



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES
Jackson Environmental Field Office
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September 25, 2020

CERTIFIED MAIL # 7019 1120 0000 1630 8623
RETURN RECEIPT REQUESTED

The Honorable Randy Brundige
Mayor
City of Martin
P.O. Box 290
Martin, Tennessee 38237

RE: Martin Small Municipal Separate Storm Sewer System (MS4) Audit
 National Pollutant Discharge Elimination System Tracking Number TNS077607
 Martin, Weakley County, Tennessee

Dear Mayor Brundige:

On August 26th and again on August 31st, 2020, Brown Patton, John Lay, and Stephen Miller with the TN Department of Environment and Conservation, Division of Water Resources, conducted an audit of Martin's MS4 Program. The purpose of the audit was to determine the City's compliance with the Tennessee's general Small MS4 permit (permit). During the virtual portion of the audit, conducted on August 26th, 2020, Division staff met with Mike Brundige, Stormwater Program Coordinator for the City of Martin and Tom Lawrence, consultant for the City of Martin. The audit included a review of Martin's regulatory mechanisms, procedures and records, as well as observations in the field of the City's staff as they performed an inspection of projects covered under the City's local construction site stormwater program. Division staff also performed an on-site visit of one municipal facility. The construction site and municipal site visits were conducted on August 31st, 2020. The Division greatly appreciates the time and commitment from your staff in preparation of and during the audit. Their availability and knowledge of the program ensured the audit was conducted in an efficient manner.

Permit

The permit was reissued and became effective on October 1, 2016 and expires on September 31, 2021. The City of Martin received a Notice of Coverage under the reissued permit on May 1st, 2017. The audit covered compliance with the reissued permit.

Minimum Control Measure 1 - Public Education and Outreach (Section 4.2.1 of the permit)

The small MS4 permit requires the implementation of a Public Education and Outreach program related to the impacts of stormwater discharges to local water bodies and the steps that can be taken to minimize stormwater pollution. A Public Information and Education (PIE) plan must be developed and include detailed goals and identify specific information events/activities that are designed to meet those goals, as well as schedule indicating when the events will occur over the remainder of the permit cycle. The PIE plan must document all public education and outreach components, and incorporate an evaluation of components to assess overall effectiveness and the need for improvement.

The City of Martin has developed a PIE plan designed to provide information and education to the public as well as encourage the public to be an active participant in the stormwater management program. The plan identifies the activities and measurable goals for the targeted education campaigns as well as a method to evaluate those educational campaigns.

The City of Martin is in compliance with this MCM.

Please refer to Section 4.2.1 of the permit for more information regarding implementation of Minimum Control Measure #1.

Minimum Control Measure 2 – Public Involvement and Participation (Section 4.2.2 of the permit)

The Small MS4 permit requires the implementation of a Public Involvement and Participation program that involves developing methods for promoting public participation in stormwater-related events and facilitating opportunities for citizen involvement. The program must include a plan to publicize public involvement and participation opportunities and mechanism(s) for citizen reporting of illegal spillage, dumping, or otherwise illicit disposal of materials into the City's MS4 system.

The City of Martin utilizes the City's website to post the annual report(s) and notices for changes to the ordinance, allowing the public to participate in the stormwater program development and implementation. The stormwater contact information and hotline are also provided on the website. Public involvement and participation activities scheduled for this last spring (2020) have been delayed indefinitely due to Covid-19.

The City of Martin is in compliance with this MCM.

Please refer to Section 4.2.2 of the permit for more information regarding implementation of Minimum Control Measure #2.

Minimum Control Measure 3 – Illicit Discharge Detection and Elimination (IDDE) (Section 4.2.3 of the permit)

The Small MS4 permit requires the municipality to develop, implement and enforce an IDDE program to detect and eliminate illicit discharges into the storm sewer system. The IDDE program must include a plan and procedures to detect, identify and eliminate non-stormwater discharges, and implement an Enforcement Response Plan (ERP). The municipality must also develop and maintain a storm sewer system map, effectively prohibit non-stormwater discharges into the storm sewer system, educate public employees, businesses and the general public concerning the hazards and damage to water quality associated with illicit discharges, and provide mechanisms for the public to report suspected illicit discharges.

The City of Martin has completed a storm sewer system map and continues to update their mapping, which includes outfalls, inputs, as well as the general direction of flow, however, the surface water bodies have not been identified. The City of Martin has also established a plan to detect non-stormwater discharges into the system, as well as addressing hot spots with correspondence, and conducting dry-weather screening. The City has developed an ERP, which addresses all components of their stormwater program, and addresses the City's enforcement response procedures.

Full implementation of the IDDE program requires the following:

- Revise mapping to include the names of surface water bodies and receiving waters

Please refer to Section 4.2.3 of the permit for more information regarding implementation of Minimum Control Measure #3.

Minimum Control Measure 4 – Construction Site Stormwater Runoff Pollutant Control (Section 4.2.4 of the permit)

The Small MS4 permit requires the municipality to develop, implement and enforce a program to reduce pollutants in stormwater runoff to the stormwater system from construction activities that result in land disturbance of greater

than or equal to one acre, or less than one acre if part of a common plan of development. In part, this minimum control measure must include an ordinance or other regulatory mechanism to require erosion prevention and sediment controls, and sanctions to enforce compliance. It also must include procedures to establish priority construction activities, procedures for construction site plan review and approval, and procedures for permittee inspection and compliance documentation.

The City of Martin has adopted an ordinance requiring erosion prevention and sediment controls for construction sites, as well as sanctions to enforce compliance. However, the ordinance does not address the design storm or basin requirements for projects that discharge to streams with unavailable parameters and/or Exceptional Tennessee Waters (ETWs). The ordinance also does not clearly identify sites that are less than an acre and part of a larger common plan of development that will disturb an acre or greater, which must be included in the construction stormwater runoff program element. The City has also established a plans review and approval process that includes a review of erosion protection and sediment control practices. A checklist is used that addresses the technical standards and waste control requirements consistent with the Tennessee Construction General Permit (TN CGP).

Construction site inspection and documentation procedures were evaluated by performing site visits at the Kenny Farms Subdivision Phase I (TNR122241), and also at the New Public Library (TNR122196). The City's inspectors, Mike Brundige and Tom Lawrence, demonstrated a working knowledge of erosion prevention and sediment controls (EPSCs) and evaluating construction site compliance. The TDEC CGP twice-weekly inspection form is being used to document all of the City's construction stormwater inspections.

Full implementation of the Construction Site Stormwater Runoff Control program requires the following:

- Update ordinance to address design storm and basin requirements for sites discharging to streams with unavailable parameters and ETWs
- Update ordinance to clearly identify and include sites that are less than an acre and part of a larger common plan of development that will disturb an acre or greater

Please refer to Section 4.2.4 of the permit for more information regarding implementation of Minimum Control Measure #4.

Minimum Control Measure 5 – Permanent Stormwater Management at New Development and Redevelopment Projects (Section 4.2.5 of the permit)

The Small MS4 permit requires the implementation of a permanent (post-construction) stormwater management program focused on removing pollutants from stormwater discharges through management practices, control techniques, and system design and engineering methods implemented to the maximum extent practicable. In part, this minimum control measure must include an ordinance or other regulatory mechanism to address permanent stormwater pollutant management for new development projects, procedures for plans review and approval, procedures for conducting and tracking site inspections, and a means to ensure permanent stormwater control measures are adequately maintained.

The division provided an extension to all small MS4s for the full implementation of this minimum control measure. As a result, evaluating compliance was limited to documenting program elements and activities implemented at the time of the audit. The City of Martin has opted to postpone the full implementation of the stormwater regulatory mechanism provisions for permanent (post-construction) stormwater management. The City of Martin does have an ordinance addressing permanent stormwater management, as well as having a plans review and approval process in place.

Please refer to Section 4.2.5 of the permit for more information regarding implementation of Minimum Control Measure #5.

Minimum Control Measure 6 – Pollution Prevention/Good Housekeeping for Municipal Operations (Section 4.2.6 of the permit)

The Small MS4 permit requires the development and implementation of an operation and maintenance program that has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. The program must

include operation and maintenance plans for applicable municipal operations, and documentation of related maintenance activities. In addition, an employee training program must be implemented for employees responsible for municipal operations at facilities within the jurisdiction that handle, generate and/or store materials which constitute a potential pollutant of concern for MS4s.

The City of Martin has developed a general operation and maintenance plan for city activities that addresses the activities that have a potential to be exposed to stormwater. The City has also implemented an employee training program addressing applicable staff positions.

As part of determining compliance with this minimum control measure, the City's Public Works Garage located on North Lindell Street was inspected. Several chemical storage containers were observed stored on the ground in the rear storage shed, which is exposed to runoff drainage that runs through this shed. Salt is currently being stored in this rear storage shed as well. These containers and all potential pollutants must be stored in such a way as to prevent contact with both rainfall and runoff as well as address the stormwater drainage running through the storage shed, which is also causing sediment to accumulation on the ground inside the storage shed. There is an outside equipment wash pad and drain grate with an unknown point of discharge that needs to be investigated to verify where this is discharging and if it is being treated appropriately.

Full implementation of the Pollution Prevention/Good Housekeeping for Municipal Operations program requires the following:

- Corrective actions to be taken to address the stormwater issues observed at the City's Public Works Garage

Please refer to Section 4.2.6 of the permit for more information regarding implementation of Minimum Control Measure #6.

Monitoring, Recordkeeping, and Reporting (Section 5.0 of the permit)

Sections 5.1 and 5.2 of the MS4 permit require analytical and non-analytical monitoring to be conducted in streams with unavailable parameters for nutrients, pathogens, siltation, and habitat alteration. The monitoring program is intended to provide data that, when combined with other MS4 information, identifies and eliminates pollutant sources, and assists in determining the effectiveness of the overall MS4 program in improving water quality. Sections 5.3 and 5.4 describe record-keeping and reporting requirements, which include the submittal of an annual report by September 30th of each calendar year.

The City of Martin has submitted an annual report to the division each calendar year. The City has not conducted any analytical monitoring requirements as of yet, there is only one stream requiring monitoring, Casey Creek, and is scheduled to be conducted and completed in the spring of 2021. Non-analytical monitoring has been conducted with approximately 60% completed, using a modified version of the Maryland Stream Corridor assessment protocol, and on schedule to complete by the end of the permit cycle.

Please refer to Sections 5.1, 5.2, and 5.3 of the MS4 permit for more information regarding monitoring and recordkeeping

Required Actions:

Based on the audit findings, full implementation of the City of Martin's program requires the following actions to be taken. Additionally, the division requests that the City provide a written response by October 30th, 2020, describing what steps have or will be taken to address these actions.

- Revise mapping to include the names of surface water bodies and receiving waters
- Update ERP to include escalation of enforcement
- Update ordinance to address design storm and basin requirements for sites discharging to streams with unavailable parameters and ETWs
- Update ordinance to clearly identify and include sites that are less than an acre and part of a larger common plan of development that will disturb an acre or greater
- Corrective actions to be taken to address the stormwater issues observed at the City's Public Works Garage

The Honorable Randy Brundige
September 25th, 2020
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I would like to thank Mr. Mike Brundige and Mr. Tom Lawrence, as well as other City staff for their time and cooperation during this audit. If you have any questions regarding this correspondence, please contact Brown Patton at (423) 854-5458 or via email at brown.patton@tn.gov, or you may contact John Lay with the Jackson Environmental Field Office at (731) 512-1362 or via email at John.Lay@tn.gov.

Sincerely,



Brown Patton
Division of Water Resources

Cc: Mike Brundige, Stormwater Coordinator, City of Martin, mbrundige@cityofmartin.net
Tom Lawrence, Consultant, City of Martin, bus@thecave.com
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