

Community Advisory Panel Minutes

Date: Thursday October 19, 2017

Time: 9 a.m.

Place: 215 Cartwright Street, Goodlettsville, TN. 37072

Present: Warren Garrett, Beverly Goodwin, Rose Baker, Andy Garrett, Mike Bertotti, Duane Allen, Helen Morrison.

We thank you all very much for your contribution to our meeting event as well as our communities!

Discussion:

1. Illicit Discharge Detection and Elimination recent issues covered:

a. 414 Bass Street:

Illicit Discharge involving street marking paint sprayer being cleaned out at a local business and allowed to enter a nearby stormwater drain.

b. 1210 Madison Creek Rd.

Local resident proceeded without permit to build rock crossing to access other side of Madison Creek with intent to concrete driveway. Also re-established 145' of embankment without any BMP's utilized.

c. 3175 Patton Branch Road

Local resident removed overflow culvert from very large pond and dug dam down to release water with intent to empty pond. No BMP's utilized for sediment and erosion control.

d. Glancy Street (Business Partners)

Issue of lack of maintenance on private stormwater facilities. Business has two deteriorated large culverts under parking lot that are allowing piping and undermining of sediment to be released into waters of the state.

2. ERP Enforcement Response Plan

Investigation Procedure

Once City personnel receive an inquiry, they have up to seven (7) days to respond. The inquiry is physically inspected to determine the possible nature of the event. Photographs and a report of the event should be kept on file.

18-309. Illicit discharges. (1) Scope. This section shall apply to all water generated on developed or undeveloped land entering the city's separate storm sewer system. (2) Prohibition of illicit

discharges. No person shall introduce or cause to be introduced into the municipal separate storm sewer system any discharge that is not composed entirely of stormwater or any discharge that flows from stormwater facility that is not inspected in accordance with § 16-506 shall be an illicit discharge. Non-stormwater discharges shall include, but shall not be limited to, sanitary wastewater, commercial car wash wastewater, lawn mowing debris, lawn care chemicals, grease, soap, cleaning chemicals, radiator flushing disposal, spills from vehicle accidents, carpet cleaning wastewater, effluent from septic tanks, improper oil disposal, laundry wastewater/gray water, improper disposal of auto and household toxics.

(4) Reduction of stormwater pollutants by the use of best management practices. Any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, may be required to implement, at the person's expense, the BMPs necessary to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed in compliance with the provisions of this section. Discharges from existing BMPs that have not been maintained and/or inspected in accordance with this ordinance shall be regarded as illicit.

3. Land Disturbance without a permit?

We had great interaction along with varied opinions on how best to address this issue via ordinance. I very much appreciated Helens and Duane's insight into possible citations for construction sites contractors in addition to the developer for illegal dumping or illicit discharge outside of posted dumping site. Group was asked to return a suggested civil penalty amount for any resident or commercial development that proceeds without a Land Disturbance Permit.

(2) Penalties. Under the authority provided in Tennessee Code Annotated, § 68-221-1106, the city declares that any person violating the provisions of this chapter may be assessed a civil penalty by the administrator of not less than fifty dollars (\$50.00) and not more than five thousand dollars (\$5,000.00) per day for each day of violation. Each day of violation shall constitute a separate violation. (3) Measuring civil penalties. In assessing a civil penalty, the administrator may consider: (a) The harm done to the public health or the environment; (b) Whether the civil penalty imposed will be a substantial economic deterrent to the illegal activity; (c) The economic benefit gained by the violator; (d) The amount of effort put forth by the violator to remedy this violation; (e) Any unusual or extraordinary enforcement costs incurred by the city; (f) The amount of penalty established by ordinance or resolution for specific categories of violations; and (g) Any equities of the situation which outweigh the benefit of imposing any penalty or damage assessment. (4) Recovery of damages and costs. In addition to the civil penalty in subsection (2) above, the city may recover: (a) All damages proximately caused by the violator to the city, which may include any reasonable expenses incurred in investigating violations of, and enforcing compliance with, this chapter, or any other actual damages caused by the violation. (b) The costs of the city's maintenance of stormwater facilities when the user of such facilities fails to maintain them as required by this chapter.

We hope everyone gained some valuable information from today's meeting, thanks to everyone for the great interaction!

This information will be available on our Mid Tennessee Stormwater Facebook page.

- **Next Meeting:** Thursday, November 16, 2017

(Details on next Agenda)

Adjourned:

11:00 am

Respectfully submitted,

W. Garrett

Stormwater Coordinator/Goodlettsville TN.

Forming Partnerships

Operators of regulated small MS4s are encouraged to utilize partnerships with other governmental entities to fulfill this minimum control measure's requirements. It is generally more cost-effective to use an existing program, or to develop a new regional or state-wide education program, than to have numerous operators developing their own local programs. Operators also are encouraged to seek assistance from non-governmental organizations (e.g., environmental, civic, and industrial organizations), since many already have educational materials and perform outreach activities.