



ENVIRONMENTAL ASSISTANCE CENTER
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
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June 29, 2005

Certified Mail
7002-2410-0000-8267-1277

Mr. Tom Grant
Director of Public Works
City of Cleveland
474 2nd Street S.E.
Cleveland, TN 37364-1519

Re: Compliance Evaluation Inspection (CEI) Report
Cleveland Municipal Separate Storm Sewer System (MS4) – Phase II
NPDES Permit Number TNS075213
Bradley County, TN

Dear Mr. Grant:

On June 7, 2005, Mr. Mike Kelley of my staff performed a Compliance Evaluation Inspection of the City of Cleveland's storm water program. They met you as well as Ms. April Eidson, Mr. Brian Beck and Mr. Christopher Broom who provided information during the inspection. The purpose of the inspection was to evaluate the City's compliance with the terms and conditions of NPDES Permit Number TNS075213.

The City of Cleveland was required to develop a program as part of the Phase II storm water federal regulations. This requires the development of a storm water management program to improve water quality in receiving streams by controlling the quality and quantity of storm water runoff. The City's storm water program is part of the Public Works Department and is staffed by Storm Water Engineer and a GPS/GIS Technician. Support for this program is provided through the Engineering Department. The Division staff conducted this CEI by evaluating each element of the six minimum control measures that are included in your storm water management program.

Below is the CEI report. Please note that I have forwarded a copy of this report to EPA Region 4 in Atlanta.

June 29, 2005
Page 2
Cleveland MS4 CEI

Permit rating: Satisfactory.

The Field Office received the Notice of Intent (NOI) on March 10, 2003. The Field Office and the Central Office reviewed the NOI and issued the permit on July 3, 2003. NPDES Permit Number TNS075213 became effective on July 7, 2003 and it will expire on February 26, 2008.

Records and Reports rating: satisfactory.

The City has kept excellent records of all permit related activities. The records are well organized for easy retrieval and use. The City has kept the Division well informed of their major activities.

Compliance Schedule rating: satisfactory.

The City is working toward achieving the goals set in a timely manner. The City requested the amendment of BMP 3B, Inventory Storm Sewer System that delays the achievement of the goals by one year. The state approved this approach since the new system employed will result in a much more accurate and precise database. Additional changes to the BMP's shown in Attachment # 1 were also approved by the Division.

BMP 1 – Public Education and Outreach

BMP 1A – Erosion and Sediment Control Training – Rating: Satisfactory

Milestone Year 2 – Hold Level II UT Erosion and Sediment Control Design Class

Done on May 19 and 20, 2005.

BMP 1B – Classroom Education on Storm Water – Rating: Satisfactory

Milestone Year 2 – Execute agreement with Project Wet to certify teachers, storm water staff of Cleveland, and provide materials in accordance with approved Education Plan. Conduct 1st teacher certification course.

Done.

BMP 1C – Storm Water Education Materials – Rating: Satisfactory

Milestone Year 2 – Purchase storm water outreach materials, execute agreement with Waterworks for one year participation in statewide campaign, develop and distribute construction industry guidance documents, press releases on tax incentives of

June 29, 2005
Page 3
Cleveland MS4 CEI

conservation easements for development community. Develop storm water web page in with links on Cleveland's web site.

Basically completed. One problem is that Project Wet is not providing the teaching materials. Cleveland and Bradley County are actively pursuing this problem. The Storm Water Program has requested the assistance of the Tennessee Division of Water Pollution Control in helping resolve the Project Wet issue. There are many other Phase II MS4's that are utilizing Project Wet and having similar problems.

BMP 1D – Storm Water Quality/Pollution Prevention Presentations– Rating: Satisfactory

Milestone Year2 – Conduct 3 presentations appropriate to the audience.

Done. Waterworks program also being used to improve public awareness of storm water programs in the City of Cleveland and Bradley County.

BMP 1E – Publicize Household Hazardous Waste Days – Rating: Satisfactory

Milestone Year2 – Promote the Annual Household Hazardous Waste Collection Day.

Done

BMP 2 – Public Participation and Involvement

BMP 2A – Public Meetings – Rating: Satisfactory

Milestone Year 2 – Storm water Ad hoc Committee to present draft ordinance to City Council, conduct public hearing, amend, and present to Council for adoption. Council to appoint Storm water Regulations Board Members. Meetings conducted in accordance with ordinance.

Ordinance adopted. Process moving forward in accordance with ordinance. Once the Storm Water Ordinance was passed, an effort by a group of developers was initiated to rescind the Ordinance. The City Leadership has resisted this effort and has moved forward with implementation of the Ordinance and the Storm Water Program.

BMP 2B – Storm Water Advisory Committee – Rating: Satisfactory

June 29, 2005
Page 4
Cleveland MS4 CEI

Milestone Year 2 – Complete draft ordinance for presentation to City Council and conduct public hearing. 11/22/04 Storm water Regulations Board assumes process of oversight.

Ordinance adopted. Process moving forward in accordance with ordinance.

BMP 2C – Storm Water Quality Complaints and Referrals – Rating: Satisfactory

Milestone Year 2 – Develop database on the city server for input of water quality complaints to be readily entered by the Dept. of Community Development and Engineering Division/Storm water. The database shall include follow-up information, such as inspection date, and action taken.

Done.

BMP 2D – Stream Cleanup – Rating: Satisfactory

Milestone Year 2 – Conduct South Mouse Creek debris/waste removal from channel in 303d section through community partnerships.

Done

BMP 3 – Illicit Discharge Detection and Elimination

BMP 3A – Ordinance – Rating: Satisfactory

Milestone Year 2 – Present comprehensive draft ordinance to Planning Commission, City Council and TDEC. Conduct public hearing and propose adoption of ordinance.

Done.

BMP 3B – Storm Sewer System Inventory – Rating: Satisfactory

Milestone Year 2 – Complete 25% of Storm Sewer Inventory.

Done.

June 29, 2005
Page 5
Cleveland MS4 CEI

**BMP 3C – Illicit Discharge Identification and Enforcement Manual – Rating:
Satisfactory**

Milestone Year 2 – None.

**BMP 3D – Illicit Discharge Prevention-ACP Storm Drain Markers – Rating:
Satisfactory**

Milestone Year 2 – None.

BMP 4 – Construction Site Runoff Control Program

BMP 4A – Ordinance – Rating: Satisfactory

Milestone Year 2– Draft ordinance, conduct public hearings and adopt ordinance.

The City adopted the ordinance.

**BMP 4B – City Storm Water Staff-Certification and Water Quality Training – Rating:
Satisfactory**

Milestone Year 2 – Engineering-storm water staff, building inspectors, public works, and planning directors to obtain level two certification.

Done.

**BMP 4C – Land Disturbance Permit and Inspection – 303D Tracking – Rating:
Satisfactory**

Milestone Year 2 – Review site plans in accordance with storm water ordinance, determine presence of state waters. Develop written internal protocol for tracking priority construction. Implement and electronic storm water permit system incorporated with the existing building process to determine priority construction activity.

Ongoing.

**BMP 4D – Land Disturbance Permit and Procedures for Regulated Construction Industry
– Rating: Satisfactory**

June 29, 2005
Page 6
Cleveland MS4 CEI

Milestone Year 2 – None

BMP 5 – Post-Construction Runoff Control Program

BMP 5A – Ordinance – Rating: Satisfactory

Milestone Year 2 – Adopt Ordinance

Done.

BMP 5B – Adopt Post Construction-Minimum Requirements – Rating: Satisfactory

Milestone Year 2– Implement environmental planning component or post construction requirement of ordinance in site reviews to include green space, landscaping, stream buffer zones, and conservation easements in accordance with comprehensive storm water ordinance and Urban Forrester.

Started and continuing.

BMP 5C – Regional Detention Ponds – Rating: Satisfactory

Milestone Year2 – Execute funding agreement, develop scope of design for engineering services, and proceed with environmental assessment.

Started and continuing.

BMP 6 – Municipal Pollution Prevention and Good Housekeeping

BMP 6A – Employee Pollution Prevention Training and Municipal Operations BMP Manual – Rating: Satisfactory

Milestone Year 2 – Select best management practices specific to municipal operation or service. Develop draft municipal pollution prevention manual for internal review. Conduct in house training specific to each activity. Receive input and revise.

Started and continuing.

June 29, 2005
Page 7
Cleveland MS4 CEI

BMP 6B – Floatables Reduction – Rating: Satisfactory

Milestone Year 2 – Purchase and install ten (10) containers along stream greenways and public areas.

Done and plans for program to be expanded.

BMP 6C – Floatables – Trash/Litter Reduction – Rating: Satisfactory

Milestone Year 2 – Continue to reduce floatables, debris, etc.

Continuing via Community Service projects, city and county courts Community Service, additional and better-directed street sweeping, etc.

Recommended Actions

The following actions are recommended to improve the City's program.

- Hire additional personnel for more frequent inspections.
- Continue to work with Bradley Co. to continue needed level of Operation and/or Project Wet activities.

The Division would like to thank you, Ms. Eidson, Mr. Beck, and Mr. Broom for their time and assistance during our inspection. If you have any questions concerning either our inspection or this report, please contact Mr. Kelley (423) 634-5745.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard D. Urban". The signature is written in a cursive style with a large, looping initial "R".

Richard D. Urban, Ph.D.
Manager
Division of Water Pollution Control