheet, visit the discharge site, photographing and noting the location data, i.e. lat. – long., closest street address, and any significant landmarks. Also, learn the location of the discharge site in relationship to any receiving stream, drainage way, or subsurface conveyance, i.e. sinkhole or open fracture. Additionally, determine what type of pollutant was involved, including its odor, appearance, and presence of floatables. And, finally, if possible, determine who and/or what caused the IDDE discharge.

***IDDE discharge of hazardous materials (hazmat) requires immediate notification of the fire department and wastewater treatment plant staff as well as remaining on-site until either department arrives to address any questions.***

Upon returning to the office, determine if further investigation is needed and who else should be consulted. Tracking of elapsed time since becoming aware of discharge is also required.

**IDDE investigations are 'high priority', thus must be addressed.**

**STEP #3:** On the Inspection and Evidence Form and based on data gathered at the discharge site, list site name (an unique IDDE number), alleged polluters, site location, date of actual event, name of inspector, and when it was inspected, followed by detailed descriptions of issues involved in discharge.

**IDDE investigations are 'high priority', thus must be addressed.**

**STEP #4:** Write Notice of Violation (NOV), using Dwaine's standard NOV as a template then mail it to the individual(s) responsible for discharge.

**IDDE violators shall submit a written explanation and remediation plan for said site to the Town of Smyrna within ten working days of discharge.**

**STEP #5:** On Illicit Discharge Inspection Process Check List, track progress of NOV and any remediation required to return discharge site to its pre-discharge condition. This can include actual cleanups by the individual responsible for the discharge or the Town as well as payment to the Town for rendered services. Original inspector shall sign off on line item #1, while this inspector or SWM Program coordinator may sign off on line item #2.

**IDDE investigations are 'high priority', thus must be addressed.**

**STEP #6:** If the aforementioned steps do not produce remediation at said discharge site subsequent actions shall be followed as delineated in the SWM Program's Enforcement Response Plan, which may eventually include the involvement of the Director of Public Works, Staff Attorney, Town Manager, and possibly Police Department.

**STEP #7:** Electronically file all documents, including the fire department report in its location on the computer as well as a hard copy in the IDDE folder located in the filing cabinet.

# **TOWN OF SMYRNA**

## **ENFORCEMENT RESPONSE PLAN**

### **Introduction**

The intent of this document is to provide guidance to town officials in enforcing the Stormwater Management Ordinance (SWM Ordinance). It should be used only as a guide, while recognizing that each situation is unique. The provisions of this enforcement response plan are not intended to limit the judgment and flexibility of the director in determining an appropriate response.

While the purpose is to provide guidance for administration of the SWM Ordinance, actual enforcement procedures should consider any unusual aspects of a violation or condition, as well as special characteristics of an enforcement action, in determining the proper response.

Minor infractions may be resolved by a verbal notice, telephone call, or warning letter advising the owner/operator/person of the nature of the violation. If such action fails to generate an adequate response by the owner/operator/person, further enforcement actions as provided by the ordinance may be taken. Regardless of the severity of the violation to the SWM Ordinance, the Stormwater Program will initiate a complaint investigation within seven (7) days of being notified of the violation. All enforcement responses, regardless of stringency, should be documented as soon as possible into the program's violation tracking table.

### **Enforcement Responses**

Violations of the SWM Ordinance that may require Enforcement Responses, include, but are not limited to: grading permits, illicit discharges, detention ponds and devices, as well as free standing grease receptacles.

The order of precedence for enforcement responses outlined in this guide should not be construed to prevent the director from taking a stronger action without first implementing less stringent steps, if in their opinion, a more forceful response is necessary.

A show cause hearing should be held prior to any enforcement action other than a telephone call, warning letter, notice of violation (NOV), or stop work order. The purpose of a show cause hearing is to provide a forum for the owner to present a defense to charges as outlined, or, to obtain additional information.

### **Documented Phone Calls or Informal Discussions**

In the case of the most minor violation of a permit or the ordinance, a telephone call or informal meeting may be sufficient to obtain the desired compliance. Phone calls should be documented into the program's violation tracking table. Likewise, if an informal discussion is held, it should be entered onto the Stormwater Program's violation tracking table.

### **Warning Letter**

A warning letter is the lowest level of formal response to a violation. It is intended for minor violations which would not cause harm to the environment.

### **Notice of Violation**

A NOV is an official notification to inform a non-compliant owner of a violation of the SWM Ordinance. Within ten (10) days of receipt of this notice, a written explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the owner to the director. Inspection to ensure performance of any corrective actions may be conducted by the director at their discretion. Submission of this plan in no way relieves the owner of liability for any violations occurring before or after receipt of the NOV.

revised 9/1/2020

## **Enforcement Response Plan (revised 9/1/2020)**

### **Stop Work Order**

A Stop Work Order may be issued when the director finds that an owner has violated, or continues to violate, the SWM Ordinance or order issued thereunder. The order shall require that the owner:

- (a) Comply forthwith; and
- (b) Take such appropriate remedial or preventive action as may be needed or deemed necessary to properly address a continuing or threatened violation, including halting operations and terminating the discharge.

### **Administrative Orders**

Administrative orders (AO) are enforcement documents which direct owners to perform, or to cease, specific activities. AOs may also invoke a penalty. There are three (3) primary types of AOs: consent orders; compliance orders; and cease and desist orders.

**Consent orders** are entered into between the town and the owner to assure compliance as to specific actions to be taken by the owner to correct non-compliance within a specified time period. The director may enter into consent orders, assurances of voluntary compliance or other similar documents establishing an agreement with any owner responsible for noncompliance. Such documents shall include specific action to be taken by the owner to correct the noncompliance within a time period specified in the document. Such documents shall have the same force and effect as orders issued pursuant to Section 14-610.

**Compliance orders** may be issued when the director finds that an owner has violated, or continues to violate, the ordinance or an order issued thereunder. It is similar to a consent order except that the consent of the owner is not implied in its issuance. When the director finds that an owner has violated or continues to violate and section of this article, or a permit or order issued under this article, the director may issue an order to the owner responsible for the violation directing that the owner come into compliance within a specified time, and such order may include assessment of a penalty to be paid if the owner does not come into compliance within the time provided. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged offsite. A compliance order does not relieve the owner of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against or a prerequisite for taking any other action against the owner.

**Cease and desist orders** may be issued when the director finds that an owner has violated, or continues to violate, the SWM Ordinance or order issued thereunder. Issuance of a cease and desist order shall not be a bar against or a prerequisite for taking any other action against the owner.

AOs contain the following components:

1. Title - The title specifies the type of order being issued (see below), to whom it is being issued, summarizes the purpose of the order, and contains an identification number.
2. Legal Authority - The authority under which the order is issued (SWM Ordinance).

**Enforcement Response Plan (revised 9/1/2020)**

3. The Finding of Noncompliance - All violations must be described including the dates, the specific permit and/or ordinance provisions violated, and any damages known and attributable to the violation.
4. Required Activity - All orders should specify the required actions, such as installation of BMPs, additional inspections, appearance at show cause hearings, etc.
5. Milestone Dates for Corrective Actions - When compliance schedules are appropriate, all milestone dates must be established including due dates for required written reports.
6. Supplemental Clauses - The document should contain standard clauses providing that:
  - (a) Compliance with the terms and conditions of the administrative order shall not be construed to relieve the owner of its obligation to comply with applicable state, federal or local law, or the permit;
  - (b) Violation of the administrative order itself may subject the owner to additional penalties as set out in the SWM Ordinance;
  - (c) No provision of the order shall be construed to limit the town's authority to issue supplementary or additional orders, or to take action deemed necessary to implement this program or ordinance;
  - (d) The order shall be binding upon the owner, its officers, directors, agents, employees, successors, assigns, and all persons, firms or corporations acting under, through or on behalf of the owner.

Administrative orders (AO) issued as a result of a violation of the SWM Ordinance may contain a penalty pursuant to Section 14-611 of the SWM Ordinance. AOs may also be used to advise an owner of the need to take, or cease, certain actions, and in such case, may or may not be associated with penalties as defined in the ordinance or in this guide.

**Civil Litigation**

Pursuant to Section 14-611 of the SWM Ordinance, the director may, through the town attorney, petition the appropriate court(s) for issuance of preliminary or permanent injunctions to restrain or compel activities by an owner.

**Penalties, Administrative or Civil**

The SWM Ordinance authorizes assessment of penalties not to exceed \$5,000 per violation per day. Additionally, Section 14-611 of the ordinance authorizes the director to assess a civil penalty for actual damages incurred by the town. Before assessment of any administrative penalty, a show cause hearing must be held with the non-compliant owner.

If a violation results in conditions requiring the expenditure of public funds for mitigation of damages, a penalty shall be assessed in such amount as to offset the public funds so expended. This will in no way reduce or offset the liability of the owner with respect to damages incurred.

**Cease and Desist Order**

A civil injunction may be requested at any time, for any violation, if in the opinion of the director in consultation with the town attorney, such action is justified, needed or appropriate.

**Enforcement Response Plan (revised 9/1/2020)**

**Criminal Action**

In cases where criminal acts are suspected by the director, after consultation with the town attorney, information shall be gathered and forwarded to the district attorney of the appropriate county for action. Criminal prosecution, if pursued, shall be in addition to other actions authorized by ordinance.

TABLE A  
ENFORCEMENT RESPONSE GUIDE  
ESCALATION OF RESPONSES

The following table outlines a recommended course of action for violations of the SWM Ordinance. When enforcement actions involving a specific site, a common operator or owner include multiple or successive violations then the severity level may be increased. TDEC may also be consulted for violations that have not been satisfactorily addressed by the owner.

While the purpose is to provide guidance for administration of the SWM Ordinance, it is not intended to limit the judgment and flexibility of the director in determining an appropriate response.

<u>SEVERITY OF VIOLATION</u>		<u>ACTION</u>
1	Informal Phone Call/Discussion	
2	Written warning	
3	Notice of Violation	
4	Stop Work Order	
4	Administrative Order	
5	Administrative Order with up to \$500 Penalty	
6	Administrative Order with up to \$1000 Penalty	
7	Administrative Order with up to \$2000 Penalty	
8	Administrative Order with up to \$3000 Penalty	
9	Administrative Order with up to \$5000 Penalty	



## **TOWN OF SMYRNA: FUTURE SCHEDULE: WATER QUALITY SAMPLING / VISUAL STREAM ASSESSMENT / OUTFALL ASSESSMENT**

### **5-YEAR WATER QUALITY MONITORING**

Middle Tennessee State University - Biology Department (Dr. Frank Bailey)

Bacteriological / Escherichia coli and total coliforms

Macroinvertebrates

Chemical / Nitrate / Nitrite and Total Phosphorus

Physical / pH, temperature, turbidity, dissolved oxygen, and specific conductance

Frequency: Fall (Oct.) / Winter (Jan. Feb.) / Spring (Mar. - May)

Eleven constant sites throughout the MS4

History: 2010: Baseline study (20 sites, were sampled to determine final 11 sites)

2014 / 2015: Fall (Sept.), Spring (Mar. - May), Summer (Aug.) @ 11 sites

2020 / 2021: Fall (Oct.), Winter (Jan. - Feb.), Spring (Mar. - May)

2025 / 2026: Future water quality sampling through contract with MTSU - Biology

### **VISUAL STREAM ASSESSMENT (USGS PROTOCOL)**

MS4 staff using the U.S. Geological Survey stream analysis protocol (physical and chemical)

Based on stream homogeneity assessment, 35 segments of all streams and unnamed streams

During drier months, stream floor / bank conditions were assessed.

During wetter months, stream water was tested for temperature, specific conductance, pH, dissolved oxygen, and turbidity.

Thirty-five constant sample sites throughout the MS4.

History: 2014: June / December

2019/2021: Sept. / May

2024: Future instream assessments and chemical sampling via MS4 staff

### **DRY WEATHER OUTFALL INSPECTIONS**

MS4 staff assessing each outfall for the following:

1. Presence of polluted discharge from the outfall structure when there should be none
2. Update of outlet database map
3. Outlet structure conditions:
  - a. Diameter and material type
  - b. Condition of the structure
  - c. Condition of the rock apron and its close proximity
  - d. Presence of any erosion or pollutants both inside and outside of any ponds
  - e. Contact pond owner ASAP if any issues are present then inspect once repaired
4. Total of inspected outfalls varies depending on accessibility. Even so, the total amount is ever increasing due to tremendous growth.
5. History: 2008: Baseline
  - 2012 / 2014
  - 2019
  - 2024 Future dry weather outfall inspections