



SOUTHSIDE MS4

Storm Water Management Program Plan | April 2022



Southside, Etowah County, Alabama
NPDES Permit No. ALR040057
Prepared by: S&ME, Inc.



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1.0 Introduction

S&ME, Inc. has prepared this Storm Water Management Program Plan (SWMPP) for the Southside, Alabama Urbanized Area Phase II Small Municipal Separate Storm Sewer System in accordance with S&ME Proposal No. 215660F, dated June 14, 2021.

The SWMPP is required by Part III of the Alabama Department of Environmental Management (ADEM) National Pollutant Discharge Elimination System (NPDES) General Permit ALR040000 for discharges from regulated small municipal separate storm sewer systems (MS4).

1.1 Permit History

The Storm Water Phase II Final Rule issued by the United States Environmental Protection Agency (USEPA) in 1999 requires nationwide coverage of all operators of small MS4s located within the boundaries of an "urbanized area" as defined by the latest decennial Census. Based on the results of the 2010 census, the Bureau of the Census designated the *Gadsden, Alabama Urbanized Area* to include the City of Attalla, the City of Gadsden, the City of Glencoe, the City of Hokes Bluff, City of Rainbow City, the City of Southside, and portions of unincorporated Etowah County. A map outlining the approximate boundary of the *Gadsden, Alabama Urbanized Area* is included in **Appendix A** as **Figure 1**. Revised urbanized area boundaries based on the 2020 Census were not available as of April 1, 2022.

The City of Attalla, the City of Gadsden, the City of Glencoe, the City of Hokes Bluff, City of Rainbow City, the City of Southside, and Etowah County initially applied for and received a NPDES MS4 Phase II General Permit from ADEM in 2003, with the seven entities as co-permittees under authorization number ALR040009. The five-year permit expired on March 9, 2008. A Notice of Intent for renewal of the permit was submitted 180 days prior to expiration and permit coverage was administratively continued until the re-issuance of the MS4 Phase II General Permit with an effective date of February 1, 2011.

The 2011 permit expired on February 1, 2016. A Notice of Intent for renewal of the permit was submitted by each entity 180 days prior to expiration; therefore, the permit coverage was extended until the re-issuance of the MS4 Phase II General Permit in September. To assist in compliance tracking, the Gadsden-Etowah MS4 entities were each issued a separate permit, although the entities agreed to continue under a joint SWMPP and monitoring plan. The City of Southside MS4 was authorized to discharge under authorization number ALR040057 with an effective date of October 1, 2016.

The 2016 permit expired on September 30, 2021. A Notice of Intent for renewal of the permit was submitted 180 days prior to expiration, and the MS4 Phase II General Permit was re-issued with an effective date of October 1, 2021. The current permit will expire on September 30, 2026. Under the new permitting system, the City of Southside was required to prepare a separate SWMPP detailing the individual actions taken by the City to comply with the 2021 permit, as well as the joint activities shared with the remaining Gadsden-Etowah MS4 entities.

A copy of the NPDES General Permit is included in **Appendix B**.



1.2 Storm Sewer System

A Municipal Separate Storm Sewer System (MS4) is defined by 40 CFR Part 122.26(b)(8) to be a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is:

- (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;
- (ii) Designed or used for collecting or conveying storm water;
- (iii) Not a combined sewer; and,
- (iv) Not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

1.3 Southside MS4 Area

The City of Southside Municipal Separate Storm Sewer System (Southside MS4) is defined as the area within both the city limits and the urbanized area boundary. As defined by the 2010 Census, the *Gadsden, Alabama Urbanized Area* encompasses approximately 74.8 square miles. The Southside MS4 comprises approximately 9.9 square miles (13.2%) of the 2010 *Gadsden, Alabama Urbanized Area*. Approximately 52% of the city is located within the MS4 boundary. A map depicting the City of Southside’s urbanized area and city limits is located in **Appendix A** as **Figure 2**.

At the 2010 Census, the City of Southside had a total population of 8,412. The 2020 Census data has a total population of 9,001.

1.4 Hydrologic Units in the Urbanized Area

Neely Henry Lake (Coosa River) is the primary receiving water for the Southside MS4. Hydrologic Hierarchy, Watersheds, and Subwatersheds are provided in the tables below.

Table 1-1 Hydrologic Hierarchy

Type	Code	Name
REGION	03	South Atlantic-Gulf
SUBREGION	0315	Alabama River Basin
BASIN	031501	Coosa-Tallapoosa: Above the confluence of and including the Coosa and Tallapoosa River Basins



Type	Code	Name
SUBBASIN	03150106	Middle Coosa

Table 1-2 Watersheds in the MS4 Area

Watershed	10 Digit HUC
Big Canoe Creek- Coosa River	03150106-03

Table 1-3 Subwatersheds in the MS4 Area

Subwatershed	12 Digit HUC	Area within Southside MS4 (Acres)
Coosa River – H. Neely Henry Lake	03150106-03-09	6,336

A map showing the HUC12 subwatersheds in relation to the Southside MS4 boundary is included as **Figure 3** in **Appendix A**.

1.5 Water Quality Concerns

Section 303(d) of the Clean Water Act (CWA), as amended by the Water Quality Act of 1987, and EPA’s Water Quality Planning and Management Regulations (40CFR130) require states to identify waterbodies not in compliance with the water quality standards applicable to their designated use classifications. The identified waters are prioritized based on severity of the pollution. Section 303(d) then requires that total maximum daily loads (TMDLs) be determined for all pollutants causing violation of applicable water quality standards in each identified segment. The TMDL process establishes the allowable loading of pollutants, or other quantifiable parameters for a waterbody, based on the relationship between pollution sources and in-stream water quality conditions.

A map showing the impaired waterbodies and watersheds in relation to the Southside MS4 is provided in **Appendix A** as **Figure 4**.

1.5.1 Impaired Waterbodies Adjacent to the MS4

Approximately 12 miles of the Southside MS4 boundary border Neely Henry Lake. The MS4 discharges to the lake directly via sheet flow and ditches and indirectly via five unnamed tributaries.



Table 1-4 Impaired Waterbodies Adjacent to the MS4

Waterbody	Impaired Segment	Type	Causes	Use
Coosa River (Neely Henry Lake)	AL03150106-0309-101	TMDL	Nutrients Organic enrichment (CBOD, NBOD) pH	F&W
Coosa River (Neely Henry Lake)	AL03150106-0309-102	TMDL	Nutrients Organic enrichment (CBOD, NBOD) pH	F&W

Neely Henry Lake

Neely Henry Lake is an impoundment of the Coosa River created by Neely Henry Dam, approximately 9.5 miles south of Southside. Storm water from the Southside MS4 discharges directly and indirectly to Neely Henry Lake via unnamed tributaries. Neely Henry Lake is the ultimate receiving water for all discharges from the Southside MS4.

In 1996, the ADEM identified five of the six reservoirs on the Coosa River within the State of Alabama’s borders as being impaired, including Neely Henry Lake. In 2008 the EPA approved TMDLs for Neely Henry Lake related to Nutrients (Total Phosphorous), pH, and Organic Enrichment/Dissolved Oxygen.

The designated use of the impaired segment of the Coosa River that receives discharges from all of the Southside MS4 is Fish & Wildlife.

1.5.2 Priority Construction Sites

The Alabama Construction General NPDES Permit defines a Priority Construction Site as any site that discharges to a waterbody which is listed on the most recently EPA approved 303(d) list of impaired waters for turbidity, siltation, or sedimentation, any waterbody for which a Total Maximum Daily Load (TMDL) has been finalized or approved by EPA for turbidity, siltation, or sedimentation, any waterbody assigned the Outstanding Alabama Water use classification in accordance with ADEM Admin. Code r. 335-6-10-.09, and any waterbody assigned a special designation in accordance with ADEM Admin. Code r. 335-6-10-.10.

The Southside MS4 does not currently discharge to any waterbody meeting the criteria for a Construction Priority Site.

1.5.3 Neely Henry Lake TMDL

In 2008 the EPA approved TMDLs for Neely Henry Lake related to Nutrients (Total Phosphorous), pH, and Organic Enrichment/Dissolved Oxygen. The Southside MS4 directly and indirectly discharges to Neely Henry Lake; therefore, **the Southside MS4 is required to achieve a 30% reduction in Total Phosphorus discharge loading.**



Sources of nutrient and organic enrichment from non-point sources within the Coosa River watershed include:

- Runoff from pastures
- Runoff from animal operations
- Direct discharge to streams due to cattle
- Improper land application of animal waste
- Failing septic systems
- Urban runoff

Point source contributors of storm water pollution within the Coosa River watershed include:

- Discharge from wastewater treatment plants
- Discharge from industrial operations

Part IV.D of the NPDES General Permit requires that the SWMPP include BMPs and control measures specifically targeted to achieve the waste load allocations prescribed in the TMDL. The SWMPP must also include monitoring provisions to document that the waste load allocations prescribed in the TMDL are being achieved.

1.6 Coordination Between Entities

1.6.1 Steering Committee

The Gadsden-Etowah Steering Committee was first established in 2011 following re-issuance of the joint permit. The intent of the steering committee was to provide for coordination between the co-permittees. When the joint permit was superseded by the separate permits in 2016, the committee continued to work together to produce and implement a joint SWMPP and monitoring program.

The Steering Committee will continue under the 2021 permit. Despite the preparation of individual SWMPPs for each entity, the Gadsden-Etowah MS4 entities remaining committed to partnership and joint implementation of the monitoring program.

Each of the seven entities provide at least one member to the Gadsden-Etowah Storm Water Steering Committee. Each entity is responsible for providing the required annual updates and monitoring data to the Steering Committee.

Table 1-5 MS4 Storm Water Steering Committee

Entity	Contact	Phone Number	Email
City of Gadsden	Jeremy Ward	256-549-4527	jward@cityofgadsden.com



Entity	Contact	Phone Number	Email
City of Gadsden	Heath Williamson	256-549-4520	hwilliamson@cityofgadsden.com
City of Attalla	Jason Nicholson	256-441-9200	jnicholson@attallacity.org
City of Rainbow City	Joel Garmon	256-413-1230	jgarmon@rbcAlabama.com
City of Southside	Judd Rich	256-442-9775 Ext. 131	jrich@cityofsouthside.com
City of Glencoe	Todd Means	256-492-1424	toddmeans@cityofglencoe.net
City of Hokes Bluff	Lisa Johnson	256-492-2414 Ext. 6	hbcity@cityofhokesbluff.net
Etowah County	Robert Nail	256-549-5358	rmail@etowahcounty.org

1.6.2 *Monitoring Program*

The monitoring program initially developed in 2011 to evaluate compliance with the Neely Henry Lake TMDL consist of quarterly wet-weather monitoring in several water bodies across the Gadsden-Etowah MS4. The City of Attalla, the City of Gadsden, the City of Glencoe, the City of Hokes Bluff, City of Rainbow City, the City of Southside, and Etowah County entered into a Cooperative Agreement on March 24, 2015 to jointly ensure the quarterly monitoring was performed.

The submission of individual SWMPPs and Annual Reports for each entity will necessitate modification of the 2015 monitoring agreement. The Gadsden-Etowah Steering Committee will establish a revised cooperative agreement for the quarterly monitoring by March 31, 2023.

1.7 **Responsible Party**

The **Building Inspector** is responsible for the coordination and implementation of the Storm Water Management Program Plan. Coordination between City departments is established in each section of the SWMPP.

The **Storm Water Steering Committee** is responsible for the implementation of the monitoring plan.



2.0 SWMPP Development, Review, and Update

2.1 SWMPP Components

Part II of the Individual Phase II Permit requires that the Permittee develop and implement a storm water management program plan that includes the following five minimum control measures:

1. Public Education and Public Involvement
2. Illicit Discharge Detection and Elimination (IDDE)
3. Construction Site Storm Water Runoff Control
4. Post-Construction Storm Water Management in New Development and Redevelopment
5. Pollution Prevention/Good Housekeeping for Municipal Operations

Program details are outlined in the following sections.

2.2 Annual Review

The Storm Water Management Plan will be reviewed annually by the City of Southside as required by Part IV.B of the NPDES General Permit. The review will be performed in conjunction with the preparation of the Annual Report required by Part VI of the permit.

2.3 Updates to the SWMPP

The SWMPP may be updated following the procedures laid out in Part IV.B of the NPDES General Permit. Changes to the SWMPP adding components, controls, or requirements may be made at any time, provided the ADEM is notified in writing. The changes must also be documented in the annual report.

Permission to make changes to the SWMPP to remove or replace components, controls, or requirements must be requested from the ADEM a minimum of 60 days prior to making the change. If the request is denied, the ADEM will provide a written response giving the reason for the decision.

The City of Southside will also update their website with the most current SWMPP at the time the revisions are made.

2.4 Responsible Party

The **Building Inspector** is responsible for the coordination and implementation of the Storm Water Management Program Plan. Coordination between City departments is established in each section of the SWMPP.



3.0 Addressing Impairments and TMDLs

3.1 Rationale Statement

As discussed in Section 1.5, the Southside MS4 currently discharges to impaired segments of the Coosa River. Part IV.D.3(a) of the NPDES General Permit requires that the SWMPP include BMPs targeted to address the impairments, achieve the waste load reductions/allocations outlined in the TMDLs, and a monitoring program to assess the effectiveness of the BMPs.

3.2 BMPs to Address Impairment

The Southside MS4 will implement the following BMPs to address nutrients, pH, and organic enrichment in Neely Henry Lake and decrease phosphorous in runoff from the MS4:

- Public education on proper use and disposal of fertilizers
- Dry-weather field screening of outfalls to waterbodies within the MS4
- Training for municipal personnel on illicit discharge identification and reporting
- A construction site runoff program that includes requiring erosion and sediment controls, permitting for qualifying sites, site inspections, and enforcement
- A program to report unpermitted industrial facilities to ADEM
- Methods for the public to report illicit discharges, including sanitary sewer overflows
- A municipal Vehicle Washing Standard Operating Procedure that include a specific prohibition on phosphate-containing soaps
- Public education on the storm water impacts of using phosphate-containing soaps in vehicle washing

The implemented BMPs are discussed in detail in Sections 5 to 9 of the SWMPP.

3.3 Monitoring

The Southside MS4 is required to achieve a **30% reduction in Total Phosphorus discharge loading** and must conduct monitoring to evaluate compliance with the TMDL. As previously discussed, the Southside MS4 has chosen to partner with the six other MS4 entities within the *Gadsden, Alabama Urbanized Area* to develop and implement a joint monitoring program. The Gadsden-Etowah Steering Committee is responsible for implementation of the Gadsden-Etowah Wet Weather Monitoring Program.

The intent of the proposed monitoring program is to evaluate the effectiveness of the City's BMPs in achieving the required reduction as established in the TMDL and to generally evaluate overall water quality. Where deviations



are documented and/or expected, the collected monitoring data will be used to determine the extent and cause of the pollutant of concern.

Details of the monitoring program are provided in the Gadsden-Etowah Wet Weather Monitoring Plan. A copy of the most recent plan is included in **Appendix C**.

3.3.1 *Wet Weather Storm Water Monitoring*

Strategy 1. Wet weather monitoring

The City will implement a monitoring program to assess the effectiveness of the City's BMPs in complying with the Neely Henry Lake TMDL. Wet-weather monitoring will be conducted at selected monitoring points throughout the *Gadsden, Alabama Urbanized Area*. Under the program, water samples will be collected and analyzed for both field and laboratory parameters. The samples will be collected following a prescribed rain event according to the schedule established in the monitoring plan.

Evaluation Criteria: The City will include in the Annual Report copies of the reports for the monitoring events conducted during the reporting period.

Strategy 2. Mapping of storm water monitoring locations

Storm water monitoring locations are identified in the *Gadsden-Etowah Wet Weather Monitoring Program* included in **Appendix C**. Monitoring points located within the Southside MS4 boundaries are depicted on the City's Storm Water System Map. If additional monitoring locations are recommended as a result of the analysis of the monitoring data, the City will update the map with the revised or additional locations.

Evaluation Criteria: If additional sampling locations are added during the reporting period, the City will update the Storm Water System Map. A copy of the updated map will be provided with each Annual Report.

Strategy 3. Reporting

Field observations and analytical results will be recorded at the time of sampling. The resulting laboratory analytical reports will be retained by the City for a minimum of 3 years.

A report consolidating the results from each monitoring event will be submitted by the entity/company performing the monitoring to the members of the Gadsden-Etowah Steering Committee. Each monitoring report will be incorporated into the Annual Update of the SWMPP. Monitoring reports will be retained by the City for a minimum of 3 years.

Evaluation Criteria: The City will include in the Annual Report copies of the reports for the monitoring events conducted during the reporting period.



Strategy 4. Evaluation of monitoring data

The City will evaluate the collected monitoring data for indicators of potential illicit discharges within the City and to assess the effectiveness of the BMPs in achieving the reductions outlined in the 2008 TMDL. Each year, statistical analysis will be performed on the cumulative monitoring data to determine whether there has been a statistically significant increase (SSI) of concentrations between specific monitoring points.

Evaluation Criteria: The City will report which monitoring points appear to have relatively higher pollutant levels, and whether pollutant loads appear to be increasing or decreasing across the Gadsden-Etowah MS4s. The City will make recommendations to the Gadsden-Etowah MS4 Storm Water Steering Committee to add and/or modify monitoring points to better characterize discharges from the Southside MS4.

3.4 Responsible Parties

The Gadsden-Etowah Steering Committee is responsible for implementation of the Gadsden-Etowah Wet Weather Monitoring Program.



4.0 Reporting and Record-Keeping

4.1 Annual Reports

Annual reports must be submitted to ADEM using the Alabama Environmental Permitting and Compliance System (AEPACS) by May 31 of each year. The annual report will cover the period from April 1 through March 31 of the year prior to the submittal date and will include:

1. List of contacts and responsible parties for the preparation of the Annual Report
2. Overall evaluation of the SWMPP developments and progress for the following:
 - a. Major accomplishments
 - b. Overall program strengths/weaknesses
 - c. Future direction of the program
 - d. Overall effectiveness of the SWMPP taking into account water quality/watershed improvement
 - e. Measurable goals that were not performed and reasons why the goals were not accomplished
 - f. Evaluation of monitoring data
3. Narrative report of the minimum storm water control measures referenced in Part III.B of this permit.
 - a. Minimum control measures completed and in progress
 - b. Assessment of the controls; and
 - c. Discussion of proposed BMP revisions or any identified measurable goals that apply to the minimum storm water control measures.
4. Summary table of the storm water controls that are planned/scheduled for the next reporting cycle
5. Results of information collected and analyzed, if any, during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants to the Maximum Extent Practicable (MEP).
6. Notice of reliance on another entity to satisfy some of the permit obligations
7. Results of the evaluation to determine whether discharges from any part of the MS4 contributes directly or indirectly to a waterbody that is included on the latest 303(d) list, designated by ADEM as impaired, or for which a TMDL has been established or approved by EPA.
8. If monitoring is required, the monitoring results collected during the previous year.

4.2 Recordkeeping

The following records must be maintained for a period of at least three years from the date of the sample, measurement, report, or application:

- Records of monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation)

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- Copies of reports required by the permit
- Records of data used to complete the Notice of Intent



5.0 Public Education and Public Involvement on Storm Water Impacts

The following sections detail the rationale statement, targeted audiences, planned activities, evaluation criteria, and the responsible party regarding the referenced control measure.

5.1 Rationale Statement

The City's goal is to have a comprehensive and effective public education and public involvement program, the intent of which is to:

1. Generate awareness of storm water pollution prevention by educating people about the storm water system and its relationship to the health of local waterways;
2. Modify behavior patterns through education and encouragement of active participation in water pollution prevention;
3. Educate the public of steps they can take to reduce pollutants in storm water runoff, such as using phosphate-free cleaners, soaps, and detergents in the home; and
4. Involve the general public by providing activities and opportunities for public participation in the storm water management program.

5.2 Target Audiences

The primary target audiences within the City are as follows:

- **General Public** (homeowners and citizens)
 - General impacts litter has on water bodies, how trash is delivered to streams via the MS4, and ways to reduce litter
 - General impacts of storm water flows into surface water from impervious surfaces
 - Source control BMPs in areas of pet waste, vehicle maintenance, landscaping and rainwater reuse
- **General Public, Businesses, Including Home-Based and Mobile Businesses**
 - BMPs for use and storage of automotive chemicals, hazardous cleaning supplies, carwash soaps, and other hazardous materials
 - Impacts of illicit discharges and how to report them.
- **Homeowners, Landscapers, and Property Managers**
 - Yard care techniques that protect water quality
 - BMPs for use and storage of pesticides and fertilizers
 - BMPs from carpet cleaning and auto repair and maintenance
 - Runoff reduction techniques, which may include but not limited to site design, pervious paving, retention of forests, mature trees, and maintenance required for LID/GI
 - Storm water pond maintenance



- **Engineers, Contractors, Developers, Review Staff, and Land Use Planners**
 - Technical standards for construction site sediment and erosion control
 - Storm water treatment and flow control BMPs
 - Impacts of increased storm water flows into receiving water bodies
 - Run-off reduction techniques and low impact development (LID) and green infrastructure (GI) practices

5.3 Planned Activities

The City plans to implement the following activities as part of their Public Education and Public Involvement Program during each reporting period. To evaluate the success of the program and aid in preparing the required Annual Report, evaluation criteria have been established for each strategy.

5.3.1 *Public Education on Pollution Reduction*

Strategy 1. Maintain the storm water webpage

The City provides information on the City's MS4 Program and permit on the Storm Water Management webpage within the City of Southside's website. The City will maintain this webpage and provide additional educational materials each reporting period.

Participation will be tracked through the number of "hits" on the webpage. The webpage will continue to be updated periodically to:

- Include general information on the MS4 permit and SWMPP
- Discuss the storm water cycle and how common contaminants enter the storm water system
- Provide educational materials about proper and improper use, storage, and disposal of common household chemicals
- Provide educational materials on storm water impacts specifically related to litter, floatables, and debris
- Provide links to related storm water resources
- Provide information on how to identify and report illicit discharges
- Provide a calendar of upcoming community events related to storm water outreach

The Storm Water Management webpage can be viewed at the following link:

<https://www.cityofsouthside.com/Default.asp?!ID=277&pg=Storm+Water+Management>



Target Audience: General public, engineers, developers, landscapers, business owners, land use planners, property managers, and city personnel

Evaluation Criteria: The City will report what information was added to the webpage and the number of "hits" on the webpage. This information will indicate the number of people who view the webpage and the associated educational materials.

Strategy 2. Distribute storm water educational material

The City will use available resources obtained through networking or online resources, such as those provided by EPA, to prepare storm water education material to increase awareness of the public on storm water topics. The City will distribute education material using one or more of the following methods:

- Purchasing advertisement space in the online edition of the Gadsden Times
- Printing and placing bookmarks for distribution at the Southside Library
- Printing and placing brochures at the Community Center and City Hall

Topics may include the following:

- Introduce the MS4 to the general public and discuss the storm water cycle and how common contaminants enter the storm water system.
- Educate households and businesses about proper and improper use, storage, and disposal of common household chemicals such as herbicides, pesticides, and fertilizers.
- Make the public aware of how the improper use of these chemicals can impact storm water quality.
- Discuss storm water impacts specifically related to litter, floatables, and debris
- Discuss how the cumulative effect of these contaminants impact the Coosa River and what individual households and businesses can do to reduce storm water pollutants.
- Provide information on how to identify and report illicit discharges.
- Provide information on additional resources pertaining to storm water, storm water pollution, and Neely Henry Lake TMDLs.
- Provide information on storm water contacts within the City of Southside and information on reporting potential storm water violations.

Target Audience: General public



Evaluation Criteria: The City will report the number of educational materials distributed and the distribution method. This information will indicate the number of people who received educational materials.

Strategy 3. Distribute storm water educational material via social media

The City will post storm water educational material on the City of Southside Storm Water Management Facebook page at least once per quarter. Materials may include contact information for reporting illicit discharges, announcements for upcoming community events, and other materials related to storm water outreach.

Evaluation Criteria: The City will report the number of storm water topics posted on the City's social media during the reporting period. If possible, the City will provide a summary of the engagement metrics (e.g., total likes, shares, or comments) for the posted storm water topics. This information will indicate the number of people who viewed the educational materials.

Cross-Reference: Section 6, Strategy 14

Strategy 4. Provide information on construction site storm water impacts

The City will provide pre-printed information on how construction site runoff can impact storm water quality to individuals requesting plan review and building/development permits.

Target Audience: Engineers, developers, and contractors

Evaluation Criteria: The City will report the number of permits issued during the reporting period. This information will indicate the number of people who received educational materials.

Strategy 5. Provide information on Low Impact/Green Development

The City will encourage developers and engineers to consider green infrastructure alternatives by providing pre-printed educational information on green development to individuals requesting plan review and building/development permits. Information may include references to additional resources such as the Green Building Alliance, Low Impact Development Center, and U.S. Department of Housing and Urban Development.

Target Audience: Engineers, developers, and contractors

Evaluation Criteria: The City will report the number of permits issued during the reporting period. This information will indicate the number of people who received educational materials.

Cross-Reference: Section 8, Strategy 2



Strategy 6. Plan review and permitting

The City will educate engineers, developers, and contractors through plan review and permitting of new construction and redevelopment.

The City currently requires construction sites bordering a waterbody or disturbing more than one acre of land to obtain a Land Disturbance Permit. Each application for a Land Disturbance Permit is required to be accompanied by a Sediment and Erosion Control Plan and a Stormwater Management Plan.

Plan review will ensure proposed projects adequately address the City's erosion, sediment, and pollution control requirements as well as the post-construction design requirements.

Target Audience: Engineers, developers, and contractors

Evaluation Criteria: The City will report the total number of construction plans reviewed during the reporting period.

Cross-Reference: Section 7, Strategies 3 and 4; Section 8, Strategies 4 and 5

Strategy 7. Storm water monitoring signs/inlet markings

The City has placed storm water monitoring signs at monitoring points throughout the City. The City will maintain these signs and place additional signs if necessary. The City has also installed inlet markers on drainage inlet structures throughout the City. The City will add markings as structures are added.

Target Audience: General public

Evaluation Criteria: The City will report the number of new signs or inlet markings added during the reporting period.

5.3.2 Public Input

Strategy 8. Annual Report and SWMPP availability

The City will provide the SWMPP and the current Annual Report available for public viewing on the Storm Water Management webpage at the following link:
<https://www.cityofsouthside.com/Default.asp?ID=330&pg=Storm+Water+Management+Annual+Report>

Target Audience: General public, engineers, developers, landscapers, business owners, land use planners, property managers, and city personnel



Evaluation Criteria: The City will report number of “hits” on the webpage. This information will indicate the number of people who view the webpage and the associated SWMPP and Annual Report.

Strategy 9. Seek public input

Following completion of the SWMPP and/or each year’s Annual Report, a link to the document will be provided on the City of Southside Storm Water Management Facebook page and on the City of Southside main Facebook page. Stakeholders will be encouraged to provide comments, questions, or concerns regarding the implementation of the SWMPP. The City will consider the received comments and respond as needed.

Target Audience: General public, engineers, landscapers, business owners, land use planners, property managers, and city personnel

Evaluation Criteria: Participation will be tracked by the number of interactions, comments, or questions received. The City will report the number of stakeholder comments received on the SWMPP or Annual Report during the reporting period.

Strategy 10. Gadsden-Etowah MS4 Steering Committee meetings

The City will coordinate and/or participate in meetings of the Gadsden-Etowah Storm Water Steering Committee for entity updates, networking, and coordination of activities and BMP strategies.

Steering Committee meetings will be held at least once during each reporting period.

Target Audience: City personnel, adjacent MS4s

Evaluation Criteria: The City will provide meeting agendas and attendance records during the reporting period. The City will report who attended each meeting. This information will indicate the participation of the steering committee and their interest in networking and coordination of activities.

Strategy 11. Participation in professional development organizations

City personnel will participate in meetings, seminars, or other events held by professional organizations such as Alabama Stormwater Association or Clear Water Alabama when possible.

Target Audience: General public, engineers, developers, landscapers, and land use planners

Evaluation Criteria: The City will provide agendas and attendance records for events attended during the reporting period. The City will report the number of Southside employees who attended each reported event.



5.3.3 *Public Participation and Involvement*

Strategy 12. Promote storm water events via social media

The City will utilize the City of Southside social media accounts to promote storm water events such as *Renew Our Rivers*, *Message in a Bottle*, *Water Quality Awareness Week*, *Etowah County Water Festival*, and/or community cleanup days.

Target Audience: General public

Evaluation Criteria: The City will report the number of storm water events advertised on the Facebook page or other social media accounts during the reporting period.

Strategy 13. Promote Water Quality Awareness Week

The City will promote an annual *Water Quality Awareness Week* through City resources including co-sponsoring radio, television, and print advertisement with co-permittees and other stakeholders. The City will set up a booth at City Hall during this event to distribute storm water outreach materials. Pre-printed outreach material and/or displays may include:

- Introduction to the MS4 and the General Permit requirements
- Discussion of the storm water cycle and how common contaminants enter the storm water system
- Information on proper and improper use, storage, and disposal of common household chemicals
- Information regarding the Neely Henry Lake TMDLs
- Storm water contacts within the City of Southside and information on reporting potential storm water violations.

Target Audience: General public

Evaluation Criteria: The City will report activities associated with this event and the ways in which the City promoted *Water Quality Awareness Week*. The City will report the number of educational material distributed at the event and the estimated number of people that stopped by the booth. This information will help measure the public awareness of the event and degree of public and City participation.

Strategy 14. Promote and participate in the Etowah County Water Festival

The *Etowah County Water Festival* is an annual event for fourth grade students from public schools in Etowah County, Alabama. The festival provides hands-on activities that teach students



the importance of surface and groundwater, its role in the environment and its effect on human, animal, and plant life.

The City will promote and participate in the annual *Etowah County Water Festival* through City resources. Promotion methods may include co-sponsoring radio, television, and/or print advertisement with co-permittees and other stakeholders. City personnel will participate in the festival.

Target Audience: General public; schools

Evaluation Criteria: The City will report number of City volunteers at the event and the ways in which the City promoted and/or advertised the event. This information will indicate the City's participation and will help measure the public awareness of the event and degree of public and City participation.

Strategy 15. Public reporting and tracking system

The City provides a contact number and online complaint form for the public to report non-compliant construction sites, illicit discharges (including spills or illegal dumping), impaired waterways, and violations of ordinances relating to storm water pollution.

The online complaint form may be accessed at the following link:

<https://www.cityofsouthside.com/Default.asp?!D=14&pg=Action+Center%2F+Reporting+Problem>

The City will promote the reporting number and form on the City's social media accounts at least once per year. The City will continue to publicize the reporting number and complaint form on the City's website.

The City utilizes the *Illicit Discharge Hotline Incident Tracking Sheet* to track the reports and follow up with investigations where necessary. A copy of the tracking sheet is provided in **Appendix F**. Records of public reports, comments, or complaints will include:

- Date, time, and description of the report
- Location of the complaint (if applicable)
- Identification of any actions taken (inspections, enforcement, corrections, etc.) that are sufficient to cross-reference inspection and enforcement records

The public reporting and tracking methods will be evaluated annually to determine if additional public education is required.

Target Audience: General public



Evaluation Criteria: The City will report the total number of received complaints, the number of addressed complaints, and the number of complaints resolved during the reporting period. This information will help measure the effectiveness of the reporting system, as well as public awareness and concern of storm water issues.

Cross-Reference: Section 6, Strategy 15; Section 7, Strategy 9

5.3.4 *Litter Reduction*

Strategy 16. Coordinate and promote an annual community cleanup day

The City will continue to coordinate and promote an annual community cleanup day. City personnel will participate in the cleanup day. The City will promote the event through advertisements and signs.

Target Audience: General public

Evaluation Criteria: The City will report number of volunteers and the ways in which the event was promoted and/or advertised. This information will help measure the public awareness of the event and degree of public participation.

Cross-Reference: Section 9, Strategy 2

Strategy 17. Promote and participate in anti-litter/cleanup events

The City will partner with Keep Etowah Beautiful, Clean Water Partnership of Alabama, and/or Alabama Power to support, sponsor, and/or promote events such as *Renew Our Rivers*, *Message in a Bottle*, and/or community cleanup days.

City personnel will participate in at least one cleanup event organized or hosted by partner organizations each reporting period.

Target Audience: General public

Evaluation Criteria: The City will report the number of partnership activities conducted during the reporting period. The City will also report the number of City employees/representatives that participated in cleanup events during the reporting period.

Strategy 18. No dumping/no littering signs

To reduce the amount of litter entering the MS4, the City has placed "No Dumping" or "No Littering" signs in problem areas throughout the City. The City will maintain these signs and place additional signs if necessary.

Target Audience: General public



Evaluation Criteria: The City will report the amount of litter collected in these areas. This information will help measure the effectiveness of the signs in reducing the amount of materials dumped in problem areas.

Cross-Reference: Section 9, Strategy 3

Strategy 19. Litter ordinance

Ordinance No. 006-2008 states, "An accumulation or storage of debris, refuse, rubbish, brush used building materials, parts of buildings, remains from building demolition, parts of untenable or uninhabitable structures, used machinery, used tires, used vehicles, parts of vehicles, abandoned vehicles, or any other materials which may provide a breeding place for mosquitos, harmful insects, rodents or snakes, or is so unsightly as to be offensive of the surrounding area is a nuisance in violation of this ordinance."

A copy of the litter ordinance is included in **Appendix E**.

Target Audience: General public

Evaluation Criteria: The City will report the number of enforcements during the reporting period. This information will help measure the effectiveness of the ordinance.

Cross-Reference: Section 9, Strategy 4

Strategy 20. Brush pickup

To reduce the amount of debris entering the MS4, the City provides brush pickup on an as-needed basis. Brush pickup must be requested by contacting the Street Department, and there is a \$40 charge for service

Target Audience: General public, homeowners, landscapers, business owners

Evaluation Criteria: The City will report the number of scheduled pickups and pounds of debris collected from pickups during the reporting period. This information will help measure the effectiveness of the brush pickup program.

Cross-Reference: Section 9, Strategy 5

Strategy 21. Encourage recycling

To reduce the amount of litter generated within the MS4, the City encourages Southside residents to utilize the City of Gadsden drop-off recycling center. The recycling center accepts:

- Cardboard
- Plastics



- Newsprint
- Magazines
- Aluminum
- Other metals
- Used cooking oil

The City of Southside will continue to promote the Gadsden recycling center on the City webpage at the following link: <https://www.cityofsouthside.com/Default.asp?ID=323&pg=Recycling+Center>

Target Audience: General public

Evaluation Criteria: The City will report the ways the Gadsden Recycling Center was promoted during the reporting period.

Strategy 22. Used oil collection and recycling

To prevent illicit discharges to the MS4, the City will continue to operate a used oil drop-off location at the City Maintenance Shop. Southside citizens may bring used oil or automotive fluids to the maintenance shop, and the City will properly dispose of the collected fluids.

Target Audience: General public, landscapers, and property managers

Evaluation Criteria: The City will report the total amount of used oil collected during the reporting period. This information will be used to assess whether additional advertisement of the collection program is needed.

5.3.5 Program Evaluation

Strategy 23. Program Evaluation

As detailed above, the following information will be collected for each reporting period:

- What information was added to the webpage and the number of "hits" on the webpage
- Number of educational materials distributed and the distribution method
- Number of storm water topics posted on social media during the reporting period and a summary of the engagement metrics
- Number of Land Disturbance Permits issued
- Number of construction plans reviewed
- Number of new signs or inlet markings added
- Number of "hits" on the SWMPP and/or Annual Report
- Number of interactions, comments, or questions received on the SWMPP and/or Annual Report
- Agendas and city personnel attendance for Gadsden-Etowah Steering Committee meetings
- Agendas and city personnel attendance for other professional development meetings



- Number of storm water events advertised on the Facebook page or other social media accounts
- Activities associated with Water Quality Awareness Week and the ways in which the City promoted them
- Number of City volunteers at the Etowah County Water Festival and the ways in which the City promoted and/or advertised the event
- Total number of received complaints, addressed complaints, and resolved complaints
- Number of volunteers at the annual community cleanup day and the ways in which the event was promoted and/or advertised
- Number of partnership activities conducted and the approximate number of attendees at each event
- Number of City employees/representatives that participated in partnership cleanup events
- Amount of litter collected in areas with "No Littering" signs
- Number of litter enforcements
- Number of scheduled brush pickups
- Total pounds of debris collected from brush pickups
- Total amount of used oil and scrap metal collected at the drop-off facility
- Ways the Gadsden Recycling Center was promoted
- Total amount of used oil collected at the Maintenance Shop

The City will utilize the collected information to evaluate the effectiveness of the public education/public involvement program.

In general, the number of webpage hits is expected to rise as the public becomes more aware of the MS4 program. If a decline in visitors is observed, the City may re-evaluate the structure and content of the webpage.

The comments received on the Annual Report and SWMPP will be used to determine if additional educational effort is needed on certain topics. The type and tone of the comments will help assess the effectiveness of previous public education efforts.

The number of illicit discharge reports or complaints received will be evaluated to determine if additional promotion of the reporting service is needed.

5.4 Responsible Party

The **Building Department** is responsible for overseeing, developing, and coordinating the Public Education and Public Involvement efforts. The Building Department is responsible for performing plan review regarding erosion, sediment, pollution control, drainage, and flood control. The Building Department is also responsible for providing content for the storm water webpage and social media.

The **IT Contractor** is responsible for maintaining the storm water webpage and providing outclick information to the Building Inspector for inclusion in the Annual Report.



6.0 Illicit Discharge Detection and Elimination

6.1 Rationale Statement

The City of Southside Illicit Discharge Detection and Elimination (IDDE) program is designed to locate, identify, and correct illicit discharges to the MS4. Program emphasis will be placed on identifying and correcting pollutant discharges which could influence compliance with the Neely Henry Lake TMDLs and the Gadsden-Etowah monitoring program.

6.2 Target Audiences

The primary target audiences within the City for the IDDE program are:

- **Municipal Employees**
 - Primarily responsible for identifying and reporting illicit discharges
- **General Public (homeowners and citizens)**
 - Potential contributors of illicit discharges from activities such as dumping paint, motor oil, or other chemicals into a storm drain
- **Local Businesses**
 - Potential contributors of illicit discharges through inadequate management practices and/or unpermitted facilities

6.3 Strategies

The City plans to implement their IDDE Program through the strategies described below during each reporting period. To evaluate the success of the program and aid in preparing the required Annual Report, evaluation criteria have been established for each strategy.

A map depicting known outfalls, waters of the state that receive discharges from these outfalls, and structural BMPS owned, operated, or maintained by the City is located in **Appendix A** as **Figure 5**.

A brief summary of strategies that the City will implement as part of their IDDE Program is provided below. A more detailed scope of the planned activities, rationale, and implementation process is presented in the *City of Southside Illicit Discharge Detection and Elimination Program* included in **Appendix D**. To evaluate the success of the strategies and aid in preparing the required Annual Reports, evaluation criteria have been established for each strategy.



6.3.1 *Legal Authority*

Strategy 1. IDDE Ordinance

Ordinance 0-10-2012 was adopted December 10, 2012 to establish Stormwater Management Regulations within the City of Southside. A copy of the ordinance is provided in **Appendix E**. The City will maintain a copy of the ordinance on the City website.

Prohibit Illicit Discharges

Section VIII of Ordinance 0-10-2012 prohibits non-storm water discharges into the Southside storm sewer system, with the exception of those non-storm discharges explicitly exempted in the ordinance. Section VIII also prohibits illicit connections.

Enforcement

Section VII of Ordinance 0-10-2012 provides the City with authorization to perform inspections of existing facilities. Section IX provides the departments of building, zoning, and engineering with the authority to enforce the requirements of the Stormwater Management Regulations and outlines the escalating enforcement procedures available. Enforcement actions include written notice of violation, consent orders, show cause hearing, compliance order, and cease and desist orders. Section X provides for penalties between \$50.00 and \$500.00 per day per violation.

Require Elimination of Illicit Discharges

Section VIII of Ordinance 0-10-2012 requires that any person responsible for the source of an illicit discharge be required to implement the BMPs necessary to prevent the further discharge of pollutants to the MS4. Section VIII also requires that responsible parties immediately take all necessary steps to ensure the discovery, containment, and cleanup of the illicit discharge.

Evaluation Criteria: The IDDE Ordinance will be reviewed on an annual basis and updated as needed. The ordinance will be evaluated on its effectiveness in addressing identified illicit discharges and preventing repeat offenders.

The City will annually report the number of complaints received, the number of illicit discharges identified during the reporting period, and the number of resolved violations.

6.3.2 *Storm Water System Mapping*

Strategy 2. MS4 map

The City previously developed a hardcopy map showing the known outfalls from the Southside MS4, the waters of the State that receive discharges from these outfalls, and the structural BMPs owned, operated, or maintained by the City. A copy of the current map is located in **Appendix A** as **Figure 5**.



The City will continue to maintain the map of the Southside MS4 area. The map will include, at a minimum:

- Latitude/longitude of all known outfalls
- Names of all waters of the State that receive discharges from the outfalls
- Locations of structural BMPs owned, operated, or maintained by the City

Proposed additions within the City, including new storm sewer and drainage conveyances, will be mapped based on the civil plans provided to the City by developers. Outfalls from proposed development will be verified after construction is complete, as part of Activity 3. The implementation process is further discussed in Section 5 of the IDDE Program.

Evaluation Criteria: A copy of the updated map will be included with each Annual Report. The City will report the number of civil plans provided to the City and the number of verified new features or outfalls during the reporting period. The City will provide an updated Storm Water System Map showing the features added during the reporting period.

6.3.3 *Identifying Priority Areas*

Strategy 3. Identify Priority Areas

The City previously delineated seven drainage basins within the Southside MS4, as shown on **Figure 6** in **Appendix A**.

The City will identify which drainage basins are considered Priority Areas for each reporting period using the illicit discharge potential (IDP) calculation procedures detailed in Section 5 of the IDDE Program. The City will maintain records of the IDP calculations for each drainage basin.

Evaluation Criteria: The City will report the total IDP score for each drainage basin and will provide an updated map showing the identified Priority Areas. The City will report drainage basins that are newly listed or de-listed from the previous reporting year's calculations.

6.3.4 *Dry Weather Field Assessment Activities*

Strategy 4. Outfall reconnaissance inventory for new MS4 areas

Approximately 9.2 square miles of the City of Southside lie outside of the 2010 Urbanized Area boundary. Should the Urbanized Area boundary change as a result of the 2020 Census, the City will implement a stream-walking program designed to identify outfalls to the MS4 within the newly-added MS4 areas. The implementation process is detailed in Section 6 of the IDDE Program in **Appendix D**.



Evaluation Criteria: The City will maintain records of field observations. The City will report the number of outfalls identified and the stream length walked during the reporting period. The City will provide updated tables and maps that include the outfalls identified by the stream-walking program.

Strategy 5. Outfall reconnaissance inventory for previously unidentified outfalls

The City previously identified 16 outfalls within the MS4 Boundary, three of which are considered major outfalls. The most recent MS4 map is provided as **Figure 5** in **Appendix A**. The City will continue to implement a program to identify previously unknown outfalls to the MS4.

Previously unknown outfalls encountered during dry-weather inspections of known outfalls will be identified, inspected, and screened at the time of discovery. Following the initial inspection, the new outfall will be added to the MS4 outfall inventory and map.

Outfalls encountered during other field observations will be reported to the Building Inspector to be added to the outfall database for verification and inspection. Until verification, the outfall will be identified in the outfall inventory and on the map as a "Potential Outfall".

Evaluation Criteria: The City will maintain records of field observations. The City will report the number of outfalls identified during the reporting period. The City will provide updated tables and maps that include the verified and inspected outfalls.

Strategy 6. Verification of potential outfalls identified during plan review

As-built drawings are required to be submitted to Building Department following construction of post-construction storm water controls. Information provided on the as-built drawings will be verified through field observation during the final inspection.

Outfalls identified during review of the as-built drawings or from the final inspection will be added to the outfall inventory and map as "Potential Outfalls" and will be inspected during the scheduled ORI activities. The implementation process is detailed in Section 6.3 of the IDDE Program in **Appendix D**.

Evaluation Criteria: The City will maintain records of field observations. The City will report the number of outfalls verified during the reporting period. The City will provide updated tables and maps that include the verified outfalls.

Strategy 7. Outfall Reconnaissance Inventory (ORI) during dry weather

ORI inspections will be conducted during dry weather conditions. Dry weather conditions are defined as a period in which no rainfall over 0.1 inch occurs in the previous 48 hours.



As required by the permit, a minimum of 15% of all known outfalls will be inspected during each reporting period and all known outfalls will be inspected at least once in the 5-year permit cycle. Priority Outfalls will be visually inspected at least once every three years.

The implementation process is detailed in Section 8 of the IDDE Program. Dry weather monitoring activities may be combined with outfall verification as described in Strategy 6.

Evaluation Criteria: The City will maintain records of field observations. The City will report the number of outfalls inspected during the reporting period.

Strategy 8. Suspect discharge screening

If a dry-weather flow is observed at an outfall during inspection, it will be screened to determine if it is a potential illicit discharge. The implementation process is detailed in Section 8.9 of the IDDE Program in **Appendix D**.

Evaluation Criteria: The City will maintain records of suspect discharge screening results. The City will report the number of identified dry weather flows observed during the reporting period, as well as the number of dry weather flows determined, by field screening, to be suspect discharges.

Strategy 9. Suspect discharge sampling

If a dry weather flow is observed, procedures for determining whether further analysis is required are specified on the ORI field sheet. If a dry weather flow has a severity index of 3 on one or more indicators in Section 4 of the Outfall Reconnaissance Inventory Field Sheet, or if field screening indicates a suspect discharge, field crews will collect samples for further analysis. The implementation process is detailed in Section 8.10 of the IDDE Program.

Evaluation Criteria: The City will report the number of identified dry weather flows, suspect discharges, and samples collected during the reporting period. The City will report the analysis results for the collected samples. The City will report if the suspect discharge was confirmed to be an illicit discharge and, if known, the type of illicit discharge.

6.3.5 *Illicit Discharge Investigation*

Strategy 10. Outfall ranking

Data from each Outfall Reconnaissance Inventory Field Sheet will be analyzed to designate the observed outfall as having obvious, suspect, possible, or unlikely discharge potential. Obvious and suspect illicit discharges will be investigated according to the schedule detailed in Section 8.12 of the IDDE Program in **Appendix D**.

Evaluation Criteria: The City will report the number of outfalls that required further investigation.



Strategy 11. Illicit discharge investigation

Illicit discharge investigations will be performed to determine the source of a discharge problem and the responsible party. The implementation process is detailed in Section 9 of the IDDE Program located in **Appendix D**.

Evaluation Criteria: The City will report the number of illicit discharge investigations performed during the reporting period. The City will also report the number of confirmed illicit discharges, if a source was determined, and if the discharge was eliminated.

6.3.6 *Corrective Actions*

Strategy 12. Corrective action record keeping

When a suspect illicit discharge or illicit connection is identified, a case log detailing pertinent information will be created. Throughout the corrective action process, information related to the resolution of the illicit discharge will be documented in the case log.

Evaluation Criteria: The City will maintain records of the correction actions. The City will report the number of confirmed illicit discharges and the number of illicit discharges corrected or eliminated during the reporting period. The City will also report the number of confirmed illicit discharges where corrective action is pending.

Strategy 13. Illicit discharge elimination

Identified illicit discharges will be reported to the appropriate City department or agency for corrective action. Chemical spills will be referred to the Fire Department. Discharges of sewage or potable water will be referred to the Southside Water Works and Sewer Board. Illegal dumping will be referred to the Building Department for code enforcement. Each agency will report to the City the results of the corrective action measures taken and if the Illicit discharge was successfully eliminated.

Evaluation Criteria: The City will report the number of illicit discharges referred to other agencies or departments for corrective action and the number of illicit discharges eliminated during the reporting period.

6.3.7 *IDDE Public Education*

Strategy 14. Distribute storm water educational material

The City will provide educational materials highlighting identification and reporting of potential illicit discharges on the City's Storm Water Management webpage and on the City of Southside Storm Water Management Facebook page.



The City will post educational materials regarding illicit discharge identification and reporting on the Facebook page at least once per year.

Evaluation Criteria: The City will report the number of hits to the webpage and/or the number of materials placed at the City-owned locations and how often the materials were replaced during the reporting period. This information will indicate the number of people who received educational materials.

Cross-Reference: Section 5, Strategy 3

Strategy 15. Public reporting and tracking system

The City provides a contact number and online complaint form for the public to report non-compliant construction sites, illicit discharges (including spills or illegal dumping), impaired waterways, and violations of ordinances relating to storm water pollution.

The online complaint form may be accessed at the following link:

<https://www.cityofsouthside.com/Default.asp?!D=14&pg=Action+Center%2F+Reporting+Problem>

The City will promote the reporting number and form on the City's social media accounts at least once per year. The City will continue to publicize the reporting number and complaint form on the City's website.

The City utilizes the *Illicit Discharge Hotline Incident Tracking Sheet* to track the reports and follow up with investigations where necessary. A copy of the tracking sheet is provided in **Appendix F**. Records of public reports, comments, or complaints will include:

- Date, time, and description of the report
- Location of the complaint (if applicable)
- Identification of any actions taken (inspections, enforcement, corrections, etc.) that are sufficient to cross-reference inspection and enforcement records

The public reporting and tracking methods will be evaluated annually to determine if additional public education is required.

Evaluation Criteria: The City will track the total number of reports received, the number of complaints addressed, and the number of complaints resolved during the reporting period. The City will also report whether or not the received reports contain the required information to find and address the suspected problem. The City will provide a summary of at least one complaint received during the reporting period. This information will help evaluate the effectiveness of the tracking and reporting system, as well as the public awareness and concern of storm water issues.



Cross-Reference: Section 5, Strategy 15; Section 7, Strategy 9

6.3.8 *Training*

Strategy 16. Municipal employee training

Municipal workers will be trained in the identification of illicit discharges. The training session will be conducted annually during each reporting period.

Municipal workers will be notified of the procedures for reporting suspected illicit discharges to their supervisor, including the preferred method of contact and the information to be included in the report (e.g., location, date, time, observations).

Evaluation Criteria: The City will provide details on the IDDE training topics presented to the municipal workers. The City will maintain attendance records and report the number of municipal workers trained during the reporting period. This information will help evaluate the municipal workers awareness of illicit discharges and storm water issues.

Cross-Reference: Section 9, Strategy 14

6.3.9 *ADEM Notification*

Strategy 17. Notify ADEM of illicit discharges from an adjacent MS4

The Southside MS4 is bordered in several areas by the Rainbow City MS4 and the Etowah County MS4. Should the City identify a suspect illicit discharge originating within a neighboring MS4, the City will notify the appropriate MS4 and the ADEM Water Division within 48 hours of observation of the suspect illicit discharge.

The notification to the responsible MS4 and ADEM will include the following information:

1. Location of the suspect illicit discharge, including latitude and longitude, if known
2. Type of illicit discharge, if known
3. Estimated quantity or flow rate, if known
4. Origin or suspected origin of the suspect illicit discharge, if known
5. Date and time the suspect illicit discharge was observed
6. Description of affected media, including the name of the receiving waterbody, if known
7. Corrective actions being taken within the Southside MS4, if any



Evaluation Criteria: The City will report the total number of suspect illicit discharges reported to adjacent MS4s and ADEM during the reporting period. Copies of the notification reports will be included in the Annual Report.

Strategy 18. Notify ADEM of unpermitted industrial sites

As authorized by the Clean Water Act, the NPDES Permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Title 40, Part 122 of the Code of Federal Regulations (40CFR122) specifies that discharges associated with certain industrial activities must obtain an NPDES permit. ADEM currently provides for individual and general NPDES permitting.

Information pertaining to permitted facilities will be obtained from available public sources such as AEPACS and incorporated into the Storm Water System Map. This information will be used in conjunction with the storm water system mapping and monitoring data to evaluate potential sources of storm water pollution and to identify unpermitted facilities.

Unpermitted facilities that require an NPDES permit will be reported to the Industrial Section of ADEM in Montgomery, Alabama by phone and/or email. The City of Southside continues to rely on ADEM for industrial NPDES permitting and enforcement.

Evaluation Criteria: The City will provide the number of unpermitted facilities reported to ADEM during the reporting period, if any. Communication records will be maintained. This information will help measure the effectiveness of the reporting and identification of unpermitted facilities

6.4 Responsible Party

The **Building Department** are responsible for overseeing, developing, and coordinating the IDDE program in the City of Southside regulated MS4 area.

Other City departments, including the **Street and Sanitation Department**, the **Parks and Recreation Department**, the **Fire Department**, and the **Police Department**, will report illicit discharges observed during the course of their normal duties. Reports of observed or suspected illicit discharges will be made to the Building Department.

The **Southside Water Works and Sewer Board** is responsible for corrective actions regarding Sanitary Sewer Overflows.

The **Fire Department** is responsible for corrective actions regarding hazardous spill response and for reporting spills over 25 gallons to ADEM.



7.0 Construction Site Storm Water Runoff

7.1 Rationale Statement

The City's construction site storm water runoff control program is primarily designed to address storm water pollution due to off-site sedimentation from qualifying construction sites to the maximum extent practicable.

7.2 Target Audiences

The primary target audiences within the City are:

- **Developers, Contractors, and Homebuilders**
 - Potential contributors of storm water pollution through development and construction activities.
- **Engineers**
 - Responsible for designing effective best management practices to minimize off-site sedimentation from construction activities.

7.3 Strategies

The City plans to implement the following activities as part of their Construction Site Storm Water Runoff Program during each reporting period. To evaluate the success of the program and aid in preparing the required Annual Report, evaluation criteria have been established for each strategy.

7.3.1 *Legal Authority*

Strategy 1. Erosion and Sediment Control Ordinance

Ordinance O-10-2012 was adopted December 10, 2012 to establish Stormwater Management Regulations within the City of Southside. A copy of the ordinance is provided in **Appendix E**. The City will maintain a copy of the ordinance on the City website.

Require Local Permitting

Section III of the ordinance requires construction sites disturbing more than one acre of land to obtain a Land Disturbance Permit. Construction sites adjoining a waterbody are required to obtain a permit regardless of the size of the disturbed area.

Each application for a Land Disturbance Permit is required to be accompanied by a Sediment and Erosion Control Plan and a Stormwater Management Plan. Permit applications must be submitted to the Building Department. Approval of each land disturbance permit application and associated plans is provided by the City in writing.



Require Erosion and Sediment Controls

Section V of the ordinance adopts the 2009 version of the Alabama Handbook for Erosion Control, Sediment Control, and Storm Water Management on Construction Sites and Urban Areas as the City's standard for BMP design.

Section V also details the requirements for the submitted Sediment and Erosion Control Plan. The plan must include specific measures to prevent erosion and sedimentation, as well as detailed plans for the maintenance of such BMPs.

Sanctions to Ensure Compliance

Section VII of the ordinance provides the City with authorization to perform inspections. Section XI provides the City with the authority to enforce the requirements of the ordinance and outlines the escalating enforcement procedures available. Enforcement actions include written notice of violation, consent orders, show cause hearing, compliance order, and cease and desist orders. Section X provides for penalties between \$50.00 and \$500.00 per day per violation.

Evaluation Criteria: The ordinance will be evaluated annually on its effectiveness in addressing erosion and sediment control. The City will report the number of non-compliant construction sites identified by the City, the number of enforcement actions taken, the number of non-compliant sites reported to the ADEM, and whether the individuals or businesses responsible for identified non-compliant construction sites are repeat offenders.

7.3.2 *Training*

Strategy 2. BMP training program

City personnel tasked with plan review will undergo annual training on proper design, installation, inspection, and maintenance of on-site control measures, and on new technology and practices.

City personnel tasked with conducting BMP inspections will be certified under an ADEM-approved Qualified Credentialed Inspector (QCI) training program and will attend annual refreshers.

Evaluation Criteria: The City will provide a copy of the QCI certificates and records of awareness training received during the reporting period.

7.3.3 *Site Plan Review and Approval*

Strategy 3. Require plan submittal

Section III of the Southside Stormwater Management Regulations requires the submittal of a Sediment and Erosion Control Plan and a Storm Water Management Plan to the City with the permit application. The plan must be submitted to the Building Department for review and



approval prior to the issuance of a building permit or notice to proceed. The Building Department reviews each plan for compliance with the City's Ordinance and the Alabama Handbook for Erosion Control, Sediment Control, and Storm Water Management on Construction Sites and Urban Areas.

Evaluation Criteria: The City will report the total number of plans reviewed, the number of plans approved or rejected during the reporting period, and number of plans that meet the requirements of the Alabama Construction General Permit.

Cross-Reference: Section 5, Strategy 6

Strategy 4. Sediment and erosion control plan review procedures

Prior to approval or denial of a land disturbance permit application, the City will review the provided plans. Within 30 days after receiving an application, the City will inform the applicant in writing whether the permit is approved or denied and the conditions of such approval or denial.

Plan review will ensure proposed projects adequately address the City's erosion, sediment, and pollution control requirements. Plan review will also take into consideration what potential impacts to water quality the project may have.

Evaluation Criteria: The City will report the total number of plans reviewed, the number of plans approved or rejected during the reporting period, and number of plans that meet the requirements of the Alabama Construction General Permit.

Based on the results of plan reviews conducted during the reporting period, the City will evaluate the plan review criteria to determine if additional metrics are necessary or if further clarification is needed for the existing metrics.

Cross-Reference: Section 5, Strategy 6

7.3.4 Site Inspection

Strategy 5. Maintain inventory of qualifying construction sites

The City will maintain a list of active qualifying construction sites (sites one acre or larger in size or part of a common plan of development) within the MS4 boundary. Priority Construction Sites (as defined in the Alabama Construction General Permit) will be identified on the list. The inventory will include:

- Contact information for each site
- Size of the construction site



- Whether the site has submitted an NOI for coverage under the Alabama NPDES Construction General Permit
- Whether the site is a Priority Site
- Date the City approved the site plans

Evaluation Criteria: The City will include the most recent list of active qualifying construction sites with each annual report.

Strategy 6. Inspection of qualifying non-Priority sites

Qualifying construction sites will be inspected by designated City personnel at a minimum frequency of every three months until permit termination.

Building Department personnel will work together to perform the necessary inspections and implement work orders for subsequent inspections and potential enforcement when sites are non-compliant.

Inspections will be documented using the *BMP Inspection Form* located in **Appendix F** or an equivalent form. The City will maintain inspection documentation for review upon request. Inspection documentation will include the following, at a minimum:

- a. Facility type
- b. Inspection date
- c. Name and signature of inspector
- d. Location of construction project
- e. Owner/operator information (name, address, phone number, and email)
- f. Description of conditions of BMPs, including but not limited to the following:
 - Vegetation and soils
 - Inlet and outlet channels and structures
 - Embankments, slopes, and safety benches
 - Spillways, weirs, and other control structures
 - Sediment and debris accumulation in storage and forebay areas as well as in and around inlet and outlet structures
- g. Photographic documentation of storm water BMP components

If deficiencies are noted during the inspection, the inspector will notify the Code Official. A copy of the inspection report will be provided to the Owner and/or permit holder.



Evaluation Criteria: The City will report the number of inspections completed, the number of non-compliant construction sites identified by the City, the number of enforcement actions taken, the number of non-compliant sites reported to the ADEM, and whether the individuals or business responsible for identified non-compliant construction sites are repeat offenders.

Strategy 7. Inspection of Priority construction sites

The Southside MS4 does not currently incorporate any waterbodies or watersheds that are impaired for siltation or turbidity; therefore, no construction sites within the Southside MS4 are considered Priority Construction Sites, as defined in Part V of the 2021 Alabama Construction General Permit.

Should a waterbody or watershed within the MS4 be identified on a future 303(d) list as being impaired for siltation and/or turbidity, the City will identify construction sites within the affected watershed. The City will conduct inspections of Priority Construction Sites within the Southside MS4 at a minimum frequency of once per month.

Priority Construction Site inspections will be conducted using the same method outlined in Strategy 6 and documented using the *BMP Inspection Form* located in **Appendix F** or an equivalent form.

If deficiencies are noted during the inspection, the inspector will notify the Building Department. A copy of the inspection report will be provided to the Owner and/or permit holder.

Evaluation Criteria: The City will report the number of BMP inspections conducted at Priority Construction Sites by City employees during the reporting period.

Strategy 8. Re-inspection of sites

If deficiencies are noted during the routine inspection and cannot be corrected at the time of the inspection, the site will be scheduled for re-inspection. The timeframe for re-inspection will be determined by the inspector based on the severity of the observed non-compliances.

Re-inspections will be conducted by the Building Department using the same method outlined in Strategy 6 and documented using the *BMP Inspection Form* located in **Appendix F** or an equivalent form.

Evaluation Criteria: The City will report the number of re-inspections conducted at deficient sites by City employees during the reporting period.



7.3.5 Public Reporting

Strategy 9. Public reporting and tracking system

The City provides a contact number and online complaint form for the public to report non-compliant construction sites, illicit discharges (including spills or illegal dumping), impaired waterways, and violations of ordinances relating to storm water pollution.

The online complaint form may be accessed at the following link:

<https://www.cityofsouthside.com/Default.asp?!D=14&pg=Action+Center%2F+Reporting+Problem>

The City will promote the reporting number and form on the City's social media accounts at least once per year. The City will continue to publicize the reporting number and complaint form on the City's website.

The City utilizes the *Illicit Discharge Hotline Incident Tracking Sheet* to track the reports and follow up with investigations where necessary. A copy of the tracking sheet is provided in **Appendix F**. Records of public reports, comments, or complaints will include:

- Date, time, and description of the report
- Location of subject construction sites
- Identification of any actions taken (inspections, enforcement, corrections, etc.) that are sufficient to cross-reference inspection and enforcement records

The public reporting and tracking methods will be evaluated annually to determine if additional public education is required.

Evaluation Criteria: The City will report the total number of complaints received, the number of complaints addressed, and the number of complaints resolved during the reporting period. The City will also report whether or not the received reports contain the required information to find and address the suspected problem. This information will help evaluate the effectiveness of the tracking and reporting system, as well as the public awareness and level of concern of storm water issues.

Cross-Reference: Section 5, Strategy 15; Section 6, Strategy 15

7.3.6 Enforcement Response Plan

Strategy 10. Written notice

In the event that the City discovers a violation of the Stormwater Management Regulations or the Land Disturbance Permit, notification will be made. Written Notice will be sent to the property owner or permit holder under the following conditions:



- Construction sites with observed deficiencies that have resulted in a discharge of pollutants
- Construction sites that have been re-inspected following a Verbal Warning and the deficiencies noted at the time of the Verbal Warning have not been corrected

Within ten days the property owner or permit holder shall submit an explanation and a plan to remediate the violation. The plan must be approved by the City of Southside. The property owner or permit holder retains all liability and responsibility for remediation.

Evaluation Criteria: The City will report the number of Written Notices issued to noncompliant construction sites during the reporting period.

Strategy 11. Consent Order

The Building Department is authorized to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement to require specific corrective actions.

Evaluation Criteria: The City will report the number of Consent Orders issued to noncompliant construction sites during the reporting period.

Strategy 12. Compliance Order

In the event a construction site continues to violate the terms of the permit or fails to respond to a Witten Notice, the Building Department may issue a Compliance Order directing that remediation measures be constructed and installed.

Evaluation Criteria: The City will report the number of Compliance Orders issued to noncompliant construction sites during the reporting period.

Strategy 13. Cease and Desist Order

A Cease and Desist Order may be issued by the Building Department to the owner or operator of a noncompliant construction site under the following conditions:

- Construction sites with observed deficiencies that have resulted in a discharge of pollutants
- Construction sites that have been re-inspected following a Written Notice of violation and the deficiencies noted in the Written Notice have not been corrected

Such notice shall be in writing, shall be delivered to the owner of the property, his agent, or the person doing the work, and shall state the conditions under which work at the site may resume.



Evaluation Criteria: The City will report the number of Cease and Desist Orders issued to noncompliant construction sites during the reporting period.

Strategy 14. Enforcement tracking

The City will maintain the following information regarding enforcement actions taken at noncompliant construction sites:

- Name of owner/operator
- Location of the construction project
- Description of the violation
- Required schedule for returning to compliance
- Description of enforcement response used, including escalated responses if repeated violations occur
- Accompanying documentation of enforcement responses

Evaluation Criteria: The City will report the number of enforcement actions undertaken at noncompliant construction sites during the reporting period.

7.3.7 ADEM Notification

Strategy 15. Notify ADEM of unpermitted sites

The City will notify ADEM of any qualifying construction site that is not permitted under the Alabama Construction General Permit.

Evaluation Criteria: The City will report the total number of unpermitted qualifying construction sites reported to ADEM during the reporting period.

Strategy 16. Notify ADEM of non-compliant sites

Non-compliant sites where the City's enforcement actions have not resulted in compliance will be reported to ADEM. Records of each referral will be maintained and will include:

- Name of the owner/operator
- Location of construction project
- Description of violation(s)
- Required schedule for returning to compliance



- Description of enforcement response used, including escalated responses if repeat violations occur
- Accompanying documentation of enforcement responses (notices of non-compliance, notices of violations, etc.)

Evaluation Criteria: The City will report the total number of non-compliant construction sites reported to ADEM during the reporting period.

7.4 Responsible Party

The **Building Department** is responsible for implementing and tracking the construction site storm water provisions of the ordinance as well as other Construction Site Storm Water Runoff strategies.



8.0 Post-Construction Storm Water Management in New Development and Redevelopment

8.1 Rationale Statement

Post-construction runoff can significantly impact a water body by increasing the type and quantity of pollutants in storm water runoff and by increasing the volume of water delivered to the water body during storms. As runoff flows over areas altered by development, it collects sediment and chemicals such as oil, grease, pesticides, heavy metals, and nutrients. Instead of infiltrating, water is collected from surfaces such as asphalt and concrete and routed to drainage systems where large volumes of runoff are delivered to the nearest receiving water. Both impacts can be mitigated by proper post-construction planning.

8.2 Target Audiences

The primary target audiences within the City are:

- **Developers, Contractors, and Homebuilders**
 - Responsible for development and construction activities that can impact post-construction storm water management
- **Engineers**
 - Responsible for designing post construction storm water management plans

8.3 Strategies

The City plans to implement the following activities as part of their Post-Construction Storm Water Management Program during each reporting period. To evaluate the success of the program and aid in preparing the required Annual Report, evaluation criteria have been established for each strategy.

8.3.1 *Legal Authority and Design Standards*

Strategy 1. Post construction storm water management ordinance

Ordinance O-10-2012 was adopted December 10, 2012 to establish Stormwater Management Regulations within the City of Southside. A copy of the ordinance is provided in **Appendix E**. The City will maintain a copy of the ordinance on the City website.

Reducing Post-Construction Runoff Volume

Section V of the ordinance requires that sites control the peak flow rates of storm water discharge associated with design storms of two-year, five-year, ten-year, and 25-year intensity and reduce the generation of post-construction storm water runoff to pre-construction levels. Section VI requires that all sites have at least 10% vegetated areas.



Reducing Pollutants from Development

Section VII of the Southside Stormwater Management Regulations requires that storm water runoff be controlled to prevent pollution of local waters and provides a list of possible control measures.

Section V states that designers should *"seek to utilize pervious areas for storm water treatment and to infiltrate storm water runoff from driveways, sidewalks, rooftops, parking lots, and landscaped areas to the maximum extent practical to provide treatment for both water quality and quantity"*.

Evaluation Criteria: The ordinance will be evaluated annually on its effectiveness in reducing storm water pollution from new development or redevelopment. The City will report the number of submitted Stormwater Management Plans and the number of plans approved or rejected during the reporting period.

The evaluation may also examine which control measures are typically utilized and if additional examples should be added to the ordinance.

Strategy 2. Encourage low-impact development/green infrastructure practices

Section V of the storm water ordinance encourages designers to utilize pervious areas to treat and infiltrate to the "maximum extent practical".

Section VII of the storm water ordinance specifically identifies alternative storage measures, infiltration basins, porous pavement, bio-retention areas, and rain gardens among the acceptable practices for controlling storm water runoff.

In addition to the language contained in the ordinance, the City will provide pre-printed educational information on green development to individuals requesting plan review and building/development permits. Information may include references to additional resources such as the Green Building Alliance, Low Impact Development Center, and U.S. Department of Housing and Urban Development.

Evaluation Criteria: The City's methods for encouraging low impact development and green infrastructure will be evaluated annually. The City will report the number of plans submitted during the reporting period that incorporated LID design elements.

Strategy 3. Evaluate obstacles to Low Impact/Green Development

The City will review and evaluate policies and ordinances related to building codes or other local regulations with the goal of identifying regulatory and policy impediments to the installation of green infrastructure and low-impact development techniques.

Evaluation Criteria: The City will report if obstacles are identified and provide a brief summary on how the conflicts will be resolved.



8.3.2 *Plan Review and Oversight*

Strategy 4. Require plan submittal

Section III of the Southside Stormwater Management Regulations requires the submittal of a Storm Water Management Plan to the City with the application for a Land Disturbance Permit. The plan must be submitted to the Building Department for review and approval prior to the issuance of a Land Disturbance Permit.

Evaluation Criteria: The City will report the total number of plans reviewed, the number of plans approved or rejected during the reporting period, and the number of post-construction designs approved or rejected.

Cross-Reference: Section 5, Strategy 6

Strategy 5. Plan review procedures

Prior to approval or denial of the Land Disturbance Permit, the Building Department will review the Stormwater Management Plan submitted by the applicant. Specific criteria for Stormwater Management Plans are provided in the storm water ordinance.

The plan will be reviewed for:

1. Compliance with the design criteria established in the ordinance
2. Compliance with the BMP standards adopted in the ordinances
3. Effectiveness of the selected BMPs
4. Details on methods selected for permanent stabilization
5. Inclusion of a long-term maintenance agreement
6. Inclusion of Low Impact Development strategies

If the reviewed plan is determined to meet the applicable criteria, the plan will be approved in writing.

Evaluation Criteria: Based on the results of plan reviews conducted during the reporting period, the City will evaluate the plan review criteria to determine if additional metrics are necessary or if further clarification is needed for the existing metrics.

Cross-Reference: Section 5, Strategy 6



Strategy 6. Require as-built certification

Section VI of the Southside Stormwater Management Regulations requires that an as-built survey be provided to the Building Department after final construction is completed. The as-built plan must show the final design specifications for all storm water management facilities and must be sealed by a registered professional engineer licensed to practice in Alabama.

Evaluation Criteria: The City will report the number of as-built certifications submitted for post-construction storm water controls during the reporting period.

Strategy 7. Post-installation inspections

To ensure that post-construction BMPs are installed in accordance with the reviewed and approved plans, the City will conduct an inspection following completion of the BMP. The inspection will be conducted as part of the required final inspection, prior to the issuance of a Certificate of Occupancy. The inspection will evaluate the BMP for compliance with the approved plans.

If the inspected BMP is determined to be out of compliance, the City will require the owner to modify the BMP to meet the approved plans. Additional inspections will be conducted as necessary to determine if the required modifications have been made. A final approval will not be issued until the BMP is determined to be in compliance.

Evaluation Criteria: The City will report the number of post-construction BMPs installed and the number of final inspections conducted on post-construction BMPs during the reporting period.

8.3.3 Long-Term Operation and Maintenance

Strategy 8. Require long-term maintenance on storm water controls

Section V(d) of the Southside Stormwater Management Regulations requires that the design and planning of all storm water management facilities include detailed maintenance and repair procedures. The plans should identify the parts or components that need to be maintained and the necessary equipment.

Section V(g) of the regulations requires that the owner of a property served by an on-site storm water management facility execute an inspection and maintenance agreement. The agreement will operate as a deed restriction binding on the current property owner and all subsequent property owners.

The ordinance will be evaluated each reporting period. If changes are warranted, a new or revised ordinance will be approved and implemented.

Evaluation Criteria: The ordinance will be evaluated on its effectiveness in addressing long-term maintenance of storm water controls. The City will report the number of submitted plans that



include detailed maintenance procedures, the number of maintenance agreements reviewed, the number of maintenance provisions approved or denied, and the number of enforcement actions taken.

Strategy 9. Inventory of post-construction structural controls

The City will compile an inventory of post-construction structural controls located within the Southside MS4, including those owned by the City. Controls that are considered low impact or green infrastructure will be noted in the inventory. The inventory will also identify the owner/operator of each control and the construction date (if known).

The inventory will be updated annually. Structural BMPs owned or operated by the City of Southside will be identified on the map of the Southside MS4.

Evaluation Criteria: The updated inventory will be provided to ADEM with each Annual Report.

Strategy 10. Annual inspections of post-construction storm water controls

The City will inspect post-construction BMPs, both City-owned and privately-owned, within the Southside MS4 at a minimum of once per year.

Inspection and maintenance records for post-construction BMPs will be maintained for a period of five years from the date of inspection or maintenance and will be made available to ADEM upon request. Documentation of the inspections will be maintained using the *Post-Construction Inspection Checklist* included in **Appendix F** and shall include, at a minimum:

- 1) Facility type
- 2) Inspection date
- 3) Name and signature of inspector
- 4) Site location
- 5) Owner information (name, address, phone number, fax, and email)
- 6) Description of the storm water BMP condition that may include the quality of:
 - vegetation and soils
 - inlet and outlet channels and structures
 - embankments slopes and safety benches
 - spillways, weirs, and other control structures
 - sediment and debris accumulation in storage and forebay areas
 - sediment accumulation in and around inlet and outlet structures
- 7) Photographic documentation of all critical storm water BMP components;



- 8) Specific maintenance items or violations that need to be corrected by the owner/operator of the storm water control or BMP; and
- 9) Maintenance agreements for long-term BMP operation and maintenance.

Evaluation Criteria: The City will report the number of inspections performed by City personnel on post-construction BMPs during the reporting period.

8.3.4 *Enforcement and Abatement*

Strategy 11. Corrective actions for City-owned post-construction controls

Should a routine inspection of a city-owned post-construction control identify a maintenance issue, the City will perform or require necessary maintenance or repairs. Additional inspections will be conducted as necessary to determine if the required repairs have been made.

Evaluation Criteria: The City will report the number of corrective actions taken regarding deficient City-owned post-construction BMPs during the reporting period.

Strategy 12. Procedures to address non-compliant post-construction BMPs

Section IX of the Southside Stormwater Management Regulations provides the City with the authority to enforce the requirements of the Storm Water Regulations and outlines the escalating enforcement procedures available. Enforcement actions include written notice of violation, consent orders, show cause hearing, compliance order, and cease and desist orders. Section X provides for penalties between \$50.00 and \$500.00 per day per violation.

Evaluation Criteria: The City will maintain records of enforcement actions. The City will report the number of parties against which enforcement action is taken regarding deficient post-construction controls during the reporting period.

8.4 **Responsible Party**

The **Building Department** is responsible for establishing design criteria for post-construction BMPs, evaluating the storm water ordinance, reviewing submitted Stormwater Management Plans, performing inspections of post-construction BMPs, and enforcing the provisions of the storm water ordinance.



9.0 Pollution Prevention and Good Housekeeping for Municipal Operations

9.1 Rationale Statement

The City of Southside will develop and utilize BMPs designed to minimize pollution related to municipal operations and maintenance. These BMPs are intended to address storm water pollution from nutrients, sediments, petroleum products, and other common pollutants.

9.2 Target Audiences

The primary target audiences within the City are:

- **Municipal Employees**
 - Primarily responsible for identifying and reporting illicit discharges
 - Potential contributors to storm water impacts through municipal operations

9.3 Strategies

The City will implement the following activities as part of their Pollution Prevention and Good Housekeeping for Municipal Operations Program during each reporting period. To evaluate the success of the program and aid in preparing the required Annual Report, evaluation criteria have been established for each strategy.

9.3.1 *Municipal Facilities*

Strategy 1. Municipal facilities inventory

The current inventory of municipal facilities is provided in **Appendix H**. The City currently has three municipal facilities that have been determined to have the potential to discharge pollutants through storm water runoff.

The City will continue to maintain the inventory listing all municipal facilities, including municipal facilities that have the potential to discharge pollutants via storm water runoff. The inventory will be updated annually.

During the annual inventory, municipal facilities will be evaluated to determine which facilities have operations with the potential to contribute pollutants to storm water runoff. The evaluation will consider the following:

- Types and amounts of chemicals stored at the facility
- Types and capacities of tanks, totes, or drums at the facility
- Outfall locations and types (e.g., ditch, culvert, pipe, etc.)



- Exterior operations at the facility (e.g., equipment washing, equipment fueling, etc.)

Evaluation Criteria: The City will provide a summary of the municipal facility inventory for the reporting period with each Annual Report, including which facilities are determined to have the potential to discharge pollutants.

9.3.2 *Litter, Floatables, and Debris Reduction*

Strategy 2. Coordinate and promote an annual community cleanup day

The City will continue to coordinate and promote an annual community cleanup day. City personnel will participate in the cleanup day. The City will promote the event through advertisements and signs.

Evaluation Criteria: The City will report number of volunteers and the ways in which the event was promoted and/or advertised. This information will help measure the public awareness of the event and degree of public participation.

Cross-Reference: Section 5, Strategy 16

Strategy 3. No dumping/no littering signs

To reduce the amount of litter generated within the MS4, the City has placed "No Dumping" or "No Littering" signs in problem areas throughout the City. The City will maintain these signs and place additional signs if necessary.

Evaluation Criteria: The City will report the amount of materials collected in these areas. This information will help measure the effectiveness of the signs in reducing the amount of materials dumped in problem areas.

Cross-Reference: Section 5, Strategy 18

Strategy 4. Litter ordinance

Ordinance No. 006-2008 states, "An accumulation or storage of debris, refuse, rubbish, brush used building materials, parts of buildings, remains from building demolition, parts of untenable or uninhabitable structures, used machinery, used tires, used vehicles, parts of vehicles, abandoned vehicles, or any other materials which may provide a breeding place for mosquitos, harmful insects, rodents or snakes, or is so unsightly as to be offensive of the surrounding area is a nuisance in violation of this ordinance."

A copy of the litter ordinance is included in **Appendix E**.

Evaluation Criteria: The City will report the number of enforcements during the reporting period. This information will help measure the effectiveness of the ordinance.



Cross-Reference: Section 5, Strategy 19

Strategy 5. Brush pickup

To reduce the amount of debris entering the MS4, the City provides brush pickup on an as-needed basis. Brush pickup must be requested by contacting the Street Department, and there is a \$40 charge for service

Evaluation Criteria: The City will report the number of scheduled pickups and pounds of debris collected from pickups during the reporting period. This information will help measure the effectiveness of the brush pickup program.

Cross-Reference: Section 5, Strategy 20

Strategy 6. Used oil collection and recycling

To prevent illicit discharges to the MS4, the City will continue to operate a used oil drop-off location at the City Maintenance Shop. Southside citizens may bring used oil or automotive fluids to the maintenance shop, and the City will properly dispose of the collected fluids.

Evaluation Criteria: The City will report the total amount of used oil collected during the reporting period. This information will be used to assess whether additional advertisement of the collection program is needed.

Cross-Reference: Section 5, Strategy 22

Strategy 7. Evaluate effectiveness of litter reduction program

To evaluate the effectiveness of the litter reduction program, the City will track the following metrics for each reporting period:

- Number of volunteers at the annual community cleanup day and the ways in which the event was promoted and/or advertised
- Amount of litter collected in areas with "No Dumping" signs
- Number of litter enforcements issued
- Number of scheduled brush pickups and pounds of debris collected
- Amount of used oil collected at the drop-off facility

The City will utilize the collected information to evaluate the effectiveness of the litter reduction program.



In general, the number of litter enforcements and the amount of debris collected near “No Dumping” signs is expected to go down over time. If an increase in enforcements or debris collection is noted, the City will evaluate the need for addition public education regarding litter.

The City will evaluate participation in the community cleanup event to determine if additional promotion of the event is needed.

9.3.3 *Standard Operating Procedures*

Strategy 8. Municipal vehicle and equipment maintenance SOP

The City of Southside owns and operates a variety of vehicles and equipment used in municipal operations and maintenance. These vehicles include passenger cars, trucks, vans, and equipment.

The City will develop a written Standard Operating Procedure for municipal vehicle maintenance by March 31, 2023. The SOP will include topics such as:

- Used oil management and disposal
- Used battery and tire disposal
- Spill response
- Disposal of spill response materials
- Materials storage
- Vehicle inspection

The SOP will be implemented no later than March 31, 2024.

Once implemented, the SOP will be evaluated each year by March 31. A summary of proposed changes will be included in the Annual Report.

Evaluation Criteria: The City will report completion of the municipal vehicle and equipment maintenance SOP in the 2022-2023 Annual Report. The City will report the results of the annual evaluation of the SOP in each Annual Report.

Strategy 9. Vehicle and equipment washing SOP

The City currently operates two designed vehicle wash areas:

- Equipment is washed at the Maintenance Shop
- Mowers are washed at the Sports Complex



Other municipal vehicles are washed at commercial car washes.

The City will develop a written Standard Operating Procedure for municipal vehicle washing operations by March 31, 2023. The SOP will be implemented no later than March 31, 2024.

Once implemented, the SOP will be evaluated each year by March 31. A summary of proposed changes will be included in the Annual Report.

Evaluation Criteria: The City will report completion of the municipal vehicle washing SOP in the 2022-2023 Annual Report. The City will report the results of the annual evaluation of the SOP in each Annual Report.

The City will also report the number of designated municipal vehicle washing areas in operation during each reporting period.

Strategy 10. Pesticide, herbicide, and fertilizer management SOP

Pesticide, Herbicide, and Fertilizer (PHF) application within Southside is currently performed by an outside contractor. Prior to entering into or renewing any additional contracts the City will require the contractor to provide the necessary certifications and licensing during the bid process.

Pesticide applications related to the Mosquito Control Program are limited to below the threshold required for coverage under a NPDES ALG870000 permit. Should City applications exceed thresholds, then the City will obtain an NPDES permit from ADEM for application practices. The City will follow ADEM regulations regarding mosquito pesticide application.

The City will develop a written Standard Operating Procedure for PHF operations by March 31, 2023. The SOP will include topics such as:

- PHF application, particularly near waterbodies
- PHF storage
- PHF disposal

The SOP will be implemented no later than March 31, 2024. Once implemented, the SOP will be evaluated each year by March 31. A summary of proposed changes will be included in the Annual Report.

Evaluation Criteria: The City will report completion of the PHF management SOP in the 2022-2023 Annual Report. The City will report the results of the annual evaluation of the SOP in each Annual Report.



Strategy 11. Materials storage SOP

The City will develop a written Standard Operating Procedure for materials storage operations by March 31, 2023. The SOP will cover materials storage facilities and storage yards, and may include topics such as:

- Stockpile management
- Prevention of off-site sedimentation
- Spill response
- Disposal of unused materials

The SOP will be implemented no later than March 31, 2024.

Once implemented, the SOP will be evaluated each year by March 31. A summary of proposed changes will be included in the Annual Report.

Evaluation Criteria: The City will report completion of the materials storage SOP in the 2022-2023 Annual Report. The City will report the results of the annual evaluation of the SOP in each Annual Report.

Strategy 12. Building maintenance SOP

The City previously developed a Building Maintenance procedure detailing storm water pollution prevention measures for the following municipal operations:

- Janitorial practices and waste management
- Painting, staining, scraping, sanding, and sandblasting
- Pressure washing and exterior surface cleaning
- Hazardous waste disposal

The SOPs were implemented at the appropriate municipal facilities beginning March of 2017 and will be evaluated each year by March 31. A summary of proposed changes to the SOPs will be included in the Annual Report. A copy of the current SOP is provided in **Appendix G**.

Evaluation Criteria: The City will report the results of the annual evaluation of the SOP in each Annual Report.



9.3.4 *Inspection Program*

Strategy 13. Quarterly inspection of municipal facilities

Municipal facilities that have been determined to have the potential to discharge pollutants via storm water runoff will be inspected for good housekeeping practices once per quarter. The checklist included in **Appendix F** will be used during inspections and to track noted deficiencies.

Evaluation Criteria: The City will provide the update inventory of municipal facilities, the number of inspections performed at each facility that has the potential to discharge pollutants via storm water runoff, and the number of noted deficiencies. This information will help measure the municipal workers awareness of storm water issues.

Strategy 14. Corrective actions at municipal facilities

If deficiencies are noted during a quarterly municipal facility inspection, the deficiencies will be addressed within 72 hours of the inspection. Should the deficiency require additional time to correct, a specific timeframe will be established for completion of corrective actions and recorded on the inspection form.

The municipal facility will be re-inspected following correction of the deficiencies, and the date of the corrective actions will be noted on the inspection form.

Evaluation Criteria: The City will provide the number of deficiencies noted during quarterly municipal facility inspections. The City will also report the number of re-inspections conducted. This information will help measure the municipal workers' awareness of storm water issues.

9.3.5 *Municipal Employee Training*

Strategy 15. Annual employee training

Appropriate City personnel will undergo annual training on good housekeeping practices, the developed SOPs, and potential threats to storm water quality. Topics may include, but are not limited to:

- Equipment washing
- Street sweeping
- Maintenance of municipal roads
- Storage and disposal of chemicals and waste materials
- Vegetation control, cutting, removal, and disposal of the cuttings
- Vehicle fleets/equipment maintenance and repair



- External building maintenance
- Materials storage facilities and storage yards

Evaluation Criteria: The City will provide details on the training topics presented to municipal workers during the reporting period. The City will report the dates municipal employees underwent training, the number of attendees, and the departments represented.

Cross-Reference: Section 6, Strategy 16

9.4 Responsible Party

The **Building Department** is responsible for conducting the municipal facility evaluations and maintaining records of the facility inspections. The Building Department is also responsible for coordinating the annual reviews of the SOPs.

The **Street Department** is responsible for roadway maintenance and collection and disposal of the waste collected in City-owned or operated BMPs.



10.0 Agency Certification

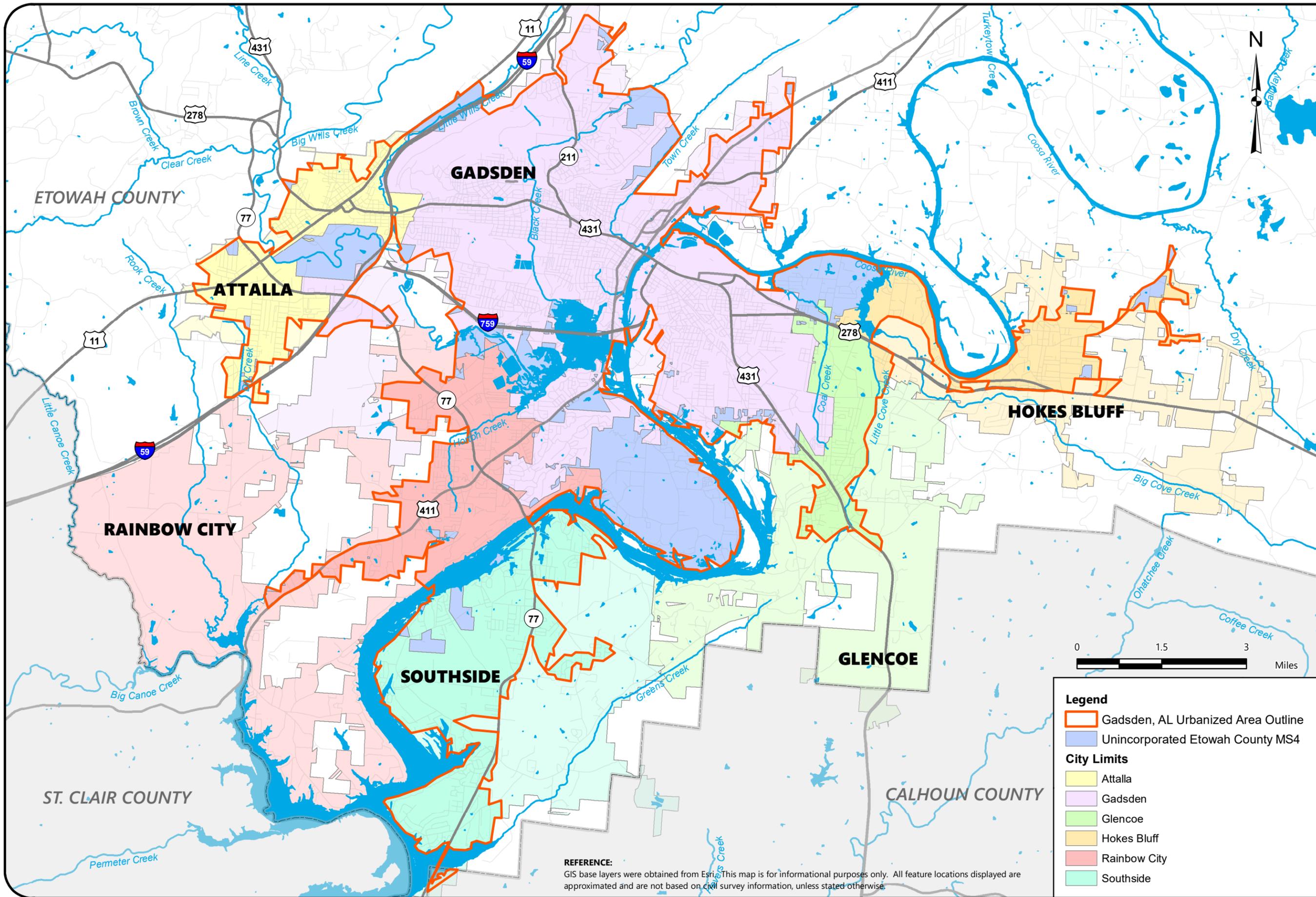
I certify under penalty of law that this document and all attachments pertaining to the City of Southside were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry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

Dana Snyder, Mayor
City of Southside, Alabama

Date

Appendices

Appendix A – Figures



GADSDEN-ETOWAH MS4 BOUNDARIES

GADSDEN ALABAMA URBANIZED AREA
 PHASE II SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM
 NPDES GENERAL PERMIT ALR040009

SCALE:
1:100,000
 DATE:
02/18/2022
 PROJECT NUMBER
215660
 FIGURE NO.

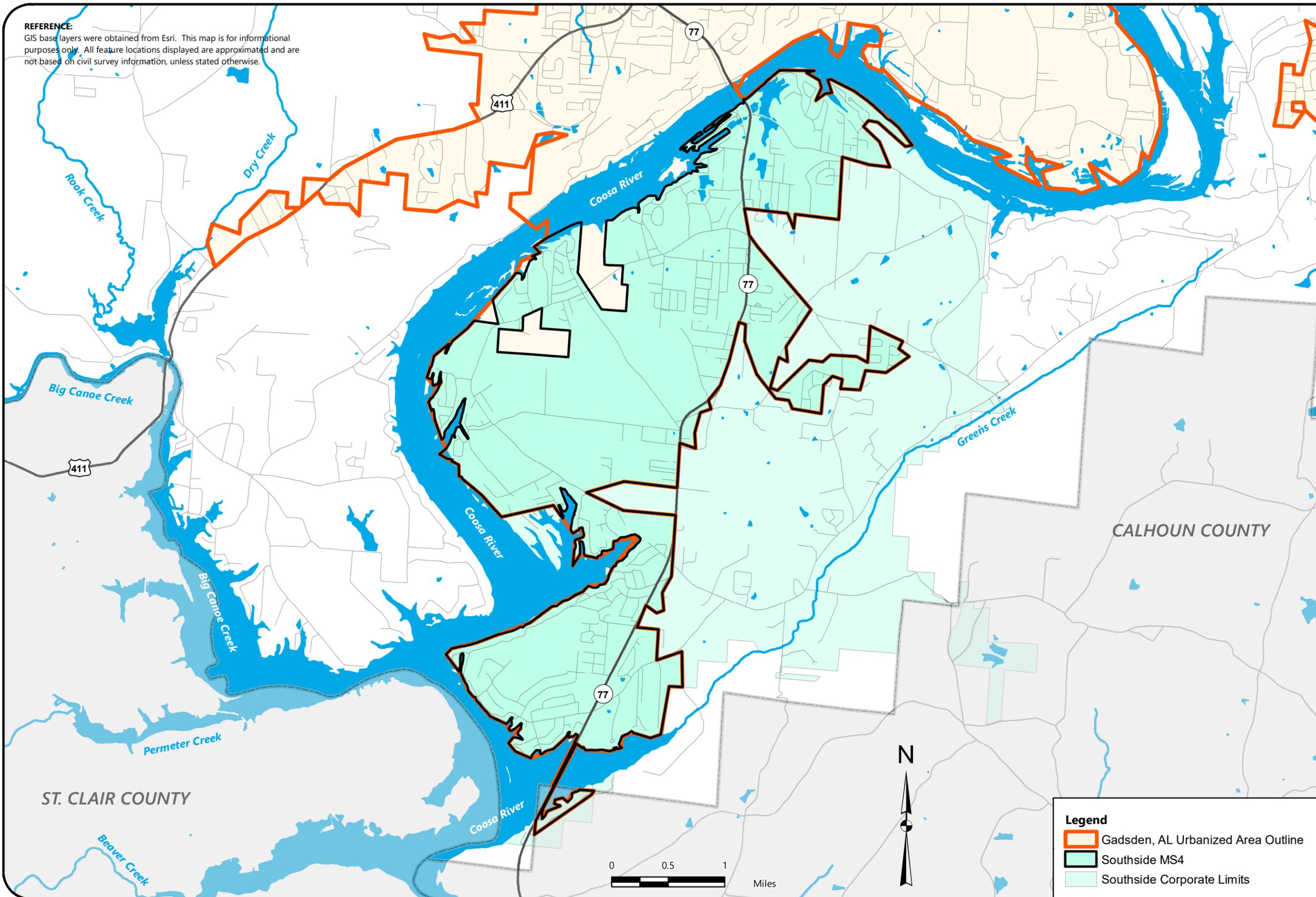
1

Legend

- Gadsden, AL Urbanized Area Outline
- Unincorporated Etowah County MS4
- City Limits**
- Attalla
- Gadsden
- Glencoe
- Hokes Bluff
- Rainbow City
- Southside

REFERENCE:
 GIS base layers were obtained from Esri. This map is for informational purposes only. All feature locations displayed are approximated and are not based on civil survey information, unless stated otherwise.

REFERENCE:
 GIS base layers were obtained from Esri. This map is for informational purposes only. All feature locations displayed are approximated and are not based on civil survey information, unless stated otherwise.



SOUTHSIDE MS4 BOUNDARIES

CITY OF SOUTHSIDE, ALABAMA
 PHASE II SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM
 NPDES GENERAL PERMIT ALR040057

SCALE:
 1:50,000

DATE:
 02/19/2022

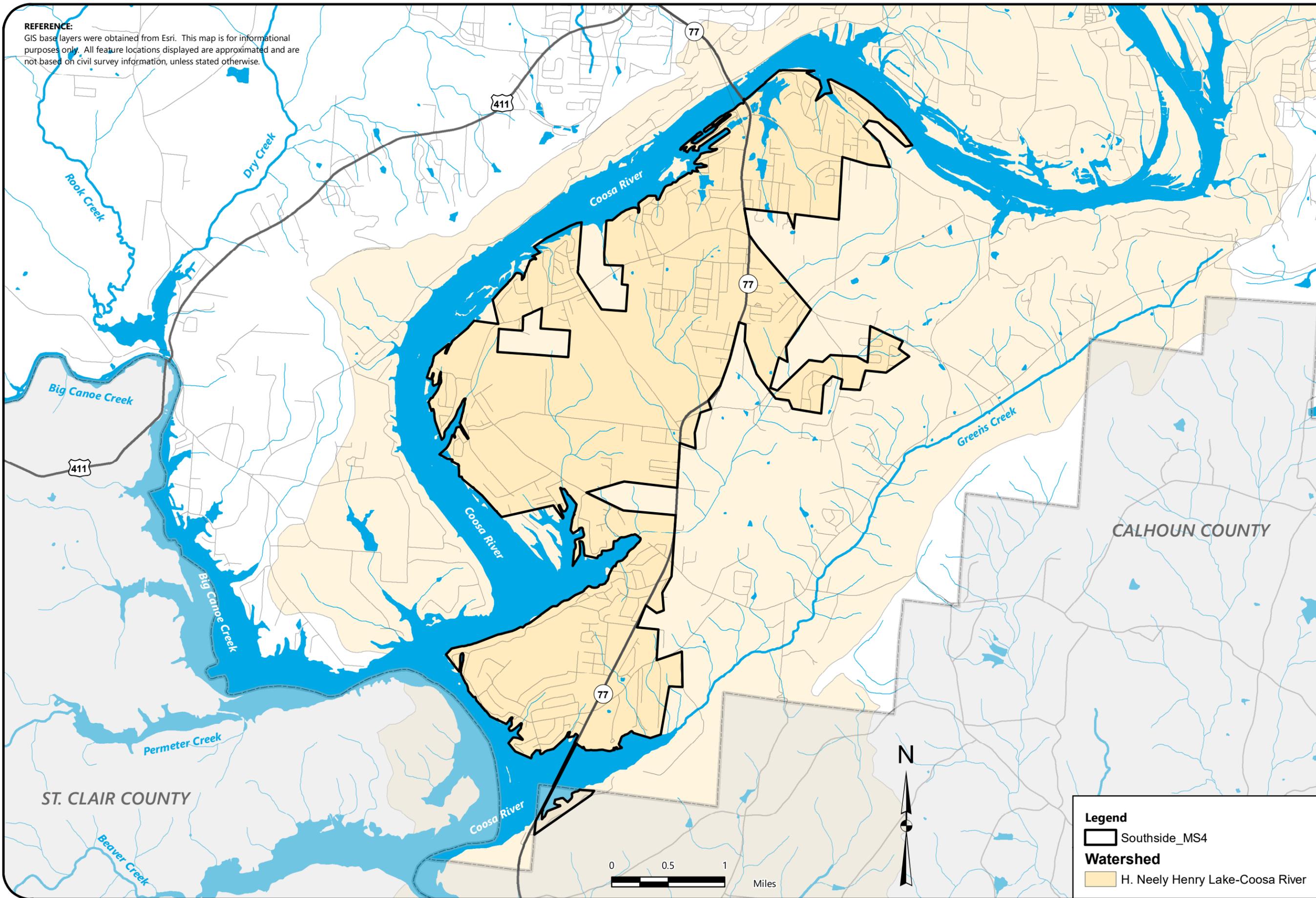
PROJECT NUMBER
 215660F

FIGURE NO.

2

- Legend**
- Gadsden, AL Urbanized Area Outline
 - Southside MS4
 - Southside Corporate Limits

REFERENCE:
 GIS base layers were obtained from Esri. This map is for informational purposes only. All feature locations displayed are approximated and are not based on civil survey information, unless stated otherwise.



SOUTHSIDE MS4 HUC12 WATERSHEDS

CITY OF SOUTHSIDE, ALABAMA
 PHASE II SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM
 NPDES GENERAL PERMIT ALR040057

SCALE:
 1:50,000

DATE:
 02/19/2022

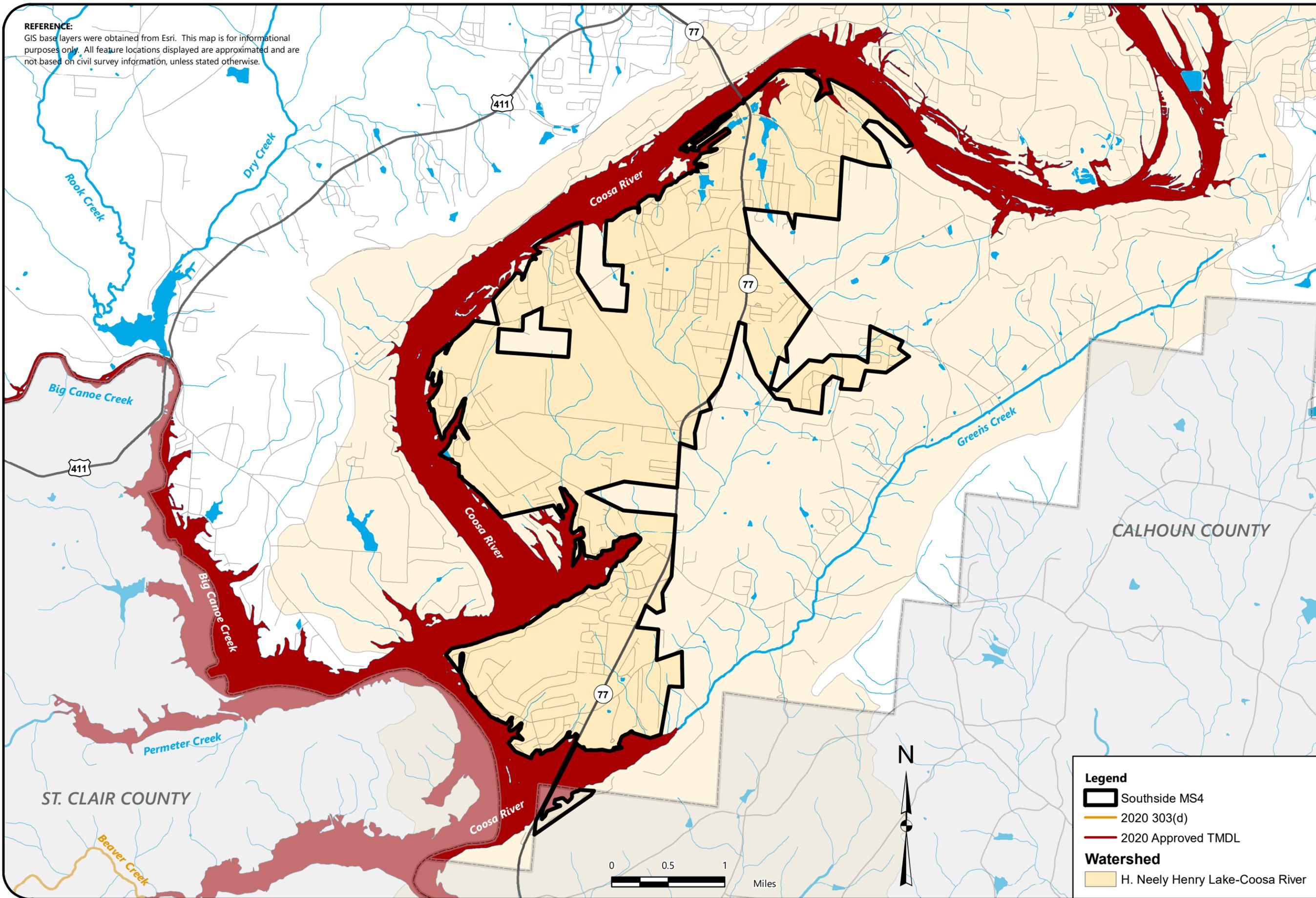
PROJECT NUMBER
 215660F

FIGURE NO.

3

Legend
 [Black Outline] Southside_MS4
Watershed
 [Yellow Fill] H. Neely Henry Lake-Coosa River

REFERENCE:
 GIS base layers were obtained from Esri. This map is for informational purposes only. All feature locations displayed are approximated and are not based on civil survey information, unless stated otherwise.



SOUTHSIDE MS4 IMPAIRMENTS

CITY OF SOUTHSIDE, ALABAMA
 PHASE II SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM
 NPDES GENERAL PERMIT ALR040057

SCALE:
 1:50,000

DATE:
 02/19/2022

PROJECT NUMBER
 215660F

FIGURE NO.

4

Legend

- Southside MS4
- 2020 303(d)
- 2020 Approved TMDL

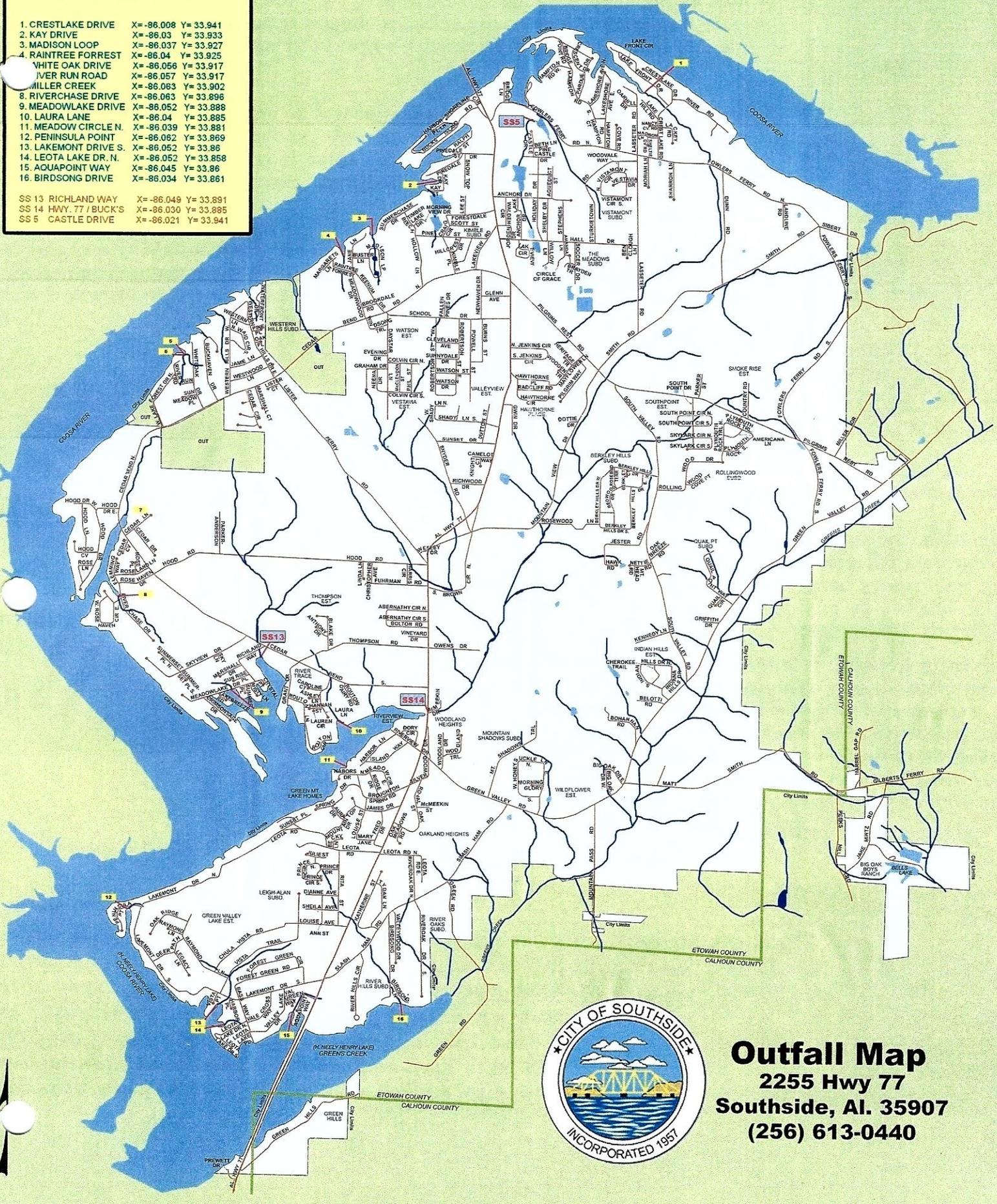
Watershed

- H. Neely Henry Lake-Coosa River

OUTFALL COORDINATES FOR SOUTHSIDE

- 1. CRESTLAKE DRIVE X=-86.008 Y= 33.841
- 2. KAY DRIVE X=-86.03 Y= 33.833
- 3. MADISON LOOP X=-86.037 Y= 33.827
- 4. RAINTREE FORREST X=-86.04 Y= 33.825
- 5. WHITE OAK DRIVE X=-86.056 Y= 33.917
- 6. RIVER RUN ROAD X=-86.057 Y= 33.917
- 7. MILLER CREEK X=-86.063 Y= 33.902
- 8. RIVERCHASE DRIVE X=-86.063 Y= 33.896
- 9. MEADOWLAKE DRIVE X=-86.052 Y= 33.888
- 10. LAURA LANE X=-86.04 Y= 33.885
- 11. MEADOW CIRCLE N. X=-86.039 Y= 33.881
- 12. PENINSULA POINT X=-86.062 Y= 33.869
- 13. LAKEMONT DRIVE S. X=-86.052 Y= 33.86
- 14. LEOTA LAKE DR. N. X=-86.052 Y= 33.858
- 15. AQUAPOINT WAY X=-86.045 Y= 33.86
- 16. BIRDSONG DRIVE X=-86.034 Y= 33.861

- SS 13 RICHLAND WAY X=-86.048 Y= 33.891
- SS 14 HWY. 77 / BUCK'S X=-86.030 Y= 33.885
- SS 5 CASTLE DRIVE X=-86.021 Y= 33.941



Outfall Map
 2255 Hwy 77
 Southside, Al. 35907
 (256) 613-0440

WATERSHEDS SOUTHSIDE ALABAMA



Scale
1:500 500 0 1000 2000
Feet

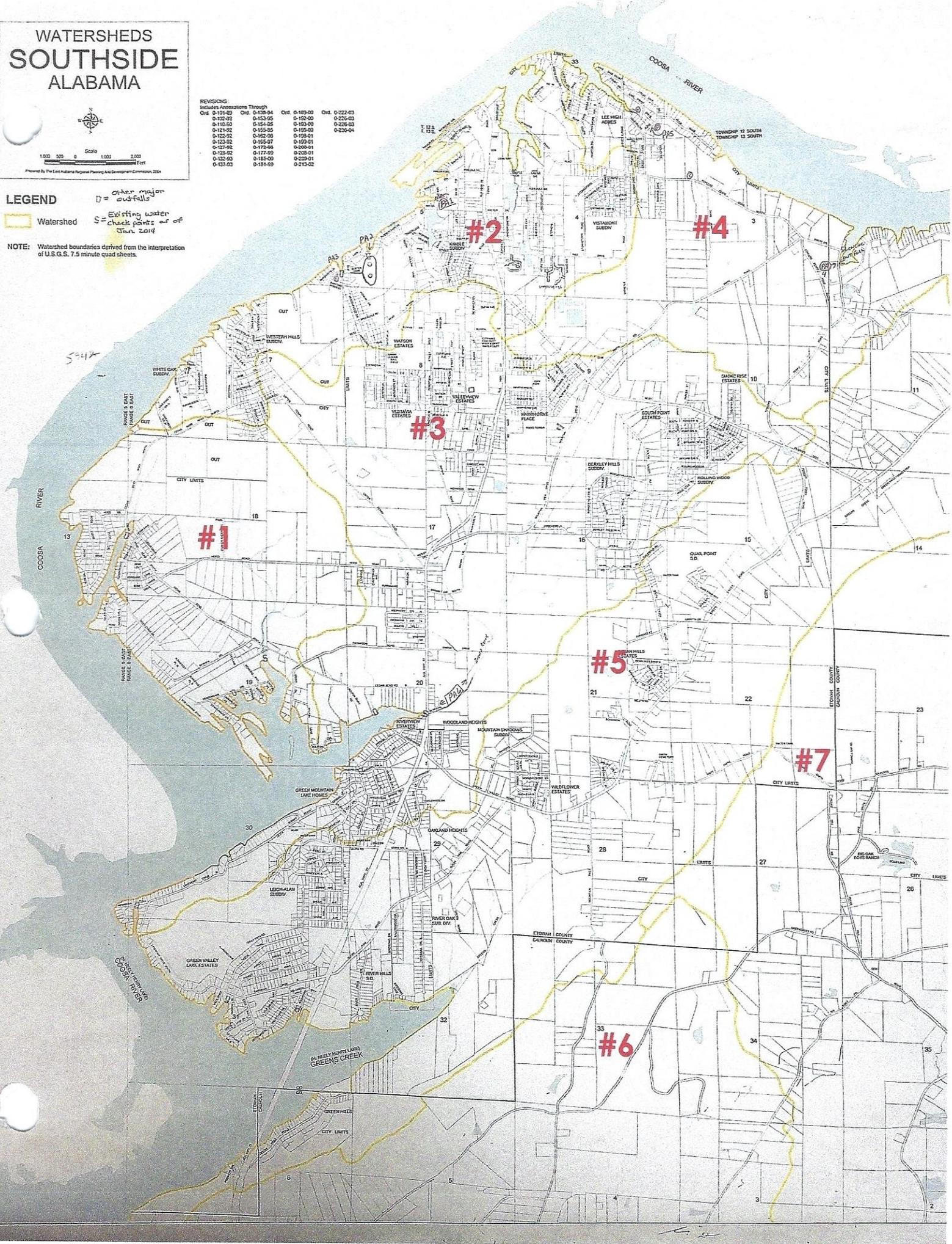
Prepared by The East National Regional Planning and Development Commission, 2004

REVISIONS
Includes Amendments Through
Oct. 0-100-00 Oct. 0-100-04 Oct. 0-100-00 Oct. 0-222-03
0-102-00 0-153-05 0-102-00 0-226-03
0-110-00 0-156-05 0-103-00 0-228-03
0-121-02 0-162-00 0-105-00 0-230-04
0-122-02 0-162-00 0-109-01
0-123-02 0-165-07 0-104-01
0-127-02 0-172-08 0-200-01
0-128-02 0-177-09 0-203-01
0-132-03 0-185-00 0-220-01
0-137-03 0-181-00 0-213-02

LEGEND

- Watershed
- = other major outfalls
- = Existing water check points as of Jan. 2014

NOTE: Watershed boundaries derived from the interpretation of U.S.G.S. 7.5 minute quad sheets.



Appendix B – NPDES Permit

September 23, 2021

Honorable Dana Snyder
Mayor, City of Southside
2255 Highway 77
Southside, AL 35907

RE: Small Municipal Separate Storm Sewer System (MS4) General Permit
NPDES Permit No. ALR040057
Etowah County (055)

Dear Mayor Snyder:

The Department has made a final determination to reissue General NPDES Permit No. ALR040000 for discharges from regulated small municipal separate storm sewer systems (MS4s). The reissued permit will become effective on October 1, 2021 and will expire on September 30, 2026.

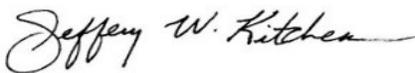
The Department notified the public of its tentative determination to reissue General NPDES Permit No. ALR040000 on July 2, 2021. Interested persons were provided the opportunity to submit comments on the Department's tentative decision through August 3, 2021. In accordance with ADEM Admin. Code r. 335-6-6-.21(7), a response to comments received during the public comment period will be available on the Department's eFile system.

Based on your request, as evidenced by the submittal of a Notice of Intent, and on the information contained in the Notice of Intent coverage under **General NPDES Permit Number ALR040057** is granted. The effective date of coverage is October 1, 2021.

Coverage under this permit does not authorize the discharge of any pollutant or non-stormwater that is not specifically identified in the permit and by the Notice of Intent which resulted in the granting of coverage.

A copy of the General NPDES Permit under which coverage of your stormwater discharges has been granted is enclosed. If you have any questions concerning this permit, please contact Melanie Ratcliffe by email at melanie.ratcliffe@adem.alabama.gov or by phone at (334) 270-5616.

Sincerely,



Jeffery W. Kitchens, Chief
Water Division

Enclosure: Permit
File: NOI/48525



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM GENERAL PERMIT

DISCHARGE AUTHORIZED: STORMWATER DISCHARGES FROM REGULATED SMALL
MUNICIPAL SEPARATE STORM SEWER SYSTEMS

AREA OF COVERAGE: THE STATE OF ALABAMA

PERMIT NUMBER: ALR040057

RECEIVING WATERS: ALL WATERS OF THE STATE OF ALABAMA

In accordance with and subject to the provisions of the Federal Water Pollution Control Act, as amended, 33 U.S.C. §§1251-1378 (the "FWPCA"), the Alabama Water Pollution Control Act, as amended, Code of Alabama 1975, §§ 22-22-1 to 22-22-14 (the "AWPCA"), the Alabama Environmental Management Act, as amended, Code of Alabama 1975, §§22-22A-1 to 22-22A-15, and rules and regulations adopted thereunder, and subject further to the terms and conditions set forth in this permit, the Permittee is hereby authorized to discharge into the above-named receiving waters.

ISSUANCE DATE: September 16, 2021

EFFECTIVE DATE: October 1, 2021

EXPIRATION DATE: September 30, 2026

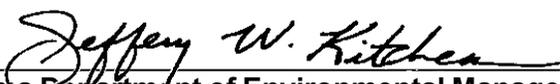

Alabama Department of Environmental Management

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PART I: COVERAGE UNDER THIS GENERAL PERMIT

A. PERMIT COVERAGE

This permit covers the urbanized areas designated as a Phase II Municipal Separate Storm Sewer System (MS4) within the State of Alabama.

B. AUTHORIZED DISCHARGES

1. This permit authorizes discharges of storm water from small MS4s, as defined in 40 CFR Part 122.26(b)(16). An entity may discharge under the terms and conditions of this general permit if the entity:
 - a. Owns or operates a small MS4 within the permit area described in Section A;
 - b. Is not a "large" or "medium" MS4 as described in 40 CFR Part 122.26(b)(4) or (7);
 - c. Submits a Notice of Intent (NOI) in accordance with Part II of this General Permit; and
 - d. Either:
 - i. Is located fully or partially within an urbanized area as determined by the latest Decennial Census by the Bureau of Census, or
 - ii. Is designated for permit authorization by the Department pursuant to 40 CFR Part 122.32(a)(2).
2. This permit authorizes the following non-storm water discharges provided that they do not cause or contribute to a violation of water quality standards and that they have been determined not to be substantial contributors of pollutants to a particular small MS4 applying for coverage under this permit and that is implementing the Storm Water Management Program (SWMP) set forth in this permit:
 - a. Water line flushing
 - b. Landscape irrigation
 - c. Diverted stream flows
 - d. Uncontaminated ground water infiltration
 - e. Uncontaminated pumped groundwater
 - f. Discharges from potable water sources
 - g. Foundation drains
 - h. Air conditioning condensate
 - i. Irrigation water (not consisting of treated, or untreated, wastewater)
 - j. Rising ground water
 - k. Springs
 - l. Water from crawl space pumps
 - m. Footing drains
 - n. Lawn watering runoff
 - o. Individual residential car washing, to include charitable carwashes
 - p. Residual street wash water
 - q. Discharge or flows from firefighting activities (including fire hydrant flushing)
 - r. Flows from riparian habitats and wetlands

- s. Dechlorinated swimming pool discharges, and
- t. Discharges authorized and in compliance with a separate NPDES permit.

C. PROHIBITED DISCHARGES

The following discharges are not authorized by this permit:

1. Discharges that are mixed with sources of non-storm water unless such non-storm water discharges are:
 - a. In compliance with a separate NPDES permit; or
 - b. Determined by the Department not to be a significant contributor of pollutants to waters of the State;
2. Storm water discharges associated with industrial activity as defined in 40 CFR Part 122.26(b)(14)(i)-(ix) and (xi);
3. Storm water discharges associated with construction activity as defined in 40 CFR Part 122.26(b)(14)(x) or 40 CFR 122.26(b)(15) and subject to Alabama Department of Environmental Management (ADEM) Code r. 335-6-12;
4. Storm water discharges currently covered under another NPDES permit;
5. Discharges to territorial seas, contiguous zone, and the oceans unless such discharges are in compliance with the ocean discharge criteria of 40 CFR Part 125, Subpart M;
6. Discharges that would cause or contribute to instream exceedances of water quality standards; Your SWMPP must include a description of the Best Management Practices (BMPs) that you will be using to ensure that this will not occur. The Department may require corrective action or an application for an individual permit or alternative general permit if an MS4 is determined to cause an instream exceedance of water quality standards;
7. Discharges of any pollutant into any water for which a Total Maximum Daily Load (TMDL) has been approved or developed by EPA unless your discharge is consistent with the TMDL; This eligibility condition applies at the time you submit a NOI for coverage. If conditions change after you have permit coverage, you may remain covered by the permit provided you comply with the applicable requirements of Part V. You must incorporate any limitations, conditions and requirements applicable to your discharges, including monitoring frequency and reporting required, into your SWMPP in order to be eligible for permit coverage. For discharges not eligible for coverage under this permit, you must apply for and receive an individual or other applicable general NPDES permit prior to discharging;
8. This permit does not relieve entities that cause illicit discharges, including spills, of oils or hazardous substances, from responsibilities and liabilities under State and federal law and regulations pertaining to those discharges.
9. The discharge of sanitary wastewater through cross connections or other illicit discharges through the MS4 is prohibited.

D. OBTAINING AUTHORIZATION

1. To be authorized to discharge storm water from small MS4s, you must submit a Notice of Intent (NOI) and a description of your SWMP) in accordance with the deadlines presented in Part II of this permit.
2. You must submit the information required in Part II on the latest version of the NOI form. Your NOI must be signed and dated in accordance with Part VII of this permit.
3. No discharge under the general permit may commence until the discharger receives the Department's acknowledgement of the NOI and approval of the coverage of the discharge by the general permit. The Department may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI.
4. Where the operator changes, or where a new operator is added after submittal of an NOI under Part II, a new NOI must be submitted in accordance with Part II within thirty (30) days of the change or addition.

5. For areas extended within your MS4 by the latest census or annexed into your MS4 area after you received coverage under this general permit, the first annual report submitted after the annexation must include the updates to your SWMP, as appropriate.

E. IMPLEMENTATION

1. This permit requires implementation of the MS4 program under the State and federal NPDES Regulations. MS4s shall modify their programs if and when water quality considerations warrant greater attention or prescriptiveness in specific components of the municipal program.
2. If a small MS4 operator implements the minimum control measures in 40 CFR 122.34(b) and the discharges are determined to cause or contribute to non-attainment of an applicable water quality standard as evidenced by the State of Alabama's 303(d) list or an EPA-approved or developed TMDL, the operator must tailor its BMPs within the scope of the six minimum control measures to address the pollutants of concern and implement permit requirements outlined in Part IV.D. and Part V of this permit.
3. Existing MS4s, unless otherwise stated within this permit, shall implement each of the minimum control measures outlined in Part III.B. of this permit immediately upon the effective date of coverage. Newly designated MS4s, unless otherwise stated in this permit, shall implement the minimum control measures outlined in Part III.B. of this permit within 365 days of the effective date of coverage. However, for newly designated MS4s, where new or revised ordinances are required to implement any of the minimum control measures, such ordinances shall be enacted within 730 days from the effective date of coverage.

PART II: NOTICE OF INTENT (NOI) REQUIREMENTS

A. DEADLINES OF APPLICATIONS

1. If you are automatically designated under 40 CFR Part 122.32(a)(1) or designated by the Department, then to request recoverage, you are required to submit an NOI or an application for an individual permit and a description of your SWMP at least 90 days before the expiration of this permit.
2. If you are designated by the Department after the date of permit issuance, then you are required to submit an NOI or an application for an individual permit and a description of your SWMP within 180 days upon notification. Within six months of initial issuance, the operator of the regulated small MS4 shall submit a SWMPP to the Department for review. A SWMPP shall be submitted electronically as described in Part II.D of this permit.
3. You are not prohibited from submitting an NOI after the dates provided in Part II.A.1-2. If a NOI is submitted after the dates provided in Part II.A.1-2., your authorization is only for discharges that occur after permit coverage is granted. The Department reserves the right to take appropriate enforcement actions for any unpermitted discharges.
4. Within six months of the date of re-issuance of coverage under this permit, all operators of regulated small MS4s shall submit a revised SWMPP to the Department for review.

B. CONTINUATION OF THE EXPIRED GENERAL PERMIT

If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the ADEM Code r. 335-6-6 and remain in force and effect if the Permittee re-applies for coverage as required under Part II of this permit. Any Permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of:

1. Reissuance or replacement of this permit, at which time you must comply with the Notice of Intent conditions of the new permit to maintain authorization to discharge; or
2. Issuance of an individual permit for your discharges; or
3. A formal permit decision by the Department not to reissue this general permit, at which time you must seek coverage under an alternative general permit or an individual permit.

C. CONTENTS OF THE NOTICE OF INTENT (NOI)

The Notice of Intent must be signed in accordance with Part VII.G of this permit and must include the following information:

1. The correct fee pursuant to ADEM Admin. Code R.335-1, Fee Schedule D.
2. Information on the Permittee:
 - a. The name of the regulated entity, specifying the contact person and responsible official, mailing address, telephone number and email address; and
 - b. An indication of whether you are a federal, State, county, municipal or other public entity.
3. Information on the MS4:
 - a. The name of your organization, county, city, or town and the latitude/longitude of the center or the MS4 location;
 - b. The name of the major receiving water(s) and an indication of whether any of your receiving waters are included on the latest 303(d) list, included in an EPA-approved and/or EPA developed TMDL or otherwise designated by the Department as being impaired. If you have discharges to 303(d) or TMDL waters, a certification that your SWMPP complies with the requirements of Part V;

- c. If you are relying on another governmental entity, regulated under the storm water regulations (40 CFR Part 122.26 & 122.32) to satisfy one or more of your permit obligations (see Part III), the identity of that entity(ies) and the elements(s) they will be implementing. The Permittee remains responsible for compliance if the other entity fails to fully perform the permit obligation, and may be subject to enforcement action if neither the Permittee nor the other entity fully performs the permit obligation; and
 - d. Must include if you are relying on the Department for enforcement of erosion and sediment controls on qualifying construction sites in accordance with Part III.B.3.b.
4. Include a brief summary of the BMPs for the minimum control measures in Part III of this permit (i.e. a brief summary of the MS4's SWMPP), a timeframe for implementing new or additional BMPs, and the person or persons responsible for implementing or coordinating your SWMPP.

D. WHERE TO SUBMIT MS4 DOCUMENTS

The Permittee must complete and submit its NOI or individual application electronically, and a description of your SWMP as allowed under Part II.A., signed in accordance with the signatory requirements of Section VII of this permit, to the Department via the Alabama Environmental Permitting and Compliance System (AEPACS) unless the Permittee submits in writing valid justification as to why the electronic submittal cannot be utilized and the Department approves in writing the utilization of hard copy submittals. The AEPACS can be accessed at the following link: <https://adem.alabama.gov/AEPACS>. Permit requests for initial issuance and modifications of the existing permit shall all be submitted through the AEPACS.

Requests as to why AEPACS cannot be utilized shall be addressed to:

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

PART III: STORM WATER POLLUTION PREVENTION AND MANAGEMENT PROGRAM

A. STORM WATER MANAGEMENT PROGRAM (SWMP)

1. The Permittee is required to develop, revise, implement, maintain and enforce a SWMP which shall include controls necessary to reduce the discharge of pollutants from its MS4 consistent with Section 402(p)(3)(B) of the Clean Water Act and 40 CFR Parts 122.30-122.37. These requirements shall be met by the development and implementation of a SWMPP which addresses the BMPs, control techniques and systems, design and engineering methods, public participation and education, monitoring, and other appropriate provisions designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable (MEP).
2. The Permittee shall provide and maintain adequate finance, staff, equipment, and support capabilities necessary to implement the SWMPP and comply with the requirements of this permit.
3. The SWMPP must address the minimum storm water control measures referenced in Part III.B. to include the following:
 - a. A map of the Permittee's MS4 urbanized areas;
 - b. The BMPs that will be implemented for each control measure. Low impact development/green infrastructure shall be considered and actively encouraged where feasible. Information on LID/Green Infrastructure is available on the following websites: <http://www.adem.alabama.gov/programs/water/waterforms/LIDHandbook.pdf> and <https://epa.gov/nps/urban-runoff-low-impact-development>;
 - c. The measureable goals for each of the minimum controls outlined in Part III.B.;
 - d. The proposed schedule—including interim milestones, as appropriate, inspections, and the frequency of actions needed to fully implement each minimum control; and
 - e. The person and/or persons responsible for implementing or coordination the BMPs for each separate minimum control measure.
4. Unless otherwise specified in this permit, the Permittee shall be in compliance with the conditions of this permit by the effective date of coverage.

B. MINIMUM STORM WATER CONTROL MEASURES

1. Public Education and Public Involvement on Storm Water Impacts

- a. The Permittee must develop and implement a public education and outreach program to inform the public about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff to the MEP. The Permittee shall continuously implement this program in the areas served by the MS4. The Permittee shall also comply, at a minimum, with applicable State and local public notice requirements when implementing a public involvement/participation program. Each year, the Permittee shall implement a minimum of four BMPs, with two BMP emphasizing public education and two BMP emphasizing public involvement.
- b. The Permittee shall include within the SWMPP the following information:
 - i. Annually, seek and consider public input in the development, revision, and implementation of the SWMPP, that may include, but is not limited to publishing in local newspaper, posting on the Permittee's website, etc.;
 - ii. Address in its public education program, the targeted pollutant sources to include, at a minimum the land development community (i.e., construction contractors/developers);
 - iii. Specifically address the reduction of litter, floatables and debris from entering the MS4, that may include, but is not limited to:

- (1) Establishing a program to support volunteer groups for labeling storm drain inlets and catch basins with “no dumping” message; post and
- (2) Posting signs referencing local codes that prohibit littering and illegal dumping at selected designated public access points to open channels, creeks, and other relevant waterbodies;
- iv. Inform and involve individuals and households about the steps they can take to reduce storm water pollution;
- v. Plans to inform and involve individuals and groups on how to participate in the storm water program (with activities that may include, but not limited to, local stream and lake restoration activities, storm water stenciling, advisory councils, watershed associations, committees, participation on rate structures, stewardship programs and environmental related activities, outreach on LID/GI). The target audiences and subject areas for the education program that are likely to have significant storm water impacts should include, but is not limited to, the following:
 - (1) General Public
 - (a) General impacts litter has on water bodies, how trash is delivered to streams via the MS4 and ways to reduce the litter;
 - (b) General impacts of storm water flows into surface water from impervious surface; and
 - (c) Source control BMPs in areas of pet waste, vehicle maintenance, landscaping and rain water reuse.
 - (2) General Public, Businesses, Including Home-Based and Mobile Businesses
 - (a) BMPs for use and storage of automotive chemicals, hazardous cleaning supplies, carwash soaps and other hazardous materials; and
 - (b) Impacts of illicit discharges and how to report them.
 - (3) Homeowners, Landscapers, and Property Managers
 - (a) Yard care techniques that protect water quality;
 - (b) BMPs for use and storage of pesticides and fertilizers;
 - (c) BMPs for carpet cleaning and auto repair and maintenance;
 - (d) Runoff reduction techniques, which may include but not limited to site design, pervious paving, retention of forests, mature trees, and maintenance required for LID/GI; and
 - (e) Storm water pond maintenance.
 - (4) Engineers, Contractors, Developers, Review Staff and Land Use Planners
 - (a) Technical standards for construction site sediment and erosion control;
 - (b) Storm water treatment and flow control BMPs;
 - (c) Impacts of increased storm water flows into receiving water bodies; and
 - (d) Run-off reduction techniques and low impact development (LID)/green infrastructure (GI) practices that may include, but not limited to, site design, pervious pavement, alternative parking lot design, retention of forests and mature trees to assist in storm water treatment and flow control BMPs, and maintenance required for LID/GI.
- vi. Evaluate the effectiveness of the public education and public involvement program. If the Permittee determines any portion of the program (including BMPs) to be ineffective, then the Permittee shall update the SWMPP to address the ineffectiveness.

- c. The Permittee shall report each year in the annual report the following information:
 - i. A description of the method used to seek and consider input from the public in the development, revision, and implementation of the SWMPP;
 - ii. A description of the activities used to involve groups and/or individuals in the development, revision, and implementation of the SWMPP;
 - iii. A description of the targeted pollutant sources the public education and public involvement program addressed;
 - iv. A description of the individuals and groups targeted and how many groups and/or individuals participated in the programs;
 - v. A description of the activities used to address the reduction of litter, floatables and debris from entering the MS4 as required in Part III.B.1.b.iii.;
 - vi. A description of the communication mechanism(s) or advertisement(s) used to inform individuals, households, public and/or groups as well as the quantity that were distributed (i.e. number of printed brochures, copies of newspapers, workshops, public service announcements, etc.); and
 - vii. Results of the evaluation of the public education and public involvement program as required in Part III.B.1.b.vi.
- d. The Permittee shall make their SWMPP and their annual reports required under this permit available to the public when requested. The current SWMPP and the latest annual report should be posted on the Permittee's website, if available, and within 30 days of submittal of the SWMPP to the Department.

2. Illicit Discharge Detection and Elimination (IDDE) Program

- a. The Permittee shall implement an ongoing program to detect and eliminate illicit discharges into the MS4, to the maximum extent practicable. The program shall include, at a minimum, the following:
 - i. An initial map shall be provided in the SWMPP with updates, if any, provided each year in the annual report. The map shall include, at a minimum:
 - (1) The latitude/longitude of all known outfalls;
 - (2) The names of all waters of the State that receive discharges from these outfalls; and,
 - (3) Structural BMPs owned, operated, or maintained by the Permittee, if applicable.
 - ii. To the extent allowable under State law, an ordinance or other regulatory mechanism that effectively prohibits non-storm water discharges to the MS4. The ordinance or other regulatory mechanism shall be reviewed annually and updated as necessary and shall:
 - (1) Include escalating enforcement procedures and actions; and
 - (2) Require the removal of illicit discharges and the immediate cessation of improper disposal practices upon identification of responsible parties. Where the removal of illicit discharge within ten (10) working days is not possible, the ordinance shall require an expeditious schedule for removal of the discharge. In the interim, the ordinance shall require the operator of the illicit discharge to take all reasonable and prudent measures to minimize the discharge of pollutants to the MS4.
 - iii. A dry weather screening program designed to detect and address non-storm water discharges to the MS4. This program must address, at a minimum, dry weather screening of fifteen percent (15%) of the outfalls once per year with all (100 percent) screened at least once per five years. Priority areas, as described by the Permittee in the SWMPP, will be dry weather screened on a more frequent schedule as outlined in the SWMPP. If any indication of a suspected illicit discharge, from an unidentified source, is observed during the dry weather screening, then the Permittee shall follow the screening protocol as outlined in the SWMPP.

- iv. Procedures for tracing the source of a suspect illicit discharge as outlined in the SWMPP. At a minimum, these procedures will be followed to investigate portions of the MS4 that, based on the results of the field screening or other appropriate information, indicate a reasonable potential of containing illicit discharges or other sources of non-storm water.
 - v. Procedures for eliminating an illicit discharge as outlined in the SWMPP;
 - vi. Procedures to notify ADEM of a suspect illicit discharge entering the Permittee's MS4 from an adjacent MS4 as outlined in the SWMPP;
 - vii. A mechanism for the public to report illicit discharges discovered within the Permittee's MS4 and procedures for appropriate investigation of such reports;
 - viii. A training program for appropriate personnel to be trained on identification, reporting, and corrective action of illicit discharges, at a minimum of at least once per five years;
 - ix. Address the following categories of non-storm discharges or flows (i.e., illicit discharges) only if the Permittee or the Department identifies them as significant contributors of pollutants to your small MS4: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (infiltration is defined as water other than wastewater that enters a sewer system, including foundation drains, from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow), 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 run-off, individual residential car washing, flows from riparian habitats and wetlands, discharge or flows from firefighting activities (to include fire hydrant flushing); dechlorinated swimming pool discharges, and residual street wash water, discharge authorized by and in compliance with a separate NPDES permit; and
 - x. The Permittee may also develop a list of other similar occasional incidental non- storm water discharges (e.g. non-commercial or charity car washes, etc.) that will not be addressed as illicit discharges. These non- storm water discharges must not be reasonably expected (based on information available to the Permittees) to be significant sources of pollutants to the municipal separate storm sewer system, because of either the nature of the discharges or conditions you have established for allowing these discharges to your MS4 (e.g., a charity car wash with appropriate controls on frequency, proximity to impaired waterbodies, BMPs on the wash water, etc.). You must document in your SWMPP any local controls or conditions placed on the discharges. The Permittee must include a provision prohibiting any individual non- storm water discharge that is determined to be contributing significant amounts of pollutants to your MS4.
- b. The Permittee shall report each year in the annual report the following information:
- i. List of outfalls observed in the annual reporting year to demonstrate that 100% of outfalls are screened at least once per five years during the dry weather screening;
 - ii. Updated MS4 map(s) as required by Part III.B.2.a.i. unless there are no changes to the map that was previously submitted. When there are no changes to the map, the annual report must state this;
 - iii. Copies of, or a link to, the IDDE ordinance or other regulatory mechanism as required by Part III.B.2.a.ii. When there are no changes to the ordinance or other regulatory mechanism, the annual report should state this;
 - iv. Date(s) of training conducted for appropriate personnel; and
 - v. The number of illicit discharges investigated, the screening results, and the summary of corrective actions taken to include dates and timeframe of response.

3. Construction Site Storm Water Runoff Control

- a. The Permittee must develop/revise, implement and enforce an ongoing program to reduce, to the maximum extent practicable, the pollutants in any storm water runoff to the MS4 from qualifying construction sites. The program shall include the following at a minimum:
 - i. Specific procedures for construction site plan (including erosion prevention and sediment controls) review and approval: The MS4 procedures must include an evaluation of plan completeness and overall BMP effectiveness;
 - ii. To the extent allowable under State law, an ordinance or other regulatory mechanism to require erosion and sediment controls, sanctions to ensure compliance, and to provide all other authorities needed to implement the requirements of Part III.B.3 of this permit. The ordinance or other regulatory mechanism shall be reviewed annually and updated as necessary;
 - iii. A training program for MS4 site inspection staff in the identification of appropriate construction BMPs (example: QCI training in accordance with ADEM Admin Code. R. 335-6-12 or the Alabama Construction Site General Permit). Applicable MS4 site inspection staff shall be trained at least once per year;
 - iv. Within 365 days of the effective date of the permit, develop and implement a construction site inspection form to include at least the items listed in Parts III.B.3.d.i.
 - v. Within 365 days of the effective date of the permit, maintain an inventory of qualifying construction sites containing relevant contact information for each construction site (i.e., tracking number and construction site contact name, address, phone number, etc.), the size of the construction site, whether the construction site has submitted for permit coverage under ADEM's Construction General Permit ALR100000, and the date the MS4 Permittee approved the site construction plan. The MS4 Permittee must make the inventory available upon the Department's request.
 - vi. Procedures for the inspection of qualifying construction sites to verify the use of appropriate erosion and sediment control practices that are consistent with the Alabama Handbook for Erosion Control, Sediment Control, and Stormwater Management on Construction Sites and Urban Areas published by the Alabama Soil and Water Conservation Committee (hereinafter the "Alabama Handbook"). The frequency and prioritization of inspection activities shall be documented in the SWMPP. Inspection of construction sites to verify use and proper maintenance of appropriate BMPs shall be performed in accordance with the frequency specified in the table below:

Site	Inspection Frequency
Priority Construction Sites (defined in Part VII.W.)	At a minimum, inspections must occur monthly.
Other sites determined by the Permittee or Permitting Authority to be a significant threat to water quality.*	
All qualifying construction sites not meeting the criteria specified above.	At a minimum, inspections must occur every three months.

*In evaluating the threat to water quality, the following factors must be considered, if applicable:

- Soil erosion potential;
- Site slope;
- Project size and type;
- Sensitivity of receiving waterbodies including 303d or TMDL status;
- Proximity to receiving waterbodies;
- Non-storm water discharges;
- Past record of non-compliance by the operators of the construction site; and
- Other factors deemed relevant to the MS4.

- vii. For sites determined to have ineffective BMPs, a follow-up inspection shall be conducted and appropriately documented as outlined in Part III.B.3.d.i.
 - viii. Procedures, as outlined in the SWMPP, to notify ADEM of construction sites that do not have a NPDES permit or ineffective BMPs that are discovered during the periodic inspections. The notification must provide, at a minimum, the specific location of the construction project, the name and contact information from the owner or operator, and a summary of the site deficiencies; and
 - ix. A mechanism for the public to report complaints regarding discharges from qualifying construction sites.
- b. ADEM implements a State-wide NPDES construction storm water regulatory program. As provided by 40 CFR Part 122.35(b), the Permittee may rely on ADEM for the setting of standards for appropriate erosion controls and sediment controls for qualifying construction sites and for enforcement of such controls, and must document this in its SWMPP. If the Permittee elects not to rely on ADEM's program, then the Permittee must include the following, at a minimum, in its SWMPP:
- i. Requirements for construction site operators to implement appropriate erosion and sediment control BMPs consistent with the Alabama Handbook for Erosion Control, Sediment Control, And Stormwater Management on Construction Sites and Urban Areas published by the Alabama Soil and Water Conservation Committee (hereinafter the "Alabama Handbook");
 - ii. 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;
 - iii. Development and implementation of an enforcement strategy that includes escalating enforcement remedies to respond to issues of non-compliance;
 - iv. An enforcement tracking system designed to record instances of non-compliance and the MS4's responding actions. The enforcement case documentation should include:
 - (1) Name of owner/operator
 - (2) Location of construction project or industrial facility
 - (3) Description of violations
 - (4) Required schedule for returning to compliance
 - (5) Description of enforcement response used, including escalated responses if repeat violation occur or violations are not resolved in a timely manner;
 - (6) Accompanying documentation of enforcement response (e.g., notices of noncompliance, notices of violation, etc.);
 - (7) Any referrals to different departments or agencies; and
 - (8) Date violation was resolved
 - v. The Permittee must keep records of all inspections (i.e. inspection reports) and employee training required by Part III.B.3.a.
- c. The Permittee shall include within the SWMPP the following information:
- i. Procedures for site plan reviews as required by Part III.B.3.a.i;
 - ii. A copy or link of the ordinance or other regulatory mechanism required by Part III.B.3.a.ii.;
 - iii. Plans for the training of MS4 site inspection staff as required by Part III.B.3.a.iii; and
 - iv. A copy of the construction site inspection form meeting the requirements of Part III.B.3.a.iv.

- d. The Permittee shall maintain the following information and make it available upon request:
 - i. Documentation of all inspections conducted of qualifying construction sites as required by Part III.B.3.a.vi. The inspection documentation shall include, at a minimum, the following:
 - (1) Facility type;
 - (2) Inspection date;
 - (3) Name and signature of inspector;
 - (4) Location of construction project;
 - (5) Owner/operator information (name, address, phone number, email);
 - (6) Description of the storm water BMP condition that may include, but not limited to, the quality of vegetation and soils, inlet and outlet channels and structures, embankments, slopes and safety benches, spillways, weirs, and other control structures; and sediment and debris accumulation in storage and forebay areas as well as in and around inlet and outlet structures; and
 - (7) Photographic documentation of any issues and/or concerns.
 - ii. Documentation of referrals of noncompliant construction sites and/or enforcement actions taken at construction sites to include, at a minimum, the following:
 - (1) Name of owner/operator
 - (2) Location of construction project;
 - (3) Description of violation;
 - (4) Required schedule for returning to compliance;
 - (5) Description of enforcement response used, including escalated responses if repeat violations occur; and
 - (6) Accompanying documentation of enforcement responses (e.g. notices of non-compliance, notices of violations, etc.).
 - iii. Records of public complaints including:
 - (1) Date, time and description of the complaint;
 - (2) Location of subject construction sites; and
 - (3) Identification of any actions taken (e.g. inspections, enforcement, corrections). Identifying information must be sufficient to cross-reference inspection and enforcement records.
- e. The Permittee shall report each year in the annual report the following information:
 - i. A description of any completed or planned revisions to the ordinance or regulatory mechanism required by Part III.B.3.a.ii. and the most recent copy, or a link to the ordinance; and
 - ii. List of all active construction sites within the MS4 to include the following summary:
 - (1) Number of construction site inspections;
 - (2) Number of non-compliant construction site referrals and/or enforcement actions and description of violations;
 - (3) Number of construction site runoff complaints received; and
 - (4) Number of MS4 staff/inspectors trained. Include copies of certifications or attendance records for those MS4 staff/inspectors.

4. Post-Construction Storm Water Management in New Development and Redevelopment

- a. Post-construction storm water management refers to the activities that take place after construction occurs, and includes structural and non-structural controls including low-impact development and green infrastructure practices to obtain permanent storm water management over the life of the property's use. These post construction controls should be considered during the initial site development planning phase.
 - i. The Permittee must develop/revise, implement, and enforce a program to address storm water runoff from qualifying new development and redevelopment projects, to the maximum extent practicable. This program shall ensure that controls are in place to prevent or minimize water quality impacts. Specifically, the Permittee shall:
 - (1) Develop/revise and outline in the SWMPP procedures for the site-plan review and approval process and a required re-approval process when changes to post-construction controls are required; and
 - (2) Develop/revise and outline in the SWMPP procedures for a post-construction process to demonstrate and document that post-construction storm water measures have been installed per design specifications, which includes enforceable procedures for bringing noncompliant projects into compliance.
 - ii. The Permittee must develop and implement strategies which may include a combination of structural and/or non-structural BMPs designed to ensure, to the maximum extent practicable, that the post construction runoff mimics pre-construction hydrology. A design rainfall event with an intensity up to that of a 2yr-24hr storm event shall be the basis for the design and implementation of post- construction BMPs.
 - iii. Encourage and educate landowners and developers to incorporate the use of low impact development (LID)/green infrastructure where feasible. Information on low impact development (LID)/green infrastructure is available on the following websites: <http://www.adem.alabama.gov/programs/water/waterforms/LIDHandbook.pdf>; <http://epa.gov/nps/lid>. The Permittee shall include a narrative description in the SWMPP as to the means that will be taken to implement the requirement to encourage landowners and developers to incorporate the use of low impact development (LID)/green infrastructure;
 - iv. To the extent allowable under State law, the Permittee must develop and institute the use of an ordinance or other regulatory mechanism to address post-construction runoff from qualifying new development and redevelopment projects. The ordinance or other regulatory mechanism shall be reviewed annually and updated as necessary;
 - v. The Permittee must require adequate long-term operation and maintenance of BMPs. One or more of the following as applicable:
 - (1) The developer's signed statement accepting responsibility for maintenance until the maintenance responsibility is legally transferred to another party; and/or
 - (2) Written conditions in the sales or lease agreement that require the recipient to assume responsibility for maintenance; and/or
 - (3) Written conditions in project conditions, covenants and restrictions for residential properties assigning maintenance responsibilities to a home owner's association, or other appropriate group, for maintenance of structural and treatment control management practices; and/or
 - (4) Any other legally enforceable agreement that assigns permanent responsibility for maintenance of structural or treatment control management practices.
 - vi. The Permittee shall perform or require the performance of post-construction inspections, at a minimum of once per year, to confirm that post-construction BMP's are functioning as designed. The Permittee shall include an inspection schedule, to include inspection frequency, within the SWMPP. The Permittee shall document or require documentation of the post-construction inspection. Such documentation shall include, at a minimum:

- (1) Facility type
 - (2) Inspection date
 - (3) Name and signature of inspector
 - (4) Site location
 - (5) Owner information (name, address, phone number, fax, and email)
 - (6) Description of the storm water BMP condition that may include the quality of: vegetation and soils, inlet and outlet channels and structures, embankments, slopes, and safety benches; spillways, weirs, and other control structures; and sediment and debris accumulation in storage and forebay areas as well as in and around inlet and outlet structures;
 - (7) Photographic documentation of all critical storm water BMP components;
 - (8) Specific maintenance items or violations that need to be corrected by the owner/operator of the storm water control or BMP; and
 - (9) Maintenance agreements for long-term BMP operation and maintenance.
- vii. The Permittee shall maintain or require the developer/owner/operator to keep records of post-construction inspections, maintenance activities and make them available to the Department upon request and require corrective actions to poorly functioning or inadequately maintained post-construction BMP's.
- b. The Permittee shall report each year in the annual report the following information:
- i. Copies of, or link to, the ordinance or other regulatory mechanism required by Part III.B.4.a.iv.;
 - ii. A list of the post-construction structural controls installed and inspected during the permit year. The list shall include which post-construction structural controls installed are considered low impact development (LID)/green infrastructure, if applicable;
 - iii. Updated inventory of post-construction structural controls including those owned by the Permittee;
 - iv. Number of inspections performed on post-construction structural controls; and,
 - v. Summary of enforcement actions, if applicable.

5. Pollution Prevention/Good Housekeeping for Municipal Operations

- a. The Permittee shall develop, implement, and maintain a program that will prevent or reduce the discharge of pollutants in storm water run-off from municipal operations to the maximum extent practicable. The program elements shall include, at a minimum, the following:
- i. An inventory (to include name and location) of all municipal facilities. Evaluate and determine which municipal facilities have the potential to discharge pollutants via storm water runoff;
 - ii. Strategies for the implementation of BMPs to reduce litter, floatables and debris from entering the MS4 and evaluate those BMPs annually to determine their effectiveness. If a BMP is determined to be ineffective or infeasible, then an alternate BMP must be implemented. The Permittee shall also develop a plan to remove litter, floatable and debris material from the MS4, including proper disposal of waste removed from the system;
 - iii. Standard Operating Procedures (SOPs) detailing good housekeeping practices to be employed at municipal facilities (that have the potential to discharge pollutants via stormwater runoff) and during municipal operations that may include, but not limited to, the following:
 - (1) Equipment washing;
 - (2) Street sweeping;

- (3) Maintenance of municipal roads including public streets, roads, and highways, including but not limited to unpaved roads, owned, operated, or under the responsibility of the Permittee;
 - (4) Storage, use, and disposal of chemicals, Pesticide, Herbicide and Fertilizers (PHFs) and waste materials;
 - (5) Vegetation control, cutting, removal, and disposal of the cuttings;
 - (6) Vehicle fleets/equipment maintenance and repair;
 - (7) External Building maintenance; and
 - (8) Materials storage facilities and storage yards.
- iv. A program for inspecting municipal facilities for good housekeeping practices, including BMPs. The program shall include checklists and procedures for correcting noted deficiencies;
 - v. A training program for municipal facility staff in good housekeeping practices as outlined in the SOP developed pursuant to Part III.B.5.a.iii; and
- b. The Permittee shall include within the SWMPP the following information:
 - i. The inventory of municipal facilities required by Part III.B.5.a.i;
 - ii. Evaluate and include a discussion of how effectiveness is measured for Part III.B.5.a.ii;
 - iii. Schedule for developing the SOP of good housekeeping practices required by Part III.B.5.a.iii;
 - iv. An inspection plan and schedule to include inspection frequency, checklists, and any other materials needed to comply with Part III.B.5.a.iv; and
 - v. A description of the training program and training schedule to include training frequency required by Part III.B.5.a.v.
 - c. The Permittee shall report each year in the annual report the following information:
 - i. Any updates to the municipal facility inventory;
 - ii. An estimated amount of floatable material collected from the MS4 as required by Part III.B.5.a.ii;
 - iii. Any updates to the inspection plan
 - iv. The number of inspections conducted; and
 - v. Any updates to the SOP of good housekeeping practices.
 - d. The Permittee shall maintain the following information and make it available upon request:
 - i. Records of inspections and corrective actions, if any; and
 - ii. Training records including the dates of each training activities and names of personnel in attendance.

PART IV: SPECIAL CONDITIONS

A. RESPONSIBILITIES OF THE PERMITTEE

1. If the Permittee is relying on another entity to satisfy one or more requirements of this permit, then the Permittee must note that fact in the SWMPP. The Permittee remains responsible for compliance with all requirements of this permit, except as provided by Part III.B.3.b and reliance on another entity will not be a defense or justification for non-compliance if the entity fails to implement the permit requirements.
2. If the Permittee is relying on the Department for the enforcement of erosion and sediment controls on qualifying construction sites and has included that information in the SWMPP as required by Part III.B.3.b., the Permittee is not responsible for implementing the requirements of Part III.B.3.b of this permit as long as the Department receives notification of non-compliant qualifying construction sites from the Permittee as required by Part III.B.3.a.viii.

B. SWMPP PLAN REVIEW AND MODIFICATION

1. The Permittee shall submit a SWMPP and/or revised SWMPP to the Department as required by Part II.A of the permit. The Permittee shall implement plans to seek and consider public input in the development, revision and implementation of this SWMPP, as required by Part III.B.1.b.i. Thereafter, the Permittee shall perform an annual review of the current SWMPP and must revise the SWMPP, as necessary, to maintain compliance with the permit. Any revisions to the SWMPP shall be submitted to the Department at the time a revision is made for the Department review and the Permittee's website shall be updated with the revised version of the SWMPP. Revisions made to the SWMPP may include, but are not limited to, the replacement of ineffective or infeasible BMPs or the addition of components, controls and requirements; and
2. The Permittee shall implement the SWMPP on all new areas added to their municipal separate storm sewer system (or for which they become responsible for implementation of storm water quality controls) as soon as practicable, but not later than one (1) year from addition of the new areas. Implementation of the program in any new area shall consider the plans of the SWMPP of the previous MS4 ownership, if any.

C. DISCHARGE COMPLIANCE WITH WATER QUALITY STANDARDS

This general permit requires, at a minimum, that the Permittee develop, implement and enforce a Storm Water Management Program designed to reduce the discharge of pollutants to the maximum extent practicable. Full implementation of BMPs, using all known, available, and reasonable methods of prevention, control and treatment to prevent and control storm water pollution from entering waters of the State of Alabama is considered an acceptable effort to reduce pollutants from the municipal storm drain system to be the maximum extent practicable.

D. IMPAIRED WATERS AND TOTAL MAXIMUM DAILY LOADS (TMDLs)

1. The Permittee must determine whether the discharge from any part of the MS4 contributes directly or indirectly to a waterbody that is included on the latest §303(d) list or designated by the Department as impaired;
2. If the Permittee's MS4 discharges to a waterbody included on the latest §303(d) or designated by the Department as impaired, it must demonstrate the discharges, as controlled by the Permittee, do not cause or contribute to the impairment. The SWMPP must detail the BMPs that are being utilized to control discharges of pollutants associated with the impairment. If existing BMPs are not sufficient to achieve this demonstration, the Permittee must, within six (6) months following the publication of the latest final §303(d) list, Department designation, or the effective date of this permit, submit a revised SWMPP detailing new or modified BMPs. The SWMPP must be revised as directed by the Department and the new or modified BMPs must be implemented within one year from the publication of the latest final §303(d) list or Department designation.
3. Permittees discharging from MS4s into waters with EPA-Approved TMDLs and/or EPA-Established TMDLs
 - a. The Permittee must determine whether its MS4 discharges to a waterbody for which a TMDL has been established or approved by EPA. If an MS4 discharges into a water body with an EPA approved or established TMDL, then the SWMPP must include BMPs targeted to meet the assumptions and

requirements of the TMDL. If additional BMPs will be necessary to meet the requirements of the TMDL, the SWMPP must include a schedule for installation and/or implementation of such BMPs. A monitoring component to assess the effectiveness of the BMPs in achieving the TMDL requirements must also be included in the SWMPP. Monitoring can entail a number of activities including, but not limited to: outfall monitoring, in-stream monitoring, and/or modeling. Monitoring data, along with an analysis of this data, shall be included in the Annual Report.

- b. If, during this permit cycle, a TMDL is approved by EPA or a TMDL is established by EPA for any waterbody into which an MS4 discharges, the Permittee must review the applicable TMDL to see if it includes requirements for control of storm water discharges from the MS4.
 - i. If it is found that the Permittee must implement specific allocations of the TMDL, it must assess whether the assumptions and requirements of the TMDL are being met through implementation of existing BMPs or if additional BMPs are necessary. The SWMPP must include BMPs targeted to meet the assumptions and requirements of the TMDL. If existing BMPs are not sufficient, the Permittee must, within six (6) months following the approval or establishment of the TMDL by EPA, submit a revised SWMPP detailing new or modified BMPs to be utilized along with a schedule of installation and/or implementation of such BMPs. Any new or modified BMPs must be implemented within one year, unless an alternate date is approved by the Department, from the establishment or approval of the TMDL by EPA. A monitoring component to assess the effectiveness of the BMPs in achieving the TMDL requirements must also be included in the SWMPP. Monitoring can entail a number of activities including, but not limited to: outfall monitoring, in-stream monitoring, and/or modeling. Monitoring data, along with an analysis of this data, shall be included in the Annual Report.

E. REQUIRING AN INDIVIDUAL PERMIT

The Department may require any person authorized by this permit to apply for and/or obtain an individual NPDES permit. When the Department requires application for an individual NPDES permit, the Department will notify the Permittee in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form and a statement setting a deadline for the Permittee to file the application.

PART V: MONITORING AND REPORTING

A. MONITORING REQUIREMENTS

1. If there are no 303(d) listed or TMDL waters located within the Permittee's MS4 area, no monitoring shall be required. The SWMPP shall include a determination stating if monitoring is required.
2. If a waterbody within the MS4 jurisdiction is listed on the latest final §303(d) list, or otherwise designated impaired by the Department, or for which a TMDL is approved or established by EPA, during this permit cycle, then the Permittee must implement a monitoring program, within 6 months, to include monitoring that addresses the impairment or TMDL. A monitoring plan shall be included with the SWMPP and any revisions to the monitoring program shall be documented in the SWMPP and Annual Report.
3. Proposed monitoring locations, and monitoring frequency shall be described in the monitoring plan with actual locations described in the annual report;
4. The Permittee must include in the monitoring program any parameters attributed with the latest final §303(d) list or otherwise designated by the Department as impaired or are included in an EPA-approved or EPA-established TMDL.
5. Analysis and collection of samples shall be done in accordance with the methods specified at 40 CFR Part 136. Where an approved 40 CFR Part 136 does not exist, then a Department approved alternative method may be used.
6. If the Permittee is unable to collect samples due to adverse conditions, the Permittee must submit a description of why samples could not be collected, including available documentation of the event. An adverse climatic condition which may prohibit the collection of samples includes weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

B. REPORTING OF MONITORING RESULTS

Monitoring results must be reported with the subsequent Annual Report and shall include the following monitoring information:

1. The date, latitude/longitude of location, and time of sampling;
2. The name(s) of the individual(s) who performed the sampling;
3. The date(s) analysis were performed;
4. The name(s) of individuals who performed the analysis;
5. The analytical techniques or methods used; and
6. The results of such analysis.

PART VI: ANNUAL REPORTING REQUIREMENTS

A. ANNUAL REPORT SUBMITTAL

1. The Permittee shall submit to the Department an annual report and all other information and documents via the AEPACS system no later than May 31st of each year. The AEPACS system can be accessed at the following link: <https://adem.alabama.gov/AEPACS>. The annual report shall cover the previous April 1 to March 31. If an entity comes under coverage for the first time after the issuance of this permit, then the first annual report should cover the time coverage begins until March 31st of subsequent year.
2. The Permittee shall sign and certify the annual report in accordance with Part VII.G. If the Responsible Official has designated a duly authorized representative in accordance with Part VII.G. to sign the annual report, then include a copy of the written designation with the annual report.

B. ANNUAL REPORT CONTENTS

The annual report shall include the following information, at a minimum, and in addition to those requirements referenced in Part III-V:

1. A list of contacts and responsible parties (e.g.: agency, name, phone number, address, & email address) who had input to and are responsible for the preparation of the annual report;
2. Overall evaluation of the SWMP developments and progress for the following:
 - a. Major accomplishments;
 - b. Overall program strengths/weaknesses;
 - c. Future direction of the program;
 - d. Overall determination of the effectiveness of the SWMPP taking into account water quality/watershed improvements;
 - e. Measureable goals that were not performed and reasons why the goals were not accomplished; and
 - f. If monitoring is required, evaluation of the monitoring data.
3. Narrative report of all minimum storm water control measures referenced in Part III.B of this permit. The activities shall be discussed as follows:
 - a. Minimum control measures completed and in progress;
 - b. Assessment of the controls; and
 - c. Discussion of proposed BMP revisions or any identified measureable goals that apply to the minimum storm water control measures.
4. Summary table of the storm water controls that are planned/scheduled for the next reporting cycle;
5. Results of information collected and analyzed, if any, during the reporting period, including any monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP.
6. Notice of reliance on another entity to satisfy some of your permit obligations;
7. Results of the evaluation to determine whether discharges from any part of the MS4 contributes directly or indirectly to a waterbody that is included on the latest §303(d) list (or designated by the Department as impaired) or for which a TMDL has been established or approved by EPA; and
8. If monitoring is required, all monitoring results collected during the previous year in accordance with Part V, if applicable. The monitoring results shall be submitted in a format acceptable to the Department.

PART VII: STANDARD AND GENERAL PERMIT CONDITIONS

A. DUTY TO COMPLY

You must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of CWA and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

B. CONTINUATION OF THE EXPIRED GENERAL PERMIT

If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the ADEM Code r. 335-6-6 and remain in force and effect if the Permittee re-applies for coverage as required under Part II of this Permit. Any Permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of:

1. Reissuance or replacement of this permit, at which time you must comply with the Notice of Intent conditions of the new permit to maintain authorization to discharge; or
2. Issuance of an individual permit for your discharges; or
3. A formal permit decision by the Department not to reissue this general permit, at which time you must seek coverage under an alternative general permit or an individual permit.

C. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE

It shall not be a defense for you in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

D. DUTY TO MITIGATE

You must take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

E. DUTY TO PROVIDE INFORMATION

The Permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, suspending, or terminating the permit or to determine compliance with the permit. The Permittee shall also furnish to the Director upon request, copies of records required to be kept by the permit.

F. OTHER INFORMATION

If you become aware that you have failed to submit any relevant facts in your Notice of Intent or submitted incorrect information in the Notice of Intent or in any other report to the Department, you must promptly submit such facts or information.

G. SIGNATORY REQUIREMENTS

All Notices of Intent, reports, certifications, or information submitted to the Department, or that this permit requires be maintained by you shall be signed and certified as follows:

1. Notice of Intent.

All Notices of Intent shall be signed by a responsible official as set forth in ADEM Admin. Code r. 335-6-6-.09.

2. Reports and other information.

All reports required by the permit and other information requested by the Department or authorized representative of the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- a. Signed authorization. The authorization is made in writing by a person described above and submitted to the Department.
- b. Authorization with specified responsibility. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility for environmental matters for the regulated entity.

3. Changes to authorization.

If an authorization is no longer accurate because a different operator has the responsibility for the overall operation of the MS4, a new authorization satisfying the requirement of Part VII.G.2.b. above must be submitted to the Department prior to or together with any reports or information, and to be signed by an authorized representative.

4. Certification.

Any person signing documents under Part VII.G.1-2. above shall make the following certification:

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

H. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege, nor it does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of federal, State or local laws or regulations.

I. PROPER OPERATION AND MAINTENANCE

You must at all time properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by you to achieve compliance with the conditions of this permit and with the conditions of your SWMPP. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by you only when the operation is necessary to achieve compliance with the conditions of the permit.

J. INSPECTION AND ENTRY

You must allow the Department or an authorized representative upon the presentation of credentials and other documents as may be required by law, to do any of the following:

1. Enter your premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment) practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the CWA, any substances or parameters at any location.

K. PERMIT ACTIONS

This permit may be modified, revoked and reissued, or terminated for cause. Your filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

L. PERMIT TRANSFERS

This permit is not transferable to any person except after notice to the Department. The Department may require modification or revocation and reissuance of the permit to change the name of the Permittee and incorporate such other requirements as may be necessary under the Act.

M. ANTICIPATED NONCOMPLIANCE

You must give advance notice to the Department of any planned changes in the permitted small MS4 or activity which may result in noncompliance with this permit.

N. COMPLIANCE WITH STATUTES AND RULES

1. The permit is issued under ADEM Admin. Code r. 335-6-6. All provisions of this chapter that are applicable to this permit are hereby made a part of this permit.
2. This permit does not authorize the noncompliance with or violation of any laws of the State of Alabama or the United States of America or any regulations or rules implementing such laws.

O. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall be affected thereby.

P. BYPASS PROHIBITION

Bypass (see 40 CFR 122.41(m)) is prohibited and enforcement action may be taken against a regulated entity for a bypass; unless:

1. The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during the normal periods of equipment downtime. This condition is not satisfied if the regulated entity should, in the exercise of reasonable engineering judgment, have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance.
3. The Permittee submits a written request for authorization to bypass to the Director at least ten (10) days prior to the anticipated bypass (if possible), the Permittee is granted such authorization, and the Permittee complies with any conditions imposed by the Director to minimize any adverse impact on human health or the environment resulting from the bypass.

The Permittee has the burden of establishing that each of the conditions of Part VII.P. have been met to qualify for an exception to the general prohibition against bypassing and an exemption, where applicable, from the discharge specified in this permit.

Q. UPSET CONDITIONS

An upset (see 40 CFR 122.41(n)) constitutes an affirmative defense to an action brought for noncompliance with technology-based permit limitations if a regulated entity shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

1. An upset occurred and the Permittee can identify the specific cause(s) of the upset;
2. The Permittee's facility was being properly operated at the time of the upset; and

3. The Permittee promptly took all reasonable steps to minimize any adverse impact on human health or the environment resulting from the upset.

The Permittee has the burden of establishing that each of the conditions of Part VII.Q. of this permit have been met to qualify for an exemption from the discharge specified in this permit.

R. PROCEDURES FOR MODIFICATION OR REVOCATION

Permit modification or revocation will be conducted according to ADEM Admin. Code r. 335-6-6-.17.

S. RE-OPENER CLAUSE

If there is evidence indicating potential or realized impacts on water quality due to storm water discharge covered by this permit, the regulated entity may be required to obtain an individual permit or an alternative general permit or the permit may be modified to include different limitations and/or requirements.

T. RETENTION OF RECORDS

1. The Permittee shall retain the storm water quality management program developed in accordance with Part III-V of this permit until at least five years after coverage under this permit terminates.
2. The Permittee shall retain records of all monitoring information including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of reports required by this permit, and records of all data used to complete the application of this permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended at the request of the Director at any time.

U. MONITORING METHODS

1. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.
2. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

V. ADDITIONAL MONITORING BY THE PERMITTEE

If the Permittee monitors more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the monitoring report. Such increased monitoring frequency shall also be indicated on the monitoring report.

W. DEFINITIONS

1. Alabama Handbook means the latest edition of the Alabama Handbook for Erosion Control, Sediment Control, and Stormwater Management on Construction Sites and Urban Areas, Alabama Soil and Water Conservation Committee (ASWCC) published at the time permit is effective.
2. AWPCA means Code of Alabama 1975, Title 22, the Alabama Water Pollution Control Act, as amended.
3. Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
4. Control Measure as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the State.
5. CWA or The Act means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et. seq.

6. Department means the Alabama Department of Environmental Management or an authorized representative.
7. Discharge, when used without a qualifier, refers to “discharge of a pollutant” as defined as ADEM Admin. Code r. 335-6-6-.02(m).
8. Green Infrastructure refers to systems and practices that use or mimic natural processes to infiltrate, evapotranspire (the return of water to the atmosphere either through evaporation or by plants), or reuse storm water or runoff on the site where it is generated.
9. Hydrology refers to the physical characteristics of storm water discharge, including the magnitude, duration, frequency, and timing of discharge.
10. Illicit Connection means any man-made conveyance connecting an illicit discharge directly to municipal separate storm sewer.
11. Illicit Discharge is defined at 40 CFR Part 122.26(b)(2) and refers to 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.
12. Indian Country, as defined in 18 USC 1151, means (a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation; (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a State, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. This definition includes all land held in trust for an Indian tribe.
13. Infiltration means water other than wastewater that enters a sewer system, including foundation drains, from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.
14. Landfill means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application unit, surface impoundment, injection well, or waste pile.
15. Large municipal separate storm sewer system means all municipal separate storm sewers that are either:
 - a. Located in an incorporated place (city) with a population of 250,000 or more as determined by the latest decennial census; or
 - b. Located in counties (these counties are listed in Appendix H of 40 CFR Part 122, except municipal storm sewers that are located in the incorporated places, townships or towns within such counties; or
 - c. Owned or operated by a municipality other than those described in Part VII.W.15.a. or b. and that are designated by the Director as part of the large or medium municipal separate storm sewer system; or
 - d. The Director may designate as a large municipal separate storm sewer system, municipal separate storm sewers located within the boundaries of a region defined by a storm water management regional authority based on a jurisdictional, watershed, or other appropriate basis that includes one or more of the systems described in Part VII.W.15.a., b. or c.).
16. Low Impact Development (LID) is an approach to land development (or re-development) that works with nature to manage storm water as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat storm water as a resource rather than a waste product.
17. Medium municipal separate storm sewer system means all municipal separate storm sewers that are either:
 - a. Located in an incorporated place (city) with a population of 100,000 or more but less than 250,000 as determined by the latest decennial census; or

- b. Located in counties (these counties are listed in Appendix I of 40 CFR Part 122, except municipal separate storm sewers that are located in the incorporated places, townships or towns within such counties; or
 - c. Owned or operated by a municipality other than those described in Parts VII.W.17.a. and b. and that are designated by the Director as part of the large or medium municipal separate storm sewer system; or
 - d. The Director may designate as a medium municipal separate storm sewer system, municipal storm sewers located within the boundaries of a region defined by a stormwater management regional authority based on a jurisdictional, watershed, or other appropriate basis that includes one or more of the systems as described in Parts VII.W.17.a., b. or c.
18. MEP is an acronym for “Maximum Extent Practicable,” the technology-based discharge standard for municipal separate storm sewer systems to reduce pollutants in storm water discharges that was established by CWA Section 402(p). A discussion of MEP as it applies to small MS4s is found at 40 CFR Part 122.34.
 19. MS4 is an acronym for “Municipal Separate Storm Sewer System” and is used to refer to either a large, medium, or small municipal separate storm sewer system. The term is used to refer to either the system operated by a single entity or a group of systems within an area that are operated by multiple entities.
 20. Municipal Separate Storm System is defined at 40 CFR Part 122.26(b)(8) and means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States; (ii) Designed or used for collecting or conveying storm water; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined in ADEM Admin. Code r. 335-6-6-.02(nn).
 21. NOI is an acronym for “Notice of Intent” to be covered by this permit and is the mechanism used to “register” for coverage under a general permit.
 22. Permittee means each individual co-applicant for an NPDES permit who is only responsible for permit conditions relating to the discharge that they own or operate.
 23. Point Source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.
 24. Priority construction site means any qualifying construction site in an area where the MS4 discharges to a waterbody which is listed on the most recently approved 303(d) list of impaired waters for turbidity, siltation, or sedimentation, any waterbody for which a TMDL has been finalized or approved by EPA for turbidity, siltation, or sedimentation, and any waterbody assigned specific water quality criteria, such as Outstanding Alabama Water use classification, in accordance with ADEM Admin. Code r. 335-6-10-.09 and any waterbody assigned a special designation in accordance with ADEM Admin. Code r. 335-6-10-.10.
 25. Qualifying Construction Site means any construction activity that results in a total land disturbance of one or more acres and activities that disturb less than one acre but are part of a larger common plan of development or sale that would disturb one or more acres. Qualifying construction sites do not include land disturbance conducted by entities under the jurisdiction and supervision of the Alabama Public Service Commission.
 26. Qualifying New Development and Redevelopment means any site that results from the disturbance of one acre or more of land or the disturbance of less than one acre of land if part of a larger common plan of development or sale that is greater than one acre. Qualifying new development and redevelopment does

not include land disturbances conducted by entities under the jurisdiction and supervision of the Alabama Public Service Commission.

27. Small municipal separate storm sewer system is defined at 40 CFR Part 122.26(b)(16) and refers to all separate storm sewers that are owned or operated by the United States, a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to water of the United States, but is not defined as "large" or "medium" municipal separate storm sewer system. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.
28. Storm water is defined at 40 CFR Part 122.26(b) (13) and means storm water runoff, snow melt runoff, and surface runoff and drainage.
29. Storm Water Management Program (SWMP) refers to a comprehensive program to manage the quality of storm water discharged from the municipal separate storm sewer system.
30. SWMP is an acronym for "Storm Water Management Program."
31. Total Maximum Daily Load (TMDL) means the calculated maximum permissible pollutant loading to a waterbody at which water quality standards can be maintained. The sum of wasteload allocations (WLAs) and load allocations (LAs) for any given pollutant.
32. You and Your as used in this permit is intended to refer to the Permittee, the operator, or the discharger as the context indicates and that party's responsibilities (e.g., the city, the country, the flood control district, the U.S. Air Force, etc.).

Appendix C – Monitoring Program

WET-WEATHER MONITORING PROGRAM



**April 2022
to March 2027**

City of Attalla • City of Gadsden • City of Glencoe
City of Hokes Bluff • City of Rainbow City
City of Southside • Etowah County



Prepared by
S&ME, Inc.



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Appendix A – Figures



1.0 Introduction

S&ME, Inc. has prepared this Wet-Weather Monitoring Program for the regulated Phase II Small Municipal Separate Storm Sewer Systems within the *Gadsden-Etowah Urbanized Area* in accordance with S&ME Proposals No. 215660A-G, dated June 14, 2021.

The seven MS4 entities within the *Gadsden, Alabama Urbanized Area* (hereafter referred to collectively as the Gadsden-Etowah MS4) all currently discharge to an impaired waterbody for which a Total Maximum Daily Load (TMDL) has been established. Part IV.D of the NPDES General Permit requires that the SWMPP include a monitoring plan to assess the effectiveness of the BMPs in achieving the waste load reductions/allocations outlined in the TMDL.

1.1 Permit History

The Storm Water Phase II Final Rule issued by the United States Environmental Protection Agency (USEPA) in 1999 requires nationwide coverage of all operators of small MS4s located within the boundaries of an "urbanized area" as defined by the latest decennial Census. Based on the results of the 2010 census, the Bureau of the Census designated the *Gadsden, Alabama Urbanized Area* to include the City of Attalla, the City of Gadsden, the City of Glencoe, the City of Hokes Bluff, City of Rainbow City, the City of Southside, and portions of unincorporated Etowah County. A map outlining the approximate boundary of the 2010 *Gadsden, Alabama Urbanized Area* is included in **Appendix A** as **Figure 1**. Revised urbanized area boundaries based on the 2020 Census were not available as of April 1, 2022.

The City of Attalla, the City of Gadsden, the City of Glencoe, the City of Hokes Bluff, City of Rainbow City, the City of Southside, and Etowah County initially applied for and received a NPDES MS4 Phase II General Permit from ADEM in 2003, with the seven entities as co-permittees under authorization number ALR040009. The five-year permit expired on March 9, 2008. A Notice of Intent for renewal of the permit was submitted 180 days prior to expiration and permit coverage was administratively continued until the re-issuance of the MS4 Phase II General Permit with an effective date of February 1, 2011.

The 2011 permit expired on February 1, 2016. A Notice of Intent for renewal of the permit was submitted by each entity 180 days prior to expiration; therefore, the permit coverage was extended until the re-issuance of the MS4 Phase II General Permit in September 2016. To assist in compliance tracking, the Gadsden-Etowah MS4 entities were each issued a separate permit, although the entities agreed to continue under a joint SWMPP and monitoring plan. The separate NPDES permit authorizations were issued to each entity with an effective date of October 1, 2016.

The 2016 permit expired on September 30, 2021. Notices of Intent for renewal of the permit were submitted 180 days prior to expiration, and the MS4 Phase II General Permit authorizations were re-issued with an effective date of October 1, 2021. The current permit will expire on September 30, 2026.



Table 1-1 Permit Numbers and Responsible Officials

Entity	Permit Number	Name
City of Attalla	ALR0400052	Larry Means, Mayor
City of Gadsden	ALR0400053	Sherman Guyton, Mayor
City of Glencoe	ALR0400054	Chris Hare, Mayor
City of Hokes Bluff	ALR0400055	Scott Reeves, Mayor
City of Rainbow City	ALR0400056	Joe Taylor, Mayor
City of Southside	ALR0400057	Dana Snyder, Mayor
Etowah County	ALR0400009	Robert Nail, Engineer

1.2 Steering Committee

The Gadsden-Etowah Storm Water Steering Committee was first established in 2011 following re-issuance of the joint permit. The intent of the steering committee was to provide for coordination between the co-permittees. When the joint permit was superseded by the separate permits in 2016, the committee continued to work together to produce and implement a joint SWMPP and monitoring program.

The Steering Committee will continue under the 2021 permit. Despite the preparation of individual SWMPPs for each entity, the Gadsden-Etowah MS4 entities remain committed to partnership and joint implementation of the monitoring program.

Each of the seven entities provide at least one member to the Gadsden-Etowah Storm Water Steering Committee. Each entity is responsible for providing the required annual updates and monitoring data to the Steering Committee.

Table 1-2 MS4 Storm Water Steering Committee

Entity	Contact	Phone Number	Email
City of Gadsden	Jeremy Ward	256-549-4527	jward@cityofgadsden.com
City of Gadsden	Heath Williamson	256-549-4520	hwilliamson@cityofgadsden.com
City of Attalla	Jason Nicholson	256-441-9200	jnicholson@attallacity.org
City of Rainbow City	Joel Garmon	256-413-1230	jgarmon@rbcalabama.com
City of Southside	Judd Rich	256-442-9775 Ext. 103	jrich@cityofsouthside.com
City of Glencoe	Todd Means	256-492-1424	toddmeans@cityofglencoe.net
City of Hokes Bluff	Lisa Johnson	256-492-2414	hbcity@cityofhokesbluff.net
Etowah County	Robert Nail	256-549-5358	rmail@etowahcounty.org



2.0 Water Quality Concerns

Neely Henry Lake is the primary receiving water for the Gadsden-Etowah MS4. In 1996, the ADEM identified five of the six reservoirs on the Coosa River within the State of Alabama’s borders as being impaired, including Neely Henry Lake. The following table summarizes the impaired segments of Neely Henry Lake that receive discharges from the Gadsden-Etowah MS4.

Table 2-1 Impaired Waterbody Segments in the Urbanized Area

Assessment Unit ID	Waterbody Name	Uses	Causes
AL03150106-0204-102	Coosa River (Neely Henry Lake)	Public Water Supply Fish & Wildlife	Nutrients pH Organic Enrichment (CBOD, NBOD)
AL03150106-0204-101	Coosa River (Neely Henry Lake)	Fish & Wildlife	Nutrients pH Organic Enrichment (CBOD, NBOD)
AL03150106-0309-102	Coosa River (Neely Henry Lake)	Fish & Wildlife	Nutrients pH Organic Enrichment (CBOD, NBOD)
AL03150106-0309-101	Coosa River (Neely Henry Lake)	Swimming Fish & Wildlife	Nutrients pH Organic Enrichment (CBOD, NBOD)

Sources of nutrient and organic enrichment from non-point sources within the Coosa River watershed include:

- Runoff from pastures
- Runoff from animal operations



- Direct discharge to streams due to cattle
- Improper land application of animal waste
- Failing septic systems
- Urban runoff

Point source contributors of storm water pollution within the Coosa River watershed include:

- Sanitary sewer overflows (SSOs)
- Discharge from wastewater treatment plants
- Discharge from industrial operations

In 2008 the EPA approved TMDLs for Neely Henry Lake related to Nutrients (Total Phosphorous), pH, and Dissolved Oxygen. The Gadsden-Etowah MS4 is required to achieve a **30% reduction in Total Phosphorus discharge loading**.

3.0 Storm Water Monitoring

3.1 Rationale Statement

The intent of the proposed monitoring program is to evaluate the effectiveness of the City's BMPs in achieving the required reduction as established in the TMDL and to generally evaluate overall water quality. Where deviations are documented and/or expected, the collected monitoring data will be used to determine the extent and cause of the pollutant of concern.

3.2 Monitoring Parameters

The Gadsden-Etowah MS4 is required to achieve a 30% reduction in Total Phosphorus discharge loading. To demonstrate the MS4's compliance with the established waste load reduction, the MS4 will conduct monitoring along the Coosa River throughout the *Gadsden, Alabama Urbanized Area* using grab sampling for field and laboratory analyses.

Both point and non-point sources of particulate and dissolved phosphorous are linked to runoff. Particulate phosphorous moves primarily by soil erosion. Dissolved phosphorous may result from leaking septic systems, animal wastes, or the over-application of fertilizer. The greatest opportunity for excess phosphorous loading into the Coosa River from the Gadsden-Etowah MS4 is likely to occur during runoff events; therefore, **wet-weather monitoring will be conducted within 72 hours of a qualifying rain event of 0.75 inch or greater**.

Monitoring parameters were selected to indicate the effectiveness of the BMPs outlined in the *Gadsden, Alabama Urbanized Area* Storm Water Management Program. In addition to total phosphorous and orthophosphate,



parameters related to soil erosion (sedimentation) and eutrophication (nutrient enrichment) were also selected for monitoring.

Monitoring will be conducted **quarterly** at the designated monitoring locations for the following parameters:

- Total Phosphorous
- Orthophosphate
- Total Suspended Solids (TSS)
- Nitrate-Nitrite
- Total Kjeldahl Nitrogen (TKN)

The following parameters will also be measured in the field at the time of sample collection:

- Turbidity
- pH
- Dissolved Oxygen (DO)
- Temperature

3.3 Field Documentation

The following observations will be documented in the field at each monitoring location:

- Monitoring point ID
- Date and time
- Person conducting the sampling
- Equipment used
- Depth of sample collection
- Weather conditions
- Waterbody conditions
- Field parameters (turbidity, pH, DO, temperature)

3.4 Sampling Procedures

Monitoring will be conducted within 72 hours of a qualifying storm event of at least 0.75 inch, as measured at three rain gauges within the MS4. The rain gauges must be located a minimum of 3 miles apart. The duration between the storm event sampled and the end of the previous measurable storm event (greater than 0.1 inch of rain) must be a minimum of 48 hours.



3.4.1 *Sampling on Land*

Samples collected on land will be obtained from approximately the mid-channel of each stream at mid-depth or two feet below the water surface, whichever is shallower. Samples may be collected using a stainless steel bucket or a horizontal Van Dorn sampler or equivalent. Care will be taken to avoid contacting the bottom of the stream and stirring bottom sediments.

If multiple grab samples are necessary to obtain enough water to complete the required analyses at each monitoring point, the samples will be composited by mixing them in a decontaminated stainless steel bucket. The sample containers will then be filled using the composited water.

Fast-flowing streams less than three feet in depth may also be sampled using the hand-dip method. The stream must be accessible by wading or other means. Samples will be collected from the mid-channel of each stream at mid-depth by inserting the sample container directly into the waterbody with the bottle facing upstream. The person sampling will stand downstream of the collection point, and sediment disturbed by entry into the waterbody will be allowed to flow downstream before the sample is collected. If preservative is added to the sample containers prior to sample collection, care will be taken to avoid washing out the preservative.

3.4.2 *Sampling from a Boat*

Samples collected from a boat will be obtained using a horizontal Van Dorn sampler or equivalent. The sampler will be inserted into the water upstream of the boat and lowered to a depth of five feet below the water surface before the seals are triggered to collect the sample.

If multiple grab samples are necessary to obtain enough water to complete the required analyses at each monitoring point, the samples will be composited by mixing them in a decontaminated stainless steel bucket. The sample containers will then be filled using the composited water.

3.5 **Monitoring Locations**

A series of monitoring locations have been identified along the river and in contributing tributaries at points determined to be representative of the typical land uses in the sub-watersheds. The monitoring points have been sited to provide data on MS4 activities as well as baseline data from waterbodies entering and leaving the MS4.

The selected monitoring locations are identified on **Figure 2** in **Appendix A**. Coordinates for each point are listed in the table below.

Table 3-1 Monitoring Point Coordinates – Land Access

Point ID	Latitude	Longitude	Access	Waterbody Evaluated
AT 5	34.006446°	-86.069061°	LAND	Big Wills Creek / Little Wills Creek
GD 8	33.999535°	-86.024463°	LAND	Black Creek
RC 2	33.967683°	-86.039476°	LAND	Horton Creek
SS 13	33.891352°	-86.049229°	LAND	U.T. to Neely Henry Lake



Point ID	Latitude	Longitude	Access	Waterbody Evaluated
SS 14	33.885921°	-86.030683°	LAND	U.T. to Neely Henry Lake
GD 12	33.952567°	-86.003495°	LAND	U.T. to Neely Henry Lake
GD 6	34.015350°	-85.995617°	LAND	Town Creek
CO 15	33.972280°	-85.965354°	LAND	U.T. to Neely Henry Lake
SME 7	34.006225°	-86.111277°	LAND	Big Wills Creek (upstream of MS4)
SME 9	34.002807°	-85.871879°	LAND	U.T. to Neely Henry Lake
SME 10	33.985669°	-85.878605°	LAND	U.T. to Big Cove Creek (exiting Hokes Bluff)

Table 3-2 Monitoring Point Coordinates – Boat Access

Point ID	Latitude	Longitude	Access	Waterbody Evaluated
HB 3	34.002129°	-85.882808°	BOAT	U.T. to Neely Henry Lake
GD 5	34.014324°	-85.924013°	BOAT	Big Cove Creek / Little Cove Creek
GD 7	34.008361°	-85.999777°	BOAT	Storm sewer from downtown Gadsden to Coosa River
GD 9	33.989718°	-85.998472°	BOAT	U.T. to Neely Henry Lake
SS 5	33.941329°	-86.021569°	BOAT	U.T. to Coosa River
RC 14	33.905786°	-86.111656°	BOAT	Rook Creek / Dry Creek embayment
SME 1	33.990184°	-86.004048°	BOAT	Big Wills Creek / Black Creek embayment
SME 3	34.009698°	-85.956230°	BOAT	Coal Creek embayment
SME 4	34.001667°	-85.883342°	BOAT	Neely Henry Lake (upstream of MS4)
SME 5	33.940514°	-86.029885°	BOAT	Neely Henry Lake (midpoint of MS4)
SME 6	33.852125°	-86.049695°	BOAT	Neely Henry Lake (downstream of MS4)

3.6 Quality Assurance / Quality Control

Quality Assurance (QA) and Quality Control (QC) activities are designed to achieve the specific data quality goals associated with the sampling program and will follow EPA and ADEM guidance.

3.6.1 Sample Containers and Preservation

All samples will be collected in new laboratory-provided containers containing analyte-appropriate preservatives as listed below:

Table 3-3 Sample Containers and Preservation

Parameter	Container	Preservative	Hold Time
Total Suspended Solids (TSS)	HDPE - 1 L	NONE	7 days



Parameter	Container	Preservative	Hold Time
Total Phosphorous	HDPE - 250 mL	H2SO4	48 hours
Orthophosphate	HDPE - 250 mL	NONE	48 hours
Nitrate-Nitrite	HDPE - 250 mL	H2SO4	28 days
Total Kjeldahl Nitrogen (TKN)	HDPE - 250 mL	H2SO4	28 days

3.6.2 *Quality Assurance*

A minimum of one duplicate for every 10 samples will be submitted to the laboratory.

3.6.3 *Equipment Decontamination*

All reusable sampling equipment will be decontaminated immediately prior to the start of the monitoring event using the following procedure:

- Rinse with tap water
- Wash with non-phosphatic detergent solution
- Rinse with deionized water
- Allow equipment to air dry
- Containerize rinsate for disposal

Sampling equipment will be decontaminated in between uses using the following procedure:

- Rinse with deionized water
- Rinse three times with on-site water
- Dispose of rinsates downstream of the monitoring location

3.6.4 *Sample Identification*

Sample containers will be labeled with the following information in waterproof ink:

- Project number
- Sample location



- Collection date and time
- Preservative
- Analysis to be performed

3.6.5 *Chain of Custody*

Chain of custody documents will originate in the field and will accompany the samples to the laboratory. Copies of the chain of custody documents will be included with the laboratory reports in the annual report.

3.6.6 *Sample Shipment*

The samples will be shipped overnight to the laboratory in sealed coolers containing ice.

4.0 Analytical Results and Reporting

Field observations and analytical results will be recorded at the time of sampling. The resulting field notes and laboratory analytical reports will be retained by each entity for a minimum of three years.

A report consolidating the results from each quarterly monitoring event will be submitted by the entity/company performing the monitoring to the representatives of the City of Attalla, the City of Gadsden, the City of Glencoe, the City of Hokes Bluff, the City of Southside, the City of Rainbow City, and Etowah County. Each quarterly monitoring report will be incorporated into the Annual Update of each entity's SWMPP. Monitoring reports will be retained by each entity for a minimum of three years.

The monitoring reports will include the following:

- Date, latitude/longitude of location, and time of sampling
- Name(s) of individual(s) who performed the sampling
- Date(s) analysis were performed
- Name(s) of individual(s) who performed the analysis
- Analytical techniques or methods
- Results of analysis

5.0 Evaluation of Results

The Gadsden-Etowah Storm Water Steering Committee has performed quarterly monitoring within the Gadsden-Etowah MS4 since 2013. As of the date of this plan, 37 quarterly monitoring events have been conducted.

Results from each sampling event will be evaluated annually, during the preparation of the Annual Report. Data collected during the reporting year (April 1 to March 31) will be evaluated by May 31 of each year.



5.1 Statistical Analysis

Statistical analysis will be performed each year on the cumulative monitoring data (2013 to present) to determine whether there has been a statistically significant increase (SSI) of concentrations between specific monitoring points.

5.1.1 *Wilcoxon Rank-Sum Tests*

The Wilcoxon rank-sum test evaluates potential differences in the medians of two populations.

Specific monitoring points will be chosen for direct comparison based on their location within the MS4 area respective to other monitoring point locations and trend of collected data. Multiple pairs of points will be evaluated to observe trends across the MS4 area.

For each pair, the cumulative data for each monitored parameter for the two selected points will be evaluated to determine if a statistically significant difference is present using a statistical significance value (alpha) of 0.01. If a statistically significant difference is observed, the median values of each point will be compared to evaluate whether a point had a statistically significant increase (SSI) over the background point.

5.1.2 *Sen's Slope Estimates*

Sen's non-parametric estimator of slope is a method of estimating the slope (change in concentration over time) of the data. Because this method is non-parametric, it is suitable for high percentage of non-detects and is not significantly affected by outliers.

Sen's slope estimates will be produced for pairs of monitoring points and the corresponding parameters for which an SSI was observed. The results will indicate whether there is an upward, downward, or no trend in the concentration data.

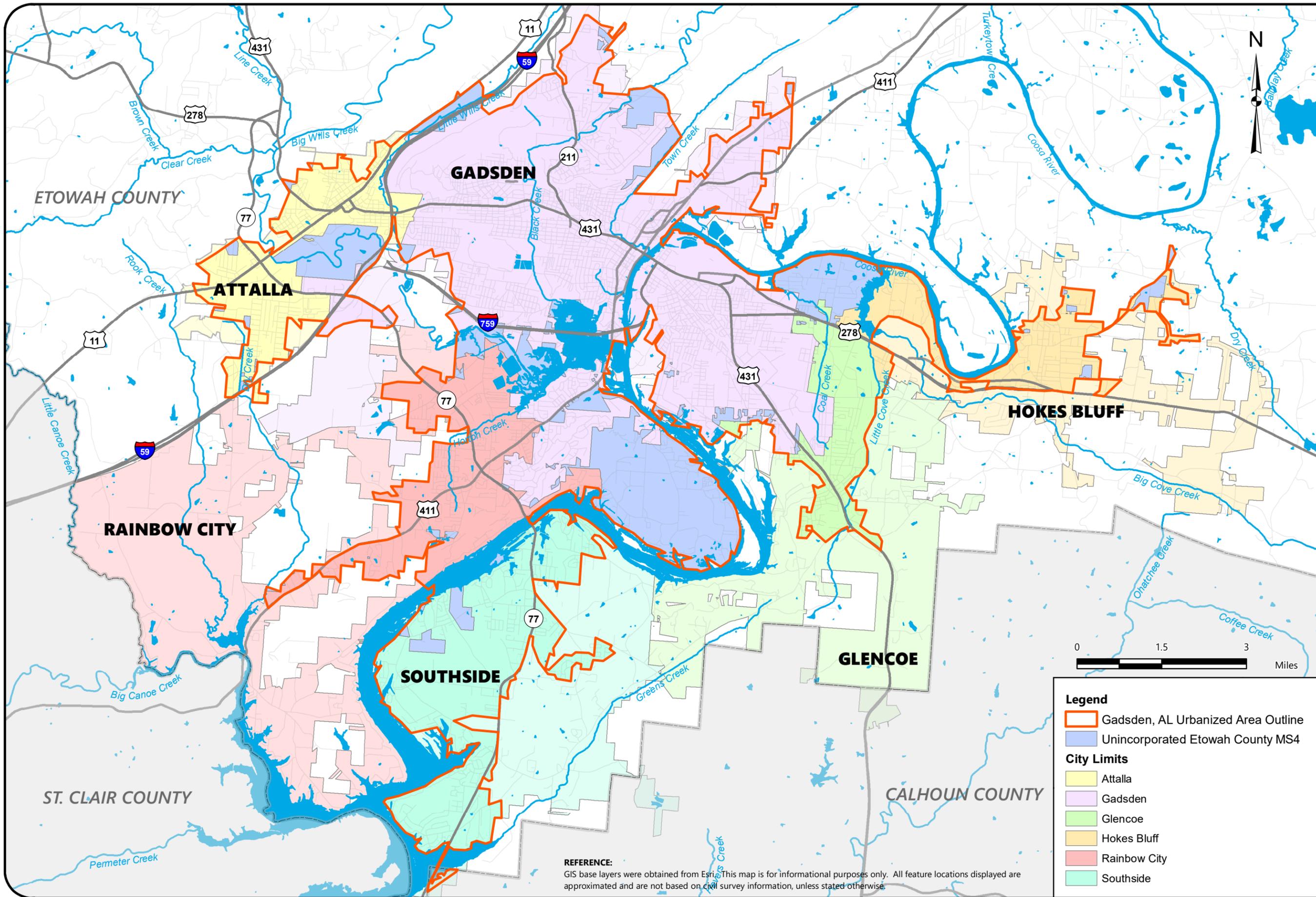
5.2 Evaluation of Monitoring Data

The results of the statistical analysis will be used to evaluate trends in water quality across the MS4. The monitoring data and results of the statistical analysis will also be used to determine if additional monitoring points should be considered.

Areas where an upward trend in phosphorous, orthophosphate, nitrate-nitrite, or TKN is observed will be evaluated for additional BMPs. Data from monitoring points SME 4, 5, and 6 will be used to evaluate the general impacts of the Gadsden-Etowah MS4 on the Coosa River.

Appendices

Appendix A – Figures



GADSDEN-ETOWAH MS4 BOUNDARIES

GADSDEN ALABAMA URBANIZED AREA
 PHASE II SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM
 NPDES GENERAL PERMIT ALR040009

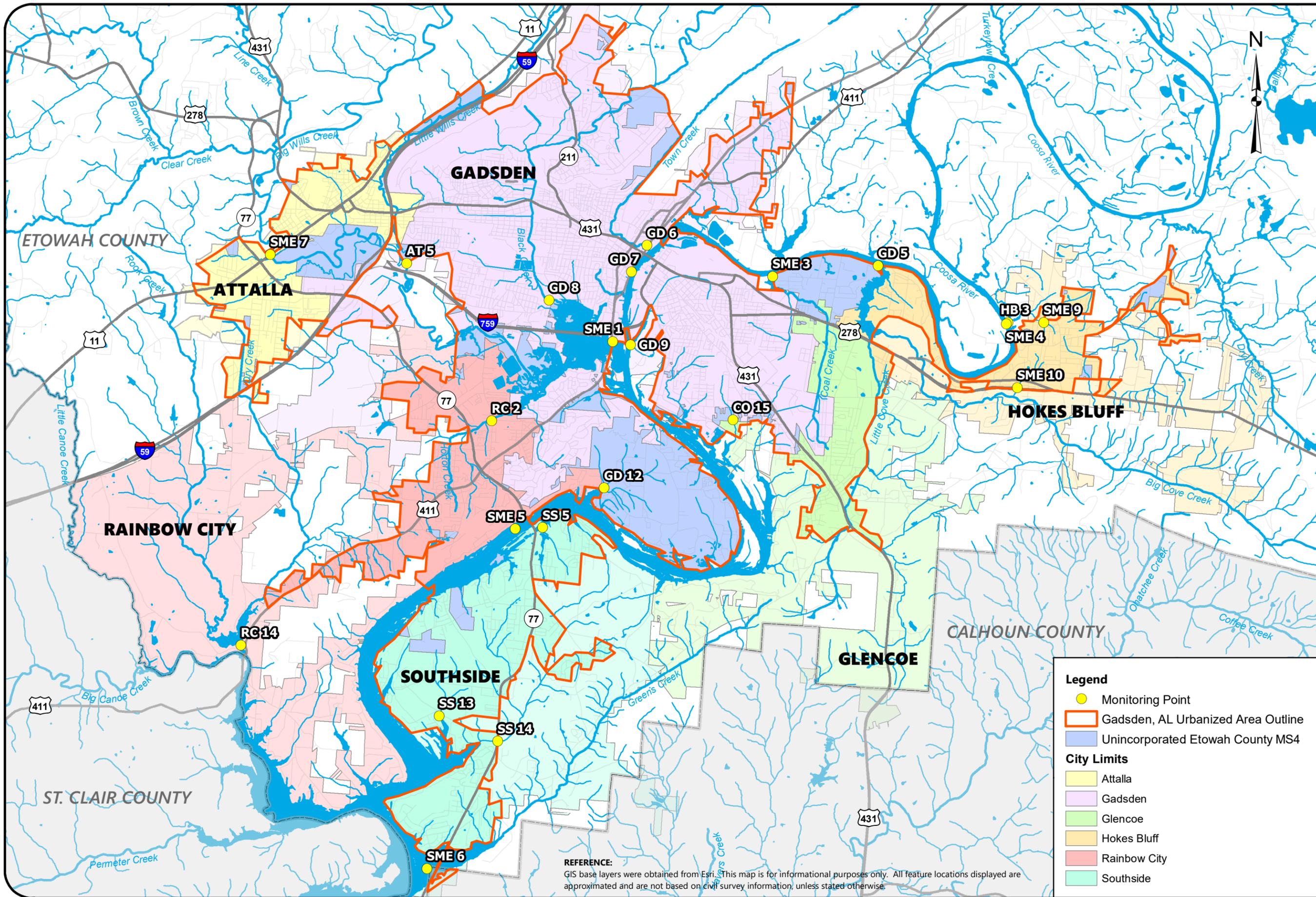
SCALE:
1:100,000
 DATE:
02/18/2022
 PROJECT NUMBER
215660
 FIGURE NO.

1

Legend

- Gadsden, AL Urbanized Area Outline
- Unincorporated Etowah County MS4
- City Limits**
- Attalla
- Gadsden
- Glencoe
- Hokes Bluff
- Rainbow City
- Southside

REFERENCE:
 GIS base layers were obtained from Esri. This map is for informational purposes only. All feature locations displayed are approximated and are not based on civil survey information, unless stated otherwise.



WET-WEATHER MONITORING LOCATIONS

GADSDEN ALABAMA URBANIZED AREA
 PHASE II SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM
 NPDES GENERAL PERMIT ALR040009

SCALE:
1:100,000

DATE:
03/23/2022

PROJECT NUMBER
215660

FIGURE NO.

- Legend**
- Monitoring Point
 - Gadsden, AL Urbanized Area Outline
 - Unincorporated Etowah County MS4
- City Limits**
- Attalla
 - Gadsden
 - Glencoe
 - Hokes Bluff
 - Rainbow City
 - Southside

REFERENCE:
 GIS base layers were obtained from Esri. This map is for informational purposes only. All feature locations displayed are approximated and are not based on civil survey information, unless stated otherwise.

Appendix D – IDDE Program



SOUTHSIDE MS4

Illicit Discharge Detection and Elimination Program



APRIL 2022

**Southside, Etowah County, Alabama
NPDES Permit No. ALR040057
Prepared by: S&ME, Inc.**



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Appendices

Appendix A – Forms



1.0 Introduction

S&ME, Inc. has prepared this Illicit Discharge Detection and Elimination Program (IDDE) for the Southside, Alabama Phase II Small Municipal Separate Storm Sewer System in accordance with S&ME Proposal No. 215660F, dated June 14, 2021.

The Illicit Discharge Detection and Elimination (IDDE) Program is required by Part III.B.2 of National Pollutant Discharge Elimination System (NPDES) General Permit ALR040057 for discharges from regulated small municipal separate storm sewer systems (MS4s), issued to the Southside MS4 by the Alabama Department of Environmental Management (ADEM).

2.0 Southside MS4

The City of Southside Municipal Separate Storm Sewer System (Southside MS4) is defined as the area within both the city limits and the urbanized area boundary. As defined by the 2010 Census, the *Gadsden, Alabama Urbanized Area* encompasses approximately 74.8 square miles. The Southside MS4 comprises approximately 9.9 square miles (13.2%) of the 2010 *Gadsden, Alabama Urbanized Area*. Approximately 52% of the city is located within the MS4 boundary. A map depicting the City of Southside’s urbanized area and city limits is provided in the SWMPP.

At the 2010 Census, the City of Southside had a total population of 8,412. The 2020 Census data has a total population of 9,001. Revised urbanized area boundaries based on the 2020 Census were not available as of April 1, 2022.

2.1 Receiving Waters

As described in Section 1.4 of the SWMPP, Neely Henry Lake (Coosa River) is the primary receiving water for the Southside MS4. The MS4 encompasses one subwatershed.

Table 2-1 Subwatersheds in the Southside MS4 Area

Subwatershed	12 Digit HUC	Area within Southside MS4 (Acres)
Coosa River – H. Neely Henry Lake	03150106-03-09	6,336



2.2 Water Quality Concerns

2.2.1 Impaired Waterbodies Adjacent to the MS4

Approximately 12 miles of the Southside MS4 boundary border Neely Henry Lake. The MS4 discharges to the lake directly via sheet flow and ditches and indirectly via five unnamed tributaries.

Table 2-2 Impaired Waterbodies Adjacent to the MS4

Waterbody	Impaired Segment	Type	Causes	Use
Coosa River (Neely Henry Lake)	AL03150106-0309-101	TMDL	Nutrients Organic enrichment (CBOD, NBOD) pH	F&W
Coosa River (Neely Henry Lake)	AL03150106-0309-102	TMDL	Nutrients Organic enrichment (CBOD, NBOD) pH	F&W

2.2.2 Priority Construction Sites

The Southside MS4 does not currently discharge to any waterbody meeting the criteria for a Construction Priority Site, as defined in the Alabama Construction General Permit.

2.2.3 Neely Henry Lake TMDL

In 2008 the EPA approved TMDLs for Neely Henry Lake related to Nutrients (Total Phosphorous), pH, and Organic Enrichment/Dissolved Oxygen. The Southside MS4 directly and indirectly discharges to Neely Henry Lake; therefore, **the Southside MS4 is required to achieve a 30% reduction in Total Phosphorus discharge loading.**

Sources of nutrient and organic enrichment from non-point sources within the Coosa River watershed include:

- Runoff from pastures
- Runoff from animal operations
- Direct discharge to streams due to cattle
- Improper land application of animal waste
- Failing septic systems
- Urban runoff



Point source contributors of storm water pollution within the Coosa River watershed include:

- Discharge from wastewater treatment plants
- Discharge from industrial operations

3.0 Storm Sewer System

A Municipal Separate Storm Sewer System is defined by 40 CFR Part 122.26(b)(8) to be a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is:

- (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;
- (ii) Designed or used for collecting or conveying storm water;
- (iii) Not a combined sewer; and,
- (iv) Not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

3.1 Municipal Separate Storm Sewer Outfalls

An MS4 outfall is defined as a point source where a municipal separate storm sewer discharges to waters of the State. This definition does not include open conveyances connecting two municipal separate storm sewers. Also excluded are pipes, tunnels, or other conveyances which connect segments of the same stream or other waters of the State and are used to convey waters of the State.

Waters of the State are defined by Chapter 335-6-10-.02(10) of the ADEM Administrative Code as all waters of any river, stream, watercourse, pond, lake, coastal, or surface water, wholly or partially within the State, natural or artificial. This does not include waters which are entirely confined and retained completely upon the property of a single individual, partnership, or corporation, unless such waters are used in interstate commerce.

3.2 Major and Minor Outfalls

A major outfall is defined by 40 CFR Part 122.26(b)(8) to be a municipal separate storm sewer outfall that discharges from:

- (i) A single pipe with an inside diameter of 36 inches or more;



- (ii) A single conveyance other than circular pipe which is associated with a drainage area of more than 50 acres;
- (iii) A single pipe with an inside diameter of 12 inches or more that receives storm water from lands zoned for industrial activity; or,
- (iv) A single conveyance other than a circular pipe associated with a drainage area of 2 acres or more that receives storm water from lands zoned for industrial activity.

Minor outfalls are smaller than these thresholds. Both major and minor outfalls can be a source of illicit discharges.

4.0 Non Storm Water Discharges

4.1 Rationale Statement

Section 402(p)(3)(B)(ii) of the Clean Water Act of 1987 requires that permits for municipal separate storm sewers include a requirement to effectively prohibit non-storm water discharges into the storm sewers. The Alabama General NPDES Permit authorizes specific non-storm water discharges, provided they do not cause or contribute to a violation of water quality standards and they have been determined not to be substantial contributors of pollutants.

4.2 Authorized Non-Storm Water Discharges

NPDES Permit ALR040057 authorizes the following non-storm water discharges:

- a. Water line flushing
- b. Landscape irrigation
- c. Diverted stream flows
- d. Uncontaminated ground water infiltration
- e. Uncontaminated pumped groundwater
- f. Discharges from potable water sources
- g. Foundation drains
- h. Air conditioning condensate
- i. Irrigation water (not consisting of treated or untreated wastewater)
- j. Rising ground water
- k. Springs
- l. Water from crawl space pumps
- m. Footing drains
- n. Lawn watering runoff
- o. Individual residential car washing, to include charitable carwashes
- p. Residual street wash water
- q. Discharge or flows from firefighting activities (including fire hydrant flushing)



- r. Flows from riparian habitats and wetlands
- s. De-chlorinated swimming pool discharges, and
- t. Discharge authorized by and in compliance with a separate NPDES permit

4.3 Illicit Discharges

An illicit discharge is any direct or indirect non-stormwater discharge to the stormwater drainage system, except as permitted or exempted by the Alabama General NPDES Permit or local ordinances.

Currently, the City of Southside has adopted an ordinance regulating illicit discharges.

5.0 Identifying Priority Areas

5.1 Rationale Statement

Priority areas within an MS4 are those areas more likely to have illicit discharges. Typically, illicit discharges are not uniformly distributed across a community. Instead, illicit discharges are generally clustered within areas defined by characteristics such as land use or infrastructure age.

5.2 Drainage Basins

The Southside MS4 encompasses approximately 9.9 square miles. To assist with data collection and evaluation, drainage basins will be delineated for the waterbodies included within the Southside MS4. The drainage basins are intended to divide the City of Southside's jurisdictions into smaller, more manageable areas in order to target mapping and inspection activities.

The City of Southside previously delineated seven drainage basins within the MS4. Each year, the City will determine Priority Areas by assigning each drainage basin an Illicit Discharge Potential (IDP) score. The IDP score will be determined by evaluating each drainage basin based on the following characteristics:

- Zoning / Land use
- Number of past reports or complaints
- Potential generating sites
- Age of development

For those drainage basins which extend beyond the boundaries of the Southside MS4, or where a drainage basin is shared by more than one MS4 entity, the entire drainage basin will be evaluated to ensure that potential sources of illicit discharges are identified.



The City of Southside will report total IDP Score for each drainage basin and will provide an updated map showing the designated Priority Areas. The City will report drainage basins that are newly listed or de-listed from the previous year’s reporting calculations.

The City of Southside may also choose to designate additional priority areas independent of the drainage basin IDP screening if there are specific concerns or past problems in that area.

The following subsections are intended to provide the method of determining IDP score.

5.3 Zoning/Land Use

Commercial sites are frequently a source of illicit discharges, often due to activities such as outdoor washing, vehicle fueling, vehicle repair, or poor dumpster management. Potential illicit discharge generating sites include permitted commercial sites, as well as those that are exempt from regulatory oversight.

For the purpose of assigning an IDP score, the City will evaluate the zoning districts present in each drainage basin. The City will evaluate the MS4 area within its jurisdiction based on land use. An IDP score will be assigned for each drainage basin based on the following criteria.

Table 5-1 Zoning/Land Use

Zoning/Land Use Type in Drainage Basin	IDP Score
Residential	1
Business	2
Industrial	3

5.4 Number of Past Reports or Complaints

Any area with a history of past illicit discharge reports or complaints will be considered to have higher illicit discharge potential. The City of Southside will evaluate the delineated drainage basins and assign an IDP score based on the following criteria.

Table 5-2 Past Illicit Discharge Reports

Number of Reports/Complaints in Past 2 Years	IDP Score
0	1
1-5	2
>5	3



5.5 Potential Generating Sites

Areas with storage of large quantities of materials that could result in spills include permitted commercial sites, as well as those that are exempt from regulatory oversight. Activities requiring permitting, reporting, and/or registration include the storage of petroleum products, fertilizers, hazardous waste, use oil, and hazardous materials.

For the purpose of assigning an IDP score, the City of Southside will determine the number of registered sites within each drainage basin using data obtained from publicly available sources such as the Facility Registry System, EPA ECHO Database, AEPACS, and ADEM E-file system. The data sources used will be cited in the Annual Report. An IDP score will be assigned for each drainage basin based on the following criteria.

Table 5-3 Potential Generating Sites

Registered Sites per Square Mile	IDP Score
0	1
1-5	2
>5	3

5.6 Age of Development

Areas where the average age of development is over 50 years were constructed before the City established sanitary sewer service and would have been added to the sewer system when it was first constructed. These areas will be considered to have high illicit discharge potential due to the possibility of leaking pipes, improper connections, or modified connections.

The City of Southside will evaluate the delineated drainage basins and assign an IDP score based on the following criteria.

Table 5-4 Average Age of Development

Average Age of Development (Years)	IDP Score
<10	1
10-50	2
>50	3

5.7 IDP Assessment

The delineated drainage basins will be analyzed each reporting period to determine the priority areas for that period's dry weather monitoring. Examples of how IDP is assessed are shown in Tables 5-5 and 5-6. A worksheet for drainage basin scoring is included in **Appendix A**.



Table 5-5 IDP Calculation – Example 1

Drainage Basin Criterion	Results	IDP Score
Zoning/Land Use	Industrial districts	3
Number of IDDE Reports in Past 2 Years	3 (2020)+1 (2021)=4	2
Number of Potential Generating Sites	1 Site	2
Average Age of Development	75 Years	3
Total IDP Score – Example 1		10

Table 5-6 IDP Calculation – Example 2

Drainage Basin Criterion	Results	IDP Score
Zoning/Land Use	Business districts	2
Number of IDDE Reports in Past 2 Years	2 (2020)+3 (2021)=5	2
Number of Potential Generating Sites	2 Sites	2
Average Age of Development	12 Years	2
Total IDP Score – Example 2		8

Based on the four criteria, the lowest possible IDP score is a 4. The highest possible IDP score is a 12. **Priority Areas are those drainage basins having an IDP score of 9 or greater.** Therefore, the drainage basin in Example 1 would be designated a Priority Area. The drainage basin in Example 2 would not.

6.0 MS4 Map

6.1 Rationale Statement

Part III.B.2.a.i of the NPDES Permit ALR040057 requires the Southside MS4 to develop and annually update a map of the MS4. Accurate and up-to-date maps of the storm sewer system are critical to the implementation of the IDDE program. Maps are used to direct field crews, locate outfalls, assess illicit discharge potential, track reports, and track corrective actions.

6.2 Identification of Previously Unidentified Outfalls

The City previously identified a total of 16 outfalls within the city limits. Existing outfalls that were not identified during the previous stream-walking program may be encountered in two ways:

- Discovery during dry-weather inspections of known outfalls



- Discovery during other field activities (e.g., City inspections, IDDE investigation, verification of citizen complaints, etc.)

Previously unknown outfalls encountered during dry-weather inspections of known outfalls will be identified, inspected, and screened at the time of discovery. Following the initial inspection, the new outfall will be added to the MS4 outfall inventory and map.

Outfalls encountered during other field observations will be reported to the **Building Department** to be added to the outfall database for verification and inspection. Until verification, the outfall will be identified in the outfall inventory and on the map as a "Potential Outfall".

Field observation to verify and identify previously unidentified outfalls includes collection of the following data:

1. Outfall coordinates
2. Conveyance type (ditch, culvert, pipe, etc.)
3. Conveyance shape
4. Conveyance size (pipe diameter, ditch width and depth, box culvert dimensions, etc.)
5. Conveyance material (RCP, PVC, CMP, etc.)
6. Outfall condition
7. Outfall elevation
8. Surrounding land use
9. Pictures of the outfall, with outfall identification shown in the picture

The outfall verification data will be recorded on the *Outfall Reconnaissance Inventory Field Sheet* (located in **Appendix A**) or on an equivalent form.

Following verification of the outfall, the outfall will be classified as either major or minor, based on the criteria established in 40 CFR Part 122.26(b)(8) and detailed in Section 3.2 of this plan.

The City will continue to update the MS4 Map as additional outfalls are identified.

6.3 Verification of Potential Outfalls Identified During Plan Review

Following construction of post-construction storm water controls, as-built drawings will be required to be submitted to the Building Department. Information provided on the as-built drawings will be verified through field observation during the final inspection. Outfalls identified during plan review will be added to the outfall inventory and map as "Potential Outfalls."

Field observation to verify Potential Outfalls includes collection and/or confirmation of the following information:

1. Outfall coordinates
2. Conveyance type (ditch, culvert, pipe, etc.)
3. Conveyance shape
4. Conveyance size (pipe diameter, ditch width and depth, box culvert dimensions, etc.)



5. Conveyance material (RCP, PVC, CMP, etc.)
6. Outfall condition
7. Outfall elevation
8. Surrounding land use
9. Pictures of the outfall, with outfall identification shown in the picture

The outfall verification data may be recorded on the *Outfall Reconnaissance Inventory Field Sheet* (located in **Appendix A**) or on a separate form. Verification of Potential Outfalls will be conducted in conjunction with dry-weather monitoring activities discussed in Section 6.0 of this plan.

Following verification of the Potential Outfall, the outfall will be classified as either major or minor, based on the criteria established in 40 CFR Part 122.26(b)(8) and detailed in Section 3.2 of this plan.

The City will continue to update the MS4 Map as additional outfalls are identified.

6.4 New MS4 Areas

As of April 1, 2022, the U.S. Census bureau has not altered the boundary of the *Gadsden, Alabama Urbanized Area*. Should the boundary be expanded to include parts of the city previously not included in the Southside MS4 boundary, a stream-walking program will be implemented to map and incorporate new outfalls within the boundary.

Starting at the location where a waterbody exits a delineated drainage basin, field crews will move upstream to identify points where storm water discharged from the MS4 enters the waterbody. Field observation to identify outfalls includes collection of the following data:

1. Outfall coordinates
2. Conveyance type (ditch, culvert, pipe, etc.)
3. Conveyance shape
4. Conveyance size (pipe diameter, ditch width and depth, box culvert dimensions, etc.)
5. Conveyance material (RCP, PVC, CMP, etc.)
6. Outfall condition
7. Outfall elevation
8. Surrounding land use
9. Pictures of the outfall, with outfall identification shown in the picture

The outfall identification data will be recorded on the *Outfall Reconnaissance Inventory Field Sheet* or on a separate form. The forms will be used to add the identified outfalls to the MS4 map. An updated map will be provided with the Annual Report.



7.0 IDDE Ordinance

7.1 Rationale Statement

Part III.B.2.a.ii of NPDES Permit ALR040057 requires the Southside MS4 to effectively prohibit, through ordinance or other regulatory mechanism, non-storm water discharges into the storm sewer system that are not listed in Part I.B.2 of the Permit and implement appropriate enforcement procedures and actions. The purpose of an illicit discharge ordinance is to provide legal authority to the City of Southside to prohibit illicit discharges, investigate suspected illicit discharges, require elimination of illicit discharges, and carry out enforcement actions.

City of Southside Ordinance Number O-10-2012 was adopted on December 10, 2012 to establish Stormwater Management Regulations within the City of Southside. A copy of the ordinance is provided in the SWMPP.

7.2 Prohibit Illicit Discharges

The IDDE ordinance must explicitly prohibit non-storm water discharges into the storm sewer system, with the exception of those non-storm discharges specifically allowed by NPDES Permit ALR040057. The IDDE ordinance must also explicitly prohibit illicit connections to the storm sewer system. The prohibition of illicit connections should be retroactive, to include connections made in the past, whether or not the connection was permissible at the time.

Section VIII of Ordinance 0-10-2012 specifically defines and prohibits non-storm water discharges into the Southside storm sewer system, with the exception of those non-storm discharges explicitly exempted in the ordinance. Section VIII also prohibits illicit connections.

7.3 Enforcement Responsibility and Actions

Section IX provides the departments of building, zoning, and engineering with the authority to enforce the requirements of the ordinance and outlines the escalating enforcement procedures available. Enforcement actions include written notice of violation, consent orders, show cause hearing, compliance order, and cease and desist orders. Section X provides for penalties between \$50.00 and \$500.00 per day per violation.

7.4 Evaluation

The Southside IDDE ordinance will be reviewed on an annual basis and updated as needed. The ordinance will be evaluated on its effectiveness in addressing identified illicit discharges and preventing repeat offenders.

8.0 Dry Weather Screening Program

8.1 Rationale Statement

Part III.B.2.a.iii of NPDES Permit ALR040057 requires the Southside MS4 to develop and implement a dry weather screening program designed to detect and address non-storm water discharges to the MS4. Visual inspections of



outfalls are critical to the identification and elimination of illicit discharges. Indicators of potential illicit discharges include outfalls that are flowing during dry weather, indicating a potential illicit connection, or outfalls that have high turbidity, strong odors, or unusual colors. Where suspect discharges are observed, additional testing can assist in determining the discharge source.

The City of Southside will conduct field assessment activities for the purpose of verifying outfall locations, identifying previously unknown outfalls, and locating, identifying, and correcting illicit discharges to the MS4.

8.2 Prioritization Schedule

The City or trained subcontractors will conduct visual inspections of a minimum of 15% of all known outfalls during each reporting period and all known outfalls will be inspected at least once during each five-year permit cycle. Outfalls located in Priority Areas will be visually inspected at least once every three years.

Priority Areas will be re-evaluated **by April 30 of each year** (e.g., by April 30, 2022 for the April 1, 2022 through March 31, 2023 reporting period). The anticipated inspection schedule for the following reporting period will be included in each Annual Report.

8.3 Responsibility

ORI inspections within the jurisdiction of the City of Southside are the responsibility of the city's **Building Department**. Inspections may be performed by municipal staff or by subcontracted crews. All field reports will be received and reviewed by the city's **Building Department**.

8.4 Inspection conditions

ORI inspections should be conducted when the outfall is accessible, unobstructed, and when there will be no storm water flows.

The preferred conditions for outfall inspections include:

- Dry season (e.g., summer or early fall)
- No rainfall over 0.1 inch in the previous 48 hours
- Recently mowed, low vegetation, or leaf-off conditions
- Due to sample hold time, discharge samples should not be collected on a Friday, Saturday, or Sunday.

8.5 Equipment

Prior to conducting field work, crews should assemble the required equipment listed below and review records from prior inspections in the same area to become familiar with the outfall locations and any potential inspection challenges. Field crews should prepare for consecutive days of field work when possible.



1. Minimum 2-person crew
2. Safety gear (e.g., vest, gloves, boots, cones)
3. City or County identification
4. Field notebook and pencils
5. Outfall Reconnaissance Inventory Field Sheet
6. Map or aerial photo of inspection area
7. GPS unit with charged battery
8. Cell phone with charged battery
9. Digital camera with charged battery
10. Compass
11. Machete or clippers
12. Flashlight or headlamp with charged battery
13. Tape measure
14. Dry erase board and marker (to identify outfall in photos)
15. First aid kit
16. Stopwatch or watch with second hand
17. Clear 1-liter sample bottle to evaluate field parameters
18. Sampling kits (see Section 7.9)
19. Cooler with ice
20. Permanent marker
21. Thermometer
22. pH probe
23. Ammonia test strips
24. Nitrile or latex gloves
25. Wide-mouth container
26. Hand Sanitizer

8.6 Safety Considerations

Health and safety considerations for outfall inspection and sampling include, but are not limited to, the potential for contact with:

- Contaminated water
- Allergenic/poisonous plants
- Sharp debris and objects
- Wild animals
- Landowners
- Confined spaces



Field crews should be comprised of at least two individuals, each equipped with proper footwear (e.g., sturdy waterproof boots or waders) and gloves (e.g., neoprene, latex, or rubber).

Private properties should not be accessed unless proper notification has been provided, preferably in advance. Field crews should carry identification or wear clothing that identifies them as municipal workers or subcontractors.

It is recommended that field crews be vaccinated against Hepatitis B, particularly if the crews will be accessing waters known to be contaminated with illicit sewage discharges.

A confined space refers to a space that has limited openings for entry and exit, unfavorable natural ventilation that could contain or produce hazardous atmospheres, and is not intended for continuous employee occupancy. Examples of confined spaces field crews might encounter are manholes or tunnels. In the event a confined space is encountered during an IDDE investigation, the space will be investigated using cameras. **Under no circumstances should inspection personnel enter a confined space.**

If confined space entry is necessary to complete the IDDE investigation, the **Building Department** may coordinate with other municipal departments to locate personnel with the appropriate confined space entry training and equipment. Under no circumstances should any person enter a confined space until all required safeguards have been accomplished and entry permits completed.

8.7 Inspection Procedure

The ORI inspection procedure includes the following activities:

1. Visually inspect the outfall and the immediate surrounding area
2. Photograph the current conditions (using the whiteboard to identify the outfall in the photos)
3. Complete the Outfall Reconnaissance Inventory Field Sheet

If flow is observed continue with steps 4 and 5.

4. Measure observed flow by timing how long it takes to fill a wide-mouth container of known volume
5. Perform field screening of observed flow

Potential illicit discharges are indicated by outfalls that have flow in dry weather and/or foul odors or discolored water in or around the outfall pipe. During field inspections, crews should also note whether outfalls have maintenance issues, such as damaged infrastructure or trash accumulation.

When a potential illicit discharge is identified, field crews will photograph the discharge and outfall, then conduct a brief visual inspection of the surrounding area to identify possible sources of the discharge.



A flow chart outlining the screening and sampling procedure is included in **Figures 8-1 and 8-2**.

8.8 Visual Inspection

Visual observations are used to observe conditions at the outfall and complete the *Outfall Reconnaissance Inventory Field Sheet* (see **Appendix A**). Sections 1, 2, and 5 of the Field Sheet require information on outfall location, surroundings, condition, and type. Sections 3 and 4 of the Field Sheet are used to record the following dry-weather flow observations:

- Flow rate
- Color of discharge
- Odor
- Turbidity
- Floatables

8.9 Field Screening

Where dry weather flows are noted, but no obvious illicit discharge is identified, field crews will screen the discharge for indicators of illicit discharges. Field screening will include testing for temperature, pH, and ammonia.

Table 8-1 Field Screening Values

Parameter	Unlikely	Suspect
Temperature	<85 °F	>85 °F
pH	5.5 to 9.0	<5.5 or >9.0
Ammonia	<1 mg/L	>1 mg/L

Sanitary wastewater and certain industrial discharges can substantially increase outfall discharge temperatures. Elevated discharge temperatures may indicate a sanitary or industrial illicit discharge. Discharge temperatures over 90 °F indicate an obvious illicit discharge, likely due to an industrial source such as cooling water or boiler blowdown.

Extreme pH levels can indicate the presence of an industrial illicit discharge.

Ammonia concentrations in groundwater or tap water are typically low. High ammonia concentrations in dry-weather flows may indicate the discharge of sanitary wastewater or liquid wastes from some industrial sites.

8.10 Discharge Sampling

If a discharge has a severity index of 3 on one or more indicators in Section 4 of the ORI Field Sheet, or if field screening results indicate a suspect discharge, field crews will collect samples to be analyzed for the following parameters:



Table 8-2 Illicit Discharge Indicators

Parameter	Indicator
Surfactants	>0.25 mg/L indicates discharge is contaminated by sewage or washwater
Fluoride	>0.13 and <0.6 mg/L indicate tap water source >0.6 mg/L indicates industrial source
Ammonia (NH ₃)	A/P ratio >1 indicates sewage; A/P ratio <1 indicates washwater ≥50 mg/L indicates industrial discharge
Potassium	A/P ratio >1 indicates sewage; A/P ratio <1 indicates washwater ≥20 mg/L indicates industrial discharge
Total Phosphorous	>0.4 mg/L indicates contamination from lawn practices, agriculture, sewage, or washwater

The table below provides the preferred laboratory method, sampling container, required preservative, and analysis hold time for each parameter. The City will use this as a guideline for sampling protocols.

Table 8-3 Laboratory Analysis

Parameter	EPA Method	Container	Preservative	Hold Time
MBAS (Surfactants)	5540 C-2011	HDPE – 1 L	None	48 hours
Ammonia Nitrogen	350.1	HDPE – 500 mL	Na ₂ S ₂ O ₃ + H ₂ SO ₄	28 days
Fluoride	300.0	HDPE – 125 mL	None	28 days
Total Phosphorous	365.2	HDPE – 250 mL	H ₂ SO ₄	28 days
Potassium	200.7	HDPE – 500 mL	HNO ₃	180 days

Following receipt of the analytical results, the type or source of the illicit discharge may be characterized based on the indicators listed in Table 8-2. The listed indicators are intended as a guideline to assist in the identification of an illicit discharge source and should not be used as the sole method of investigating a suspect discharge.

The following flow charts outline the screening and sampling procedure, and the discharge identification procedures.



Figure 8-1 Evaluating When to Collect a Sample

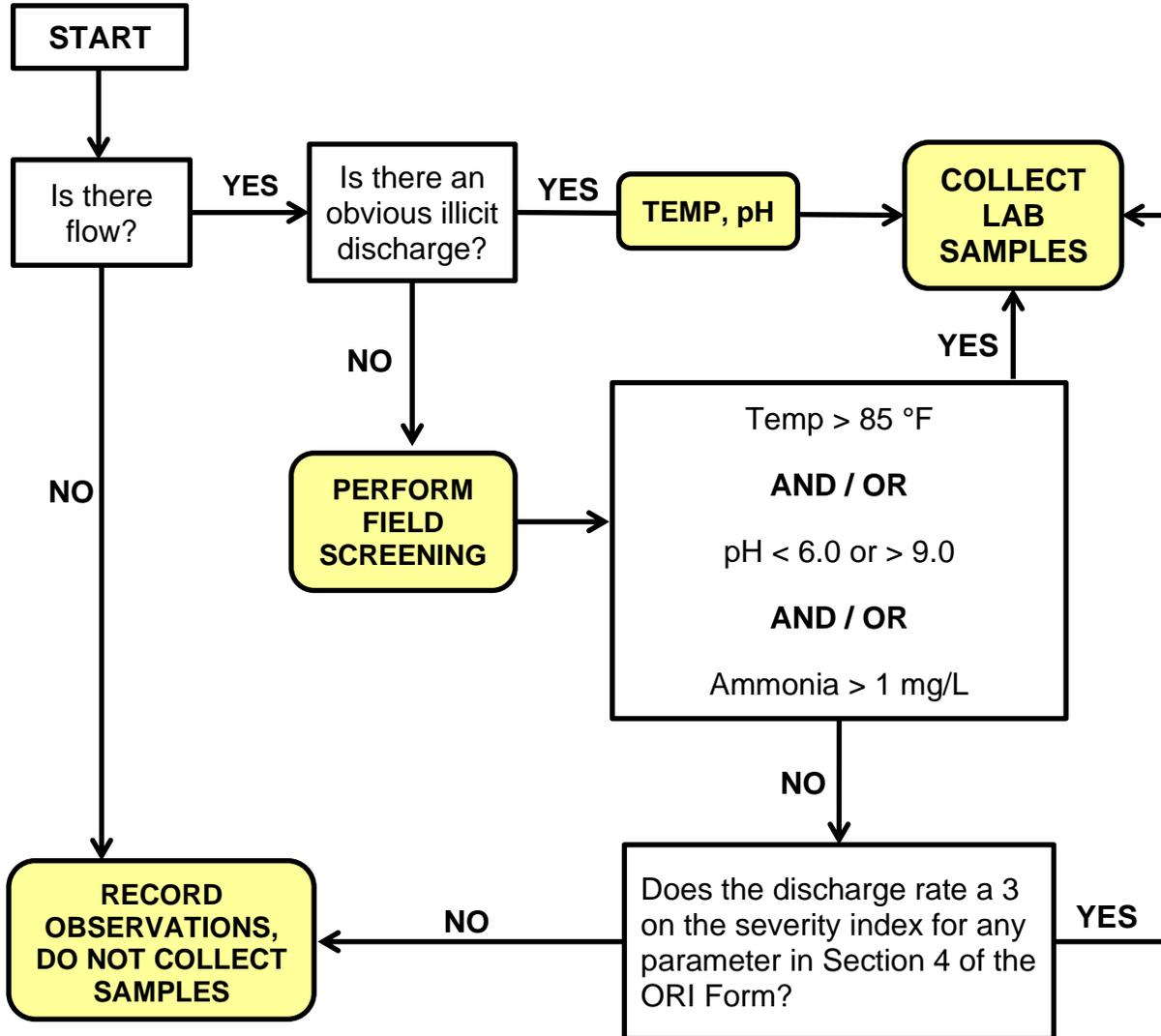
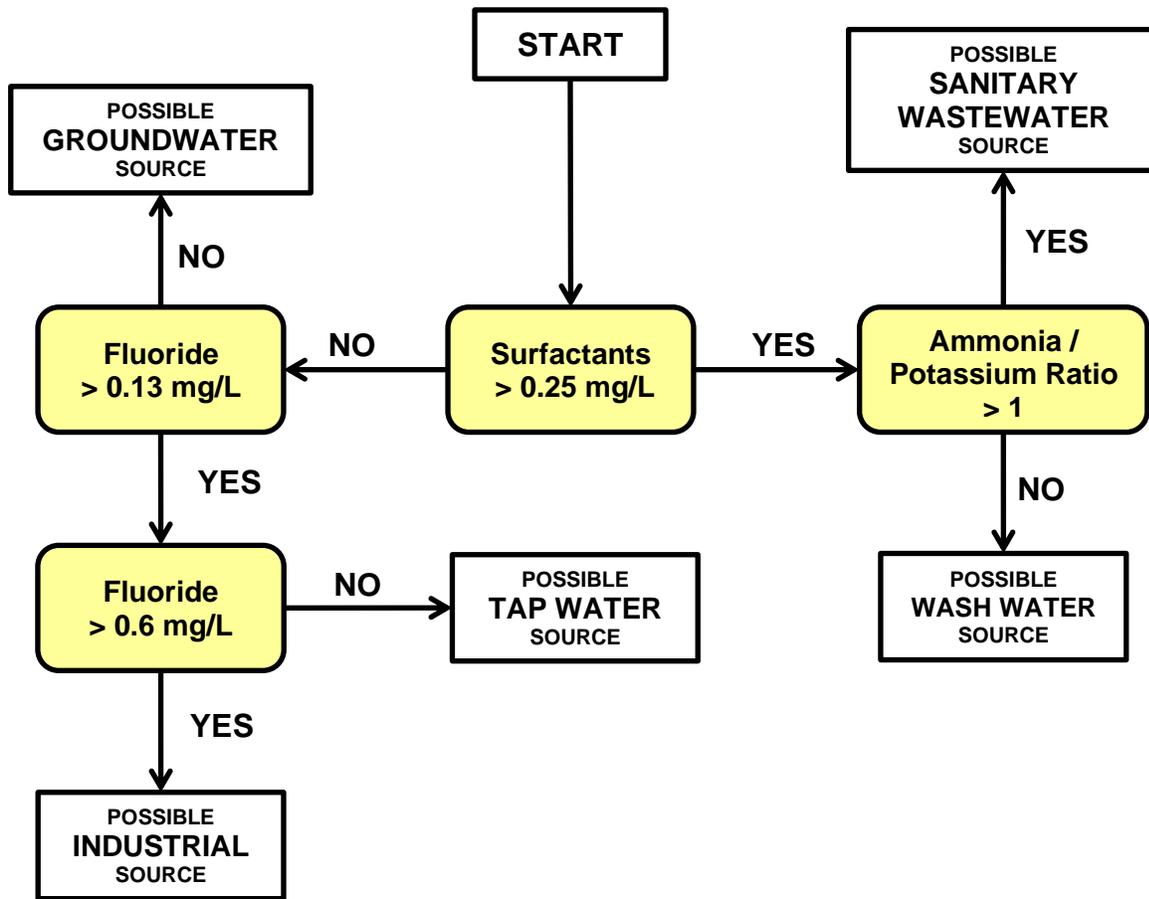




Figure 8-2 Evaluating Analytical Data to Determine Discharge Type



8.11 Inspection Reporting

If the inspection crew encounters a transitory discharge, such as a liquid or oil spill, during inspection activities, the observed spill or environmental hazard will be immediately reported to the city’s **Building Department**. Obvious illicit discharges will also be reported upon observation.

Completed ORI Field Sheets, photos, and additional information collected during the ORI inspection will be submitted to the city’s **Building Department**.

8.12 Outfall Ranking

Section 6 of the ORI Field Sheet requires the inspector to characterize the observed outfall as having obvious, suspect, possible, or unlikely discharge potential.



Discharges with an “obvious” ranking will be investigated within 10 days of determination, assuming the source was not identified at the time the discharge was observed. Discharges with a “suspect” ranking will be investigated within 30 days. Discharges that have a “potential” ranking will be investigated within 60 days. Discharges with an “unlikely” ranking will be noted for comparison during future inspections. Investigations will generally follow the procedures outlined in Section 8.

Table 8-4 Outfall Ranking

Response Time	Ranking	Characteristics
10 days	Obvious	Outfalls where there is an illicit discharge that doesn’t require sample collection for confirmation
30 days	Suspect	Flowing outfalls with high severity (ranking of 3) on one or more physical indicators
60 days	Potential	Flowing or non-flowing outfalls with presence of two or more physical indicators
-	Unlikely	Non-flowing outfalls with no physical indicators of an illicit discharge

9.0 Illicit Discharge Investigation

9.1 Rationale Statement

Part III.B.2.a.iv of NPDES Permit ALR040057 requires the Southside MS4 to develop and implement procedures for tracing the source of a suspect illicit discharge. The following procedures are intended to assist the City with the investigation of various types of illicit discharges that could occur in the MS4 area.

9.2 Corrective Action Record Keeping

When a suspect illicit discharge or illicit connection is identified, the **Building Department** will open a case log detailing:

- Type of suspected discharge
- Location of suspected discharge
- Copy of the ORI or citizen report
- IDDE investigation activities and dates
- IDDE investigation results
- Responsible party information
- All communications with the responsible party
- Documentation of corrective actions



Throughout the problem investigation and corrective action activities, information related to the incident or property in question should be documented in the case log.

9.3 Initiating an Investigation

Once an illicit discharge is suspected or detected at an outfall or in a stream, one of four types of illicit discharge investigations is triggered to track down the source:

- Storm drain network investigations
- Drainage area investigations
- On-site investigations
- Septic system investigations

When an illegal dumping or illicit discharge problem is directly observed by City personnel or a City subcontractor, it is generally not necessary to follow these investigation procedures, as the source of the problem discharge is already known.

9.4 Storm Drain Network Investigations

Storm sewer investigations use field crews to trace the source of a discharge problem to a single segment of a storm sewer. The investigation starts at the outfall and works progressively up the trunk from the outfall. Common investigative methods include:

- Visual inspection at manholes
- Sandbagging or damming the trunk
- Dye testing
- Smoke testing
- Video testing

9.5 Drainage Area Investigations

Drainage area investigations are initially conducted in the office and involve a parcel-by-parcel analysis of potential generating sites within the drainage area of the suspect outfall. Drainage area investigations are appropriate when the flow type in the discharge appears to be specific to a certain type of land use or generating site.

These investigations may include the following techniques:

- Analysis of land use
- Obtaining permit information from EPA and ADEM
- Review of as-built drawings
- Aerial photography analysis
- Infrared aerial photography analysis



9.6 On-site Investigations

On-site investigations are typically performed by dye testing the plumbing systems of households and buildings. Where septic systems are prevalent, inspections of tanks and drain fields may be needed.

9.7 Septic System Investigations

If a septic system is suspected as the source of an illicit discharge, the entity responsible for the investigation will notify the **Etowah County Health Department, Environmental Services Division** at (256) 439-2586.

Once a complaint is received, the Health Department will visit the property to inspect and verify the complaint. If problems are observed with the septic system, the Health Department will issue a Notice to the property owner requiring corrective actions within a certain timeframe, typically 30 days.

The city's **Building Department** will be responsible for coordinating with the Etowah County Health Department to confirm that the required corrective actions have been completed.

10.0 Illicit Discharge Elimination

10.1 Rationale Statement

Part III.B.2.a.v of NPDES Permit ALR040057 requires the Southside MS4 to develop and implement procedures for eliminating identified illicit discharges.

Following the identification of an illicit discharge or connection, the city's **Building Department** will first attempt to secure voluntary compliance through education. If corrective actions are not taken, the municipality will respond to identified illicit discharges, illicit connections, or illegal dumping activities using the enforcement actions defined in Southside Ordinance 0-10-2012.

10.2 Voluntary Compliance

When an illicit discharge or illicit connection is identified, the city's **Building Department** will first pursue voluntary compliance through responsible party education. Business operators and property owners may not be aware of illicit connections or illegal discharge activities on their property, or the illicit discharge/connection may have been legal at one time. In these cases, the non-compliance may be adequately addressed by providing information about the connection or operation, the environmental consequences of the illicit discharge, and suggestions on how to remedy the problem.

Property owners and/or operators will be notified that the identified illicit discharge or illicit connection must be corrected in a timely manner and that the city's **Building Department** will conduct a follow-up site visit to verify compliance. Field staff should also provide the property operator with an educational brochure targeting illicit discharge violations and a copy of the IDDE ordinance.



10.3 Enforcement Actions

When voluntary compliance does not produce the desired result, the city's **Building Department** is required to coordinate with the appropriate municipal department to pursue follow-up enforcement action.

Southside Ordinance 0-10-2012 Section IX provides the departments of building, zoning, and engineering with the authority to enforce the requirements of the Stormwater Management Regulations and outlines the escalating enforcement procedures available. Enforcement actions include written notice of violation, consent orders, show cause hearing, compliance order, and cease and desist orders. Section X provides for penalties between \$50.00 and \$500.00 per day per violation.

11.0 Notification of ADEM

11.1 Rationale Statement

Part III.B.2.a.vi of NPDES Permit ALR040053 requires the Southside MS4 to establish procedures to notify ADEM of a suspect illicit discharge entering the Southside MS4 from an adjacent MS4.

11.2 Identified Illicit Discharges within the MS4

As previously discussed, the IDDE ordinance adopted on December 10, 2022 provides the City with the legal authority to address illicit discharges and connections. The City intends to report identified illicit discharges or connections to ADEM only if the enforcement measures available to the City are not effective at compelling compliance.

11.3 Discharges from an Adjacent MS4

The Southside MS4 is bordered in several areas by the Etowah County MS4. Should the City identify a suspect illicit discharge originating within a neighboring MS4, the City will notify the appropriate MS4 and the ADEM Water Division within 48 hours of observation of the suspect illicit discharge.

The notification to the responsible MS4 and ADEM will include the following information:

1. Location of the suspect illicit discharge, including latitude and longitude, if known
2. Type of illicit discharge, if known
3. Estimated quantity or flow rate, if known
4. Origin or suspected origin of the suspect illicit discharge, if known
5. Date and time the suspect illicit discharge was observed
6. Description of affected media, including the name of the receiving waterbody, if known



7. Corrective actions being taken within the Southside MS4, if any

12.0 Public Reporting

12.1 Rationale Statement

Part III.B.2.a.vii of NPDES Permit ALR040057 requires the City of Southside to develop and implement a mechanism for the public to report illicit discharges within the MS4. The City must also develop procedures to investigate reports from the public.

12.2 Public Reporting System

The City provides a contact number and online complaint form for the public to report non-compliant construction sites, illicit discharges (including spills or illegal dumping), impaired waterways, and violations of ordinances relating to storm water pollution.

The online complaint form may be accessed at the following link:

<https://www.cityofsouthside.com/Default.asp?ID=14&pg=Action+Center%2F+Reporting+Problem>

Illicit discharge reports will be investigated within five business days of receipt.

12.3 Investigation of Public Complaints

The City utilizes the *Illicit Discharge Hotline Incident Tracking Sheet* to track the reports and follow up with investigations where necessary. Records of public reports, comments, or complaints will include:

- Date, time, and description of the report
- Location of the complaint (if applicable)
- Identification of any actions taken (inspections, enforcement, corrections, etc.) that are sufficient to cross-reference inspection and enforcement records

The **Building Department** will be responsible for initiating investigative or corrective actions in accordance with Sections 9.0 and 10.0 of this plan.



13.0 Personnel Training

13.1 Rationale Statement

Part III.B.2.a.viii of NPDES Permit ALR040057 requires the Southside MS4 to develop and implement a training program for appropriate municipal personnel on identification, reporting, and correction of illicit discharges.

13.2 Annual Awareness Training

Appropriate City personnel will undergo annual training on illicit discharge identification, reporting, and corrective actions. City departments storing, using, or disposing of potential pollutants are responsible for selecting all appropriate personnel to attend annual awareness training.

The Southside Water Works and Sewer Board is responsible for ensuring appropriate personnel are properly trained on corrective actions regarding Sanitary Sewer Overflows (SSOs). The Fire Department is responsible for ensuring appropriate personnel are properly trained on corrective actions regarding hazardous spill response. The Public Works Department is responsible for ensuring appropriate personnel are properly trained on corrective actions regarding pesticides, herbicides, and fertilizers.

14.0 Responsible Parties

The **Building Department** is responsible for overseeing, developing, and coordinating the IDDE program in the City of Southside regulated MS4 area.

Other City departments, including the **Street and Sanitation Department**, the **Parks and Recreation Department**, the **Fire Department**, and the **Police Department**, will report illicit discharges observed during the course of their normal duties. Reports of observed or suspected illicit discharges will be made to the Building Department.

The **Southside Water Works and Sewer Board** is responsible for corrective actions regarding Sanitary Sewer Overflows.

The **Fire Department** is responsible for corrective actions regarding hazardous spill response and for reporting spills over 25 gallons to ADEM.

15.0 Program Evaluation

15.1 Rationale Statement

The IDDE program is currently based on assumptions of illicit discharge types and potential. As the program moves forward and more data become available, the IDDE plan will be adapted to reflect the actual scope and nature of illicit discharges within the Southside MS4.



15.2 IDDE Tracking System

Suspect illicit discharges will be logged in a case file and identified on the storm water system maps. The data collected by the tracking system will be reviewed annually to help identify common illicit discharge types and locations.

As specific illicit discharges are identified, the monitoring results may be used to compile benchmarks for common illicit discharge types. The indicators listed in Section 8.10 may require adjustment for conditions specific to each drainage basin.

Results of the tracking system evaluation and/or indicator benchmark assessment will be discussed in the Annual Report.

15.3 Priority Areas

Currently, priority drainage basins are identified based on land use, number of past illicit discharge reports or complaints, number of potential generating sites, and age of infrastructure. Illicit discharge potential scores are calculated using the methods described in Section 3 of this plan.

The purpose of designating priority areas is to pin-point areas where program funds and efforts can be targeted to the most effect. Too few or too many priority areas are not beneficial to the implementation of the IDDE program; therefore, the methods for determining priority areas will be evaluated annually to ensure that the criteria are not too inclusive or exclusive. Additional criteria may be removed or added as necessary. The rationale for eliminating or adding criteria will be discussed in the Annual Report.

15.4 Field Screening

The field screening values identified in Section 8.9 of this plan will be reviewed periodically to determine if the screening values should be adjusted. The City will use the data collected from screening both unlikely and suspect dry-weather flows to evaluate the ranges for determining whether a discharge is suspect.

Appendices

Appendix A – Forms

ILLICIT DISCHARGE POTENTIAL WORKSHEET

BASIN ID: _____

DATE OF EVALUATION: _____

COMMENTS: _____

		IDP RANKING VALUES				
	CRITERION	RESULT	1	2	3	IDP SCORE
1	LAND USE / ZONING		Residential	Business	Industrial	
2	# OF ILLICIT DISCHARGE REPORTS IN PAST 2 YEARS		0 reports	1-5 reports	> 5 reports	
3	# OF POTENTIAL GENERATING SITES		0 sites	1-5 sites	> 5 sites	
4	AVERAGE AGE OF DEVELOPMENT		< 10 years	10-50 years	> 50 years	
					TOTAL IDP	

TOTAL IDP ≥ 9 = PRIORITY AREA

OUTFALL RECONNAISSANCE INVENTORY FIELD SHEET

Section 1: Background Data

Subwatershed:		Outfall ID:	
Today's date:		Time (Military):	
Investigators:		Form completed by:	
Temperature (°F):	Rainfall (in.):	Last 24 hours:	Last 48 hours:
Latitude:	Longitude:	GPS Unit:	GPS LMK #:
Camera:		Photo #s:	
Land Use in Drainage Area (Check all that apply):			
<input type="checkbox"/> Industrial		<input type="checkbox"/> Open Space	
<input type="checkbox"/> Urban Residential		<input type="checkbox"/> Institutional	
<input type="checkbox"/> Suburban Residential		Other: _____	
<input type="checkbox"/> Commercial		Known Industries: _____	
Notes (e.g., origin of outfall, if known):			

Section 2: Outfall Description

LOCATION	MATERIAL	SHAPE	DIMENSIONS (IN.)	SUBMERGED
<input type="checkbox"/> Closed Pipe	<input type="checkbox"/> RCP <input type="checkbox"/> CMP <input type="checkbox"/> PVC <input type="checkbox"/> HDPE <input type="checkbox"/> Steel <input type="checkbox"/> Other: _____	<input type="checkbox"/> Circular <input type="checkbox"/> Single <input type="checkbox"/> Elliptical <input type="checkbox"/> Double <input type="checkbox"/> Box <input type="checkbox"/> Triple <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____	Diameter/Dimensions: _____ _____	In Water: <input type="checkbox"/> No <input type="checkbox"/> Partially <input type="checkbox"/> Fully With Sediment: <input type="checkbox"/> No <input type="checkbox"/> Partially <input type="checkbox"/> Fully
<input type="checkbox"/> Open drainage	<input type="checkbox"/> Concrete <input type="checkbox"/> Earthen <input type="checkbox"/> Rip-rap <input type="checkbox"/> Other: _____	<input type="checkbox"/> Trapezoid <input type="checkbox"/> Parabolic <input type="checkbox"/> Other: _____	Depth: _____ Top Width: _____ Bottom Width: _____	
<input type="checkbox"/> In-Stream	(applicable when collecting samples)			
Flow Present?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If No, Skip to Section 5</i>			
Flow Description (if present)	<input type="checkbox"/> Trickle <input type="checkbox"/> Moderate <input type="checkbox"/> Substantial			

Section 3: Quantitative Characterization

FIELD DATA FOR FLOWING OUTFALLS				
PARAMETER	RESULT	UNIT	EQUIPMENT	
<input type="checkbox"/> Flow #1	Volume		Liter	Bottle
	Time to fill		Seconds	Stop watch
<input type="checkbox"/> Flow #2	Flow depth		Inches	Tape measure
	Flow width	____', ____"	Ft, In	Tape measure
	Measured length	____', ____"	Ft, In	Tape measure
	Time of travel		Seconds	Stop watch
Temperature		°F	Thermometer	
pH		pH Standard Units	Test strip / probe	
Ammonia		mg/L	Test strip	

OUTFALL RECONNAISSANCE INVENTORY FIELD SHEET (CONTINUED)

Section 4: Physical Indicators for Flowing Outfalls Only

Are Any Physical Indicators Present in the flow? Yes No (If No, Skip to Section 5)

INDICATOR	CHECK if Present	DESCRIPTION	RELATIVE SEVERITY INDEX (1-3)		
Odor	<input type="checkbox"/>	<input type="checkbox"/> Sewage <input type="checkbox"/> Rancid/sour <input type="checkbox"/> Petroleum/gas <input type="checkbox"/> Sulfide <input type="checkbox"/> Other:	<input type="checkbox"/> 1 – Faint	<input type="checkbox"/> 2 – Easily detected	<input type="checkbox"/> 3 – Noticeable from a distance
Color	<input type="checkbox"/>	<input type="checkbox"/> Clear <input type="checkbox"/> Brown <input type="checkbox"/> Gray <input type="checkbox"/> Yellow <input type="checkbox"/> Green <input type="checkbox"/> Orange <input type="checkbox"/> Red <input type="checkbox"/> Other:	<input type="checkbox"/> 1 – Faint colors in sample bottle	<input type="checkbox"/> 2 – Clearly visible in sample bottle	<input type="checkbox"/> 3 – Clearly visible in outfall flow
Turbidity	<input type="checkbox"/>	See severity	<input type="checkbox"/> 1 – Slight cloudiness	<input type="checkbox"/> 2 – Cloudy	<input type="checkbox"/> 3 – Opaque
Floatables -Does Not Include Trash!!	<input type="checkbox"/>	<input type="checkbox"/> Sewage (toilet paper, etc.) <input type="checkbox"/> Suds <input type="checkbox"/> Petroleum (oil sheen) <input type="checkbox"/> Other:	<input type="checkbox"/> 1 – Few/slight; Origin not obvious	<input type="checkbox"/> 2 – Some; Indications of origin (e.g., possible suds or oil sheen)	<input type="checkbox"/> 3 – Some; Origin clear (e.g., obvious oil sheen, suds, or floating sanitary materials)

Section 5: Physical Indicators for Both Flowing and Non-Flowing Outfalls

Are physical indicators that are not related to flow present? Yes No (If No, Skip to Section 6)

INDICATOR	CHECK if Present	DESCRIPTION	COMMENTS
Outfall Damage	<input type="checkbox"/>	<input type="checkbox"/> Spalling, Cracking or Chipping <input type="checkbox"/> Peeling Paint <input type="checkbox"/> Corrosion	
Deposits/Stains	<input type="checkbox"/>	<input type="checkbox"/> Oil <input type="checkbox"/> Flow Line <input type="checkbox"/> Paint <input type="checkbox"/> Other:	
Abnormal Vegetation	<input type="checkbox"/>	<input type="checkbox"/> Excessive <input type="checkbox"/> Inhibited	
Poor pool quality	<input type="checkbox"/>	<input type="checkbox"/> Odors <input type="checkbox"/> Colors <input type="checkbox"/> Floatables <input type="checkbox"/> Oil Sheen <input type="checkbox"/> Suds <input type="checkbox"/> Excessive Algae <input type="checkbox"/> Other:	
Pipe benthic growth	<input type="checkbox"/>	<input type="checkbox"/> Brown <input type="checkbox"/> Orange <input type="checkbox"/> Green <input type="checkbox"/> Other:	

Section 6: Overall Outfall Characterization

<input type="checkbox"/> Unlikely <input type="checkbox"/> Potential (presence of two or more indicators) <input type="checkbox"/> Suspect (one or more indicators with a severity of 3) <input type="checkbox"/> Obvious

Section 7: Data Collection

1. Sample for the lab?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, what time was the sample collected?
2. If yes, collected from:	<input type="checkbox"/> Flow <input type="checkbox"/> Pool	
3. Intermittent flow trap set?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, type: <input type="checkbox"/> OBM <input type="checkbox"/> Caulk dam

Section 8: Any Non-Illicit Discharge Concerns (e.g., trash or needed infrastructure repairs)?

Appendix E – Ordinances

ORDINANCE NO. 0-006-2008

CITY OF SOUTHSIDE
COUNTY OF ETOWAH
STATE OF ALABAMA

AN ORDINANCE TO AMEND ORDINANCE NUMBER 0-0129-92 THAT WAS ADOPTED DECEMBER 28, 1992. AN ORDINANCE REGULATING GRASS AND WEED NUISANCES, BUILDING NUISANCES, ABANDONED VEHICLES AND OTHER NUISANCES; REVISING THE ENFORCEMENT PROCEDURE FOR NUISANCE ABATEMENT.

WHEREAS, Ordinance number 0-129-92 was adopted December 28, 1992 which set regulations regarding grass and weed nuisances, building nuisances, abandoned vehicles and other nuisances; revising the enforcement procedure for nuisance abatement and;

WHEREAS, Ordinance number 0-129-92 needs to be revised the following sections have been amended to the original ordinance.

SECTION 1 - SUB-SECTIONS (i) categories 1-10 have been added to the original ordinance

i) Unsafe building means any building or structure that has any of the following conditions, such that the life, health, property or safety of its occupants or of the general public is endangered:

- (1) Any means of egress or portion thereof is not of adequate size or is not arranged to provide a safe path of travel in case of fire or panic.
- (2) Any means of egress or portion thereof, such as, but not limited to, fire doors, closing devices and fire resistive ratings, is in disrepair or in a dilapidated or nonworking condition such that the means of egress could be rendered unsafe in case of fire or panic.
- (3) The stress in any material, member or portion thereof, due to all imposed loads including dead load, exceeds the stresses allowed in the adopted International Building Code for new buildings.
- (4) The building, structure or portion thereof has been damaged by fire, flood, earthquake, wind or other cause to the extent that the structural integrity of the building or structure is less than it was prior to the damage and is less than the minimum requirement established by the adopted International Building Code for new buildings.
- (5) Any exterior appendage or portion of the building or structure is not securely fastened, attached or anchored such that it is capable of resisting wind, seismic or similar loads as required by the adopted International Building Code for new buildings.
- (6) For any reason the building, structure or portion thereof is manifestly unsafe or unsanitary for the purpose for which it is being used.
- (7) The building, structure or portion thereof, as a result of decay, deterioration or dilapidation, is likely to fully or partially collapse.
- (8) The building, structure or portion thereof has been constructed or maintained in violation of a specific requirement of the construction codes or of a city, county or state law.
- (9) Any building, structure or portion thereof is in such a condition as to constitute a public nuisance.

ORDINANCE NO. 0-129-92

REGULATING GRASS AND WEED NUISANCES, BUILDING NUISANCES,
ABANDONED VEHICLES AND OTHER NUISANCES; REVISING AND
STREAMLINING THE ENFORCEMENT PROCEDURE FOR NUISANCE
ABATEMENT INCLUDING ISSUANCE OF SUMMONS AND COMPLAINTS.

Whereas, the City of Southside is empowered to enact ordinances to protect and promote the general public health and welfare and to improve the order, comfort and convenience of inhabitants; and

Whereas, there exist in the city structures used for residential and nonresidential use which are, or may become in the future, substandard with respect to structure, equipment or maintenance; and

Whereas, conditions such as structural deterioration, lack of maintenance and appearance of exterior of premises, infestation, lack of essential heating or plumbing equipment, lack of maintenance, upkeep of essential utilities and facilities, existence of fire hazards, inadequate provisions for light and air, unsanitary conditions and overcrowding constitute a menace to the health, safety, morals, welfare and reasonable comfort of the inhabitants of the city; and

Whereas, because of lack of maintenance and progressive deteriorations, certain properties have the further effect of creating blighting conditions and initiating slums; and

Whereas, if these conditions are not curtailed and removed, they will grow and spread and necessitate the expenditure of large amounts of public funds to eliminate such conditions; and

Whereas, by timely regulations and restrictions as contained in this ordinance, the growth of slums and blight may be prevented, neighborhoods and property values may be maintained and the desirability and amenability of residential and nonresidential uses and neighborhoods will be enhanced and the public health, safety and welfare protected and fostered; and

Whereas, an abundance of overgrown grass and weeds within the city could be injurious to the general public health, safety and general welfare by

- (1) providing breeding grounds and shelter for rats, mice, snakes, mosquitoes, and other vermin, insects and pests; and
- (2) attaining such heights and dryness so as to constitute serious fire threat or hazard; and
- (3) bearing wingy or downy seeds, when mature, that cause the spread of weeds and irritation to the throat, lungs and eyes of the public; and
- (4) hiding debris, such as broken glass or metal, which could inflict injury on any person going upon the property; and
- (5) being unsightly; and

Whereas, the removal and clearance of such overgrown grass and weeds must be accomplished for the overall good and protection of the public as a whole;

Now, Therefore, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY of SOUTHSIDE, ALABAMA, as follows:

Section 1. DEFINITIONS.

- (a) Abandoned Vehicle: Any motor vehicle which
 - (1) is in a wrecked, dismantled, partially dismantled, discarded or otherwise inoperable condition, or
 - (2) does not have affixed thereto an unexpired license

plate, and has been parked, stored or left, whether attended or not, upon any public or private property in the city for a period of time in excess of seven (7) business days.

The term includes any boat which is in a wrecked, dismantled, partially dismantled, discarded or otherwise inoperable condition. The term does not include any motor vehicle.

- (1) enclosed within a building on private property;
- (2) held in connection with a business enterprise, lawfully licensed by the City on property zoned for a junkyard, vehicle repair facility or vehicle storage yard;
- (3) in operable condition specifically adapted or designed for operation on drag strips or raceways; or
- (4) retained primarily as an antique collector's item and registered under state law as an antique vehicle.

(b) Building Nuisance: Any nuisance condition involving a residential or nonresidential structure, including remains from demolition, remains from a fire, parts of buildings part of uninhabitable structures.

(c) Enforcing Official: Any official of the City Building Department of any other City employee designated by the Mayor as the person to exercise the authority and perform the duties delegated by this ordinance to the enforcing official. For a grass and weed nuisance the enforcing official may also be any organization (including its employees) or individual with which the City may contract to provide such service.

(d) Grass or Weed Nuisance: Any abundance of overgrown grass or weeds within the city which is injurious to the general public health, safety and general welfare by providing breeding grounds and shelter for rats, mice, snakes, mosquitoes and other vermin, insects and pests; or attaining such heights and dryness so as to constitute serious fire threat or hazard; or bearing wingy or downy seeds, when mature, that cause the spread of weeds and, when breathed, irritation to the throat, lungs and eyes of the public, or hiding debris, such as broken glass or metal, which could inflict injury on any person going upon the property; or being unsightly; or any growth of grass or weeds, other than ornamental plant growth, which exceeds 12 inches in height.

(e) Improved Subdivision: A division of a tract of land or acreage into tracts or parcels, and the improvement thereof by construction of streets, water lines and, where applicable, sewer lines to serve the subdivided property.

(f) Natural Condition: Uncultivated and unseeded land, still in a state of nature. But any growth on land, once it has been cleared or plowed, is not a natural condition, even though it has not been planted or cultivated by anyone.

(g) Nuisance: Anything that unlawfully causes hurt, inconvenience or damage; that class of wrongs that arises from the unreasonable, unwarrantable or unlawful use by a person of such person's own property, either real or personal, or from such person's own improper, indecent, unsightly or unlawful personal conduct, working an obstruction of or injury to the right of another or of the public, and producing material annoyance, inconvenience, discomfort or hurt to another person or to the general public; anything which is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property of another.

(h) Owner of Property: Includes legal title holder, or lessee, or occupant of property, or agent of legal title holder or lessee, in charge, possession or control of said property. For a building nuisance only, includes any mortgage holder of record.

Section 2. Nuisance Unlawful.

It shall be unlawful for any person to permit or maintain the existence of any nuisance on any property under such person's ownership or control. Property under a person's ownership and control includes those areas referred to in Section 3. A person with a duty to abate any nuisance is liable for separate and distinct offenses for each day the nuisance is allowed to remain after it has become such person's duty by notice of the enforcing official to abate it.

SECTION 3. Duties of Owner.

It shall be the duty of the owner of any real property located within the city to maintain any grass or weeds growing upon said property in such a manner as not to constitute a nuisance. The duties and obligations of the owner extend to and include any real property situated within a dedicated right-of-way or easement burdening the property, except to the extent that it may be impracticable to do so because of public facilities located thereon. Such rights-of-way and easements must be maintained by the owner in a manner consistent with the maintenance of the owner's remaining property and within the requirements in this ordinance, except to the extent it may be impracticable to do because of public facilities located thereon.

Section 4. Maintenance Practices of City.

The dedication and existence of a right-of-way for a public road or of an easement for drainage or for public utilities represents the grant of only a limited interest in property and does not change the actual ownership of the property upon which the right-of-way or easement is located. The public authority maintains rights-of-way and easements only to the extent necessary to maintain the public facility and to maintain safety. The owner of the burdened property continues to control the property, except to the extent that such control interferes with the public use. The public authority does not cut grasses, weeds, and other growth upon rights-of-way or easements, except to the extent necessary for operations and safety purposes. All other maintenance is the responsibility of the owner of the property upon which the right-of-way or easement is located.

Section 5. General.

(a) GENERAL. It shall be unlawful and a nuisance, in violation of this ordinance, for the owner of any real property situated within the corporate limits of the city to allow such real property to become overgrown with tall grass, or with any weed or plant such as jimson, burdock, ragweed, cocklebur or other weed of like kind, or any weed or plant bearing wingy or downy seeds, or any weed or plant that is otherwise noxious, dangerous, harmful or poisonous. Overgrown means a height of twelve (12) inches or more.

(b) EXCEPTIONS. Excepted from such grass and weed nuisance requirements are:

- (1) Any property which is in its natural condition.
- (2) Any property which is located outside any improved subdivision and is located more than 100 feet from any boundary of any lot or parcel of real estate upon which any dwelling is located, and more than 100 feet from any commercial enterprise. For good cause the enforcing official may reduce the area subject to this ordinance to a lesser distance.
- (3) Cultivated row crops and garden plants in their respective growing seasons. But this exception applies only to growing crops and garden plants, and shall not be construed to permit any crops or gardens to become overgrown with grass and weeds in violation of the remaining terms of this ordinance.
- (4) Ornamental shrubbery and ground cover, provided that such uses are part of landscaping theme and not

associated with a general deterioration of the property.

Section 6.

An accumulation or storage of debris, refuse, rubbish, brush used building materials, parts of buildings, remains from building demolition, parts of untenable or uninhabitable structures, used machinery, used tires, used vehicles, parts of vehicles, abandoned vehicles, or any other materials which may provide a breeding place for mosquitoes, harmful insects, rodents or snakes, or is so unsightly as to be offensive to the surrounding area is a nuisance in violation of this ordinance.

Section 7.

(a) Whenever in the opinion of the enforcing official a nuisance exist, the official shall order the owner of the property on which the nuisance is located to abate the condition.

(b) The enforcing official shall give the owner written notice in person or by first class mail. The notice shall require the owner to comply with this ordinance within the time stated in the notice or to request an administrative hearing before the Director of Planning or other person designated by the Mayor to determine whether there has been a violation. The notice shall apprise the owner of the facts of the alleged nuisance and shall name the particular date, time and place for such hearing if requested. For a building nuisance the notice shall contain the names of all owners and lienholders of the property, a legal description of the property and the nature of the proceeding.

(c) The notice shall be sent to that person shown by the records of the county tax collector to have been the last person assessed for payment of ad valorem tax on the property where the nuisance is situated. It shall be the responsibility of that person to promptly advise the enforcing official of any change of ownership or interest. The enforcing official shall cause a copy of each building nuisance notice to be recorded in the Office of Probate Judge.

(d) The notice shall also be posted in a conspicuous place on the property, preferably within three feet of an entrance to the building or structure. If there is no entrance or not structure, notice may be posted at any location on the property.

(e) The notice shall require the owner to complete abatement of the nuisance with the following periods, provided the enforcing official may stipulate additional time, but in no case more than a total of 150 days:

- (1) Fourteen (14) days from the date of notice if it is a grass and weed nuisance.
- (2) One Hundred Twenty (120) days from the date of notice if it is a building nuisance.
- (3) Thirty (30) days from the date of notice if it is any other type of nuisance including, but not limited to, burned structures and abandoned vehicles.

(f) The notice may also require the immediate vacation of a building or structure and prohibit its occupation until the required repairs and improvements have been completed, inspected and approved by the enforcing official. In such cases the enforcing official shall post at each entrance to the building or structure a sign stating "THIS STRUCTURE IS UNSAFE. ITS USE OR OCCUPANCY HAS BEEN PROHIBITED BY THE CITY OF SOUTHSIDE, or words of similar import, and shall be signed and dated. The sign shall remain until the required repairs and improvements have been made or the structure has been demolished and removed. The sign shall not be removed without permission of the enforcing official whose name is affixed thereon. No person shall enter the structure except for the purpose of making the required repairs or demolishing the structure.

Section 8.

A hearing before the Director of Planning must be requested within five (5) days of the date of the notice by the enforcing official. The enforcing official shall notify the owner by personal service or by first class mail of the determination of the hearing official. If the hearing official determines that a nuisance exists, the owner must comply with the initial order to abate issued by the enforcing official, with such modifications as may be made by the hearing official.

Section 9. Failure to Comply with Notice to Abate.

(a) If the owner fails, neglects or refuses to comply with the notice to abate the nuisance, the enforcing official may proceed to prosecute said person for a violation of the provisions of this Code. The enforcing official may issue a summons and complaint as provided 1, to the owner of the property, requiring the owner to appear in Municipal Court to answer charges for the violation of this ordinance. The summons and complaint shall name the party charged, the address of the property where the alleged violation is located, and the nature of the offense or violation. It shall also apprise the owner of the date, time and place at which to appear for court. The summons and complaint, returnable to the Municipal Court, shall be served on the owner by any enforcing official, who shall forthwith appear and make oath as to the alleged offense before a judge or magistrate of the Municipal Court. This provision for the issuance of a summons or complaint to Municipal Court shall not prevent any enforcing official from appearing before a Municipal Court judge or magistrate and making oath as to the facts and applying for a warrant with respect to any alleged offense, in lieu of issuing a summons and complaint.

(b) All violations of the provisions of the chapter shall be punishable by:

- (1) A fine in the minimum sum of Two Hundred Fifty Dollars (\$ 250.00) up to a maximum of Five Hundred Dollars (\$ 500.00):
- (2) Imprisonment in the County jail for a term not to exceed six (6) months.
- (3) Both such fine and imprisonment; and
- (4) An order to abate the nuisance.

(c) The enforcing official may institute the enforcement procedure set forth in paragraph (a) and those set out below. The institution of one procedure does not preclude the subsequent or simultaneous of the other procedure, provided the criminal procedure is not used to collect any outstanding civil assessments against the subject property.

(d) If the owner fails, neglects or refuses to comply with the notice to abate a grass or weeds nuisance, the enforcing official shall cause the cutting of the offending grass or weeds.

(e) If the owner fails, neglects or refuses to comply with the notice to abate any other type of nuisance, there shall be a public hearing before the City Council. Notice of the hearing shall be given to the owner at least five (5) days in advance by personal service or by first class mail.

(f) After the public hearing, the City Council may by resolution order the enforcing official to proceed with the work specified in such notice or may order such nuisance demolished or removed, or may find that no nuisance exists. If the owner appears at the public hearing, no further notice of the order of the City Council shall be required. If the owner fails to appear, notice of the order of the City Council shall be mailed to such person's last known address and shall be published once in a newspaper of general circulation in the city.

(g) Upon the expiration of seven (7) days from the date of the resolution, the enforcing official shall proceed to carry out the decision of the Council,

Section 10. Assessment of Cost.

(a) Upon completion of the abatement work performed by the City (including work by contractors employed by the City), the enforcing official shall compute the actual expense, including, but not limited to, total wages paid, value of the use of equipment, advertising expense, postage, materials purchased, which was incurred by the City as a result of such work. An itemized statement of such expenses shall be given by first class mail to the last known address of the owner of the property. This notice shall be sent at least five (5) days in advance of the time fixed by the City Council to consider the assessment of the cost against the property.

(b) At the time fixed for receiving and considering the statement, the Council shall hear the same, together with any objections which may be raised by the owner whose property is liable to be assessed for the work and thereupon make such modifications in the statement as they deem necessary, after which a resolution may assess the cost. The cost stated in the resolution shall constitute a special assessment against the land and shall constitute a lien on said property. After adoption of the resolution, a copy shall be turned over to the city Clerk-Treasurer who is charged with the collection of assessments. The City Clerk-Treasurer shall charge the assessments against the respective lots and parcels of land for municipal purposes. Thereafter said amounts shall be collected at the same time and in the same manner as ordinary municipal assessments are collected, and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provide for ordinary municipal assessments.

(c) The City Clerk-Treasurer shall cause a certified copy of the resolution assessing the cost of abatement to be filed for recording in the Office of the Probate Judge.

(d) If legislation is enacted to allow assessment as taxes and collection by the County Revenue Commissioner, The City Clerk-Treasurer shall forward appropriate documents to obtain collection in that manner.

(e) Satisfaction of Liens. Upon payment of the itemized accounts arising under this ordinance, any liens or assessments filed hereunder may be marked "Satisfied" and "Paid in Full" by the City Clerk-Treasurer or by the City Attorney.

Section 11. Construction of Article.

This article shall be construed to contain all power granted to municipalities under Sections 11-40-10, 11-47-117, 11-47-131, 11-47-140, and 11-48-1 through 11-48-106, Code of Alabama, as amended, providing for controlling nuisances, sanitation and good public health and safety conditions, and for assessment of public improvement liens.

Section 12.

If any part of this ordinance is held invalid by a court of competent jurisdiction, it shall not affect the validity of the remaining parts, which have been adopted separately and independently.

Section 13.

This ordinance shall be effective on the first day of the month that is a least 30 days following publication.

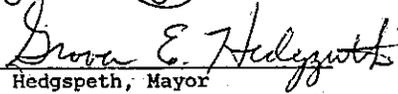
Section 14.

The adoption of this ordinance shall not invalidate any preexisting nuisance abatement enforcement actions. The assessment procedure adopted herein may be utilized for all ongoing enforcement actions that have reached that point in the proceedings. For initial

enforcement actions the enforcing official may proceed under the prior law or may reinstitute proceedings under the provisions of this ordinance. If this ordinance will be followed, notice of the change must be given to the owner.

I hereby certify that the above and foregoing was duly adopted by the City Council of the City of Southside, Alabama at the regular meeting held on December 28, 1992.


Sherry Morgan, City clerk

APPROVED 
Grover E. Hedgspeth, Mayor

ORDINANCE NO.0-10-2012

CITY OF SOUTHSIDE
COUNTY OF ETOWAH
STATE OF ALABAMA

AN ORDINANCE ADOPTING STORMWATER
MANAGEMENT REGULATIONS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTHSIDE as follows:

Section -I. General provisions.

- (1). Purpose. It is the purpose of this ordinance to:
 - (a) Protect, maintain, and enhance the environment of the city and the public health, safety and the general welfare of the citizens of the city, by controlling discharges of pollutants to the city's stormwater system and to maintain and improve the quality of the receiving waters into which the stormwater outfalls flow, including, without limitation, lakes, rivers, streams, ponds, wetlands, and groundwater of the city.
 - (b) Enable the city to comply with the National Pollution Discharge Elimination System (NPDES) permit and applicable regulations, 40 CFR §122.26, for stormwater discharges.
 - (c) Allow the city to exercise the powers granted in Code of Alabama 1975 §§11-89C-1 et seq., pursuant to Act No. 97-931.
- (2). Administering entity. The departments of building, zoning and engineering of the city shall administer the provisions of this ordinance.

Section II. Definitions.

For the purpose of this chapter, the following definitions shall apply. Words used in the singular shall include the plural, and the plural shall include the singular. Words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive. Words not defined in this section shall be construed to have the meaning given by common and ordinary use.

- (1) *As built plans* means drawings depicting conditions as they were actually constructed.
- (2) *Best management practices* or *BMPs* are physical, structural, and/or managerial practices that, when used singly or in combination, prevent or reduce pollution of water, that have been approved by the city, and that have been incorporated by reference into this ordinance as if fully set out therein.
- (3) *Channel* means a natural or artificial watercourse with a definite bed and banks that conducts flowing water continuously or periodically.
- (4) *Community water* means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wetlands, wells and other bodies of

surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the city.

- (5) *Contaminant* means any physical, chemical, biological, or radiological substance or matter in water.
- (6) *Design storm event* means a hypothetical storm event, of a given frequency interval and duration, used in the analysis and design of a stormwater facility.
- (7) *Discharge* means dispose, deposit, spill, pour, inject, seep, dump, leak or place by any means, or that which is disposed, deposited, spilled, poured, injected, seeped, dumped, leaked, or placed by any means including any direct or indirect entry of any solid or liquid matter into the municipal separate storm sewer system.
- (8) *Easement* means an acquired privilege or right of use or enjoyment that a person, party, firm, corporation, city or other legal entity has in the land of another.
- (9) *Erosion* means the removal of soil particles by the action of water, wind, ice or other geological agents, whether naturally occurring or acting in conjunction with or promoted by anthropogenic activities or effects.
- (10) *Erosion and sediment control plan* means a written plan (including drawings or other graphic representations) that is designed to minimize the accelerated erosion and sediment runoff at a site during construction activities.
- (11) *Hot spot (priority area)* means an area where land use or activities generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater.
- (12) *Illicit connection* means illegal and/or unauthorized connections to the municipal separate stormwater system whether or not such connections result in discharges into that system.
- (13) *Illicit discharge* means any discharge to the municipal separate storm sewer system that is not composed entirely of stormwater and not specifically exempted under Section III (3).
- (14) *Land disturbing activity* means any activity that results in a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography on property. Land-disturbing activities include, but are not limited to, development, re-development, demolition, construction, reconstruction, clearing, grading, filling, and excavation.
- (15) *Maintenance* means any activity that is necessary to keep a stormwater facility in good working order so as to function as designed. Maintenance shall include complete reconstruction of a stormwater facility if reconstruction is needed in order to restore the facility to its original operational design parameters. Maintenance shall also include the correction of any problem on the site property that may directly impair the functions of the stormwater facility.
- (16) *Maintenance agreement* means a document recorded in the land records that acts as a property deed restriction, and which provides for long-term maintenance of stormwater management practices.

- (17) *Municipal separate storm sewer system (MS4) (Municipal separate stormwater system)* means the conveyances owned or operated by the city for the collection and transportation of stormwater, including the roads and streets and their drainage systems, catch basins, curbs, gutters, ditches, man-made channels, and storm drains.
- (18) *National Pollutant Discharge Elimination System permit or NPDES permit* means a permit issued pursuant to 33 U.S.Code §1342.
- (19) *Off-site facility* means a structural BMP located outside the subject property boundary described in the permit application for land development activity.
- (20) *On-site facility* means a structural BMP located within the subject property boundary described in the permit application for land development activity.
- (21) *Peak flow* means the maximum instantaneous rate of flow of water at a particular point resulting from a storm event.
- (22) *Person* means any and all persons, natural or artificial, including any individual, firm or association and any municipal or private corporation organized or existing under the laws of this or any other state or country.
- (23) *Priority area* means a hot spot as defined in Section II (11).
- (24) *Runoff* means that portion of the precipitation on a drainage area that is discharged from the area into the municipal separate stormwater system.
- (25) *Sediment* means solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, gravity, or ice and has come to rest on the earth's surface either above or below sea level.
- (26) *Sedimentation* means soil particles suspended in stormwater that can settle in stream beds and disrupt the natural flow of the stream.
- (27) *Soils Report* means a study of soils on a subject property with the primary purpose of characterizing and describing the soils. The soils report shall be prepared by a qualified soils engineer, who shall be directly involved in the soil characterization either by performing the investigation or by directly supervising employees.
- (28) *Stabilization* means providing adequate measures, vegetative and/or structural, that will prevent erosion from occurring.
- (29) *Stormwater* means stormwater runoff, snow melt runoff, surface runoff, street wash waters related to street cleaning or maintenance, infiltration and drainage.
- (30) *Stormwater management* means the programs to maintain quality and quantity of stormwater runoff to pre-development levels.
- (31) *Stormwater management facilities* means the drainage structures, conduits, ditches, combined sewers, sewers, and all device appurtenances by means of which stormwater is collected, transported, pumped, treated or disposed of.
- (32) *Stormwater management plan* means the set of drawings and other documents that comprise all the information and specifications for the programs, drainage systems, structures, BMPs, concepts and techniques intended to maintain or restore quality and quantity of stormwater runoff to pre-development levels.

- (33) *Stormwater runoff* means flow on the surface of the ground, resulting from precipitation.
- (34) *Structural BMPs* means devices that are constructed to provide control of stormwater runoff.
- (35) *Surface water* includes waters upon the surface of the earth in bounds created naturally or artificially including, but not limited to, streams, other water courses, lakes and reservoirs.
- (36) *Watercourse* means a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.
- (37) *Watershed* means all the land area that contributes runoff to a particular point along a waterway.

Section III. Land disturbance permits.

- (1). When required. Every person will be required to obtain a land disturbance permit from the city unless (a) the activity disturbs less than one acre of land. A land disturbance permit is required for all land disturbance activity, regardless of the size of the area disturbed, which occurs within a subdivision development with water front property or within a defined floodway.
- (2). Building permit. No building permit shall be issued until the applicant has obtained a land disturbance permit where the same is required by this ordinance.
- (3). Exemptions. The following activities are exempt from the permit requirement:
 - (a) Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.
 - (b) Existing nursery and agricultural operations conducted as a permitted main or accessory use.
 - (c) Any logging or agricultural activity that is consistent with an approved farm conservation plan or a timber management plan prepared or approved by the Environmental Protection Agency or the Alabama Department of Environmental Management.
 - (d) Additions or modifications to existing single family structures.
- (4). Application for a land disturbance permit.
 - (a) Each application shall include the following:
 - (1) Name of applicant;
 - (2) Business or residence address of applicant;
 - (3) Name, address and telephone number of the owner of the property of record in the office of the assessor of property;
 - (4) Address and legal description of subject property including the tax reference number and parcel number of the subject property;
 - (5) Name, address and telephone number of the contractor and any subcontractor(s) who shall perform the land disturbing activity and who shall implement the erosion and sediment control plan;
 - (6) A statement indicating the nature, extent and purpose of the land disturbing activity including the size of the area for which the

permit shall be applicable and a schedule for the starting and completion dates of the land disturbing activity.

(7) Where the property includes a sinkhole, the applicant shall obtain from the Alabama Department of Environmental Management appropriate permits.

(8) The applicant shall obtain from any other state or federal agency any other appropriate environmental permits that pertain to the property. However, the inclusion of those permits in the application shall not foreclose the city from imposing additional development requirements and conditions, commensurate with this ordinance, on the development of property covered by those permits.

(b) Each application shall be accompanied by:

(1) A sediment and erosion control plan as described in Section V (5).

(2) A stormwater management plan as described in Section V (4), providing for stormwater management during the land disturbing activity and after the activity has been completed.

(3) Each application for a land disturbance permit shall be accompanied by payment of land disturbance permit of \$25.00 and such other stormwater management fees as may be set by resolution.

(5). Review and approval of application.

(a) The city will review each application for a land disturbance permit to determine its conformance with the provisions of this ordinance. Within 30 days after receiving an application, the city shall provide one of the following responses in writing:

(1) Approval of the permit application;

(2) Approval of the permit application, subject to such reasonable conditions as may be necessary to secure substantially the objectives of this ordinance, and issue the permit subject to these conditions; or

(3) Denial of the permit application, indicating the reason(s) for the denial.

(b) If the city has granted conditional approval of the permit, the applicant shall submit a revised plan that conforms to the conditions established by the city. However, the applicant shall be allowed to proceed with his land disturbing activity so long as it conforms to conditions established by the city.

(c) No development plans will be released until the land disturbance permit has been approved.

(6). Permit duration.

Every land disturbance permit shall expire and become null and void if substantial work authorized by such permit has not commenced within 180 calendar days of issuance, or is not complete within 18 months from the date of the commencement of construction.

(7). Notice of construction.

The applicant must notify the city ten working days in advance of the commencement of construction. Regular inspections of the stormwater management system construction shall be conducted by a QCI (qualified credentialed inspector) provided by the contractor. Erosion control measures shall be inspected according to program requirements after any rainfall event in excess of $\frac{3}{4}$ of an inch during a 24-hour period. All inspections shall be documented and written reports prepared that contain the following information:

- (1) The date and location of the inspection;
- (2) Whether construction is in compliance with the approved stormwater management plan;
- (3) Variations from the approved construction specifications;
- (4) Any violations that exist.

(8). Performance bonds.

- (a) The city may, at its discretion, require the submittal of a performance security or performance bond prior to issuance of a permit in order to ensure that the stormwater practices are installed by the permit holder as required by the approved stormwater management plan. The amount of the installation performance security or performance bond shall be the total estimated construction cost of the structural BMPs approved under the permit plus any reasonably foreseeable additional related costs, e.g., for damages or enforcement. The performance security shall contain forfeiture provisions for failure to complete work specified in the stormwater management plan. The applicant shall provide an itemized construction cost estimate complete with unit prices which shall be subject to acceptance, amendment or rejection by the city. Alternatively the city shall have the right to calculate the cost of construction cost estimates.
- (b) The performance security or performance bond shall be released in full only upon submission of as-built plans and written certification by a registered professional engineer licensed to practice in Alabama that the structural BMP has been installed in accordance with the approved plan and other applicable provisions of this ordinance. The city will make a final inspection of the structural BMP to ensure that it is in compliance with the approved plan and the provisions of this ordinance. Provisions for a partial pro-rata release of the performance security or performance bond based on the completion of various development stages can be made at the discretion of the city.

Section IV. Waivers.

- (1). General. Every applicant shall provide for stormwater management as required by this ordinance, unless a written request is filed to waive this requirement. Requests to waive the stormwater management plan requirements shall be submitted to the city for approval.

- (2). Conditions for waiver. The minimum requirements for stormwater management may be waived in whole or in part upon written request of the applicant, provided that at least one of the following conditions applies:
 - (a) It can be demonstrated that the proposed development is not likely to impair attainment of the objectives of this chapter.
 - (b) Alternative minimum requirements for on-site management of stormwater discharges have been established in a stormwater management plan that has been approved by the city.
 - (c) Provisions are made to manage stormwater by an off-site facility. The off-site facility must be in place and designed to provide the level of stormwater control that is equal to or greater than that which would be afforded by on-site practices. Further, the facility must be operated and maintained by an entity that is legally obligated to continue the operation and maintenance of the facility.
- (3). Downstream damage, etc. prohibited. In order to receive a waiver, the applicant must demonstrate to the satisfaction of the city that the waiver will not lead to any of the following conditions downstream:
 - (a) Deterioration of existing culverts, bridges, dams, and other structures;
 - (b) Degradation of biological functions or habitat;
 - (c) Accelerated stream bank or streambed erosion or siltation;
 - (d) Increased threat of flood damage to public health, life or property.
- (4). Land disturbance permit not to be issued where waiver requested. No land disturbance permit shall be issued where a waiver has been requested until the waiver is granted. If no waiver is granted, the plans must be resubmitted with a stormwater management plan.

Section V. Stormwater system design and management standards.

- (1) Stormwater design or BMP manual.
 - (a) Adoption. The city adopts as its stormwater design and best management practices (BMP) manual the 2009 Alabama Handbook for Erosion Control, Sediment Control, and Stormwater Management on Construction Sites and Urban Areas, prepared by the Alabama Department of Environmental Management. The Handbook is incorporated by reference in this chapter as if fully set out herein.
 - (b) This manual includes a list of acceptable BMPs including the specific design performance criteria and operation and maintenance requirements for each stormwater practice. The manual may be updated and expanded from time to time, at the discretion of the city council, upon the recommendation of the chief building official, based on improvements in engineering, science, monitoring and local maintenance experience. Stormwater facilities that are designed, constructed and maintained in accordance with these BMP criteria will be presumed to meet the minimum water quality performance standards.
- (2). General performance criteria for stormwater management. Unless granted a waiver or judged by the city to be exempt, the following performance criteria shall be addressed for stormwater management at all sites:

- (a) All site designs shall control the peak flow rates of stormwater discharge associated with design storms of two-year, five-year, ten-year, 25-year, 50-year and 100-year intensity and reduce the generation of post construction stormwater runoff to pre-construction levels. These practices should seek to utilize pervious areas for stormwater treatment and to infiltrate stormwater runoff from driveways, sidewalks, rooftops, parking lots, and landscaped areas to the maximum extent practical to provide treatment for both water quality and quantity.
- (b) To protect stream channels from degradation, specific channel protection criteria shall be provided as prescribed in the BMP manual.
- (c) Stormwater discharges to critical areas with sensitive resources (i.e., cold water fisheries, shellfish beds, swimming beaches, recharge areas, water supply reservoirs) may be subject to additional performance criteria, or may need to utilize or restrict certain stormwater management practices.
- (d) Stormwater discharges from hot spots may require the application of specific structural BMPs and pollution prevention practices.
- (e) Prior to or during the site design process, applicants for land disturbance permits shall consult with the city to determine if they are subject to additional stormwater design requirements.
- (f) The calculations for determining peak flows as found in the BMP manual shall be used for sizing all stormwater facilities.

(3). Minimum control requirements.

- (a) Stormwater designs shall meet the multi-stage storm frequency storage requirements as identified in the BMP manual unless the city has granted the applicant a full or partial waiver for a particular BMP under Section IV.
- (b) If hydrologic or topographic conditions warrant greater control than that provided by the minimum control requirements, the city may impose any and all additional requirements deemed necessary to control the volume, timing, and rate of runoff.

(4). Stormwater management plan requirements. The stormwater management plan shall include sufficient information to allow the city to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, and the effectiveness and acceptability of the measures proposed for managing stormwater generated at the project site. To accomplish this goal the stormwater management plan shall include the following:

- (a) Topographic Base Map: A scale no greater than one inch equals 100 feet topographic base map of the site which extends a minimum of 50 feet beyond the limits of the proposed development and indicates:
 - (1) Existing surface water drainage including streams, ponds, culverts, ditches, sink holes, wetlands; and the type, size, elevation, etc., of nearest upstream and downstream drainage structures;
 - (2) Current land use including all existing structures, locations of utilities, roads, and easements;

- (3) All other existing significant natural and artificial features;
 - (4) Proposed land use with tabulation of the percentage of surface area to be adapted to various uses; drainage patterns; locations of utilities, roads and easements; the limits of clearing and grading;
 - (5) Proposed structural BMPs;
 - (6) A written description of the site plan and justification of proposed changes in natural conditions may also be required.
- (b) Calculations: Hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in the BMP manual. These calculations must show that the proposed stormwater management measures are capable of controlling runoff from the site in compliance with this ordinance and the guidelines of the BMP manual. Such calculations shall include:
- (1) A description of the design storm frequency, duration, and intensity where applicable;
 - (2) Time of concentration;
 - (3) Soil curve numbers or runoff coefficients including assumed soil moisture conditions;
 - (4) Peak runoff rates and total runoff volumes for each watershed area;
 - (5) Infiltration rates, where applicable;
 - (6) Culvert, stormwater sewer, ditch and/or other stormwater conveyance capacities;
 - (7) Flow velocities;
 - (8) Data on the increase in rate and volume of runoff for the design storms referenced in the BMP manual; and
 - (9) Documentation of sources for all computation methods and field test results.
- (c) Soils Information: If a stormwater management control measure depends on the hydrologic properties of soils (e.g., infiltration basins), then a soils report shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles and soil survey reports. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soil types present at the location of the control measure.
- (d) Maintenance and Repair Plan: The design and planning of all stormwater management facilities shall include detailed maintenance and repair procedures to ensure their continued performance. These plans will identify the parts or components of a stormwater management facility that need to be maintained and the equipment and skills or training necessary. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan. A

permanent elevation benchmark shall be identified in the plans to assist in the periodic inspection of the facility.

- (e) Landscaping Plan: The applicant must present a detailed plan for management of vegetation at the site after construction is finished, including who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved. Where it is required by the BMP, this plan must be prepared by a registered landscape architect licensed in Alabama.
- (f) Maintenance Easements: The applicant must ensure access to the site for the purpose of inspection and repair by securing all the maintenance easements needed. These easements must be binding on the current property owner and all subsequent owners of the property and must be properly recorded in the land record.
- (g) Maintenance Agreement:
 - (1) The owner of property to be served by an on-site stormwater management facility must execute an inspection and maintenance agreement that shall operate as a deed restriction binding on the current property owner and all subsequent property owners.
 - (2) The maintenance agreement shall:
 - (a) Assign responsibility for the maintenance and repair of the stormwater facility to the owner of the property upon which the facility is located and be recorded as such on the plat for the property by appropriate notation.
 - (b) Provide for a periodic inspection by the property owner for the purpose of documenting maintenance and repair needs and ensure compliance with the purpose and requirements of this ordinance. The property owner will arrange for this inspection to be conducted by a registered professional engineer licensed to practice in Alabama who will submit a sealed report of the inspection to the city. It shall also grant permission to the city to enter the property at reasonable times and to inspect the stormwater facility to ensure that it is being properly maintained.
 - (c) Provide that the minimum maintenance and repair needs include, but are not limited to: the removal of silt, litter and other debris, the cutting of grass, grass cuttings and vegetation removal, and the replacement of landscape vegetation, in detention and retention basins, and inlets and drainage pipes and any other stormwater facilities. It shall also provide that the property owner shall be responsible for additional maintenance and repair needs consistent with the needs and standards outlined in the BMP manual.

- (d) Provide that maintenance needs must be addressed in a timely manner, on a schedule to be determined by the city.
 - (e) Provide that if the property is not maintained or repaired within the prescribed schedule, the city shall perform the maintenance and repair at its expense, and bill the same to the property owner. The maintenance agreement shall also provide that the city's cost of performing the maintenance shall be a lien against the property.
 - (3) The city shall have the discretion to accept the dedication of any existing or future stormwater management facility, provided such facility meets the requirements of this ordinance, and includes adequate and perpetual access and sufficient areas, by easement or otherwise, for inspection and regular maintenance. Any stormwater facility accepted by the city must also meet the city's construction standards and any other standards and specifications that apply to the particular stormwater facility in question.
 - (h) Sediment and Erosion Control Plans: The applicant must prepare a sediment and erosion control plan for all construction activities that complies with Section V (5).
- (5). Sediment and erosion control plan requirements. The sediment and erosion control plan shall accurately describe the potential for soil erosion and sedimentation problems resulting from land disturbing activity and shall explain and illustrate the measures that are to be taken to control these problems. The length and complexity of the plan is to be commensurate with the size of the project, severity of the site condition, and potential for off-site damage. The plan shall be sealed by a registered professional engineer licensed in the state of Alabama. The plan shall also conform to the requirements found in the BMP manual, and shall include at least the following:
 - (a) Project Description - Briefly describe the intended project and proposed land disturbing activity including number of units and structures to be constructed and infrastructure required.
 - (b) A topographic map with contour intervals of two feet or less showing present conditions and proposed contours resulting from land disturbing activity.
 - (c) All existing drainage ways, including intermittent and wet-weather. Include any designated floodways or flood plains.
 - (d) A general description of existing land cover. Individual trees and shrubs do not need to be identified.
 - (e) Stands of existing trees as they are to be preserved upon project completion, specifying their general location on the property. Differentiation shall be made between existing trees to be preserved, trees to be removed and proposed planted trees. Tree protection measures must be identified, and the diameter of the area involved must also be identified on the plan and shown to scale. Information shall be supplied concerning the proposed destruction of exceptional and historic trees in setbacks and buffer strips, where they exist. Complete landscape plans

may be submitted separately. The plan must include the sequence of implementation for tree protection measures.

- (f) Approximate limits of proposed clearing, grading and filling.
- (g) Approximate flows of existing stormwater leaving any portion of the site.
- (h) A general description of existing soil types and characteristics and any anticipated soil erosion and sedimentation problems resulting from existing characteristics.
- (i) Location, size and layout of proposed stormwater and sedimentation control improvements.
- (j) Proposed drainage network.
- (k) Proposed drain tile or waterway sizes.
- (l) Approximate flows leaving site after construction and incorporating water run-off mitigation measures. The evaluation must include projected effects on property adjoining the site and on existing drainage facilities and systems. The plan must address the adequacy of outfalls from the development: when water is concentrated, what is the capacity of waterways, if any, accepting stormwater off-site; and what measures, including infiltration, sheeting into buffers, etc., are going to be used to prevent the scouring of waterways and drainage areas off-site, etc.
- (m) The projected sequence of work represented by the grading, drainage and sedimentation and erosion control plans as related to other major items of construction, beginning with the initiation of excavation and including the construction of any sediment basins or retention facilities or any other structural BMPs.
- (n) Specific remediation measures to prevent erosion and sedimentation run-off. Plans shall include detailed drawings of all control measures used; stabilization measures including vegetation and non-vegetation measures, both temporary and permanent, will be detailed. Detailed construction notes and a maintenance schedule shall be included for all control measures in the plan.
- (o) Specific details for the construction of rock pads, wash down pads, and settling basins for controlling erosion; road access points; eliminating or keeping soil, sediment, and debris on streets and public ways at a level acceptable to the city. Soil, sediment, and debris brought onto streets and public ways must be removed by the end of the work day by machine, broom or shovel to the satisfaction of the city. Failure to remove the sediment, soil or debris shall be deemed a violation of this chapter.
- (p) Proposed structures; location (to the extent possible) and identification of any proposed additional buildings, structures or development on the site.
- (q) A description of on-site measures to be taken to recharge surface water into the ground water system through infiltration.

Section VI. Post Construction.

- (1). As built plans. All applicants are required to submit actual as built plans for any structures located on-site after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be sealed by a registered professional engineer licensed to practice in Alabama. A final inspection by the city is required before any performance security or performance bond will be released. The city shall have the discretion to adopt provisions for a partial pro-rata release of the performance security or performance bond on the completion of various stages of development. In addition, occupation permits shall not be granted until corrections to all BMPs have been made and accepted by the city.
- (2). Landscaping and stabilization requirements.
 - (a) Any area of land from which the natural vegetative cover has been either partially or wholly cleared by present or past development activities shall be revegetated according to a schedule approved by the city. The following criteria shall apply to revegetation efforts:
 - (1) All sites shall have at least 10% "green" vegetated areas.
 - (2) Reseeding must be done with an annual or perennial cover crop accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion until such time as the cover crop is established over 90% of the seeded area.
 - (3) Replanting with native woody and herbaceous vegetation must be accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion until the plantings are established and are capable of controlling erosion.
 - (4) Any area of revegetation must exhibit survival of a minimum of 75% of the cover crop throughout the year immediately following revegetation. Revegetation must be repeated in successive years until the minimum 75% survival for one year is achieved.
 - (b) In addition to the above requirements, a landscaping plan must be submitted with the final design describing the vegetative stabilization and management techniques to be used at a site after construction is completed. This plan will explain not only how the site will be stabilized after construction, but who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved.
- (3). Inspection of stormwater management facilities. Periodic inspections of facilities shall be performed as provided for in Section V (4) (g) (2) (b).
- (4). Records of installation and maintenance activities. Parties responsible for the operation and maintenance of a stormwater management facility shall make records of the installation of the stormwater facility, and of all maintenance and repairs to the facility, and shall retain the records for at least 13 years after substantial completion of the stormwater facility. These records shall be made available to the city during inspection of the facility and at other reasonable times upon request.

- (5). Failure to meet or maintain design or maintenance standards. If a responsible party fails or refuses to meet the design or maintenance standards required for stormwater facilities under this ordinance, the city, after reasonable notice, may correct a violation of the design standards or maintenance needs by performing all necessary work to place the facility in proper working condition. In the event that the stormwater management facility becomes a danger to public safety or public health, the city shall notify in writing the party responsible for maintenance of the stormwater management facility. Upon receipt of that notice, the responsible person shall have fourteen calendar days, or such additional time as the city engineer shall determine to be reasonably necessary to complete the action, to effect maintenance and repair of the facility in an approved manner. In the event that corrective action is not undertaken within that time, the city may take necessary corrective action. The cost of any action by the city under this section shall be charged to the responsible party.

Section VII. Existing locations and developments.

- (1). Requirements for all existing locations and developments. The following requirements shall apply to all locations and development at which land disturbing activities have occurred subsequent to the enactment of this chapter:
- (a) Denuded areas must be vegetated or covered under the standards and guidelines specified in the BMP manual and on a schedule acceptable to the city.
 - (b) Cuts and slopes must be properly covered with appropriate vegetation and/or retaining walls constructed.
 - (c) Drainage ways shall be properly covered in vegetation or secured with rip-rap, channel lining, etc., to prevent erosion.
 - (d) Trash, junk, rubbish, etc. shall be cleared from drainage ways.
 - (e) Stormwater runoff shall be controlled to prevent pollution of local waters. Current control measures may include, but are not limited to, the following:
 - (1) Ponds
 - (a) Detention pond
 - (b) Extended detention pond
 - (c) Wet pond
 - (d) Alternative storage measures
 - (2) Constructed wetlands
 - (3) Infiltration systems
 - (a) Infiltration/percolation trench
 - (b) Infiltration basin
 - (c) Drainage (recharge) well
 - (d) Porous pavement
 - (4) Filtering systems
 - (a) Bio-retention area/rain garden
 - (b) Catch basin inserts/media filter
 - (c) Sand filter

- (d) Filter/absorption bed
- (e) Filter and buffer strips
- (5) Open channel
 - (a) Swale
- (2). Requirements for existing problem locations. When the city becomes aware of a problem location, the city shall in writing notify the owners of existing locations and developments of specific drainage, erosion or sediment problem affecting such locations and developments, and the action required to correct those problems. The notice shall also specify a reasonable time for compliance.
- (3). Inspection of existing facilities. The city may, to the extent authorized by state and federal law, establish inspection programs to verify that all stormwater management facilities, including those built before as well as after the adoption of this ordinance, are functioning within design limits. These inspection programs may be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of the city's NPDES stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other BMPs.
- (4). Correction of problems subject to appeal. Corrective measures imposed by the city under this section are subject to appeal under Section XI.

Section VIII. 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. The commencement, conduct or continuance of any non-stormwater discharge to the municipal separate storm sewer system is prohibited except as described as follows:
 - (a) Uncontaminated discharges from the following sources:
 - (1) Water line flushing or other potable water sources,
 - (2) Landscape irrigation or lawn watering with potable water,
 - (3) Diverted stream flows,
 - (4) Rising ground water,
 - (5) Groundwater infiltration to storm drains,
 - (6) Pumped groundwater,
 - (7) Foundation or footing drains,

- (8) Crawl space pumps,
 - (9) Air conditioning condensation,
 - (10) Springs,
 - (11) Non-commercial washing of vehicles,
 - (12) Natural riparian habitat or wet-land flows,
 - (13) Swimming pools (if dechlorinated - typically less than one PPM chlorine),
 - (14) Fire fighting activities, and
 - (15) Any other uncontaminated water source.
- (b) Discharges specified in writing by the city as being necessary to protect public health and safety.
- (c) Dye testing is an allowable discharge if the city has so specified in writing.
- (3). Prohibition of illicit connections.
- (a) The construction, use, maintenance or continued existence of illicit connections to the separate municipal storm sewer system is prohibited.
 - (b) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (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 compliance with the provisions of this section.
- (5). Notification of spills. Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting in, or may result in, illicit discharges or pollutants discharging into stormwater, the municipal separate storm sewer system, the person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials the person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, the person shall notify the city in person or by telephone or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the city within three business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least 13 years after the release.

Section IX. Enforcement

- (1). Enforcement authority. The departments of building, zoning, and engineering of the city shall have the authority to issue notices of violation and citations and to designate those persons who have enforcement authority.
- (2). Notification of violation.
 - (a) Written Notice. Whenever an authorized employee of the departments of building, zoning and engineering of the city finds that any permittee or any other person discharging stormwater has violated or is violating this chapter or a permit or order issued hereunder, the employee may serve upon such person written notice of the violation. Within ten days of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the departments of building, zoning and engineering. Submission of this plan in no way relieves the discharger of liability for any violations occurring before or after receipt of the notice of violation.
 - (b) Consent Orders. The authorized employees of the planning and engineering departments are empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the person responsible for the noncompliance. Such orders will include specific action to be taken by the person to correct the noncompliance within a time period also specified by the order. Consent orders shall have the same force and effect as administrative orders issued pursuant to paragraphs (d) and (e) below.
 - (c) Show Cause Hearing. An authorized employee of the building, zoning and engineering departments may order any person who violates this chapter or permit or order issued hereunder, to show cause why a proposed enforcement action should not be taken. Notice shall be served on the person specifying the time and place for the meeting, the proposed enforcement action and the reasons for such action, and a request that the violator show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten days prior to the hearing.
 - (d) Compliance Order. When an authorized employee of the building, zoning and engineering departments finds that any person has violated or continues to violate this ordinance or a permit or order issued thereunder, he may issue an order to the violator directing that, following a specific time period, adequate structures, devices, be installed or procedures implemented and properly operated. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the construction of appropriate structures, installation of devices, self-monitoring, and management practices.
 - (e) Cease and Desist Orders. When an authorized employee of the building, zoning and engineering departments finds that any person has violated or continues to violate this chapter or any permit or order issued hereunder, the employee may

issue an order to cease and desist all such violations and direct those persons in noncompliance to:

- (1) Comply forthwith; or
 - (2) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and terminating the discharge.
- (3). Conflicting standards. Whenever there is a conflict between any standard contained in this ordinance and in the BMP manual adopted by the city under this ordinance, the strictest standard shall prevail.

Section X. Penalties.

- (1). Violations. Any person who shall commit any act declared unlawful under this chapter, who violates any provision of this chapter, who violates the provisions of any permit issued pursuant to this chapter, or who fails or refuses to comply with any lawful communication or notice to abate or take corrective action by the city, shall be guilty of a criminal offense.
- (2). Penalties. Under the authority provided in Alabama Code § 11-45-9, the city declares that any person violating the provisions of this chapter may be fined not less than \$50.00 and not more than \$500.00 per day for each day of violation. Each day of violation shall constitute a separate violation.
- (3). Recovery of damages and costs. 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, and
 - (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.
- (4). Other remedies. The city may bring legal action to enjoin the continuing violation of this chapter. The existence of any other remedy, at law or equity, shall be no defense to any such actions.
- (5). Remedies cumulative. The remedies set forth in this section shall be cumulative, not exclusive. It shall not be a defense to any action, civil or criminal, that one or more of the remedies set forth herein has been sought or granted.

Section XI. Appeals.

Any person aggrieved by the imposition of a civil penalty or damage assessment as provided by this chapter may appeal said penalty or damage assessment to the city council.

- (1). Appeals to be in writing. The appeal shall be in writing and filed with the city clerk within 15 days after the civil penalty and/or damage assessment is served in any manner authorized by law.
- (2). Public hearing. Upon receipt of an appeal, the city council shall hold a public hearing within 30 days. Ten days prior notice of the time, date, and location of said hearing shall be published in a daily newspaper of general circulation. Ten days notice by registered

mail shall also be provided to the aggrieved party, such notice to be sent to the address provided by the aggrieved party at the time of appeal. The decision of the city council shall be final.

- (3). Appealing decisions of the city council. Any alleged violator may contest a decision of the city council pursuant to the provisions of Alabama law and court rules.

SECTION XII.

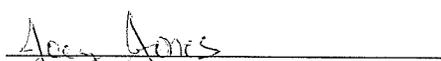
The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, then such ruling shall not affect any other paragraphs and sections, since the same would have been enacted by the municipality council without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION XIII.

The effective date of this ordinance is December 15, 2012.

NOW THEREFORE BE IT ORDAINED this ordinance is hereby adopted this the 10th day of December, 2012 by the Southside City Council.


Wally Burns, Mayor


Joey Jones, Council Member

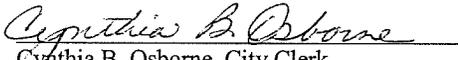

Kevin Stephens, Council Member


Don Steward, Council Member


John Hatley, Council Member

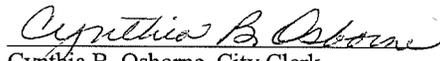

Randall Tallent, Council Member

ATTEST:


Cynthia B. Osborne, City Clerk

CERTIFICATION OF ADOPTION

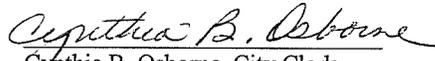
I hereby certify that the attached ordinance was duly adopted by the Southside City Council in regular session assembled on the 10th day of December 2012, and is recorded in the official minutes of the Southside City Council.


Cynthia B. Osborne, City Clerk

CERTIFICATION OF PUBLICATION

I, Cynthia B. Osborne, City Clerk for the City of Southside, Alabama, do hereby certify that this Ordinance was posted in three public places within the city of Southside and at the Southside City Hall beginning on the 11th day of December, 2012, in accordance with the provisions of Code of Alabama, 1975, Section 11-45-8.

Date: 12/11/12


Cynthia B. Osborne, City Clerk

Appendix F – Forms

Illicit Discharge Hotline Incident Tracking Sheet

Incident ID:				
Responder Information				
Call taken by:		Call date:		
Call time:		Precipitation (inches) in past 24-48 hrs:		
Reporter Information				
Incident time:		Incident date:		
Caller contact information (optional):				
Incident Location (complete one or more below)				
Latitude and longitude:				
Stream address or outfall #:				
Closest street address:				
Nearby landmark:				
Primary Location Description		Secondary Location Description:		
<input type="checkbox"/> Stream corridor (In or adjacent to stream)	<input type="checkbox"/> Outfall	<input type="checkbox"/> In-stream flow	<input type="checkbox"/> Along banks	
<input type="checkbox"/> Upland area (Land not adjacent to stream)	<input type="checkbox"/> Near storm drain	<input type="checkbox"/> Near other water source (storm water pond, wetland, etc.):		
Narrative description of location:				
Upland Problem Indicator Description				
<input type="checkbox"/> Dumping	<input type="checkbox"/> Oil/solvents/chemicals	<input type="checkbox"/> Sewage		
<input type="checkbox"/> Wash water, suds, etc.	<input type="checkbox"/> Other: _____			
Stream Corridor Problem Indicator Description				
Odor	<input type="checkbox"/> None	<input type="checkbox"/> Sewage	<input type="checkbox"/> Rancid/Sour	<input type="checkbox"/> Petroleum (gas)
	<input type="checkbox"/> Sulfide (rotten eggs); natural gas	<input type="checkbox"/> Other: Describe in "Narrative" section		
Appearance	<input type="checkbox"/> "Normal"	<input type="checkbox"/> Oil sheen	<input type="checkbox"/> Cloudy	<input type="checkbox"/> Suds
	<input type="checkbox"/> Other: Describe in "Narrative" section			
Floatables	<input type="checkbox"/> None:	<input type="checkbox"/> Sewage (toilet paper, etc)	<input type="checkbox"/> Algae	<input type="checkbox"/> Dead fish
	<input type="checkbox"/> Other: Describe in "Narrative" section			
Narrative description of problem indicators:				
Suspected Violator (name, personal or vehicle description, license plate #, etc.):				

Investigation Notes

Initial investigation date:

Investigators:

No investigation made

Reason:

Referred to different department/agency:

Department/Agency:

Investigated: No action necessary

Investigated: Requires action

Description of actions:

Hours between call and investigation:

Hours to close incident:

Date case closed:

Notes:

Appendix G – Standard Operating Procedures



**City of Southside
Sports Complex**

SOP #

1

Revision #

SOP Title

Use of Chemicals

Date

2020-2021

Standard Operating Procedure

1. Purpose

Following these SOP's will make sure the chemicals used are done correctly.

2. Introduction

All chemicals and cleaners should be used according to their labels and stored safely.

3. Scope

Any employees that has use of the chemicals/cleaners should always proceed by the SOP's.

4. Responsibilities

Every employee will conduct the use of chemicals/cleaners in the appropriate manner in which they are intended. Any employee responsible for spilling or over use of the chemical/cleaners, are responsible for clean-up and disposal.

5. Specific Procedure

During the process of cleaning, all chemicals/cleaners should always be in sight of the employee so no accidental/intentional misuse can be done.

6. Forms

Please use form provided to acknowledge that the above was read and understood.



**City of Southside
City Hall**

SOP #

2

Revision #

SOP Title

Use of Chemicals

Date

2020-2021

Standard Operating Procedure

1. Purpose

Following these SOP's will make sure the chemicals used are done correctly.

2. Introduction

All chemicals and cleaners should be used according to their labels and stored safely.

3. Scope

Any employees that has use of the chemicals/cleaners should always proceed by the SOP's.

4. Responsibilities

Every employee will conduct the use of chemicals/cleaners in the appropriate manner in which they are intended. Any employee responsible for spilling or over use of the chemical/cleaners, are responsible for clean-up and disposal.

5. Specific Procedure

During the process of cleaning, all chemicals/cleaners should always be in sight of the employee so no accidental/intentional misuse can be done.

6. Forms

Please use form provided to acknowledge that the above was read and understood.



**City of Southside
City Shop**

SOP #

3

Revision #

SOP Title

Use of Chemicals

Date

2020-2021

Standard Operating Procedure

1. Purpose

Following these SOP's will make sure the chemicals used are done correctly.

2. Introduction

All chemicals and cleaners should be used according to their labels and stored safely.

3. Scope

Any employees that has use of the chemicals/cleaners should always proceed by the SOP's.

4. Responsibilities

Every employee will conduct the use of chemicals/cleaners in the appropriate manner in which they are intended. Any employee responsible for spilling or over use of the chemical/cleaners, are responsible for clean-up and disposal.

5. Specific Procedure

During the process of cleaning, all chemicals/cleaners should always be in sight of the employee so no accidental/intentional misuse can be done.

6. Forms

Please use form provided to acknowledge that the above was read and understood.

Appendix H – MS4 Inventories

SOUTHSIDE MS4 ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE) PROGRAM

INSPECTED OUTFALLS

OUTFALL ID #	LOCATION	OUTFALL DESCRIPTION		RECEIVING WATER BODY	DATE INSPECTED	FLOW (YES/NO)	OUTFALL CHARACTERIZATION
		MATERIAL	MAJOR/MINOR				
Crest Lake Drive	X=-86.008 Y=33.941	2 - square concrete culverts	MINOR	Coosa River	8/17/2020	Trickle	UNLIKELY
Kay Drive	X=-86.03 Y=33.933	30" concrete pipe	MINOR	Coosa River	N/A	N/A	N/A
Madison Loop	X=-86.037 Y=33.927	earthen ditch	MINOR	Coosa River	8/17/2020	Trickle	UNLIKELY
Raintree Forrest	X=-86.04 Y=33.925	30" metal pipe	MINOR	Coosa River	8/17/2020	No	UNLIKELY
White Oak Drive	X=-86.056 Y=33.917	36" concrete pipe	MINOR	Coosa River	8/17/2020	No	UNLIKELY
River Run Road	X=-86.057 Y=33.917	24" concrete pipe/earthen ditch	MINOR	Coosa River	N/A	N/A	N/A
Miller Creek	X=-86.063 Y=33.902	3 - 24" concrete pipes	MINOR	Coosa River	8/27/2020	Trickle	UNLIKELY
River chase Drive	X=-86.063 Y=33.896	24" metal pipe	MINOR	Coosa River	8/27/2020	No	UNLIKELY
Meadow lake Drive	X=-86.052 Y=33.888	30" concrete pipe	MINOR	Coosa River	8/27/2020	No	UNLIKELY
Laura Lane	X=-86.04 Y=33.885	earthen ditch	MINOR	Coosa River	8/27/2020	No	UNLIKELY
Meadow Circle N	X=-86.039 Y=33.881	24" concrete pipe/earthen ditch	MINOR	Coosa River	N/A	N/A	N/A
Peninsula Point	X=-86.062 Y=33.869	24" concrete pipe	MINOR	Coosa River	N/A	N/A	N/A
Lake Mont Drive S	X=-86.052 Y=33.86	concrete flume	MINOR	Coosa River	8/27/2020	No	UNLIKELY
Leota Lake Dr N	X=-86.052 Y=33.858	30" concrete pipe	MINOR	Coosa River	N/A	N/A	N/A
Aqua point Way	X=-86.045 Y=33.86	earthen ditch	MINOR	Coosa River	N/A	N/A	N/A
Birdsong Drive	X=-86.034 Y=33.861	earthen ditch	MINOR	Coosa River	N/A	N/A	N/A
SS-13 Richland Way	X=-86.049 Y=33.891	2 - 30" concrete pipes	MAJOR	Coosa River	8/31/2020	No	UNLIKELY
SS-14 Hwy 77 / Bucks	X=-86.030 Y=33.885	square concrete culverts	MAJOR	Coosa River	8/31/2020	No	UNLIKELY
SS-5 Castle Drive	X=-86.021 y=33.941	culvert below water level	MAJOR	Coosa River	8/31/2020	No	UNLIKELY

**City of Southside
Municipal Facilities**

Facility Name	Address
City Hall	2255 Highway 77
Sports Complex	1450 Parker Anderson Lane
City Shop	2625 Sunset Drive