

2021 CGP Permit Revision Comments

City of Chattanooga

Weekly inspections are still 2 times per week for impaired streams. Are these only streams in the “pink cloud” of TDEC’s mapviewer or would this include the entire watershed of a stream that is listed as impaired (e.g.; South Chickamauga Creek in Chattanooga)?

Use of the word “approximately” in reference to stabilization is not clear enough for rule language. A specified number of calendar days should be given. Maximum amount of time should be 14 days.

Please define “alternative design procedures” if a sediment basin is not going to be used.

Use of the provided SWPPP templates does not apply if “significant grading” is going to occur. Define significant grading?

For sites >5 acres, the language of 5.2, states that only the narrative portion of the SWPPP be prepared by a qualified individual. Clarification on what is included in the narrative should be given (e.g.; site plans, BMP selections, maps, inspection & maintenance procedures, etc.)

Under section 5.2, add the statement that “the State may determine if the use of a template for a site under 5 acres is not acceptable.” A number of commercial sites and infill developments will be less than 5 acres yet may need more detailed SWPPP preparation. Templates may be helpful for the homeowner or farmer clearing small amounts of land, but many developers will have the ability to hire or use their professional staff to develop individual plans.

The link for “temporary measures” under 5.5.3.1.i goes to “temporary stabilization” in the definition section. Add a definition for “temporary measures” and fix the link.

Provide a maximum length of time that “temporary stabilization” is allowed to be used? Does temporary mean 1 day, 1 week, 1 month,...?

Section 5.5.3.3 Site assessments (to verify proper installation of EPSC) and twice weekly inspections should be conducted by a qualified individual for all sites, not just those greater than 50 acres. This would preferably be the designer who can confirm that what they drew on the plans was installed as they intended it to be. The fact that people are not doing it or not doing it well is not a reason to omit it from the smaller CGP sites. Site assessments have been seen by our Land Development Office to be a critical piece of the site’s likelihood of compliance.

Consider adding the language of “initial certification inspection” instead of just site assessment. This could refer to the start of the project or start of significant/new phasing of the project. This

initial certification inspection would require that a person with a certification level mentioned in 5.5.3.3(c) 1-3 would sign off that all of the controls are in place and installed properly, including ponds, fences, limits of disturbance markers, washouts, etc. After that, the lesser certified inspector would be allowed to do the rest of the inspections (i.e., post rain inspections and once/twice weekly inspections).

If controls have failed, then authorization for purchase and installation of the new/repaired controls should be able to be obtained within a 12 hour period after the finding. There should not be an excuse of not being able to reach the owner.

In general, the use of the term "site assessment" makes the reader think it is for the whole site when it is only for the outfall of a 5 or 10 acre drainage area. Change the name to something like "sediment basin inspection" if that is all it is.

Site assessments shall be conducted prior to commencement of work, not within 30 days, as currently stated under 5.5.3.3(c).

Bullet 5.5.3.3(a) is redundant and should be removed.

Section 5.5.3.8 should start with reference to the initial site assessment to verify proper installation of all designed EPSC, as this inspection comes first. Then it should reference the weekly inspections.

Can TDEC not require that the permittee show proof of their MS4-obtained permit prior to submitting their NOI to the State? (section 1.4.4)

If once a week inspections are going to be allowed to stay, then require that no more than 7 calendar days pass between inspections and make the post-rain inspection threshold 0.25" instead of 0.5".