2024

STORMWATER MANAGEMENT PLAN

June 2024

The City of Mandeville
Stormwater Discharges from Small Municipal Separate Storm Sewer System (MS4)

Submitted to:
Louisiana Department of Environmental Quality
Enforcement Division
Office of Environmental Compliance

THE CITY OF MANDEVILLE
3101 EAST CAUSEWAY APPROACH
MANDEVILLE, LOUISIANA 70448
AGENCY INTEREST NO: AI 108432

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INTRODUCTION

In 1972, the Federal Water Pollution Control Act was passed with the intent to eliminate the discharge of pollutants into navigable waters, to protect and propagate shellfish and wildlife, to provide for recreation in or on the waters of the nation, and to prohibit the discharge of toxic pollutants in concentrations which would impair the multiple uses of all waters. Over the next thirty years, various legislation was enacted that addressed aspects of both point source and non-point source (NPS) pollution. By 1994, the "National Water Quality Inventory" indicated that stormwater discharges from sources such as separate storm sewers, construction sites, waste disposal sites, and resource extraction activities were major causes of water quality impairment.

The National Pollutant Discharge Elimination System (NPDES) Phase I Stormwater regulations were developed in response to the 1987 Amendments to the Clean Water Act (CWA). Under Phase I, the Environmental Protection Agency (EPA) mandated medium and large municipal separate storm sewer systems (MS4) located in incorporated communities or counties with populations of 100,000 or more to permit their stormwater discharges with the intent to produce significant reductions in pollutant discharges and improvement in surface water quality. Municipal separate storm sewer systems include stormwater conveyance through means of subsurface piping, catch basins, ditches, man-made canals and/or storm drains owned or operated by a public body, designed or used for collecting and conveying stormwater, is not a combined sewer and is not part of a publicly owned treatment works. Ultimately, federally mandated Phase II Stormwater Regulations were passed to address the small MS4s (serving less than 100,000 persons).

Effective February 2000, small MS4 operators in urbanized areas and construction sites that disturb one to five acres became regulated. EPA believes that the implementation of minimum control measures identified for small MS4s should significantly reduce pollutants in urban stormwater compared to existing levels.

The City of Mandeville (City) is located in the southeast region of Louisiana and is home to approximately 13,000 residents. The city is an operator of a Small Municipal Separate Storm Sewer System. A list and map of drainage canals within the city can be found in Appendix A.

Louisiana Pollutant Discharge Elimination System (LPDES) Permit, No. LAR040000 (Appendix B) was issued to the City and renewed by the Louisiana Department of Environmental Quality on November 20, 2023, to permit discharge from all portions of the City of Mandeville MS4 to waters of the United States. The permit became effective November 20, 2023.

The LPDES MS4 Permit required the City to develop a MS4 Stormwater Management Program Plan (SWMP) and to submit annual reports documenting implementation of the plan. Modifications to this MS4 Program Plan are expected throughout the life of the permit. This SWMP outlines the requirements for each of six required program components, known as minimum control measures (MCM). These control measures include the following:

- Public Education and Outreach on Stormwater Impacts
- Public Involvement and Participation
- Illicit Discharge Detection and Elimination
- Construction Site Stormwater Runoff Control

- Post-Construction Stormwater Management in New Development and Redevelopment
- Pollution Prevention/Good Housekeeping for Municipal Operations

Each minimum control measure section of this stormwater management plan includes best management practices which identify selected activities that the city will implement and the measurable goals for each of the best management practices. Measurable goals are identified to aid in the assessment of plan implementation and progress all in accordance with measures described in General Permit Number LAR040000, AI 108432, Part IV D.

The actions and programs listed in the following sections should continue to occur during every year of the permit cycle. Measures implemented during each reporting period will be documented in the corresponding MS4 Annual Report.

CITY CONTACT INFORMATION

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SECTION 1 MINIMUM CONTROL MEASURE 1
PUBLIC EDUCATION AND OUTREACH ON STORMWATER IMPACTS

1.1 Introduction

Community support is critical to ensure the success of any stormwater management program and the implementation of watershed management practices. Educational activities are not only an important part of the stormwater management program but are required by the MS4 permit.

To promote watershed stewardship and awareness of nonpoint source pollution, the city will distribute educational materials to the community (either indirectly or directly) and/or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff. These efforts are intended to encourage City citizens to play an active role in protecting local water resources.

1.2 Selected Activities and Best Management Practices

1.2.1 Policies and Ordinances

The City will continue tracking and responding to citizen complaints and concerns. These complaints and concerns are received in a number of ways including through the city website, telephone calls, emails and verbal communication with City officials.

1.2.2 Household and Business Hazardous Waste Education and Minimization

The City employs staff to address municipal solid waste, universal waste and hazardous waste issues. The staff also addresses employee awareness and community education by seeking partnerships with community recycling programs, school systems, local homeowners, businesses or industrial associations to develop public outreach programs.

The city will make efforts to educate businesses about the proper City and Federal guidelines on the disposal of grease and other illicit discharges. The city will identify businesses receiving complaints on disposal of grease, oils or other illicit discharges and will provide educational material for best management practices that address the storage, disposal, and spills.

The City maintains a contract for garbage, green waste and recycling pickups in residential areas. Each service is picked up one time per week. Residents can call the company directly for any special pickups needed. Information for residents can be found on the city website with links to the provider's website.

1.2.3 Illicit Discharge Education

Information on best management practices, alternative options of best management practices and proper disposal techniques for non-stormwater discharges will be made available to businesses via City website, City social media pages, flyers and/or public notices.

1.2.4 City Stormwater Web Page Maintenance

Stormwater related information will be available on the City's website for the general public. The site may contain links to EPA, LDEQ, and other relevant web pages related to stormwater pollution, MS4, and TMDLs. The City's stormwater management ordinance(s), SWMP, annual reports, and LPDES permit(s), will also be posted on the website.

1.3 Measurable Goals

- Distribute educational materials at a minimum of one event per year.
- Hold one school field trip or provide one in-school presentation on point and non-point pollution impact on water quality per year.
- Make trash pick-up and recycling information available to the public on the city website and/or social media and verify information on the city website once per year throughout the permit term.
- Conduct a Household Hazardous Materials Collection event once per year.
- Solicit once per year for local business or local groups to clean a selected area 4 times per year for a 2-year period.
- Maintain pet waste receptacles once per week throughout the permit term.
- Update the City website annually throughout the entire permit term with links to the final MS4 Program Plan and Annual Report.

SECTION 2 MINIMUM CONTROL MEASURE 2
PUBLIC INVOLVEMENT AND PARTICIPATION

2.1 Introduction

The Public Involvement and Participation minimum control measure focuses on activities specifically involving the public in the development, implementation, and evaluation of the local stormwater management program. Involving the public and stakeholders early on in the stormwater management planning process should improve support for programs as parties should be able to voice their concerns and suggestions for the program.

The City of Mandeville is committed to meeting public notice requirements regarding implementation of the LPDES permit. These commitments include ensuring that citizens have an opportunity to review and comment on the MS4 Program Plan and ensuring that citizens have access to the City's annual compliance reports.

2.2 Selected Activities and Best Management Practices

2.2.1 Public Notice and Participation

Providing an opportunity for public input should allow the city to take advantage of the knowledge of residents and ensure that stormwater management efforts have the support of the community. The City of Mandeville will ensure these efforts reach the public and stakeholders including but not limited to commercial and industrial businesses and associations, environmental groups, homeowner's associations, and educational institutions. The city is also committed to complying with local, state, and federal public notice requirements for local ordinances or legislative actions related to the stormwater management program.

2.2.2 Outreach Event Participation

The city encourages staff and the public to become more actively involved in helping clean the environment by promoting and sponsoring local litter clean-up efforts (such as Adopt a Spot and Krewe of Green Cleanup Events). Promotional activities will include information sent via public notices, websites, educational brochures, and/or social medial sites.

2.3 Measurable Goals

- Conduct 2 community litter clean up events per year.
- Conduct a public hearing for major updates/revisions to the Stormwater Management Plan once per permit term.
- Respond to 100% of dumping and drainage complaints submitted by residents on the City's website.

SECTION 3 MINIMUM CONTROL MEASURE 3
ILLICIT DISCHARGE DETECTION AND ELIMINATION

3.1 Introduction

This section provides background information on the regulatory aspects of reducing illicit discharges as well as general requirements outlined in the LPDES General Permit No. LAR040000. Illicit discharges include waste and wastewater from non-stormwater sources. Allowable non-stormwater discharges are identified in Part 1 Section C Allowable Non-Storm Water Discharges of the permit are allowed unless otherwise specified by ordinance. Illicit discharges enter the collection system through either direct connections such as piping mistakenly or deliberately connected to the storm drains or indirect connections such as infiltration into the MS4 from cracked sanitary sewer pipes. The purpose of this Program is to develop, implement and enforce procedures and practices by the City of Mandeville to address potential pollutants generated by the discharge of non-stormwater.

3.2 Selected Activities and Best Management Practices

3.2.1 Policies and Ordinances

The city will continue to provide scheduled garbage collection and enforce the following ordinances:

- *Chapter 9 Health and Sanitation Article I- In General, Section 9-1 through Sec. 9-8*
- *Chapter 9 Health and Sanitation Article II- Garbage and Trash, Section 9-19 through Section 9-33*
- *Chapter 9 Health and Sanitation Article III- Removal of Offensive Conditions, Section 9-41 through Section 9-55*
- *Chapter 9 Health and Sanitation Article IV- Distribution of Printed Matter, Section 9-56 through Section 9-62*

3.2.2 Illicit Discharge and Illegal Connection Prevention

The city will audit, review and make applicable changes to the Code of Ordinances that prohibits illicit discharges, inappropriate dumping and illegal connections to the stormwater collection system as necessary. The ordinance classifies illicit discharges as a civil violation and establishes legal authority to carry out inspection, monitoring and enforcement procedures necessary to ensure compliance.

The city will also verify that all contractors applying herbicides, pesticides and/or fertilizers are certified with the Louisiana Department of Agriculture and Forestry.

3.2.3 Illicit Discharge and Illegal Connection Identification

Known outfall locations will be visually inspected at least once per permit term during periods of dry and wet weather. Irregularities (foam, color, smell, etc.) will be documented and the city will make efforts to identify and eliminate the source of the irregularity. A flow chart outlining illicit discharge inspection procedures is presented in Appendix C. If significant visual evidence of potential dry weather pollution is discovered during the windshield screening, then a dry weather survey of the sub-basin will be conducted using the illicit discharge inspection (dry weather survey) checklist (Appendix D) and the city will make efforts to identify and eliminate the pollutant source.

The city will also monitor the sewer collection system for leaks that may drain into the stormwater system. Pipes found to be leaking will be repaired.

3.2.4 Response to Illicit Discharges and Illegal Connections

Resident concerns and complaints regarding hazardous spills and sewer overflows will be addressed with a site visit from City personnel. If known, the start time, cause, estimated volume of discharge, repair methods, and the time the repair of the incident was completed will be documented. Responses to hazardous spills will be responded to by the Fire Department and/ or the Department of Public Works in accordance with the established policies and procedures outlined in Appendix E. The City will also respond to citizen concerns or complaints of accumulated trash and litter.

3.3 Measurable Goals

- Verify all contractors applying pesticides and herbicides are certified from the Louisiana Department of Agriculture and Forestry.
- Record and respond to 100% of reported hazardous spills.
- Record and respond to 100% of all known sewer overflows.
- Maintain one sewer point repair contract and track and report all quantities per year.
- Conduct visual screening of all major outfalls once per permit term.
- Inspect all sewer lift stations in the city bi-weekly.
- Sample monthly for Escherichia Coli and/or Enterococci at Coquille, Little Bayou Castine, Big Bayou Castine, and Chinchuba once per month.
- Monitor vegetative growth in wetlands used for assimilation once per year.

SECTION 4 MINIMUM CONTROL MEASURE 4
CONSTRUCTION SITE STORMWATER RUNOFF CONTROL

4.1 Introduction

Erosion of construction sites can cause sediment to enter runoff and contribute to pollutants entering local waterbodies. Reducing the volume of runoff flowing over disturbed areas of construction sites along with removing sediment from the site helps to reduce the amount of pollutants leaving the site and entering storm drains.

The outlines presented below have been prepared to assist in notification procedures and training of The City of Mandeville staff in the inspection of construction sites disturbing one (1) or more acres of land. This section provides background information on the regulatory aspects of controlling stormwater pollution from construction sites to reduce the risk of pollutants from construction sites contaminating local waterbodies.

4.2 Selected Activities and Best Management Practices

4.2.1 Policies and Ordinances

Building permit applications will be reviewed to determine if construction sites require an LDEQ stormwater permit. Per Article 13 Section 13.1.9 Control of Erosion and Sedimentation of the Code of Ordinances, submittals from the owner or his agent shall include measures to minimize runoff, utilize sediment basins, and retain natural vegetation. The development should be designed to fit the landscape to minimize erosion. Temporary vegetation and mulch should be used on exposed areas, and permanent solutions should be installed as soon as possible. The exposed land area should be minimized, and exposure time should be kept as short as possible. a drainage report with any plans for erosion and sedimentation control. A guide to developing a Stormwater Pollution Prevention Plan for construction sites can be found on the EPA's website (EPA Developing a SWPPP). The referenced Code of Ordinances can be found in Appendix F.

4.2.2 Best Management Practices for Construction Sites

The city will consider the following procedures acceptable as pollutant mitigation efforts for construction sites:

- Stabilization practices including temporary and permanent stabilization (e.g. seeding, shielding soil surface, etc.)
- Structural controls (e.g. silt fences, earthen dikes, etc.)
- Pesticide, herbicide, construction chemical, hazardous waste and construction waste management (e.g. proper storage, handling and disposal)
- Petroleum products management (e.g. monitoring on-site vehicles for leaks; lining petroleum storage area with impervious plastic sheeting, etc.)
- Solid waste management (e.g. maintaining dumpster area, capping dumpsters, etc.)
- Truck Washout (e.g. prohibiting trucks from discharging surplus concrete on site)
- Off-site vehicle traffic (e.g. stabilization of construction entrances, covering of dump trucks hauling material to and from site, etc.)

4.2.3 Inspection and Enforcement Procedures

The City of Mandeville will complete a Construction Inspection Checklist (Appendix G) for developments greater than one (1) acre. During the initial construction site inspection, City personnel will meet with the individual in charge of the site who will identify the person(s) responsible for the implementation and maintenance of construction site best management practices. Additionally, City personnel and the person(s) in charge of the stormwater pollution prevention plan will confirm the following information:

- Total area to be disturbed by the construction project.
- Construction timing and phasing.
- Sources of potential stormwater contamination (e.g., storage areas);
- Best Management Practices used at the site; and
- Outfall location and receiving waters.

Deficiencies which could increase the risk of pollutants entering the stormwater system will be identified, photographed and included in the checklist. Actions taken to rectify deficiencies will be documented.

The city will periodically conduct training for their personnel that perform construction site inspections. The training program addresses pollution control laws and regulations, construction site runoff pollution prevention practices and development of stormwater pollution prevention plans.

Per the City Code of Ordinances Appendix A- Comprehensive Land Use Regulation Ordinance, Article 1 Section 1.9 Enforcement, Violations and Penalty Provisions, the Planning Director, Building Inspector, and Public Works Director are responsible for enforcing the regulations through inspections and can request assistance from the police. Residents can file complaints with the Building Inspector if they suspect a violation. The ordinance holds the owner, user, and anyone who contributed to the violation responsible. The Building Inspector can request compliance information from property owners. Finally, violations are considered misdemeanors and carry a fine. Each day of non-compliance is considered a separate offense. The referenced Code of Ordinances can be found in Appendix F.

4.3 Measurable Goals

- Train City personnel on construction site run-off pollution prevention practices once per permit term.
- Review all site plans one acre or larger prior to construction for use of control measures (BMP's).
- Perform initial and final drainage inspections at all permitted construction sites in the City throughout the entire permit term.

SECTION 5 MINIMUM CONTROL MEASURE 5
POST CONSTRUCTION STORMWATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

5.1 Introduction

Limiting the permissible post construction runoff in new developments reduces the risk of pollutants reaching waterbodies. If unchecked, the increased impervious surface area associated with new developments may increase stormwater volume and degrade water quality. Innovative site designs that reduce imperviousness help achieve the goals of reducing flows and improving water quality.

The City of Mandeville is committed to these goals. The City will also make outreach efforts to educate public and private entities on best management practices for new developments.

5.2 Selected Activities and Best Management Practices

5.2.1 Policies and Ordinances

The City of Mandeville Code of Ordinances Section 5.4.4.9 Development Permit Application Requirements for Non-Residential and Multi-Family Development requires all development(s) over one (1) acre shall submit a drainage plan and hydrologic report showing pre-development and post-development watershed calculations. Article 13 Section 13.2.3 Stormwater Drainage Requirements outlines detailed requirements for stormwater drainage in new subdivisions within the City of Mandeville. The developer must submit a drainage report by a licensed engineer to demonstrate the ability of existing channels and new improvements to handle increased runoff. The plan must consider upstream and downstream impacts, avoiding overloading existing systems or causing damage to neighboring properties. Development in floodplains may be restricted, and natural drainage channels should be preserved whenever possible. The ordinance also specifies easement requirements for drainage facilities, obligating developers to dedicate land for drainage purposes. Finally, the ordinance outlines the responsibility of the developer for stormwater disposal, including potential connection to public storm sewer systems and maintenance of drainage channels. The Codes of Ordinances referenced can be found in Appendix F.

5.2.2 Public Outreach

The City Code of Ordinances will continue to be accessible at the City website throughout the entire permit term.

City planners will be available during office hours to answer the owner or owner's representative questions about site development.

5.3 Measurable Goals

- Review drainage calculations, construction plans and specifications from the owner or owner's representative of new development projects that are one acre or greater as needed.
- Conduct post-construction site stormwater management training for City personnel once per permit term.
- Inspect all construction sites to ensure that stormwater controls were built as designed.

SECTION 6 MINIMUM CONTROL MEASURE 6 POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

6.1 Introduction

The pollution prevention and good housekeeping minimum control measure outlines activities that ensure municipal facilities and operations are managed in ways that will minimize contamination of stormwater discharges emanating from these facilities. This measure requires the city to examine its own actions to help ensure a reduction in the amount and type of pollution that collects on roadways, parking lots, open spaces, storage vehicles and vehicle maintenance areas, City owned facilities and other City owned or leased operations that discharge into local waterways. The City of Mandeville will implement the methods outlined below to meet the goal of reducing the risk of pollutants contaminating waterbodies.

6.2 Selected Activities and Best Management Practices

6.2.1 Policies and Ordinances

Worn tires and batteries of City vehicles are currently sent to facilities that will reclaim or recycle these materials.

The City currently employs grass cutting servicemen that are required to properly dispose of debris and litter within City properties. Contracted grass cutting services are required to comply with HUD Environmental Procedures (24 CFR Part 58) as it pertains to the National Environmental Policy Act of 1969, amended (40 CFR Part 1500-1508) along with state and local ordinances.

City contracts for disposal of waste removed from the MS4 and municipal operations shall ensure that all contractors dispose of waste properly in accordance with all local, state, and federal regulations.

6.2.2 Hazardous Chemical Storage, Handling and Disposal

The City of Mandeville will host Good Housekeeping training for relevant employees in the Public Works Department regarding the storage, handling and disposal of hazardous chemicals. This will reduce the risk of hazardous chemical spills reaching the storm drain system due to improper handling and containment procedures.

Chemicals stored by the city will be indoors in an environment recommended by the manufacturer. Material Safety Data Sheets for hazardous materials are available to City personnel at applicable facilities.

6.2.3 Pollutant Assessment

The City of Mandeville will assess properties owned or operated by the City that have the potential for contaminate exposure (storage yards, fleet and maintenance shops, waste transfer stations, etc.) for potential sources of pollutants of concern.

6.2.4 Multi-Sector General Permits and LPDES Individual Permits

The City of Mandeville will maintain a list of City -owned facilities that have Multi-Sector General Permits or an LPDES Individual Permit. The list will be updated with each major update of the

Storm Water Management Plan. The list will provide an inventory of City -owned facilities that may require additional storm water controls such as Spill Prevention, Control, and Countermeasure (SPCC) Plans, Storm Water Pollution Prevention Plans (SWPPP), or inspections.

AI	NPDES/LPDES Permit No.	Name	Physical Address	Mailing Address
19420	LA0038288	Mandeville City of - Wetlands Assimilation Project	1100 Mandeville High Blvd Mandeville, LA 70448	3101 E Causeway Approach Mandeville, LA 70448

6.2.5 Annual Assessment of Stormwater Management Program

An annual review will be conducted to evaluate the effectiveness of the SWMP annually and updates will be made to any performance measures that are not effective. The City of Mandeville will meet annually with all stakeholders to review the effectiveness of the plan and make any revisions needed.

6.3 Measurable Goals

- Develop and update Spill Prevention, Control and Countermeasure Plans for City facilities as required by LDEQ.
- Develop and update Storm Water Pollution Prevention Plans for City facilities as required by LDEQ.
- Train City personnel on hazardous waste disposal, spill cleanup, stormwater hazards and pollution prevention once per permit term.
- Inspect all City facilities for good housekeeping practices once per permit term.
- Clean major corridors and thoroughfares once per year.
- Conduct an annual assessment of the SWMP for effectiveness.

APPENDIX A

Map and List of Canals

CANAL OUTFALLS MAINTAINED BY THE CITY OF MANDEVILLE

1. Markie Outfall
2. Dorado Outfall
3. Garden Ave. Outfall
4. Sanctuary Main Outfall
5. Woodstone Outfall
6. Mandeville High Outfall
7. W Causeway Outfall
8. St. Ann Outfall
9. Nicholas Outfall
10. Elm Outfall
11. Esquinance Outfall
12. Monroe Outfall
13. Galvez Outfall
14. Massena Outfall
15. Ravine Au Coquille Outfall
16. Little Bayou Castine Outfall
17. Albert St. Outfall
18. Villere Outfall


Markie Outfall
Dorado Outfall
Garden Ave Outfall
St Ann Outfall
Sanctuary Main Outfall
Woodstone Outfall
W Causeway Outfall
Mandeville High Outfall
Nicholas Outfall
Elm Outfall
Esquinance Outfall
Galvez Outfall
Monroe Outfall
Massena Outfall
Mandeville Trailhead
Ravine Au Coquille Outfall
Mandeville
Mandeville Lakefront
Villere Outfall
Northlake Natur
Little Bayou Castine Outfall
Albert St Outfall

APPENDIX B

LPDES Permit No. LAR040000

DEQ
LOUISIANA

GENERAL PERMIT FOR DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

AI 94338/ PER20220001
MASTER GENERAL PERMIT NO. LAR040000
AUTHORIZATION TO DISCHARGE UNDER THE
LOUISIANA POLLUTANT DISCHARGE ELIMINATION SYSTEM

Pursuant to the Clean Water Act, as amended (33 U.S.C. 1251 et seq.), and the Louisiana Environmental Quality Act, as amended (La. R.S. 30:2001, et seq.), rules and regulations effective or promulgated under the authority of said Acts, this Louisiana Pollutant Discharge Elimination System (LPDES) General Permit is reissued. Except as provided in Part I.D of this permit, those operators of storm water discharges from small municipal separate storm sewer systems in the State of Louisiana who submit a completed Notice of Intent and a Storm Water Management Plan in accordance with Part II of this permit, and are approved for coverage, are authorized under this general permit.

This permit shall become effective on November 20, 2023

This permit and the authorization to discharge shall expire five (5) years from the effective date.

Issued on November 20, 2023

Bliss M. Higgins
Assistant Secretary

LPDES GENERAL PERMIT
DISCHARGES FROM
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

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PART I
COVERAGE UNDER THIS PERMIT

A. Permit Area

This permit covers all areas, except agricultural lands, of the State of Louisiana that are served by regulated small municipal separate storm sewer systems (small MS4s).

B. Eligibility

1. This permit authorizes discharges of storm water from a regulated small MS4 as defined in LAC 33:IX.2511.B.16 and LAC 33:IX.2519, as stated below.

   The MS4 systems which are required to obtain permit coverage include:

   a. In urbanized areas (UAs), all core cities, plus any other MS4 systems operating within the UA unless specifically waived by the state administrative authority;

   b. Outside UAs, MS4 systems serving populations of 10,000 to 50,000 and a population density of at least 1,000 persons per square mile which have been "designated" by the state administrative authority. Other MS4 systems may be designated by the Director in response to a petition or as needed to protect water quality.

From LAC 33:IX.2511.B.16: *Small Municipal Separate Storm Sewer System - a municipal separate storm sewer system that:*

a. is owned or operated by the United States, a state, city, town, borough, county, parish, district, association, or other public body (created by or in accordance with 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 state;

b. is not defined as a large or medium municipal separate storm sewer system in accordance with Paragraph B.4 and 7 of this Section [2511]*, or designated under Subparagraph A.1.e of this Section* [2511]*; and*

c. 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.

From LAC 33:IX.2519:

As an operator of a small MS4, am I regulated under the LPDES Storm Water Program?

A. Unless you qualify for a waiver under Subsection C of this Section [2519], *you are regulated if you operate a small MS4 including, but not limited to, systems operated by federal, state, tribal, and local governments, including state departments of transportation, and:*

1. your small MS4 is located in an urbanized area as determined by a prior (this section differs from current LAC regulations) *Decennial Census by the Bureau of the Census. (If your small MS4 is not located entirely within an urbanized area, only the portion that is within the urbanized area is regulated); or*

2. you are designated by the state administrative authority, including where the designation is based upon a petition under LAC 33:IX.2511.F.4.

B. You may be the subject of a petition to the state administrative authority to require an LPDES permit for your discharge of storm water. If the state administrative authority determines that you need a permit, you are required to comply with LAC 33:IX.2521-2525.

C. The state administrative authority may waive the requirements otherwise applicable to you if you meet the criteria of Subsection D or E of this Section [2519]. *If you receive this waiver, you may subsequently be required to seek coverage under an LPDES permit in accordance with LAC 33:IX.2521.A if circumstances change.*

D. The state administrative authority may waive permit coverage if your MS4 serves a population of less than 1,000 within the urbanized area and you meet the following criteria:

1. your system is not contributing substantially to the pollutant loadings of a physically interconnected MS4 that is regulated by the LPDES storm water program; and

2. if you discharge any pollutant(s) that have been identified as a cause of impairment of any water body to which you discharge, storm water controls are not needed based on wasteload allocations that are part of a department-established total maximum daily load (TMDL) that addresses the pollutant(s) of concern.

E. The department may waive permit coverage if your MS4 serves a population under 10,000 and you meet the following criteria:

1. the department has evaluated all waters of the state, including small streams, tributaries, lakes, and ponds, that receive a discharge from your MS4;

2. *for all such waters, the department has determined that storm water controls are not needed based on wasteload allocations that are part of a TMDL established by the department or by EPA and approved by EPA that addresses the pollutant(s) of concern or, if a TMDL has not been developed or approved, an equivalent analysis that determines sources and allocations for the pollutant(s) of concern;*

3. *for the purpose of this Subsection, the pollutant(s) of concern include biochemical oxygen demand (BOD), sediment or a parameter that addresses sediment (such as total suspended solids, turbidity, or siltation), pathogens, oil and grease, and any pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from your MS4; and*

4. *the department has determined that future discharges from your MS4 do not have the potential to result in noncompliance with water quality standards, including impairment of designated uses, or other significant water quality impacts, including habitat and biological impacts.*

C. Allowable Non-Storm Water Discharges

The following non-storm water sources may be discharged from the MS4 and are **not** required to be addressed in the MS4's Illicit Discharge Detection and Elimination plan or other minimum control measures, provided that they have been determined by permittees to not be substantial sources of pollutants to the MS4:

- Discharges or flows from firefighting activities (excludes predictable and controllable discharges from a firefighting training facility)
- Fire hydrant flushings
- Potable water including: water line flushings using potable water, drinking fountain overflows, lawn watering runoff, and similar sources of potable water
- Uncontaminated air conditioning or compressor condensate
- Residual street wash water and pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed)
- Routine external building wash down which does not use detergents
- Drainage from landscape watering
- Rising ground waters
- Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20))
- Uncontaminated pumped ground water
- Foundation drains
- Irrigation water
- Uncontaminated spring water
- Water from crawl space pumps
- Footing drains
- Water from individual residential car washing

- Flows from riparian habitats and wetlands
- Dechlorinated swimming pool discharges
- Other similar occasional incidental discharges (for example, non-commercial or charity car washes) where such discharges will not cause a problem either due to the nature of the discharge or controls the MS4 places on the discharge. Permittees must identify all types of discharges that will be allowed as occasional incidental discharges and must specify those discharges in the storm water management plan.

D. Limitations on Coverage

The following discharges, whether discharged separately or commingled with municipal storm water, are not authorized by this permit:

1. Storm water discharges that are mixed with non-storm water or storm water associated with industrial activity unless such discharges are:

   a. In compliance with a separate LPDES permit, or

   b. Identified by and in compliance with Part I.C of this permit.

2. Discharges of material resulting from a spill. Where discharge of material resulting from a spill is necessary to prevent loss of life, personal injury, or severe property damage, permittees shall take, or ensure the responsible party for the spill takes all reasonable steps to minimize or prevent any adverse effects on human health or the environment. This permit does not transfer liability for a spill itself from the party(ies) responsible for the spill to the permittees nor relieve the party(ies) responsible for a spill from the reporting requirements of LAC 33:I.Chapter 39 (40 CFR Part 117 and 40 CFR Part 302).

3. Storm water discharges whose direct, indirect, interrelated, interconnected, or interdependent impacts are likely to have adverse effects upon endangered or threatened species, or on the critical habitat for these species as determined in conjunction with the U.S. Fish and Wildlife Service (USFWS).

4. Storm water discharges or implementation of your storm water management plan, which adversely affect properties listed or eligible for listing in the National Register of Historic Places, unless you are in compliance with requirements of the National Historic Preservation Act (NHPA) and any necessary activities to avoid or minimize impacts have been coordinated with the Louisiana State Historic Preservation Officer (SHPO). (For questions, the operator should contact the Section 106 Review Coordinator, Louisiana Office of Cultural Development, P.O. Box 44247, Baton Rouge, LA 70804-4247, telephone (225) 342-8160.

5. Storm water discharges into any water body for which a TMDL has been approved if the storm water discharges do not comply with Part III.B of this permit.

6. Any new source or new discharge containing the pollutants of concern to a 303(d)-listed water body where a TMDL has not been approved unless allowed under LAC 33:IX.2317.A.9. You may be eligible under this section [2317] if you comply with Part IV.H of this permit.

E. Permittee Responsibilities

1. Permittees are responsible for:

   a. Compliance with permit conditions relating to discharges from portions of the MS4 where the permittee is the operator;

   b. Storm Water Management Program (SWMP) implementation in portions of the MS4 where the permittee is the operator (including developing and implementing clear, specific, and measurable goals and best management practices (BMPs) used to satisfy the control measures identified in Part IV.D.1-6); examples of clear, specific, and measurable goals and BMPs include BMP design requirements, performance requirements, adaptive management requirements, schedules for implementation and maintenance, and frequency of actions (for examples, see EPA guidance document *Measurable Goals Guidance for Phase II Small MS4s* found at https://www3.epa.gov/npdes/pubs/measurablegoals.pdf);

   c. Compliance with annual reporting requirements as specified in Part V.C and a response to LDEQ comments within 60 days of receipt of annual report review;

   d. Collection of representative wet weather monitoring data required by Part V.A, according to such agreements as may be established between permittees; and

   e. A plan of action to assume responsibility for implementation of storm water management and monitoring programs in its portion of the MS4 should interjurisdictional agreements allocating responsibility between permittees be dissolved or in default. **This plan of action must be in place within 6 months of the permit issuance date and any new plans or changes to existing plans must be attached to the revised SWMP and provided along with the next annual report submittal.**

2. Permittees are jointly responsible for permit compliance in portions of the MS4 where operational or SWMP implementation authority over portions of the MS4 is shared or has been transferred from one permittee to another in accordance with legally binding agreements. **Any co-permittee relying on another co-permittee or co-permittees to satisfy its permit obligations must have an interagency agreement in place within 6 months of the permit issuance date. A copy of the**

agreement must be attached to the revised SWMP and provided along with the next annual report submittal.

3. Within 90 days of transfer of ownership, operational control, or responsibility for SWMP implementation, the MS4 must have developed a plan for implementing the SWMP. Implementation of the SWMP in new areas must be done as expeditiously as possible, but no later than 3 years from addition of the new area.

F. Obtaining Authorization

For general permits issued under LAC 33:IX.2515.B for small MS4s, the state administrative authority (LDEQ) will establish the terms and conditions necessary to meet the requirements of LAC 33:IX.2523 using the two-step permitting approach as described in LAC 33:IX:2515.B. After issuing the general permit, the state administrative authority may establish through a second permitting step additional permit terms and conditions for each MS4 seeking authorization to discharge under the general permit. These additional terms and conditions supplement the requirements of the general permit, resulting in a complete permit meeting the maximum extent practicable (MEP) permit standard for each MS4 permittee under the general permit. In the second permitting step, the state administrative authority satisfies its obligation to review the NOI for adequacy and determines what additional requirements are needed for the MS4 to meet the MEP permit standard. Once the NOI is determined to be administratively and technically complete, the state administrative authority will initiate the public noticing process. Public noticing provides an opportunity for the public to submit comments and to request a hearing. Upon completion of this process, LDEQ will notify the MS4 by means of an LPDES permit authorization letter of the authorization to discharge, subject to the terms of the general permit and the additional requirements that apply individually to that MS4. **Once accepted, the SWMP and any other additional conditions identified in the LPDES permit authorization letter become enforceable parts of the permit authorization.**

In accordance with LAC 33:IX.2515.B.2.h.ii, the state administrative authority includes required permit terms and conditions in the general permit applicable to all eligible small MS4s, and during the process of authorizing small MS4s to discharge, the state administrative authority may establish additional terms and conditions not included in the general permit to satisfy one or more of the permit requirements in LAC 33:IX.2523 for small MS4 operators. If the state administrative authority deems that additional terms and conditions are necessary for the small MS4 to meet MEP standards or address TMDL requirements, these enforceable terms and conditions will be included in the letter of authorization.

The state administrative authority shall review the Notice of Intent (NOI) submitted by the small MS4 operator to determine whether the information in the NOI is complete, whether the proposed SWMP meets the MEP standard, and to establish any additional terms and conditions necessary to meet the requirements of LAC 33:IX.2523. The state administrative authority may require the small MS4 operator to submit additional information.

Other applicable LPDES permit requirements, standards, and conditions may be established in the general permit, developed consistently with the provisions of LAC 33:IX.2701-2715.

All MS4 operators, including operators covered under a previous version of the LPDES General Permit LAR040000, must comply with the following application requirements.

Application and Public Notice Requirements

The following requirements apply in order for storm water discharges from regulated small MS4s to receive authorization under this general permit:

1. A correctly completed NOI (Form **MS4-G** found at: http://deq.louisiana.gov/page/lpdes-water-permits) must be submitted to the state administrative authority. **In accordance with the requirements of Part II of this permit, the applicant must submit a proposed storm water management plan**, using Sections IV-VI of the NOI form provided by the state administrative authority, or as an attachment. If an electronic NOI or SWMP form is developed during the term of this permit, the state administrative authority may suspend the use of paper NOIs or SWMPs. **Operators authorized under a previous version of LPDES General Permit LAR040000 shall submit the NOI along with the current storm water management plan, updated to meet new requirements contained in this permit (see Part IV.E)**.

2. A new NOI must be submitted in accordance with Part II of this permit when the operator changes, or when a new operator is added after the submittal of an NOI.

3. Any NOI submitted for authorization under this general permit will be placed on public notice on the Department's website for a minimum of 30 days, after the state administrative authority determines the NOI to be administratively complete. The public notice, the process for submitting public comments and hearing requests, and the hearing process, if a request for a hearing is granted, shall follow the procedures applicable to draft permits set forth in LAC 33:IX.315. All interested parties will be given the opportunity to comment and to request a public hearing to raise issues of concern related to permitting discharges from a particular drainage system during this period.

4. LDEQ may include additional enforceable terms and conditions to be included in the SWMP, and the basis for these additional requirements, upon authorization to discharge under this general permit.

5. The state administrative authority will issue written notification to those small MS4s who are accepted for coverage under this general permit. Upon authorization for the MS4 to discharge under the general permit, the final additional enforceable terms and conditions applicable to the MS4 operator become effective. The state administrative authority shall inform the public of the decision to authorize the MS4 to discharge under the general permit and of the final additional enforceable terms and conditions specific to the MS4. If it is determined that an MS4 would be

more correctly regulated under an individual permit, the permittee will be notified that it will not be permitted under the general permit and that an individual permit will be issued to the MS4 operator. The state administrative authority may later deny coverage under this permit and require submittal of an application for an individual LPDES permit based on a review of the NOI or other information (see Part VI.A.6 of this permit).

6. MS4 permittees granted authorization to discharge under this general permit will be listed in the Water Permits Division activity report on the state administrative authority website at: http://deq.louisiana.gov/page/lpdes. NOIs and associated documents will be available in the Electronic Document Management System (EDMS) for public review: http://deq.louisiana.gov/page/edms.

PART II
NOTICE OF INTENT REQUIREMENTS

A. Deadlines for Notification

1. If you are an operator of a newly regulated small MS4 designated under LAC 33:IX.2519.A.1 (located in urbanized areas as determined by the latest Decennial Census by the Bureau of the Census), you must apply for coverage under this permit within 120 days of being notified by the state administrative authority that you operate a regulated small MS4.

2. If you are an operator of a newly regulated small MS4 designated under LAC 33:IX.2519.A.2, you must apply for coverage under this permit, or apply for a modification of an existing LPDES permit within 120 days of notice from the state administrative authority that coverage is required.

3. If you are an operator of a regulated small MS4 that was authorized under a previous version of the LPDES General Permit LAR040000, you must reapply for coverage under this permit within 90 days of being notified by the state administrative authority.

4. Requests for waivers under LAC 33:IX.2519.C (see Part I.B) must be submitted in writing, with supporting documentation.

5. When the owner/operator changes, or when a new owner/operator is added after the submittal of an NOI under Part II, the new owner/operator must complete and file an NOI in accordance with Part I.F of the permit at least 30 days prior to taking over operational control of the facility. The prior operator must submit a Notice of Termination once authorization is provided to the new operator.

B. Contents of Notice of Intent

The NOI shall be signed in accordance with Part VI.D.10 of this permit and shall include the following information:

1. The MS4 name;

2. The street address, parish, and the latitude and longitude of the city hall or municipal business office of the MS4 operator for which the notification is being submitted;

3. The name, address, telephone number and, email of the operator(s) filing the NOI for permit coverage;

4. The names of all states where the applicant has federal or state environmental permits identical to or similar to the MS4 permit;

5. A statement that the applicant does not owe any outstanding fees or final penalties to the state administrative authority; if there are outstanding fees or penalties, you should explain why they have not been paid;

6. Whether or not the applicant is a corporation or limited liability company;

7. The name(s) of all receiving water(s);

8. A USGS 7.5 minute topographic map, or equivalent, of the MS4 service area that satisfies the requirement of LAC 33:IX.2523.B.3.b, showing the location of all outfalls and names and locations of all waters of the state that receive discharges from those outfalls, and any major structural controls (retention basins, detention basins, major infiltration devices, etc.) identified;

9. An estimate of the square miles of the MS4 service area;

10. Any existing quantitative data that characterizes the discharge, such as the monthly mean rainfall estimates, volume and quality of the discharges from the MS4, and the results of any visual field screening at identified outfalls;

11. In the NOI or as an attachment to the NOI, the following information for each of the 6 minimum control measures defined in Part IV.D:

    a. Selected clear, specific, and measurable BMPs;

    b. The clear, specific, and measurable goals for each of the storm water minimum control measures, the month and year in which the MS4 operator began or will begin full implementation of each of the minimum control measures, interim milestones, frequency of the action; and

    c. Name(s) of the person(s) responsible for implementing or coordinating the SWMP;

12. Any regulated city(ies), town(s), or unincorporated area(s);

13. Population served by the MS4 system; and

14. Presence of co-permittee(s); if so, a list must be provided.

C. Where to Submit

NOIs, signed in accordance with Part VI.D.10 of this permit, are to be submitted to the state administrative authority at this address:

Louisiana Department of Environmental Quality
Office of Environmental Services
P.O. Box 4313
Baton Rouge, LA 70821-4313
Attention: Water Permits Division

PART III
SPECIAL CONDITIONS

A. Discharge Compliance with Water Quality Standards

Your discharges must not be causing or have the reasonable potential to cause or contribute to a violation of a water quality standard. Where a discharge is already authorized under this permit and is later determined to cause or have the reasonable potential to cause or contribute to the violation of an applicable state or federal water quality standard, the state administrative authority will notify you of such violation(s), and permittees shall take all necessary actions to ensure that future discharges do not cause or contribute to the violation of a water quality standard and to document these actions in the SWMP. If violations remain or recur, then the state administrative authority may require specific changes to the SWMP, or coverage under this permit may be terminated by the state administrative authority, and an individual permit may be issued. Compliance with this requirement does not preclude any enforcement activity as provided by the Clean Water Act (CWA) and Louisiana Environmental Quality Act for the underlying violation.

The state administrative authority has established procedures for monitoring water quality throughout the state to determine if water quality standards are being met and to determine if TMDLs are required to prevent further degradation to water quality-impaired streams. The permit requires that permittees implement a storm water management plan that is designed to minimize the discharge of pollutants from the regulated area to waters of the state. Permittees are required to implement BMPs to fulfill the requirements outlined in Part IV.D. Implementing BMPs to minimize the discharge of pollutants to the storm sewer system should result in less polluted storm water runoff from the regulated areas to receiving water bodies.

Permittees must comply with the state's antidegradation policy and plan (LAC 33:IX.1109.A; LAC 33:IX.1119). Permittees must ensure that storm water discharges to water bodies designated as Outstanding Natural Resource Waters (ONRWs) will not degrade water quality to the maximum extent practicable (MEP). Additional BMPs and regulatory mechanisms (for example, ordinances or codes) may be required in order to prevent erosion, sedimentation, or illicit discharges to ONRWs. If it is demonstrated that a discharge from a particular MS4 regulated by this permit would result in the violation of instream water quality criteria or adversely impact the designated uses of a receiving stream, the state administrative authority will consider how the implementation of the minimum control measures outlined in Part IV.D will affect the quality of storm water discharges from the MS4. If it is determined that the minimum control measures outlined in Part IV.D are inadequate to control the discharge of pollutants from the MS4 effectively enough to meet the instream water quality criteria or protect the designated uses of the receiving stream, then the procedures outlined in LAC 33:IX.1119.C may be implemented to determine if the discharge from the MS4 can be permitted under this general permit, or whether the MS4 may be required to obtain coverage under an individual LPDES permit.

Discharges of pollutants from an MS4 that cannot be effectively controlled under the conditions of this permit will not be authorized to discharge under this general permit.

B. Total Maximum Daily Load (TMDL) Allocations

Permittees must document in the SWMP how the BMPs and other controls implemented in the SWMP will control the discharge of any pollutant(s) of concern (POCs) for discharges into a receiving water which has been listed on the Clean Water Act 303(d) list of impaired waters.

If storm water runoff from a regulated MS4 flows into a basin subsegment **that is listed on the most recent EPA-approved 303(d) list**, then the permittee's SWMP must address any impairments where the suspected source has been identified as *urban runoff/storm sewers, municipal (urbanized high density area), discharges from municipal separate storm sewer systems, SSOs, forced drainage pumping, residential districts, site clearance, construction, wet weather discharge, rural (residential areas) or unspecified urban stormwater.* If a TMDL has not yet been approved for a 303(d)-listed basin subsegment number that receives storm water runoff from the regulated MS4s, **and** the source of pollutants causing the impairment(s) have been attributed to MS4s (reasons listed above), then permittees must describe how the BMPs and other control(s) selected for the SWMP will minimize, to the MEP, the discharge of those pollutants which have been identified as causing the impairment. Impaired water bodies (without a TMDL) are listed as Category 5 in Appendix A of LDEQ's most recent Integrated Report (IR), located at: https://deq.louisiana.gov/page/louisiana-water-quality-integrated-report.

If a TMDL has been approved for a water body, permittees will be required to include any TMDL requirements in the SWMP that are applicable to MS4 discharges into basin subsegments where TMDLs have been established.

If a TMDL allocation has been assigned for specific pollutants, which are identified as impairments attributed to discharges from regulated MS4s, then permittees must update the SWMP to implement the TMDL within 6 months of the TMDL's approval or as otherwise specified in the TMDL. This requirement includes TMDLs that are developed during the term of this general permit. In addition to any MS4-specific requirements of the TMDL, permittees must also: (1) implement clear, specific, and measurable BMPs that specifically target the pollutant(s) of concern; (2) identify clear, specific, and measurable goal(s) to minimize the discharge of the pollutant(s) of concern; and (3) implement a monitoring program to assess whether or not the storm water controls are adequate to meet the wasteload allocation (WLA). *See Part IV.H for a thorough discussion of permit requirements should a WLA be assigned for discharges of one or more pollutants from your MS4.* Impaired water bodies for which TMDLs have been developed are listed as Category 4a in Appendix A of LDEQ's most recent IR, located at: https://deq.louisiana.gov/page/louisiana-water-quality-integrated-report.

C. Releases in Excess of Reportable Quantities

The discharge of hazardous substances or oil in the storm water discharge(s) from a regulated small MS4 shall be prevented or minimized in accordance with the applicable storm water management plan. This permit does not relieve permittees of the reporting requirements of LAC 33:I.3915 and LAC 33:I.3917.

The storm water management plan required under Part IV of this permit must be modified within 14 calendar days of knowledge of the release to: provide a description of the release, the circumstances leading to the release, and the date of the release. In addition, the plan must be reviewed to identify measures to prevent the recurrence of such releases and to respond to such releases, and the plan must be modified where necessary.

D. Spills

The permit does not authorize the discharge of hazardous substances or oil resulting from spills. Nor does the permit authorize the discharge of any other substance resulting from a spill event. All reasonable steps must be taken to minimize or prevent any adverse effects on human health or the environment resulting from such spills.

PART IV
STORM WATER MANAGEMENT PROGRAMS

A. Requirements

Within 5 years following **initial** authorization under the permit, you must develop, implement, and enforce a storm water management program (SWMP).

Operators Applying for Initial Permit Coverage:

Operators who apply for initial permit coverage under the reissued general permit must develop and implement a storm water management plan within 5 years following initial authorization under the general permit. While full program implementation may take up to 5 years, credible progress in implementing existing, partial or interim programs must be made during the term of the permit; for example, initial illicit discharge and public education programs shall be launched within the first year of permit coverage.

Currently Permitted Operators:

Operators who were permitted more than 5 years prior to the effective date of this reissued general permit are required to have fully developed and implemented a storm water management plan. Operators who received initial coverage under the previous general permit within the last 5 years are required to have fully developed and implemented a storm water management plan within 5 years from the date of their initial coverage. Deadlines for complete program development and implementation are not extended with each general permit reissuance.

The SWMP shall be described in detail in a written storm water management plan. The storm water management plan shall be designed to reduce the discharge of pollutants from your small MS4 to the MEP, to protect water quality, and to satisfy the water quality requirements of the Louisiana Environmental Quality Act and the Clean Water Act.

The SWMP shall cover the term of the permit and shall be updated by the permittee, and when required by the secretary or the secretary's designee, to ensure compliance with the statutory requirements of LAC 33:IX.2523 and Section 402(p)(3)(B) of the Clean Water Act. Modifications to the SWMP shall be made in accordance with Parts IV.E and VI.A.6. Compliance with the SWMP, additional enforceable conditions required by the state administrative authority, and any schedules required by the permit shall be deemed compliance with Parts IV.A and IV.D. The SWMP, and all updates made in accordance with Part IV.E, are hereby incorporated by reference.

Your SWMP must include the minimum control measures described below in Section D of this Part.

Program development resources are available through the EPA website at https://www.epa.gov/npdes/stormwater-discharges-municipal-sources. Guidance on Minimum

Measures and Measurable Goals and a menu of BMPs are available on the EPA's main storm water program page which is located at https://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater#edu. Other important MS4-related information is available on the EPA website at https://www.epa.gov/npdes/npdes-stormwater-program. Information related to BMPs that may be used to satisfy the requirements of the 6 minimum control measures required by Part IV.D of the permit are provided at: https://www3.epa.gov/npdes/pubs/measurablegoals.pdf.

B. Responsibilities of Co-permittees

All permittees, including co-permittees covered under a single authorization, must develop and implement a comprehensive SWMP for implementation within its jurisdiction and in accordance with interagency agreements (if applicable), including pollution prevention measures, treatment or removal techniques, storm water monitoring, enforcement of ordinances or other regulatory mechanisms identified in the SWMP, and other applicable means to control the quality of storm water discharged from the MS4. Permittees must continue to enforce the elements of the SWMP required by this permit and as described within the SWMP document(s). Existing permittees with fully developed SWMPs shall continue to implement the program and enforce the elements of the SWMP specifically required by this permit to control the discharge of pollutants to the MEP. Existing permittees with fully developed programs shall also continue to update the SWMP. Implementation of the SWMP may be achieved through participation with other permittees, public agencies, or private entities in cooperative efforts to satisfy the requirements of Part IV in lieu of creating duplicate program elements for each individual permittee. **You must describe in writing any participation in a cooperative effort and explain how that cooperative effort fulfills any of your Part IV permit requirements. Where a separate MS4 operator is contributing to implementation of the SWMP, the SWMP must clearly define the minimum measure and components(s) each entity agrees to implement and within which MS4 area(s)**. The SWMP, taken as a whole, shall achieve the "effective prohibition on the discharge of non-storm water" and "MEP" standards from LAC 33:IX.2523 and Section 402(p)(3)(B) of the Clean Water Act.

The SWMP shall be implemented in accordance with Section 402(p)(3)(B) of the Clean Water Act, and the LPDES Storm Water Regulations (LAC 33:IX.2511).

Controls and activities in the SWMP shall identify areas of permittee responsibility on a jurisdictional, applicability, or specific area basis. The SWMP shall include controls necessary to effectively prohibit the discharge of non-storm water into municipal separate storm sewers and reduce the discharge of pollutants from the MS4 to the MEP.

C. Legal Authority

1. Traditional MS4s, such as cities, towns, and parishes:

   Within 1 year from the effective date of this permit, a discharger permitted under a previous version of the general permit shall review ordinance(s) or other

regulatory mechanism(s) to determine if the permittee has adequate legal authority to control pollutant discharges into and from its MS4 in order to meet the requirements of Part IV.D of this permit. If legal authority does not meet the requirements of Part IV.D, the permittee(s) shall:

a. Revise relevant ordinances; or

b. Adopt a new ordinance(s) or other regulatory mechanism(s) to meet the requirements of Part IV.D.

If necessary, relevant ordinance(s) shall be revised no later than 2 years from the effective date of this permit. New operators without an ordinance or other regulatory mechanism shall establish a plan to adopt an ordinance **prior to submittal of a Notice of Intent**. New operators must adopt such an ordinance within 2 years of receiving notification of coverage. The first year's annual report must contain a certification statement that ordinances were reviewed.

2. Non-traditional MS4s, such as transportation entities or universities:

Where the permittee lacks the authority to develop ordinances or to implement enforcement actions, the permittee shall exert enforcement authority as required by this general permit for its facilities, employees, contractors, and other entities over which it has operational control, within the portion of the UA under jurisdiction of the permittee. If the permittee does not have enforcement authority and is unable to meet the goals of this permit through its own powers, then the permittee shall:

a. Enter into interjurisdictional agreements with municipalities where the small MS4 is located. These interjurisdictional agreements must state the extent to which the municipality will be responsible for enforcement in order to meet the conditions of this general permit, must be in place within 6 months of the permit issuance date, must be attached to the revised SWMP, and must be included along with the next annual report submittal; or

b. If it is not feasible for the permittee to enter into interjurisdictional agreements, the permittee shall notify an adjacent MS4 operator with enforcement authority or the LDEQ's Regional Office to report discharges or incidents for which it cannot itself take enforcement action (see map and contact information for regional offices at http://deq.louisiana.gov/directory).

D. Minimum Control Measures

You must provide a rationale for how and why you selected each of the BMPs and measurable goals for your SWMP. The rationale should include:

- The BMPs that you or another entity are implementing, or propose to implement (for operators permitted less than 5 years ago), for each of the storm water minimum control measures;

- The proposed measurable goals for each of the BMPs including the months and years in which you propose to undertake required actions, including interim milestones and the frequency of the action;

- Name(s) of the person(s) responsible for implementing or coordinating the BMPs for your SWMP; and

- Any additional information required by the state administrative authority.

In addition to providing the rationale described above, your written storm water management plan must include the following information for each of the 6 minimum control measures described below (1–6).

1. Public Education and Outreach on Storm Water Impacts

a. You must:

i. Identify the minimum elements and require implementation of a public education program to distribute educational materials to the community, or conduct equivalent outreach activities 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.

ii. Identify each clear, specific, and measurable BMP and corresponding goal that you use in your public education and outreach program that is designed to minimize the discharge of pollutants into your MS4.

iii. Describe how you inform individuals and households about the steps they can take to reduce storm water pollution.

iv. Describe how you inform individuals and groups about becoming involved in the storm water program (with activities such as local stream and beach restoration).

v. Identify the target audiences for your education program who are likely to have significant storm water impacts (including

commercial, industrial and institutional entities) and why those target audiences were selected.

vi. Identify the target pollutant sources your public education program is designed to address.

vii. Identify your outreach strategy, including the mechanisms (printed brochures, newspapers, media, and workshops, for example) you use to reach your target audiences, and how many people you expect to reach by your outreach strategy over the permit term.

viii. Identify who is responsible for overall management and implementation of your storm water public education and outreach program and, if different, who is responsible for each of the BMPs identified for your storm water public education and outreach program.

ix. Describe how you evaluate the success of this minimum measure, including how you selected the measurable goals for each of the BMPs.

x. Tailor your program, using a mix of locally suitable strategies, such as brochures, fact sheets, public service announcements, and speaking engagements, to target specific audiences and communities. You should designate some of the materials or outreach programs to be directed toward targeted groups of commercial, industrial, and institutional entities likely to have significant storm water impacts. For example, information could be provided to restaurants on the impact of grease clogging storm drains and to garages on the impact of oil discharges in storm water.

b. Recommendations:

i. You may use storm water educational materials locally developed or provided by the EPA (refer to https://www.epa.gov/npdes/npdes-stormwater-program, the LDEQ (http://deq.louisiana.gov/page/storm-water-protection), environmental, public interest or trade organizations, or other MS4s;

ii. You should tailor your outreach program to address the viewpoints and concerns of all communities, particularly minority, non-English-speaking, and disadvantaged communities, as well as any special concerns relating to children.

2. Public Involvement/Participation

a. You must:

i. At a minimum, comply with state, tribal, and local public notice requirements when implementing a public involvement or participation program.

ii. Identify each clear, specific, and measurable BMP and corresponding goal used in your public involvement/participation program that is designed to minimize the discharge of pollutants into your MS4.

iii. Describe how you involve the public in the development and submittal of your NOI and SWMP. *(You are strongly encouraged to make the storm water management plan and annual report available for review/comment at the local level prior to submittal to LDEQ.)*

iv. Describe how you actively involve the public in the development of your storm water program. *(You are strongly encouraged to make updates to the storm water management plan and annual report available for review/comment at the local level prior to submittal to LDEQ.)*

v. Identify the target audiences for your public involvement program. You are encouraged to actively involve all potentially affected stakeholder groups, including commercial and industrial businesses, trade associations, environmental groups, homeowners associations, and educational organizations, among others.

vi. Identify and describe the types of public involvement activities included in your program. Consider including the following types of public involvement activities:

(a) Citizen representatives on a storm water management panel;
(b) Holding public hearings;
(c) Working with citizen volunteers willing to educate others about the program; and
(d) Volunteer monitoring or stream/beach clean-up activities.

vii. Identify who is responsible for the overall management and implementation of your storm water public involvement or participation program and, if different, who is responsible for each of the BMPs identified for this program.

viii. Describe how you evaluate the success of this minimum control measure, including how you selected the measurable goals for each of the BMPs.

b. Recommendations:

i. You may use storm water educational materials locally developed or provided by the EPA (refer to https://www.epa.gov/npdes/npdes-stormwater-program, the LDEQ (http://deq.louisiana.gov/page/storm-water-protection), environmental, public interest or trade organizations, or other MS4s;

ii. Include the public in developing, implementing, and reviewing your SWMP and make efforts to reach out and engage all economic and ethnic groups. Opportunities for members of the public to participate in program development and implementation include serving as citizen representatives on a local storm water management panel, attending public hearings, working as citizen volunteers to educate other individuals about the program, assisting in program coordination with other pre-existing programs, and participating in volunteer monitoring efforts. (Citizens should obtain approval where necessary for lawful access to monitoring sites.)

3. Illicit Discharge Detection and Elimination

a. You must:

i. Develop, implement, and enforce a program to detect and eliminate illicit discharges (as defined at LAC 33:IX.2511.B.2) into your small MS4;

ii. Develop, if not already completed, a USGS 7.5 minute topographic map, or equivalent, of the MS4 service area that satisfies the requirement of LAC 33:IX.2523.B.3.b, showing the location of all outfalls and names and locations of all waters of the state that receive discharges from those outfalls, and any major structural controls (retention basins, detention basins, major infiltration devices, etc.) identified;

iii. To the extent allowable under state, tribal, or local law, effectively prohibit, through ordinance or other regulatory mechanism, non-storm water discharges into your storm sewer system and implement enforcement procedures and actions; in addition, modify the SWMP within 14 calendar days of knowledge of a release in excess of reportable quantities (see Part III.C);

iv. Develop, if not already completed, and implement a plan to detect and address non-storm water discharges, including illegal dumping, to your system;

v. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste;

vi. **Address the following categories of non-storm water discharges or flows only if you identify 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 (as defined at 40 CFR 35.2005(20)), uncontaminated pumped ground water, incidental discharges of potable water (for example, drinking fountain overflows), foundation drains, air conditioning condensate, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering runoff, water from individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, residual street wash water, and discharges or flows from firefighting activities (excludes predictable and controllable discharges from a firefighting training facility), where such discharges will not cause a problem either due to the nature of the discharge or controls placed by the MS4 on the discharge. Significant contributors of pollutants from the above sources may require additional controls, such as enhanced public education, ordinances, or other regulatory mechanisms (to be implemented by the MS4 operator); and

vii. **Develop a list of other similar occasional incidental non-storm water discharges (for example, non-commercial or charity car washes) 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 MS4, because of either the nature of the discharges or conditions you have established for allowing these discharges to your MS4 (a charity car wash with controls on frequency, proximity to sensitive water bodies, and BMPs on the

wash water, for example). You must document in your SWMP any local controls or conditions placed on the discharges. You must include a provision prohibiting any individual non-storm water discharge that is determined to be contributing significant amounts of pollutants to your MS4.

viii. Provide a description of how you evaluate the success of this minimum measure, including how you selected the measurable goals for each of the BMPs.

ix. Conduct visual screening of the outfalls during dry weather and conduct field tests of selected pollutants as part of the procedures for locating priority areas. Permittees must justify the screening schedule with respect to available resources, for example, combining visual screening with plumbing inspections, complaint investigations, etc.

b. You must identify each clear, specific, and measurable BMP and corresponding goal used in your illicit discharge detection and elimination program that is designed to minimize the discharge of pollutants into your MS4. You must include, at a minimum, the following information:

i. A description of how you will develop or have developed a storm sewer map showing the location of all outfalls and the names and location of all receiving waters. Describe the sources of information you used for the maps and how you plan to verify the outfall locations with field surveys. Permittees that are required to have completed their storm sewer maps must describe how the map was developed and how the map will be regularly updated.

ii. A description of the mechanism (ordinance or other regulatory mechanism) you use to effectively prohibit illicit discharges into the MS4 and why you chose that mechanism. If you need to develop this mechanism, describe your plan and a schedule to do so in accordance with Part IV.C. Permittees that are required to have already developed an ordinance or other regulatory mechanism must include a copy of the relevant section(s) or a reference (such as a web URL) with their SWMP.

iii. A description of how you ensure that your illicit discharge ordinance (or other regulatory mechanism) is implemented through enforcement procedures and actions.

iv. A description of your plan to detect and address illicit discharges to your system, including discharges from illegal dumping and spills.

Your plan must include dry weather field screening for non-storm water flows and field tests of selected chemical parameters as indicators of discharge sources. Your plan must also address on-site sewage disposal systems that flow into your storm drainage system. Your description must address, at a minimum, the following:

(a) Procedures for locating priority areas, including areas with higher likelihood of illicit connections (for example, areas with older sanitary sewer lines), or ambient sampling to locate impacted reaches.
(b) Procedures for tracing the source of an illicit discharge, including the specific techniques you will use to detect the location of the source.
(c) Procedures for removing the source of the illicit discharge.
(d) Procedures for program evaluation and assessment.
(e) Procedures for storm water management plan modification within 14 calendar days of knowledge of a release (see III.C).

v. A description of how you inform public employees, businesses, and the public of hazards associated with illegal discharges and improper disposal of waste. Include in your description how this plan will coordinate with your public education minimum measure and your pollution prevention/good housekeeping minimum measure programs.

vi. Identification of who is responsible for overall management and implementation of your storm water illicit discharge detection and elimination program and, if different, who is responsible for each of the BMPs identified for this program.

c. Recommendations:

i. You may use storm water educational materials locally developed or provided by the EPA (refer to https://www.epa.gov/npdes/npdes-stormwater-program, the LDEQ (http://deq.louisiana.gov/page/storm-water-protection), environmental, public interest or trade organizations, or other MS4s.

4. Construction Site Storm Water Runoff Control

a. You must:

i. Develop, implement, and enforce a program to reduce pollutants in any storm water runoff to your small MS4 from construction activities that result in a land disturbance of greater than or equal to 1 acre. Reduction of storm water discharges from construction activity disturbing less than 1 acre must be included in your program if that construction activity is part of a larger common plan of development or sale that would disturb 1 acre or more. The extent to which the program will rely upon the recently amended NPDES Phase II Construction regulation (40 CFR Part 450) should be specified.

ii. In your written storm water management plan, include the development and implementation of, at a minimum:

(a) An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under state, tribal, or local law;
(b) Requirements for construction site operators to implement erosion and sediment control BMPs;
(c) Requirements for construction site operators to control waste such as, but not limited to, discarded building materials, concrete truck washout (see EPA guidance at https://www.epa.gov/npdes/national-menu-bestmanagement-practices-bmps-stormwater#constr), chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;
(d) Procedures for site plan review which incorporate consideration of potential water quality impacts;
(e) Procedures for receipt and consideration of information submitted by the public;
(f) Procedures for site inspection and enforcement of control measures;
(g) Educational and training measures for construction site operators; and
(h) Storm water BMPs for construction sites within the MS4's jurisdiction that discharge into the system.

iii. Identify each clear, specific, and measurable BMP and corresponding goal that you use in your construction site storm water runoff control program designed to minimize the discharge of pollutants into your MS4. You must include, at a minimum, the following information:

(a) The mechanism (ordinance or other regulatory mechanism) you use to require erosion and sediment controls at construction sites and why you chose that mechanism. If you need to develop this mechanism, describe your plan and a schedule to do so in accordance with Part IV.C. Permittees that are required to have already developed an ordinance or other regulatory mechanism must include a copy of the relevant section(s) with their SWMP.

(b) Your mechanisms to ensure compliance with your erosion and sediment control mechanisms, including the sanctions and enforcement actions. Describe your procedures for determining which sanctions will apply to which infractions (such as your enforcement escalation process). Possible sanctions include nonmonetary penalties (such as stop work orders and/or permit denials for noncompliance), as well as monetary penalties such as fines and bonding requirements.

(c) A description of your procedures or methods to ensure that construction site operators implement erosion and sediment control BMPs and control waste at construction sites that causes adverse impacts to water quality. Examples of such waste might include discarded building materials, concrete truck washout, chemicals, litter and sanitary waste.

(d) Your procedures for site plan review, including the review of pre-construction site plans, which incorporate consideration of potential water quality impacts. Describe your procedures and the rationale for how you will identify certain sites for site plan review, if your site plan review does not include the review of all pre-construction site plans.

(e) Your procedures for receipt and consideration of information submitted by the public. Consider coordinating this requirement with your public education program.

(f) Your procedures for site inspection and enforcement of control measures, including how you will prioritize sites for inspection. Include procedures for site inspections and enforcement of control measures including steps to identify priority sites for inspection and enforcement based on the nature of the construction activity, topography, and the characteristics of soils and receiving water quality.

(g) Name(s) of the person(s) responsible for overall management and implementation of your construction site storm water control program and, if different, who is responsible for each of the BMPs identified for this program.

iv. Describe how you evaluate the success of this minimum measure, including how you selected the measurable goals for each of the BMPs.

b. Recommendations:

i. You may use storm water educational materials locally developed or provided by: the EPA (refer to https://www.epa.gov/npdes/npdes-stormwater-program, and https://www.epa.gov/npdes/stormwater-discharges-construction-activities), the LDEQ (**Error! Hyperlink reference not valid.**), environmental, public interest or trade organizations, or other MS4s.

5. Post-construction Storm Water Management in New Development and Redevelopment

a. You must:

i. Develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to 1 acre, including projects less than 1 acre that are part of a larger common plan of development or sale, that discharge into your small MS4. Your program must ensure that controls are in place that would prevent or minimize water quality impacts.

ii. Develop and implement strategies which include a combination of structural and/or nonstructural BMPs tailored to your community;

iii. Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under state or local law;

iv. Ensure adequate long-term operation and maintenance (O&M) of BMPs;

v. Assess existing ordinances, policies, programs, and studies that address storm water runoff quality when developing your program. In addition to assessing these existing documents and programs, you should provide opportunities to the public to participate in the development of the program;

vi. Adopt a planning process that identifies the municipality's program goals (for example, minimizing water quality impacts resulting

from post-construction runoff from new development and redevelopment), implementation strategies (for example, adopting a combination of structural and/or nonstructural BMPs), O&M policies and procedures, and enforcement procedures when developing a program that is consistent with this measure's intent;

vii. Describe how you evaluate the success of this minimum measure, including how you selected the measurable goals for each of the BMPs.

b. You must identify each clear, specific, and measurable BMP and corresponding goal used in your post-construction SWMP designed to minimize the discharge of pollutants into your MS4. You must include, at a minimum, the following information:

i. A description of your program to address storm water runoff from new development and redevelopment projects. Include in your description any specific priority areas for this program.

ii. A description of how your program is specifically tailored for your local community, how it will minimize water quality impacts, and how it is designed to attempt to maintain pre-development runoff conditions.

iii. Descriptions of any nonstructural BMPs in your program, which may include, but are not limited to:

(a) Policies and ordinances that provide requirements and standards to direct growth to identified areas, protect sensitive areas such as wetlands and riparian areas, maintain and/or increase open space (including a dedicated funding source for open space acquisition), provide buffers along sensitive water bodies, minimize impervious surfaces, and minimize disturbance of soils and vegetation;
(b) Policies or ordinances that encourage infill development in higher density urban areas and areas with existing storm sewer infrastructure;
(c) Education programs for developers and the public about project designs that minimize water quality impacts; and
(d) Other measures such as minimization of the percentage of impervious area after development, use of measures to minimize directly connected impervious areas, and source control measures often thought of as good housekeeping, preventive maintenance, and spill prevention.

iv. Descriptions of any structural BMPs in your program, which may include, but are not limited to:

(a) Storage practices such as wet ponds and extended-detention outlet structures;
(b) Filtration practices such as grassed swales, bioretention cells, sand filters, and filter strips; and
(c) Infiltration practices such as infiltration basins and infiltration trenches.

v. A description of the mechanism (ordinance or other regulatory mechanism) you use to address post-construction runoff from new development and why you chose that mechanism. If you need to develop a mechanism, describe your plan and a schedule to do so in accordance with Part IV.C. If your ordinance or regulatory mechanism is already developed, include a copy of the relevant sections with your program.

vi. A description of how you ensure the long-term operation and maintenance of your selected BMPs. Options to help ensure that future O&M responsibilities are clearly identified include an agreement between you and another party, such as the post-development landowners or regional authorities. If such an agreement is developed, it must be added to your SWMP and included in the next annual report submittal.

vii. Name(s) of the person(s) responsible for overall management and implementation of your post-construction SWMP and, if different, responsible for each of the BMPs identified for that control measure.

c. Recommendations:

i. You may use storm water educational materials locally developed or provided by: the EPA (refer to https://www.epa.gov/npdes/npdes-stormwater-program, the LDEQ (http://deq.louisiana.gov/page/storm-water-protection), environmental, public interest or trade organizations, or other MS4s;

ii. When choosing BMPs, participate in locally-based watershed planning efforts, which attempt to involve a diverse group of stakeholders including interested citizens.

iii. Ensure the implementation of the structural BMPs by considering some or all of the following: pre-construction review of BMP

designs; inspections during construction to verify BMPs are built as designed; post-construction inspection and maintenance of BMPs; penalty provisions for noncompliance with preconstruction BMP design; failure to construct BMPs in accordance with the agreed upon pre-construction design; and ineffective post-construction O&M of BMPs; and

iv. Ensure that your requirements continue to respond to the constantly changing storm water technologies, developments and improvements in control technologies.

6. Pollution Prevention/Good Housekeeping for Municipal Operations

a. You must:

i. Identify each clear, specific, and measurable BMP and corresponding goal used in your Pollution Prevention/Good Housekeeping for Municipal Operations program designed to minimize the discharge of pollutants into your MS4.

ii. Develop and implement an O&M program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations; in addition, using training materials that are available from EPA, LDEQ, or other organizations, your program must include employee training to prevent and/or reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance.

iii. Describe how your O&M program is designed to prevent or reduce pollutant runoff from your municipal operations. Your program must specifically list the municipal operations that are impacted by this O&M program.

iv. Include a list of industrial facilities you own or operate that are subject to the LPDES Multi-Sector General Permit (MSGP) or individual LPDES permits for discharges of storm water associated with industrial activity that ultimately discharge to your MS4. Include the LPDES permit number or a copy of the industrial NOI for each facility.

v. Describe any government employee training program you will use to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance,

new construction and land disturbances, and storm water system maintenance.

(a) Describe any existing available materials you plan to use (see https://www.epa.gov/npdes/stormwater-maintenance).
(b) Describe how this training program will be coordinated with the outreach programs developed for the public information minimum measure and the illicit discharge minimum control measure.

vi. Specifically address the following areas in your program description:

(a) Maintenance activities, maintenance schedules, and long-term inspection procedures for structural and nonstructural storm water controls to reduce floatables and other pollutants discharged from the MS4.
(b) Controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt/sand storage locations and snow disposal areas that you operate.
(c) Procedures for the proper disposal of waste removed from your MS4 and your municipal operations, including dredge spoil, accumulated sediments, floatables, and other debris.
(d) Procedures to ensure that flood management projects are assessed for impacts on water quality, and existing projects are assessed for incorporation of additional water quality protection devices or practices.

vii. Identify who is responsible for overall management and implementation of your pollution prevention/good housekeeping program and, if different, who is responsible for each of the BMPs utilized in your pollution prevention/good housekeeping program.

viii. Describe how you evaluate the success of this minimum control measure, including how you selected the measurable goals for each of the BMPs.

b. Recommendations:

i. You may use storm water educational materials locally developed or provided by the EPA (refer to https://www.epa.gov/npdes/npdes-stormwater-program, the LDEQ (http://deq.louisiana.gov/

page/storm-water-protection), environmental, public interest or trade organizations, or other MS4s.

E. Reviewing and Updating Your Storm Water Management Program

1. You must do an annual review of your SWMP in conjunction with preparation of the annual report required under Part V.C. You shall change your SWMP during the term of the permit in accordance with the following procedures:

   a. Changes adding (but not subtracting or replacing) components, monitoring, controls/infrastructure, or requirements or updates to a MS4 map or ordinance and to the SWMP may be made at any time. For example, including new public education components or increasing the frequency of outfall inspections would be considered an addition. You must update your storm water management plan to include the above changes, and **these changes shall be reported in the next annual report that is prepared and submitted to LDEQ**.

   b. Changes replacing an ineffective or infeasible BMP identified in the SWMP with an alternative BMP may be made at any time. For example, revising an ordinance or changing the parameters and sampling frequencies in the monitoring program would be considered a replacement. **You must update your storm water management plan to incorporate the changes. All such changes shall be reported in the next annual report that is prepared and submitted to LDEQ**. An outline of changes or a copy of the changed sections is acceptable for the annual report. Your SWMP update and annual report to LDEQ must include documentation of the following:

      i. An analysis of why the BMP is ineffective or infeasible (including cost prohibitive);

      ii. Expectations of the effectiveness of the replacement BMP; and

      iii. An analysis of why the replacement BMP is expected to achieve the goals of the BMP to be replaced.

2. The permitting authority may require changes to the SWMP.

   a. Changes may be needed to address impacts on receiving water quality caused, or contributed to, by discharges from the MS4.

   b. Changes may be needed to include more stringent requirements necessary in order to comply with new federal statutory or regulatory requirements.

c. Changes may be needed to include such other conditions deemed necessary by the state administrative authority in order to comply with the goals and requirements of the Clean Water Act.

d. Changes requested by the state administrative authority must be made in writing, set forth the time schedule for you to develop the changes, and offer you the opportunity to propose alternative program changes to meet the objective of the requested modification. All changes required by the state administrative authority will be made in accordance with LAC 33:IX.307, LAC 33:IX.2903, or as applicable, LAC 33:IX.2905.

3. You must implement the SWMP in all new areas added to your portion of the MS4 (or areas for which you become responsible for implementation of storm water quality controls) as expeditiously as practicable, but not later than 1 year from addition of the new areas. Implementation may be accomplished in a phased manner to allow additional time for controls that cannot be implemented immediately.

   a. Within 90 days of a change of ownership, operational authority, or responsibility for SWMP implementation, you must have a plan for implementing your SWMP in all affected areas. The plan may include schedules for implementation. Information on all new annexed areas and any resulting updates required to the SWMP must be included in the annual report.

   b. Only those portions of the SWMP specifically required as permit conditions shall be subject to the modification requirements of LAC 33.IX.307. *Addition of components, controls, or requirements by the permittee(s); changes to the SWMP to address storm water controls needed based on wasteload allocations that are part of TMDLs finalized during the permit's term that address pollutant(s) of concern attributed to your MS4 (see Part IV.H); and replacement of an ineffective or infeasible BMP implementing a required component of the SWMP with an alternative BMP expected to achieve the goals of the original BMP shall be considered minor changes to the SWMP and not modifications to the permit.*

4. Changes to the SWMP that constitute a general permit modification must be sent to LDEQ **separately from the annual report** for review and approval in order to obtain a letter of modification of coverage. A general permit modification shall follow the procedures in LAC 33:IX.2903 and 2515 and the permittee shall submit an NOI (marked "modified coverage" at the top) to LDEQ, along with any applicable changes to the SWMP. In accordance with LAC 33:IX.2515B.2.h.ii.(b), "The state administrative authority shall review the NOI submitted by the small MS4 operator to determine whether the information in the NOI is complete and to

establish the additional terms and conditions necessary to meet the requirements of LAC 33:IX.2523. **The state administrative authority may require the small MS4 operator to submit additional information**."

5. Minor modifications of permits.

   a. Upon the consent of the permittee, the state administrative authority may modify a permit to make corrections or allowances for changes in the permitted activity listed in i-vii (below) without following the procedures of LAC 33:IX.Chapters 31-35 (see LAC 33:IX.2905). Minor modifications may include the following:

      i. Correction of typographical errors;

      ii. Requirement for more frequent monitoring or reporting by the permittee;

      iii. Interim compliance date change in a schedule of compliance, provided the new date is not more than 120 days after the date specified in the existing permit and does not interfere with attainment of the final compliance date requirement;

      iv. Changes to existing outfall descriptions;

      v. Addition of outfalls previously permitted under another LPDES permit;

      vi. Change in ownership or operational control, in accordance with LAC 33:1.Chapter 19, where the state administrative authority determines that the other changes in the permit is necessary; and

      vii. Any other changes determined to be minor by the administrative authority.

6. Modification of coverage requiring public notice.

   a. In accordance with LAC 33:IX.2903.A, "When the state administrative authority receives any information (for example, inspects the facility, receives information submitted by the permittee as required in the permit (see LAC 33:IX.2701)," the state administrative authority may modify the permit accordingly. If the modification does not meet the criteria for a minor modification, the permittee is subject to the public notice and public hearing procedures of LAC 33:IX.Chapters 31-35. Substantial modifications may include:

i. Changes to the implementation of an MCM, including: delaying and/or deleting an MCM and/or requiring implementation of an MCM based upon the determination that another entity was responsible for implementation of the requirement but failed to implement the measures that satisfy the requirement(s); and

ii. Adding a co-permittee and/or including a small MS4 as a limited co-permittee (see LAC 33:IX.2521.B.1).

F. Qualifying State or Local Programs (QLP)

Any municipality, including a small MS4, may have its construction storm water program recognized as a QLP by LDEQ. A QLP is an LDEQ-approved program that fulfills the State LPDES Program requirements for small construction activities stated in Parts IV.D.4 and D.5. A local program can be recognized as a QLP if it meets or exceeds the minimum requirements outlined in the regulations (LAC 33:IX.2707.R) and the program is reviewed by LDEQ and is officially authorized as a recognized QLP. The provisions stated in LAC 33:IX.2707.R offer an opportunity to streamline administrative requirements in the storm water program by formally recognizing local construction management programs that meet or exceed the provisions in LDEQ's construction general permits. Under such a scenario, a construction site operator, responsible for a project within the jurisdiction of a recognized municipality, would follow that municipality's requirements for storm water management.

LDEQ will consider whether an MS4's construction program meets or exceeds the requirements contained in LDEQ's construction general permits and whether the MS4 has the institutional capacity to take on the delegated regulatory responsibilities when considering a municipality's proposal to have its construction program recognized as an LDEQ-approved QLP. More information related to QLPs is available on the EPA's website at http://www.epa.gov/sites/default/files/2020-02/documents/qlp_memo.pdf.

G. Sharing Responsibility

If you are relying on another governmental entity that is regulated under LAC 33:IX.2511 of the storm water regulations to satisfy one or more of your permit obligations, you must note that fact in your NOI. This other entity must, in fact, implement the control measure(s); the measure of component thereof must be at least as stringent as the corresponding LPDES permit requirement, and the other entity must agree to implement the control measure on your behalf.

If the other entity agrees to implement the control measure on your behalf, you must have a written acceptance of this obligation. **The written agreement must be maintained as part of the description of your SWMP, and the state administrative authority shall require the cooperative agreement to be included in the NOI/SWMP submittal**. Should the other entity fail to implement the minimum control measure on your behalf, you remain liable for any discharges due to the other entity's failure to implement the minimum control measure.

If the other entity agrees to report on the minimum measure that it agrees to implement, then the permittee must supply the other entity with the reporting requirements contained in Part V.C of this permit. Should the other entity fail to report in accordance with Part V.C on your behalf, you remain liable for failure to report any of the information required by Part V.C.

H. Discharges to Water Quality-Impaired Water Bodies

Upon written authorization of permit coverage, LDEQ may require the SWMP to be modified to include additional elements as enforceable permit conditions to address current impairments (where the suspected source(s) of the impairment include discharges from MS4s) and or TMDLs with a wasteload allocation assigned to pollutants from regulated MS4s.

Impaired Water Bodies Without an Established TMDL

If your MS4 discharges into a receiving water which has been listed in the LDEQ Section 303(d) List of Impaired Waters, a TMDL has not yet been approved, and the suspected source(s) of the impairment include discharges from MS4s, you must determine, within 1 year of the effective date of the permit if the MS4 is a source of the pollutant(s).

If sources are identified through monitoring for pollutants of concern throughout the MS4 and/or specific identified areas of concern (geographic area or targeted by discharger classification, for example residential, commercial, or industrial areas), the permittee must develop storm water control measures or BMPs that will reduce the discharge of the pollutants of concern. You must describe in your SWMP how the BMPs and other controls selected will reduce the discharge of the pollutant(s) of concern and how you will assess the effectiveness of the selected controls over time. This discussion must specifically identify control measures and BMPs that will collectively control the discharge of the pollutants of concern to ensure that discharges will not cause or contribute to instream exceedances of water quality standards. Targeted BMPs shall be included in the SWMP no later than 2 years after the effective date of the permit. You must report the progress on the implementation of the selected BMPs in your annual report in subsequent years thereafter. The MS4 operator shall select one or more of the recommended control measures in the following section (H.4.a-f) or develop other controls.

Requirements for Impaired Water Bodies with an Approved TMDL

Upon written authorization of permit coverage, LDEQ may require the SWMP to be modified to include additional elements as enforceable permit conditions for TMDLs finalized prior to issuance of coverage under this general permit. If a wasteload allocation (WLA) has been assigned to discharges of a particular pollutant from your MS4 to a particular basin subsegment:

1. You must include **clear, specific, and measurable** goals and BMPs in your SWMP targeting the pollutant(s) of concern. Include details, such as identifying areas of focused effort or implementing additional control measures or BMPs that will reduce the pollutant(s) of concern. A schedule for implementing each targeted control shall be included in the SWMP.

2. Permittees shall adopt any assigned wasteload allocations (WLAs) as benchmark goals in the SWMP. The benchmark goal is not a permit limit, but shall be used to measure the progress toward achieving pollutant reductions from the MS4. If the benchmark goal is met, the permittee shall maintain the control measures, BMPs, or other pollutant reduction programs necessary to ensure that the goal will continue to be met.

3. Permittees must comply with monitoring or compliance schedules established in the TMDL.

4. Permittees shall select one or more of the following recommended controls (a–f) or develop other controls that may best achieve the pollutant reduction goals. The following storm water control measures address nutrient, dissolved oxygen, sediment, and/or bacteria impairments:

    a. Prioritization of the detection and elimination of illicit discharges contributing the pollutant(s) of concern to the MS4.

    b. Implementation of public education measures to reduce the discharge of bacteria and nutrients contributed by pets, livestock, and zoos.

    c. Implementation of a public education program to reduce the discharge of nutrients from the overapplication of residential and commercial fertilizers.

    d. Implementation of programs to reduce the pollutant contributions to the MS4 from failing on-site sewage treatment systems, such as septic tanks and small package plants. Such a program could include requiring the replacement of old septic tanks, regionalization of heavily populated areas without a centralized waste treatment facility, and/or extension of existing sewage treatment lines.

    e. Implementation of programs to enhance the MS4's sanitary sewer systems. Such a program should address inadequate collection systems, malfunctioning lift stations, or violations of the sewage treatment plant's water discharge permit.

    f. Requirement of a minimum buffer zone adjacent to surface waters to reduce erosion and sediment runoff for construction activities.

5. You must implement a monitoring program to determine whether the storm water controls that you have selected are adequate to meet the WLA. Each permitted MS4 must develop a monitoring program specific to the selected BMPs that will be an effective tool to determine if measurable goals are being

met. Document in your SWMP the reason and justification for the parameters and frequencies selected and how the monitoring program will effectively evaluate storm water controls. Monitoring programs may include, but are not limited to, the following elements:

a. Regular visual inspections of outfalls during wet and dry weather;

b. Regular inspections of receiving water bodies with the purpose of noting erosion or sedimentation problems;

c. Regular inspections of storm drains, major canals, or junctions;

d. Visual inspections of effluent samples for color, clarity, and the presence of foam, oil, debris, or noxious odors;

e. Instantaneous (*in situ)* water quality measurements of the receiving water body, such as dissolved oxygen, temperature, pH, etc.; and

f. Sampling and analysis of storm water discharges for pollutants of concern.

The permittee must also conduct any monitoring, including specific frequencies, required by applicable TMDLs.

6. Permittees must evaluate the effectiveness of the SWMP and document progress toward the benchmark goal(s). The MS4 operator may utilize third party data, such as that collected by LDEQ, USGS, EPA, and volunteer organizations in the evaluation process. However, the evaluation shall not be limited to only third party data. If subsequent evaluations show that additional or modified controls are necessary to meet the WLA for a particular pollutant, then you must describe the additional or modified controls that will be implemented and include a schedule for implementation. You must continue to evaluate the adequacy of the BMPs that you have implemented to meet the WLA for a particular pollutant. Make modifications to the SWMP until monitoring for a full permit cycle shows that the WLAs are being met or that the MS4 is no longer contributing to the water quality impairment.

7. Within 6 months of any <u>new</u> WLAs assigned for specific pollutants, which are identified as impairments attributed to discharges from regulated MS4s, the permittee shall: initiate development of clear, specific, and measurable goals and BMPs in your SWMP targeting the pollutant(s) of concern. Include details, such as identifying areas of focused effort of implementing additional control measures or BMPs that will reduce the pollutant(s) of concern. A schedule for implementing each targeted control shall be included in the SWMP. **Upon renewal of this permit, the selected clear, specific, and measurable goals and BMPs will be reviewed and, if accepted, established as enforceable**

permit conditions by the state administrative authority.

[NOTE: You should consult the latest edition of the Louisiana Water Quality Management Plan, which is available on the LDEQ website at: http://deq.louisiana.gov/page/water-quality-management (Volume 8), to determine if a wasteload allocation for any pollutant has been assigned to your MS4.]

Compliance with federal, state and local storm water programs revolves around the use of BMPs to manage storm water. Given the water quality and quantity benefits of smart growth at the site, neighborhood, and watershed levels, many smart growth techniques and policies are emerging as BMPs to manage storm water. You are strongly encouraged to utilize principles and BMPs contained in the following publications to minimize the discharge of pollutants within watersheds:https://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater#edu and https://www.epa.gov/smartgrowth/. You must document in your SWMP which smart growth practices you utilize and describe how those practices minimize the discharge of pollutants of concern to any water body with an established TMDL.

LDEQ-developed TMDL reports are maintained and regularly updated on the LDEQ website at http://deq.louisiana.gov/page/tmld-reports-and-models.

LDEQ collects ambient surface water data at approximately 125 sites across the state each month. This data is used for establishing water quality criteria or standards, assessment of conditions, development of TMDLs, and the Section 303(d) List of Impaired Waters. This data may be accessed on the LDEQ website at http://deq.louisiana.gov/page/ambient-water-quality-monitoring-data.

LDEQ's Interactive Mapping Application (LIMA) can be accessed at http://deq.louisiana.gov/resources/category/make-a-map.

LDEQ's Small Business Assistance (http://deq.louisiana.gov/page/small-business-parish-assignments-regional-contacts) provides environmental regulatory assistance and information to small businesses and communities, including identification of subsegments, urbanized area boundaries, and the use of the LDEQ's Interactive Mapping Application.

PART V
MONITORING, RECORDKEEPING, AND REPORTING

A. Monitoring

On an ongoing basis during the permit term, you must:

- evaluate program compliance,
- evaluate the functionality of your identified BMPs,
- evaluate progress made toward the status of achieving your identified clear, specific, and measurable goals and BMPs, and
- make any necessary changes/updates to your plan.

If you discharge to a water for which a wasteload allocation (WLA) for a particular pollutant has been assigned to one or more of your MS4 outfalls, you are also required to develop and implement a monitoring program as described in Part IV.H. If the permittee discharges to two or more water bodies, the monitoring requirements apply only to those outfalls located within the subsegment for which the TMDL has been developed.

When conducting effluent (for example, wet weather discharge) sampling and analysis, permitted small MS4s must comply with the following:

1. All sampling and testing shall be conducted in accordance with the test procedures approved under 40 CFR Part 136.

2. Proper sampling techniques shall be used to ensure that analytical results are representative of pollutants in the discharge. Monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 CFR Part 136, and in particular, Appendices A, B, and C (LAC 33:IX.4901).

3. The flow measurement sample type for the effluent sampling shall be “estimate.” Flow measurements shall not be subject to the accuracy provisions established in this permit. When collecting samples, the flow value may be estimated using best engineering judgment (LAC 33:IX.2701).

4. The permittee or designated laboratory shall have an adequate analytical quality assurance/quality control program to produce defensible data of known precision and accuracy. All quality control measures must be assessed and evaluated on an ongoing basis and quality control acceptance criteria must be used to determine the validity of the data. All method-specific quality control as prescribed in the method shall be followed. If quality control requirements are not included in the method, the permittee or designated laboratory shall follow the quality control requirements as prescribed in the Approved Edition (40 CFR Part 136) *Standard Methods for the Examination of Water and Wastewater*, Sections 1020A and 1020B. General sampling protocol must follow guidelines established in the

Handbook for Sampling and Sample Preservation of Water and Wastewater, 1982, U.S. Environmental Protection Agency (see Part VI.c.5.c).

In accordance with 40 CFR 122.44(i)(1)(iv)(2), the permittee is required to use the most sufficiently sensitive method to quantify the presence of a pollutant. Therefore, the permittee must select a method with an MDL that is at or below the water quality criterion (if applicable) or the MQL, whichever is less. Please be advised that should a sufficiently sensitive method not be available, the permittee must submit supporting documentation stating this. For reporting purposes, if the most sensitive method is greater than the more stringent of the MQL or the water quality criteria, and the analytical result is less than the MDL, "non-detect" shall be reported. If the method is less than or equal to the more stringent of the MQL or water quality criteria and the analytical result is less than that value, zero (0) shall be reported.

5. Records of all monitoring information shall be retained in accordance with Part V.B of this permit.

B. Recordkeeping

You must retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, a copy of the LPDES permit, and records of all data used to complete the application (NOI) for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application, or for the term of this permit, whichever is longer. This period may be extended by request of the state administrative authority at any time.

You should not submit copies of records to the state administrative authority unless you are specifically asked to do so. You must retain a description of the SWMP required by this permit (including a copy of the permit language) at a location accessible to the state administrative authority. You must make your records, including the Notice of Intent (NOI) and a copy of the SWMP, available to the public if you receive a written request to do so.

C. Annual Report Requirements

Unless a co-permittee is exempted from providing updates to the annual report via an interagency agreement, each co-permittee must contribute to the preparation of a system-wide annual report. Each co-permittee must sign and certify the annual report in accordance with Part VI.D.10. You must submit the annual report and one copy to LDEQ by March 10 for the preceding calendar year. The annual report must be postmarked no later than March 10. If your MS4 has a public website, you must publish the SWMP and annual report on the website. If an electronic reporting format is developed during the permit term, LDEQ may require the use of the electronic format in order to comply with EPA's eReporting rule. MS4s will be notified in writing if and when this occurs.

Your annual report must include:

1. The status of compliance with permit terms and conditions;

2. 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;

3. A summary of the storm water activities you plan to undertake to comply with the permit during the next reporting cycle (including an implementation schedule);

4. Any changes made during the reporting period to your SWMP, including control measures initiated in response to a new wasteload allocation;

5. Notice that you are relying on another government entity to satisfy some of your permit obligations (if applicable) consistent with LAC 33:IX.2525; and

6. Any other information requested by the state administrative authority.

D. Reporting: Where and When to Submit

1. Two copies of the annual report required by Part V.C and any other reports required herein shall be mailed to:

   Louisiana Department of Environmental Quality
   Office of Environmental Services
   P.O. Box 4313
   Baton Rouge, LA 70821-4313
   Attention: Water Permits Division

   You must submit these reports to LDEQ by March 10 for the preceding calendar year. By 2025, you may be required to submit MS4 program reports electronically (40 CFR 127.16, Table 1), unless an extension is granted by EPA and their state administrative authority.

2. In addition, requests concerning updates to the SWMP, changes in monitoring locations, or application for an individual permit shall be submitted to:

   Louisiana Department of Environmental Quality
   Office of Environmental Services
   P.O. Box 4313
   Baton Rouge, LA 70821-4313
   Attention: Water Permits Division

PART VI
STANDARD PERMIT CONDITIONS

SECTION A. GENERAL CONDITIONS

1. Introduction
   In accordance with the provisions of LAC 33:IX.2701, et seq., this permit incorporates either expressly or by reference ALL conditions and requirements applicable to the Louisiana Pollutant Discharge Elimination System Permits (LPDES) set forth in the Louisiana Environmental Quality Act (LEQA), as amended, as well as ALL applicable regulations.

2. Duty to Comply
   The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and the Louisiana Environmental Quality Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

3. Penalties for Violation of Permit Conditions
   a. R.S. 30:2025 provides for civil penalties for violations of these regulations and the Louisiana Environmental Quality Act. R.S. 30:2076.2 provides for criminal penalties for violation of any provisions of the LPDES or any order or any permit condition or limitation issued under or implementing any provisions of the LPDES program. (See Section E. Penalties for Violation of Permit Conditions for additional details.)

   b. Any person may be assessed an administrative penalty by the state administrative authority under R.S. 30:2025 for violating a permit condition or limitation implementing any of the requirements of the LPDES program in a permit issued under the regulations or the Louisiana Environmental Quality Act.

4. Toxic Pollutants

   a. Other effluent limitations and standards under Sections 301, 302, 303, 307, 318, and 405 of the Clean Water Act. If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Clean Water Act for a toxic pollutant, and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, the state administrative authority shall institute proceedings under these regulations to modify or revoke and reissue the permit to conform to the toxic effluent standard or prohibition.

   b. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions, or standards

for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

5. Duty to Reapply

   a. Individual Permits. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The new application shall be submitted at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the state administrative authority. (The state administrative authority shall not grant permission for applications to be submitted later than the expiration date of the existing permit.) Continuation of expiring permits shall be governed by regulations promulgated at LAC 33:IX.2321 and any subsequent amendments.

   b. General Permits. General permits expire five years after the effective date. The 180-day reapplication period as defined above is not applicable to general permit authorizations. Reissued general permits may provide automatic coverage for permittees authorized under the previous version of the permit, and no new application is required. Requirements for obtaining authorization under the reissued general permit will be outlined in Part I of the new permit. Permittees authorized to discharge under an expiring general permit should follow the requirements for obtaining coverage under the new general permit to maintain discharge authorization.

6. Permit Action

   This permit may be modified, revoked and reissued, or terminated for cause in accordance with LAC 33:IX.2903, 2905, 2907, 3105, and 6509. The causes may include, but are not limited to, the following:

   a. Noncompliance by the permittee with any condition of the permit;

   b. The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time;

   c. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination;

   d. A change in any condition that requires either a temporary or a permanent reduction or elimination of any discharge;

   e. Failure to pay applicable fees under the provisions of LAC 33:IX.Chapter 13; or

   f. Change of ownership or operational control.

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

7. Property Rights
This permit does not convey any property rights of any sort, or any exclusive privilege, nor does it authorize any injury to private or public property, nor any infringement of federal, state, or local laws or regulations.

8. Duty to Provide Information
The permittee shall furnish to the state administrative authority, within a reasonable time, any information which the state administrative authority may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the state administrative authority, upon request, copies of records required to be kept by this permit.

9. Criminal and Civil Liability
Except as provided in permit conditions on "Bypassing" and "Upsets," nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit, the Act, or applicable regulations, which avoids or effectively defeats the regulatory purpose of the Permit may subject the permittee to criminal enforcement pursuant to R.S. 30:2025.

10. Oil and Hazardous Substance Liability
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

11. State Laws
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Clean Water Act.

12. Severability
If any provision of these rules and regulations, or the application thereof, is held to be invalid, the remaining provisions of these rules and regulations shall not be affected, so long as they can be given effect without the invalid provision. To this end, the provisions of these rules and regulations are declared to be severable.

13. Dilution
A permittee shall not achieve any effluent concentration by dilution unless specifically authorized in the permit. A permittee shall not increase the use of process water or cooling

water or otherwise attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve permit limitations or water quality.

14. Facilities Requiring Approval from Other State Agencies

In accordance with R.S. 40:4(A)(6) the plans and specifications of all sewerage works, both public and private, must be approved by the Louisiana Department of Health state health officer or his designee. It is unlawful for any person, firm, or corporation, both municipal and private, to operate a sanitary sewage treatment facility without proper authorization from the state health officer.

In accordance with R.S. 40:1281.9, it is unlawful for any person, firm or corporation, both municipal and private, operating a sewerage system to operate that system unless the competency of the operator is duly certified by the Louisiana Department of Health state health officer. Furthermore, it is unlawful for any person to perform the duties of an operator without being duly certified.

In accordance with R.S. 48.385, it is unlawful for any industrial wastes, sewage, septic tanks effluent, or any noxious or harmful matter, solid, liquid, or gaseous to be discharged into the side or cross ditches or placed upon the rights-of-ways of state highways without the prior written consent of the Department of Transportation and Development chief engineer or his duly authorized representative and of the secretary of the Louisiana Department of Health.

15. Standards provided in Chapter 11

Surface Water Quality Standards are official regulations of the state, and any person who discharges pollutants to the waters of the state in such quantities as to cause these standards to be violated shall be subject to the enforcement procedures of the state as specified in R.S. 30:2025.

16. Preproduction Plastics

This permit does not authorize a visible discharge or release of preproduction plastic into waters of the state.

SECTION B. PROPER OPERATION AND MAINTENANCE

1. Need to Halt or Reduce not a Defense

It shall not be a defense for a permittee 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.

2. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. The permittee shall also take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance

with the permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

3. Proper Operation and Maintenance

a. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

b. The permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance, and other functions necessary to ensure compliance with the conditions of this permit.

4. Bypass of Treatment Facilities

a. Bypass. The intentional diversion of waste streams from any portion of a treatment facility.

b. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Section B.4.c. and d of these standard conditions.

c. Notice

(1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Office of Environmental Services, Water Permits Division, if possible at least 10 days before the date of the bypass.

(2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in LAC 33:IX.2701.L.6 (24-hour notice) and Section D.6.e of these standard conditions.

d. Prohibition of bypass

(1) Bypass is prohibited, and the state administrative authority may take enforcement action against a permittee for bypass, unless:
(a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(c) The permittee submitted notices as required by Section B.4.c of these standard conditions.

(2) The state administrative authority may approve an anticipated bypass after considering its adverse effects, if the state administrative authority determines that it will meet the three conditions listed in Section B.4.d(1) of these standard conditions.

5. Upset Conditions

a. Upset. An exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Section B.5.c are met. No determination made during administrative review of claims that noncompliance was caused by an upset, and before an action for noncompliance, constitutes final administrative action subject to judicial review.

c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and that the permittee can identify the cause(s) of the upset;

(2) The permitted facility was at the time being properly operated;

(3) The permittee submitted notice of the upset as required by LAC 33:IX.2701.L.6.b.ii and Section D.6.e(2) of these standard conditions; and

(4) The permittee complied with any remedial measures required by Section B.2 of these standard conditions.

d. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

6. Removed Substances
   Solids, sewage sludges, filter backwash, or other pollutants removed in the course of treatment or wastewater control shall be properly disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the state and in accordance with environmental regulations.

7. Percent Removal
   For Publicly Owned Treatment Works (POTWs), the 30-day average percent removal for Biochemical Oxygen Demand and Total Suspended Solids shall not be less than 85 percent in accordance with LAC 33:IX.5905.A.3 and B.3. POTWs utilizing waste stabilization ponds/oxidation ponds are not subject to the 85 percent removal rate for Total Suspended Solids.

SECTION C. MONITORING AND RECORDS

1. Inspection and Entry
   The permittee shall allow the state administrative authority or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by the law to:

   a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.

      Enter upon the permittee's premises where a discharge source is or might be located or in which monitoring equipment or records required by a permit are kept for inspection or sampling purposes. Most inspections will be unannounced and should be allowed to begin immediately, but in no case shall begin more than 30 minutes after the time the inspector presents his/her credentials and announces the purpose(s) of the inspection. Delay in excess of 30 minutes shall constitute a violation of this permit. However, additional time can be granted if the inspector or the administrative authority determines that the circumstances warrant such action;

   b. Have access to and copy, at reasonable times, any records that the department or its authorized representative determines are necessary for the enforcement of this permit. For records maintained in either a central or private office that is open only during normal office hours and is closed at the time of inspection, the records shall be made available as soon as the office is open, but in no case later than the close of business the next working day;

   c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

   d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Louisiana Environmental Quality Act, any substances or parameters at any location.

e. Sample Collection

(1) When the inspector announces that samples will be collected, the permittee may be given an additional 30 minutes to prepare containers in order to collect duplicates. If the permittee cannot obtain and prepare sample containers within this time, he is considered to have waived his right to collect duplicate samples and the sampling will proceed immediately. Further delay on the part of the permittee in allowing initiation of the sampling will constitute a violation of this permit.

(2) At the discretion of the administrative authority, sample collection shall proceed immediately (without the additional 30 minutes described in Section C.1.a above), and the inspector shall supply the permittee with a duplicate sample.

f. It shall be the responsibility of the permittee to ensure that a facility representative familiar with provisions of its wastewater discharge permit, including any other conditions or limitations, be available either by phone or in person at the facility during all hours of operation. The absence of such personnel on-site who are familiar with the permit shall not be grounds for delaying the initiation of an inspection except in situations as described in Section C.1.b of these standard conditions. The permittee shall be responsible for providing witnesses/escorts during inspections. Inspectors shall abide by all company safety rules and shall be equipped with standard safety equipment (hard hat, safety shoes, safety glasses) normally required by industrial facilities.

g. Upon written request, copies of field notes, drawings, etc., taken by department personnel during an inspection shall be provided to the permittee after the final inspection report has been completed.

2. Representative Sampling
Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. All samples shall be taken at the outfall location(s) indicated in the permit. The state administrative authority shall be notified prior to any changes in the outfall location(s). Any changes in the outfall location(s) may be subject to modification, revocation, and reissuance in accordance with LAC 33:IX.2903.

3. Retention of Records
Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer, as required by 40 CFR 503), 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 all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the state administrative authority at any time.

4. Record Contents
Records of monitoring information shall include:

a. The date, exact place, and time of sampling or measurements;

b. The individual(s) who performed the sampling or measurements;

c. The date(s) analyses were performed;

d. The time(s) analyses were begun;

e. The individual(s) who performed the analyses;

f. The analytical techniques or methods used;

g. The results of such analyses; and

h. The results of all quality control procedures.

5. Monitoring Procedures

a. Measurements and analyses must be conducted according to test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, unless other test procedures have been specified in this permit.

b. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to ensure accuracy of measurements and shall maintain appropriate records of such activities.

c. The permittee or designated laboratory shall have an adequate analytical quality assurance/quality control program to produce defensible data of known precision and accuracy. All quality control measures shall be assessed and evaluated on an ongoing basis, and quality control acceptance criteria shall be used to determine the validity of the data. All method-specific quality controls as prescribed in the method shall be followed. If quality control requirements are not included in the method, the permittee or designated laboratory shall follow the quality control requirements as prescribed in the Approved Edition (40 CFR Part 136) *Standard Methods for the Examination of Water and Wastewater*, Sections 1020A and 1020B. General sampling protocol shall follow guidelines established in the *Handbook for Sampling and Sample Preservation of Water and Wastewater*, 1982 U.S. Environmental Protection Agency. This publication is available from the National Service Center for Environmental Publications https://nepis.epa.gov/Exe/ZyNET.exe/30000QSA.TXT?ZyActionD=ZyDocument&Client=EPA&Index=1981+Thru+1985&Docs=&Query=&Time=&EndTime=&SearchMethod=

1&TocRestrict=n&Toc=&TocEntry=&QField=&QFieldYear=&QFieldMonth=&QFieldDay=&IntQFieldOp=0&ExtQFieldOp=0&XmlQuery=&File=D%3A%5Czyfiles%5CIndex%20Data%5C81thru85%5CTxt%5C00000001%5C30000QSA.txt&User=ANONYMOUS&Password=anonymous&SortMethod=h%7C-&MaximumDocuments=1&FuzzyDegree=0&ImageQuality=r75g8/r75g8/x150y150g16/i425&Display=hpfr&DefSeekPage=x&SearchBack=ZyActionL&Back=ZyActionS&BackDesc=Results%20page&MaximumPages=1&ZyEntry=1&SeekPage=x&ZyPURL.

6. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes and shall be calibrated by a qualified source at least once a year to ensure their accuracy. A qualified source is a person that has received formal training and/or has practical field experience in the calibration of the flow measurement device used at the facility. Guidance in selection, installation, calibration, and operation of acceptable flow measurement devices can be obtained from the following references:

a. *A Guide to Methods and Standards for the Measurement of Water Flow*, 1975, U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, and telephone number (800) 553-6847. Order by NTIS publication number COM-75-10683. https://www.govinfo.gov/content/pkg/GOVPUB-C13-a301a5f6bf6ec378b4fabc9c626c03e2/pdf/GOVPUB-C13-a301a5f6bf6ec378b4fabc9c626c03e2.pdf

b. *Flow Measurement in Open Channels and Closed Conduits*, Volumes 1 and 2 U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Service (NTIS), Springfield, VA, 22161, and telephone number (800) 553-6847. Order by NTIS publication number PB-273 535.
Volume 1:
https://www.govinfo.gov/content/pkg/GOVPUB-C13-c0f8a094b9fcc5c32be685edbd48f942/pdf/GOVPUB-C13-c0f8a094b9fcc5c32be685edbd48f942.pdf.

Volume 2:
https://www.govinfo.gov/content/pkg/GOVPUB-C13-b3daf36f1cc0f770bc04d66da5cdc937/pdf/GOVPUB-C13-b3daf36f1cc0f770bc04d66da5cdc937.pdf

c. *NPDES Compliance Flow Measurement Manual*, U.S. Environmental Protection Agency, Office of Water Enforcement. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, and telephone number (800) 553-6847. Order by NTIS publication number PB-82-131178. https://nepis.epa.gov/Exe/ZyNET.exe/9101TZLK.TXT?ZyActionD=ZyDocument&Client

=EPA&Index=1981+Thru+1985&Docs=&Query=&Time=&EndTime=&SearchMethod=1&TocRestrict=n&Toc=&TocEntry=&QField=&QFieldYear=&QFieldMonth=&QFieldDay=&IntQFieldOp=0&ExtQFieldOp=0&XmlQuery=&File=D%3A%5Czyfiles%5CIndex%20Data%5C81thru85%5CTxt%5C00000026%5C9101TZLK.txt&User=ANONYMOUS&Password=anonymous&SortMethod=h%7C-&MaximumDocuments=1&FuzzyDegree=0&ImageQuality=r75g8/r75g8/x150y150g16/i425&Display=hpfr&DefSeekPage=x&SearchBack=ZyActionL&Back=ZyActionS&BackDesc=Results%20page&MaximumPages=1&ZyEntry=1&SeekPage=x&ZyPURL

7. Prohibition for Tampering: Penalties

   a. R.S. 30:2025 provides for punishment of any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit.

   a. R.S. 30:2076.2 provides for penalties for any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance.

8. Additional Monitoring by the Permittee
   If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 (see LAC 33:IX.4901), or in the case of sludge use and disposal, approved under 40 CFR Part 136 (see LAC 33:IX.4901) unless otherwise specified in 40 CFR Part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the state administrative authority.

9. Averaging of Measurements
   Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the state administrative authority in the permit.

10. Laboratory Accreditation
    a. LAC 33:I.Subpart 3, Chapters 45–59 provide requirements for an accreditation program specifically applicable to commercial laboratories, wherever located, that provide chemical analyses, analytical results, or other test data to the department, by contract or by agreement, and the data is:

       (1) Submitted on behalf of any facility, as defined in R.S. 30:2004;
       (2) Required as part of any permit application;
       (3) Required by order of the department;
       (4) Required to be included on any monitoring reports submitted to the department;
       (5) Required to be submitted by contractor; and/or
       (6) Otherwise required by department regulations.

b. The department laboratory accreditation program, Louisiana Environmental Laboratory Accreditation Program (LELAP) is designed to ensure the accuracy, precision, and reliability of the data generated, as well as the use of department-approved methodologies in generation of that data. Laboratory data generated by commercial environmental laboratories that are not LELAP-accredited will not be accepted by the department. Retesting of analysis by an accredited commercial laboratory will be required.

Where retesting of effluent is not possible (for example, data reported on DMRs for prior month's sampling), the data generated will be considered invalid and in violation of the LPDES permit.

c. Regulations on the Louisiana Environmental Laboratory Accreditation Program and a list of labs that have applied for accreditation are available on the department website located under LDEQ → About LDEQ→ Public Participation and Permit Support →LA Lab Accreditation at the following link:

http://deq.louisiana.gov/page/la-lab-accreditation

Questions concerning the program may be directed to (225) 219-3247.

SECTION D. REPORTING REQUIREMENTS

1. Facility Changes
The permittee shall give notice to the state administrative authority as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or

a. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit nor to notification requirements under LAC 33:IX.2703.A.1.

c. For Municipal Permits. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Section 301 or 306 of the CWA if it were directly discharging those pollutants, and any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit. In no case are any new connections, increased flows, or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein.

2. Anticipated Noncompliance

The permittee shall give advance notice to the state administrative authority of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. Transfers

This permit is not transferable to any person except after notice to the state administrative authority. The state administrative authority 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 Clean Water Act or the Louisiana Environmental Quality Act. (See LAC 33:IX.2901; in some cases, modification or revocation and reissuance is mandatory.)

A permit may be transferred by the permittee to a new owner or operator only if: (1) the permit has been modified or revoked and reissued (under LAC 33:IX.2903.A.2.b) by the permittee and new owner submitting a Name/Ownership/Operator Change Form (NOC-1 Form) and approved by LDEQ (LAC 33:I.Chapter 19); or (2) a minor modification made (under LAC 33:IX.2905) to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act and the Louisiana Environmental Quality Act.

The NOC-1 form can be found using the pathway LDEQ → Water→ LPDES Application Forms at the following link: http://deq.louisiana.gov/page/lpdes-water-permits

4. Monitoring Reports

Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be submitted through a department-approved electronic document receiving system (NetDMR) in accordance with LAC 33:I.Chapter 21 unless the state administrative authority gives written authorization to the permittee to submit monitoring results in an alternative format such as paper DMRs.

Information about NetDMR and gaining access can be viewed using the pathway LDEQ → Water→ Enforcement → NETDMR on the department's website at: http://deq.louisiana.gov/page/netdmr

The permittee shall submit properly completed Discharge Monitoring Reports (DMRs) using the format specified in the permit.

If authorized to report using an alternative format such as paper DMRs, then preprinted DMRs will be provided to majors and other designated facilities. Please contact the Permit Compliance Unit concerning preprints. Self-generated DMRs must be pre-approved by the Permit Compliance Unit prior to submittal. Self-generated DMRs are approved on an individual basis. Requests for approval of self-generated DMRs should be submitted to the following address:

Supervisor, Permit Compliance Unit

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, LA 70821-4312

5. Compliance Schedules
Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

6. Requirements for Notification

a. Emergency Notification
As required by LAC 33.I.3915, in the event of an unauthorized discharge that causes an emergency condition, the discharger shall notify the hotline (Department of Public Safety (DPS) 24-hour Louisiana Emergency Hazardous Materials Hotline) by telephone at (225) 925-6595 (collect calls accepted 24 hours a day) immediately (a reasonable period of time after taking prompt measures to determine the nature, quantity, and potential off-site impact of a release, considering the exigency of the circumstances), but in no case later than one hour after learning of the discharge. (An emergency condition is any condition which could reasonably be expected to endanger the health and safety of the public, cause significant adverse impact to the land, water, or air environment, or cause severe damage to property.) Notification required by this section will be made regardless of the amount of discharge. Prompt Notification Procedures are listed in Section D.6.c of these standard conditions.

A written report shall be provided within seven calendar days after the notification. The report shall contain the information listed in Section D.6.d of these standard conditions and any additional information in LAC 33:I.3925.B.

b. Prompt Notification
As required by LAC 33:I.3917, in the event of an unauthorized discharge that exceeds a reportable quantity specified in LAC 33:I.Chapter 39.Subchapter E, but does not cause an emergency condition, the discharger shall promptly notify DPS by telephone at (225) 925-6595 (collect calls accepted 24 hours a day) within 24 hours after learning of the discharge.

In the event of an unauthorized discharge that requires notification, the DPS 24-hour Louisiana Emergency Hazardous Materials Hotline will notify the Department of Environmental Quality.

In accordance with LAC 33:I.3923, notifications not required by LAC 33:I.3915 or 3917 shall be provided to the department within a time frame not to exceed 24 hours, or as specified by the specific regulation or permit provision requiring the notification, and shall be given to Single Point of Contact (SPOC), as follows:

(1) by the Online Incident Reporting screens found at http://deq.louisiana.gov/page/file-a-complaint-report-an-incident; or

(2) by email utilizing the Incident Report Form and instructions found at https://www.deq.louisiana.gov/index.cfm?md=pagebuilder&tmp=home&pid=single-point-of-contact; or

(3) by telephone at (225) 219-3640 during office hours, or (225) 342-1234 after hours and on weekends and holidays.

c. Content of Prompt Notifications The following guidelines will be utilized as appropriate, base on the conditions and circumstances surrounding any unauthorized discharge, to provide relevant information regarding the nature of the discharge:

(1) the name of the person making the notification and the telephone number where any return calls from response agencies can be placed;

(2) the name and location of the facility or site where the unauthorized discharge is imminent or has occurred, using common landmarks. In the event of an incident involving transport, include the name and address of the transporter and generator;

(3) the date and time the incident began and ended, or the estimated time of continuation if the discharge is continuing;

(4) the extent of any injuries and identification of any known personnel hazards that response agencies may face;

(5) the common or scientific chemical name, the U.S. Department of Transportation hazard classification, and the best estimate of amounts of any and all discharged pollutants; and

(6) a brief description of the incident sufficient to allow response agencies to formulate their level and extent of response activity.

d. Written Notification Procedures Written reports for any unauthorized discharge that requires notification under Section D.6.a or b, shall be submitted by the discharger to the Office of Environmental Compliance, Emergency and Radiological Services Division - SPOC in accordance with LAC 33:I.3925 within seven calendar days after the notification required by D.6.a or 6.b, unless otherwise provided for in a valid permit or other department regulation. Written notification reports shall include, but not be limited to, the following information:

(1) the name, address, telephone number, Agency Interest (AI) number (number assigned by the department) if applicable, and any other applicable identification numbers of

the person, company, or other party who is filing the written report, and specific identification that the report is the written follow-up report required by this section;

(2) the time and date of prompt notification, the state official contacted when reporting, the name of person making that notification, identification of the site or facility, vessel, transport vehicle, or storage area from which the unauthorized discharge occurred, and the location where the incident occurred;

(3) date(s), time(s), and duration of the unauthorized discharge and, if not corrected, the anticipated time it is expected to continue;

(4) details of the circumstances (unauthorized discharge description and root cause) and events leading to any unauthorized discharge, including incidents of loss of sources of radiation, and if the release point is subject to a permit:

(a) the current permitted limit for the pollutant(s) released; and

(b) the permitted release point/outfall ID

(5) the common or scientific chemical name of each specific pollutant that was released as the result of an unauthorized discharge, including the CAS number and U.S. Department of Transportation hazard classification, and the best estimate of amounts of any and all released pollutants (total amount of each compound expressed in pounds, including calculations);

(6) a statement of the actual or probable fate or disposition of the pollutant or source of radiation and what off-site impact resulted; and

(7) Remedial actions taken, or to be taken, to stop unauthorized discharges or to recover pollutants or sources of radiation.

Written notification reports shall be submitted to the Office of Environmental Compliance, SPOC by mail or e-mail. The transmittal envelope and report or e-mail subject line and report should be clearly marked "**UNAUTHORIZED DISCHARGE NOTIFICATION REPORT**."

Written reports (LAC 33:I.3925) should be mailed to:

Louisiana Department of Environmental Quality
Post Office Box 4312
Baton Rouge, LA 70821-4312
ATTENTION: OFFICE OF ENVIRONMENTAL COMPLIANCE – SPOC
"UNAUTHORIZED DISCHARGE NOTIFICATION REPORT"

The Written Notification Report may be emailed to the Louisiana Department of Environmental Quality, Office of Environmental Compliance, Single Point of Contact at: writtennotificationLDEQ@la.gov.

Please see LAC 33:I.3925.B for additional written notification procedures.

e. Twenty-four Hour Reporting The permittee shall report any noncompliance which may endanger human health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The following shall be included as information which must be reported within 24 hours:

(1) Any unanticipated bypass which exceeds any effluent limitation in the permit (see LAC 33:IX.2701.M.3.b);

(2) Any upset which exceeds any effluent limitation in the permit; and/or

(3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the state administrative authority in Part II of the permit to be reported within 24 hours (LAC 33:IX.2707.G).

7. Other Noncompliance
The permittee shall report all instances of noncompliance not reported under Section D.4, 5, and 6, at the time monitoring reports are submitted. The reports shall contain the information listed in Section D.6.e.

8. Other Information
Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the state administrative authority, it shall promptly submit such facts or information.

9. Discharges of Toxic Substances
In addition to the reporting requirements under Section D.1–8, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Office of Environmental Services, Water Permits Division as soon as they know or have reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant:

(1) listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:

(a) One hundred micrograms per liter (100 µg/L);

(b) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;

(c) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC 33:IX.2501.G.7; or

(d) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F; or

(2) which exceeds the reportable quantity levels for pollutants at LAC 33:I.Chapter 39.Subchapter E.

b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant:

(1) listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

(a) Five hundred micrograms per liter (500 µg/L);

(b) One milligram per liter (1 mg/L) for antimony;

(c) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC 33:IX.2501.G.7; or

(d) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F; or

(2) which exceeds the reportable quantity levels for pollutants at LAC 33:I.Chapter 39.Subchapter E.

10. Signatory Requirements

All applications, reports, or information submitted to the state administrative authority shall be signed and certified.

a. All permit applications shall be signed as follows:

(1) For a corporation—by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

(a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or,

(b) The manager of one or more manufacturing, production, or operating facilities, provided: the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations and initiating and directing other comprehensive measures to ensure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and the authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

NOTE: The department does not require specific assignments or delegations of authority to responsible corporate officers identified in Section D.10.a(1)(a). The agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the state administrative authority to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under Section D.10.a(1)(b) rather than to specific individuals.

(2) For a partnership or sole proprietorship—by a general partner or the proprietor, respectively; or

(3) For a municipality, state, federal, or other public agency—by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes:

(a) The chief executive officer of the agency, or

(b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (for example, Regional Administrators of EPA).

b. All reports required by permits and other information requested by the state administrative authority shall be signed by a person described in Section D.10.a, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described in Section D.10.a of these standard conditions;

(2) 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 plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (a duly authorized representative may thus be either a named individual or an individual occupying a named position); and,

(3) The written authorization is submitted to the state administrative authority.

c. Changes to authorization. If an authorization under Section D.10.b is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Section D.10.b must be submitted to the state administrative authority prior to or together with any reports, information, or applications to be signed by an authorized representative.

d. Certification. Any person signing a document under Section D.10.a or b 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 gather and evaluate 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 and imprisonment for knowing violations."

11. Availability of Reports

All recorded information (completed permit application forms, fact sheets, draft permits, or any public document) not classified as confidential information under R.S. 30:2030(A) and 30:2074(D) and designated as such in accordance with these regulations (LAC 33:IX.2323 and LAC 33:IX.6503) shall be made available to the public for inspection and copying during normal working hours in accordance with the Public Records Act, R.S. 44:1 et seq.

Claims of confidentiality for the following will be denied:

a. The name and address of any permit applicant or permittee; or

b. Permit applications, permits, and effluent data.

c. Information required by LPDES application forms provided by the state administrative authority under LAC 33:IX.2501 may not be claimed confidential. This includes

information submitted on the forms themselves and any attachments used to supply information required by the forms.

SECTION E. PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS

1. Criminal

a. Negligent Violations

R.S. 30:2076.2 provides that any person who negligently violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any such provision in a permit issued under the LPDES by the secretary, or any requirement imposed in a pretreatment program approved under the LPDES is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than one year, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than $50,000 per day of violation, or imprisonment of not more than two years, or both.

b. Knowing Violations

R.S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any permit condition or limitation implementing any such provisions in a permit issued under the LPDES, or any requirement imposed in a pretreatment program approved under the LPDES is subject to a fine of not less than $5,000 nor more than $50,000 per day of violation, or imprisonment for not more than three years, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than $100,000 per day of violation, or imprisonment of not more than six years, or both.

c. Knowing Endangerment

R.S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any of such provisions in a permit issued under the LPDES by the secretary, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000, or by imprisonment for not more than 15 years, or both. A person which is an organization shall, upon conviction of violating this Paragraph, be subject to a fine of not more than one million dollars. If a conviction of a person is for a violation committed after a first conviction of such person under this Paragraph, the maximum punishment shall be doubled with respect to both fine and imprisonment.

d. False Statements

R.S. 30:2076.2 provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the LPDES or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be

maintained under the LPDES, shall, upon conviction, be subject to a fine of not more than $10,000, or imprisonment for not more than two years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this Subsection, he shall be subject to a fine of not more than $20,000 per day of violation, or imprisonment of not more than four years, or both.

2. Civil Penalties
   R.S. 30:2025 provides that any person found to be in violation of any requirement of this Subtitle may be liable for a civil penalty, to be assessed by the secretary, an assistant secretary, or the court, of not more than the cost to the state of any response action made necessary by such violation which is not voluntarily paid by the violator, and a penalty of not more than $32,500 for each day of violation. However, when any such violation is done intentionally, willfully, or knowingly, or results in a discharge or disposal which causes irreparable or severe damage to the environment or if the substance discharged is one which endangers human life or health, such person may be liable for an additional penalty of not more than one million dollars.

(**PLEASE NOTE**: These penalties are listed in their entirety in Subtitle II of Title 30 of the Louisiana Revised Statutes.)

SECTION F. DEFINITIONS

All definitions contained in Section 502 of the Clean Water Act shall apply to this permit and are incorporated herein by reference. Additional definitions of words or phrases used in this permit are as follows:

1. Clean Water Act (CWA) means the Public Law 92-500 as amended by Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et seq. The CWA was formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972.

2. Accreditation means the formal recognition by the department of a laboratory's competence wherein specific tests or types of tests can be accurately and successfully performed in compliance with all minimum requirements set forth in the regulations regarding laboratory accreditation.

3. Administrator means the Administrator of the U.S. Environmental Protection Agency, or an authorized representative.

4. Applicable Standards and Limitations means all state, interstate and federal standards and limitations to which a discharge is subject under the Clean Water Act, including effluent limitations, water quality standards of performance, toxic effluent standards or prohibitions, best management practices, and pretreatment standards under Sections 301, 302, 303, 304, 306, 307, 308, and 403.

5. Applicable water quality standards means all water quality standards to which a discharge is subject under the Clean Water Act.

6. Commercial Laboratory means any laboratory, wherever located, that performs analyses or tests for third parties for a fee or other compensation and provides chemical analyses, analytical results, or other test data to the department. The term commercial laboratory does not include laboratories accredited by the Louisiana Department of Health in accordance with R.S. 49:1001 et seq.

7. Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the sampling day. Daily discharge determination of concentration made using a composite sample shall be the concentration of the composite sample.

8. Daily Maximum discharge limitation means the highest allowable "daily discharge."

9. Director means the U.S. Environmental Protection Agency Regional Administrator, or the state administrative authority, or an authorized representative.

10. Domestic septage means either liquid or solid material removed from a septic tank, cesspool, portable toilet, Type III marine sanitation device, or similar treatment works that receives only domestic sewage. Domestic septage does not include liquid or solid material removed from a septic tank, cesspool, or similar treatment works that receives either commercial wastewater or industrial wastewater and does not include grease removed from grease trap at a restaurant.

11. Domestic sewage means waste and wastewater from humans or household operations that is discharged to or otherwise enters a treatment works.

12. Environmental Protection Agency (or EPA) means the U.S. Environmental Protection Agency.

13. Grab sample means an individual sample collected over a period of time not exceeding 15 minutes, unless more time is needed to collect an adequate sample, and is representative of the discharge.

14. Industrial user means a nondomestic discharger, as identified in 40 CFR 403, introducing pollutants to a Publicly Owned Treatment Works.

15. LEQA means the Louisiana Environmental Quality Act.

16. Loading is presented in the permit and reported in the DMR as the total amount of a pollutant entering the facility or discharged in the effluent. It is calculated by knowing the amount of flow, the concentration, and the density of water. Results should be rounded off and expressed with the same number of significant figures as the permit limit. If the permit does not explicitly state how many significant figures are associated with the permit limit, the permittee shall use two.

    Loading (lbs/day) = Flow (in MGD) x Concentration (mg/L) x 8.34*

    *8.34 is the unit conversion for the weight of water

17. Louisiana Pollutant Discharge Elimination System (LPDES) means those portions of the Louisiana Environmental Quality Act and the Louisiana Water Control Law and all regulations promulgated under their authority which are deemed equivalent to the National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act in accordance with Section 402 of the Clean Water Act and all applicable federal regulations.

18. Monthly Average discharge limitations (other than for bacteria indicators, such as fecal coliform and enterococci) are calculated as the sum of all "daily discharge(s)" measured during a calendar month divided by the number of "daily discharge(s)" measured during that month. When the permit establishes monthly average concentration effluent limitations or conditions, and flow is measured as continuous record or with a totalizer, the monthly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar month where C = daily discharge concentration, F = daily flow and n = number of daily samples; monthly average discharge =

$$\frac{C_1F_1 + C_2F_2 + ... + C_nF_n}{F_1 + F_2 + ... + F_n}$$

    When the permit establishes monthly average concentration effluent limitations or conditions, and the flow is not measured as a continuous record, then the monthly average concentration means the arithmetic average of all "daily discharge(s)" of concentration determined during the calendar month.

    The monthly average for bacteria indicators is the geometric mean of the values for all effluent samples collected during a calendar month.

19. National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Clean Water Act.

20. POTW means Publicly Owned Treatment Works.

21. Sanitary Wastewater Term(s):

    a. 3-hour composite sample consists of three effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 3-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 3-hour period.

    b. 6-hour composite sample consists of six effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 6-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 6-hour period.

    c. 12-hour composite sample consists of 12 effluent portions collected no closer together than one hour over the 12-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 12-hour period. The daily sampling intervals shall include the highest flow periods.

    d. 24-hour composite sample consists of a minimum of 12 effluent portions collected at equal time intervals over the 24-hour period and combined proportional to flow or a sample continuously collected in proportion to flow over the 24-hour period.

22. Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

23. Sewage sludge means any solid, semisolid, or liquid residue removed during the treatment of municipal wastewater or domestic sewage. *Sewage sludge* includes, but is not limited to, solids removed during primary, secondary, or advanced wastewater treatment, scum, domestic septage, portable toilet pumpings, Type III marine sanitation device pumpings (33 CFR Part 159), and sewage sludge products. *Sewage sludge* does not include grit or screenings, or ash generated during the incineration of sewage sludge.

24. Stormwater Runoff means aqueous surface runoff including any soluble or suspended material mobilized by naturally occurring precipitation events.

25. Surface Water means all lakes, bays, rivers, streams, springs, ponds, impounding reservoirs, wetlands, swamps, marshes, water sources, drainage systems and other surface water, natural or artificial, public or private within the state or under its jurisdiction that are not part of a treatment system allowed by state law, regulation, or permit.

26. Treatment works means any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature to implement Section 201 of the Clean Water Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, sewage collection systems, pumping, power and other equipment, and their appurtenances, extension,

improvement, remodeling, additions, and alterations thereof. (See Part 212 of the Clean Water Act.)

27. For fecal coliform bacteria, a sample consists of one effluent grab portion collected during a 24-hour period at peak loads.

28. The term MGD shall mean million gallons per day.

29. The term GPD shall mean gallons per day.

30. The term mg/L shall mean milligrams per liter or parts per million (ppm).

31. The term SPC shall mean Spill Prevention and Control. Plan covering the release of pollutants as defined by the Louisiana Administrative Code (LAC 33:IX.Chapter 9).

32. The term SPCC shall mean Spill Prevention Control and Countermeasures Plan. Plan covering the release of pollutants as defined in 40 CFR Part 112.

33. The term µg/L shall mean micrograms per liter or parts per billion (ppb).

34. The term ng/L shall mean nanograms per liter or parts per trillion (ppt).

35. Visible Sheen means a silvery or metallic sheen, gloss, or increased reflectivity; visual color; or iridescence on the water surface.

36. Wastewater means liquid waste resulting from commercial, municipal, private, or industrial processes. Wastewater includes, but is not limited to, cooling and condensing waters, sanitary sewage, industrial waste, and contaminated rainwater runoff.

37. Waters of the State means for the purposes of the Louisiana Pollutant Discharge Elimination system, all surface waters within the state of Louisiana and, on the coastline of Louisiana and the Gulf of Mexico, all surface waters extending therefrom three miles into the Gulf of Mexico. For purposes of the Louisiana Pollutant Discharge Elimination System, this includes all surface waters which are subject to the ebb and flow of the tide, lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, impoundments of waters within the state of Louisiana otherwise defined as "waters of the United States" in 40 CFR 122.2, and tributaries of all such waters. "Waters of the state" does not include waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act, 33 U.S.C. 1251 et seq.

38. Weekly average, other than for fecal coliform bacteria, is the highest allowable arithmetic mean of the daily discharges over a calendar week, calculated as the sum of all "daily discharge(s)" measured during a calendar week divided by the number of "daily discharge(s)" measured during that week. When the permit establishes weekly average concentration effluent limitations or conditions, and flow is measured as continuous record or with a

totalizer, the weekly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar week where C = daily discharge concentration, F = daily flow and n = number of daily samples; weekly average discharge

$$= \frac{C_1F_1 + C_2F_2 + ... + C_nF_n}{F_1 + F_2 + ... + F_n}$$

When the permit establishes weekly average concentration effluent limitations or conditions, and the flow is not measured as a continuous record, then the weekly average concentration means the arithmetic average of all "daily discharge(s)" of concentration determined during the calendar week.

The weekly average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.

PART VII
ADDITIONAL DEFINITIONS

Allowable non-storm water means a non-storm water discharge that does not need to be effectively prohibited but must be controlled to the Maximum Extent Practicable (MEP) to protect water quality under CWA 402(p)(3)(B)(iii) in order to be allowed as part of the MS4 discharge.

Best management practices (BMPs) also known as storm water control measures (SCMs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Clean Water Act (Water Quality Act) – formerly the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972. Public Law 92-500; 33 U.S.C. § 1251 et seq.; legislation which provides statutory authority for the NPDES program. Also known as the Federal Water Pollution Control Act.

Conduit means any channel or pipe used to transport flowing water.

Construction activity – Soil disturbance, including clearing, grading, and excavating; and not including routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (for example, the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities). Regulated construction activity is defined in terms of small and large construction activity.

> **Small construction activity** is construction activity that results in land disturbance of equal to or greater than one (1) acre and less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres of land.
>
> **Large construction activity** is construction activity that results in land disturbance of equal to or greater than five (5) acres of land. Large construction activity also includes the disturbance of less than five (5) acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five (5) acres of land.

Control measure as used in this permit, refers to any BMP or other method used to prevent or reduce the discharge of pollutants to waters of the United States.

Conveyance as used in this permit means the process of moving water from one place to another.

Co-permittee as used in this permit means a permittee to a LPDES permit that is only responsible for permit conditions relating to the discharge for which it is the operator.

CWA means the Clean Water Act or the Federal Water Pollution Control Act, 33 U.S.C §1251 et seq.

Deficiency, or Notice of Deficiency as used in this permit and any reviews pertaining to it (including notifications in writing), refers to any insufficient or missing information necessary to come into compliance with the requirements of the LDEQ MS4 permit.

Detention means a storm water system that delays the downstream progress of storm water runoff in a controlled manner. This is typically accomplished using temporary storage areas and a metered outlet device.

Discharge when used without a qualifier, means the discharge of a pollutant.

Discharge of storm water associated with construction activity as used in this permit, refers to a discharge of pollutants in storm water runoff from areas where soil-disturbing activities (clearing, grading, demolition, or excavation, for example), construction materials or equipment storage or maintenance (fill stockpiles, borrow areas, concrete truck washout, and fueling, for example), or other industrial storm water directly related to the construction process (cement/concrete or asphalt batch plants, for example) are located. (See LAC 33:IX.2511.B.14.j and LAC 33:IX.2511.B.15 for the two regulatory definitions of regulated storm water associated with construction sites).

Erosion occurs when land is diminished or worn away due to wind, water, or glacial ice. Often the eroded debris (silt or sediment) becomes a pollutant via storm water runoff. Erosion occurs naturally but can be intensified by land clearing activities such as farming, development, road-building, and timber harvesting.

Excavation is the process of removing earth, stone, or other materials from land.

Flood control is defined as the specific regulations and practices that reduce or prevent the damage caused by storm water runoff.

Grading is defined as the cutting and/or filling of the land surface to a desired slope or elevation.

Illicit connection means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer system.

Illicit discharge is defined as any discharge to a municipal separate storm sewer that is not composed entirely of storm water, except discharges authorized under an LPDES permit (other

than the LPDES permit for discharges from the MS4) and discharges resulting from firefighting activities.

Incorporated place as used in this permit means a city, town, township, or village that is incorporated under the laws of the state in which it is located.

Industrial activity is defined as any activity which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant.

Infeasible is defined as not technologically possible or not economically practicable and achievable in light of best industry practices.

Interjurisdictional/Interagency agreement is defined as an agreement involving or made between two or more jurisdictions/agencies/governments in cooperation to solve problems of mutual concern.

Large and Medium Municipal Separate Storm Sewer Systems means all municipal separate storm sewers that are either:

(i) Located in an incorporated place (city) with a population of 100,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendices F and G of LAC 33:IX.Chapter 71); or
(ii) Located in the counties (parishes) with unincorporated urbanized populations of 100,000 or more, except municipal separate storm sewers that are located in the incorporated places, townships or towns within such counties (these parishes are listed in Appendices H and I of LAC 33:IX.Chapter 71); or
(iii) Owned or operated by a municipality other than those described in paragraph (i) or (ii) and that are designated by the state administrative authority as part of the large or medium MS4.

Louisiana Pollutant Discharge Elimination System (LPDES) means those portions of the Louisiana Environmental Quality Act and the Louisiana Water Control Law and all regulations promulgated under their authority which are deemed equivalent to the National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act in accordance with Section 402 of the Clean Water Act and all applicable federal regulations.

Maximum extent practicable (MEP) is defined as the technology-based discharge standard for Municipal Separate Storm Sewer Systems to reduce pollutants in storm water discharges that was established by CWA 402(p). Section 402(p)(3)(B)(iii) of the Federal Clean Water Act requires "controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system, design and engineering methods, and such other provisions as the Administrator or the state determines appropriate for the control of such pollutants." A discussion of MEP as it applies to small MS4s is found at 40 CFR 122.34.

MS4 is the abbreviation 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.

Municipal Separate Storm Sewer System (MS4) is a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

(a) Owned or operated by the United States or 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 sewerage, 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 state;
(b) Designed or used for collecting or conveying storm water;
(c) Which is not a combined sewer; and
(d) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at LAC 33:IX.2313.

National Pollutant Discharge Elimination System (NPDES) is the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Clean Water Act.

Non-structural Control is a pollution prevention measure and best management practice that involves management and source controls. They may include policies and measures such as education, site planning, directing growth to identified areas, protecting sensitive areas such as wetlands and riparian areas, maintaining and/or increasing open space, providing buffers along sensitive water bodies, minimizing impervious surfaces, minimizing disturbance of soils and vegetation, and storm water management regulations and ordinances.

Non-traditional MS4 is an MS4 that may lack legal authority, often cannot pass ordinances, and may employ a different type of enforcement mechanism (such as withholding contract payment) to enforce the storm water management program. Other examples of non-traditional small MS4s include drainage districts, airports, military bases, prisons, hospitals, and universities.

Notice of Intent (NOI) is an application to notify the state administrative authority of a facility's intention to be covered by a general permit and is the mechanism used to "register" for coverage under a general permit.

Open space means an undeveloped piece of land adding ecological, scenic or recreational value to an urban area. Open spaces are generally large pervious areas that are free from paving, buildings, structures, etc., except for basic improvements that are complementary, necessary or appropriate to the use and enjoyment of the open area. Open space can be public or private. Open space includes any area that is characterized by natural scenic beauty or whose condition or quality is such that it will enhance the present or potential value of surrounding developed lands, or enhance the conservation of natural or scenic resources. Examples include forests, marshes,

wildlife sanctuaries, stream corridors, wetlands, agricultural lands, pasture land, pathways, walking and riding trails, groves, wooded areas, fields, parkland, watersheds, and retention/detention areas and floodways and floodplains. Preserving open space is one of the principles of Smart Growth. Visit the EPA website to learn more about open space and principles of Smart Growth.

Outfall is the point where a municipal separate storm sewer discharges to waters of the state and does not include open conveyances connecting two municipal separate storm sewers, or 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.

Permitting authority is the NPDES-authorized state agency which in the State of Louisiana is the Louisiana Department of Environmental Quality (LDEQ).

Person is any individual, municipality, public or private corporation, partnership, firm, the United States Government and any agent or subdivision thereof, or any other juridical person which shall include, but is not limited to, trusts, joint stock companies, associations, the State of Louisiana, political subdivisions of the state, commissions, and interstate bodies.

Physically interconnected means that one MS4 is connected to a second MS4 in such a way that it allows for direct discharges into the second system.

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.

Pollutants of concern (POCs) include biological oxygen demand (BOD), sediment or a parameter that addresses sediment (such as total suspended solids, turbidity or siltation), pathogens, oil and grease, and any pollutant that has been identified as a cause of impairment in any water body to which the MS4 discharges.

Retrofit means the modification of storm water management systems through the construction and/or enhancement of wet ponds, wetland plantings, or other BMPs designed to improve water quality.

Runoff means drainage or flood discharge that leaves an area as surface flow or as pipeline flow, or drainage or flood discharge that has reached a channel or pipeline by either surface or sub-surface routes.

Sanitary sewer is a system of underground pipes that carries sanitary waste or process wastewater to a treatment plant.

Sediment is defined as soil, sand, and minerals washed from land into water, usually after rain. Sediment can destroy fish-nesting areas, clog animal habitats, and cloud waters so that sunlight does not reach aquatic plants.

Site plan means a graphical representation of a layout of buildings and facilities on a parcel of land.

Site runoff means any drainage or flood discharge that is released from a specified area.

Small Municipal Separate Storm Sewer System (Small MS4) is defined at 40 CFR 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 waters of the United States, but is not defined as a "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. This term does not include separate storm sewers in very discrete areas, such as individual buildings.

Smart Growth Principles: (1) Create a range of housing opportunities and choices; (2) Create walkable neighborhoods; (3) Encourage community and stakeholder collaboration; (4) Foster distinctive, attractive places with a strong sense of place; (5) Make development decisions predictable, fair and cost effective; (6) Mix land uses; (7) Preserve open space, farmland, natural beauty, and critical environmental areas; (8) Provide a variety of transportation choices of smart growth; (9) Strengthen and direct development toward existing communities; and (10) Take advantage of compact building design.

Stakeholder means an entity that holds a special interest in an issue or program—such as the storm water program—since it is or may be affected by it.

State administrative authority means the Secretary of the Department of Environmental Quality or his designee or the applicable assistant secretary or his designee.

Storm water associated with industrial activity is defined at LAC 33:IX.2511.B.14 and incorporated here by reference.

Storm water discharge associated with small construction activity is defined at LAC 33:IX.2511.B.15. This includes discharges of storm water from construction activities including clearing, grading, excavating, and support activities related to a construction site that result in land disturbance of equal to or greater than one acre and less than five acres. Small construction activity also includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale, if the larger common plan will ultimately disturb equal to or greater than one or less than five acres. Small construction activity does not include routine

maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility.

Storm water discharge associated with large construction activity includes discharges of storm water from construction activities including clearing, grading excavating, and support activities related to a construction site that results in land disturbance greater than five acres. Also included is construction activity that disturbs less than one acre of total land area that is part of a larger common plan of development or sale, if the larger common plan will ultimately disturb greater than five acres.

Storm water management is defined as functions associated with planning, designing, constructing, maintaining, financing, and regulating the facilities (both constructed and natural) that collect, store, control, and/or convey storm water.

Storm water management program (SWMP) refers to a comprehensive program to manage the quality of storm water discharged from the MS4. The SWMP required by this permit must include the minimum control measures described in LAC 33:IX.2523.B and satisfy all of the requirements set forth in LAC 33:IX.2523.

Storm water pollution prevention plan (SWPPP) is a plan that describes a process whereby a facility thoroughly evaluates potential pollutant sources at a site and selects and implements measures designed to prevent or control the discharge of pollutants in storm water runoff.

Structural control is a pollution prevention practice that requires the construction of a device, or the use of a device, to capture or prevent pollution in storm water runoff. Structural controls may include but are not limited to: wet ponds, infiltration basins, and storm water wetlands.

Subsegments are watersheds or portions of watersheds delineated as management units for water quality monitoring, assessment, permitting, inspection, and enforcement purposes.

Surface water is defined as all lakes, bays, rivers, streams, springs, ponds, impounding reservoirs, wetlands, swamps, marshes, water sources, drainage systems and other surface water, natural or artificial, public or private within the state or under its jurisdiction that are not part of a treatment system allowed by state law, regulation, or permit.

Total maximum daily loads (TMDLs) are water quality assessments that determine the source or sources of pollutants of concern for a particular water body, consider the maximum amounts of pollutants the water body can assimilate, and then allocate to each source a set level of pollutants that it is allowed to discharge (i.e., a “wasteload allocation”).

Urban runoff is storm water from urban areas, which tends to contain heavy concentrations of pollutants from urban activities.

Urbanized area (UA) is a Bureau of the Census determination of a central place (or places) and the adjacent densely settled surrounding area -- urban fringe -- that together have a minimum residential population of 50,000 people and an overall population density of 1,000 people/square

mile. It is a calculation used by the Bureau of the Census to determine the geographic boundaries of the most heavily developed and dense urban areas.

Wasteload allocation (WLA) means that portion of the assimilative capacity of the receiving water apportioned to a specific discharger in such a way that water quality standards are maintained under design conditions.

Watershed is that geographical area which drains to a specified point on a water course, usually a confluence of streams or rivers (also known as drainage area, catchment, or river basin).

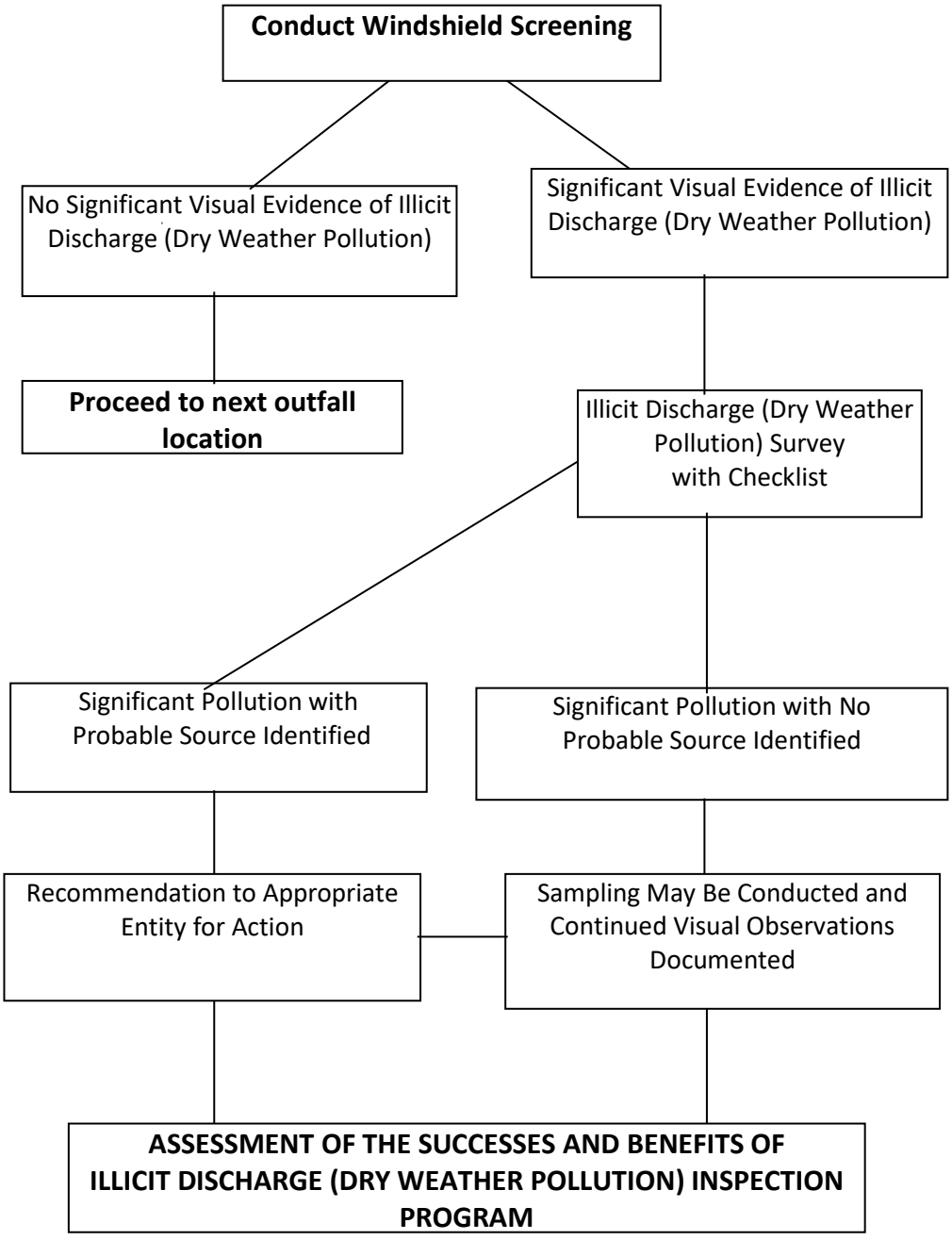
Wet Weather Discharge or **Storm Water Discharge**, for monitoring purposes, is a discharge of storm water resulting from a storm event that is greater than 0.1 inch and at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where feasible, the variance in the duration of the event and the total rainfall of the event should not exceed 50 percent from the average or median rainfall event in that area.

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 (the city, the county, the flood control district, and the U.S. Air Force, for example).

APPENDIX C

Illicit Discharge Inspection Procedures Flow Chart

City of Mandeville Illicit Discharge Inspection Procedures Flow Chart



APPENDIX D

Illicit Discharge Visual Observation Checklist

DRAINAGE SUB-BASIN VISUAL OBSERVATION CHECKLIST
CITY OF MANDEVILLE MS4
ILLICIT DISCHARGE INSPECTION PROGRAM

Instructions: Place an "X" in the appropriate box for each item. If any response requires an explanation, please explain in the observation/comments space. Additional comments should be attached on a separate sheet of paper.

Investigator:_____
Date:_____

Area:_____

Pipe(s)

Size	Type	Location

_____

_____

VISUAL SCREENING OF STORM SEWER OUTFALLS:

	YES	NO	NA	OBSERVATIONS/COMMENTS
Is water flowing from the pipe?	[ ]	[ ]	[ ]	_____
If so, please describe physical parameters of discharge:				
Color	[ ]	[ ]	[ ]	_____
Turbidity	[ ]	[ ]	[ ]	_____
Sheen	[ ]	[ ]	[ ]	_____
Foam	[ ]	[ ]	[ ]	_____
Floatables	[ ]	[ ]	[ ]	_____
Other	[ ]	[ ]	[ ]	_____
Does the vegetation around the outfall or in the canal show visual signs of pollutants?	[ ]	[ ]	[ ]	

Describe (i.e. algae, excessive growth, absence of vegetation, etc.):

_____

_____

_____

SUB-BASIN SURVEY:

INDUSTRIAL RUNOFF:

	YES	NO	NA	OBSERVATIONS/COMMENTS
Are there any industries that appear to be discharging or contributing polluted runoff to the storm sewer system? _____	[ ]	[ ]	[ ]	

List industries:

Name:	Address:
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

URBAN RUNOFF:

	YES	NO	NA	OBSERVATIONS/COMMENTS
Is the area free from litter?	[ ]	[ ]	[ ]	_____
Are all storage tanks in good operating condition? (free from cracks and not leaking)	[ ]	[ ]	[ ]	_____
Does the storm drainage system appear to be operating properly?	[ ]	[ ]	[ ]	_____
Is the area free from surface liquid contamination?	[ ]	[ ]	[ ]	_____
Is the area free from non-stormwater discharges?	[ ]	[ ]	[ ]	_____
Are covers on all outside trash containers to prevent rainfall from entering?	[ ]	[ ]	[ ]	_____
Are area gas stations free of oil and gas spills or leaks?	[ ]	[ ]	[ ]	_____

EROSION:

	YES	NO	NA	OBSERVATIONS/COMMENTS
Is there excessive sediment accumulation?	[ ]	[ ]	[ ]	_____
Are canal banks stable and vegetated?	[ ]	[ ]	[ ]	_____
Is nutria activity apparent?	[ ]	[ ]	[ ]	_____
Do area construction sites have sedimentation and erosion controls? (silt fences, hay bales, etc.)	[ ]	[ ]	[ ]	_____
Are all nonpaved areas vegetated and free from erosion potential?	[ ]	[ ]	[ ]	_____

SEWER SYSTEM AND INDIVIDUAL SEPTIC SYSTEMS:

	YES	NO	NA	OBSERVATIONS/COMMENTS
Are there visible signs of of sanitary sewer overflows?	[ ]	[ ]	[ ]	_____
Are septic system discharge points free from odor and septic conditions?	[ ]	[ ]	[ ]	_____

RECOMMENDED ACTION:

_____

_____

_____

_____

_____

	YES	NO	NA	OBSERVATIONS/COMMENTS
PHOTOS TAKEN:	[ ]	[ ]	[ ]	_____

APPENDIX E

Response to Illicit Discharges and Illegal Connections

HAZARDOUS MATERIALS (HAZMAT) RESPONSE

1.0 OBJECTIVES, SCOPE AND FREQUENCY

Objective: To provide general guidance and direction to the Mandeville Fire/EMS HAZMAT team for responding to and mitigating hazardous material incidents.

To comply with the requirements of Title 29 Code of Federal Regulations, Part 1910.120, Subpart q, Emergency Response to Hazardous Substance Release.

Scope: This plan covers responsibilities of the HAZMAT Team members, work execution aids, equipment lists, and tactical action plans to assure life safety, incident stabilization, minimization of environmental and community impact, property conservation, and expedient recovery during hazardous material incidents.

Policy The Mandeville Fire/EMS HAZMAT team will respond out of district under the following conditions:

- A community is at risk, in which does not have the specialized resources available to mitigate the incident.
- A confirmed request from one of our Mutual Aid organizations or the Louisiana State Police.

A confirmed request is a request that has been reviewed by the Fire Chief, Assistant Chief, District Chief, or HAZMAT Coordinator

Note: *The HAZMAT team will operate within a strict Incident Command Structure. During responses, we will serve under the local Incident Commander while in their jurisdiction but retain veto authority on all matters of safety.*

Frequency: This Guideline will be reviewed annually for accuracy by the Hazmat Coordinator, Special Operations Coordinator, the Chief of Training and Safety and other appropriate stakeholders.

2.0 DEFINITIONS

Access Control Point The point of entry and exit from the control zones. Regulates access to and from the work areas.

NFPA 471, Recommended Practice for Responding to Hazardous Materials Incidents, NFPA 472, Standard on Professional Competence of Responders to Hazardous Materials Incidents., NFPA 473, Standard for Professional Competencies for EMS Personnel Responding to Hazardous Materials Incidents. Title 29, Code of Federal Regulations, Part 1910.120
Revisions: 11/1/14, 12/29/16, 4/23/18, 3/31/2021
Reviewed: 2/6/2019, 3-4-2020, 9-6-2022

Control Zones	The geographical areas within the control lines set up at a HAZMAT incident. The three zones used are the Hot Zone, Warm Zone, and Cold Zone.
Compatibility	The matching of PPE & equipment to the hazardous materials involved in order to provide the best PPE and materials to mitigate the incident.
Chemtrec	Chemical Transportation Emergency Center. A public service of the Chemical Manufacturers Association (1-800-424-9300)
Warm Zone	The Area between the Hot Zone and Cold Zone which the atmosphere is found to be within the Threshold Limit Values (TLV's) and where the Decontamination Corridor exists. Personnel within this zone may wear the same or one level less than the Hot Zone Entry Team.
Decontamination	The action required to physically remove or chemically change the contaminants from personnel and equipment.
Hot Zone	The area immediately surrounding a hazardous material incident which is found to have an atmosphere above established Threshold Limit Values (TLV's).
Hazardous Material	Any material which is explosive, flammable, poisonous, corrosive, reactive, or radioactive, or any combination, and requires special care in handling because of the hazards it poses to public health, safety, emergency responders, and the environment.
Hazardous Materials Incident	Uncontrolled, non-permitted release of hazardous materials during storage or use from a fixed site or during transport outside a fixed site that may impact the public health, safety, and the environment.
Mitigate	Any action employed to contain, reduce, or eliminate the harmful effects of s spill or release of a hazardous material.

NFPA 471, Recommended Practice for Responding to Hazardous Materials Incidents, NFPA 472, Standard on Professional Competence of Responders to Hazardous Materials Incidents., NFPA 473, Standard for Professional Competencies for EMS Personnel Responding to Hazardous Materials Incidents. Title 29, Code of Federal Regulations, Part 1910.120
Revisions: 11/1/14, 12/29/16, 4/23/18, 3/31/2021
Reviewed: 2/6/2019, 3-4-2020, 9-6-2022

Incident Management Plan	The plan of action to mitigate a hazardous materials incident. This plan includes the tactics and strategy employed, site safety, and continues through termination of an incident. This plan contains information such as perimeter monitoring, atmospheric monitoring results, locations of zones, Personal Protective Equipment Requirements for entry team and decontamination team, personnel data, etc.
Entry Team	Consists of a minimum of two “2” certified HAZMAT Technicians who may enter the hot zone for the purpose of reconnaissance, rescue, mitigation, and recovery.
Reconnaissance	A preliminary survey or assessment of the incident site to provide relative information which cannot be obtained during the initial assessment by the Incident Commander. A reconnaissance mission is only to obtain information and not to mitigate the situation, unless mitigation can quickly be performed without specialized equipment.
HAZMAT Team	The HAZMAT team members are a highly specialized resource with training and equipment designed to deal with hazardous materials incidents.
Post-Incident Critique	A Post-Incident Critique is performed upon termination of the incident. The Post-Incident critique ensures that all parties involved review the actions performed in mitigation of the incident and can provide recommendation and suggestions to improve mitigation operations.
De-briefing	A de-briefing is conducted to update affected personnel of the incident situation. De-briefing meeting are conducted at specified times as dictated by the Operations Chief to ensure understanding and to convey updated or revised tactics or strategy.

NFPA 471, Recommended Practice for Responding to Hazardous Materials Incidents, NFPA 472, Standard on Professional Competence of Responders to Hazardous Materials Incidents., NFPA 473, Standard for Professional Competencies for EMS Personnel Responding to Hazardous Materials Incidents. Title 29, Code of Federal Regulations, Part 1910.120
Revisions: 11/1/14, 12/29/16, 4/23/18, 3/31/2021
Reviewed: 2/6/2019, 3-4-2020, 9-6-2022

Back-up Team	The back-up team consists of a minimum of 2 Technician level qualified members (there must be at least one back-up team member for each entry team member), who will maintain an alert status to render assistance to an entry team member should an emergency occur during a hot zone entry. They must be in the same level of protective clothing as the entry team.
Support Personnel	Support personnel consist of those members who provide communication services, tools, air supply, computer data, and research information.
Cold Zone	Area where no evidence or trace of any material exists. The Cold Zone contains the Incident Command Post and all other associated staging areas.

3.0 RESPONSIBILITY

INDIVIDUAL	RESPONSIBILITY
Hazardous Materials Response Team	• Respond to Hazardous Materials Incidents to safely and effectively mitigate incidents. The **HAZMAT** Team will follow the ICS Chain of Command during responses.
Incident Commander	• Responsible for incident activities including the development and implementation of strategic decisions and for approving the ordering and releasing of resources. • Assess incident situation (Size-Up). • Establish Command Post Location within Cold Zone Upwind and upgrade of incident. • Establishes a Unified Command Structure with mutual-aid agencies during incidents, when required. • Activate elements of the Incident Command System. • Assign personnel to fill Incident Command Staff Roles. (Operations Chief, Safety Officer, Information Officer) • Conduct initial briefing of Command Staff.

NFPA 471, Recommended Practice for Responding to Hazardous Materials Incidents, NFPA 472, Standard on Professional Competence of Responders to Hazardous Materials Incidents., NFPA 473, Standard for Professional Competencies for EMS Personnel Responding to Hazardous Materials Incidents. Title 29, Code of Federal Regulations, Part 1910.120
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INDIVIDUAL	RESPONSIBILITY
	• Ensures planning meeting is conducted. • Ensures Hot, Warm, and Cold zones are established based on the material involved and air monitoring results. • Approve and authorize implementation of Incident Management Plan. • Manage Incident Operations. • Approve requests for additional resources and requests for release of resources. • Approve plan for termination of an incident.
Operations Chief	• Reports to the Incident Commander • Develops and implements the Incident Management Plan to mitigate the incident the Operations Chief has the right to limit participation of HAZMAT team members if all safety concerns have not been properly addressed • Activates and supervises organizational elements in accordance with the Incident Management Plan and directs its execution. • Establish environmental monitoring of the hazard site for contaminants to ascertain material(s). • Assigns the Entry team with a Team Leader and back-up entry team. • In conjunction with the Safety Officer, briefs all personnel associated with the incident (entry team, back-up entry team, decontamination team, medical officer, etc.) regarding the Incident Management Plan. • Maintains communication with the Entry Team leader and providing situation status reports to the Incident Commander on a periodic basis, as determined by the Incident Commander.

NFPA 471, Recommended Practice for Responding to Hazardous Materials Incidents, NFPA 472, Standard on Professional Competence of Responders to Hazardous Materials Incidents., NFPA 473, Standard for Professional Competencies for EMS Personnel Responding to Hazardous Materials Incidents. Title 29, Code of Federal Regulations, Part 1910.120
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Reviewed: 2/6/2019, 3-4-2020, 9-6-2022

INDIVIDUAL	RESPONSIBILITY
	• Prior to entry for reconnaissance, mitigation, or rescue, the Operations Chief will review the Incident Management Plan with all team members at the incident site. • During hot zone entries, the Operations Chief will maintain radio contact with the entry team. • The Operations Chief will choose an entry team leader. The entry team leader will report only to the Operations Chief.
Safety Officer	• Reports to the Incident Commander. • Responsible for monitoring and assessing hazardous and unsafe situations and developing measures for assuring personnel safety. • Exercise emergency authority to stop and prevent unsafe acts when immediate action is required. • Along with the Operations Chief and Information Officer, develops the Incident Management Plan. • Appoints a Medical Services Officer and approves Site Medical Plan. • Ensures Rehabilitation area is established and refreshments are available. • Investigate accidents that have occurred within incident areas.
Entry Team Leader	• Reports to the Operations Chief. • Responsible for the overall entry operations of assigned personnel within the Hot Zone. • Verifies understanding of Incident Management Plan.

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INDIVIDUAL	RESPONSIBILITY
	• Recommend actions to mitigate the situation within the Hot Zone. • Performs actions to mitigate the hazardous materials release or threatened release as directed by the Operations Chief. • Maintains effective communication with the Operations Chief and provides situation status reports periodically. • Maintains control of the movement of people and equipment within the Hot Zone. • Directs rescue operations, as needed, in the Hot Zone.
Decontamination Officer	• Reports to the Operations Chief. • Verifies understanding of Incident Management Plan. • Establishes and supervises operations within the Warm Zone. • Identifies contaminated personnel and equipment. • Maintains communications with the Operations Chief. • Maintains control of movement of personnel and equipment within the Decontamination area. • Coordinates the transfer of contaminated patients requiring medical attention (After Decontamination) to the Medical Services Officer. • Coordinate handling, storage, and transfer of contaminants within the Warm Zone.
Medical Services Officer ***EMT-Basic or above***	• Reports to the Safety Officer. • Responsible for medically evaluating the Entry Teams, Back-up teams, and Decontamination team to ensure all personnel are physically capable of performing their assigned duties. This includes Blood Pressures (No higher 160/90 for 30 Minute Work Time), Pulse Rates, and physical appearance. • Responsible for assisting the Safety Officer with keeping track of air time for all entry team members.

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Reviewed: 2/6/2019, 3-4-2020, 9-6-2022

INDIVIDUAL	RESPONSIBILITY
	• The emergency medical services officer will establish a rehabilitation and recovery area in the cold zone for HAZMAT team entry personnel. He shall also ensure medical data is documented for entry team members prior to and after. He will also fill out the Entry Team Checklist and Toxic Chemical Exposure form if a HAZMAT team member is exposed.
Entry Team	• The entry team consists of a minimum of 2 technician level qualified members who may enter the hot zone for the purposes of reconnaissance, rescue, mitigation, or recovery. They must wear appropriate levels of protective clothing as approved by the Safety Officer and Operations Chief.
Information Officer	• Responsible for all incident information required by the Incident Commander. This includes utilizing the Computer System, phone system, fax machine, generator, weather station, and any other systems with the HAZMAT Truck. • Documents the Incident Management Plan before personnel enter a Hot Zone, as approved by the Incident Commander. • Maintain Incident Log. • Ensure that current weather data and future weather predictions are obtained. • Ascertain appropriate Chemical Data utilizing resource and reference material, including but not limited to MSDS's, dispersion modeling (CAMEO, ALOHA, MARPLOT), and hard copied reference books. • Ascertain PPE compatibility utilizing reference materials. • Responsible for installing Weather Station • Make necessary phone calls requested by the Incident Commander. • Document Post-Incident Critique and Narrative. Ensures all HAZMAT team personnel sign the critique sheet.

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INDIVIDUAL	RESPONSIBILITY
Equipment Officer ***Assigned as necessary.***	• Reports to the Operations Chief. • Obtains all necessary equipment for the mitigation of the hazardous materials incident. • Responsible for the calibration of atmospheric gas monitoring equipment. • Ensures all necessary equipment is made available to the Operations Chief. Also ensures the equipment is complete with all associated parts.

4.0 WORK EXECUTION AIDS

- Incident Management Plan (Blank Form)
- HAZMAT Incident Log (Blank Form)

5.0 EQUIPMENT LIST

- None

6.0 JOB TASKS

6.1 Hazardous Materials (HAZMAT) Response Plan indexing

Use the following table to determine the section of this plan needed:

IF searching for …	THEN …
Responsibilities	Go to Section 3
Operations Plan	Go to Section 6.2
Incident Command Organization	Go to Section 6.3
Hazardous Material Incidents	Go to Section 6.4
Reporting	Go to Section 6.5
Notification	Go to Section 6.6
Hazardous Materials Response Team Requirements	Go to Section 6.7
Response Levels for Hazardous Materials Incidents (HMI)	Go to Section 6.8
Hazard and Vulnerability Assessment	Go to Section 6.9
Site Maintenance	Go to Section 6.10
Decontamination	Go to Section 6.11
Clean Up	Go to Section 6.12
Medical Services (EMS)	Go to Section 6.13
Termination	Go to Section 6.14
Incident Management Plan (Blank Form)	Blank formForm6204.doc
HAZMAT Incident Log (Blank Form)	Blank formForm6205.doc

NFPA 471, Recommended Practice for Responding to Hazardous Materials Incidents, NFPA 472, Standard on Professional Competence of Responders to Hazardous Materials Incidents., NFPA 473, Standard for Professional Competencies for EMS Personnel Responding to Hazardous Materials Incidents. Title 29, Code of Federal Regulations, Part 1910.120
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6.2 Operations Plan

6.2.1 Activation

This plan shall become operational when the Mandeville Fire/EMS Hazardous Materials Response (HAZMAT) team is notified of an incident.

6.2.2 Safety Statement

It must be emphasized that the handling of hazardous material incidents cannot be compared to other emergency operations. Quick, aggressive action, beyond securing the scene, may only lead to unnecessary exposure to personnel. Sufficient time must be taken to properly evaluate the incident and develop the Incident Management Plan for mitigation. No one is to attempt mitigation beyond the levels of our training.

6.2.3 General Guidelines for Responding to a Hazardous Materials Incident.

6.2.3.1 Upon notification of a HAZMAT Incident, the HAZMAT Team will assemble and respond. Prior to responding, safe routes of travel and assembly areas must be identified.

6.2.3.2 Upon arrival at the scene, the Incident Commander or senior HAZMAT team member must establish the Incident Command System and access the situation (Size-up) by establishing the Incident Command Post. The Incident Command Post is established in a safe location, upwind and upgrade of the incident, for the HAZMAT Team to stage. During the size-up, the Incident Commander or senior HAZMAT team member must obtain the necessary information relating to the situation.

6.2.3.3 Once the situation is evaluated, the scene must be isolated and entry denied to non-essential personnel.

6.2.3.4 The Incident Commander must assign an Operations Chief, Safety Officer, and an Information Officer, or assume all these roles until staff dictates otherwise.

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6.2.3.5 The Operations Chief, Safety Officer, and Information Officer begin the preparation of the Incident Management Plan. When completed, the plan must be approved by the Incident Commander prior to initiation. The plan must be in writing; however, a quick handwritten description of the Incident Management Plan will permit the operation to begin. The Information Officer must ensure the Incident Management Plan is properly documented, when time permits during the incident.

6.2.3.6 The Operations Chief must ensure the materials involved are accurately identified. If proper identification of the material(s) involved is not feasible, the Operation Chief should continue to ascertain as much information as possible to identify the material. If the identification of the material(s) involved is not possible, the formation of a reconnaissance team may be necessary.

6.2.3.7 The Information Officer will begin to gather all pertinent information regarding the material and perform the evaluation using the reference materials available.

6.2.3.8 The Operations Chief and Safety Officer must assign personnel to perform perimeter monitoring for the establishment of the Hot Zone. As determined by the perimeter monitoring results and weather conditions, the Warm Zone and Cold Zone will be established.

6.2.3.9 The Operations Chief must assign the Decontamination Officer, Equipment Officer, Entry Team, and Back-up Team.

6.2.3.10 The Safety Officer must assign a Medical Services Officer who is trained to the EMT-Basic Level or above. The Medical Services Officer will evaluate the Entry Team, Back-up Team, and Decontamination Team to ensure all personnel involved are physically capable of performing their assigned duties.

6.2.3.11 The Decontamination Officer will assign the Decontamination Team and will establish the Decontamination Area. The Decontamination Area must be fully assembled and staffed before any Entry Team enters the Hot Zone.

6.2.3.12 The Entry Team will enter the Hot Zone to Mitigate or to perform reconnaissance. During situations when it is not certain what mechanism is causing the release, the initial

entry team should bring certain pieces of equipment (Wrenches, etc.) with them to perform quick stoppage.

6.2.3.13 The Operations Chief must maintain effective communications with the entry team and ensure the equipment officer provides equipment as necessary.

6.2.3.14 Once the incident is mitigated, the Information officer must ensure the Incident Management Plan and the Incident log is completed prior to terminating the incident.

6.2.3.15 The HAZMAT team must accurately identify the materials involved. Always look for shipping documents and other visual identification such as placards or labels.

6.2.3.16 Determine what the hazards are. Review the MSDS, Sax reference, Tomes program or other technical data.

6.2.3.17 Determine the quantity of material and type of container.

6.2.3.18 Determine the level of contamination. Determine if the incident may impact the community.

6.2.3.19 Determine the need for shelter, in the event of evacuation.

6.2.3.20 The Incident Commander, Operations Chief, and Safety Officer are to develop Incident Management plan for mitigation.

6.2.4 Clean Up

Clean up and disposal will be handled by commercial clean-up companies contacted by the spiller or the authority having jurisdiction.

6.3 Incident Command Organization

To provide for the orderly and controlled mitigation of incidents involving hazardous materials in the community, it is necessary to identify responsibilities of personnel. The Hazardous Materials Response (HAZMAT) team is organized as an Incident Command System. For more detailed information concerning Incident Command, refer to Section 3.0 of this Plan.

6.4 Hazardous Material Incidents

6.4.1 Fixed Facility Incidents

6.4.1.1 Check with facility representative or property owner when ascertaining the identification of a spill or leak.

6.4.1.2 Do not attempt mitigation until the material has been identified.

6.4.1.3 Never taste, feel, smell, or touch a material to identify it.

6.4.1.4 If a material is in a truck or rail car, check the 4-digit U.N. DOT number on the placard.

6.4.2 Transportation Incidents

6.4.2.1 Look at the type of cargo container - its construction can give you clues as to the general nature of the material.

6.4.2.2 Check the 4-digit U.N. DOT number on trucks and rail cars

6.4.2.3 Shipping papers

a. Trucks - known as a “Bill of Lading”. They are kept in the cab usually within reach of the driver.

b. Railroad - known as a “Way Bill”. They are carried by the conductor in the engine.

c. Aircraft - known as an “Air Bill”. They are kept by the pilot.

d. Ships - known as a “Cargo Manifest”. They are kept by the captain or first mate.

e. All shipping papers will show that hazardous materials are on board, the product name and/or a broad category (“corrosive”) and the 4-digit U.N. DOT number.

6.5 Reporting

6.5.1 When gathering information accuracy is vital. Be sure to spell the complete name of the material correctly. A simple misspelling could result in mis-identification.

6.5.2 If no information is available via shipping papers, placards, labels, or chemical names on the truck, obtain the carrier’s name and license plate number and state, so it can be checked through police computers.

6.5.3 Various sources of information are available. Chemtrec has a list of shippers, manufacturers, and vendors who are valuable resources. Chemtrec can be reached 24-hours a day a 1-800-424-9300.

6.5.4 Often a substance gives no indication of its hazards. A recognizable sign, such as vapors, liquids, odors, fumes, or colors may not be present. Do not assume that due to the absence of recognizable signs, that conditions are safe.

6.6 Notification

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6.6.1 Incidents inside Fire District #4 (MFD/EMS)

6.6.1.1 Notification will be through normal radio dispatch from communications division.

6.6.1.2 HAZMAT Team members will be called by the communications division based upon the severity of the incident; the initial Incident Commander may choose to activate the following:

a. On-Shift HAZMAT Team Members Only

-***Based upon staffing.***

b. Entire HAZMAT Team

c. Entire HAZMAT Team and Mutual-Aid

6.6.1.3 Team members will respond to the scene and report to the Command Post unless otherwise notified.

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6.6.2 Mutual Aid Incidents

6.6.2.1 When COMMUNICATIONS DIVISION receives a call for Mutual-Aid assistance for a hazardous materials incident, the COMMUNICATIONS DIVISION must immediately notify the Assistant Chief or District Chief on-duty. The Assistant Chief or District Chief will determine if on-shift HAZMAT team members can be released. The Assistant Chief or District Chief will contact the Fire Chief and the HAZMAT Coordinator to inform them of the situation and status of the release of on-shift personnel.

6.6.2.2 Team members responding from home will respond directly to the scene of the incident unless otherwise notified.

6.6.2.3 COMMUNICATIONS DIVISION will indicate upon notification the location of the incident. The COMMUNICATIONS DIVISION will make additional notifications to update members of other pertinent information, such as staging areas or locations to meet other HAZMAT team members.

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6.7 Hazardous Materials Response Team Training

6.7.1 Members of the HAZMAT Team must successfully complete the following initial training requirements.

a. Hazardous Materials Technician Course- 40 hours.

b. NFA approved Chemistry of Hazardous Materials or Advanced Life Support for Hazardous Materials- 80 hours

6.7.2 HAZMAT Technician Level Requirements

a. IFSAC approved Hazardous Materials Technician certification

b. NFA approved Hazardous Materials Operating Site Practices- 80 hours

c. Meet any other HAZMAT Technician requirements.

6.7.3 Annual Continuing Education Training

Those employees who are trained in accordance with paragraph(q)(6) of the 1910.120 standard shall receive annual refresher training of sufficient content and duration to maintain their competencies or shall demonstrate competency in those areas at least yearly. A statement shall be made of the training or competency and if a statement of competency is made, the employer shall keep a record of the methodology used to demonstrate competency.

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6.8 Response Levels for Hazardous Materials Incidents (HMI)

LEVEL 1:

Small release or spill (pail, drums, cylinders except 1-ton, packages, bags) which can be contained or confined with readily available resources with no life-threatening concerns and minimal fire/explosion potential, environmental impact, or container damage.

A Level 1 Incident can be mitigated with one Engine Company

LEVEL 2:

Medium release or spill (1-Ton Cylinder, portable, nurse tanks, multiple small packages, Tank Cars, or Trucks) which must be controlled or otherwise mitigated utilizing specialized equipment. Life safety is localized with a limited evacuation area (Small area, Unit, building). Environmental impact potential is moderate. Container Damage is moderate and requires specialized equipment to mitigate.

A Level 2 Incident can be mitigated with one engine, one ambulance, and the hazmat unit with on duty personnel

LEVEL 3:

A major release or spill (Tank Car, Tank Truck, Stationary Tank, High Pressure Piping) which must be mitigated utilizing specialized equipment. Life Safety affected is a large area requiring mass evacuation (Community). Environmental impact and fire/explosion potential is severe. Container damage may result or has resulted in catastrophic rupture (BLEVE).

A Level 3 Incident requires major deployment of Fire dept. equipment and personnel as well as state and local agencies.

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6.9 Hazard and Vulnerability Assessment

6.9.1 Assessment. Once the material has been identified, it is vital that specific hazards and response information be reviewed. There are a variety of resources available and maintained on the HAZMAT truck to perform hazard assessment:

- WISER
- D.O.T. Guidebook
- Firefighters Handbook or Hazardous Materials
- CAMEO
- Dangerous Properties of Industrial Materials by Sax
- Condensed Chemical Directory
- NFPA Guide to Hazardous Materials
- NIOSH Pocket Guide
- Kappler Suit Smart
- Quick PPE Selection Guide
- Guide to Railcar Identification & Anatomy

When possible, use the WISER application, if not available apply the “Rule of 3” to hazard assessment. This simply means - obtain from three different sources and formulate your operation action plan and site safety plan to fit the most significant potential hazard. When responding to in-plant emergencies, utilize information from operations personnel, and obtain information from shipper or manufacturer.

6.9.2 WEATHER. Weather conditions are a major factor in hazard assessment. Use the Weather- system to obtain current weather conditions. Other resources to obtain current weather conditions are weather apps, the local Office of Emergency Preparedness and commercial radio.

6.9.3 EVACUATION. Ascertain if facilities such as schools, hospitals, jails, nursing homes, and residential areas might be impacted. There is an on-board computer that can provide vapor cloud projections (WISER, Cameo, ALOHA, & Marplot). It is used to predict only worst-case scenarios.

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6.10 Site Maintenance

Determining procedures to control hazardous materials incidents will depend greatly on the substance, quantity, type of release, public safety, team safety, weather, traffic, as well as many other variables. The following are a few guidelines to follow:

6.10.1 Explosives - The Mandeville Fire/EMS HAZMAT Team is not trained in emergencies involving explosives and response will be limited.

6.10.2 Flammable Gases - Vapors in many cases are heavier than air.

a. Sampling should be conducted immediately to set the boundaries of the impacted area.

b. Every attempt must be made to keep them from entering sewer or drainage systems.

c. Ignition sources are to be eliminated. In some circumstances, water streams can be used to control formation of vapor clouds.

d. Do not extinguish a gas fed fire unless the source can be isolated.

e. If entry must be made, flash over suits with level “A” must be worn. Master streams (unmanned) can be used to cool container.

e. Refer to Figure 6203-1a and Figure 6203-1b for logic flow diagrams.

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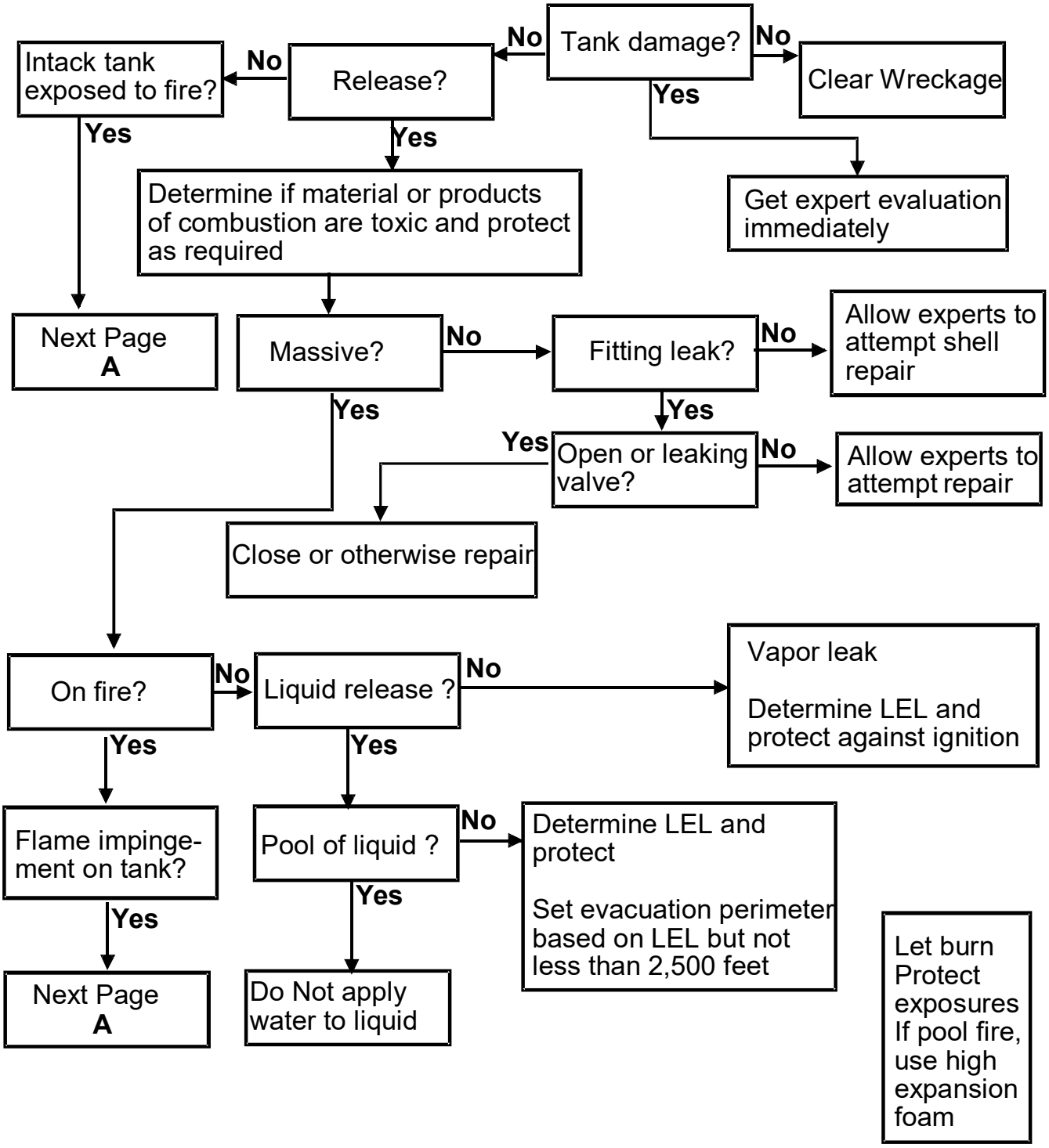

Figure 6203-1a, Flammable Gas-Bulk

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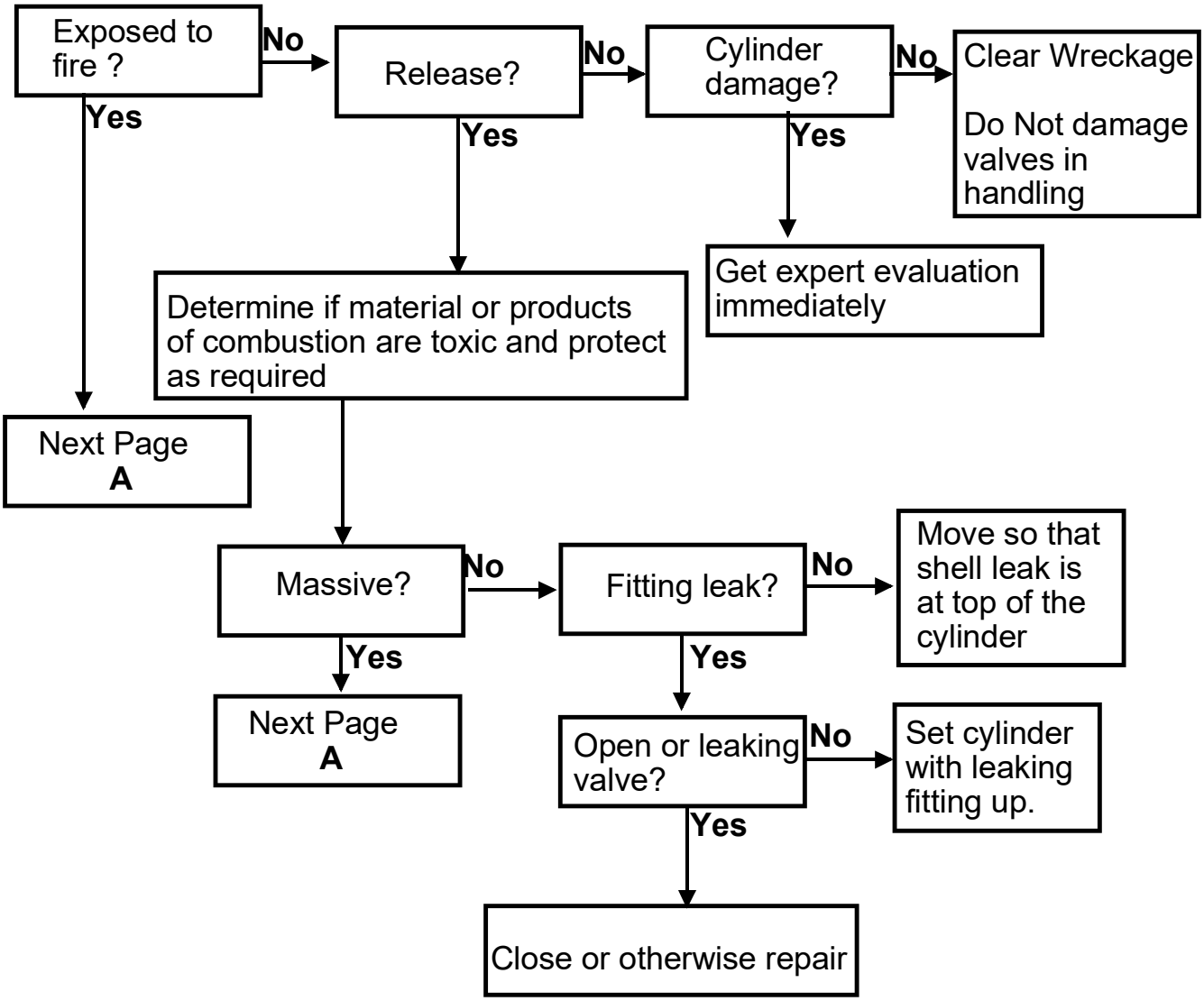
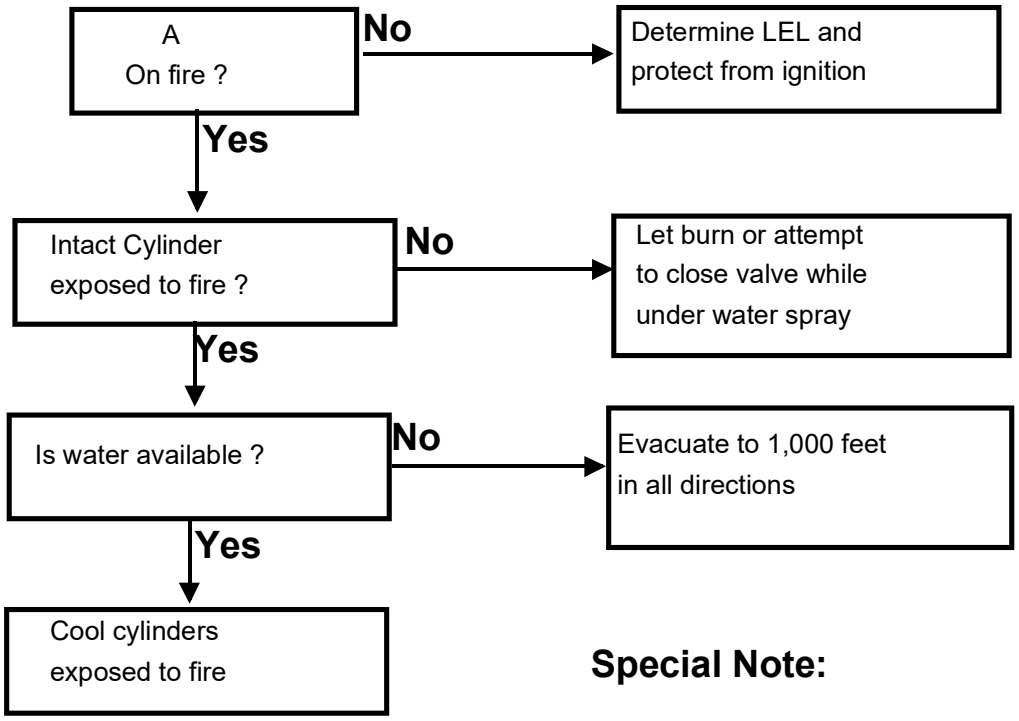


Figure 6203-1b, Flammable Gas Cylinders



Special Note:

Cylinders are equipped with safety devices designed to prevent their rupture in a fire. Aerosol cans have no safety devices.

Figure 6203-1b, Flammable Gas Cylinders (Continued)

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6.10.3 Non-flammable Gases - Pressurized containers can present an explosion hazard if exposed to impingement fires.

a. These containers are to be kept cool with master streams.

b. Since some of these gases may be inert, use SCBA's when dealing with them in an enclosed area.

c. Refer to Figure 6203-2a and Figure 6203-2b for logic flow diagrams.

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Nonflammable Gas - Bulk

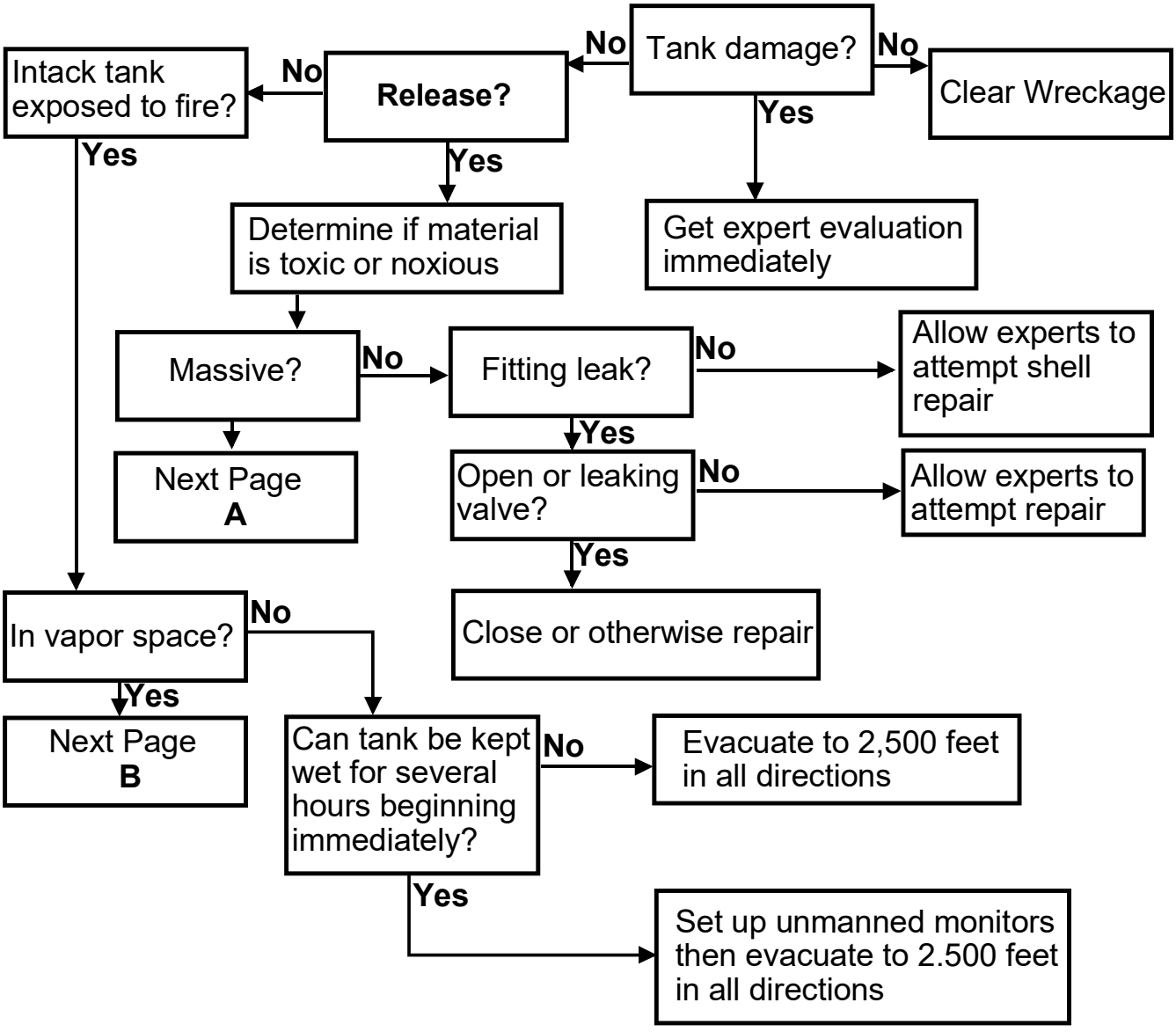
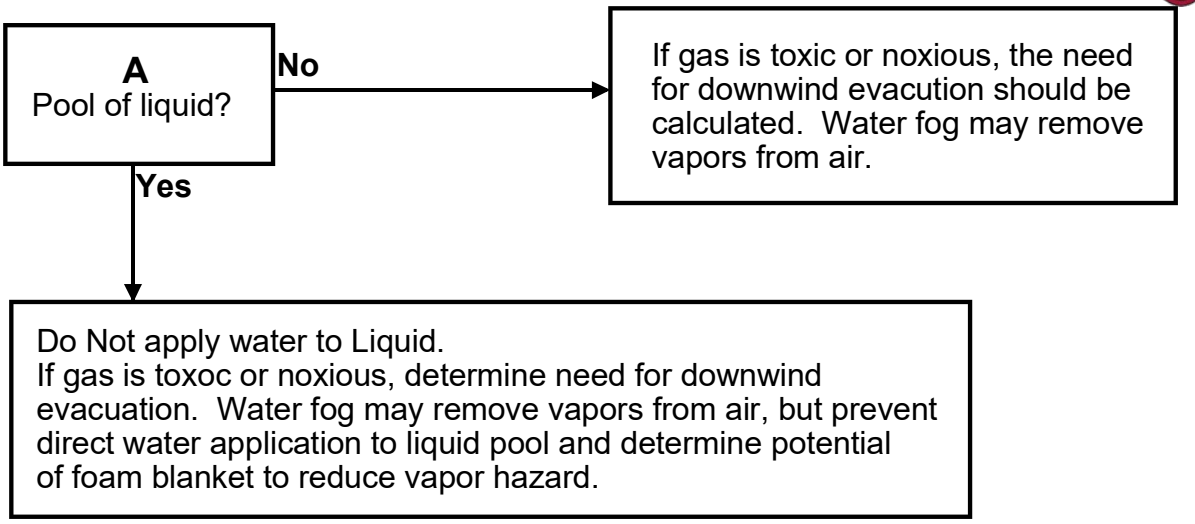


Figure 6203-2a, Non-Flammable Gas - Bulk

NFPA 471, Recommended Practice for Responding to Hazardous Materials Incidents, NFPA 472, Standard on Professional Competence of Responders to Hazardous Materials Incidents., NFPA 473, Standard for Professional Competencies for EMS Personnel Responding to Hazardous Materials Incidents. Title 29, Code of Federal Regulations, Part 1910.120
Revisions: 11/1/14, 12/29/16, 4/23/18, 3/31/2021
Reviewed: 2/6/2019, 3-4-2020, 9-6-2022



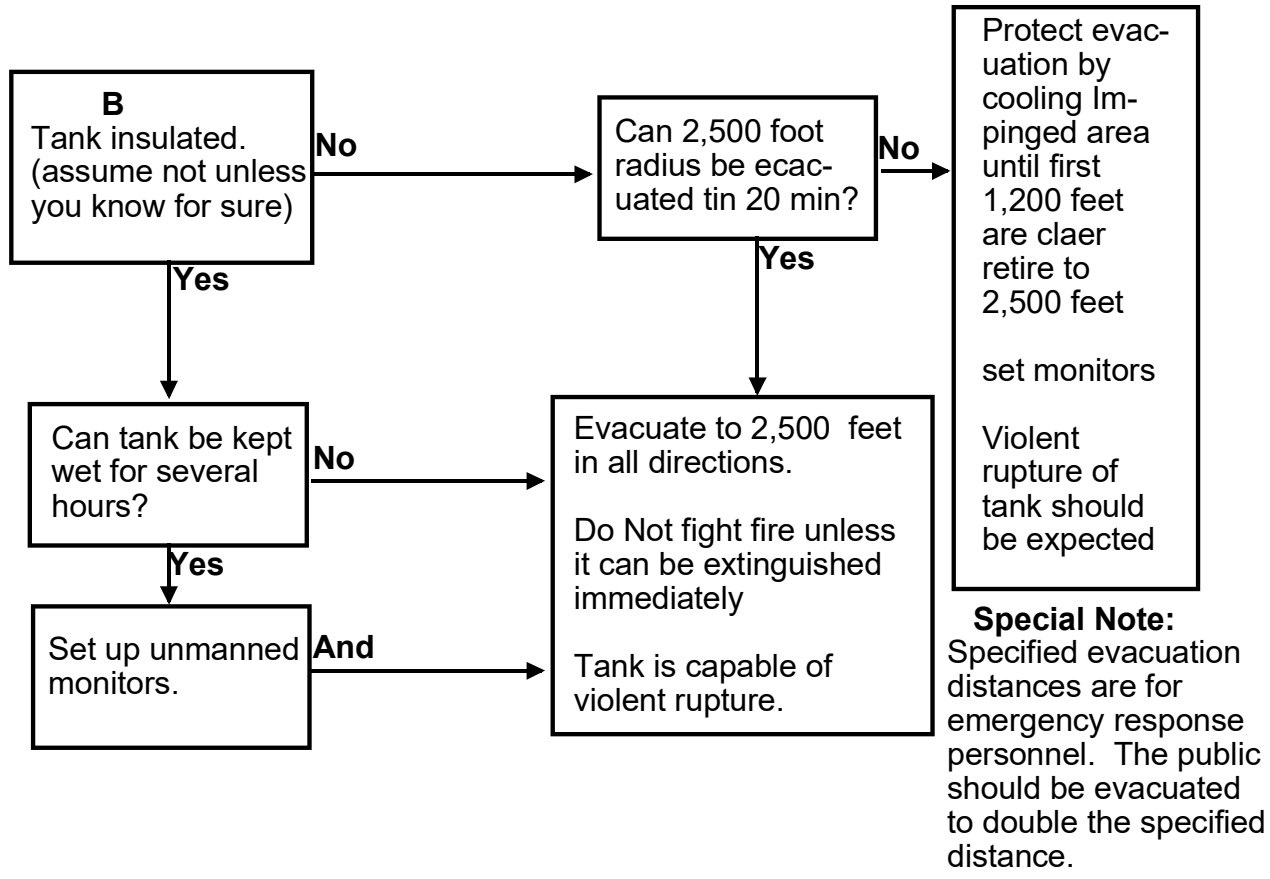


Figure 6203-2a, Non-Flammable Gas - Bulk (Continued)

NFPA 471, Recommended Practice for Responding to Hazardous Materials Incidents, NFPA 472, Standard on Professional Competence of Responders to Hazardous Materials Incidents., NFPA 473, Standard for Professional Competencies for EMS Personnel Responding to Hazardous Materials Incidents. Title 29, Code of Federal Regulations, Part 1910.120
Revisions: 11/1/14, 12/29/16, 4/23/18, 3/31/2021
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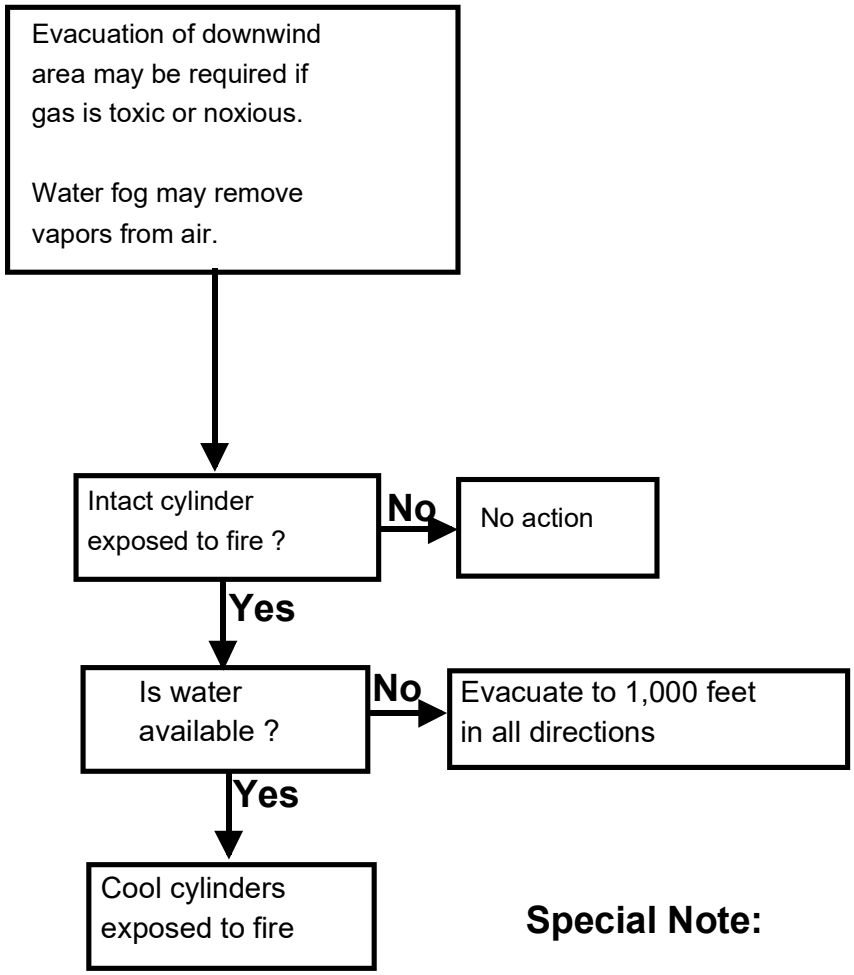

Figure 6203-2b, Non-Flammable Gas - Cylinders

6.10.4 Flammable and Combustible Liquids - Care must be taken to prevent materials from spilling into sewers or drainage systems.

a. Contain spills with dirt, sand, or synthetic booms. Foam can be used to suppress vapors.

b. Use flammable gas detection instruments to set the impact boundaries.

c. Refer to Figure 6203-3a and Figure 6203-3b for logic flow diagrams.

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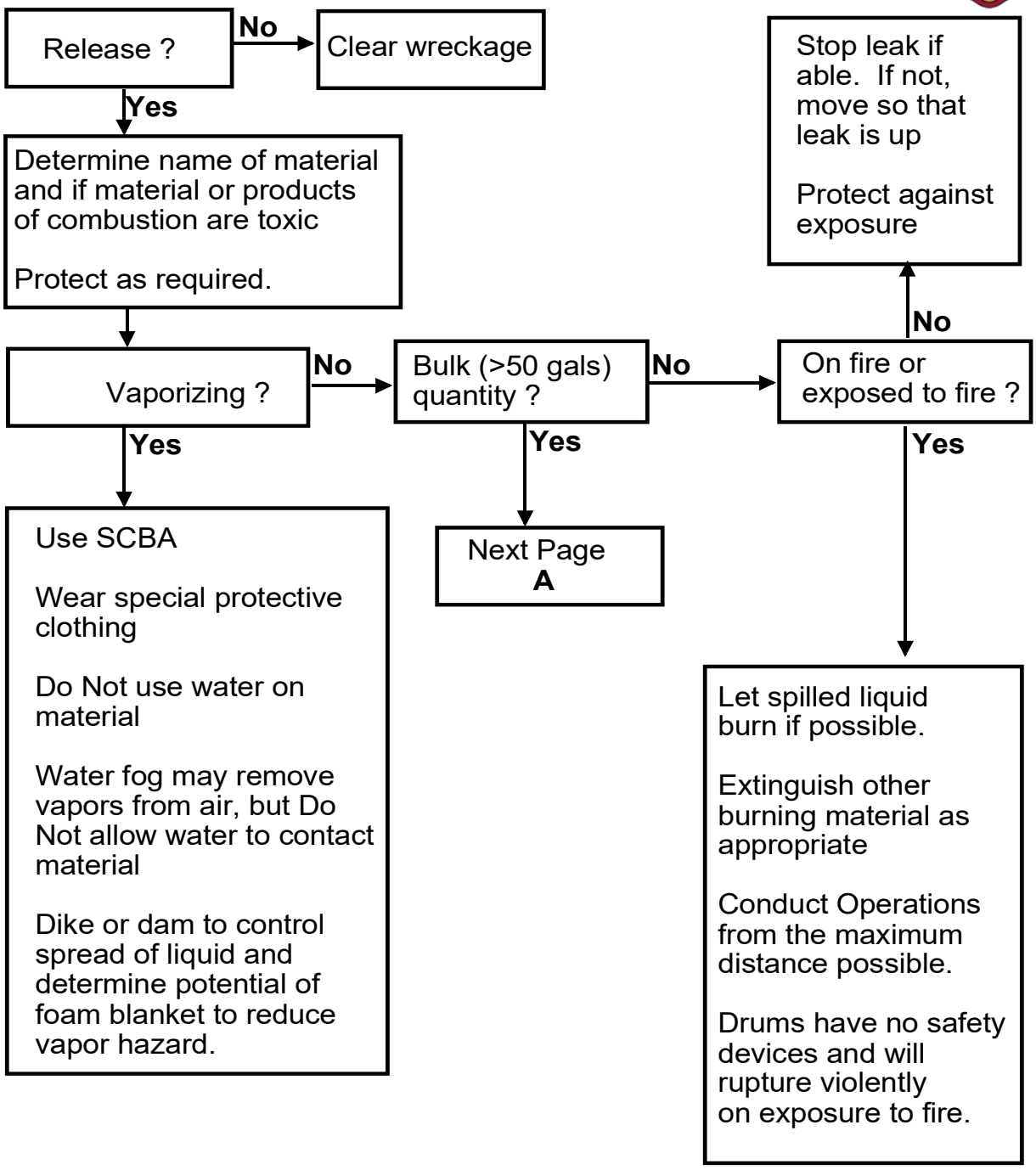

Figure 6203-3a, Flammable Liquids

NFPA 471, Recommended Practice for Responding to Hazardous Materials Incidents, NFPA 472, Standard on Professional Competence of Responders to Hazardous Materials Incidents., NFPA 473, Standard for Professional Competencies for EMS Personnel Responding to Hazardous Materials Incidents. Title 29, Code of Federal Regulations, Part 1910.120
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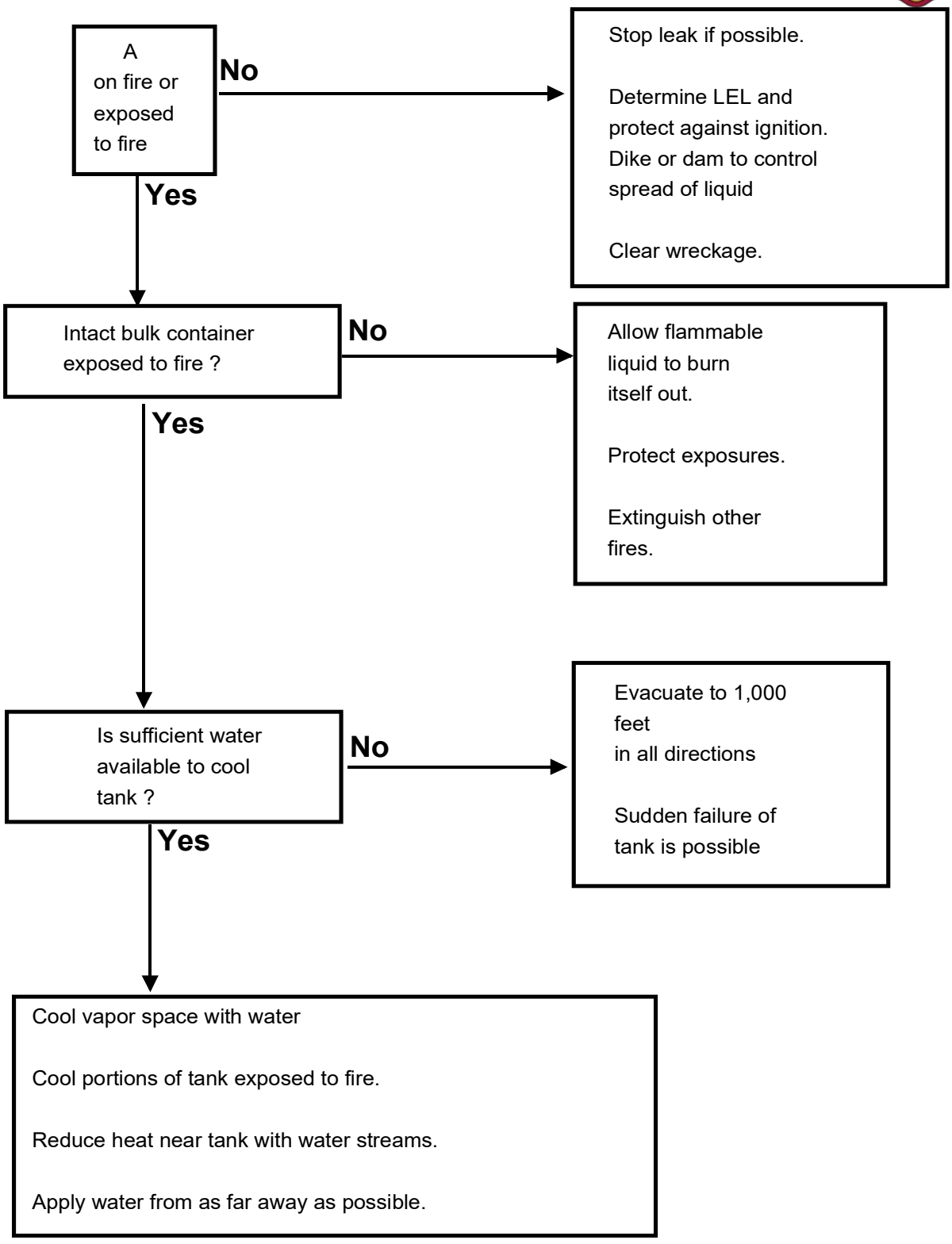

Figure 6203-3a, Flammable Liquids (Continued)

NFPA 471, Recommended Practice for Responding to Hazardous Materials Incidents, NFPA 472, Standard on Professional Competence of Responders to Hazardous Materials Incidents., NFPA 473, Standard for Professional Competencies for EMS Personnel Responding to Hazardous Materials Incidents. Title 29, Code of Federal Regulations, Part 1910.120
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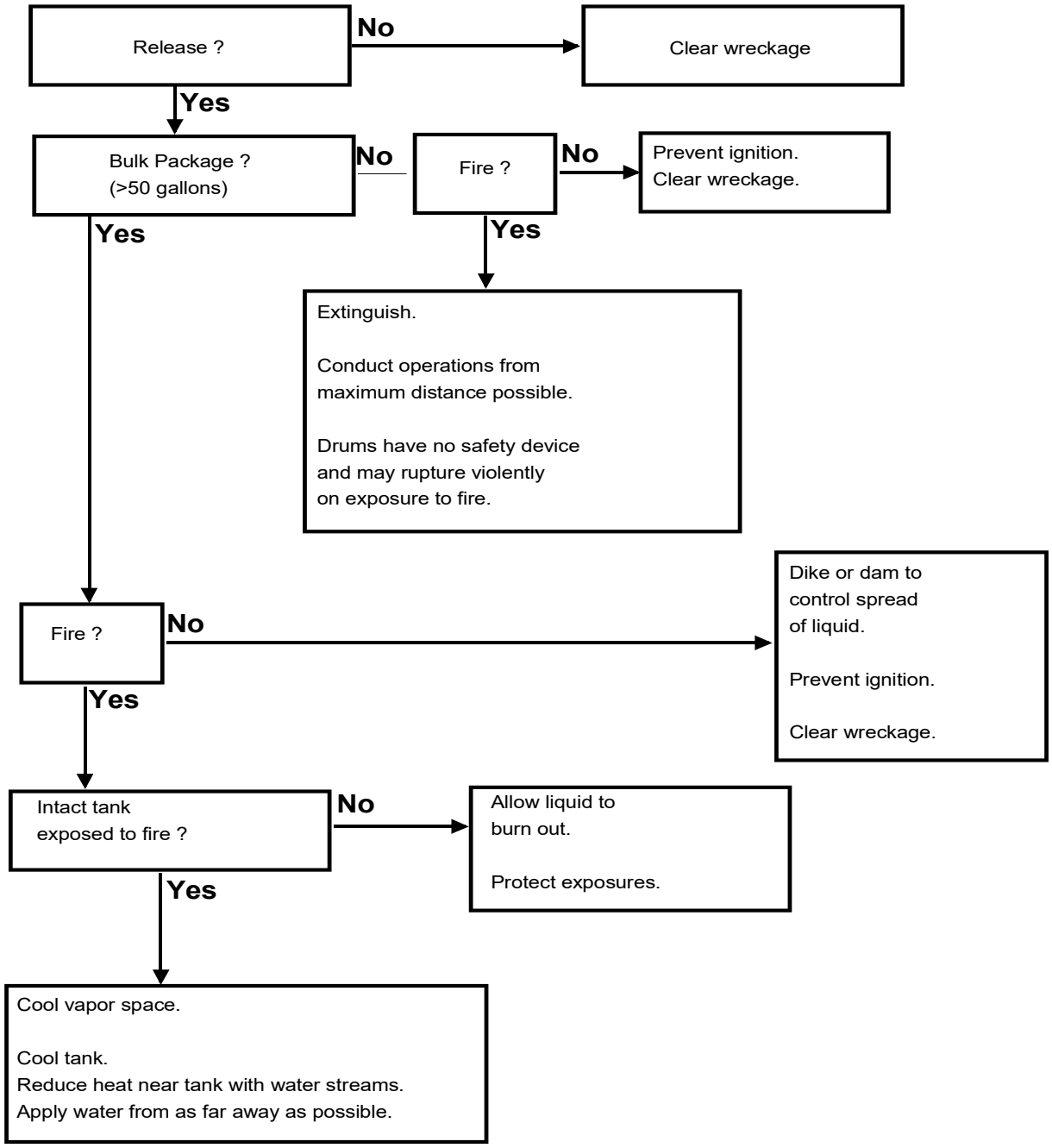

Figure 6203-3b, Combustible Liquids

6.10.5 Solid Materials and Powders

a. If possible, cover flammable solids and powders with heavy plastic sheets or tarps to contain the product

b. Do not permit the material to become wet unless you know that the material is non-water reactive.

c. Refer to Figure 6203-4 for logic flow diagrams.

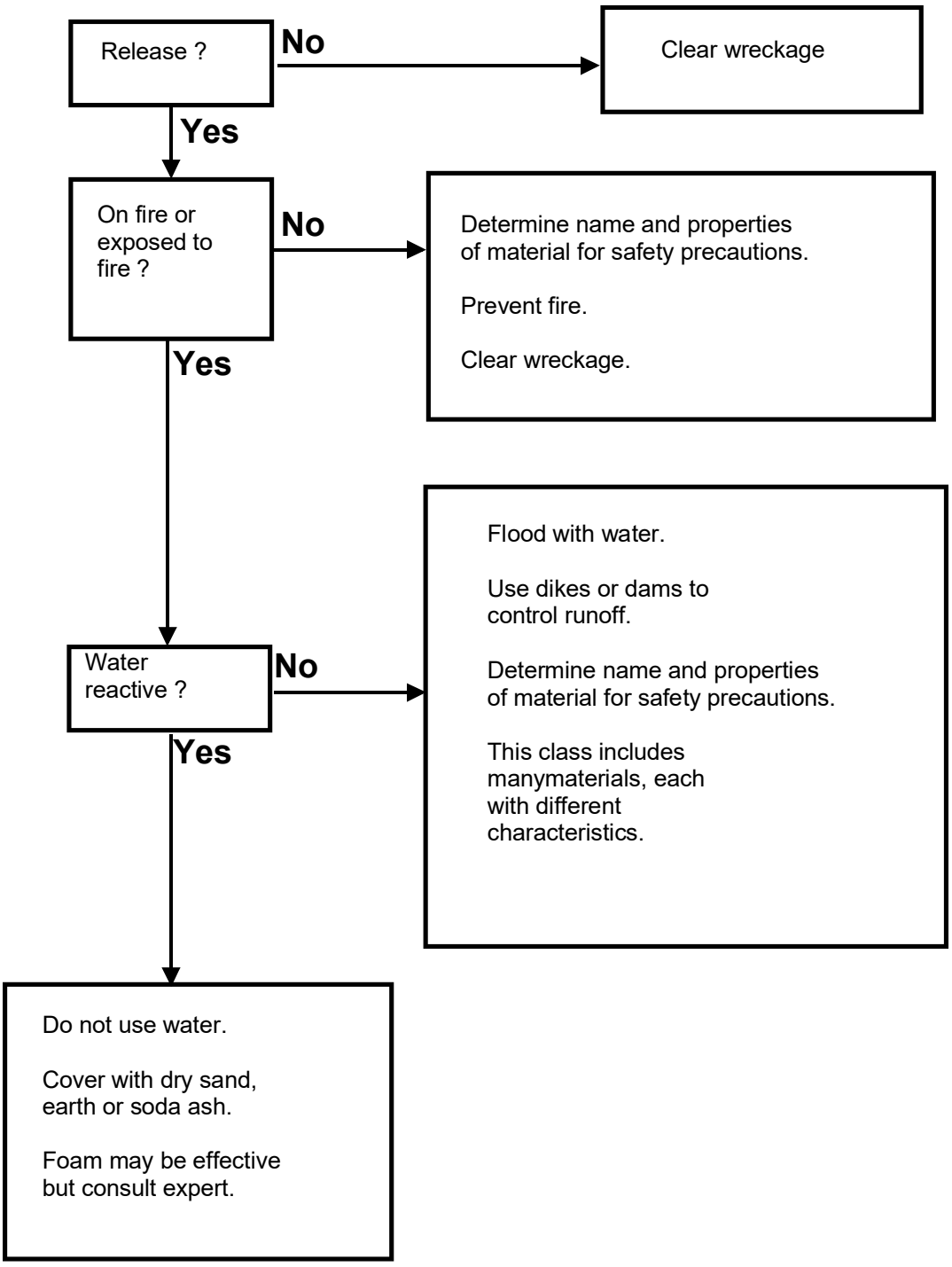

Figure 6203-4, Flammable Solids

NFPA 471, Recommended Practice for Responding to Hazardous Materials Incidents, NFPA 472, Standard on Professional Competence of Responders to Hazardous Materials Incidents., NFPA 473, Standard for Professional Competencies for EMS Personnel Responding to Hazardous Materials Incidents. Title 29, Code of Federal Regulations, Part 1910.120
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6.10.6 Oxidation and Organic Peroxides - Often these materials are temperature and pressure sensitive.

a. With these materials, take great care to keep flammable and combustible materials away.

b. Ascertain compatibility with flammable or combustible materials.

c. If necessary, segregate materials.

d. Refer to Figure 6203-4a and Figure 6203-4b for logic flow diagrams.

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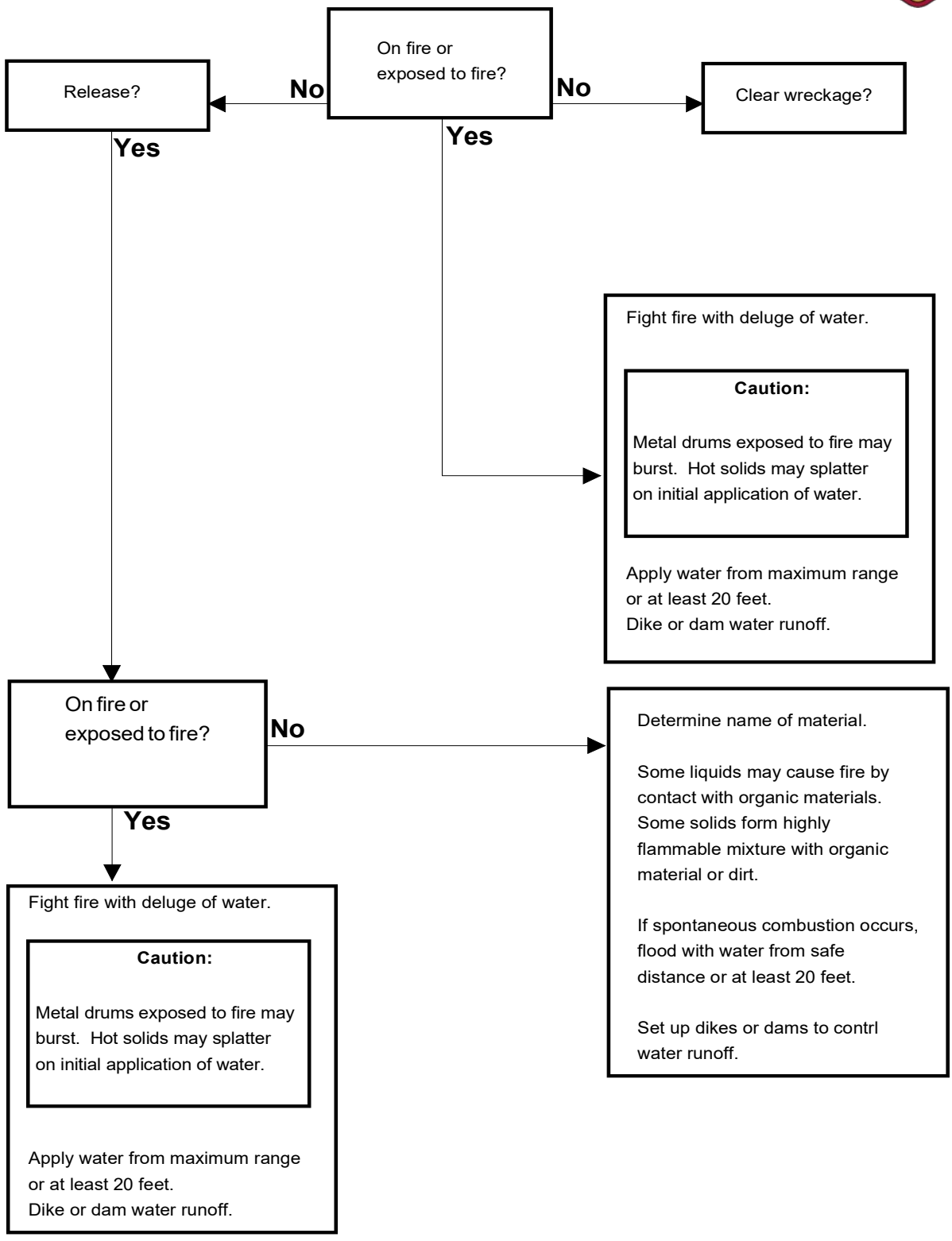

Figure 6203-4a, Oxidizers

NFPA 471, Recommended Practice for Responding to Hazardous Materials Incidents, NFPA 472, Standard on Professional Competence of Responders to Hazardous Materials Incidents., NFPA 473, Standard for Professional Competencies for EMS Personnel Responding to Hazardous Materials Incidents. Title 29, Code of Federal Regulations, Part 1910.120
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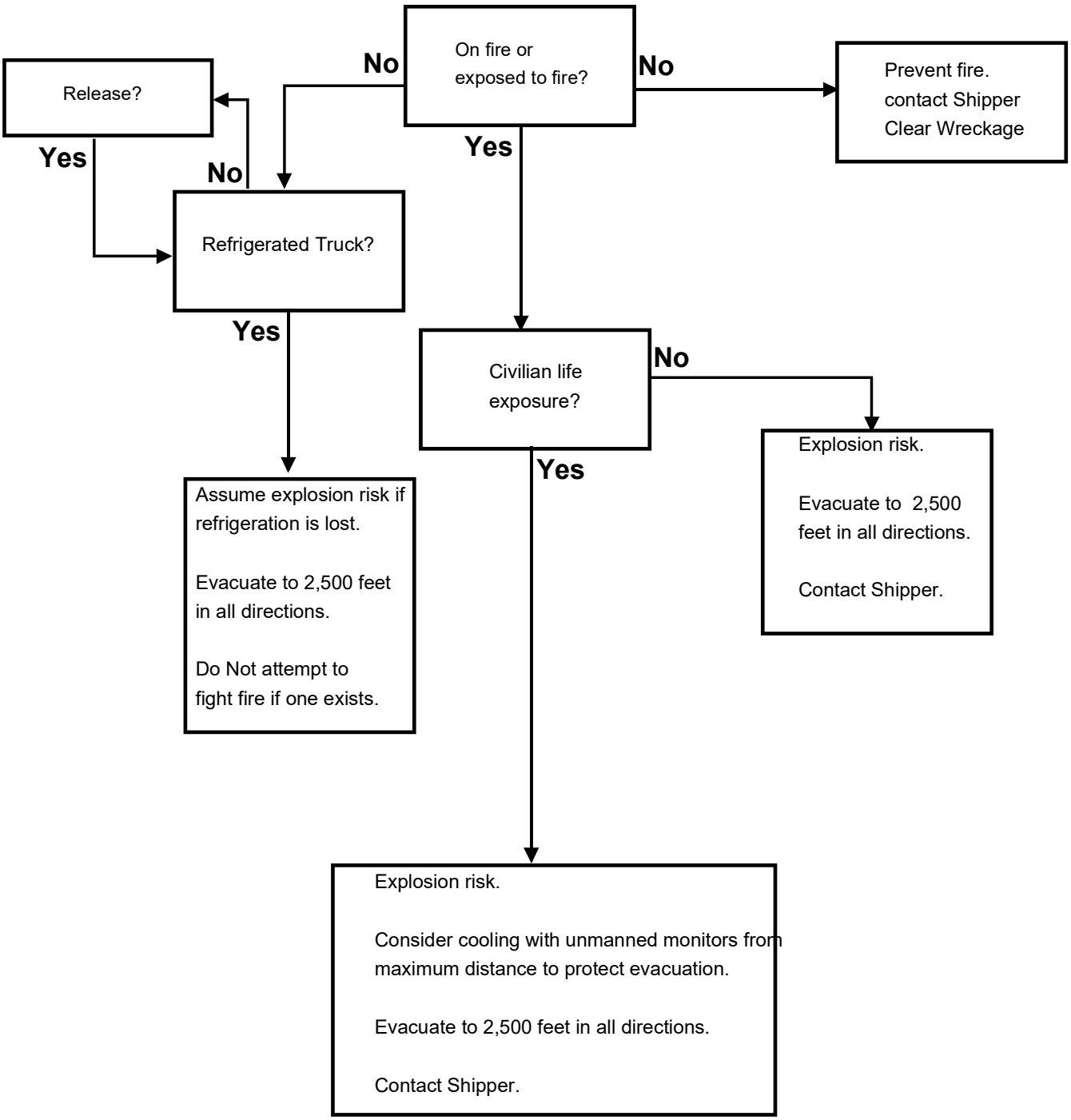

Figure 6203-4b, Organic Peroxides

6.10.7 Poisons - These materials may also be flammable or corrosive. Hydrofluoric acid is not only corrosive, it is also very toxic.

a. Exercise extreme caution when dealing with these substances.

b. Give priority to life safety and environmental impact. Be sure to decontaminate carefully.

c. Refer to Figure 6203-5a and Figure 6203-5b for logic flow diagrams.

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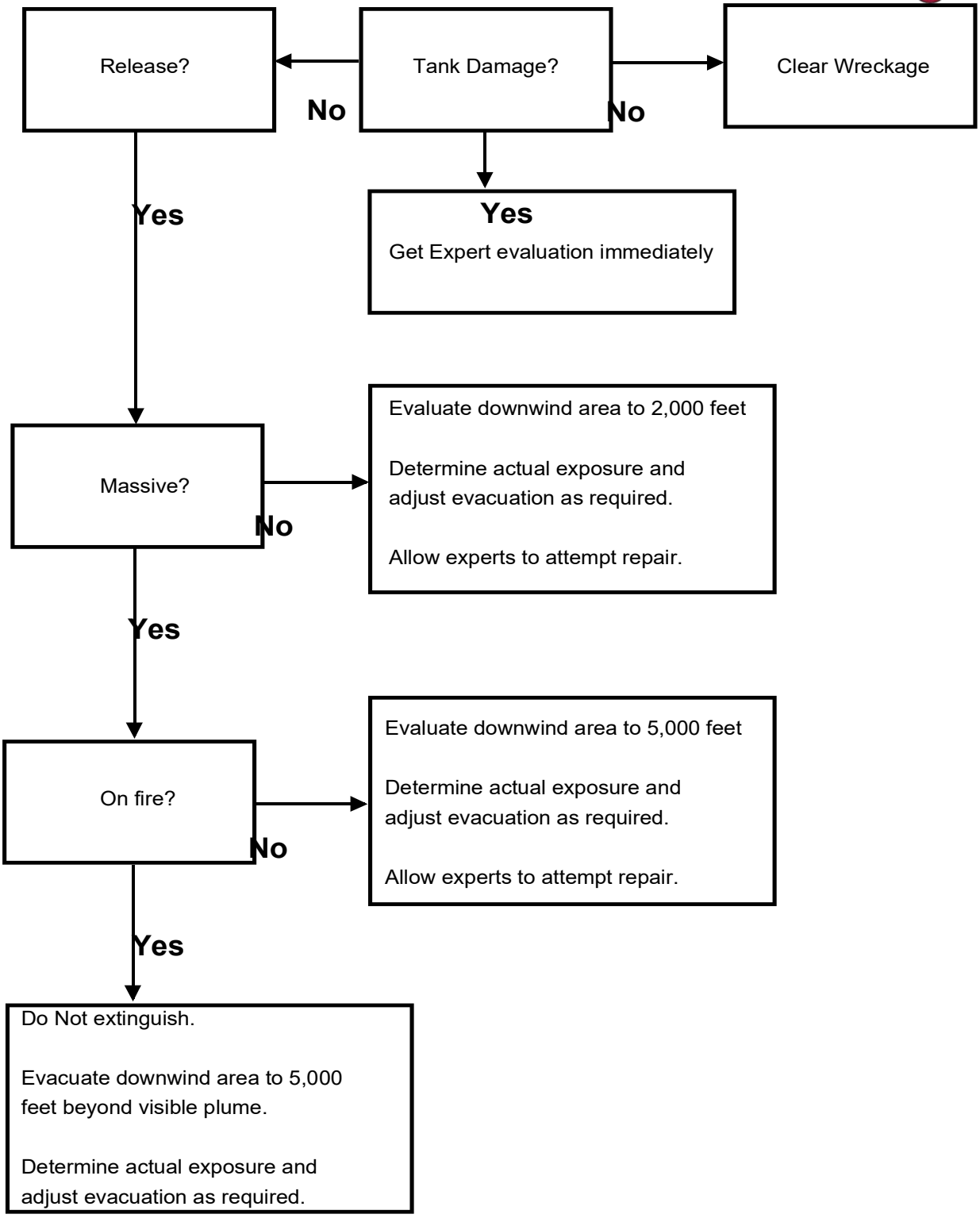

Figure 6203-5a, Poison Gases

NFPA 471, Recommended Practice for Responding to Hazardous Materials Incidents, NFPA 472, Standard on Professional Competence of Responders to Hazardous Materials Incidents., NFPA 473, Standard for Professional Competencies for EMS Personnel Responding to Hazardous Materials Incidents. Title 29, Code of Federal Regulations, Part 1910.120
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Hazardous Material Response Guideline

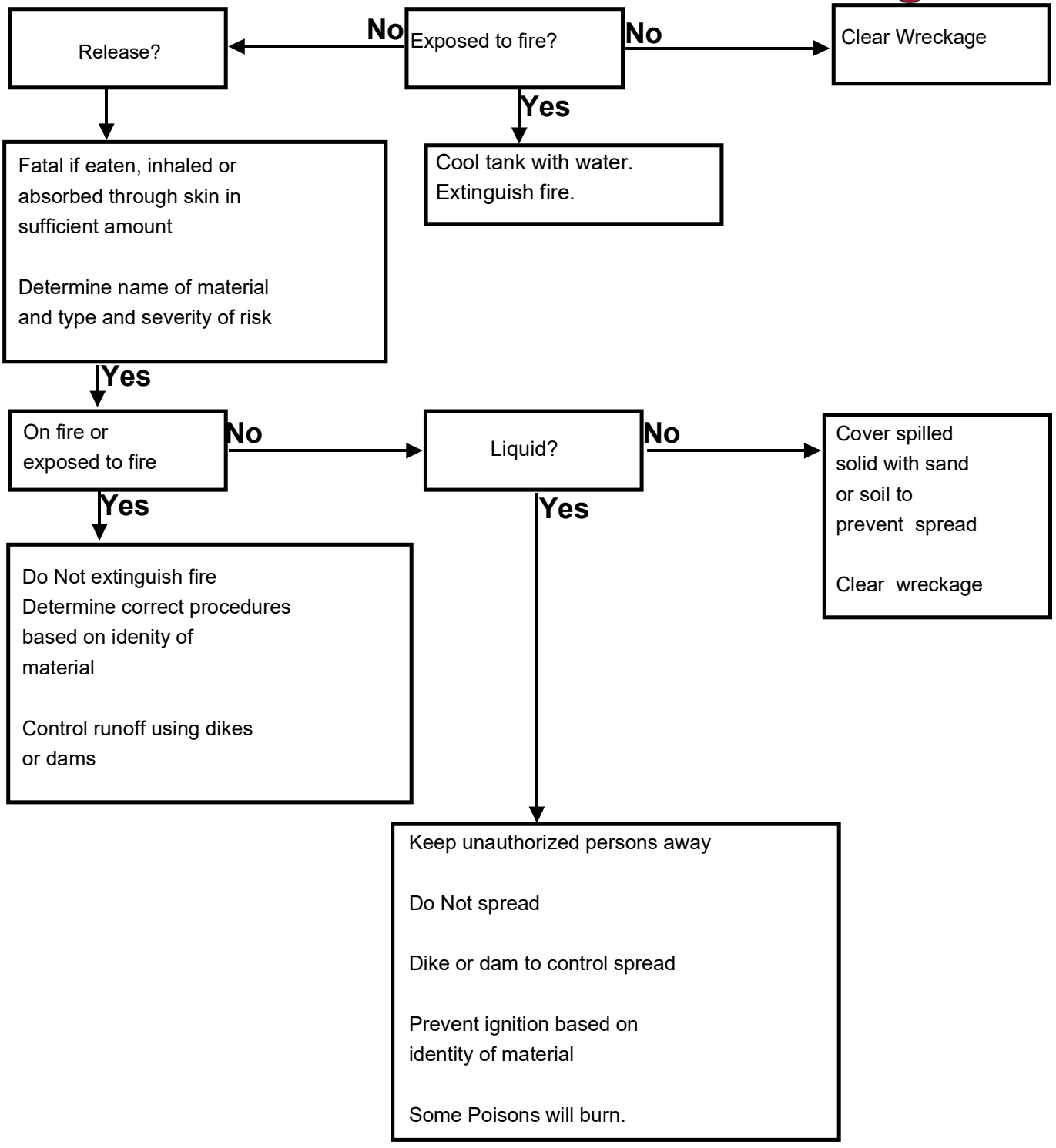

Figure 6203-5b, Poisons

NFPA 471, Recommended Practice for Responding to Hazardous Materials Incidents, NFPA 472, Standard on Professional Competence of Responders to Hazardous Materials Incidents., NFPA 473, Standard for Professional Competencies for EMS Personnel Responding to Hazardous Materials Incidents. Title 29, Code of Federal Regulations, Part 1910.120
Revisions: 11/1/14, 12/29/16, 4/23/18, 3/31/2021
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6.10.8 Radioactive Materials – Fire District #4 has limited capabilities when responding to these materials.

a. Never touch any radioactive material.

b. Isolation and maintenance of a secure perimeter are our best guidelines.

c. Refer to Figure 6203-6 for logic flow diagrams.

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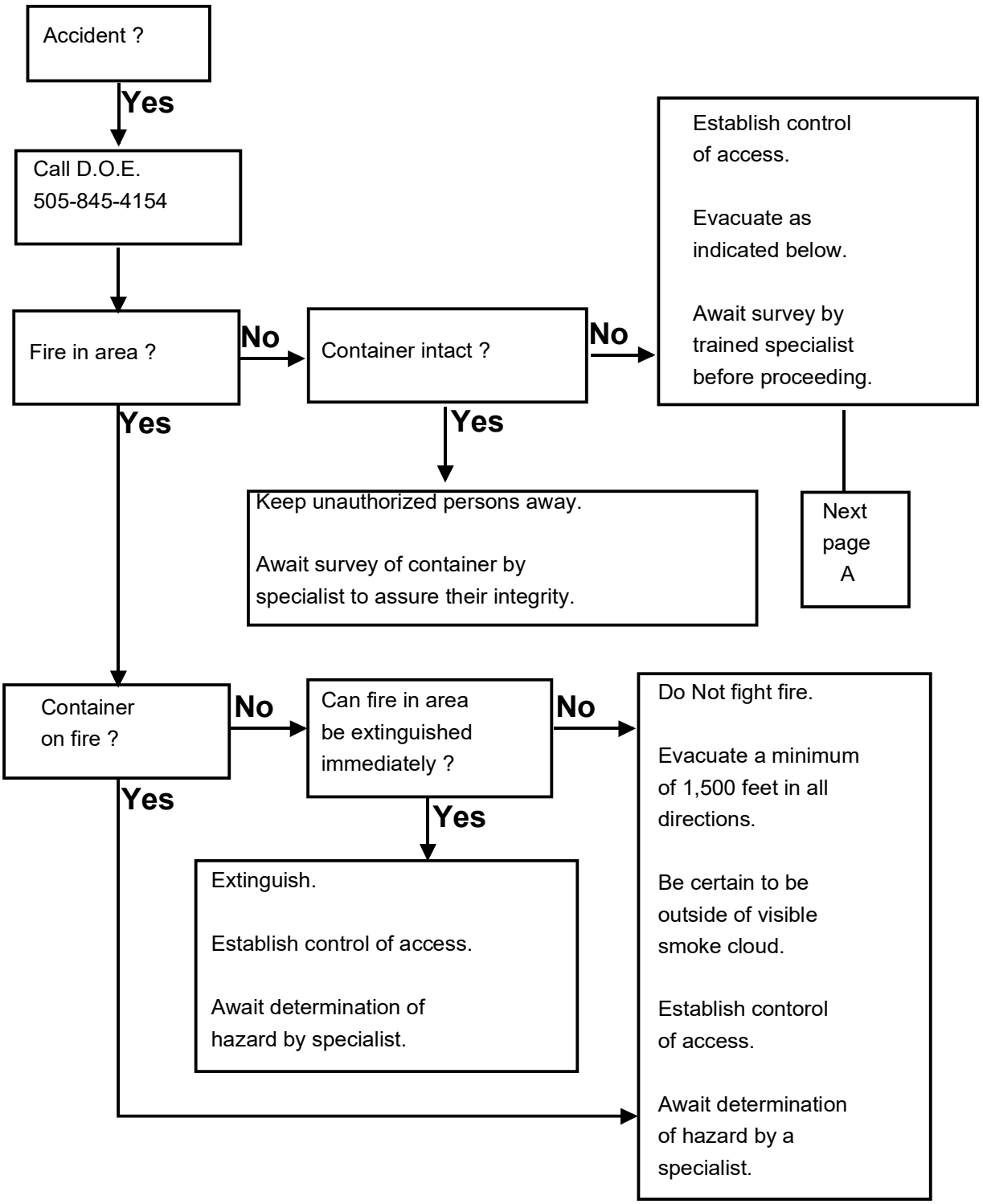

Figure 6203-6, Radioactive Materials

NFPA 471, Recommended Practice for Responding to Hazardous Materials Incidents, NFPA 472, Standard on Professional Competence of Responders to Hazardous Materials Incidents., NFPA 473, Standard for Professional Competencies for EMS Personnel Responding to Hazardous Materials Incidents. Title 29, Code of Federal Regulations, Part 1910.120
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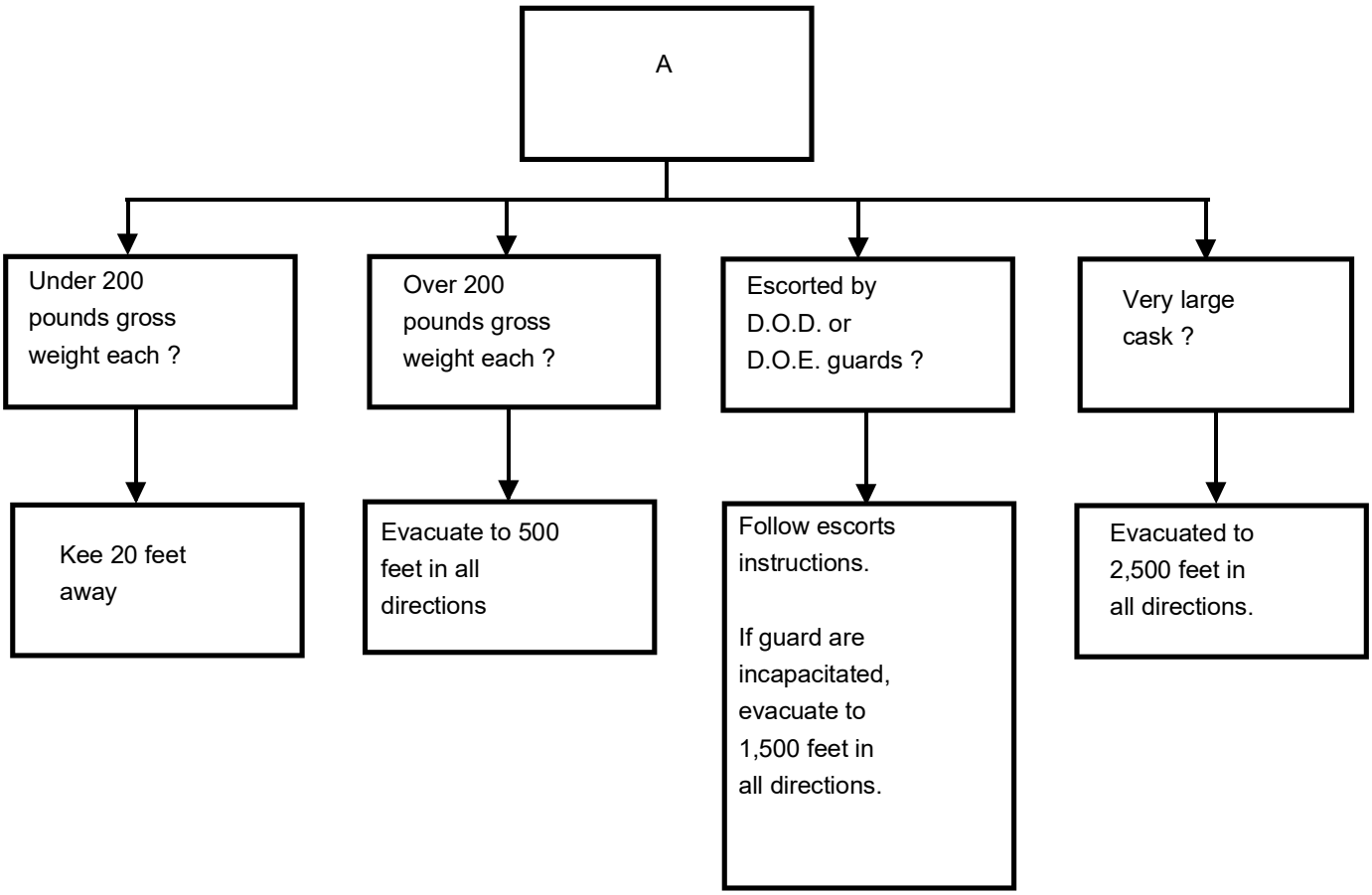

Figure 6203-6, Radioactive Materials (Continued)

6.10.9 Corrosives

a. Most acids can be neutralized with a base and brought to a new neutral ph.

b. Bases in most instances should be cleaned up and not neutralized.

c. c. Refer to Figure 6203-7 for logic flow diagrams.

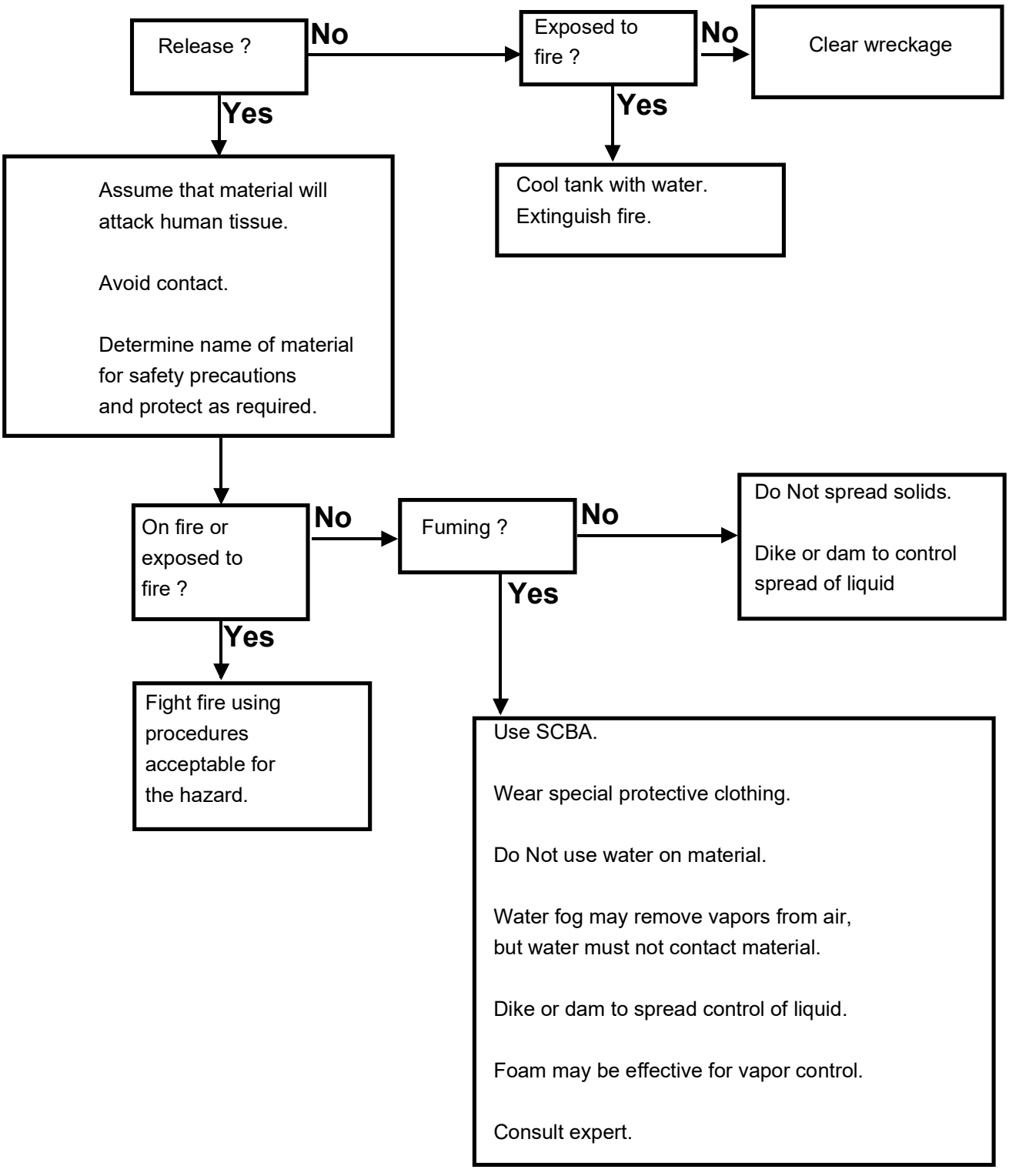

Figure 6203-7, Corrosive Materials

NFPA 471, Recommended Practice for Responding to Hazardous Materials Incidents, NFPA 472, Standard on Professional Competence of Responders to Hazardous Materials Incidents., NFPA 473, Standard for Professional Competencies for EMS Personnel Responding to Hazardous Materials Incidents. Title 29, Code of Federal Regulations, Part 1910.120
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6.10.10 Hazardous materials may not be flushed into a sewer system, drainage system or waterway without specific direction from the Louisiana Department of Environmental Protection Agency (EPA) or the Coast Guard.

6.11 Decontamination

6.11.1 Prior to any personnel entering a contaminated area, the Decontamination Officer will establish a decontamination zone.

6.11.2 The level of decontamination will be determined by the Safety Officer and Operations Chief when responding to on-site incidents. When responding to off-site emergencies, the Safety Officer, Operations Chief must concur with decontamination protocols established by the local incident commander. If there are areas for improvement, improvements must be completed before HAZMAT team members are enter the Hot Zone.

6.11.3 Decontamination will be performed within the Warm Zone located at the control access point between the Hot Zone and Cold Zone. This area is to be upwind and upgrade of the release.

6.11.4 Decontamination on-site should be done, if possible, at a safety shower. Materials washed from contaminated equipment would then go to the in-plant waste water treatment facility.

6.11.5 Decontamination is most often accomplished by scrubbing with soap and water. If you are not sure what should be used for decontamination, check your resources. The Firefighters Guide to Hazardous Materials has decontamination recommendations for all chemicals listed in the publication.

6.11.6 PPE, Tools, HAZMAT Kits, etc. must also be decontaminated. This equipment is to be placed in sealed hazardous waste bags or recovery drums until they can be properly decontaminated or disposed.

6.11.7 Decontamination team members will wear protective equipment commensurate with the exposure and as prescribed by the safety officer. The general guide line, the Decontamination Team must wear the same PPE as the entry team. Depending on the material involved and the amount of contamination of the entry team and equipment, the Decontamination team may be allowed to wear PPE one (1) level less than the entry team.

6.12 Clean Up

6.12.1 Clean up of off-site incidents is the responsibility of the shipper or manufacturer of the product involved.

6.12.2 The Incident Commander will be responsible for assuring that the clean-up is done. The Incident Commander is not responsible for participation in clean-up activities.

6.12.3 Clean up activities may include removing all contaminated debris, including dirt, water, black top, concrete, vehicles, tools, etc...

6.12.4 The DEQ, EPA, State Police, or Coast guard representative on the scene will determine when clean-up has been accomplished.

6.13 Medical Services (EMS)

6.13.1 A Medical Services Officer will be required for all hazardous materials incidents. Duties and responsibilities are covered Section 3.0.

6.13.2 The Medical Services Officer will report to the Safety Officer stay at the rehabilitation area.

6.13.3 Decontamination of injured personnel must be conducted prior to treatment of EMS personnel, unless otherwise specifically directed by the Incident Commander, Operations Chief or Safety Officer. Consideration must be given to the injuries of the victim and potential exposure to EMS personnel. If injuries or severe exposure potential is minimal, decontamination may be skipped.

6.13.4 The Medical Services Officer will record all physical data on entry team members prior to and after each entry. Physical data includes blood pressure, pulse rate, and physical condition of personnel.

6.14 Termination

The Incident Commander, Operations Chief, and Safety Officer will have the responsibility and authority to terminate an incident. Consideration must be given to determining if clean-up is required or if agencies should be involved.

7.0 DEVIATIONS

Deviations from this procedure and its requirements must be in written form stating why the deviation is necessary and what will be done to insure equivalent protection. The request must be reviewed and approved by the requesting Department's Manager and EHS Manager, or their designee.

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APPENDIX F

City of Mandeville Code of Ordinances

1.9. ENFORCEMENT, VIOLATIONS AND PENALTY PROVISIONS.

1.9.1. Administration of Enforcement.

The provisions of these Land Use Regulations shall be administered by the Planning Director, the Building Inspector and the Director of the Department of Public Works, as designated herein, who shall have the power to make inspections of buildings or premises necessary to carry out their administrative duties in the enforcement of these regulations. The provisions of these regulations shall be enforced by the City's police. The Planning Director, the Building Inspector or the Director of Public Works may call upon the Chief of Police to furnish the necessary police personnel to carry out enforcement.

1.9.2. Violations and Enforcement Proceedings.

In case any structure is erected or structurally altered or maintained, or any structure or land is used or altered or is not maintained, in violation of these regulations, any proper City official or his or her duly authorized deputies or representatives may institute any appropriate action or proceedings to prevent such unlawful construction or alteration or use or other violations, to restrain, to correct or to prevent any illegal act, conduct any business or maintain any use in or about such premises. Furthermore, any resident of the community who believes that a violation of any of the provisions of these regulations is occurring may file a written complaint with the Building Inspector. Such complaint shall fully set forth the acts or omissions constituting the alleged violation and the site or sites at which such violation or violations are alleged to be occurring. The Building Inspector shall record properly such complaint, promptly investigate the allegations underlying said complaint, and take action on such complaint and take action on such complaints as provided by these regulations.

1.9.3. Responsibility for Violations.

The owner of any structure or land, or part thereof, and the user of any structure or land or part thereof, where anything in violation of these regulations shall be placed or shall be used, and any architect, builder, contractor, agent, or any other person employed in connection therewith who may have assisted or contributed to the commission of any such violation, may each be deemed responsible for a violation of these regulations.

1.9.4. Compliance Information Required.

Whenever the Building Inspector, on the basis of a written complaint from the Planning Director, the Director of Public Works, any other City official or any credible person or on the basis of his own available information, has reason to believe that a violation of these regulations may exist, he may require any person owning the structure or land or operating a use thereon to provide, within 30 days of notification, information as may be necessary, in his judgment, to determine the existence or extent of any violation.

1.9.5. Penalty.

Any person violating any provision of these regulations shall be guilty of a misdemeanor, and deemed a public nuisance and upon conviction shall be punished for each separate offense by a fine not exceeding the amount set forth in Division 19 of Appendix C of the City of Mandeville Code of Ordinances, or as provided in Section 1.9 of the Code of Ordinances of the City of Mandeville, whichever is greater. Each day any violation of any provision of these regulations shall continue shall constitute a separate offense.

(Ord. No. 22-30 , 12-15-22)

5.4. PERMITTING REQUIREMENTS BY PERMIT TYPE.

5.4.1. [Permits Required.]

There are nine (9) types of permits required to be issued for work covered by the provisions of this Land Use Regulations Ordinance as follows:

1. Development Permit.
2. Electrical Permit.
3. Plumbing Permit.
4. Mechanical Permit.
5. Public Improvement Permit (Culverts, sidewalks, sewer and water extension).
6. Sign Permit.
7. Demolition Permit.
8. Moving Permit.
9. Special Permit.

5.4.2. Development Permits.

1. A development permit covers any man-made alterations to real estate or land and includes the following elements which are required to be addressed in the permit documents if applicable to the proposed development: (a) Clearing, (b) Grading and Paving, (c) Landscaping, (d) Building (and Building Renovations), and (e) Accessory Structures. One development permit may be issued, which includes all elements of development required to be permitted under the category of development permit, except for electrical, plumbing and mechanical work that requires a separate permit, or a separate permit may be obtained for each element of development requiring permitting. When the application for a development permit includes one or more of the types of development required to be separately permitted as listed below, all of the submittal documents and fees required for each of the types of development included and all inspections required for each of the individual development types will be included under the one development permit except for plumbing, electrical and mechanical work which shall be issued a separate permit.
2. If work is proposed to be done, which was not included in an overall development permit or if, subsequent to the development of the site, additional work is proposed, a separate permit shall be required for each type of development work proposed. Clearing, Grading and Paving, Landscaping and Residential Accessory and Renovation permits shall not be issued except in conjunction with the issuance of a Building Permit for a principal structure or subsequent to the issuance of a permit for construction of the principal structure on the site, except in the case of a permit to construct a commercial or public parking lot on a site when such parking lot is to be the principal use of the site. Development permits for major renovations and non-residential accessory structures are required to meet all the applicable requirements of a building permit for new construction. Major renovations are renovations where the construction costs exceed five thousand ($5,000.00) dollars.
3. Development permits for the construction of buildings fall within several Building Permit categories as follows:

Building Permits
a. Single-Family and Two-family Residential
b. Multi-Family Residential

c. Commercial and Industrial (including structures accessory to principal commercial and industrial buildings)
d. Combined Uses
e. Major Renovations and Non-Residential Accessory Structures
f. Development permits for the construction of residential accessory structures and minor renovation are issued as a separate permit type.

5.4.3. Development Permit Application Requirements for Single-Family Residences and Two-Family Residences.

The following items must accompany any application for a permit for the construction of single-family or two-family residences or major renovations of such developments:

1. Completed Permit Form.
2. Survey. One (1) certified copy signed by a Registered Land Surveyor which depicts the dimensions of the site and identifies any utility servitudes or rights-of-way that may effect the building setback requirement. Any existing structures must be shown on the survey.
3. Tree Preservation Plan. A depiction of the site identifying the location of all trees proposed and/or required to be preserved under the provisions of Article 9, infra.
4. Site Plan. Fully dimensioned including all building setbacks, required parking spaces, and existing structures.
5. Complete set of building plans. This includes, but is not limited to:
    a. Floor plans (square footage must be noted).
    b. Foundation plans.
    c. Roofing plan.
    d. Elevations of all sides.
    e. All details required to fully describe construction.
6. Drainage Plan [see section 5.2.3].
7. Any other information determined to be required by the Building Inspector, Public Works Director, or Planning Director in order to document compliance with the requirements of these regulations for the issuance of the requested permit.
8. For construction in FEMA Flood Zones A or V, a flood elevation certificate is required before authorization for the provision of permanent electrical service will be issued for building.
9. Permit and inspection fees as required.
10. Plumbing, electrical and mechanical plans shall be submitted and shall be sufficient to describe all work. A separate permit shall be required for plumbing, electrical and mechanical work.

5.4.4. Development Permit Application Requirements for Non-Residential and Multi-Family Development.

The following items shall accompany any application for a permit for multi-family or non-residential construction such as commercial or industrial development, combined use developments and any major renovation to these facilities.

1. Completed Permit Form.
2. If the application requests a clearing permit - a plan showing all trees to be preserved on the site (See Article 9).
3. Landscape Plan. A landscape plan is required if existing trees to be preserved are not sufficient to meet the requirements of these regulations or if any additional planting is required (see Article 9). Tree protection barriers protecting existing trees to be preserved must be in place prior to the issuance of the clearing or building permit, if clearing is done in conjunction with the construction of a building.
4. Fire Marshal Approval (of building plans).
5. Grading and Paving Plan.
6. Boundary Survey of Site.
7. Site Plan. Site plan shall be fully dimensioned and drawn to scale showing all applicable items as required (see Article 9 for parking and landscape requirements, Article 7 for district yard requirements and Article 8 for special use requirements when applicable).
8. Complete set of Building Plans (approved by Fire Marshall) including:
    a. Foundation plan.
    b. Floor plans (square footage of area by use must be noted).
    c. Elevations of each side.
    d. Details and sections to fully describe construction of building.
    e. Specifications for construction.
9. Drainage Plan. Drainage plans shall provide finished floor elevations, existing and proposed site elevations, defining direction of surface and sub-surface runoff, fully describing all proposed sub-surface drainage features and including any additional information required by the Public Works Director or the City Engineer. The drainage plan shall be approved by the Director of Public Works or a duly authorized designee. All development(s) over one (1) acre shall require a drainage plan and hydrologic report showing pre-development and post-development watershed calculations. (See section 5.2.3)
10. Connections to City and other utility services. The utility plan shall be submitted for the approval of the Director of Public Works or an authorized designee.
11. Fees. All applicable fees shall be paid prior to the issuance of the permit as provided in this Article.
12. Any other information determined to be required by the Building Inspector, Director of Public Works, Planning Director or the City Engineer in order to document compliance with the requirements of these regulations for the issuance of a permit.
13. If structure is located in a FEMA flood zone A or V, a flood certificate shall be submitted to insure proper elevation.
14. Plumbing, Mechanical and Electrical Plans. Electrical, plumbing and mechanical plans shall be sufficient to describe all work and a separate permit shall be required to be obtained for plumbing, electrical and mechanical work.
15. Sign Plan. A completed sign application with a signage plan designating the type and color of signage must be submitted for the entire site of all commercial developments. Individual tenant sign applications shall not be accepted until this requirement is met.

5.4.5. Application Requirements for Development Permits for Residential Renovations and Accessory Uses.

An application for a permit for minor residential renovations and residential accessory use on single- and two-family residential developments is required for the following:

1. Construction of accessory buildings/structures including but not limited to:
    a. Garages and Carports.
    b. Greenhouses.
    c. Pools and Patios.
    d. Tennis courts.
    e. Play Structure.
    f. Fences (residential and non-residential).
2. Remodeling or renovating when electrical wiring, plumbing or structural change of the building is effected. A structural change includes extending a foundation slab to build increasing square footage of living area or extending living area into previously open areas including, but not limited to:
    a. Garage enclosures.
    b. Patio or Porch enclosures.
    c. Addition to house or accessory buildings.
    d. Bay window, fireplaces or any extensions or protrusions of exterior walls.
    e. Decks, wooden or other.
3. Required permit application items for the referenced construction:
    a. Boundary survey of the property with existing structures.
    b. Site plan depicting the existing and proposed structures and other site features in relation to property lines.
    c. Set of building plans showing proposed changes and additions to the extent necessary to fully describe the work being done and how it connects with any existing structures.
    d. Any other information determined to be required by the Building Inspector, Public Works Director or Planning Director in order to satisfy the requirements of these regulations for the issuance of a permit.
    e. Permit and inspection fees as required.

5.4.6. Requirements for Public Improvement Permits.

A public improvements permit shall be required, except when installed by the City, prior to the installation of public improvements such as culverts, sidewalks, and extensions of water and sewer lines. Plans adequate to fully describe the public improvements work shall be submitted to the Building Inspector and reviewed by the Director of Public Works prior to the issuance of a public improvements permit.

5.4.7. Requirements for Moving Permits.

A moving permit shall be required prior to the relocation of any principal building or accessory structure from an existing location. Plans adequate to fully describe the moving shall be submitted to the Building Inspector

and reviewed by the Director of Public Works and the Chief of the Mandeville Police Department prior to the issuance of a moving permit. The following items shall accompany any application for a moving permit:

1. Completed Permit Application.
2. Approved building or renovation permit including a new foundation in the scope of work.
3. Boundary surveys of the existing and proposed sites.
4. Site Plan. Site plan shall be fully dimensioned and drawn to scale showing all structures and buildings and their existing and proposed locations.
5. Travel route map. A detailed map of the proposed route of travel.
6. Time schedule. A detailed time schedule stating the proposed beginning and ending times that the building or structure would be traveling on the public roadways.
7. Estimated total weight of the moving apparatus including the weight of the structure or building.
8. Any other information determined to be required by the Building Inspector, Director of Public Works, Planning Director, City Engineer or the Chief of Police in order to document compliance with the requirements of these regulations for the issuance of a permit.

13.1. GENERAL PROVISIONS.

13.1.1. [Minimum Requirements.]

The development standards provided herein shall be considered to be the minimum requirements for the installation of improvements in association with the subdivision or resubdivision of land and the installation of all public improvements in the City of Mandeville. In addition all improvements shall comply with the following laws, rules and regulations or shall be subject to disapproval:

1. All applicable statutory provisions;
2. All applicable provisions of these Comprehensive Land Use Regulations and all other applicable laws and codes of the City of Mandeville;
3. Any rules of the Health Department and/or appropriate state agencies, with such rules providing minimum standards to be met by all subdivision plats;
4. The requirements of the Louisiana Department of Transportation and Development when so noted and if the subdivision or any lot contained therein abuts a state highway or connecting street;
5. All applicable standards and regulations adopted by the City; and
6. The current adopted Rules of Procedure of the Planning Commission available in the office of the Planning Director.

13.1.2. Monuments.

13.1.2.1.*Vertical Control Monuments of Record.*

1. *Permanent Vertical Control Monuments.* The subdivider or developer shall establish or confirm the prior establishment of a minimum of:
   a. One permanent vertical control monument in each subdivision of twenty lots or less, and
   b. One additional permanent control monument in each subdivision of over ten lots for every additional twenty (20) lots or fraction thereof.
   c. Such permanent monuments shall be located along street rights-of-way for easy access and shall be concrete, not less than thirty-six (36) inches in length, by four (4) inches square or five (5) inches in diameter and marked on top with a brass plug securely imbedded in the concrete. The record elevation of the monument shall be at the top of the brass plug. The exact location and the elevation of each monument shall be clearly shown on the final plat of the subdivision. The elevation shall be in accordance with the national geodetic vertical datum (USCGS).
2. *Placement of Monuments.* The applicant shall place permanent reference monuments in the subdivision as required herein, as required by state law and as approved by a professional land surveyor.
   a. The external boundaries of a subdivision shall be monumented in the field by monuments of stone or concrete not less than thirty-six (36) inches in length, by four (4) inches square or five (5) inches in diameter, and marked on top with a brass plug. The external boundaries shall be:
      (1) Not more than 1,400 feet apart in any straight line;
      (2) At all corners.
   b. Internal monuments shall be located on street right-of-way lines, at street intersections, angle points of curve and block corners. Internal monuments shall be at least thirty-six (36) inches long and marked by iron rods ½" in diameter or pipes 2" in diameter. These monuments shall be spaced so as to be within

sight of each other, the sight lines being contained wholly within the street right-of-way. Additional placement guidelines are as follows:

(1) At each end of all curves;

(2) At the point where a curve changes its radius;

(3) At all angle points in any line; and

(4) At all angle points along the meander line of a navigable river, bayou or stream. These points shall be located twenty-five (25) feet from the mean high water line as determined by the developer's engineer for each subdivision. If such points fall within a street, or proposed future street right-of-way, the monuments shall be located on the right-of-way line closest to the actual point.

c. All internal boundaries and those corners and points not referred to in the preceding paragraph shall be monumented in the field by like monuments as described above. These monuments shall be placed at:

(1) All block corners;

(2) Each end of all curves;

(3) At the point where a stream changes its radius; and

(4) At all angle points in any line.

d. In such cases where the placement of a required monument at its proper location is impractical it shall be permissible to set a reference monument close to that point. The location of internal monuments shall be noted on the final subdivision plat.

e. The lines of lots that extend to rivers or streams shall be monumented in the field by iron pipes at least thirty-six (36) inches long and seven-eighths (⅞) inch in diameter or by round or square iron bars at least thirty-six (36) inches long. These monuments shall be placed at the point of intersection of the river or stream lot line, with a meander line established twenty-five (25) feet landward of the mean high water line of the river, bayou or stream, as determined by the developer's engineer for each subdivision.

f. All such monuments shall be set flush with the ground.

g. All monuments shall be properly set in the ground and certified as to accuracy by a professional land surveyor prior to the time the Planning Commission makes a recommendation for final subdivision approval.

13.1.3. Alteration of the Topographic Character of the Land.

Subdivisions shall be planned to take advantage of the topography of the land, to economize in the construction of drainage facilities, to reduce hazardous conditions, to minimize destruction of trees and topsoil and to preserve such natural features as watercourses, large trees, sites of historical significance, existing or needed recreational areas and other assets which, if preserved, will add attractiveness and value to the subdivision and the City.

13.1.4. Improvements in Excess of the Requirements of these Regulations.

1. To the fullest extent permitted by law, the Planning Commission may require, as a condition of preliminary or final subdivision approval, that the applicant provide improvements in excess of what is proposed by the applicant or in excess of what would otherwise be required under the provisions of these regulations. These improvements shall be upon the recommendation of the City Engineer or Public Works Director and would

be deemed necessary to ameliorate detrimental impacts to the community attributable to the development of the proposed subdivision.

2. The City Engineer or Public Works Director may also recommend to the Planning Commission that any improvements which under the provisions of these regulations are to be dedicated to public ownership or public use exceed what is being proposed by the applicant or exceed the otherwise applicable provisions of these regulations in order to secure a benefit to the community or address a community need that is not attributable to the development of the proposed subdivision. Should the applicant not agree to comply with this recommendation, the recommendation shall be referred to the City Council which shall determine whether to accept the recommendation. The City Council may, in its acceptance, modify the recommendation. The Planning Commission shall not grant any further approval to the proposed subdivision until the City Council shall have decided whether to accept the recommendation. The Clerk of the City Council shall notify the secretary of the Planning Commission of any action taken by the City Council or the recommendation. In the absence of receipt of such notice within one hundred twenty (120) days of the recommendation being referred to the City Council, it shall be deemed that the City Council has decided not to accept the recommendation. The Planning Commission shall extend this period for an additional period of time not to exceed sixty days upon the written request of the Mayor or of the presiding officer of the City Council.

3. Should the City Council not accept the recommendation, the Planning Commission shall not require as a condition of subdivision approval that those improvements exceed the greater of what is proposed by the applicant or applicable provisions of these regulations, except as provided in Paragraph 1 of this section.

4. Should the City Council accept the recommendation, those improvements shall be deleted from the subdivision proposal and be constructed by the City in accordance with law. The City Engineer or Public Works Director shall provide to the City Council an opinion of probable construction cost for constructing the improvements in accordance with the decision of the City Council and for the cost that the applicant would probably have incurred in constructing those improvements in accordance with the otherwise applicable provisions of these regulations. The City Council shall determine from this information, and from any other information provided to it on this cause, what reasonably would have been the applicant's cost to construct the improvements. The Clerk of the City Council shall report this determination to the applicant and to the secretary of the Planning Commission. At its next regular business meeting following the receipt of notice of the City Council's decision to accept the recommendation, the Planning Commission shall direct the applicant to delete all of the improvements to be constructed by the City from the subdivision application.

5. The Planning Commission shall not grant final approval to the proposed subdivision until the City shall have completed construction of the improvement or improvements encompassed by the recommendation accepted by the City Council, unless the City Council should, by resolution of not less than a majority of its members, authorize the Planning Commission to grant an earlier approval to the subdivision.

6. The City shall be under no obligation to proceed with construction of any of the improvements until the applicant shall have paid to the City the sums previously determined by the City Council to be the cost that would otherwise have been incurred by the applicant to construct the improvements or improvements in question and the applicant has effected the dedication to the City of all rights as are necessary in the opinion of the City Council to complete the construction of the improvements. All such sums received by the City shall be used only for the construction of the improvements in question. Should the City fail to let a contract for the construction of those improvements within twelve months of receipt of such sums and all necessary dedications, the City shall refund such sums to the applicant, or to his heirs, successors or assigns. The Planning Commission shall thereafter review the subdivision application as though the City Council had decided not to accept the recommendation referred to it. The City Council shall revoke and abandon any portion of the dedications previously acquired by the City that the Council determined from information submitted to it is not reasonably necessary to construct and maintain the improvements to be constructed by the applicant.

13.1.5. Off-site Extensions of Utilities.

When utilities are not available at the boundary of a proposed subdivision the Planning Commission, or its duly authorized representative, shall require as a prerequisite to approval of a preliminary and final plat assurances that such improvement extensions shall be provided as follows:

1. Extensions of utilities onto the property involved shall be adequate to serve the total development requirements of the service or drainage area. Utilities leaving the property shall be constructed in such a manner as to make their extension practical for servicing the adjacent areas of the service or drainage area.
2. If the Planning Commission, or its duly authorized representative, finds that the extensions across undeveloped areas would not be warranted as a special assessment to the intervening properties or as a governmental expense until some future time, the developer shall be required, if he wishes to proceed with the development, to obtain necessary easements or rights-of-way for dedication to the City and construct and pay for such extensions. Such improvements shall be available for connections by subdividers of adjoining land and the subdivider may contract with adjacent property owners and/or subdividers of adjacent land for reimbursement of the oversize and/or off-site improvements constructed.

13.1.6. Minimum Servitudes Required and Minimum Size Allowed.

The minimum servitude no matter what its purpose shall be fifteen (15) feet in width and, when placed at an interior property line, the width when practical shall be equally divided between the two adjacent lots, on each side of the interior property line. Actual size of drainage servitudes shall be predicated on the width of the drainage structure and approved by the City Engineer or Public Works Director.

13.1.7. Size of Drainage Servitude Determines Dedication or Easement Status.

1. Where the right-of-way needed to accommodate the drainage improvements required by these regulations exceeds twenty-five (25) feet in width, such right-of-way shall be dedicated to the City in fee simple.
2. Where the right-of-way of any drainage improvement required by these regulations is less then twenty-five (25) feet in width, such right-of-way may be designated as a dedicated easement.

13.1.8. Public Use Sites and Open Space.

Where the Comprehensive Land Use Plan proposes community or public facilities or open spaces that are located in whole or in part within any proposed subdivision up for approval, the Planning Commission shall require the reservation of an area within the subdivision sufficient to accommodate such facilities in accordance with the adopted policy for maintenance of a minimum five (5) percent open space. Each new subdivision shall be required to include a minimum of six (6) percent of the total land area of the subdivision site as an open space contribution as defined in Article 3. The Planning Commission may allow the developer to provide one (1) acre of created wetlands habitat in lieu of one and one-quarter (1.25) acres of otherwise required open space.

13.1.9. Control of Erosion and Sedimentation.

Where a developer/subdivider intends to make changes in the contour of any land proposed to be subdivided, developed or changed in use by grading, excavating or the removal or destruction of the natural topsoil, trees, or other vegetative covering thereon, the same shall only be accomplished after the Planning Commission shall have approved a plan for erosion and sedimentation control submitted by the owner or his agent, unless there has been a prior determination by the Planning Commission that such a plan is not necessary. Such determination shall be made in conjunction with tentative approval of the conceptual sketch plat and the site

features map. Submittal of any plans for erosion and sedimentation control shall accompany and be considered a part of the drainage report submitted in conjunction with the Preliminary Subdivision Application.

1. *Requirements for Submission.*

    a. Three (3) sets of plans for control of erosion and sedimentation shall be submitted to the Planning Commission.

    b. The estimated cost of accomplishing such erosion and sedimentation measures shall be stated in the construction agreement and shall be covered in any required performance bond and the maintenance bond.

2. *Guidelines for Erosion and Sedimentation Control.*

    a. Lots shall be developed to maximize the amount of natural drainage which is percolated into the soil and to minimize direct runoff into adjoining streets and watercourses.

    b. Sediment basins (debris basins, desilting basins, or silt traps) should be installed to remove sediment from runoff waters from land undergoing development.

    c. The development plan should be fitted to the topography and soils so as to create the least erosion potential.

    d. Wherever feasible, and in areas where required by the provisions of this ordinance, natural vegetation should be retained and protected.

    e. Provisions should be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development.

    f. Where necessary, temporary vegetation and/or mulching should be used to protect areas exposed during development.

    g. The permanent final vegetation and structures should be installed as soon as practical.

    h. When land is exposed during development, only the smallest practical area should be exposed at one time and the exposure time should be kept to the shortest practical period of time.

    i. At the building permit application stage, a review will be conducted by the Inspection Department to insure conformance with the plan as approved.

13.2. SUBDIVISION LAYOUT DESIGN.

13.2.1. Lot Layout and Improvements.

13.2.1.1.*Lot Arrangement.*

The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits or Corps of Engineers or coastal management authority permits to build on all lots in compliance with these regulations and parish health regulations, and in providing driveway access to buildings on such lots from an approved street. The design and layout of lots shall be such that:

1. No remnants of property shall be left which do not conform to lot requirements, which are not required for a private or public utility purpose, or which are not accepted by the City and/or any other appropriate public body for an appropriate use.
2. When land is subdivided into very large parcels they shall be of such shape and dimensions as to render possible the re-subdivision of any such parcels at some later date into lots and streets which meet the requirements of these regulations.
3. Lots shall be laid out so that drainageways are near the edge of lots and not near the center of a lot. Lots shall be laid out so that drainageways are located appropriately with regard to natural or man-made drainageways, including those existing and planned for the proposed development. Property lines, where feasible, shall be laid out so that the lines follow the center line of any drainageway, except when such drainageway is greater than twenty-five (25) feet in width and required to be dedicated to the City.
4. Except where permitted by the Planning Commission and City Council in Planned Districts with site plan approval by ordinance, or as provided by these regulations, no lot shall be laid out so that it does not have access to and frontage on a dedicated public street according to the requirements of these regulations.
5. No lot may be created that is so narrow or irregularly shaped that it would be impracticable to conform to district setback regulations or to construct a building that could be used for purposes that are permissible in that zoning district.

13.2.1.2.*Lot Area, Dimensions and Width-to-Length Ratio.*

1. The lot area square footage requirements of these regulations shall not include any dedicated rights-of-way, drainage easements or areas of periodic inundation.
2. Lot dimensions shall comply with the minimum standards of this Ordinance. In general, side lot lines shall be at a right angle to street lines (or radial to curving street lines) unless a variation from this rule will give a better street-to-lot plan in the judgment of the Planning Commission. Dimensions of corner lots shall be large enough to allow for erection of buildings, observing the minimum front yard setback from both streets. Depth and width of properties reserved or laid out for business, commercial or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, as established in these regulations.
3. Lot width-to-depth ratio shall not exceed three and one-half to one (1:3.5) on lots with two hundred (200) foot frontage on a street, nor more than three to one (1:3) on lots with less than two hundred (200) feet of frontage on a street.

13.2.1.3.*Double Frontage Lots and Access to Lots.*

1. Residential lots shall not be laid out so that they have frontage onto more than one street except:

a. Where the lot is adjacent to the intersection of two streets; or

b. Where necessary to provide separation of residential development from traffic arterials, railroad rights-of-way, or to overcome specific disadvantage to topography and orientation.

2. Where double frontage lots cannot be avoided, as provided for above, the following requirements shall be met:

a. Front yard requirements shall be adjacent to the local or lesser traveled street;

b. An additional ten (10) foot strip of land, meeting the requirements of a vegetative buffer as described in Article 9 of these regulations, shall be added to the rear of the lot and dedicated to the City as a servitude or right-of-way for installation of protective screen planting by the developer. Such vegetative buffer strip shall not be fenced into the lots but shall remain open to view from the adjacent street to buffer the rear yard of the lot to the street; and

c. Lots shall have access to the lesser traveled street only.

13.2.1.4.*Soil Preservation, Grading, and Seeding of Lots.*

1. *Preservation and Final Grading.* No certificate of occupancy shall be issued until final grading has been completed in accordance with the approved final subdivision plat and the lot pre-covered with soil with an average depth of at least six (6) inches which shall contain no particles over two (2) inches in diameter over the entire area of the lot except that portion covered by buildings or included in streets, or where the grade has not been changed or natural vegetation seriously damaged. Topsoil shall be redistributed so as to provide at least six (6) inches of cover on the lots and at least four (4) inches of cover between the sidewalks and curbs, and shall be stabilized by seeding or planting.

2. *Lot Drainage.* Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentration of storm drainage water to flow from any lot to any adjacent lots.

3. *Lawn-grass Seed and Sod.* Lawn-grass seed shall be sown at not less than four (4) pounds to each one thousand (1,000) square feet of open land area. The width of the right-of-way excluding roadway shall be seeded. Sod may be used to comply with any requirements of seeding set forth herein, if approved in advance by the City Engineer or Public Works Director.

13.2.1.5.*Special Requirements.*

1. *Debris and Waste.* No cut trees, timber, junk, rubbish or other waste materials of any kind shall be buried in any land, or left or deposited on any lot or street adjacent to a lot for which there is sought the issuance of a certificate of occupancy in the subdivision; nor shall any be left or deposited in any area of the subdivision at the time of expiration of the performance bond or dedication of public improvements, whichever is sooner.

2. *Fencing Under Hazardous Conditions.* Each subdivider and/or developer shall be required to furnish and install fences wherever the Planning Commission determines that a hazardous condition may exit. The fences shall be constructed according to the Mandeville Building Code. No certificate of occupancy shall be issued until said fence improvements have been duly installed or a performance bond covering such fencing has been submitted and accepted by the City Council in an amount recommended by the City Engineer or Public Works Director.

13.2.1.6.*Lots Abutting Waterbodies and Watercourses.*

If a tract being subdivided contains a waterbody or portion thereof, instead of the required dedication of the waterbody to the City the Planning Commission may approve an alternative plan whereby the ownership of and responsibility for safe maintenance of the waterbody is so placed that it will not become a responsibility of the City by requiring lot lines to be drawn so as to distribute the entire ownership of the waterbody among the fees of the adjacent lots. Under no circumstances, other than is provided for boathouse developments, shall any of the

minimum area of a lot as required under these regulations be satisfied by land which is under water or in areas subject to periodic inundation. Where a waterbody separates the buildable area of a lot from the street by which it has access, provisions for adequate access shall be designed and constructed by the developer in conjunction with the subdivision improvements and shall be of a design approved by the City Engineer or Public Works Director.

13.2.1.7.*Performance Bond to Include Lot Improvements.*

The performance bond shall include an amount sufficient to guarantee completion of all requirements contained in these regulations under this section 13.2 including but not limited to, soil preservation, final grading, removal of debris and waste, fencing, and all other lot improvements required by the Planning Commission. Whether or not a certificate of occupancy has been issued, at the expiration of the performance bond the City Council may enforce the provisions of the bond where the provisions of this section or any other applicable law, ordinance, or regulation have not been complied with.

13.2.2. Block Layout.

1. General standards. The lengths, widths, and shapes of blocks shall be designed with regard to the following considerations:
    a. The convenient access, efficient circulation, and the control and safety of vehicular, pedestrian, and bicycle traffic.
    b. The limitations of the topography of the land for the construction of drainage facilities and provision for open space.
    c. The zoning requirements relative to lot size and the dimensions of the required building envelope.
    d. Block layout shall provide adequate building sites suitable to the special needs of the type of use contemplated.
    e. To minimize the destruction of trees and to preserve such natural features as watercourses, sites of historical or archaeological significance, and other assets which, if preserved, will add to the attractiveness and value of the subdivision and the City.
    f. To afford good visual and physical access to and safety within existing or proposed recreational areas and parks.
2. Blocks designed for commercial and industrial uses shall be of such length and width as may be determined suitable by the Planning Commission for the proposed use and to accommodate anticipated development. Blocks intended to be used for commercial or industrial purposes shall be designed specifically for such uses with space set aside for buffer, off-street parking and loading and unloading facilities as required by these regulations. Specific design standards and construction standards shall be in accordance with the recommendation of the City Engineer or Public Works Director and the standards of this Article.
3. Pedestrianways or Bike Paths. Pedestrianways or bike paths may be required in the design of blocks in certain areas. For reasons of safety and access the Planning Commission may require pedestrianways or bike paths in certain areas where it is necessary to provide circulation or access to schools, playgrounds, shopping areas, community facilities or community-wide pedestrian or bike routes.
4. Areas Where Normal Block Design is Not Possible or Undesirable. When a normal block arrangement is impossible or undesirable, one or more "places" may be established. Such a "place" may be in the form of a cul-de-sac street, a U-shaped street or short loop street meeting the requirements of these regulations. Proper access shall be given to all lots as provided in this Article.
5. Whenever the necessity of the construction of sidewalks has been waived by the Planning Commission, sidewalks on or adjacent to the property for which the waiver was granted shall thereafter be required to be constructed by the Owner of the property only in any of the following instances:

a. Where there is a change in use, as this term is defined in section 6.1.6 of this Comprehensive Land Use Regulations Ordinance, from the use of the property for which the waiver was granted; or

b. Where a proposed expansion of diminution of the existing use would result in a change of twenty-five (25) percent or more from the floor area of the existing or proposed use for which the waiver was granted; or

c. For residential uses, where a proposed expansion or diminution of the existing use would result in a change of fifty (50) percent or more from the number of existing or proposed residential units for which the waiver was granted.

6. In any such instance the Planning Commission may, on the application of the owner of the affected property, again waive the necessity for the construction of sidewalks on or adjacent to the property in question, in accordance with the provisions of section 11.5.5 of this Comprehensive Land Use Regulations Ordinance.

13.2.3. Stormwater Drainage Requirements.

13.2.3.1.*General Requirements.*

A subdivision plat shall not be considered for preliminary approval until the applicant shall have submitted to the Planning Commission a storm drainage report by a civil engineer registered in Louisiana, as to the ability of existing watercourse channels, storm sewers, culverts and other improvements pertaining to drainage or flood control within the subdivision, to handle the additional runoff which would be generated by the development of the land within the subdivision. Additional information shall be submitted to adequately indicate that provisions have been made for disposal of surface water without any damage to the developed or undeveloped land downstream, below or adjacent to the proposed subdivision. Drainage runoff shall be calculated as required by these regulations. The storm drainage report shall include: (a) estimates of the quantity of stormwater entering the subdivision naturally from areas outside the subdivision; (b) quantities of flow at each pick-up point (inlet); and, (c) location, sizes and grades of required culverts, storm drainage sewers, retention ponds and other required appurtenances.

1. The developer shall plan all drainage facilities of the proposed subdivision or site or tract development in accordance with the City drainage improvement program, the requirements of these regulations, Louisiana highway drainage construction requirements, and/or as required by the City Engineer or Public Works Director and other applicable state and federal agency requirements.

2. All proposed subdivisions shall be reviewed by the Planning Commission and the City Engineer or Public Works Director in order to assure that:

   a. All such proposals are consistent with the need to minimize flood damage;

   b. All public utilities and facilities such as sewer, gas, electrical, and water systems are located, elevated, and constructed to minimize or eliminate flood damage;

   c. Adequate drainage is provided so as to reduce exposure to flood hazards; and

   d. The development plat contains a clear delineation of floodway and floodplain areas and has the notation that "land use in a floodway or floodplain is substantially restricted."

3. In the design of the drainage system for the proposed subdivision, right-of-way provisions shall be made to adequately take care of adjacent watershed areas. All drainage rights-of-way and structures shall be sufficient for the drainage of the adjacent watershed after complete development of the total watershed area.

   a. Accommodation of Upstream Drainage Areas. No development may be constructed or maintained so that such development unreasonably impedes the natural flow of water from higher adjacent properties across such development. All drainage rights-of-way and culverts or

other drainage facilities shall be large enough to accommodate potential runoff from a subdivision's entire upstream drainage area whether inside or outside the subdivision and shall be designed minimally to handle the storm drainage runoff from a twenty-five (25) year design storm. The developer's engineer shall determine the necessary size of the drainage facilities, assuming conditions of maximum potential watershed development permitted by these regulations. The proposed size of drainage facilities will be approved by the City Engineer or Public Works Director.

b. Effect on Downstream Drainage Areas. The developer's engineer shall also study the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision. Local drainage studies together with such other studies as shall be appropriate, shall serve as a guide to needed improvements. All improvements will meet the approval of the City Engineer or Public Works Director.

(1) No development may be constructed or maintained so that surface waters from such development are unreasonably collected and channeled onto lower adjacent properties at such locations or at such volumes or velocities as to cause substantial damage to such lower adjacent properties.

(2) Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the Planning Commission may withhold approval of the subdivision until provision has been made for the retention of stormwater and resolution of such potential conditions in a manner satisfactory to the Planning Commission. No subdivision shall be approved unless adequate drainage will be provided to a drainage watercourse or facility adequate to receive the proposed drainage without adverse impact on downstream development.

4. Areas of Poor Drainage. Whenever a plat is submitted for an area which is subject to flooding, the Planning Commission shall not approve such subdivision unless or until any required permits for the development of such areas have been issued by any wetlands agency with jurisdiction over the property. The Planning 476 Commission may only approve such subdivision when the plat of such subdivision shall provide for an overflow zone along the bank of any stream or watercourse, in a width which shall be sufficient in times of high water to contain or move the water, and no fill shall be placed in the overflow zone nor shall any structure be erected or placed therein. The boundaries of the overflow zone shall be subject to approval by the City Engineer or Public Works Director. Development of areas of extremely poor drainage will be discouraged.

5. Floodplain Areas. The Planning Commission may, when it deems it necessary for the health, safety, or welfare of the present and future population of the area or necessary to the conservation of water, drainage, and sanitary facilities, prohibit the subdivision or development of any portion of property which lies within the floodplain of any stream or drainage course. These floodplain areas shall be preserved from any and all destruction or damage resulting from clearing, grading, or dumping of earth, waste material, or stumps, except as otherwise expressly permitted by the Planning Commission and concurred in by appropriate state and federal agencies.

6. The storm or flood water drainage system shall be separate and independent of any sanitary sewer system and shall be located within the street right-of-way except where it is located in servitudes to facilitate outfall needs or for subdivision interconnections.

7. No individual, partnership, or corporation shall deepen, widen, fill, reroute or change the location of any existing ditch, stream, drain or drainage canal without first obtaining written permission from the City Engineer or Public Works Director. Plans for such filling, deepening, widening, rerouting, or changing the location of any existing ditch, stream, drain, or drainage canal shall comply with all design requirements and improvement standards of these regulations, as well as all applicable state and

federal agency requirements. All such work shall be constructed under the review and subject to the approval of the City Engineer or Public Works Director or duly authorized representative of the City Engineer or Public Works Director. Adequate servitudes of rights-of-way must be dedicated for the construction and maintenance of any drainageways which may be relocated. No structures shall be erected or placed upon the drainage easements.

8. For all drainage channels originating within the subdivision, either new or existing, which are to be substantially altered by the developer, the developer shall make surface or subsurface drainage improvements according to the requirements of the drainage improvement program and these regulations. The Planning Commission and the City Engineer or Public Works Director will decide when such drainage channels are substantially altered.

9. The natural drainage within the subdivision shall be followed insofar as economically feasible. Streets and lots shall be arranged so as to keep artificially relocated drainage canals to a minimum.

13.2.3.2.*Street Drainage Systems.*

All roadways shall be provided with an adequate subsurface storm drainage system. The road storm drainage system shall serve as the primary drainage system and shall be designed to carry roadway, adjacent land and building stormwater drainage. No stormwater shall be permitted to be run into the sanitary sewer system within the proposed subdivision. All roadways shall be provided with an adequate subsurface storm drainage system.

13.2.3.3.*Off-Street Drainage Systems.*

The design of the drainage system and required easements shall include the watershed affecting the subdivision and shall be extended to a waterbody, natural watercourse or roadside ditch adequate to receive the storm or flood water drainage. An existing natural watercourse shall remain in its natural state. Man-made elements of this system may be designed as either open or subsurface systems.

13.2.3.4.*Dedication of Drainage Easements and Rights-of-Way.*

1. *General Requirements.* If a subdivision is traversed by a watercourse, drainageway, channel or stream, an easement or drainage right-of-way conforming substantially to the lines of such watercourse shall be provided. The easement or right-of-way shall be of sufficient width to accommodate the watercourse and provide for maintenance of the watercourse. Whenever possible, it is desirable that the drainageway be maintained as an open channel with landscaped banks that approximates naturally occurring or pre-development conditions and be of adequate width for maximum potential volume of flow and maintenance.

2. *Drainage Easements.*

   a. Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, perpetual unobstructed drainage easements at least fifteen (15) feet in width, depending on width of drainage facility, shall be dedicated to the City for drainageways that traverse property outside the road right-of-way lines with satisfactory access to the road. All easements shall be indicated on the plat and shall extend from the road right-of-way across the property to the easement of a natural waterbody or watercourse or to other drainage facilities as have been approved as the terminus of the easement.

   b. When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights and easements across abutting property must be secured prior to the final subdivision approval and such easements must be indicated on the plat.

   c. The necessary width of all drainage easements, whether supporting man-made or natural drainageways shall be determined by the applicant's engineer and approved by the City Engineer or Public Works Director. The drainage easements for natural drainageways will be identified minimally as areas less than five (5) feet in elevation (below the five foot contour), or areas that are subject to

periodic inundation. When any of these drainage easements overlap, the largest area will be used to determine the minimum drainage easement.

d. The drainage areas described above shall be included in areas for drainage easement or fee-simple dedication and shall be preserved and retained in their natural state. Such land shall not be computed in determining the number of lots to be utilized for average density procedure nor for computing the area requirement of any lot.

13.2.3.5.*Nature of Stormwater Facilities.*

1. *Responsibility for Runoff.* The applicant will be responsible for the proper disposal of site runoff, whether by pipe, swale, stream or ditch. This includes any spring or surface water that may exist prior to or as a result of the subdivision. Such drainage facilities shall be located in the street right-of-way where feasible, or in perpetual unobstructed easements or dedicated rights-of-way of appropriate width as determined by the City Engineer or Public Works Director according to the requirements of this Article.
2. *Accessibility to Public Storm Sewers.*
   a. Where a public storm sewer is accessible, the developer/subdivider shall install storm sewer facilities if so required by the City Engineer or Public Works Director. If no outlets are within a reasonable distance, adequate provision shall be made for the disposal of stormwater, in accordance with the plans developed by the developer's engineer and approved by the City Engineer or Public Works Director. In subdivisions containing lots less than or equal to twenty thousand (20,000) square feet in area and in business and industrial districts, underground storm sewer systems shall be required to be constructed throughout the subdivision and be connected to an approved outfall.
   b. If connection to a public storm sewer will be provided eventually, as determined by the City Engineer or Public Works Director and the Planning Commission, the developer shall make arrangements for future stormwater disposal by a public utility system at the time the plat receives final approval. Provision for such connection shall be incorporated by inclusion in the performance bond required for the subdivision plat.
3. *Fencing, Landscaping and Maintenance Provisions for Drainage Channels.* If a watercourse or ditch is left open the developer/subdivider shall adequately protect all such drainageways to the satisfaction of the Planning Commission, the City Engineer or Public Works Director and these regulations.
   a. *Fencing.* Where a watercourse or ditch is left open, it may be determined by the Planning Commission or City Engineer or Public Works Director that the developer will be required to protect the drainageway by the installation of fencing in accordance with the requirements of these regulations.
   b. *Landscaping.* The developer/subdivider shall be required to retain in its natural state or to grade and plant to adequately protect all surface drainageways from erosion to the satisfaction of the Planning Commission and the City Engineer or Public Works Director, according to the provisions of these regulations. Wherever practical, native hydric vegetation shall be maintained in place or removed and replanted after grading operations are complete. All newly constructed ditches and channels shall be seeded or sodded or replanted with native hydric vegetation depending on the slope and type of soil. The requirements for seeding or sodding improvements shall be in compliance with Louisiana highway construction standards, the requirements of this section and the requirements of these regulations.
   c. *Maintenance.* Any watercourse or ditch easement shall be wide enough to contain the required ditch slope with ample clearance for the operation of maintenance equipment according to the provisions of this Article.

13.2.4. Street Improvement Requirements.

13.2.4.1.*Conformance to Comprehensive Land Use Plan.*

When a tract of land to be subdivided or re-subdivided includes any part of a proposed arterial or collector street as designated in the Mandeville Comprehensive Land Use Plan and its Master Streets Plan, including all subsequent amendments and additions thereto, these street rights-of-way shall be platted by the subdivider in the location so designated and at the width indicated in this Article. Provisions shall be made for the construction, extension or widening of any public street(s) or drive(s) where justified by the anticipated traffic volume and circulation needs determined by the Planning Director or Designee and the Planning Commission.

13.2.4.2.*Street Extensions Required.*

1. *Existing Streets.* The arrangement of streets in new subdivisions shall provide for the proper continuation of existing streets into adjoining areas.

2. *To Adjacent Property.* Arrangement of streets in new subdivisions shall make provisions for the proper projection of streets to adjoining areas that are not subdivided but may be appropriate for future development. Consideration should be given to the potential development of the adjacent property to permit a feasible extension of the street in conformity with a generalized plan for the most advantageous development of the entire neighborhood.

3. *Reserve Strips.*

    a. Adjacent to Unincorporated Areas. The creation of a reserve strip at the terminus of platted streets that end at an adjacent vacant and/or unplatted parcel of land which lies beyond the current borders of the incorporated area of the City shall be required. The purpose for creating a reserve strip is to assure the continuity of logical circulation patterns while assuring the input of the City in the approval of the connections to existing City rights-of-way when the adjacent parcel is developed. These strips shall be dedicated as rights-of-way and shall be labeled "Option to open lies with the City Council". The pavement of the platted street shall extend up to but not into the reserve strip. A required barrier rail shall be installed by the developer in the reserve strip to prohibit access into the undeveloped parcel prior to subdivision of the adjacent parcel and to discourage any illegal dumping from occurring in the area.

    b. Adjacent to Vacant Land within the City. The creation of a reserve strip at the terminus of platted streets that end at an adjacent vacant and/or unplatted parcel of land which lies within the current borders of the incorporated area of the City shall be required in accordance with the same provisions that apply to streets which terminate beyond the current borders of the City as specified above.

    c. The requirement of the barricade in reserve strips shall not prohibit access by the owners to undeveloped parcels of land within the incorporated areas of the City, however, development of the vacant parcel dependent upon access to the parcel through the reserve strip shall not occur until the reserve strip has been opened by the City Council in association with the approval of a subdivision plat or development permit by the City.

13.2.4.3.*Frontage On and Access to Improved Street Required.*

1. *Required Subdivision Access.* No subdivision shall be approved unless the area to be subdivided shall have frontage on and access from an existing street shown on the Master Streets Plan, or can be shown to have frontage on and access by way of a street shown upon a plat approved by the Planning Commission and recorded in the Clerk of Court's office or can be shown to be on an existing public roadway. Such streets must be suitably improved as required by the standards, criteria and specifications of this Ordinance. Wherever the area to be subdivided will utilize existing road frontage, such road shall be suitably improved as provided in these regulations.

2. *Required Lot Access.* Every lot shall have access that is sufficient to afford reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property for its intended use. Driveways shall enter public streets at safe locations and shall be planned for convenient

circulation suitable for traffic needs and safety. All driveways shall be constructed in accordance with the following requirements:

a. Vehicles shall enter and exit the lot in question without posing any substantial danger to themselves, pedestrians or vehicles traveling in abutting streets.

b. Interference with the free and convenient flow of traffic in abutting or surrounding streets shall be minimized.

3. *Limited Access to Arterial Streets.* Where a subdivision borders on or contains an existing or proposed arterial street, the Planning Commission shall require that access to such street(s) be limited by one of the following means:

a. The subdivision of lots shall be platted to orient the back of the lots on the arterial street and the front of the lots on a parallel local street. Buffering shall be provided as described in this Article along rear property line of lots that are adjacent to arterial streets.

b. A series of culs-de-sac, U-shaped streets, or short loops projecting at right angles from a street that parallels the arterial street, with the rear lines of the lots backing onto the arterial street. Provisions for buffering described in this Article shall be made for such lots.

c. A marginal access or service road, separated from the primary arterial by a perimeter landscaped strip with access to the arterial at appropriate location.

d. Buffer for Residential Subdivisions or Multi-family Developments Abutting Arterial Streets. All residential subdivisions and multi-family developments created after November 1, 2003 that abut a major arterial street shall provide a buffer zone of not less than 25 feet in width.

4. *Criteria for Access to Arterial Streets.* The following criteria shall be used in the design of subdivisions adjacent to arterial streets:

a. Street design shall have the purpose of making adjacent lots desirable by cushioning the impact of heavy traffic, and of minimizing the interference with traffic on such thoroughfares.

b. The number of intersections of collector streets with arterial streets shall be held to a minimum. Wherever practicable, such intersections shall be spaced not more than one-fourth mile (about 1300 feet) apart. Construction of frontage or service roads shall be encouraged.

c. Construction specifications for frontage roads shall conform to the standards specified in these regulations and AASHTO Geometric Design Manual. Frontage roads shall connect with arterial streets by means of a two-lane feeder capable of queuing a minimum of four cars at the arterial street intersection.

d. Where frontage streets are not required, residential lots adjacent to arterial streets shall be served by a local residential street paralleling this arterial street. These lots shall have an additional twenty-five (25) percent of depth to provide a buffer along the arterial street. Culs-de-sac or loop streets may also extend toward said arterials from a local street providing a buffer equal to twenty-five (25) percent of the depth of an average lot in the subdivision.

e. When the rear of any lot borders any such arterial the subdivider or developer may be required to execute or deliver to the City an instrument deemed sufficient by the City Attorney, prohibiting the right of ingress and egress from the arterial street to the lot. The instrument may be an open space dedication in fee simple or a servitude granted to the City.

13.2.4.4.*Street Dedications and Reservations.*

1. *New Perimeter Streets.* Street systems in new subdivisions shall be laid out to eliminate or avoid new perimeter half-streets except as provided in this Article. Where an existing half-street is adjacent to a new

subdivision, the other half of the street shall be improved and dedicated by the developer/subdivider. The Planning Commission may authorize a new perimeter street when the subdivider improves and dedicates the entire required street right-of-way width within the subdivider's own subdivision boundaries.

2. *Widening and Realignment.* Where a subdivision borders an existing narrow road or when the Master Streets Plan would require some of the land in the subdivision for road improvements, the developer/subdivider shall be required to improve and dedicate the widened or re-aligned streets. Such frontage roads and streets shall be improved and dedicated by the developer/subdivider at his own expense to the full width as required by these regulations. Land reserved for improvement purposes may not be used to satisfy yard or area requirements of Article 7 of these regulations whether dedicated in fee simple or as an easement.

13.2.4.5.*Street Layout and Relationship of Topography.*

All streets and rights-of-way shall conform to the widths designated in this Article. Right-of-way widths in excess of the designated standards shall be required when additional width is necessary to provide adequate earth slopes due to topography.

1. Roads/streets shall be related appropriately to the topography. Local streets shall be arranged to maximize the number of building sites at or above the street grade and shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided. Criteria and specifications for street construction are contained in this Article.

2. Streets shall be laid out to facilitate the separation of local and through traffic, permit efficient drainage, open space and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to property.

3. All arterials shall be properly related to special traffic generators such as industries, business districts, schools, churches, and shopping centers; to population densities; and to the pattern of existing and proposed land uses. Pedestrian and bicycle access shall be provided where appropriate as indicated by the Planning Commission according to this Article.

4. The use of curvilinear streets, culs-de-sac, U-shaped or loop streets shall be encouraged where such use will result in a more desirable layout than is possible with the standard rectangular grid. The use of curvilinear streets will also be encouraged to maintain natural drainageways. Subdivisions shall have more than one exit street, preferably using different streets and/or different directions of travel away form the subdivision.

5. In commercial and industrial developments, the streets and other accessways shall be planned in connection with the grouping of buildings, location of rail facilities, and the provisions of alleys, truck and loading and maneuvering areas, and walks and parking areas so as to minimize conflict of movement of the various types of traffic, including pedestrians.

6. Major arterial streets should not be intersected by local streets. Collector streets should not intersect major arterial streets at intervals of less than one-fourth mile.

7. Streets shall be graded and improved to conform to the standards provided in these regulations. Design and specifications for grading shall be approved by the City Engineer or Public Works Director in accordance with the construction plans required to be submitted prior to preliminary plat approval.

8. Where a cut or fill slope is outside the normal right-of-way of the street, a slope easement shall be provided of sufficient width, as determined by the Planning Commission, the City Engineer or Public Works Director, to permit maintenance of the slopes and to provide an adequate sight distance. Such slopes shall not be in excess of three to one (3:1) or thirty-three percent.

13.2.4.6.*Arrangement of Streets.*

1. *Continuation of Principal Streets.* The arrangement of streets shall provide for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, efficient provision of utilities, and where such continuation is in accordance with the Mandeville Master Streets Plan.

2. *Cul-de-sac and Permanent Dead-End Streets.* Where a street does not extend to the boundary of the subdivision and its continuation is not required by the Planning Commission for access to adjoining property, its terminus shall not be nearer to such boundary than fifty (50) feet. However, the Planning Commission may require the reservation of an easement to accommodate drainage facilities, pedestrian traffic or utilities from the terminus of the street to the boundary of the subdivision. A cul-de-sac turn-around shall be provided at the end of a permanent dead-end street in accordance with the street construction standards described in this Article. For greater traffic efficiency and effective police and fire protection, permanent dead-end streets shall be limited in length according to the design standards of this Article.

3. *Temporary Dead-End Streets.* If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right-of way shall be extended to the property line and a reserve strip provided as required. A temporary T or L shaped turnabout shall be provided on all temporary dead-end streets with the notation on the subdivision plat that land outside the normal street right-of-way shall revert to abutting land whenever the street is continued. The Planning Commission may limit the length of temporary dead-end streets in accordance with the design standards of these regulations.

13.2.4.7.*Required Construction of Streets and Bridges.*

1. *Streets Surfacing and Improvements.* After sewer and water utilities have been installed by the developer, curbs and gutters, where gutters are required, shall be constructed and roadways shall be surfaced to the widths prescribed in these regulations. The surfacing shall be of a character suitable for the expected traffic and in harmony with similar improvements in the surrounding areas. Types of pavement and design specifications shall be as presented in this Article or as determined by the City Engineer or Public Works Director. Adequate provisions shall be made for culverts, drains, and bridges. All street pavement, shoulders, drainage improvements and structures, curbs, turnarounds, and sidewalks shall conform to all construction standards and specifications adopted by the City or as recommended by the City Engineer or Public Works Director and shall be incorporated into the construction plans required to be submitted by the developer for preliminary plat approval. A complete soil boring report prepared by a professional geotechnical engineer shall be required prior to the design of the cross section of any new street.

2. *Bridges.* Bridges of primary benefit to the developer/subdivider, as determined by the Planning Commission, shall be constructed at the full expense of the developer/subdivider without reimbursement from the City. All bridges shall be constructed according to the standards, criteria and specifications recommended in the Louisiana Department of Transportation and Development Standard Specifications for Roads and Bridges and Bridge Design Manual. The sharing of any expense for the construction of bridges not of primary benefit to the developer/subdivider as determined by the Planning Commission will require City Council approval. This cost shall be charged to the developer/subdivider as a pro rata, proportionate share of the private land developed and so served.

13.2.4.8.*Street Names, Street Signs, Street Lighting and Street Landscaping.*

1. *Street Names.* Names shall be sufficiently different in sound and in spelling from other street names in the City so as not to cause confusion. A street which exists or is planned as a continuation of an existing road shall bear the same name. All proposed street names will be checked against duplication of street names and names shall be approved by the Planning Commission.

2. *Street Signs.*

    a. *Traffic Regulatory Signs.* The applicant shall deposit with the City at the time of application for final subdivision approval the current cost for each sign required to be installed at all street intersections.

The Streets Maintenance Division will install or supervise the installation of all traffic control signs on streets under the jurisdiction of the City.

b. *Street Name Signs.* Street name signs are to be placed at two locations at all intersections within or abutting the subdivision, the location of which is to approved by the City. The installation of street name signs shall be the responsibility of the developer and the installation of such shall be complete before acceptance of the dedication of the street on which the signs are required to be placed or included in the cost of the street in conjunction with any performance bond for the construction of the street.

3. *Street Lights.* Installation of street lights shall be required in accordance with design and specifications standards provided herein or supplied by the City Engineer or Public Works Director. The installation of street lights shall be the responsibility of the developer and the installation of such shall be complete before the issuance of a Certificate of Occupancy for any residence on the streets approved or shall be covered in any performance bond accepted by the developer.

4. *Street Landscaping.* The medians of boulevard streets shall be required to be landscaped and City water lines shall be required to be installed in such medians for the purpose of watering landscape materials within the median.

13.2.5. Pedestrian and Bicycle Facilities Requirements.

1. *Sidewalks.* Sidewalks shall be required to be located within the dedicated right-of-way of all streets and shall be improved as required by these regulations. A median strip of ground covering material or landscaped area at least four feet (4) wide shall separate all sidewalks from adjacent curbs or from the edge of the shoulder of a drainage channel nearest to the development lot.

2. *Pedestrian Accessway.* The Planning Commission may require a perpetual unobstructed easement at least ten (10) feet in width to facilitate pedestrian access from the road to schools, parks, playground, other nearby collector roads or community-wide pedestrian routes. Such easements shall be indicated on the plat. Construction of a permanent surface for pedestrian traffic within the easement shall be required and shall be of material to be selected by the Planning Commission to coordinate with other linked pedestrian improvements. Plans and specifications for permanent surfacing shall be approved by the City Engineer or Public Works Director.

3. *Bicycle Paths.* The Planning Commission may require a perpetual unobstructed easement at least twelve (12) feet in width to facilitate bicycle access from the road to schools, parks, playgrounds, other nearby collector roads or community-wide bicycle routes. Such easements shall be indicated on the plat. Construction of a permanent surface for bicycle traffic within the easement shall be required and shall be of materials to be selected by the Planning Commission to coordinate with other linked bicycle improvements. Plans and specifications for permanent surfacing shall be approved by the City Engineer or Public Works Director.

4. *Provisions for Handicapped Access.* Whenever curb and gutter construction is used on public streets, wheelchair ramps for the handicapped shall be provided at intersections and other major points of pedestrian flow, such as crosswalks. Wheelchair ramps and depressed curbs shall be constructed in accordance with minimum standards required by Title III of the Americans with Disabilities Act, Public Law 101-336.

13.2.6. Sanitary Sewer Facilities Requirements.

1. *General Requirements.* The applicant shall install sanitary sewer facilities in a manner approved by the City Engineer or Public Works Director according to the provisions of these regulations and applicable sections of the code of Ordinances of the City. All plans shall be designed in accordance with the rules, regulations, and standards of the City Engineer or Public Works Director, parish health department, and other appropriate

local, state or federal agencies. All such plans shall be approved by the above agencies. Sanitary sewer lines may be located in the street right-of-way or side or rear easements.

a. *Connection to Public Systems in Connection with Subdivision Procedures.* Sanitary sewer facilities shall connect with public sanitary sewerage systems. Sewers shall be installed to serve each lot and to grades and sizes required by approving officials and agencies and state and local regulations. No individual disposal system or treatment plants (private or group disposal system) shall be permitted. Sanitary sewerage facilities (including the installation of laterals in the street right-of-way) shall be subject to the specifications, rules, regulations, and guidelines of the City and of the State Board of Health, the Parish Health Office, City Engineer or Public Works Director and other jurisdictional agencies.

b. *Connection to Public Systems When Available.* If a public sanitary sewer is or becomes accessible and a sanitary sewer line is placed within 300 feet of any habitable structure, the owner thereof shall be required to connect to said sewer for the purpose of disposing of waste, and it shall be unlawful for any such owner or occupant to maintain upon any such property an individual sewerage disposal system.

13.2.7. Water Facilities Requirements.

1. The drilling, maintenance and use of private water wells for domestic use and human consumption within the City of Mandeville is prohibited except as provided by the regulations of the City. Necessary action shall be taken by the applicant to extend existing City water main lines or, when the nearest city water main or the capacity of the City well providing the nearest water main with water are not sufficient to adequately provide water for the proposed development, to create a new city water-supply district for the purpose of providing a water-supply system capable of providing domestic water use and fire protection for the proposed development or the proposed development shall be subject to disapproval of the City.
2. Where an adequate public water facility is accessible the applicant shall install adequate water facilities (including fire hydrants) in accordance with these regulations and subject to the specifications of the state and local authorities throughout the proposed development.
3. Fire hydrants shall be required for all subdivisions. Fire hydrants shall be located no more than 400 feet apart and within 200 feet of any structure, and shall be located at a street corner wherever possible. All underground utilities for fire hydrants and all other supply improvements shall be installed before any final paving of the street.
4. All water mains shall be at least eight (8) inches in diameter. Water main extensions shall be approved by the appropriate local, state and federal agencies and the City Engineer or Public Works Director.
5. To facilitate the above, the location of all fire hydrants, all water supply improvements, and the boundary lines of proposed districts, indicating all improvements proposed to be served, shall be shown on the preliminary plat, and the cost of installing same shall be included in the performance bond to be furnished by the developer.
6. Water lines shall be located in the street right-of-way and placed on the opposite side of the street from the sanitary sewer lines except when a majority of the lots to be served are on one side of the right-of-way, then the water line may be placed on the same side as the sewer line installed in accordance with the requirements of the appropriate local, state and/or federal agency and the City Engineer or Public Works Director.
7. Water lines for the purpose of watering landscaped areas such as boulevard medians and landscaped open space areas required in conjunction with a subdivision or public improvements application shall be required to be installed.

13.2.8. General Utility Requirements.

1. All utility facilities, including but not limited to gas, electric power, telephone, and CATV cables, shall be located underground throughout the subdivision. All utility facilities existing and proposed throughout the subdivision shall be shown on the preliminary plat. Underground service connections to the street property line of each platted lot shall be installed at the subdivider's expense. At the discretion of the Planning Commission, the requirement for service connections to each lot may be waived in the case of adjoining lots to be retained in single ownership and intended to be developed for the same primary use.
2. Wherever possible, easements for public utilities shall be located in the dedicated street right-of-way. Easements for private utilities shall be provided on the front of lots, in the street right-of-way or partially in the street right-of-way and partially on the proposed lots fronting the street right-of-way whenever possible.
3. When for whatever reason it is necessary that utilities, including drainageways, are required to be located at the rear property line of lots, a perpetual unobstructed easement shall be provided along the rear lot line of each lot to accommodate the utilities and any other proper public purposes and such easement shall be adequate to provide access for maintenance of the utility within the easement.
4. When necessary to provide utility services to a proposed development, the applicant for the proposed development shall be responsible for the coordination with the applicable utility company for the establishment of utility easements in adjoining developed or undeveloped properties.
5. Where topographical or other conditions are such as to make impractical the inclusion of utilities within the rear lot lines, perpetual unobstructed easements shall be provided along side lot lines of selected lots within the subdivision. Such easements shall be indicated on the preliminary and final plat.

13.2.9. Preservation of Natural Features and Amenities.

1. *General Requirements.* Existing features which would add value to residential development or to the City as a whole, such as trees required to be preserved by these regulations, watercourses, beaches, historic spots, and similar irreplaceable assets, shall be preserved in the design of subdivisions or other developments. No trees shall be removed from any subdivision nor the grade of the land within the subdivision be altered until approval of the preliminary plat has been granted. If certain trees on the Site Features Map or plat are required to be retained, they shall be preserved and the area of land within their driplines shall be protected against any change of grade. The Site Features Map shall show the number and location of existing trees as required by these regulations and shall further indicate all those marked for retention.
2. *Existing Trees to be Preserved.* Existing trees 3" dbh shall not be cut or otherwise damaged or destroyed within those portions of the subdivision set aside for open space, including any parcels to be dedicated as parks or open space or any required yard setback areas of developable lots. Vegetation buffer zones shall be required to be maintained in their natural state or when the natural vegetation is deficient to meet the requirements of the vegetation buffer zone as described in the Landscaping Provisions of Article 9, the minimum required planting as set forth in Article 9 shall be installed by the developer unless or until a development permit is approved by the City, in accordance with the requirements of these Land Use Regulations, for the removal of the trees.

13.2.10. Non-Residential Subdivision Layout.

1. *General Requirements.* Non-residential subdivisions shall be subject to all the requirements of these regulations as well as any additional requirements of the Planning Commission in conjunction with the policies and requirements of the Comprehensive Land Use Plan or other adopted special plans of the City. In addition to the requirements established by these regulations, the developer shall demonstrate to the satisfaction of the Planning Commission that the street, parcel and block pattern proposed is specifically

adapted to the uses anticipated and take into account other uses in the vicinity. The following principles shall be observed:

a. Proposed commercial and industrial parcels shall be suitable in area and dimensions to the types of development anticipated;

b. Street rights-of-way and pavement widths shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon;

c. Special requirements may be imposed by the City with respect to the installation of public utilities and facilities, including water, sewer, and stormwater drainage facilities, streets, sidewalks, pedestrianways and bicycleways and the proposed linear park system;

d. Special requirements may be imposed by the City with respect to street, curb, gutter, and sidewalk design and construction;

e. Corners of all road intersections will be of such radius as not to require trucks to use a second lane to make a turn;

f. Parking and loading areas for trucks will be of sufficient size that trucks will not be required to block traffic on any secondary or major traffic artery in order to maneuver into parking and loading areas;

g. Every effort shall be made to protect adjacent residential areas from negative impact from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels adjacent to existing residential areas, areas zoned for residential development or areas identified for residential development on the adopted Future Land Use Map;

h. Streets carrying non-residential traffic, especially truck traffic, shall not be extended to the boundaries of adjacent existing or potential residential areas.

13.2.11. Other Subdivisions.

1. *Waterfront Subdivisions and Marinas.* Approval of the development of marinas and waterfront subdivisions shall, because of the potential flood hazards and damage to the environment, require detailed study and analysis, as well as more stringent design and improvement requirements to protect the health, safety and welfare of the public, to protect the environment and to reduce future expenditures by the City for the repair of improvements damaged by flood waters, for providing protection from flood hazards and for correcting damage to the environment. All waterfront development shall be subject to all regulations of the City and any requirements of state or federal agencies for such development.

2. *Townhouse and Townhouse Condominiums.* For purposes of these regulations, townhouse or townhouse condominium subdivisions are subdivisions in which single-family attached dwellings, each on an independent lot, are offered for sale. The attachment of these dwellings is along common or party walls that are jointly owned. Under this arrangement lots may front on driveways which have direct access to a public street or any principle access roadway exceeding three hundred (300) feet in length, provided such driveways are held in common ownership by the owners of the townhouse lots having access on such driveways. Open spaces owned in common by the owners of the individual townhouse lots may be provided in lieu of the required yard setbacks applicable to single-family development in accordance with all applicable regulations of the City, state or federal authorities.

APPENDIX G

City of Mandeville Construction Site Inspection Form

NPDES Storm Water - Regulatory Construction Compliance Inspection Report

Weekly and Monthly Inspections

NPDES Permit #: **Date of Inspection:**
Project Name: **County:**
Project Description (check one) ☐ **Residential** ☐ **Commercial** ☐ **Linear (type):**

I. Type of Inspection: ☑ Once every 7 calendar days ☐ Monthly (upon MS4 approval)

II. Weather Conditions: Conditions during inspection: Rainfall Amount

III. On-Site Documentation - *Are the following required items available for regulatory review?*

Y ☐ **N** ☐ On-site, if off-site (where) my
Y ☐ **N** ☐ DHEC Coverage Letter **Y** ☐ **N** ☐ NOI
Y ☐ **N** ☐ SWPPP - Stamped Plans **Y** ☐ **N** ☐ Co-Permittee agreements/contractor statements
Y ☐ **N** ☐ Weekly Inspection forms Y ☐ N ☐ Copy of General Permit

IV. Best Management Practices

Y ☐ **N** ☐ Construction entrance/exit installed as per plan **Y** ☐ **N** ☐ Perimter silt fence and other controls properly installed **Y** ☐ **N** ☐ Are addition al BMPs needed or did any BMP fail to operate as designed or prove inadequate (If yes, describe and give specific location(s)

Y ☐ **N** ☐ Do any **BMPs** require maintenance? ***If yes,** provide location (s) and description(s):

Y ☐ **N** ☐ Is construction activity following the phasing and sequencing plan?
Y ☐ **N** ☐ Has construction activity ceased on any area of the site for 14 days or more?
Y ☐ **N** ☐ If activity has ceased, have temporary stabilization measures been installed within 14 days) * If **No**, identify location(s) needing stabilization:

Y ☐ **N** ☐ Are the following being addressed and/or removed? Check area of concern and describe corrective action.
☐ Cement Washout Area ☐ Stockpiled Soil ☐ Fuel ☐ Oil / Lubricants ☐ Construction Debris
☐ Building Products and Chemicals ☐ Land Clearing Debris ☐ Other:
Action:

V. Final Stabilization

Y ☐ **N** ☐ Have all land disturbing activities at the site permanently ceased? * If yes, complete the following questions:

Y ☐ **N** ☐ Are there any areas of active erosion evident? If **yes**, location (s):

Y ☐ **N** ☐ Does the permitted area have 70% permanent vegetative cover (i.e. grass or other cover) **OR** have equivalent measures such as riprap, or geotextiles been installed?

VI. Offsite Impacts from Project

Are there any offsite impacts? **Y** ☐ **N** ☐ where? ☐ Public ROW ☐ Adjoining Property Owner
☐ Wetlands ☐ Creek/River ☐ Lake/Pond ☐ Other:

If answering **"yes"** to the previous question, indicate location and describe the impact:

VII. Were deficiencies noted in this inspection previously listed in a last report? **Y** ☐ **N** ☐
Corrective Action needed as a result of this inspection, including date and time:

VIII. Storm Water Pollution Prevention Updates

Y ☐ **N** ☐ Does the SWPPP need to be modified as a result of the inspection?
Y ☐ **N** ☐ Has the SWPPP been modified since the last inspection? If so, note the date(s):

IX. Comments, Corrective Actions and Attachments:

Inspector **Title/Qualifications: CEPSCI #**
Name (printed) **Phone No.**
Email Address:

Signature:

Attachments Y ☐ **N** ☐ **Photos: (if applicable) Y** ☐ **N** ☐