

2024

STORMWATER MANAGEMENT PLAN

June 2024

St. John the Baptist Parish Stormwater Discharges from Small Municipal Separate Storm Sewer System (MS4)

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



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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.

St. John the Baptist Parish (Parish) is located in the southeast region of Louisiana and is home to approximately 40,000 residents. The Parish Seat is Edgard, an unincorporated area, and the largest city is LaPlace, which is also unincorporated. The Parish is an operator of a Small Municipal Separate Storm Sewer System (MS4). A list and map of drainage canals within the Parish can be found in Appendix A.

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

The LPDES MS4 Permit required the Parish 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 MCM section of this stormwater management plan includes best management practices which identify selected activities that the Parish 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 186100, 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.

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

1.2.2 Household and Business Hazardous Waste Education and Minimization

The Parish 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 Parish will make efforts to educate businesses about the proper Parish and Federal guidelines on the disposal of grease and other illicit discharges. The Parish 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.

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 parish website, flyers, public notices, and/or the Parish social media pages.

1.2.4 Parish Stormwater Web Page Maintenance

Stormwater related information will be available on the Parish'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 Parish's stormwater management ordinance(s), SWMP, annual reports, and LPDES permit(s), will also be posted on the website.

1.3 Measurable Goals

- Develop and implement storm drain marking program by end of permit term.
- Distribute educational materials at a minimum of one event per year.

- Record and respond to 100% of resident complaints.
- Post one social media post per year educating the public where they can submit stormwater complaints.
- Post one social media post per year educating the residents about trash pick-up days and drop off facility information available to the public throughout entire permit term.
- Educate the public about proper disposal of Household Hazardous Materials via social media and/or Parish website once per year.

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.

St. John the Baptist Parish 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 Parish'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 Parish to take advantage of the knowledge of residents and ensure that stormwater management efforts have the support of the community. St. John the Baptist Parish will ensure these efforts reach the public and stakeholders including but not limited to commercial and industrial businesses and associations, environmental groups, homeowners associations, and educational institutions. The Parish 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 Parish 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 Highway and Leaders Against Litter). Promotional activities will include information sent via public notices, website, social media pages, educational brochures.

2.3 Measurable Goals

- Conduct 3 community litter clean up events per year.
- Stormwater personnel will attend all Utility Board meetings, especially those at which stormwater issues will be discussed.
- Update the Parish website annually throughout the entire permit term with links to the final MS4 Program Plan and Annual Performance Report.
- Conduct a public hearing for major updates/revisions to the Stormwater Management Plan.
- Participate in Christmas Tree Collection and Marsh Restoration Program once per year.
- Conduct a public hearing for new stormwater ordinances.
- Conduct one household hazardous materials collection event once per year.

SECTION 3 MINIMUM CONTROL MEASURE 3 ILLCIT 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 wastes and wastewater from non-stormwater sources. Allowable non-stormwater discharges are listed in Appendix C. 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 St. John the Baptist Parish 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 Parish will continue to provide scheduled garbage collection and enforce the following ordinances:

- **Sec. 32-1. - Littering, trash burning prohibited; penalty.**
 - (a) *It shall be unlawful for any person to throw, deposit, or burn trash, garbage, grass, or debris upon the public highways, streets, ditches, roads, sidewalk, and public areas of the parish other than as provided for in sections 12-21 through 12-28. Any person who violates the provisions of this chapter will be fined \$500.00 and be required to work picking up trash throughout the parish for four weekends during a one-month time.*
 - (b) *Any person who possesses a valid occupational license for the operation of a business in the parish and/or any owner of commercial or industrial property in the parish shall maintain his business property in such a manner so as to prevent the accumulation of trash, garbage or debris on his or her property, and shall take all reasonable steps to prevent any type of litter, trash, garbage or debris located on his property from being placed upon the public highways, streets, ditches, roads, sidewalks or other public areas of the parish, or upon the properties of adjacent land owners.*
- **Sec. 32-31. - Unlawful to discharge medical waste into public waterway, etc.**
 - (a) *For purposes of this section, the term "medical waste" means those wastes resulting from the operations of medical clinics, hospitals, abattoirs, and other facilities producing waste which may consist of, but not limited to, human and animal parts, or contaminated bandages, pathological specimens, hypodermic needles, contaminated clothing, and surgical gloves.*
 - (b) *It shall be unlawful for any person to place, deposit, dump, discard or throw any medical waste or hypodermic needles or syringes into or upon any public waterway, lake, bayou or drainage canal, or body of water in the parish.*

- **Sec. 42-78. - Prohibitions and limitations on discharges into public storm drainage system.**

- (a) *Policy statement.*

- (1) *The public storm drainage system exists primarily to allow the removal of stormwater runoff from public and private land surfaces. The control of discharges into said system and thus in the receiving stream which ultimately receives storm drainage water is manifestly in the public interest.*

- (2) *The parish recognizes that, in order to facilitate disposal of wastewater, the public storm drainage system may serve on a limited basis as an alternative disposal method relieving the sanitary sewerage system of the burden of processing unpolluted wastewater. However, no treatment of wastewater is provided by this system. Therefore, discharge into the storm drainage system of any wastewater other than stormwater runoff shall be permitted only subject to such treatment as may be necessary to bring such wastewater up to current acceptable levels as set by the U.S. EPA and the state department of natural resources.*

- (3) *Nothing herein is intended to conflict with the state sanitary code, or with the state water pollution laws contained in R.S. 56:1435.*

- (b) *General prohibitions and limitations. No person shall discharge or deposit or cause or permit to be discharged or deposited to the public storm drainage system any wastewater containing at the point of connection to the system, any pollutant or other material of such character or quantity that will:*

- (1) *Interfere with or damage the system or the efficiency thereof;*

- (2) *Constitute a hazard to human or animal life, or to the stream or watercourse receiving the effluent of the system;*

- (3) *Violate any pretreatment standard or effluent limitation;*

- (4) *Cause the storm drainage system to violate any applicable NPDES permit or any applicable receiving water quality standard;*

- (5) *Violate any of the specific prohibitions or limitations established by subsection (c) of this section.*

- (c) *Specific prohibitions and limitations. No person shall discharge or deposit or cause or permit to be discharged or deposited to the public storm drainage system any wastewater which has or contains any of the following:*

- (1) *Oil and grease. Oils in such concentration as to create a sheen on the surface or more than five pounds per day of wax, grease or oil or at a concentration of more than 30 mg/l if emulsified, or containing substances which may solidify or become viscous at temperatures between 32 degrees and 150 degrees Fahrenheit (0 degrees and 65 degrees Celsius) at the point of discharge into the system.*

- (2) *Flammable mixtures. Any gasoline, toluene, xylene, ethers, alcohols, benzene, naphtha, fuel or lubricating oils or other flammable liquid, solid or gas.*

- (3) *Noxious material. Noxious or malodorous solids, liquids, or gases, which either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life. In no event shall the threshold odor number of any industrial waste exceed a value of 2, or the color (true color) of any industrial waste exceed 50 color units.*

- (4) *Radioactive wastes.* Radioactive wastes or isotopes of such half-life or concentrations that they do not comply with regulations or orders issued by the appropriate authority having control over their use or which exceed the standards of the Louisiana Board of Nuclear Energy Division of Radiation, or which will or may cause damage or hazards to the system, to personnel operating the system, or to receiving waters or the biota therein.
- (5) *Solid or viscous wastes.* Solid or viscous wastes that will or may cause obstruction to the flow in a drainage canal or otherwise interfere with the proper operation of the drainage system. Prohibited materials include, but are not limited to, grease garbage, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime or lime wastes, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, and similar substances.
- (6) *Toxic substances.* Any substances at concentrations considered or found to be toxic to aquatic, human or animal life including, but not limited to, hydrocarbons, pesticides, and herbicides. In no event shall any wastewater discharged into the system contain any substance in such concentration as has been or is declared to be toxic by the U.S. EPA pursuant to section 307(a) of the Clean Water Act.
- (7) *Incompatible wastes.* Any waste containing any materials which form coatings on the sides or deposits on the bottoms of the drainage system such as, but not limited to, sand silt or lime wastes; or containing any other material harmful to or incompatible with the drainage system.
- (8) *pH.* A pH of less than 5.0 or greater than 9.0.
- (9) *Temperature.* A temperature of greater than 110 degrees Fahrenheit (43.3 degrees Celsius).
- (10) *Suspended and dissolved solids.* Total dissolved solids (TOS) at a concentration greater than 2,000 mg/l; or total suspended solids (TSSO) in excess of 42 pounds per day or at a concentration greater than 250 mg/l.
- (11) *BOD and COD.* A BOD loading of more than 25 pounds per day or at a concentration greater than 200 mg/l, or a COD loading of more than 50 pounds per day or at a concentration greater than 400 mg/l.
- (12) *Dissolved oxygen.* Dissolved oxygen of less than one mg/l.
- (13) *Heavy metals.* Any of the following elements at concentrations greater than those indicated opposite the element:

Element	mg/l
Antimony	0.1
Arsenic	0.05
Barium	1.0
Beryllium	1.0
Bismuth	1.0
Boron	0.5
Cadmium	0.02
Chromium (Hexavalent)	0.02
Chromium (Trivalent)	0.1
Cobalt	0.2

Copper	0.5
Iron	15
Lead	0.1
Manganese	0.5
Mercury	0.001
Molybdenum	0.1
Rhenium	0.5
Selenium	0.02
Silver	0.05
Strontium	0.5
Tellurium	0.5
Tin	1.0
Zinc	2.0

(14) Other elements and substances.

- a. Pathogenic bacteria or the indicator organisms of pathogenic bacteria in quantities greater than the densities prescribed by the U.S. Environmental Protection Agency and the state department of natural resources as the maximum limit for safe recreational contact waters.
 - b. Cyanides or cyanogen compounds in excess of 0.1 mg/l as CN in the discharge waste.
 - c. Phenols or other taste or odor producing substances in such concentrations as to effect a change in the taste or odor of the receiving stream.
 - d. Hydrogen sulfide in excess of 1.0 mg/l as sulfide ion.
 - e. Phosphorous as orthophosphate ion in excess of 1.0 mg/l.
 - f. Inorganic Nitrogen in the form of nitrite or nitrate or ammonia ion in excess of 5.0 mg/l.
 - g. Any foaming or frothing agents of a persistent nature, such as, but not limited to, Anionic Surfactants.
 - h. Any other agents, material, element or thing which either alone or by combination or interaction with other substances, will or may be harmful to the system, or to human or animal or aquatic life, or to the receiving waters.
- (d) Pretreatment. In any case where pretreatment is required or is used to meet the requirements of this section with respect to a particular discharge, the pretreatment methods and system used shall comply with [section 42-80](#) and must be approved by the parish in the permit issued to the discharger pursuant to [section 42-81](#).
- (e) The discharger must submit to the parish photocopies of all NPDES discharge monitoring reports when these reports are routinely required by the U.S. EPA.
- **Sec. 42-81. - Industrial waste discharge permit.**
 - (a) Required.

(1) All persons proposing to discharge any industrial waste as defined by section 42-73 must first obtain a discharge permit therefor; and no person shall discharge industrial

waste except pursuant to and in compliance with such a permit issued by the parish pursuant to this section.

(2) The discharge permit required by this section shall be separate and distinct from any connection permit that may be required by section 42-76.

(3) No person shall commence any construction, modification or addition to any industrial facility which discharges or will discharge industrial waste, without first securing a discharge permit pursuant to this section.

- **Sec. 42-83. - Control of prohibited waste; powers and duties of parish.**

(a) Regulatory actions. If wastewater is discharged or proposed to be discharged in violation of this article, the parish and/or the parish attorney may take such action necessary to:

(1) Prohibit the discharge.

(2) Require a discharger to demonstrate that in-plant modifications will reduce or eliminate the discharge of such substances in conformity with this article.

(3) Require pretreatment, including storage facilities, or flow equalization necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate these rules and regulations.

(4) Require the person making, causing or allowing the discharge to pay any additional cost or expense for damages incurred by the parish for handling and treating excess loads imposed in the collection/treatment system and/or the storm drainage system.

(5) Take such other remedial action as may be deemed to be desirable or necessary to achieve the purpose of this article.

(b) Admission to property.

(1) Whenever it shall be necessary for the purpose of this article, the parish and/or the EPA, upon presentation of credentials, may enter upon any property or premises at reasonable times for the purpose of: a. Copying any records required to be kept under the provisions of this article; b. Inspecting any monitoring equipment or method; c. Sampling any discharge of wastewater, inspecting any pretreatment facility and any part of the disposal system; d. The parish and/or the EPA may enter upon the property at any hour under emergency circumstance.

(2) The parish and/or EPA when under the authority of this subsection shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection. Except when caused by negligence or failure of the company to maintain safe conditions, the parish and/or the EPA shall indemnify the company against loss or damage to its property by parish and/or EPA employees and against liability claims and demands for personal injury or property damage asserted against the company and proximate caused by any negligent act of the parish and/or the EPA while on the property.

- **Sec. 42-84. - Enforcement.**

(a) Compliance order.

(1) Whenever, on the basis of any information available to it, the parish finds that any person is or is about to be in violation of this article, they shall issue a compliance order in accordance with this subsection, or he may bring a civil action in accordance with subsection (b) of this section. They may also issue a notice of termination of service in accordance with subsection (c) of this section.

(2) Any compliance order issued under this section shall be sent by certified mail, addressed to the principal place of business in the parish and shall state with reasonable specificity the nature of the violation, specify a time for compliance, which the parish determines is reasonable taking into account the seriousness of the violation and any good faith efforts to comply with applicable requirements. The order shall also provide an opportunity for the person to whom it is directed to confer with the parish concerning the alleged violation.

(b) Civil action. The parish and/or parish attorney is authorized to commence a civil action for appropriate relief, including a permanent or temporary injunction, for any violation for which the parish is authorized to issue a compliance order under subsection (a) of this section.

(c) Termination of service. The parish may take action to terminate service to any person for any violation for which he is authorized to issue a compliance order under subsection (a) of this section. The procedure for termination of service shall be as follows:

...

(d) Penalties.

(1) Any person who willfully or negligently violates this article or any condition of a permit issued under this article, shall be guilty of a misdemeanor.

(2) Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this article or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this article, shall be guilty of a misdemeanor.

(3) Any person who violates any compliance order issued by the parish under subsection (a) of this section shall be guilty of a misdemeanor.

(4) These penalties are in addition to the other penalties provided by this article and said remedies do not exclude or supersede the penalties provided by state and federal law.

3.2.2 Illicit Discharge and Illegal Connection Prevention

The Parish 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 Parish 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 every five years during periods of dry and wet weather. Irregularities (foam, color, smell, etc.) will be documented and the Parish will make efforts to identify and eliminate the source of the irregularity. A flow chart outlining illicit discharge inspection procedures is presented in Appendix D. 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 E) and the Parish will make efforts to identify and eliminate the pollutant source.

The Parish 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 Parish 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 Public Works Department in accordance with the established policies and procedures outlined in Appendix F. The Parish 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 annually.
- Record and respond to all reported hazardous spills.
- Record and respond to all known sewer overflows.
- All sewer point repairs will be tracked and quantified annually.
- Conduct annual review of sewer system and identify capital improvements projects needed.
- Conduct visual screening of all major outfalls once per permit term.

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 St. John the Baptist Parish 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 Chapter 105, Article II, Section 105-17 of the Code of Ordinances, submittals from the contractor, owner or owner's representative shall include fire protection system shop drawings, manufacturer's installation instructions, information for construction in flood hazard areas and a site plan. If the Parish determines an LDEQ stormwater permit is necessary during the planning phase of new construction, a Notice of Intent and Notice of Termination for developments five (5) acres or greater, and a Notice of Termination for developments one (1) acre or greater, are submitted to LDEQ. A Stormwater Pollution Prevention Plan (SWPPP) shall be developed and implemented by the contractor to maintain compliance during the construction phase of the project. 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 H.

4.2.2 Best Management Practices for Construction Sites

The Parish 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

St. John the Baptist Parish will complete a Construction Inspection Checklist (Appendix G) for developments greater than one (1) acre. During the initial construction site inspection, Parish 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, Parish 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 Parish 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.

The Parish developed and established its ordinance to require erosion and sediment controls at construction sites in 2019. The Parish intends to evaluate the effectiveness of this ordinance and update the ordinance and overall program as necessary to reduce pollutants in stormwater runoff to the MS4 from construction activities.

4.3 Measurable Goals

- Review all building permit applications for applicability of Parish codes and ordinances pertaining to construction site requirements and permitting annually.
- Conduct initial inspections of all construction sites 1 acre or greater. Follow up inspections will be conducted as warranted.
- Train Parish personnel on construction site run-off pollution prevention practices once per permit term.
- Review all site plans greater than 1 acre prior to construction for use of control measures (BMPs).

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.

St. John the Baptist Parish is committed to these goals. The Parish developed a formal Low Impact Development Program in 2019. This program will help avoid water quality degradation as well as reduce flooding potential caused by increased runoff rates associated with development. Decreasing water quality degradation within St. John the Baptist Parish will ultimately increase water quality within the Lake Pontchartrain Basin, as storm water from St. John the Baptist Parish drains directly into Lake Pontchartrain. Design guidelines and training will provide St. John the Baptist Parish with the tools necessary to implement this program for storm water pollution prevention. The Parish 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 St. John the Baptist Parish Code of Ordinances Chapter 115, Article III (Appendix H) states that a SWMP is required for developments that disturb one acre of land or greater or create one acre of impervious surface. The plan must include a drainage study by a licensed engineer that analyzes runoff before and after development and proposes BMPs to limit runoff and reduce pollutants. These BMPs should prioritize infiltration techniques and detention/filtration and be designed to drain quickly to avoid mosquito breeding.

The inclusion of green infrastructure as acceptable options for new developments is being encouraged throughout the Parish. Examples of green infrastructure may include green parking, porous pavement, downspout disconnection, rain gardens, bioswales, etc. This option will help reduce the volume of inflow to the receiving waterbodies during periods of wet weather, improve the water quality of runoff and improve the aesthetics of new developments.

5.2.2 Public Outreach

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

Parish 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 all development projects meeting the required threshold.

- Prepare 1 proposal per permit term for implementation of green infrastructure by St. John the Baptist Parish.
- Conduct post-construction site stormwater management training for Parish personnel once per permit term.
- Inspect all construction sites greater than 1 acre 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 Parish 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, Parish owned facilities and other Parish owned or leased operations that discharge into local waterways. St. John the Baptist Parish 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 Parish vehicles are currently sent to facilities that will reclaim or recycle these materials.

The Parish currently employs grass cutting servicemen that are required to properly dispose of debris and litter within Parish 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 (Appendix I).

6.2.2 Hazardous Chemical Storage, Handling and Disposal

St. John the Baptist Parish will conduct 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 Parish will be indoors in an environment recommended by the manufacturer. Material Safety Data Sheets for hazardous materials are available to Parish personnel at applicable facilities.

6.2.3 Pollutant Assessment

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

6.3 Measurable Goals

- Conduct an annual assessment of the SWMP for effectiveness.
- Develop and update Spill Prevention, Control and Countermeasure Plans for Parish facilities as required by LDEQ.

- Develop and update Storm Water Pollution Prevention Plans for Parish facilities as required by LDEQ.
- Train Parish personnel on hazardous waste disposal, spill cleanup, stormwater hazards and pollution prevention once per permit term.
- Develop inspection form for documenting ongoing pump station inspections in year 1 of the permit time. Document annual pump station inspections for each remaining year of the permit term.
- Maintain all catch basins and culverts throughout the year.
- Inspect all Parish facilities for good housekeeping practices once per permit term.
- Sweep streets throughout the Parish annually.

APPENDIX A

Map and List of Canals

St. John the Baptist Parish Canals

CANAL NAME	LAT & LONG	CANAL NAME	LAT & LONG
1 MOLL CANAL	30 00'52" -90 32'35"	40 EAST-WEST I10 CANAL (SOUTH)	30 05'16" -90 26'36"
2 COLUMBIA CANAL	30 01'08" -90 34'25"	41 RIDGEFIELD CANAL	30 06'09" -90 29'10"
3 GASSON CANAL	30 00'56" -90 35'20"	42 TEBOE CANAL	30 05'58" -90 28'36"
4 COMPANY CANAL	30 00'51" -90 32'17"	43 VICKNAIR CANAL	30 05'50" -90 28'13"
5 MARMILLION CANAL	30 01'08" -90 34'48"	44 LEVEE CANAL	30 05'51" -90 28'15"
6 MOLL CANAL EXTENSION	30 00'52" -90 32'35"	45 EAST-WEST I-10 CANAL (NORTH)	30 06'30" -90 30'33"
7 RIVER FOREST CANAL	30 03'19" -90 27'46"	46 BELLE TERRE CANAL	30 06'14" -90 29'50"
8 LANDMARK LAND CANAL	30 04'11" -90 28'51"	47 NW 3RD STREET CANAL	30 04'37" -90 33'26"
9 LASSEIGNE CANAL	30 04'14" -90 28'57"	48 RESERVE EAST-WEST CANAL	30 05'51" -90 34'36"
10 VICKNAIR CANAL	30 04'24" -90 29'24"	49 NO NAME CANAL	30 04'38" -90 33'26"
11 RIDGEFIELD CANAL	30 04'29" -90 29'34"	50 MISSISSIPPI BAYOU CANAL	30 05'55" -90 34'29"
12 HAYDEL CANAL	30 04'31" -90 30'32"	51 BAYOU BECNEL CANAL	29 59'51" -90 39'04"
13 GUILLOT CANAL	30 04'37" -90 31'08"	52 HOPE (GARYVILLE) CANAL	30 04'34" -90 37'30"
14 MILEVILLE CANAL	30 04'34" -90 30'50"	53 BLIND RIVER	30 12'45" -90 35'42"
15 BELLE POINTE CANAL	30 04'40" -90 31'47"	54 ALLIGATOR BAYOU	30 12'48" -90 36'40"
16 DUFRESNE CANAL	30 04'40" -90 32'12"	55 BOURGEOIS CANAL	30 08'35" -90 38'48"
17 HOTARD CANAL	30 04'39" -90 33'12"	56 GOLDEN STAR CANAL	29 55'14" -90 37'15"
18 TROSCLAIR CANAL	30 04'39" -90 33'07"	57 BEN CANAL	30 01'42" -90 34'58"
19 DUTCH BAYOU CANAL	30 04'37" -90 34'27"	58 EAST LINE CANAL	30 00'29" -90 33'56"
20 TERRE HAUTE CANAL	30 04'36" -90 35'02"	59 WEST LINE CANAL	29 59'53" -90 39'00"
21 MARATHON CANAL	30 04'35" -90 35'48"	60 GEORGE COUSINS CANAL	29 59'44" -90 37'43"
22 BOURGEOIS CANAL	30 04'34" -90 37'24"	61 GUSS ROAD CANAL	29 59'48" -90 38'23"
23 WEST FRISCO CANAL	30 04'34" -90 37'03"	62 Mc REINE CANAL	30 03'08" -90 27'30"
24 EAST FRISCO CANAL	30 04'34" -90 36'51"	63 RENE' CANAL	29 59'47" -90 37'21"
25 DUPONT CANAL	30 04'33" -90 38'20"	64 WILLOWBEND 1	30 00'12" -90 36'22"
26 SUGAR HOUSE CANAL	30 04'33" -90 37'49"	65 WHITE ROSE CANAL	30 00'23" -90 35'58"
27 HOPE (GARYVILLE) CANAL	30 04'34" -90 37'30"	66 WILLOWBEND 2	29 59'59" -90 36'52"
28 RESERVE RELIEF CANAL	30 04'39" -90 32'46"	67 DUGAS CANAL	30 00'26" -90 35'54"
29 GODCHAUX CANAL	30 03'57" -90 33'34"	68 WHITE ROSE CANAL	30 00'26" -90 35'58"
30 LAPLACE PLANTATION CANAL	30 06'27" -90 30'34"	69 RENE' CANAL	29 59'50" -90 37'21"
31 MCREINE CANAL	30 03'08" -90 27'32"	70 WHITNEY CANAL	30 59'34" -90 39'47"
32 FARM ROAD CANAL	30 04'59" -90 27'42"	71 WHITNEY CANAL	30 59'36" -90 39'47"
33 STEBBINS CANAL	30 04'32" -90 37'23"	72 LASSENE CANAL	
34 HOMEWOOD CANAL	30 04'35" -90 32'45"	73 BRAZAN CANAL	
35 STAR TERRACE CANAL	30 04'36" -90 34'28"	74 WOODLAND CANAL	30 04'02" -90 28'32"
36 LAPLACE PARK CANAL	30 05'35" -90 31'03"	75 MONTZ CANAL	30 04'02" -90 28'32"
37 RETRIEVER ROAD CANAL	30 04'25" -90 27'54"	76 WOODLAND EAST/WEST	
38 LIVE OAK LANDING CANAL	30 05'54" -90 28'38"	77 BARDELL CANAL	
39 EAST-WEST I10 CANAL (SOUTH)	30 06'17" -90 29'50"	78 ANGELINE CANAL	

ST. JOHN THE BAPTIST PARISH

Frenier

Laplace

Reserve

Mississippi River

Edgard

Lucy

Legend

- H/W Road
- STREET CENTERLINE
- Storage Canals

Wallace

Mississippi River

Edgard

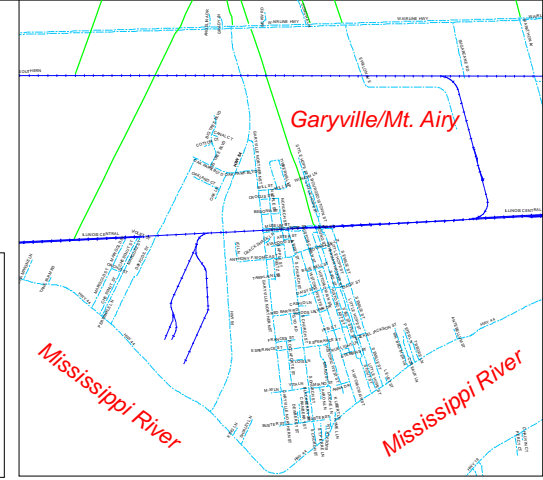
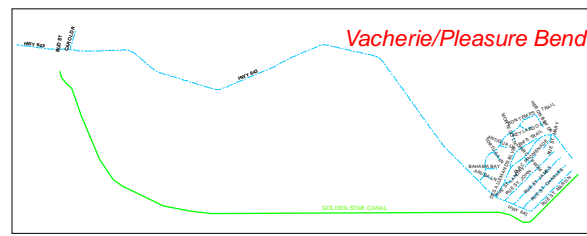
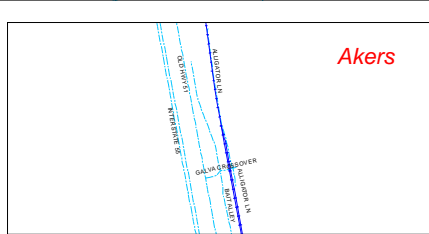
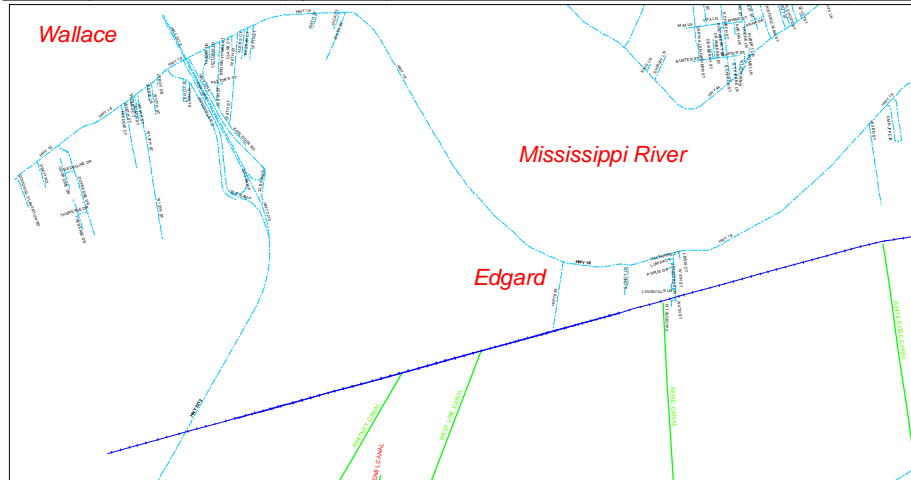
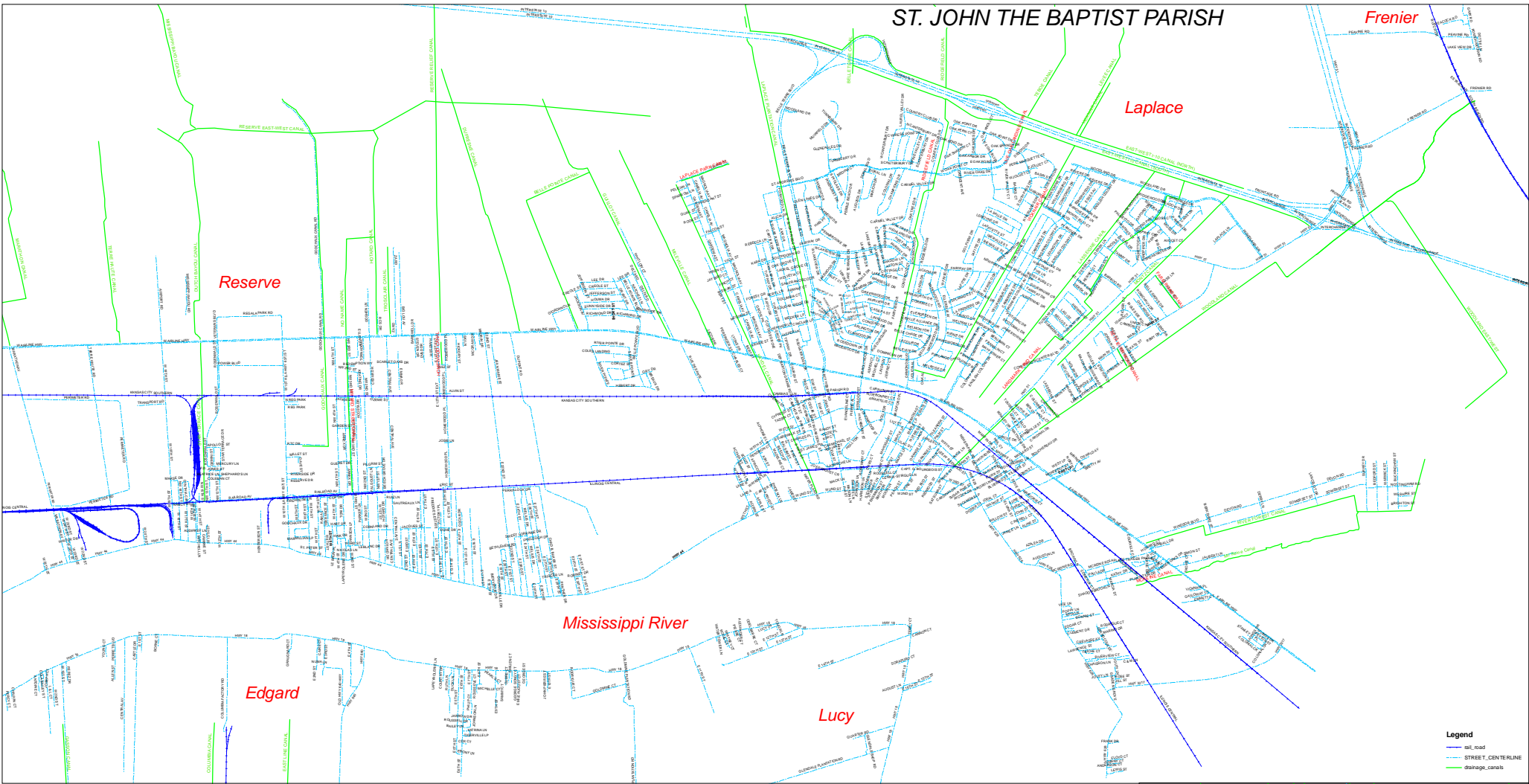
Akers

Vacherie/Pleasure Bend

Garyville/Mt. Airy

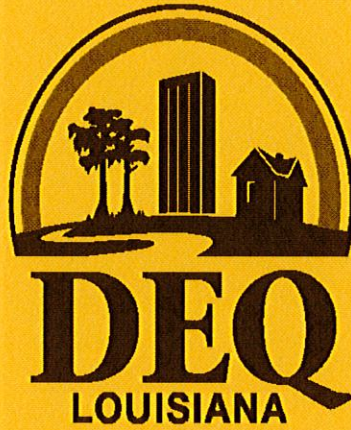
Mississippi River

Mississippi River



APPENDIX B

LPDES Permit No. LAR040000



**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/storm-water-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 new 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/tmdl-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.

$$\text{Loading (lbs/day)} = \text{Flow (in MGD)} \times \text{Concentration (mg/L)} \times 8.34^*$$

*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 =

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

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

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

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

Allowable Non-Stormwater Discharges

The St. John the Baptist Parish Municipal Separate Storm Sewer System (MS4) permit issued by the LPDES on November 20, 2023, requires that each permittee *"..contribute to the development, revision, and implementation of a comprehensive Stormwater Management Program (SWMP) including pollution prevention measures, treatment or removal techniques, stormwater monitoring, use of legal authority, and other appropriate means to control the quality of stormwater discharges from the Municipal Storm Sewer System."*

The permit requires that non-stormwater discharges to the MS4 shall be effectively prohibited by the permittees. However, certain discharges need not be addressed as illicit discharges by the permittees nor prohibited from entering the MS4 for the purpose of this permit. Part I.C of the permit states: *"Permittees must identify all type of discharges that they will allow as occasional incidental discharges and specify those discharges in their stormwater management plan (SWMP)."*

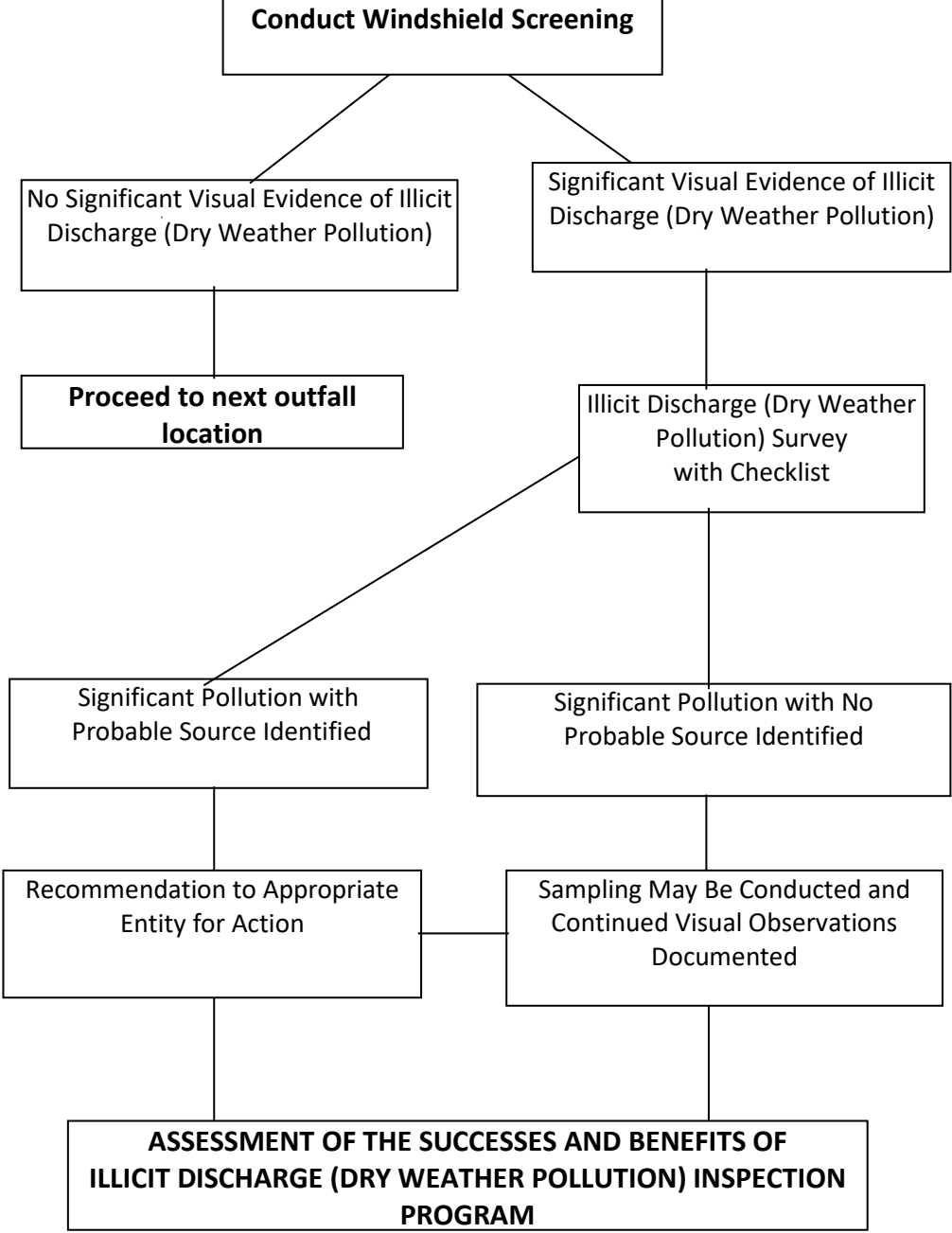
These discharges include the following:

- Discharges or flows from firefighting activities (excludes predictable and controllable discharges from a firefighting training facility)
- Fire hydrant flushing
- Potable water including: water line flushing using potable water, drinking fountain overflows, lawn watering runoff, 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.

APPENDIX D

Illicit Discharge Inspection Procedures Flow Chart

St. John the Baptist Parish Illicit Discharge Inspection Procedures Flow Chart



APPENDIX E

Illicit Discharge Visual Observation Checklist

**DRAINAGE SUB-BASIN VISUAL OBSERVATION CHECKLIST
ST. JOHN THE BAPTIST PARISH 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:

	<u>YES</u>	<u>NO</u>	<u>NA</u>	<u>OBSERVATIONS/COMMENTS</u>
Is water flowing from the pipe?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
If so, please describe physical parameters of discharge:				
Color	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Turbidity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Sheen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Foam	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Floatables	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

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:

	<u>YES</u>	<u>NO</u>	<u>NA</u>	<u>OBSERVATIONS/COMMENTS</u>
Are there any industries that appear to be discharging or contributing polluted runoff to the storm sewer system? _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

List industries:

Name:

Address:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

URBAN RUNOFF:

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

EROSION:

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

SEWER SYSTEM AND INDIVIDUAL SEPTIC SYSTEMS:

	<u>YES</u>	<u>NO</u>	<u>NA</u>	<u>OBSERVATIONS/COMMENTS</u>
Are there visible signs of sanitary sewer overflows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Are septic system discharge points free from odor and septic conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

RECOMMENDED ACTION:

	<u>YES</u>	<u>NO</u>	<u>NA</u>	<u>OBSERVATIONS/COMMENTS</u>
<u>PHOTOS TAKEN:</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

APPENDIX F

Response to Illicit Discharges and Illegal Connections

ACCIDENTAL DISCHARGES

If an accidental dry weather discharge has occurred, the following actions will occur:

- Notify the appropriate authorities. Depending on the severity of the discharge, the first action is to notify the emergency services. Hazardous or toxic spills or discharges will be reported to the fire department or the emergency response system through the 911 system immediately after the accident is discovered. For discharges that are unlikely to be hazardous or toxic, the Department of Public Works will be notified immediately.
- Stop the discharge. The person concerned will take immediate steps to stop the discharge and contain, treat or take other actions to minimize the effects on the Parish MS4 and receiving streams. The person will also take immediate steps to prevent recurrence of the discharge.
- Identify and document the nature of the accidental discharge. In non-emergency cases, the Parish Department of Public Works will perform a field visit within five business days of notification to verify and document the discharge via the Parish's standard warning notice to comply. Notification will include the nature, quantity, and time of occurrence of the discharge.
- Prepare response report. A written report describing the occurrence, its impact on water quality, and the clean-up response will be prepared by the person concerned and submitted within 14 days of the occurrence to the Department.

ILLICIT DISCHARGES

Since MS4s are not designed to treat non-stormwater wastes, illicit discharges result in the release of pollutants directly into streams. Illicit discharges can enter a stormwater system through accidental spills, surface disposal of wastes, dumping of wastes into stormwater catch basins, or conscious (but illegal) connection of waste lines to the stormwater system. With the exception of unpreventable accidental spills, most illicit discharges can and should be addressed through the Illicit Discharge Detection and Elimination Program (IDDEP). The procedure necessary to address an illicit discharge varies depending on the severity and nature of the event. The procedure consists of a series of steps:

- Notify the appropriate authorities. Depending on the severity of the discharges, the first action is to notify emergency services. Hazardous or toxic spills or discharges will be reported to the fire department or the emergency response system. For discharges that are unlikely to be hazardous or toxic, the Department of Public Works will be notified immediately.
- Identify and document the nature of the illicit discharge. In non-emergency cases, staff will immediately perform a field visit to verify and document the discharge via the Parish's standard warning notice to comply.

- The Parish immediately notifies the property owner verbally. The Department provides written notification to the property owner of the discharge, the corrective action necessary, and an appropriate timeframe for eliminating the discharge.
- The Parish re-inspects the site on the date the discharge was to cease to ensure that the elimination has occurred.
- Enforcement and legal actions. If an illicit discharge is not corrected, legal action may be initiated in St. John the Baptist Parish Court.

APPENDIX G

St. John the Baptist Parish Construction Site Inspection Form

Stormwater Construction Site Inspection Report

General Information			
Project Name			
NPDES Tracking No.		Location	
Date of Inspection		Start/End Time	
Inspector's Name(s)	Dov Block		
Inspector's Title(s)	Coastal and Water Management Division Lead		
Inspector's Contact Information			
Inspector's Qualifications	QSI		
Describe present phase of construction			
Type of Inspection: <input type="checkbox"/> Regular <input type="checkbox"/> Pre-storm event <input type="checkbox"/> During storm event <input checked="" type="checkbox"/> Post-storm event			
Weather Information			
Has there been a storm event since the last inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide: Storm Start Date & Time: Storm Duration (hrs): Approximate Amount of Precipitation (in):			
Weather at time of this inspection? <input type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Rain <input type="checkbox"/> Sleet <input type="checkbox"/> Fog <input type="checkbox"/> Snowing <input type="checkbox"/> High Winds <input type="checkbox"/> Other: Temperature:			
Have any discharges occurred since the last inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe:			
Are there any discharges at the time of inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe:			

Site-specific BMPs

- Number the structural and non-structural BMPs identified in your SWPPP on your site map and list them below (add as many BMPs as necessary). Carry a copy of the numbered site map with you during your inspections. This list will ensure that you are inspecting all required BMPs at your site.
- Describe corrective actions initiated, date completed, and note the person that completed the work in the Corrective Action Log.

	BMP	BMP Installed?	BMP Maintenance Required?	Corrective Action Needed and Notes
1		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
2		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
4		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
5		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
6		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
7		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
8		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
9		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
10		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
11		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
12		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
13		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

	BMP	BMP Installed?	BMP Maintenance Required?	Corrective Action Needed and Notes
14		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
15		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
16		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
17		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
18		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
19		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
20		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Overall Site Issues

Below are some general site issues that should be assessed during inspections. Customize this list as needed for conditions at your site.

	BMP/activity	Implemented?	Maintenance Required?	Corrective Action Needed and Notes
1	Are all slopes and disturbed areas not actively being worked properly stabilized?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
2	Are natural resource areas (e.g., streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3	Are perimeter controls and sediment barriers adequately installed (keyed into substrate) and maintained?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
4	Are discharge points and receiving waters free of any sediment deposits?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
5	Are storm drain inlets properly protected?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
6	Is the construction exit preventing sediment from being tracked into the street?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
7	Is trash/litter from work areas collected and placed in covered dumpsters?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
8	Are washout facilities (e.g., paint, stucco, concrete) available, clearly marked, and maintained?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

	BMP/activity	Implemented?	Maintenance Required?	Corrective Action Needed and Notes
9	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks, or any other deleterious material?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
10	Are materials that are potential stormwater contaminants stored inside or under cover?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
11	Are non-stormwater discharges (e.g., wash water, dewatering) properly controlled?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
12	(Other)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Non-Compliance

Describe any incidents of non-compliance not described above:

CERTIFICATION STATEMENT

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, 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.”

Print name and title: _____

Signature: _____ **Date:** _____

APPENDIX H

St. John the Baptist Parish Code of Ordinances

Chapter 105 BUILDINGS AND BUILDING REGULATIONS

ARTICLE I. IN GENERAL

Secs. 105-1—105-9. Reserved.

ARTICLE II. BUILDING CODE

Sec. 105-10. Adoption.

Pursuant to La. R.S. 40:1730.21 et seq., the Louisiana State Uniform Construction Code and any amendment adopted thereto are hereby adopted as the regulations for governing the construction or placement of buildings and structures within the parish.

Sec. 105-11. Title.

These provisions shall be known as the construction code of St. John the Baptist Parish.

(Ord. No. 07-09, § 5:2A, 2-27-2007)

Sec. 105-12. Scope.

The provisions of this article shall apply to the construction, alteration, repair, replacement, use and occupancy of every building or structure or any appurtenance connected to such building or structures, to the extent as required by the Louisiana State Uniform Construction Code.

(Ord. No. 07-09, § 5:2B, 2-27-2007)

Sec. 105-13. Purpose.

The purpose of this article is to provide minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from hazards attributed to the built environment.

(Ord. No. 07-09, § 5:2C, 2-27-2007)

Sec. 105-14. Applicability.

- (a) *General.* Where, in any specific case, different sections of this article specify different materials, methods of constructions, or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- (b) *Other laws.* The provisions of this article shall not be deemed to nullify any provisions of local, state or federal law.

(c) *Referenced codes and standards.* Where differences occur between the provisions of this article and referenced codes and standards, the provisions of this article shall apply except where enforcement of an article provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing manufacturer's instructions shall apply.

(d) *Partial invalidity.* In the event that any part or provision of this article is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

(Ord. No. 07-09, § 5:2D, 2-27-2007)

Sec. 105-15. Duties and powers of building official.

(a) *General.* The building official is hereby authorized and directed to enforce the provisions of this article. The building official shall have the authority to render interpretations of this article and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall be in conformance with the intent and purpose of this article. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this article.

(b) *Notices and orders.* The building official or his designee shall issue all necessary notices or orders to ensure compliance with this article.

(c) *Inspections.* The building official shall have the authority to make all of the required inspections and/or accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

(d) *Identification.* The building official and his designees shall carry proper identification when inspecting structures or premises in the performance of duties under this article.

(e) *Right of entry.* Where it is necessary to make an inspection to enforce the provisions of this article, or where the building official has reasonable cause to believe that there exists in a structure or upon a premise a condition which is contrary to or in violation of this article which makes the structure or premises unsafe, dangerous, or hazardous, the building official or designee is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this article, provided that if such structure or premises be occupied, that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

(f) *Department records.* The department of planning and zoning shall keep records of applications received, permits and certificates issues, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for at least the period required for the retention of public records.

(g) *Liability.* The building official, member of the board of appeals, or employee charged with the enforcement of this article, while acting for the parish in good faith and without malice in the discharge of the duties required by this article or other pertinent law or ordinance, shall not thereby be rendered liable personally and s hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful charge of duties and under the provisions of this article shall be defended by a legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit, or proceeding that is instituted in pursuance of the provisions of this article.

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- (h) *Approved materials and equipment.* Materials, equipment and devices approved by the building shall be constructed and installed in accordance with such approval.
 - (i) *Used materials and equipment.* The use of used materials which meet the requirements of this article for new materials is permitted. Used materials, equipment, and devices shall not be reused unless approved by the building official or his designee.
 - (j) *Modifications.* Wherever there are practical difficulties involved in carrying out the provisions of this article, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special circumstance makes the strict letter of this article impractical and the modification does not lessen health, accessibility, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the local jurisdiction.
 - (k) *Alternative materials, design, and methods of construction and equipment.* The provisions of this article are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this article, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this article, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this article in quality, strength, effectiveness, fire resistance, durability and safety. Compliance with the specific performance-based provisions of the International Codes in lieu of specific requirements of this article shall also be permitted as an alternate.
 - (l) *Research reports.* Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this article, shall consist of valid research reports from approved sources.
 - (m) *Tests.* Whenever there is insufficient evidence of compliance with the provisions of this article, or evidence that a material or method does not conform to the requirements of this article, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this article or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official and local jurisdiction for the period required for retention of public records.

(Ord. No. 07-09, § 5:2E, 2-27-2007)

Sec. 105-16. Permits.

- (a) *Required.* Any owner or authorized agent who intends to construct, place, enlarge, alter, repair, move, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, convert or replace any electrical, gas, mechanical or plumbing system, of which the construction or installation is regulated by this article, or to cause any such work to be done, shall first make application and obtain the required permit from the department of planning and zoning.
- (b) *Public service agencies.* A permit shall not be required for the installation, alteration, or repair of generation, transmission, distribution, metering or other related equipment that is under the ownership and control of public service agencies by established rights.
- (c) *Application for permit.* To obtain a permit, the applicant shall first file application in writing on a form furnished by the department of planning and zoning for that purpose. Such application shall:
 - (1) Identify and describe the work to be covered by the permit for which application is made.

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- (2) An act of sale or deed to the property must be supplied.
 - (3) Indicate the use and occupancy for which the proposed work is intended.
 - (4) Be accompanied by detailed construction documents and other information as required.
 - (5) State the valuation of the proposed work.
 - (6) Be signed by the applicant or the applicant's authorized agent.
 - (7) Give such other data and information as may be required.
- (d) *Action on application.* Applications for permits and amendments thereto shall be examined within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the application shall be rejected in writing, stating the reasons therefore. If the proposed work conforms to the requirements of this article and laws and ordinances applicable thereto, the department of planning and zoning shall issue a permit therefore as soon as practicable.
- (e) *Validity of permit.* The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this article or of any other ordinance. Permits presuming to give authority to violate or cancel the provisions of this article or other ordinances shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the department of planning and zoning from requiring the correction of errors in the construction documents and other data. The department of planning and zoning is also authorized to prevent occupancy or use of a structure where in violation of this article or of any other ordinances.
- (f) *Expiration.* Permits shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period exceeding 180 days after the time the work is commenced. The department of planning and zoning is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.
- (g) *Suspension or revocation.* The department of planning and zoning is authorized to suspend or revoke a permit issued under the provisions of this article whenever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this article.
- (h) *Placement of permit.* The building permit placard and a copy of the approved set of construction plans shall be kept on the site of work. The building permit placard shall remain visible from the road or nearest public property until the completion of the project.
- (i) *Responsibility.* It shall be the duty of every person who performs work, for which this article is applicable, to comply with this article.

(Ord. No. 07-09, § 5:2F, 2-27-2007; Ord. No. 23-17, Exh., 5-9-2023)

Sec. 105-17. Construction documents.

- (a) *Submittal documents.* Construction documents, statement of special inspection and structural observation programs and other data shall be submitted in one or more sets with each permit application for a permit. The construction documents shall be prepared by a registered design professional, where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, additional construction documents may be required to be prepared by a registered design professional. Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work

applied for is such that reviewing of construction documents is not necessary to obtain compliance with this article.

- (1) *Information on construction documents.* Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this article and relevant laws, ordinances, rules and regulations.
 - (2) *Fire protection system shop drawings.* Shop drawings for the fire protection systems for commercial buildings shall be submitted to the state fire marshal's office.
 - (3) *Manufacturer's installation instructions.* Manufacturer's installation instructions, as required by this article, shall be available on the job site at the time of inspection.
 - (4) *Information for construction in flood hazard areas.* For buildings and structures located in whole or in part, in flood hazard areas as established by the parish, construction documents shall include:
 - a. Delineation of flood hazard areas, floodway boundaries, and flood zones and the design flood elevation, as appropriate;
 - b. The elevation of the proposed lowest floor, including basement; in areas of shallow flooding (AO zones), the height of the proposed lowest floor, including basement, above the highest adjacent grade;
 - c. The elevation of the bottom of the lowest horizontal structural member in coastal high hazard areas (V zones); and
 - d. If design flood elevations are not included on the community's flood insurance rate map (FIRM), the building official and the applicant shall obtain and reasonably utilize any design flood elevation and floodway data available from other sources.
 - (5) *Site plan.* The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, and distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey.
- (b) *Examination of documents.* The construction documents shall be examined for code compliance and shall ascertain by such examination whether the construction indicated and described is in accordance with the requirements of this article and other pertinent laws or ordinances.
 - (c) *Approval of construction documents.* When the building official approves a permit, the construction documents shall be approved, in writing or by a stamp, as "Reviewed for Code Compliance." A set of construction documents so reviewed shall be retained by the department of planning and zoning. Another set shall be returned to the applicant to be kept at the site of work and shall be open to inspection by the building official or his designee.
 - (d) *Amended construction documents.* Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

(Ord. No. 07-09, § 5:2G, 2-27-2007)

ARTICLE II. CONSTRUCTION SITE REQUIREMENTS

Sec. 115-8. Stormwater pollution prevention plan (SWPPP) required.

- (a) Any submission of an application for a development permit from the planning and zoning department for a project involving the disturbance of one acre or more, or that is part of a development involving the disturbance of one acre or more, shall certify that:
- (1) A site specific stormwater pollution prevention plan (SWPPP) has been developed for the site in accordance with this section and that any land clearing, grading, excavation, or other land disturbance activities at the site shall be in accordance with such SWPPP; and
 - (2) All state LPDES permit requirements related to stormwater discharges associated with construction activities will be met. Refer to current specific LPDES permit for site applicability and other requirements.

(Ord. No. 19-54, § VII, 12-10-2019)

Sec. 115-9. Best management practices for discharge reduction.

- (a) When a SWPPP is required, operators of construction sites shall use best management practices (BMPs) to control and reduce the discharge of sediment, silt, earth, soil, and other material associated with the clearing, grading, excavation, land disturbance, and other construction activities to the parish municipal stormwater sewer system (MS4) and to waters of the state to the maximum extent practicable. Such best management practices may include, but are not limited to, the following measures:
- (1) *Stabilization.* Ensure that existing vegetation is preserved where feasible and that soil is stabilized in disturbed portions of the site, where construction activities have temporarily or permanently ceased. Stabilization measures may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures;
 - (2) *Water flow management.* Limit runoff and the discharge of sediments and pollutants from the site by diverting or storing water flows through structural practices;
 - (3) *Sediment control.* Minimize the transference of soil and mud from the construction site onto public roads by vehicles, generation of dust, and escape of sediments and other windblown waste through on-site sediment control practices;
 - (4) *Materials control.* Prevent the discharge of building materials, including, but not limited to, cement, lime, concrete, and mortar, to the MS4 or waters of the state;
 - (5) *Housekeeping.* Provide general good housekeeping measures to:
 - a. Prevent litter, construction debris, and construction chemicals exposed to stormwater from becoming pollutant sources for stormwater discharges;
 - b. Prevent and contain spills of paints, solvents, fuels, septic waste, and other hazardous chemicals and pollutants associated with construction; and

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- c. Assure proper cleanup and disposal of any such spills in compliance with state, federal, and local requirements.
 - (6) *Waste management.* Implement proper waste disposal and waste management techniques, including the provision of waste containers and covers for waste materials, minimization of ground contact with hazardous chemicals and trash, and the provision of appropriate sanitary facilities for site workers and visitors;
 - (7) *Maintenance.* Properly maintain best management practices utilized in the SWPPP and ensure they remain in good and effective operating condition; and
 - (8) *Stormwater management installation.* Install structural measures during the construction process to control pollutants in stormwater discharges that will occur after construction operations have been completed. Structural measures should be placed on upland soils to the best degree attainable. Such installed structural measures may include, but are not limited to, stormwater detention structures (including wet ponds); flow attenuation by use of open vegetative swales and natural depressions; other velocity dissipation devices; infiltration of runoff on site; and sequential systems that combine several such practices. Operators of construction sites are only responsible for the installation and maintenance of stormwater management measures prior to final stabilization of the site, and are not responsible for maintenance after stormwater discharges associated with construction activity have terminated.

(Ord. No. 19-54, § VII, 12-10-2019)

Sec. 115-10. Pre-construction activities.

Activities that disturb land such as clearance, grading, and excavation shall not begin until all sediment control devices have been installed and stabilized. Final stabilization measures shall be initiated as soon as practical upon the completion of construction activities.

(Ord. No. 19-54, § VII, 12-10-2019)

Sec. 115-11. Submittal requirements.

- (a) A copy of the SWPPP shall be provided to the planning and zoning department prior to issuance of a development permit, and shall be available for review by the planning and zoning department on the construction site at all times during construction. The SWPPP shall include:
 - (1) A description of the nature of the construction activity;
 - (2) A description of the intended sequence of major activities which disturb soils for major portions of the site (e.g., grubbing, clearing, grading, excavation, utilities, and infrastructure installation, etc.);
 - (3) Estimates of the total area of the site and the total area of the site that is expected to be disturbed by clearing, grading, excavation, and/or other activities;
 - (4) A description of appropriate control measures (i.e., BMPs) and design specifications that will be implemented as part of the construction activity to control pollutants in stormwater discharges, as more fully described in section 115-9;
 - (5) A description of interim and permanent stabilization practices for the site;
 - (6) A copy of the LPDES construction permit (LAR100000 or LAR200000) for the site;
 - (7) A site plan;

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- (8) Identification of potential pollutant sources;
 - (9) Procedures for maintenance and inspections, in addition to inspection records; and
 - (10) Certification page to be signed by individual having operational control of the site.

(Ord. No. 19-54, § VII, 12-10-2019)

Sec. 115-12. Parish requirements.

The parish may require any plans and specifications that are prepared for the construction of site improvements to fully illustrate and describe the best management practices required by section 115-9 that will be implemented at the construction site. The parish may deny approval of any development permit or other parish approval necessary to commence or continue construction, or to assume occupancy, on the grounds that the best management practices described in the plans or observed upon site inspection by the parish are determined not to control and reduce the discharge of sediment, silt, earth, soil, and other materials associated with clearing, grading, excavation, and other construction activities to the maximum extent practicable. The parish also may revoke any previously issued building permit or other parish approval necessary to commence or continue construction, or to assume occupancy, on the grounds that any certification made pursuant to the initial paragraph of this section is false.

(Ord. No. 19-54, § VII, 12-10-2019)

Sec. 115-13. Inspections.

Work which requires a SWPPP shall be subject to inspection by the planning and zoning department during and after construction. Based upon inspection results, the site plans and specifications, BMPs, and the SWPPP shall be revised as appropriate, but in no case later than one calendar day following the inspection. Deficiencies which are not addressed within one calendar day will constitute a violation of this Code and will result in a stop-work order on the construction site.

(Ord. No. 19-54, § VII, 12-10-2019)

Sec. 115-14. Final stabilization.

Upon final stabilization of the construction site, the parish shall inspect to determine that the site has been finally stabilized. The parish may withhold an occupancy or use permit for any premises constructed on the site until certification of final stabilization has been determined that any required permanent structural controls have been completed.

(Ord. No. 19-54, § VII, 12-10-2019)

Sec. 115-15. Site owner responsibility.

Any owner of a site of construction activity, whether or not he/she is an operator, is jointly and severally responsible for compliance with the requirements in this article.

(Ord. No. 19-54, § VII, 12-10-2019)

Sec. 115-16. Contractor responsibility.

Any contractor or subcontractor on a site of construction activity, who is not an owner or operator, but who is responsible under his/her contract or subcontract for implementing any best management practices control measure, is jointly and severally responsible for any willful or negligent failure on his/her part to adequately implement that control measure if such failure causes or contributes to causing the parish to violate a water quality standard or the parish's LPDES permit for discharges from the MS4.

(Ord. No. 19-54, § VII, 12-10-2019)

ARTICLE III. POST-DEVELOPMENT REQUIREMENTS

Sec. 115-17. Stormwater management plan (SWMP) required.

- (a) A stormwater management plan is required to be submitted in conjunction with an application for a development permit under the following circumstances:
- (1) New construction of buildings and/or parking areas totaling one acre or more of impervious surface, or replacement of buildings and/or parking areas which results in one acre of impervious surface.
 - (2) Any development permit application involving the disturbance of land one acre or more in size.
 - (3) The following types of development are exempt from requirements of this article:
 - a. Single- and two-family dwellings;
 - b. Maintenance activities, such as top-layer grinding (grind and overlay), repaving when aggregates or gravels are not exposed.

(Ord. No. 19-54, § VII, 12-10-2019)

Sec. 115-18 Stormwater management plan requirements.

Stormwater management plans shall include the following components:

- (1) *Drainage study.* A drainage study shall be completed and stamped by a civil engineer licensed in the State of Louisiana and shall be submitted for all developments that require stormwater management plans. The drainage study will include an analysis both pre-development and post-development runoff. The applicant shall also provide a peak flow and water surface profile for the 100-year, 25-year and ten-year 24-hour storm events. The hydrological analysis shall meet all applicable parish ordinances and the following requirements:
 - a. The engineer shall also study the effect of any proposed development on existing downstream drainage facilities outside the area of the development. Local drainage studies, together with any other appropriate study, shall serve as a guide to needed improvements as determined by the parish.
 - b. No development may be constructed or maintained so that surface waters from such development are collected and channeled downstream at such locations or at such volumes or velocities as to cause degradation, alteration or damage to lower adjacent properties.
 - c. No development may be constructed or maintained where such development would impede the flow of water from upstream properties across the property proposed to be developed. All drainage rights-of-way and culverts or other drainage facilities shall be large enough to accommodate runoff from the proposed development as well as upstream flow originating outside of the proposed development site.
- (2) *Proposed site stormwater management plan.* The proposed site stormwater management plan shall include post-development stormwater best management practices (BMPs) that limit the post-developed peak flow rate to the pre-developed peak flow rate for the ten-year, 24-hour and the 25-year, 24-hour storm event.

(Ord. No. 19-54, § VII, 12-10-2019)

Sec. 115-19. Design requirements.

- (a) Stormwater management plans shall be designed to reduce stormwater pollutants wherever feasible, and must be supported by a combination of stormwater BMPs, in the following order of priority:
 - (1) Create conditions that allow retention and infiltration of stormwater runoff on-site by using pervious paving materials, bioretention areas, green roofs, and other methods that allow pollutants to settle and water to evapo-transpirate or infiltrate into soil.
 - (2) Additional stormwater runoff that cannot be infiltrated should be detained, stored, and filtered through the use of BMPs.
 - (3) Runoff in excess of the holding capacity of the BMPs shall exit the site through surface or subsurface drainage.
- (b) All stormwater management facilities shall be designed to provide an emergency overflow system and incorporate measures to provide a non-erosive velocity of flow along its length and at any outfall.
- (c) All BMPs designed to drain and/or infiltrate must be designed to drain from a full condition within a maximum of 24 hours to prevent breeding of mosquitos and other waterborne pests.

(Ord. No. 19-54, § VII, 12-10-2019)

Sec. 115-20. Submittal documents.

Submittal documents shall be prepared by or under the direct supervision of a Louisiana Registered Civil Engineer within the purview of the State of Louisiana licensing law provisions. Said documents shall be imprinted with their seal designating them as the professional of record. Submittal documents shall be submitted with each permit application and shall include the following:

- (1) *Project description.* Brief summary of existing conditions and proposed stormwater management design.
- (2) *Pre-developed site and stormwater drainage plan.* A site assessment detailing the current drainage conditions on the property. This shall include:
 - a. Location and boundaries of all existing property lines, lot names, easements or servitudes, or other land divisions for the development site;
 - b. Location and boundaries of all adjacent rights-of-way, streets, private roads, drainage rights-of-way, or other features;
 - c. Existing drainage areas delineated with flow lines indicating direction of flow;
 - d. All above ground and subsurface infrastructure and invert elevations, including, but not limited to, existing drain lines, culverts, catch basins, headwalls, manholes, and existing BMPs;
 - e. Location of all existing roof and yard drains, downspouts, or other features and their connections to BMPs;
 - f. Existing topographic and any significant topographic features at a maximum of one-foot elevation intervals. If the site is less than two percent slope, NAVD88 point elevations are required at a minimum of every 25 feet and at the property line;
 - g. Soil conditions;

(Supp. No. 16)

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- h. All existing buildings, structures, land covers and site features, including, but not limited to, curb cuts, interior streets, driveways, parking and loading areas, landscaped areas, and lawns.
- (3) *Proposed site and stormwater drainage plan.* A detailed representation of the proposed drainage site design. This shall include:
- a. Location and boundaries of all property lines, lot names, easements or servitudes, or other land divisions for the development site;
 - b. Location and boundaries of all adjacent rights-of-way, streets, private roads, drainage rights-of-way, or other features;
 - c. Proposed drainage areas delineated with flow lines indicating direction of flow;
 - d. All proposed above ground and subsurface infrastructure and invert elevations, including, but not limited to, drain lines, culverts, catch basins, headwalls, manholes, and BMPs;
 - e. Location of all proposed roof and yard drains, downspouts, or other features and their connections to BMPs;
 - f. Proposed topographic and any significant topographic features at a maximum of one-foot elevation intervals. If the site is less than two percent slope, NAVD88 point elevations are required at a minimum of every 25 feet and at the property line;
 - g. All proposed buildings, structures, land covers and site features, including, but not limited to, curb cuts, interior streets, driveways, parking and loading areas, landscaped areas, and lawns;
 - h. Sections and details of all proposed BMPs showing depth, dimensions, compositional layers, drainage media, overflows, connections into and out of all drainage related features.
- (4) *Calculations.* Calculations for pre- and post-development runoff rate, required detention volume, and capacity of BMPs. Calculations for runoff rates should use the methods called for in the latest version of the Louisiana Department of Design and Development's (LA DOTD's) Hydraulics Manual.
- (5) *Landscape plan.* When plants, trees, or shrubs are utilized in BMP design.

(Ord. No. 19-54, § VII, 12-10-2019)

Sec. 115-21 Enforcement of regulations.

No certificate of occupancy may be issued for any development site until certification of stormwater management features has been obtained. Failure to implement the stormwater management plan is cause for the withholding of the certificate of occupancy. The applicant shall maintain all stormwater BMPs and associated infrastructure in perpetuity following construction. All landscape and stormwater management BMPs and associated infrastructure shall be maintained in conformance with the approved plan.

(Ord. No. 19-54, § VII, 12-10-2019)

Sec. 115-22. Post-construction certification.

Prior to the issuance of a certificate of occupancy, the following shall occur to ensure compliance with the stormwater regulations:

- (1) Submission of digital as-built plans showing the final design specifications for all stormwater management facilities and practices, the field location, size, depth of all measures, controls, and planted vegetation, and devices, as installed.

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- (2) A professional engineer licensed in Louisiana shall provide an affidavit, under seal, attesting the stormwater management measures have been installed in accordance with all approved plans and specifications, and in compliance with all other applicable standards.

(Ord. No. 19-54, § VII, 12-10-2019)

Secs. 115-23—115-40. Reserved.

APPENDIX I

St. John the Baptist Parish Grounds Maintenance and Landscaping Services Requirements



**ST. JOHN THE BAPTIST PARISH
PURCHASING & PROCUREMENT DEPARTMENT
1811 W. Airline Highway
LaPlace, LA 70068**

**REQUEST FOR PROPOSALS (RFP)
Grounds Maintenance and Landscaping Services**

Proposal No. RFP 2023.53

Closing Date: November 30, 2023 @ 9:45 A.M. Local Time

SUBMITTALS

Submittals are due on or before the exact closing date and time. Submittals received after the exact closing date and time will NOT be considered. If hand delivery, please allow enough time for travel and parking to submit by the closing date and time. The response (including copies) must be submitted in a sealed envelope or package clearly marked with the Company's name and address, and "RFP 2023.53 – Grounds Maintenance and Landscaping Services".

Publish:

November 1, 2023
November 8, 2023
November 15, 2023

FOR FURTHER INFORMATION CONCERNING THIS RFP, PLEASE CONTACT:

Peter Montz, Director of Purchasing and Procurement
Phone: (985) 652-9569 p.montz@stjohn-la.gov

QUESTIONS AND COMMENTS MUST BE SUBMITTED BY EMAIL NO LATER THAN 10:00 A.M. November 22, 2023

REQUIRED SIGNATURE PAGE FOR PROPOSALS

This page, signed by an authorized officer of your Company, must accompany your proposal as the cover page.

I, the undersigned, having carefully examined the Request for Proposals, propose to furnish services in accordance therewith as set forth in the attached proposal.

I hereby certify that this proposal is genuine and not a sham or collusive proposal, or made in the interests or on behalf of any person not therein named; and I have not directly or indirectly induced or solicited any Contractor or supplier on the above work to put in a sham proposal or any person or corporation to refrain from submitting a proposal; and that I have not in any manner sought by collusion to secure to myself an advantage over any other contractor(s) or person(s).

In order to induce the Parish to consider this proposal, the Company irrevocably waives any existing rights which it may have, by contract or otherwise, to require another person or corporation to refrain from submitting a proposal to or performing work or providing supplies to St. John the Baptist Parish, and Company further promises that it will not in the future directly or indirectly induce or solicit any person or corporation to refrain from submitting a bid or proposal to or from performing work or providing supplies to St. John the Baptist Parish.

Please type or print legibly information below.

The Proposer hereby acknowledges receipt of the RFP and agrees to Terms and Conditions set forth in this RFP.

PROPOSER INFORMATION

Firm Name: _____

Address: _____ City/State/Zip: _____

Phone No.: _____ Fax No.: _____

E-mail Address: _____

AUTHORIZATION TO PROPOSE (must be signed):

By: _____
Signature Offer Date Printed Name

Primary Contact Person (If other than above):

Name: _____ Phone No: _____ Fax No: _____

Title: _____ E-mail Address: _____

If this proposal is being submitted on behalf of an agent/broker, please complete section below:

Submitted on behalf of: _____

Phone No: _____ Fax No: _____

E-mail Address: _____

REQUEST FOR PROPOSALS

Grounds Maintenance and Landscaping Services

BACKGROUND

St. John the Baptist (herein referred to as “Parish”) hereby issues a Request for Proposals (RFP) for licensed and qualified Contractors to provide professional Grounds Maintenance and Landscaping Services for its properties. The Parish is an Equal Opportunity Employer and we encourage all small, minority and women business enterprises (DBE) to apply.

The Contractor will provide Grounds Maintenance and Landscaping Services and all other work necessary to complete the said service in accordance with the terms of this Request for Proposal (“RFP”) and any resulting contract. The Parish shall be notified of all individuals and Sub-Contractors who propose to work on any portion of the project on a continual basis. The grass cutting, and landscaping properties are listed in Exhibit A.

The RFP package includes the following:

1. Required Signature Page for Proposals
2. General Terms and Conditions
3. Corporate Resolution
4. Certificate of Authority
5. Past Criminal Convictions of Bidders Attestation
6. Non-Solicitation and Unemployment Affidavit
7. Certificate Regarding Debarment
8. E-Verify Affidavit
9. Exhibit A – Scope of Work
10. Exhibit B – Pricing Schedule
11. Exhibit C – Selection/Scoring Criteria
12. Exhibit D – License Requirements
13. Exhibit E – Grounds Maintenance and Landscaping Services Completion Form

GENERAL TERMS AND CONDITIONS

1.0 RFP Process

- 1.1 This RFP is subject to all applicable state and local laws, including the Louisiana Code of Governmental Ethics.
- 1.2 RFP’s, associated documents and addenda may be obtained from the Department of Purchasing and Procurement at 1811 W. Airline Hwy., LaPlace, LA 70068 or by downloading from the Parish’s website at www.sjbparish.com or Central Bidding at www.centralbidding.com.
- 1.3 Written addenda to the RFP may be issued to provide clarification, corrections, or to answer questions. It is the Company’s responsibility to periodically check either with Peter Montz in the Department of Purchasing and Procurement, parish website, or Central Bidding for addenda that may be issued to implement changes or clarifications to the RFP, prior to due date. **Checking the parish website is HIGHLY recommended.**
- 1.4 The Parish reserves the right to request additional information to clarify proposals. The Parish shall determine the appropriate means of clarification: telephone, e-mail, letter, or oral interviews.
- 1.5 Questions and comments regarding this Proposal must be submitted in writing to St. John the Baptist Parish, Purchasing & Procurement Department, **ATTN: Peter Montz, 1811 West Airline Highway, LaPlace, LA 70068** or via e-mail to p.montz@stjohn-la.gov no later than **10:00 A.M. on November 22, 2023.**

2.0 Submission of Proposal

- 2.1 Electronic Proposals shall be accepted only on www.centralbidding.com and/or Paper Proposals shall be addressed to St. John the Baptist Parish and delivered to the receptionist located in the St. John the Baptist Parish Government Complex, 1811 West Airline Hwy., LaPlace, LA than **9:45 A.M. local time on November 30, 2023**. **Proposal package must be submitted in a sealed envelope or package clearly marked with the Proposer's name and address, and "RFP 2023.53 Grounds Maintenance and Landscaping Services".**
- 2.2 Each Company shall provide a submittal package based on the designated point evaluation scoring criteria. The submittal shall provide clear and sufficient information to enable the selection committee to evaluate the responsiveness and quality of the proposal. The Selection/Scoring Criteria (Exhibit E) will be used to evaluate all proposals received. Failure to provide all required information with the exception of scope of work that does not pertain to your Company, including the "Required Signature Page for Proposals", shall be cause for rejection of the submittal as non-responsive.
- 2.3 Bidder shall submit an original and one electronic copy of proposal by the date and time specified. Failure to submit the required number of copies may result in finding non-responsive. Original should be clearly marked.
- 2.4 The Parish will not be responsible for submissions forwarded through the U.S. Postal Service or any delivery service if lost in transit at any time before submission opening, or if hand-delivered to the incorrect location.
- 2.5 Proposals submitted by facsimile (FAX) or e-mail will not be accepted. Any proposal received after **9:45 A.M. local time on November 30, 2023** will be deemed unresponsive and will be returned to Company unopened.

3.0 Mandatory Pre-Proposal Conference

A **mandatory** pre-proposal conference will be held on **Monday, November 20, 2023 at 10:00 A.M. in the Council Chambers of the St. John the Baptist Parish Government Complex located at 1811 W. Airline Hwy., LaPlace, LA 70068**. Questions regarding the process will be addressed at that time. Requests for clarification related to definition or interpretation of this RFP shall be made by emailing p.montz@stjohn-la.gov by **10:00 A.M. on November 22, 2023**. Oral explanations or instructions shall not be considered binding on behalf of the Parish.

- The site pictures have been uploaded to www.centralbidding.com and the Parish website, www.sjbparish.com as an attachment to the listing for this RFP.

4.0 Opening

Proposals will be read at **10:00 A.M. local time on November 30, 2023** in the Council Chambers of the St. John the Baptist Parish Government Complex, 1811 W. Airline Highway, LaPlace, LA 70068.

5.0 Public Disclosure

It is understood and agreed upon by the Company in submitting a proposal that the Parish has the right to withhold all information regarding this procurement until after contract award, including but not limited to: the number received; competitive technical information; competitive price information; and the Parish's evaluation concerns about competing proposals. Information released after award is subject to the disclosure requirements of the Louisiana Public Records Act. The company specifically waives any claims against Parish related to the disclosure of any materials if made under a public records request.

6.0 Parish Commitment

- 5.1 Parish shall have the right to reject or accept any Proposal or offer, or any part thereof (i.e., any component of any proposed solution) for any reason whatsoever and to accept other than the lowest offer, at its sole discretion.

- 5.2 This RFP does not commit the Parish to award, nor does it commit the Parish to pay any costs incurred in the submission of the Proposal, or in making necessary studies or designs for the preparation thereof, nor procure or contract for services or supplies. Further, no reimbursable cost may be incurred in anticipation of a contract award.
- 5.3 The Parish reserves the right to terminate this RFP at any time prior to contract execution.
- 5.4 No prior, current, or post-award verbal conversation or agreement(s) with any officer, agent, or employee of the Parish shall affect or modify any terms or obligations of this RFP, or any contract resulting from this procurement.
- 5.5 The Parish reserves the right to revise any part of the RFP by issuing an addendum to the RFP at any time in accordance with relevant Louisiana Revised Statutes. Issuance of this RFP in no way constitutes a commitment by the Parish to award a contract. The Parish reserves the right to accept or reject, in whole or part, all Proposals submitted, and/or cancel this announcement if it is determined to be in the Parish's best interest. All materials submitted in response to this announcement become the property of the Parish, and selection or rejection of a submittal does not affect this right.

7.0 Late, Modified, or Withdrawn Proposals

- 6.1 Any proposal received after the exact time specified for receipt will not be considered.
- 6.2 No modification of a proposal, except a modification resulting from the Parish's request for "best and final offer," will be accepted.
- 6.3 No Company may withdraw his/her proposal within forty-five (45) days after the actual date of opening thereof.

8.0 Evaluation and Selection

- 7.1 Objective - The purpose is to evaluate all proposals with the ultimate interest of entering into an agreement with that Company determined to be most advantageous to the Parish, price and other factors considered.
- 7.2 Evaluation - A Source Selection Committee is appointed by the Parish President for the purpose of evaluating qualifications and proposals received in response to an RFP. The Committee will evaluate proposals submitted by qualified Consultants/Companies on the basis of the guidelines set forth in the RFP. The Parish reserves the right to request additional information and clarification of any information submitted.
- 7.3 Evaluation criteria have been established to determine which Contractor will best contribute to the overall goals of the Parish. These criteria are detailed in Exhibit C (Selection/Scoring Criteria) which is attached hereto and made a part hereof.
- 7.4 The Source Selection Committee will determine if interviews are necessary as part of its evaluation process.
- 7.5 Recommendation and Selection - The Parish Administration will present its recommendation to St. John the Baptist Parish Council for award. As part of the negotiation process, the Parish reserves the right to negotiate with the successful Company. This award will be made to the most responsible firm or team whose proposal is determined in writing to be most advantageous to the Parish, based on the scoring criteria set forth in this document. The Parish also reserves the right to reject any and all proposals.

9.0 Terms

The contract shall be for a three (3) year period beginning January 1, 2024, and ending December 31, 2027, with an option to renew two (2) times in one year increments upon the written mutual agreement between the Parish Council and the Company.

10.0 Licenses and Taxes

The Contractor must be properly licensed and certified by any and all regulatory agencies (State Department of Agriculture) requiring licensing and/or certification with regard to this proposal including: Ground owner/operator license, Ornamental and Turf Certification, and Landscape Horticulture license. Evidence of all licensure(s) **must be provided with the proposal.**

- A Ground Owner Operator License is required if applying any pesticide by ground.
- An Ornamental and Turf certification is required if applying any pesticide at recreation and park sites.
- A Landscape Horticulturist License is required for landscaping services in accordance with the **Louisiana Department of Agriculture & Forestry (Attachment I).**
- Any chemical spraying may be sub-contracted to a person and/or Contractor possessing the necessary pesticide licenses. Contractor may also choose an alternative approach to chemical spraying.

11.0 Insurance

Consultant/Company shall obtain, pay for and keep in force, at its own expense, minimum insurance effective in all localities where Consultant/Company may perform the work hereunder, with such carriers as shall be acceptable to Council:

- A. **Statutory Workman's Compensation** covering all state and local requirements and Employer's Liability Insurance covering all persons employed by Consultant/Company in connection with this agreement.

The limits for "A" above shall be not less than:

1. Employer's liability limits of \$1,000,000/\$1,000,000/\$1,000,000
2. Some contracts may require USL&H or maritime coverage. This should be verified with Insurance Department/Legal Dept.
3. No excluded classes of owners/officers or employees shall be allowed on Council's premises.

WAIVER OF SUBROGATION in favor of St. John the Baptist Parish Council should be indicated on certificate.

- B. **Commercial General Liability**, including:

1. Contractual liability assumed by this agreement
2. Owner's and Contractor's Protective Liability (if Contractor is a General Contractor) may be required.
3. Personal and advertising liability
4. Completed operations
5. Medical payments

The limits for "B" above shall not be less than:

1. \$1,000,000 each occurrence limit
2. \$2,000,000 general aggregate limit
3. \$1,000,000 products/completed operations aggregate limit
4. \$1,000,000 personal and advertising injury limit
5. \$50,000 fire damage limit
6. \$5,000 medical expense limit (desirable but not mandatory)

St. John the Baptist Parish Council will be NAMED as additional insured and WAIVER OF SUBROGATION in favor of St. John the Baptist Parish Council should be indicated on certificate.

Some contracts may require Protection and Indemnity coverage. This should be verified with Insurance Department/Legal Dept.

- C. **Comprehensive Automobile Liability** covering all owned, hired and other non-owned vehicles of the Consultant/Company.

The limits for "C" above shall not be less than:
\$1,000,000 CSL

St. John the Baptist Parish Council will be NAMED as additional insured and WAIVER OF SUBROGATION in favor of St. John the Baptist Parish Council should be included on certificate.

- D. **Professional Liability Insurance** covering the Wrongful Acts of those professional firms and individuals performing services for St. John the Baptist Parish. Certain classifications of service providers will be required to provide evidence of Professional Liability Insurance. Examples of these providers include but are not limited to: Professional Engineers, Architects, Land Surveyors, Attorneys, and IT Consultants.

The limits for "D" above shall not be less than: \$1,000,000 CSL

WAIVER OF SUBROGATION in favor of St. John the Baptist Parish Council shall be included on the Certificate.

OTHER SPECIFIC COVERAGE RELATED TO THE TASK BEING PERFORMED MAY BE REQUIRED.

All required insurance certificates shall be submitted to the Director of Purchasing & Procurement prior to commencement of work. Consultant/Company shall maintain insurance in full force and effect during the entire period of performance of work. All policies must have a thirty (30) day non-cancellation clause giving the Parish thirty (30) days prior written notice in the event a policy is changed or canceled.

12.0 Submittals Required upon Provisional Award

Failure to provide the following documentation within the time period specified may be cause for the provisional award to be voided and the submittal to be rejected as non-responsive:

- Insurance Requirements as specified in Section 9.0, if not currently on file
- A current, fully executed Taxpayer Identification Number (W-9 form)
- A current St. John the Baptist Parish Occupational License, if applicable.

13.0 Invoices

Certified itemized invoices to the Parish for the payment of these services shall be submitted to the Accounts Payable Department by the 10th of each month.

- Invoices will be for any and all individual services, at the awarded price, performed during the month.
- Contractor shall attach a properly executed completion form for each cut to the invoices.
- Contractor shall include before and after pictures with time stamp dates of each cut.
- Parish will match completion forms to cuts invoiced and pay for only those cuts for which completion forms are submitted to a satisfactory level.
- Contractor will not be paid for partial cuts.
- Payment of invoices will be submitted within thirty (30) days after submission of the invoice.

14.0 Hold Harmless

To the fullest extent permitted by law, Contractor shall indemnify, hold harmless, and defend the Parish Council and all of its Agents and Employees, from and against all claims, damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from performance of the work, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the work itself) including loss of use resulting therefrom, but only to the extent caused in whole or in part by negligent acts or omissions of Company.

15.0 Non-assignability

No Contractor shall assign any interest in this contract by assignment, transfer, or novation, without prior written consent of the Parish. This provision shall not be construed to prohibit the contractor from assigning his bank, trust company, or other financial institution any money due or to become due from approved contracts without such prior written consent. Notice of any such assignment or transfer shall be furnished promptly to the Parish.

16.0 Exclusions

Pursuant to Louisiana Revised Statute 38:2227, Contractor must certify that he has not been convicted of, or has not entered into a plea of guilty or nolo contendere to public bribery, corrupt influencing, extortion, money laundering or their equivalent Federal crimes. Consultant must further certify that he has not been convicted of, or has not entered into a plea of guilty or nolo contendere to theft, identify theft, theft of a business record, false accounting, issuing worthless checks, bank fraud, forgery; contractors' misapplication of payments, malfeasance in office, or their equivalent Federal crimes within the five (5) years prior to submitting the proposal.

17.0 Disclosure

Contractor must disclose whether it provides services or pays commissions to any employee or elected official of St. John the Baptist Parish. If so, Contractor must disclose to whom services are provided and/or commissions are paid. Both positive and negative responses must be submitted.

18.0 Completion Forms

Contractor shall be responsible for obtaining the proper signatures on completion forms. A list of authorized signers will be provided to Contractor prior to beginning work on the contract.

19.0 Termination for Cause and Convenience

Proposer acknowledges this contract contains termination provisions including the manner in which termination shall be affected and the basis for settlement. In addition, such provisions shall describe conditions for termination due to fault and for termination due to circumstances outside the Proposer's control.

20.0 Force Majeure

Contractor's performance of its obligations hereunder shall be excused in the event and during the period that such performance is prevented or rendered unsafe by the following: acts of God; acts of war, riot, accident, flood or sabotage; pandemic, unavailability of adequate staff or fuel, power or materials; judicial or governmental laws, regulations, requirements, orders or actions; injunctions or restraining orders which are ultimately determined to have been wrongfully granted; the failure of any governmental body to issue or grant, or the suspension or revocation of, licenses, permits or other approvals or authorizations necessary for the performance of the services contemplated by this agreement; or national defense requirements.

21.0 Severability Clause

If any one or more of the provisions contained in this Agreement shall, for any reasons, be held to be invalid, illegal or unenforceable, in whole or in part, such invalidity, illegality, or unenforceability shall not affect any other provisions of this Agreement, and in such an event, this Agreement shall be construed as if such invalid, illegal, or unenforceable provisions had never been contained herein.

22.0 Venue

This Agreement shall be governed by the laws of the State of Louisiana. Proper venue for any lawsuit arising under the terms of this Agreement shall be the Fortieth Judicial District Court, St. John the Baptist Parish and any appropriate Appellate therefrom. Proposer hereby agrees and consents to personal and/or in rem jurisdiction of the trial and appropriate Appellate courts.

23.0 Discrimination Clause

The Proposer agrees to abide by the requirements of the following as applicable: Title VI of the Civil Rights Act of 1964 and Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, Federal Executive Order 11246 as amended, the Rehabilitation Act of 1973, as amended, the Vietnam Era Veteran's Readjustment Assistance Act of 1974, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, the Fair Housing Act of 1968 as amended, and Proposer agrees to abide by the requirements of the Americans with Disabilities Act of 1990.

Certificate of Authority

I attest that I am the _____ of _____ and
Company Name

that in my capacity, I _____ am authorized
Authorized Representative

under the state of Louisiana to conduct all negotiations, bidding, employees, or agents, including but not limited to the execution of all bids, proposals, papers, documents, affidavits, bonds, sureties, contracts, purchase orders, and notices issued pursuant to the provision of any such bid or contracts for said company.

_____ Signature of Authorized Signatory	SUBSCRIBED AND SWORN BEFORE ME ON THIS ____ DAY OF _____ 20____.
_____ Printed Name of Signatory	_____ Notary Signature
_____ Title of Authorized Signatory	Printed Notary Name: _____
	Notary/Bar Roll Number: _____
	My Commission is for/expires on: _____

CORPORATE RESOLUTION
(Corporations must insert their
form here)

1. The named signatory is the same individual authorized to sign pursuant to the contract language in the appearance clause.
2. An officer listed on the Corporation's Secretary of State listing has certified the Corporate Resolution.
3. The corporate resolution shall not be more than one year old.
4. The company properly grants authority to a named individual to sign on behalf of the company (authority granted by a corporation is granted through its board of directors).
5. Document shall be submitted with the bid.

CERTIFICATE OF AUTHORITY
(LLC must insert their form here)

1. The named signatory is the same individual authorized to sign pursuant to the contract language in the appearance clause.
2. An officer listed on the LLC's Secretary of State listing has certified the Certificate of Authority.
3. The Certificate of Authority shall not be more than one year old.
4. The Certificate of Authority is notarized.
5. The company properly grants authority to a named individual to sign on behalf of the company.
6. Document shall be submitted with the bid.

PAST CRIMINAL CONVICTIONS OF BIDDERS ATTESTATION (LA. R.S. 38:2227)

STATE OF LOUISIANA

PARISH OF _____

BEFORE ME, the undersigned Notary Public PERSONALLY CAME AND APPEARED,

I, _____, (Appearer) the owner/authorized representative of

Company / Individual / Legal Entity Name

Appearer, as a Bidder on the herein named Project, does hereby attest that:

A. No sole proprietor or individual partner, incorporator, director, manager, officer, organizer, or member who has a minimum of a ten percent (10%) ownership in the bidding entity named herein, including any silent or dormant owner or manager, has been convicted of, or has entered a plea of guilty or nolo contendere to, any of the following state crimes or equivalent federal crimes:

- (a) Public bribery (R.S. 14:118)
- (b) Corrupt influencing (R.S. 14:120)
- (c) Extortion (R.S. 14:66)
- (d) Money laundering (R.S. 14:230)

B. For five years prior to the project bid date, no sole proprietor or individual partner, incorporator, director, manager, officer, organizer, or member who has a minimum of a ten percent (10%) ownership in the bidding entity named herein, including any silent or dormant owner or manager, has been convicted of, or has entered a plea of guilty or nolo contendere to any of the following state crimes or equivalent federal crimes, during the solicitation or execution of a contract or bid awarded pursuant to the provisions of Chapter 10 of Title 38 of the Louisiana Revised Statutes:

- (a) Theft (R.S. 14:67)
- (b) Identity Theft (R.S. 14:67.16)
- (c) Theft of business record (R.S. 14:67.20)
- (d) False accounting (R.S. 14:70)
- (e) Contractor's misapplication of payments (R.S. 14:202)
- (f) Bank fraud (R.S. 14:71.1)
- (g) Forgery (R.S. 14:72)
- (h) Issuing worthless checks (R.S.14:71)
- (i) Malfeasance in office (R.S. 14:134)

Name of Bidder

Signature of Authorized Signatory of Bidder

Project Name/Number

Title of Authorized Signatory

SUBSCRIBED AND SWORN BEFORE ME ON THIS _____ DAY OF _____, 20_____.

Notary Signature

Printed Notary Name: _____

Notary/Bar Roll Number: _____

My Commission is For/Expires: _____

**ST. JOHN THE BAPTIST PARISH
NON-SOLICITATION AND UNEMPLOYMENT AFFIDAVIT**
(Pursuant to La. R.S. 38:2224 and La. R.S. 23:1726(B))

STATE OF _____

PARISH/COUNTY OF _____

Before me, the undersigned authority, came and appeared,

I, _____, the owner/authorized representative of

_____ who, being first duly sworn, deposed and state that I personally
Company/Individual/Legal Entity Name

and as an authorized representative of the above identified legal person executes this continuing affidavit stating that neither the above named Contractor nor a person acting on its behalf, either directly or indirectly, employed, paid, nor promised any gift, consideration or commission to any person or legal entity to procure or assist in procuring this public contract, other than persons regularly employed by Contractor whose services were in the regular course of their duties for Contractor in connection with the construction, alteration or demolition of a public building or project.

The above-named Contractor, if awarded, continually affirms that no part of the contract price received by Contractor was paid or will be paid to any person, corporation, firm, association, or other organization for soliciting the contract, other than the payment of their normal compensation to persons regularly employed by the affiant whose services were in the regular course of their duties for Contractor.

The above-named Contractor hereby attests and certifies that it does not have any unpaid assessment or penalty levied against it regarding unemployment compensation and currently does and will continue to properly classify each employee.

<p>_____ Signature of Authorized Signatory</p> <p>_____ Printed Name of Signatory</p> <p>_____ Title of Authorized Signatory</p> <p>_____ Project Name/Number</p>	<p>SUBSCRIBED AND SWORN BEFORE ME ON THIS</p> <p>_____ DAY OF _____ 2023.</p> <p>_____ Notary Signature</p> <p>Printed Notary Name: _____</p> <p>Notary/Bar Roll Number: _____</p> <p>My Commission is for/expires on: _____</p>
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**Certification Regarding
Debarment, Suspension, and Other Responsibility
Matters Primary Covered Transactions**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 13 CFR Part 145. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211). Copies of the regulations are available from local offices of the U. S. Small Business Administration.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

- (1) The prospective primary participant certifies to the best of its knowledge and belief that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for disbarment, declared ineligible, or Voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) Terminated for cause of default.
- (2) Where the Prospective primary participant is unable to certify to any of the statements in this Certification, such prospective primary participant shall attach an explanation to this RFP.

Business Name: _____

Date _____ By _____
Name and Title of Authorized Representative

Signature of Authorized Representative

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this PROPOSAL, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the Prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this PROPOSAL is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "PROPOSAL," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this PROPOSAL is submitted for assistance in obtaining a copy of those regulations (13 CFR Part 145).
6. The prospective primary participant agrees by submitting this PROPOSAL that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this PROPOSAL that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered transaction, provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the ineligibility of its principals. Each participant may, but is not required to check the Non-Procurement List.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

E-VERIFY AFFIDAVIT

STATE OF LOUISIANA

PARISH OF _____

BEFORE ME, the undersigned Notary Public PERSONALLY CAME AND APPEARED,

I, _____, the owner/authorized representative of

Company/Individual/Legal Entity
Name

who hereby personally and as the authorized representative of the above identified legal person executes this affidavit, as the undersigned Company verification of its current and future compliance with L.S.A. R.S. 38:2212.10, stating affirmatively that it and each individual, firm or corporation associated with it and engaged in the physical performance of services in the State of Louisiana, under a contract with St. John the Baptist Parish has registered with, is participating in, and shall continue to participate in a federal work authorization program designated as such under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended, which is operated by the United States Department of Homeland Security, known as the "E-Verify" program. The Company hereby verifies the legal status of all existing and new employees in the State of Louisiana by attesting herein that each is a citizen of the United States or legal aliens as defined by now effective immigration laws of the United States of America.

Company shall not assign this Contract or any monies due or to become due hereunder, or subcontract any part of the Work without the prior written consent of St. John the Baptist Parish.

Company verifies that the Company will collect an affidavit in this form from any approved subcontractor and forward a copy to: St. John the Baptist Parish, 1801 West Airline Hwy, LaPlace, Louisiana 70068, no later than five business days of contracting with its subcontractor; however, in no instance shall the affidavit be received after commencement of work by the subcontractor.

Signature of Authorized Signatory

Date E-Verify ID Assigned

Printed Name of Signatory

E-Verify ID

Title of Authorized Signatory

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE DAY OF _____, 20____

Notary Signature

Printed Notary Name: _____

Notary/Bar Roll Number: _____

My Commission is For/Expires: _____

EXHIBIT A
Scope of Work

SERVICES

Contractor shall use any and all procedures required in the performance of grounds maintenance and landscaping according to industry standards and/or required by any regulatory agency. Contractor shall maintain grounds in accordance with customary industry standards, including trimming, and keeping both sides of fence lines free of growth. The contractor/sub-Contractor shall be responsible for any damage done to the Parish's grounds, including any and all other property or any damage done to Parish employees, employees' property, or neighbors' property. The contractor shall repair any such damage done returning the grounds and/or property damaged to its pre-damaged state. If the Parish determines that it is more expedient to have the damage repaired themselves, then the cost of such repairs will be deducted from any amounts due the contractor or collected from the contractor.

Scheduling of work- Contractor shall provide and maintain a day and time schedule of when each cut is expected to be completed. The contractor shall be responsible for securing the facility during and after any period of time that services are being performed.

All labor, materials and equipment necessary to perform the work required for the maintenance of grass, annuals, perennials, shrubs, trees, and irrigation systems, shall be provided by the Contractor. This maintenance shall include, but not limited to, application of fertilizers, herbicides and pesticides, watering (optional), pruning, weeding, deadheading, replacement plantings (as approved by the Parish), loose trash removal, leaf removal and spring and fall cleanup. Paved surfaces shall be weeded to prevent unsightly weed growth. This shall be accomplished through herbicides (**License required for herbicides only**) and mechanical means.

The intent of this request for proposal and resulting contract is to obtain the best services of qualified grounds maintenance and landscaping service contractors to provide all management, supervision, labor, materials, equipment, supplies, workmanship, and transportation necessary to perform and complete the work at the designated locations as per the "Scope of Work." The contractor shall furnish a reliable and experienced crew to accomplish the following grounds maintenance and landscaping services:

Grounds Maintenance:

- I. **Mowing Cycles:** Normal cutting cycles shall be thirty-six (36) times per year unless otherwise stipulated. The schedule is as follows:
 - a. Once a month in December and January (cut in the first week of each month or at the Parish's request. (two times)
 - b. Twice a month in October, November, February, and March. (eight times)
 - c. Once a week in April, May, June, July, August, and September (twenty-six times which includes months containing five (5) weeks). **All** cutting shall be done with finish cut equipment.

- II. **Mowing:** Contractor shall mow all areas using "finish cut" equipment. Grass clippings or debris caused by mowing shall be removed from sidewalks, driveways, gutter, ditches and curbs or surfaces on the same day as mowing. Mowing will not be permitted when weather conditions will result in damage to turf or lawn. Contractor shall remove all trash and litter from the entire area prior to initiating any mowing of the grass area. Upon completion, a mowed area shall be free of clumped grass cuttings and tire tracks or ruts from mowing equipment. Turf shall be cut in a professional manner so as not to scalp turf or leave areas of uncut grass.

III. Grass Height: Grass height shall be maintained to an average of one (1) to two (2) inches.

IV. Weed Eating: Weed eating Grass shall be performed during, or as an immediate operation following mowing. Weed eating may be accomplished by hand power shears or rotary nylon, "fish line" cutting machines or by chemical control. Grass shall be cut at the same height as adjacent turf or lawn is mowed. Areas requiring weed eating includes, but are not limited to ditches, fence lines, walls, poles, electrical boxes, tree rings, sprinklers, asphalt edges, plant beds and all other objects as required by designated Parish representative.

The base around all structures, trees, poles, signs, fences, shall be trimmed. Special care shall be given to trimming around small trees and shrub beds so as not to inflict damage to the bark of the trees and shrubs. Trees and plants damaged by trimming shall be replaced at the expense of the Contractor.

V. Edging: Contractor shall mechanically edge by all sidewalks, drains, driveways, fence lines, flower beds, and the main/front entrance of all buildings. Walkways and driveways are to be swept or blown free of debris after every cutting. Edging shall be performed to result in neat vertical uniform lines and uniform depths.

NOTE: IN ACCORDANCE WITH ORDINANCE SEC. 42-78, CONTRACTOR SHALL NOT BLOW OR DEPOSIT DEBRIS IN DITCH, CATCH BASIN AND DRAINS THAT MAY RESULT IN CLOGGING.

Landscaping:

- I. Flower Bed Maintenance:** At each visit the Contractor shall remove all trash from all flowerbeds. All weeds shall be removed from flowerbeds by either pulling by hand or by chemical control. Flowerbeds shall receive fresh wood mulch twice a year, in March and September. Wood mulch color shall match the existing mulch color. Pine straw (needle) mulch shall not be used at any location. Tree branches eight (8) foot above the grounds or lower and shrubs shall also be pruned and trimmed so as to not allow overgrowth. Contractor shall remove all dead shrubs, fallen tree limbs and any clippings from pruning of shrubs and trees (**License Required**).
- II. Flower Bed Cycles:** Normal flower bed maintenance cycles shall be twenty-two (22) times per year unless otherwise stipulated. The schedule is as follows:
 - a.** Once a month in December and January (serviced in the first week of each month or at the Parish's request. (two times)
 - b.** Twice a month in April, May, June, July, August, September, October, November, February, and March. (twenty times)

Chemicals/Herbicides (if needed):

All personnel involved in the handling and application of chemical herbicides or other regulated materials are to be properly trained, certified, and licensed by the Louisiana Department of Agriculture for such service. All legally required State and Local certifications and licenses must be maintained as current during the entire contract term. Copies of the legally required certifications and licenses shall be provided to the Parish with quotation response (**License Required**).

Baseball Fields:

- I. **Baseball Field Turf Maintenance:** Selective herbicides, pesticides and insecticides will be applied for weed and insect control as per the schedule below. Spot treatment for ants will be applied as needed around baseball dugouts, bleachers and concession stands. Fertilizers will be applied per the schedule below. Turf will be cut per the 36 cuts per year schedule. **(License Required)**.

- II. **Baseball Field Turf Maintenance Cycle:** The schedule is as follows:
 - a. January – pre-emergent application
 - b. February - post-emergent application
 - c. March – insecticides
 - d. April – fertilizer application
 - e. May – aeration and rolling of turf fields
 - f. June - post-emergent and fertilizer application
 - g. July - post-emergent application
 - h. August - fertilizer application
 - i. October - pre-emergent application

The scope of services required by the Contractor includes, but is not necessarily limited to the following:

I. Qualifications and Experience:

The Contractor shall have **four (4) years** of satisfactory experience in full-service grounds maintenance and landscaping service, and have satisfactorily performed in comparable properties (e.g. commercial properties)

Submit at least (3) three minimum **written** customer references for similar projects. Must be within the last (5) five years.

II. Requirements and Specifications

The proposed contractor shall furnish all tools, materials, equipment, apparatus, labor, workmanship, transportation, and services necessary to perform and complete the work at the designated locations as per the "Scope of Work." The Contractor shall supply specified materials identified in **Exhibit A**.

To ensure the safety of government employees and property to be cleaned, the proposed contractor's employees shall submit to a seven (7) year, statewide criminal background check, as arranged by and at the cost of the employer. Results of these background checks shall be submitted to the Parish no later than thirty (30) days from the date of execution.

III. Physical Requirements

Must be physically able to operate various types of equipment including compactors, rakes, shovels, hoes, brooms, etc. Must be able to lift and/or carry heavy weights.

IV. Manual Skills

Requires the ability to handle a variety of items, equipment, control knobs, switches, etc. Must have moderate levels of eye/hand/foot coordination.

V. Regulatory Requirements

The proposed contractor shall comply with all applicable federal, state, and local laws, ordinances rules, and regulations pertaining to the performance of the work specified herein. Ignorance on the part of the proposed contractor shall not, in any way, relieve the contractor from responsibility for compliance with said laws and regulations or any of the provisions of these documents.

The proposed contractor shall hold all licenses, permits, and certifications as may be required by federal, state, and local laws, ordinances, rules, and regulations for the proper execution and completion of the work specified herein. **Copies shall be included in the response submission.**

VI. Safety and Protection

The proposed contractor shall be solely responsible for initiating, maintaining, and supervising all safety precautions and programs in connection with the work. The proposed contractor shall take all necessary precautions for the safety of, and shall provide the Personal Protective Equipment (PPE) **(PPE must be worn at all times, specifically but not limited to safety glasses and vest)** to prevent damage, injury, or loss to all employees on the work site, other persons including, but not limited to, the general public and property which/who may be affected thereby.

VII. Work Completion

At the completion of the work, the proposed contractor shall remove materials, tools, equipment, all waste materials, from the premises and leave the site clean and ready for use. The Parish **is not responsible** for theft or damage of the contractor’s property. All possible safety hazards to workers or the public shall be corrected immediately and left in safe conditions. The contractor shall send written notice of any irregularities noted during servicing, i.e. defective fixtures, pot holes etc. to designated Department Director/Designee and Purchasing and Procurement Director.

The undersigned does hereby offer to perform services on behalf of the Parish, of the type and quality and conditions set forth in the Request for Proposals Documents at the rates hereinafter set forth:

Base Proposal

The Proposer shall thoroughly fill out the form or will be deemed “unresponsive.” It shall be the sole responsibility of the Proposer to review all components of this proposal, visit the sites of the work, and fully inform themselves as to all conditions and matters, which can in any way affect the work or the cost thereof. In no way shall the proposed contractor, after submitting proposal, seek an adjustment as a result of not being able to comply with the applicable federal, state and/or local laws, rules, regulations, ordinances, and/or codes.

Pursuant to and in compliance with the Advertisement for Proposals and the Specifications relating to:

PROJECT NAME: Grounds Maintenance and Landscaping Services
RFP Number: RFP 2023.53

List all Addenda Numbers (if any) for this RFP, _____

The undersigned, having become thoroughly familiar with terms and conditions of the specifications and with local conditions affecting the performance, progress and cost of the work that is to be completed, hereby proposes and agrees to fully perform the work and in accordance with the specifications including furnishing any or all services, labor, materials, and equipment authorized by The Parish and to do all the work required to complete said work in accordance with the specifications for the following hourly rate:

ALTERNATE AWARD EVALUATION: The Parish reserves the right to award the RFP in total or by location or combination of these in which the Parish deems to be in its best interest.

**EXHIBIT B
Pricing Schedule**

Recreation Eastbank Locations			
Description of Area	Cuts per year (A)	Price per cut (B)	Total = A X B
Tom Daley Park, 2900 Hwy 51, LaPlace	36	\$	\$
Sunset Park, Hwy 51, Akers	36	\$	\$
Greenwood Park, 398 Greenwood Dr, LaPlace	36	\$	\$
Regala Park & Baseball Fields, 200 Regala Park Rd, LaPlace	36	\$	\$
Belle Point Levee & Park 1621 Jackson Ave, Reserve	36	\$	\$
Reserve Canal Boat Launch 3364 W Airline Hwy, Reserve	36	\$	\$
Ezekial Jackson Park	36	\$	\$
Garyville Timbermill Trail, 130 Historic Main St, Garyville	36	\$	\$
Total Recreation Eastbank Locations (all or none)			\$

Recreation Westbank Locations			
Description of Area	Cuts per year (A)	Price per cut (B)	Total = A X B
Castle Pool & Castle Park, 136 Castle Dr, Edgard	36	\$	\$
Wallace Bridge Park, 114 Karlstein Rd	36	\$	\$
Juan Joesph Park, 3445 Highway 18, Edgard	36	\$	\$
Farmer's Market, 5793 Highway 18, Wallace	36	\$	\$
Total Recreation Westbank Locations (all or none)			\$

Recreation Eastbank Baseball Field Locations			
Description of Area	Cuts per year (A)	Price per cut (B)	Total = A X B
Regala Park, 200 Regala Park Rd, LaPlace	36	\$	\$
Total Recreation Eastbank Baseball Field Locations (all or none)			\$

Recreation Westbank Baseball Field Locations			
Description of Area	Cuts per year (A)	Price per cut (B)	Total = A X B
Juan Joesph Park, 3445 Highway 18, Edgard	36	\$	\$
Total Recreation Westbank Baseball Field Locations (all or none)			\$

Public Works Eastbank Locations			
Description of Area	Cuts per year (A)	Price per cut (B)	Total = A X B
St. Andrews Blvd & Doral Blvd Median, LaPlace	36	\$	\$
Fairway Dr. Median & Carmel Valley next to pond, LaPlace	36	\$	\$
Kara Dr, LaPlace	36	\$	\$
Belle Terre Blvd Median, LaPlace	36	\$	\$
St. Andrews Blvd Median in Cambridge, LaPlace	36	\$	\$
Indigo Pkwy Median & one side of ROW, LaPlace	36	\$	\$
LaPlace Elementary Walking Path, LaPlace	36	\$	\$
Sunken Garden & Median, LaPlace	36	\$	\$
Highway 51 Median, LaPlace	36	\$	\$
Main St to Farm Rd to Hwy 51, LaPlace	36	\$	\$
Woodland Dr Median & Servitude Bridge to Hwy 51, LaPlace	36	\$	\$
Falcon St Parish ROW, LaPlace	36	\$	\$
Rosenwald St Median & ROW, Reserve	36	\$	\$
Communications Tower, 1294 E. Airline Hwy, LaPlace	36	\$	\$
Cambridge Dr Median, LaPlace	36	\$	\$
National Guard, 4120 W Airline Hwy, Reserve	36	\$	\$
Homer Boogie Center, 366 NW 2nd St, Reserve	36	\$	\$
Garyville Service Center, 492 Historic Main St, Garyville	36	\$	\$
Garyville Northern Servitude, Garyville	36	\$	\$
Plantation Oaks/Oak Park Blvd, Garyville	36	\$	\$
Total Public Works Eastbank Locations (all or none)			\$

Public Works Westbank Locations			
Description of Area	Cuts per year (A)	Price per cut (B)	Total = A X B
Veterans Memorial Bridge under Bridge to 2nd pier, Wallace	36	\$	\$
Total Public Works Westbank Locations (all or none)			\$

Utilities Eastbank Locations			
Description of Area	Cuts per year (A)	Price per cut (B)	Total = A X B
River Rd WWTP, Batture, & Animal Shelter, 144 Water Plant Rd, LaPlace	36	\$	\$

Montegut Water Tower, 512 E Airline Hwy, LaPlace	36	\$	\$
Belle Terre Water Tower, 859 Belle Terre Blvd, LaPlace	36	\$	\$
Belle Pointe Plant Curve off of Jackson, LaPlace	36	\$	\$
Ruddock Booster #2, 5039 Hwy 51, LaPlace	36	\$	\$
Ruddock WWTP & Well #1, 6027 Hwy 51, LaPlace	36	\$	\$
Ruddock Well #2, 6243 Hwy 51, Laplace	36	\$	\$
Woodland WWTP, 900 Woodland Dr, LaPlace	36	\$	\$
Woodland Station # 3, 214 Wood Dr, LaPlace	36	\$	\$
Za Road-End of Za Rd, Reserve	36	\$	\$
Reserve Water Tower, 392 Rosenwald St, Reserve	36	\$	\$
Lions WWTP & Batture, 2062 Hwy 44, Reserve	36	\$	\$
Airline Station, 3134 W Airline Hwy, Reserve	36	\$	\$
Garyville Water Tower, 3164 Hwy 44, Garyville	36	\$	\$
Garyville WWTP, 1076 Hwy 54, Garyville	36	\$	\$
Total Utilities Eastbank Locations (all or none)			\$

Utilities Westbank Locations			
Description of Area	Cuts per year (A)	Price per cut (B)	Total = A X B
Lucy Water Tower, 1197 Hwy 18, Lucy	36	\$	\$
Wallace Water Tower, 5243 Hwy 18, Wallace	36	\$	\$
Wallace WWTP, 5465 Hwy 18, Wallace	36	\$	\$
Tigerville WWTP, 132 Cox Ct, Edgard	36	\$	\$
Central WWTP, 472 W 1st St, Edgard	36	\$	\$
Edgard WWTP & Batture, 2899 Hwy 18, Edgard	36	\$	\$
Please Bend Plant & Fire Station, 1200 Hwy 643, Des Allemands	36	\$	\$
Total Utilities Westbank Locations (all or none)			\$

Facilities Eastbank Locations			
Description of Area	Cuts per year (A)	Price per cut (B)	Total = A X B
Government Complex, 1811 W Airline Hwy, LaPlace	36	\$	\$
Arcuri Center, 1020 Cambridge Dr, LaPlace	36	\$	\$
Utilities Office, 434 Elm St, LaPlace	36	\$	\$

Dept of Motor Vehicles, 4034 W Airline Hwy, Reserve	36	\$	\$
Council on Aging, 214 Regala Park Rd, Reserve	36	\$	\$
Community Services, 128 Central Ave, Reserve	36	\$	\$
Juvenile Office, 1212 Hwy 44, Reserve	36	\$	\$
Health Unit, 473 Central Ave, Reserve	36	\$	\$
Total Facilities Eastbank Locations (all or none)			\$
Facilities Westbank Locations			
Description of Area	Cuts per year (A)	Price per cut (B)	Total = A X B
Edgard Courthouse Complex, 2393 Hwy 18, Edgard	36	\$	\$
Total Facilities Westbank Locations (all or none)			\$

Landscaping Services Eastbank Locations			
Description of Area	Per Year 22 (A)	Price per Service (B)	Total = A X B
Belle Terre Welcome Sign, LaPlace	22	\$	\$
Cambridge Welcome Sign, LaPlace	22	\$	\$
Garyville Welcome Sign, Garyville	22	\$	\$
Laplace Welcome Sign in front of Tractor Supply, LaPlace	22	\$	\$
Ormond & Madewood Median, LaPlace	22	\$	\$
Government Complex, 1811 W Airline Hwy, LaPlace	22	\$	\$
Arcuri Center, 1020 Cambridge Dr, LaPlace	22	\$	\$
Council on Aging, 214 Regala Park Rd, Reserve	22	\$	\$
Animal Shelter, 488 W 2nd St, LaPlace	22	\$	\$
Health Unit, 473 Central Ave, Reserve	22	\$	\$
Regala Gym, 200 Regala Park Rd, Reserve	22	\$	\$
Community Center, 2900 Hwy 51, LaPlace	22	\$	\$
Sunken Garden, LaPlace	22	\$	\$
Total Eastbank Locations Landscaping Only (all or none)			\$
Landscaping Services Westbank Locations			
Description of Area	Per Year 22 (A)	Price per Service (B)	Total = A X B
Courthouse including Council on Aging Building, Edgard	22	\$	\$
Total Westbank Locations Landscaping Only (all or none)			\$

Exhibit C
SELECTION/SCORING CRITERIA

St. John the Baptist Parish may select any or all of the proposals that best contribute to the overall functioning of the Parish. All proposals will be evaluated by applying a set of evaluation criteria and awarding points to each proposal.

The following criteria and corresponding point system will be utilized to evaluate all respondents. The award will be made to the firm which scores the highest number of points and whose costs are deemed reasonable for similar work.

CRITERIA	MAXIMUM POINTS
Qualifications and Experience	0-20 pts
<ul style="list-style-type: none"> • Qualifications of key staff to perform work • Experience with similar facility(s) 	
Past Performance	0-20 pts
<ul style="list-style-type: none"> • Quality of work and special capabilities to accomplish work • Coordination and cooperation with Parish and others • References 	
Technical Capabilities	0-20 pts
<ul style="list-style-type: none"> • Equipment availability and dedication • Experience in sensitive environments 	
Current Work Load	0-10 pts
<ul style="list-style-type: none"> • Capacity to successfully manage Parish requests • Number and size of projects currently under contract 	
Pricing	0-30 pts
<ul style="list-style-type: none"> • Price will be evaluated for the best overall value to the Parish 	
TOTAL MAXIMUM POINTS	100

**Exhibit D
License**

For Landscape Contracting Jobs, Who Needs a License, and for What?

For all of the types of work listed below, a license from the Horticulture Commission of Louisiana, Department of Agriculture and Forestry is required as follows:

1. Landscaping:

Landscape Horticulturist License

Examples: Plant Installation, Grass Sodding, Bush Pruning, Mulching, Fertilizing

2. Lawn Irrigation:

Landscape Irrigation Contractor License

3. Tree Surgery, Trimming, Pruning, Cutting Down, Removal: Arborist License

4. Grass Seeding, Hydro-Seeding

Seed Dealers Permit

In addition, for the types of work above, a license from the Louisiana State Licensing Board for Contractors is required as follows:

For Homes: None

Any project of \$50,000 or more requires the following classification of licensure:

For Buildings, Apartment Complexes, Houses used primarily for Commercial Purposes, Parks, Campuses – any one or more of the below:

Building Construction

Landscaping, Grading, and Beautification

Recreation & Sporting Facilities & Golf Courses (can only do landscaping, irrigation, arborist work for these types of facilities).

Seeding, Sodding, Load & Soil Stabilization, Erosion Control, Sheet Piling (for grass seeding and sodding work)

For Highway, Street, and Bridge Construction- any one or more of the below:

Highway, Street, and Bridge Construction

Landscaping, Grading, and Beautification

Seeding, Sodding, Load & Soil Stabilization, Erosion Control, Sheet Piling (for grass seeding and sodding work)

For Heavy Construction (i.e., Industrial Plants, Oilfields, Railroads, Waterways) – any one or more of the below

Heavy Construction

Landscaping, Grading, and Beautification

Industrial Plants (for landscaping, irrigation, arborist work inside an industrial plant) Oil Refineries (for landscaping, irrigation, arborist work inside an oil refinery)

Coastal Restoration and Habitat Enhancement (for landscaping, irrigation, arborist work related to such projects)

Seeding, Sodding, Load & Soil Stabilization, Erosion Control, Sheet Piling (for grass seeding and sodding work)

For Municipal and Public Works Construction (Water, Gas, Sewer, Stormwater Distribution Pipelines and Treatment Plants) – any one or more of the below

Municipal and Public Works Construction

Landscaping, Grading, and Beautification

Electrical Transmission Lines (for landscaping, irrigation, arborist work related to such projects)

Please note: Contractors holding Earthwork, Drainage, and Levees, or Clearing, Grubbing, and Snagging may clear trees and brush on properties without further licensure.

Agency Contact Information

Louisiana Department of Agriculture & Forestry
Horticulture Commission
5825 Florida Boulevard
Baton Rouge, LA 70806
225-952-8100
Email: horticulture@ldaf.state.la.us
Website: www.ldaf.state.la.us

Louisiana Licensing Board for Contractors
2525 Quail Drive
Baton Rouge, LA 70808
225-765-2301
Email: info@lslbc.louisiana.gov
Website: www.lslbc.louisiana.gov

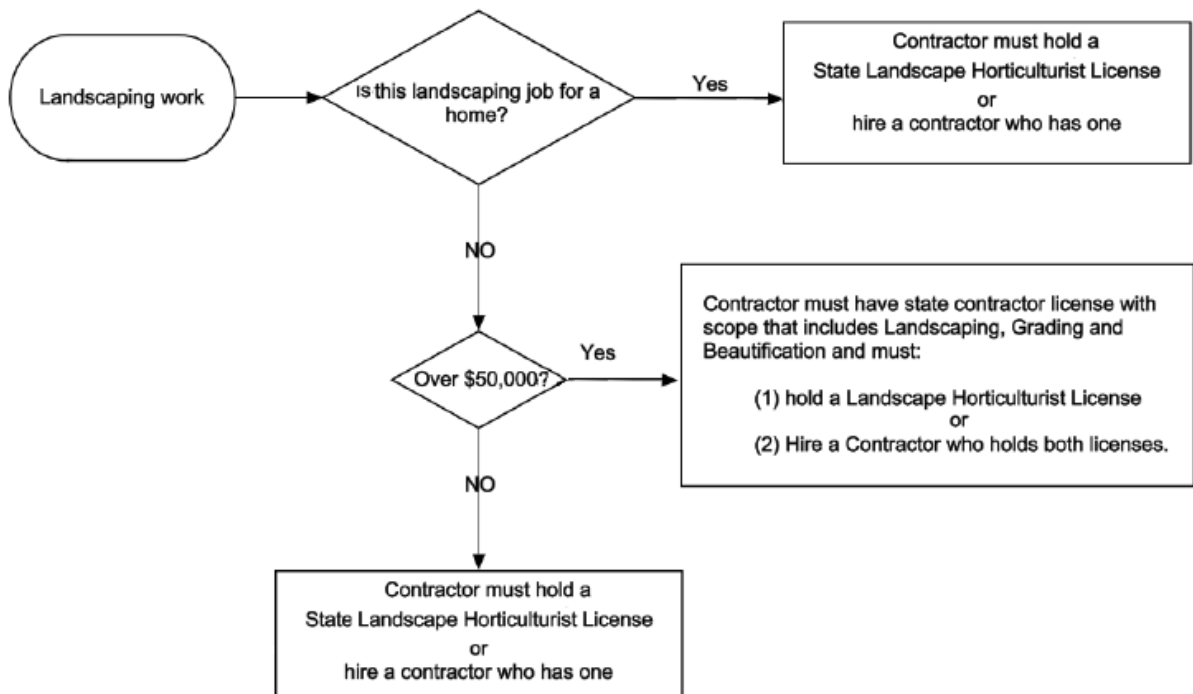


Exhibit E

**ST. JOHN THE BAPTIST PARISH GROUNDS MAINTENANCE AND LANDSCAPING
SERVICES COMPLETION FORM**

MONTH: _____ SITE: _____

Contractor: _____	Complete	Incomplete	Notes
Grounds Maintenance	_____	_____	_____
Landscaping	_____	_____	_____
Baseball Fields	_____	_____	_____
Chemicals/Herbicides	_____	_____	_____

DATE: _____ CONTRACTOR INITIALS _____ INSPECTOR INITIALS _____

	Complete	Incomplete	Notes
Grounds Maintenance	_____	_____	_____
Landscaping	_____	_____	_____
Baseball Fields	_____	_____	_____
Chemicals/Herbicides	_____	_____	_____

DATE: _____ CONTRACTOR INITIALS _____ INSPECTOR INITIALS _____

	Complete	Incomplete	Notes
Grounds Maintenance	_____	_____	_____
Landscaping	_____	_____	_____
Baseball Fields	_____	_____	_____
Chemicals/Herbicides	_____	_____	_____

DATE: _____ CONTRACTOR INITIALS _____ INSPECTOR INITIALS _____

	Complete	Incomplete	Notes
Grounds Maintenance	_____	_____	_____
Landscaping	_____	_____	_____
Baseball Fields	_____	_____	_____
Chemicals/Herbicides	_____	_____	_____

DATE: _____ CONTRACTOR INITIALS _____ INSPECTOR INITIALS _____

	Complete	Incomplete	Notes
Grounds Maintenance	_____	_____	_____
Landscaping	_____	_____	_____
Baseball Fields	_____	_____	_____
Chemicals/Herbicides	_____	_____	_____

DATE: _____ CONTRACTOR INITIALS _____ INSPECTOR INITIALS _____

CONTRACTOR SIGNATURE _____ DATE: _____

INSPECTOR SIGNATURE _____ DATE _____