

Regulations & 2015 Updates

March 23, 2015

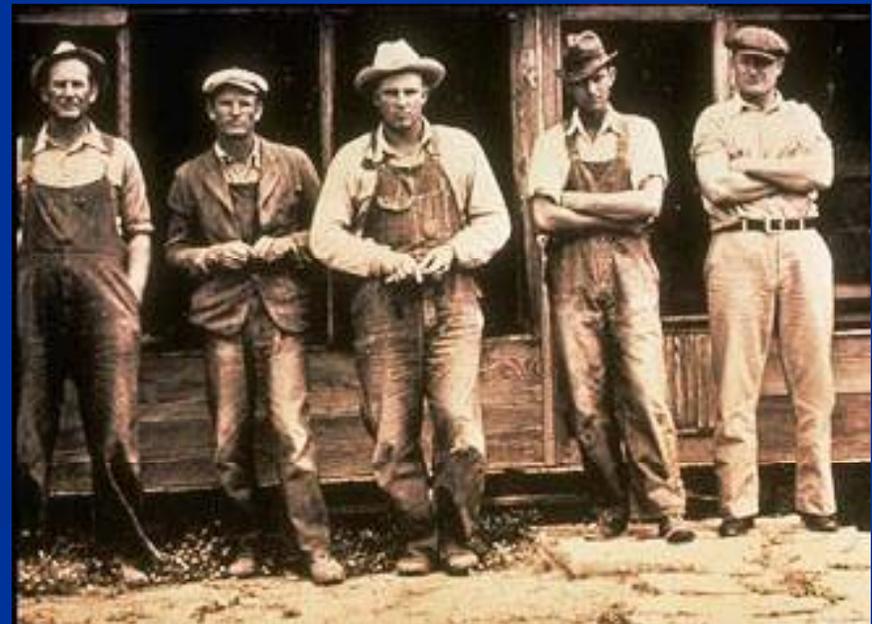
Jerry Oden, Field Supervisor
Privately Maintained Stormwater Facilities

Watershed Management Division

PRIVATE FACILITIES INSPECTION STAFF

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Responsible for the inspection and compliance of maintenance requirements for privately maintained facilities.



Stormwater Maintenance Program Updates

- In keeping with the County's policy of reducing paperwork, we are not providing handouts.

Today's presentations will be available for viewing, download and printing from our website within the next few weeks.

- As part of our paperwork reduction initiative, we no longer mail hard copies of maintenance letters to property owners. All maintenance notifications are e-mailed to property owners.
- Should you need to contact Inspectors, you may contact them via their cell phone.
- All telephone inquiries to our Department must be made by contacting the County's 311 Call Center.
 - ❖ Dial 311 within Montgomery County or
 - ❖ Dial 240-777-0311 from outside the County.
 - ❖ Via the internet: <http://www.montgomerycountymd.gov/311>

Stormwater Maintenance Program Updates

- We have an E-Newsletter to provide property owners and contractors program updates about semi-yearly non-structural maintenance requirements.
 - See the back of your Agenda Handout on how to sign-up.
- Your Certificate of Attendance will be valid for a three (3) year period.
- It will not be necessary for you to attend this training until the Spring or Fall of 2018.

Stormwater Maintenance Program Updates

CRITICALITY RATINGS

- **EMERGENCY:**

Failure to perform repairs may result in a threat to public health and safety or significant structure failure.

- **HIGH:**

Repairs necessary to ensure the proper functioning of the facility, which, if not performed, could affect the structural integrity of the facility and impact water quality within the watershed.

- **ROUTINE:**

Repairs necessary to ensure proper functioning of the facility, which, if not performed within the following 12 months could elevate criticality of repairs to HIGH status.

- **CONTINUE ROUTINE MAINTENANCE**

Maintenance of the facility is acceptable.

Stormwater Maintenance Program Updates

Stormwater Management Act of 2007

Impacts:

- ❖ This Act requires that Environmental Site Design (ESD) be used for site development through the use of nonstructural best management practices and implemented to the maximum extent practicable.
- ❖ ESD is:
 - the use of small-scale stormwater management practices to mimic natural runoff characteristics and minimize the impact of land development;
 - Optimizing conservation of natural features;
 - Minimizing use of impervious surfaces, such as pavement, concrete channels, roofs, and pipes; and,
 - Slowing down and holding runoff to increase infiltration.
- ❖ Structural practices, such as ponds and underground structures may only be used as absolutely necessary.

Stormwater Maintenance Program Updates

PERMITS

Repairs and/or Maintenance of Aboveground Stormwater Facilities May Require Obtaining Permits.

This is especially true for wet ponds where there is a stream or creek flowing into or out of the pond.

- Montgomery County Permitting Services
 - ❖ Sediment Control Permits
 - ❖ Right-of-Way Permits
- Maryland Department of the Environment Permits
- Army Corp of Engineer Permits

Failure to Obtain Required Permits May Lead to Substantial Penalties or Fines

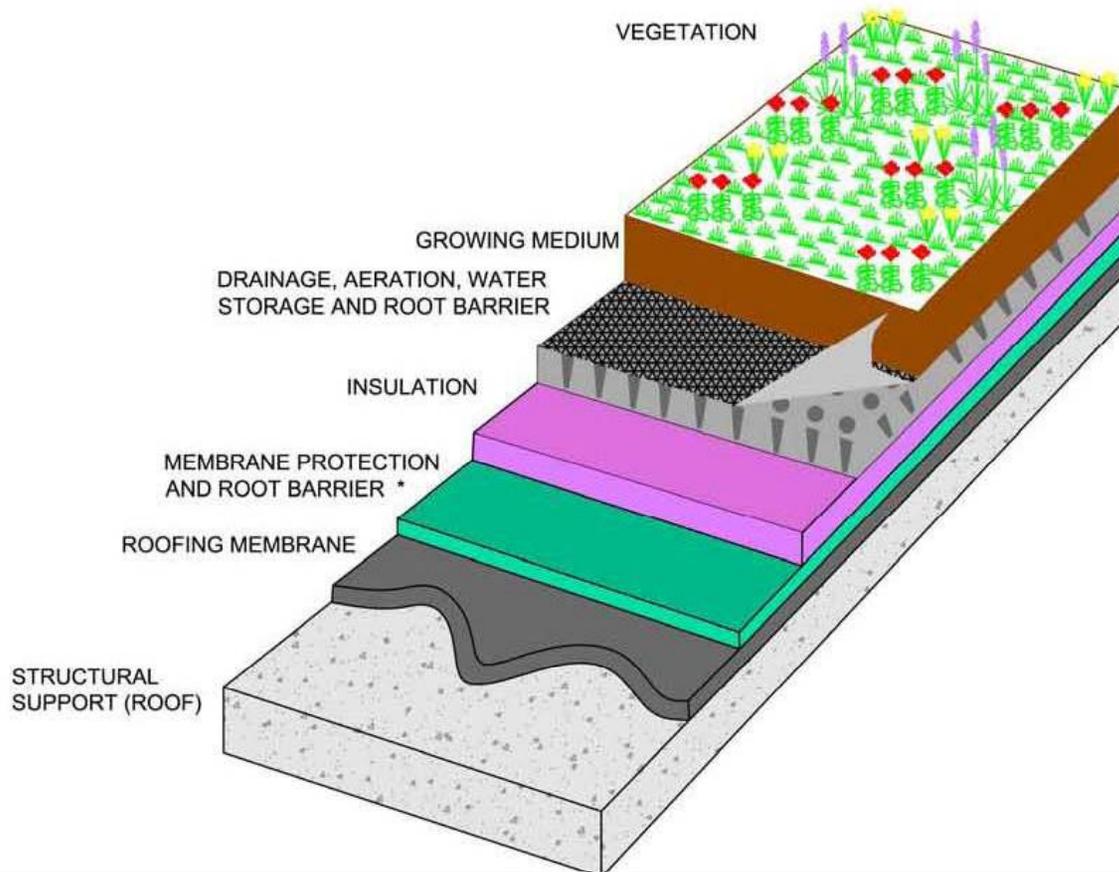
ESD Facilities

We are constantly adding ESD facilities to our database inventory as will be the case from here on out.

Following are some examples of ESD facilities.

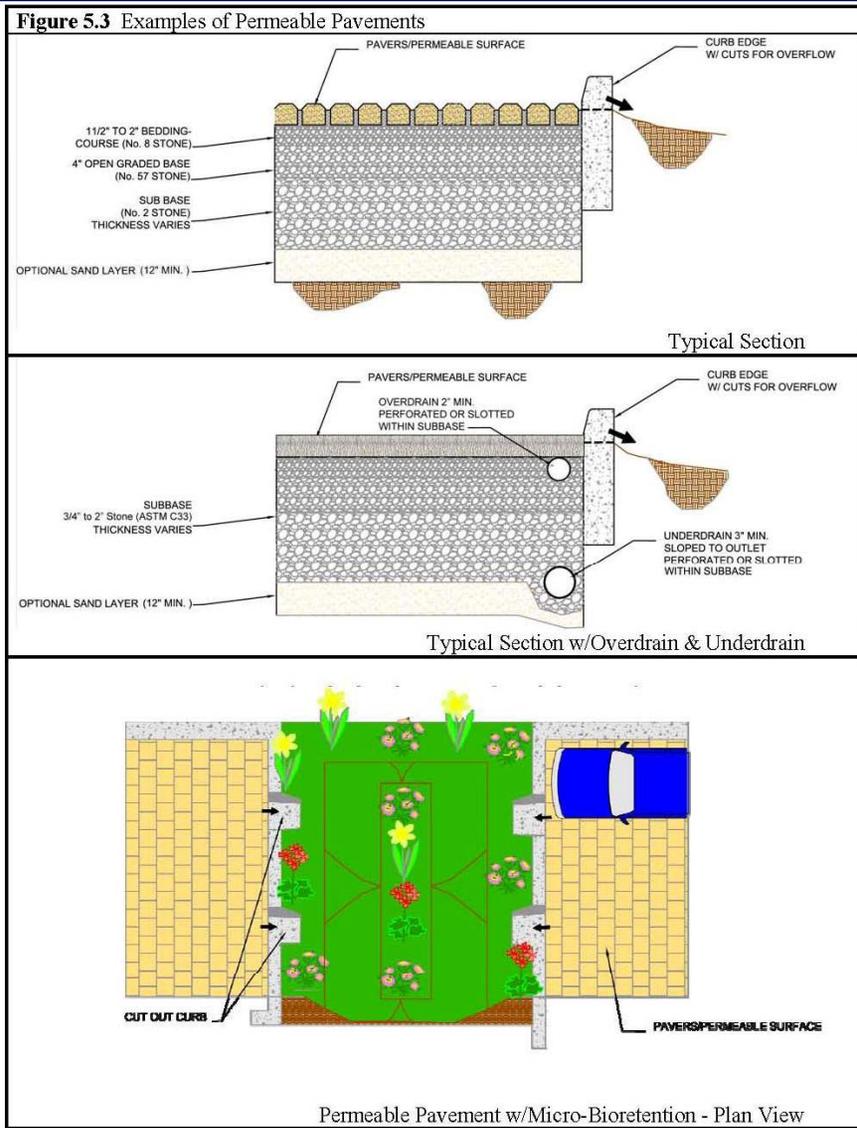
ESD Facilities

Figure 5.2 Cutaway of a Typical Green Roof



Green Roofs

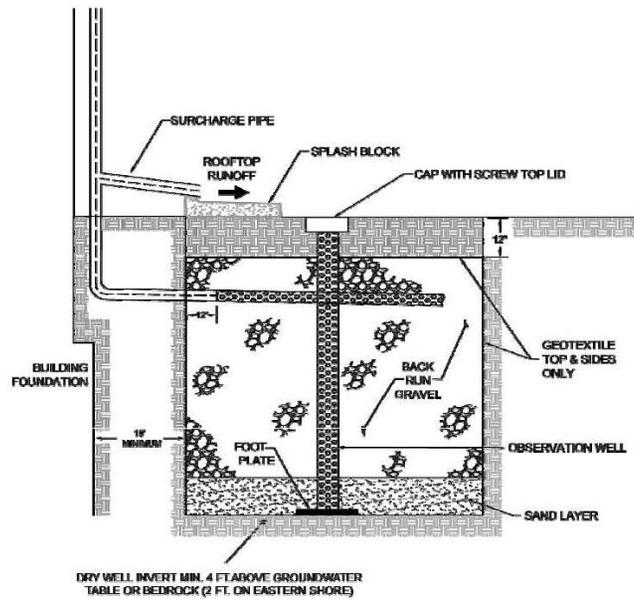
ESD Facilities



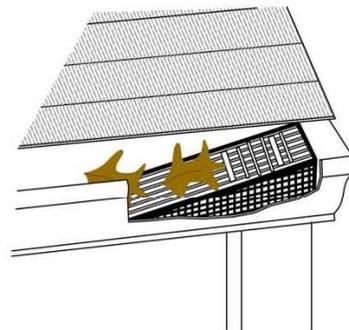
Permeable Pavers

ESD Facilities

Figure 5.13 Dry Well



Section

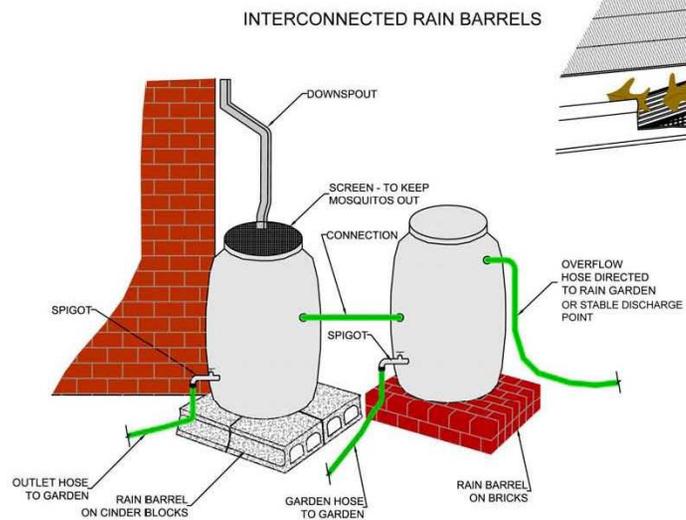
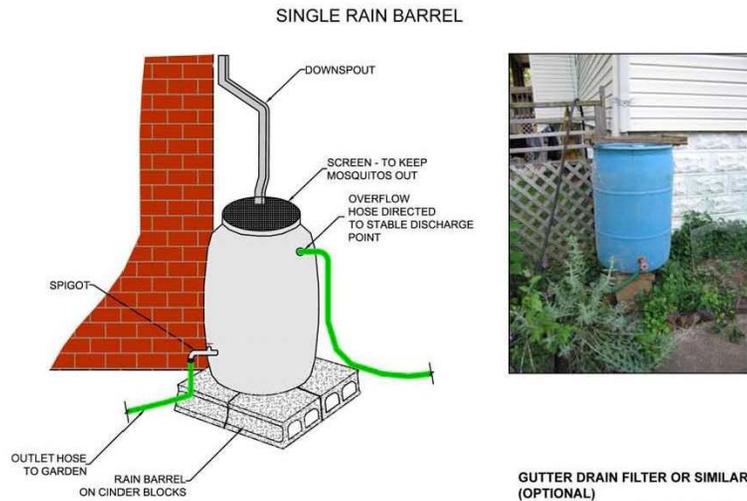


Gutter Drain Filter (Typical)

Dry Wells

ESD Facilities

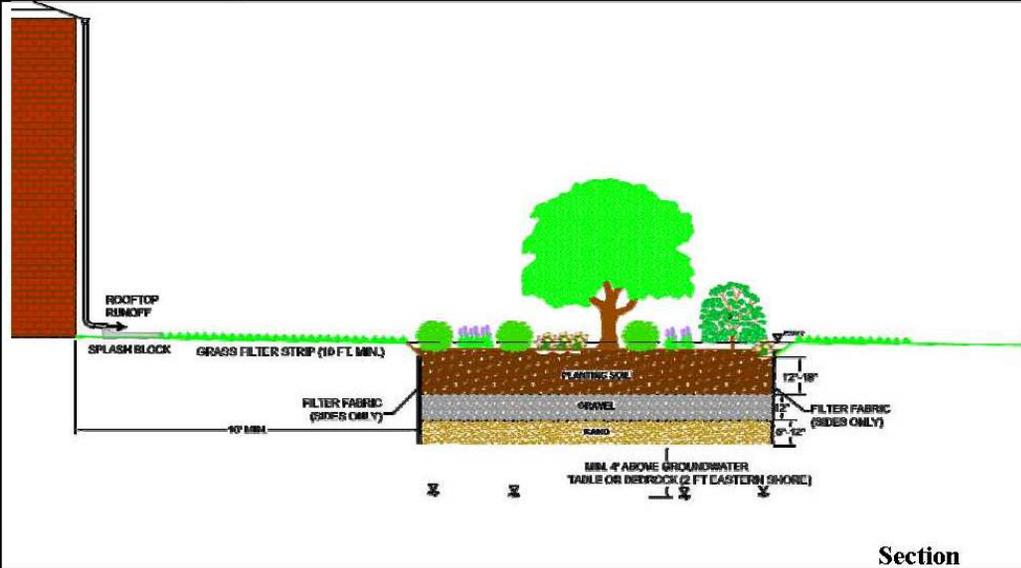
Figure 5.8 Rain Barrels



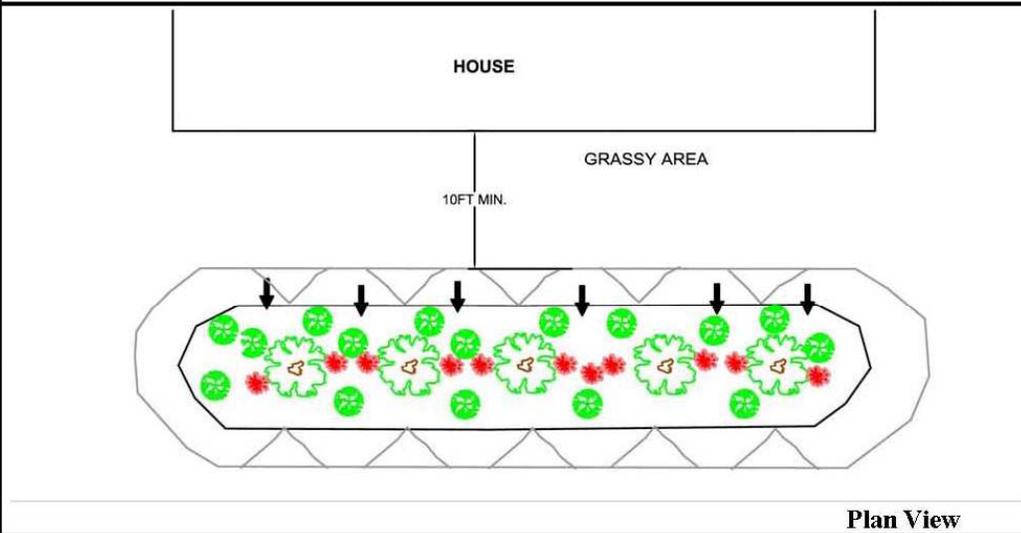
Rain Barrels

ESD Facilities

Figure 5.11 Landscape Infiltration



Section



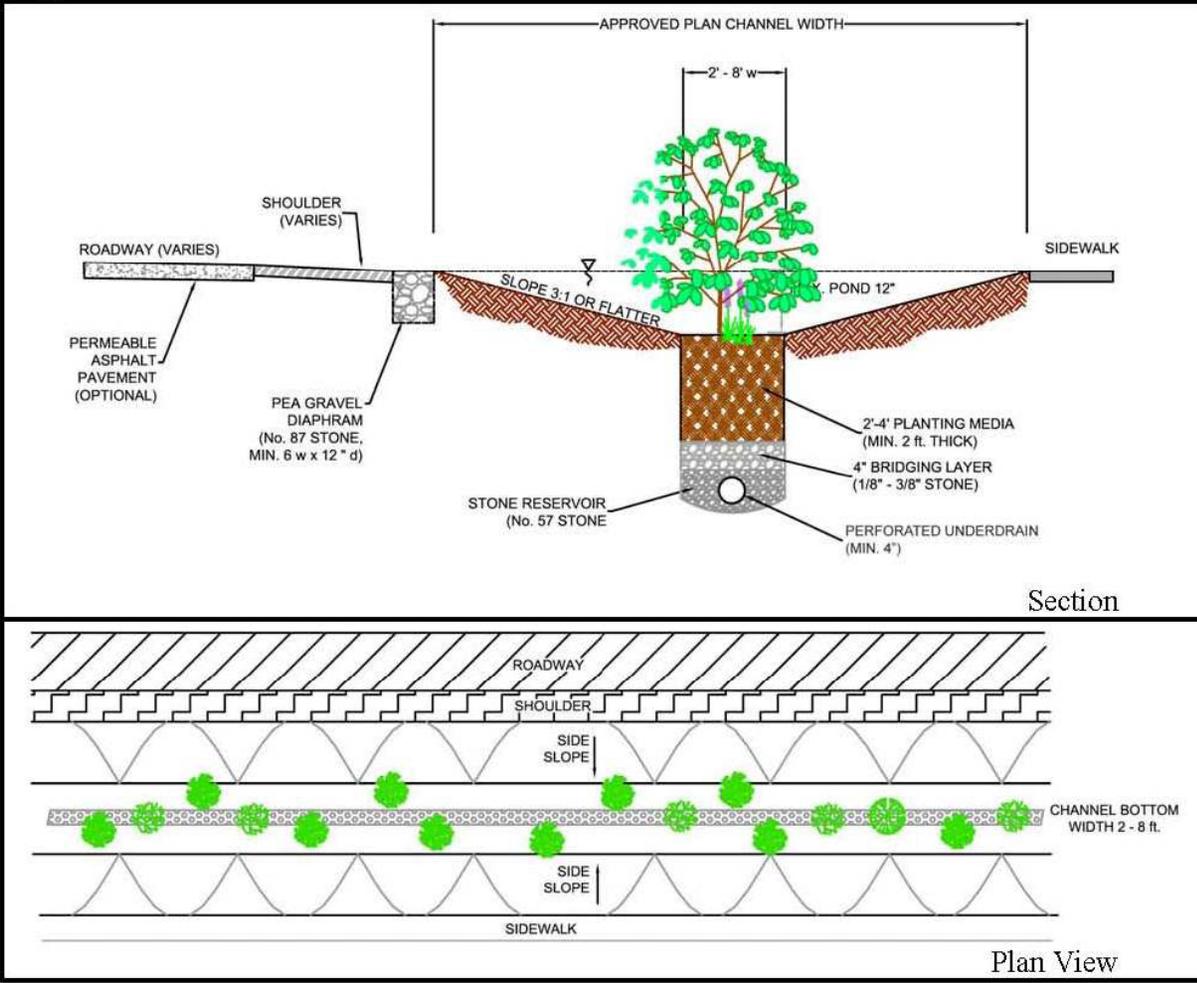
Plan View

Landscape Infiltration

ESD Facilities

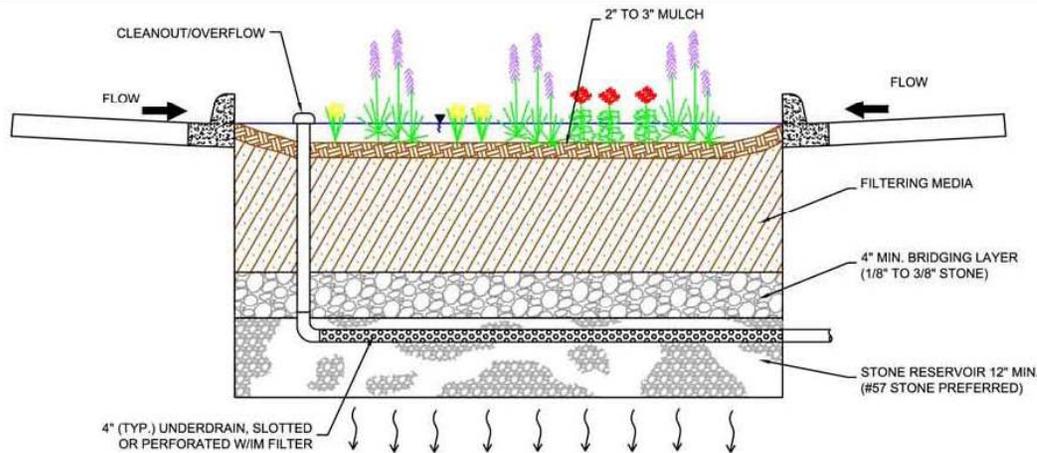
Bio-Swale

Figure 5.18 Bio-Swale

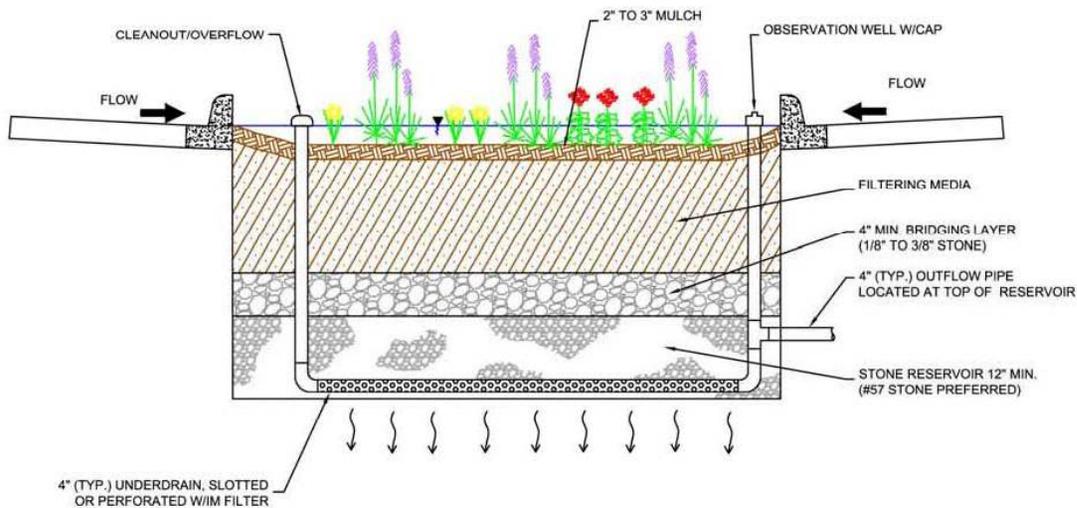


ESD Facilities

Figure 5.20 Enhanced Filters



Section - Variation 1



Section - Variation 2

Enhanced Filters

Invasive Plants



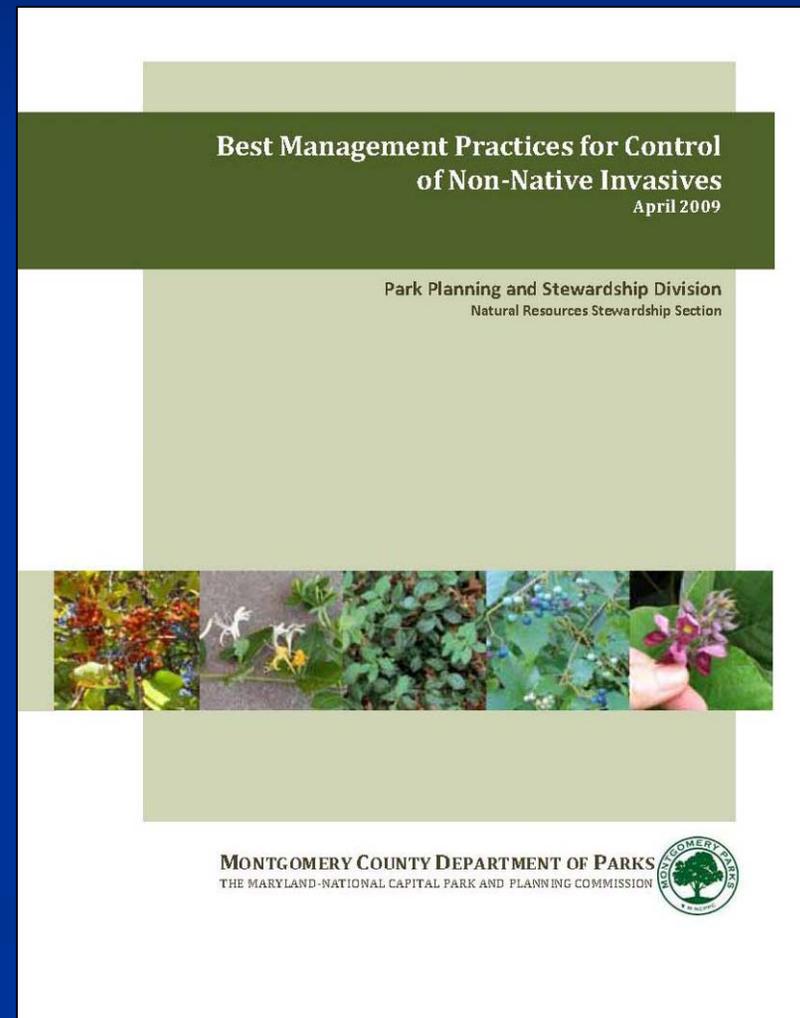
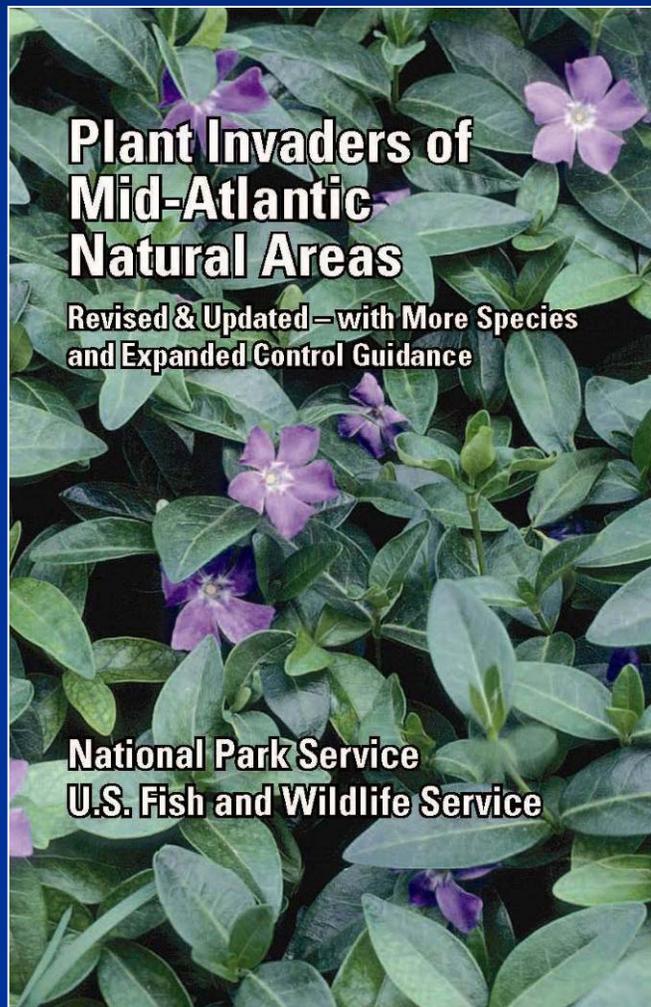
Sign for reference



Habitat destruction & environmental degradation by invasive plants has become more of a focus recently. Experience has shown that focused & aggressive implementation of mechanical or chemical control techniques, or a combination of the two, will reduce the negative impact of invasive plants.

Invasive Plants

For more information about Invasive Plants, these guidelines are available:



Stormwater Maintenance Program Updates

NEW FEDERAL REGULATIONS - RE: PESTICIDE APPLICATION

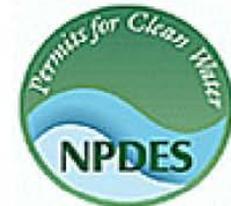
These new regulations govern those who own ponds and those who apply pesticides to ponds for the control of algae, weed control with in the water, shoreline vegetation control, and mosquito control. *Both property owners and pesticide applicators are responsible for complying with these regulations.*

For more information, contact the Maryland Department of the Environment.



United States Environmental Protection Agency
Office of Water, Office of Wastewater Management
Water Permits Division

Pesticide General Permit November 2011

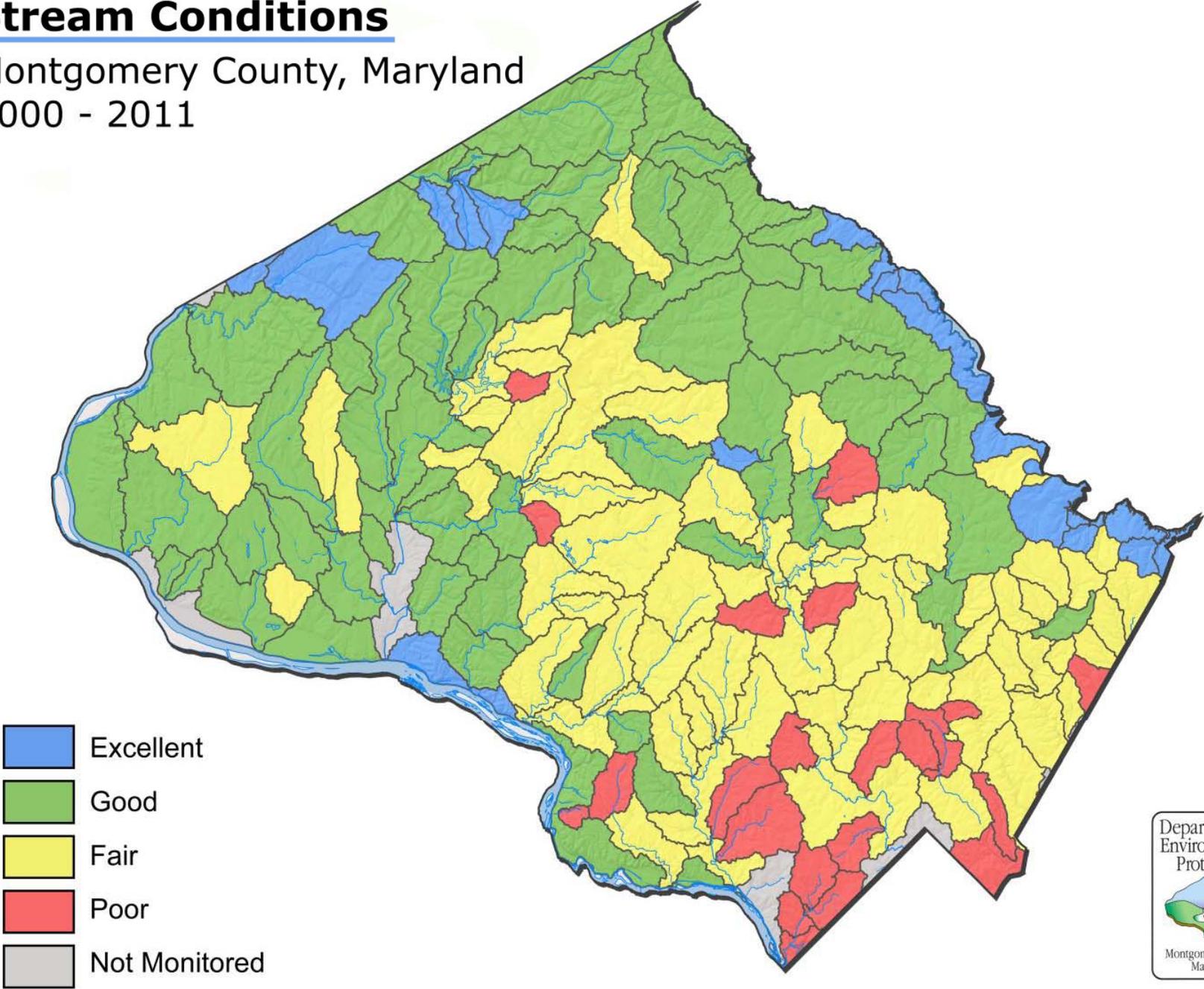


Background

On October 31, 2011, the Environmental Protection Agency (EPA) issued a final National Pollutant Discharge Elimination System (NPDES) Pesticide General Permit (PGP) for point source discharges from **the application of pesticides to waters of the United States**. This action was in response to a 2009 decision by the U.S. 6th Circuit Court of Appeals in *National Cotton Council, et al. v. EPA*, which found that **point source discharges of biological pesticides, and chemical pesticides that leave a residue, into waters of the U.S. were pollutants under the Clean Water Act (CWA)**. As a result of the Court's decision, **NPDES permits are required for these discharges beginning on October 31, 2011.**

Stream Conditions

Montgomery County, Maryland
2000 - 2011



Why Are We Here

- Provide information about proper maintenance of stormwater facilities
- Receive feedback from you regarding our inspection process



Why Are We Here



Why Are We Here

- Training is important... consistency and attention to detail
- Let's “do it right” the 1st time, and “not have to do it over”
- Help you work efficiently to help protect our environment and water resources within Montgomery County
- Emphasize training so that information can be shared and enforcement action is rare.

Maintenance Matters



Maintenance Matters

BEFORE



AFTER

County Rules and Regulations

Regulations (Federal & State)

- National Pollutant Discharge Elimination System (NPDES) permit program.

This program controls water pollution by regulating pollution sources.

- The Maryland Department of the Environment (MDE) requires the County to obtain a MS-4 (Stormwater Discharges From Municipal Separate Storm Sewer Systems)

- The MS-4 Permit requires the County to inspect and maintain all stormwater structures.

Regulations (cont.)

County Code, Article 2, Chapter 19, Section 19-28

- ❖ Requires DEP to inspect and to enforce maintenance of all stormwater structures in the County
- ❖ Code of Montgomery County Regulations (COMCOR)

Chapter 19, Section 19.00.01.06-.07

- Specific guidelines for maintenance
- 48 Hour Notification
- Maintenance Personnel Qualifications
- Final Inspection
- Disposal Requirements

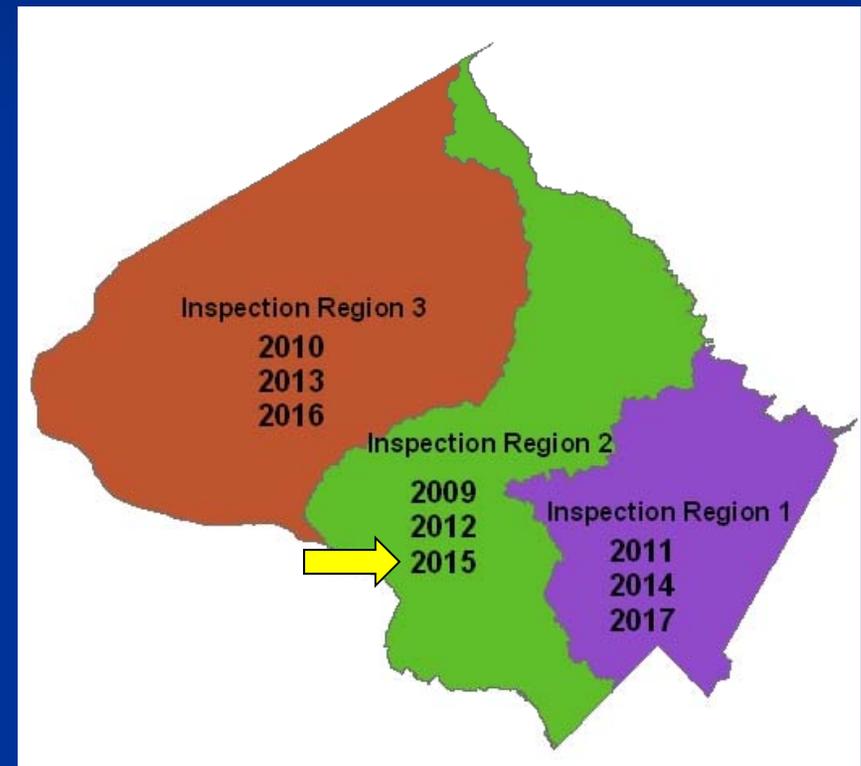


Regulations (cont.)

- OSHA Confined Space Certification
- Maryland Department of the Environment (MDE) Oil Operations Permit
- Montgomery County Noise Control Ordinance
- Montgomery County and Maryland State Highway Administration (MSHA) Work Zone Traffic Control Standards

Program Operations

- Inspect all stormwater structures once every three years (MS4 Permit Requirement)
- County divided into 3 regions, inspect one region per year
- Use a contracted engineering firm to perform initial inspections and report necessary maintenance requirements
- County notifies property owners by e-mail of required maintenance
- County inspectors follow-up to insure necessary maintenance is completed
- Enforcement Actions may be exercised if necessary to gain compliance
- For County maintained facilities, County performs maintenance through contracts with two firms;
 - ❖ One firm for aboveground work
 - ❖ One firm for belowground work



Underground Structure Safety



- As noted in the previous slide, OSHA Confined Space Certification is required of all persons entering confined spaces.
- Confined spaces may have atmospheric conditions that are hazardous to one's health.
For this reason, our staff wears a respirator when entering confined spaces.

Construction Worker Suffers Serious Injuries in Fall

October 7, 2011 - Update, 10:52 a.m.:

A construction worker fell 10 feet into a large concrete vault on a construction site located on the 300 block of East Diamond Avenue on Friday morning.

Capt. Oscar Garica, a spokesman for Montgomery Fire and EMS, confirmed that an adult male was transported to the hospital to be treated for serious, but non-life threatening injuries just before 10 a.m.

The accident blocked traffic in both directions of East Diamond Avenue for about one hour.

Garcia said the **construction worker fell into the concrete vault, part of the site's storm water management drainage area.** Approximately two dozen emergency personnel responded to the scene. The call was originally dispatched as a possible manhole rescue.

A mixed-use residential apartment complex called Gaithersburg Station is approximately 50 percent completed on the construction site, Garcia said.

Original Post:

Gaithersburg Police have confirmed that someone fell down a manhole on Diamond Avenue on Friday morning and rescue efforts are currently underway.



Don't get Complacent!
No One Needs A Scene like this!

Before You Dig. Every Dig. It's the Law.



1-800-257-7777
www.missutility.net

If any maintenance activity involves excavation, insure you contact MISS UTILITY before beginning excavation activities. It is not uncommon for water, sewer and electrical lines to exist within dams and stormwater management areas and easements.