



Blount County Government

TO: Blount County Commissioners

FROM: Development Services Department

RE: Engineering Services Increase

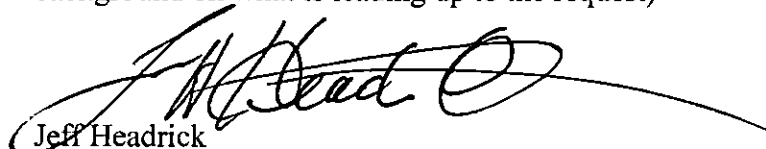
DATE: 11/21/2023

In 2022 the State of Tennessee adopted a new stormwater permit. The effective date for that was July 1, 2023. Our department began to research the impact that the new permit would have on meeting the requirements. It was found that this permit was much more stringent. While checking surrounding jurisdictions, it was found that they were consulting an outside firm due to the magnitude of the requirements. Blount County decided to reach out to the same firm to enable us to be in compliance. It was chosen to use the same firm as the City of Maryville, City of Alcoa, and Knoxville were using. This would create continuity in the stormwater compliance for all of Blount County.

In FY 22/23, we used the stormwater budget to begin to work on the new permit and complete what the funding would allow. However, the new permit tripled the requirements to be in compliance. The budget for FY 23/24 was estimated with the information that was available at the time. However, the required funding came in higher than anticipated so that is why the request is being made to fund the difference. It needs to be noted that in the coming budget years the stormwater budget will need to increase to meet the requirements of the permit. It also needs to be noted that the permit requirements correlate with the Census population data. The population in Blount County continues to grow so the cost to stay in compliance will continue to increase. This is noted in the attached "Table 9".

Pursuant to T.C.A. § 69-3-115 of the Tennessee Water Quality Control Act of 1977, any jurisdiction who violates an effluent standard or limitation or a water quality standard established under this part (T.C.A. § 69-3-101, et. Seq.); violates the terms or conditions of this permit; fails to complete a filing requirement; fails to allow or perform an entry, inspection, monitoring or reporting requirement; violates a final determination or order of the board, panel or commissioner; or violates any other provision of this part or any rule or regulation promulgated by the board, is subject to a civil penalty of up to ten thousand dollars (\$10,000) per day for each

day during which the act or omission continues or occurs. Background (provide a brief background on what is leading up to the request)

A handwritten signature in black ink, appearing to read "J. Headrick", with a long horizontal flourish extending to the right.

Jeff Headrick

Blount County Highway Superintendent



Table 9 continued.

#	Need	Estimated Annual Cost				Permit Deadline
		FY23-24	FY24-25	FY25-26	FY25-26+	
MCM 4 – CONSTRUCTION SITE RUNOFF CONTROL						
1	Revise Resolution 09-03-004 and construction stormwater ERP	\$6,640.00				Sep 1, 2024 all items
2	Document the County's construction plans review review and approval procedure	\$1,520.00				
3	Replace the existing erosion & sediment control plan checklist to align with TN-CGP	\$4,760.00				
4	Track priority and non-priority construction sites					
5	Adapt the TN-CGP construction inspection form for use by Blount County staff	\$1,990.00				
	SUBTOTALS	\$14,910.00	\$0.00	\$0.00	\$0.00	
MCM 5 – POST-CONSTRUCTION STORMWATER MANAGEMENT						
1	Revise Resolution 09-03-003 (Post-constructionStormwater) and Resolution 13-03-004 (Water Quality Buffers)	\$10,000.00				Sep 1, 2024 all items
2	Revise the County Stormwater Water Quality Policy Manual (include policies for sinkholes and detention)		\$23,850.00			
3	Develop SCM design and construction support tools; revise or eliminate maintenance covenant; adapt plan and inspection checklists		\$11,520.00			
4	Develop SCM inspection and maintenance program; develop enforcement plan including recidivism	\$6,000.00	\$21,000.00			Feb 1, 2024
5	Update the County's website to address information deficiencies for education of the engineering and development community and track the number of stormwater webpage hits.					
6	Develop a digital SCM tracking system, inventory SCMs, and begin SCM inspection program.		\$10,000.00	\$50,000.00	\$25,000.00	Sep 1, 2024 tracking system setup
	SUBTOTALS	\$16,000.00	\$66,370.00	\$50,000.00	\$25,000.00	
MCM 6 – POLLUTION PREVENTION / GOOD HOUSEKEEPING						
1	Revise current County municipal opeartions SOPs to include the minimum topics required by the permit	\$2,580.00	\$5,000.00			Feb 1, 2024 all items
2	Create O&M Facility plans and begin annual inspections (cost includes 2 plans & inspections)	\$20,400.00				
	SUBTOTALS	\$22,980.00	\$5,000.00	\$0.00	\$0.00	
OTHER PERMIT REQUIREMENTS						
1	Track and report minor modifications					annually
2	Undergo the public notice process, track, and report major modifications					annually
3	Track all instances of enforcement related to permit requirements					daily
4	Ensure ERPs address chronic violators/violations and implement enforcement when required					daily
5	Obtain a solicitor's report that meets permit requirements (see template in Notice of Determination)					Sep 30, 2024
	SUBTOTALS	\$0.00	\$0.00	\$0.00	\$0.00	
STREAM MONITORING						
1	Continue stream monitoring under Option 1 of the permit	\$0.00	\$31,200.00	\$63,648.00	\$33,096.96	Jun 30, 2026
	SUBTOTALS	\$0.00	\$31,200.00	\$63,648.00	\$33,096.96	
	GRAND TOTALS	\$67,870.00	\$104,642.00	\$115,796.32	\$60,326.18	

PART 7

7. STANDARD PERMIT CONDITIONS

7.1. DUTY TO COMPLY

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Tennessee Water Quality Control Act (TWQCA) and is grounds for an enforcement action, permit termination, revocation and reissuance, modification; or for denial of a permit renewal application.

7.2. PENALTIES

Pursuant to T.C.A. § 69-3-115 of The Tennessee Water Quality Control Act of 1977, as amended:

- a. Any person who violates an effluent standard or limitation or a water quality standard established under this part (T.C.A. § 69-3-101, et. seq.); violates the terms or conditions of this permit; fails to complete a filing requirement; fails to allow or perform an entry, inspection, monitoring or reporting requirement; violates a final determination or order of the board, panel or commissioner; or violates any other provision of this part or any rule or regulation promulgated by the board, is subject to a civil penalty of up to ten thousand dollars (\$10,000) per day for each day during which the act or omission continues or occurs.
- b. Any person unlawfully polluting the waters of the state or violating or failing, neglecting, or refusing to comply with any of the provisions of this part (T.C.A. § 69-3-101, et. seq.) commits a Class C misdemeanor. Each day upon which such violation occurs constitutes a separate offense.
- c. Any person who willfully and knowingly falsifies any records, information, plans, specifications, or other data required by the board or the commissioner, or who willfully and knowingly pollutes the waters of the state, or willfully fails, neglects or refuses to comply with any of the provisions of this part (T.C.A. § 69-3-101, et. seq.) commits a Class E felony and shall be punished by a fine of not more than twenty-five thousand dollars (\$25,000) or incarceration, or both.