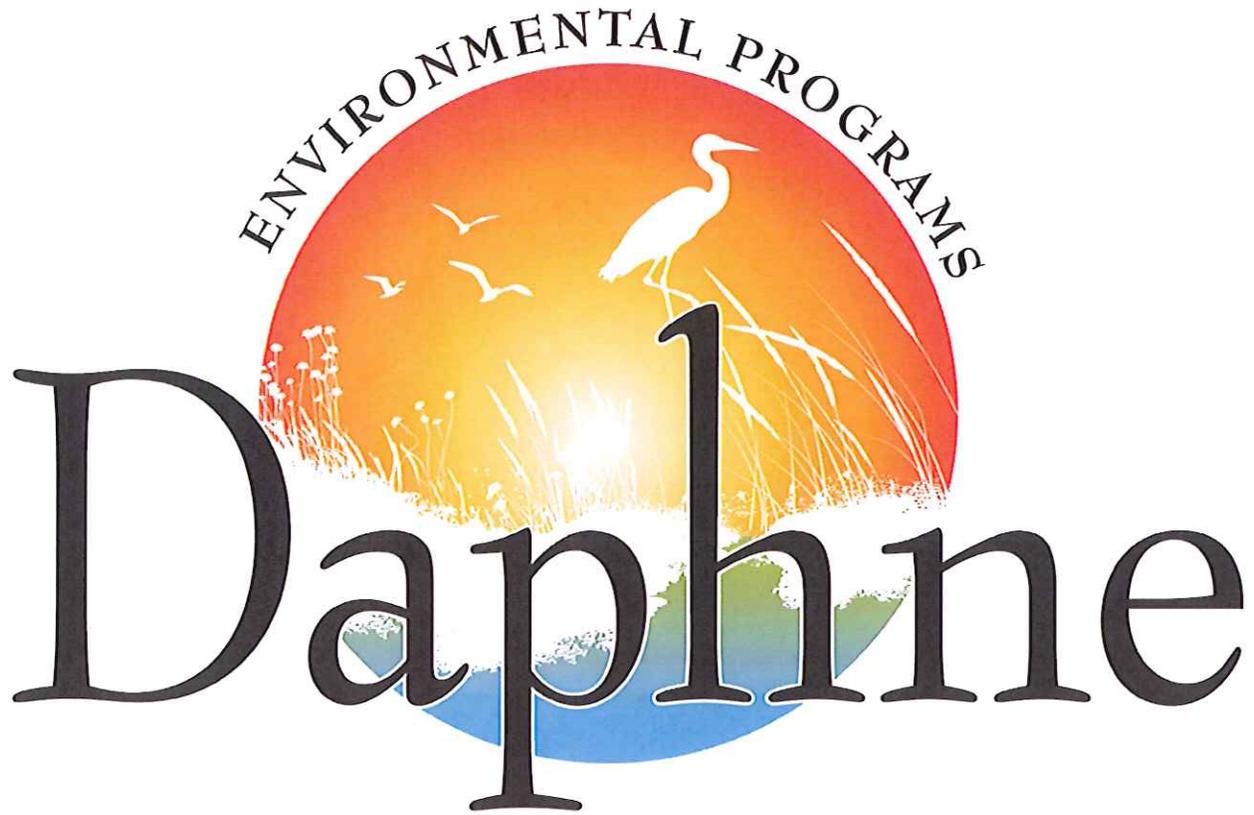


**MCM 3**

**IDDE**



**City of Daphne Phase II MS4  
MCM 3 Illicit Discharge Detection Elimination Permit Cycle Compliance Report**

3.3	Illicit Discharge Detection and Elimination Strategy	Goal	2012	2012	2013	2013	2014	2014	2015	2015	2016	2016
			Proposed	Achieved								
3.3.1A	Compiling and Organizing Existing City Stormwater Infrastructure Data	Locate all existing stormwater mapping data and update current stormwater map	✓	✓	✓	✓	✓		✓		✓	
3.3.1B	Compiling and Organizing Existing City Stormwater Infrastructure Data	In years 2 and 3, initiate the creation and maintenance of a stormwater outfall database to track inventory and inspections	*	*	✓	✓	✓		✓		✓	
3.3.1C	Compiling and Organizing Existing City Stormwater Infrastructure Data	Finalize database and initiate major stormwater outfall inspection, once during permit cycle	*	*	*	*	*	*	*	*	✓	
3.3.2	Review and update the City's existing New Development IDDE	Review the City's Commercial IDDE Ordinance and update when needed	✓	✓	✓	✓	✓		✓		✓	
3.3.3A	Creation of a New IDDE Ordinance to address Residential and Existing Commercial IDDE	In year one (1), gather sample IDDE Ordinances	✓	✓	*	*	*	*	*	*	*	*
3.3.3B	Creation of a New IDDE Ordinance to address Residential and Existing Commercial Development Illicit Discharge	In year one (1), meet with Affected Departments	✓	✓	*	*	*	*	*	*	*	*
3.3.3C	Creation of a New IDDE Ordinance to address Residential and Existing Commercial Development Illicit Discharge	In year one (1), draft the sample ordinance as needed by the City	✓	✓	*	*	*	*	*	*	*	*
3.3.3D	Creation of a New IDDE Ordinance to address Residential and Existing Commercial Development Illicit Discharge	In year one (1), submit draft ordinance to City attorney, and City Departments for review, review comments and prepare for City Council Public Hearing and Adoption	✓	✓	*	*	*	*	*	*	*	*
3.3.3E	Creation of a New IDDE Ordinance to address Residential and Existing Commercial Development Illicit Discharge	In year two (2), adopt IDDE Ordinance and implement	*	*	✓	✓	✓		✓		✓	
3.3.3F	Creation of a New IDDE Ordinance to address Residential and Existing Commercial Development Illicit Discharge	In years three (3) though five (5), create or modify existing database to track IDDE and update as needed	*	*	*	*	✓		✓		✓	
3.3.4A	Perform Field Assessments and site inspections	In year two (2), designate responsible personnel within each department for field assessments and site inspections	*	*	✓	✓	*	*	*	*	*	*
3.3.4B	Perform Field Assessments and site inspections	In year two (2), develop departmental Standard Operating Procedures (SOP) for reporting, inspection and enforcement of IDDE	*	*	✓	✓	*	*	*	*	*	*
3.3.4A 1	Perform Field Assessments and site inspections	Educate the general public, commercial and industrial developments on the hazards associated with illicit discharges	*	*	*	*	✓		*	*	*	*
3.3.4B 1	Perform Field Assessments and site inspections	Initiate basic field assessments to establish priority IDDE areas	*	*	*	*	*	*	*	*	✓	
3.4E1	Perform Field Assessments and site inspections	Screen major outfalls at least once during permit cycle	*	*	*	*	*	*	✓		*	*



**MCM 3**

**IDDE**

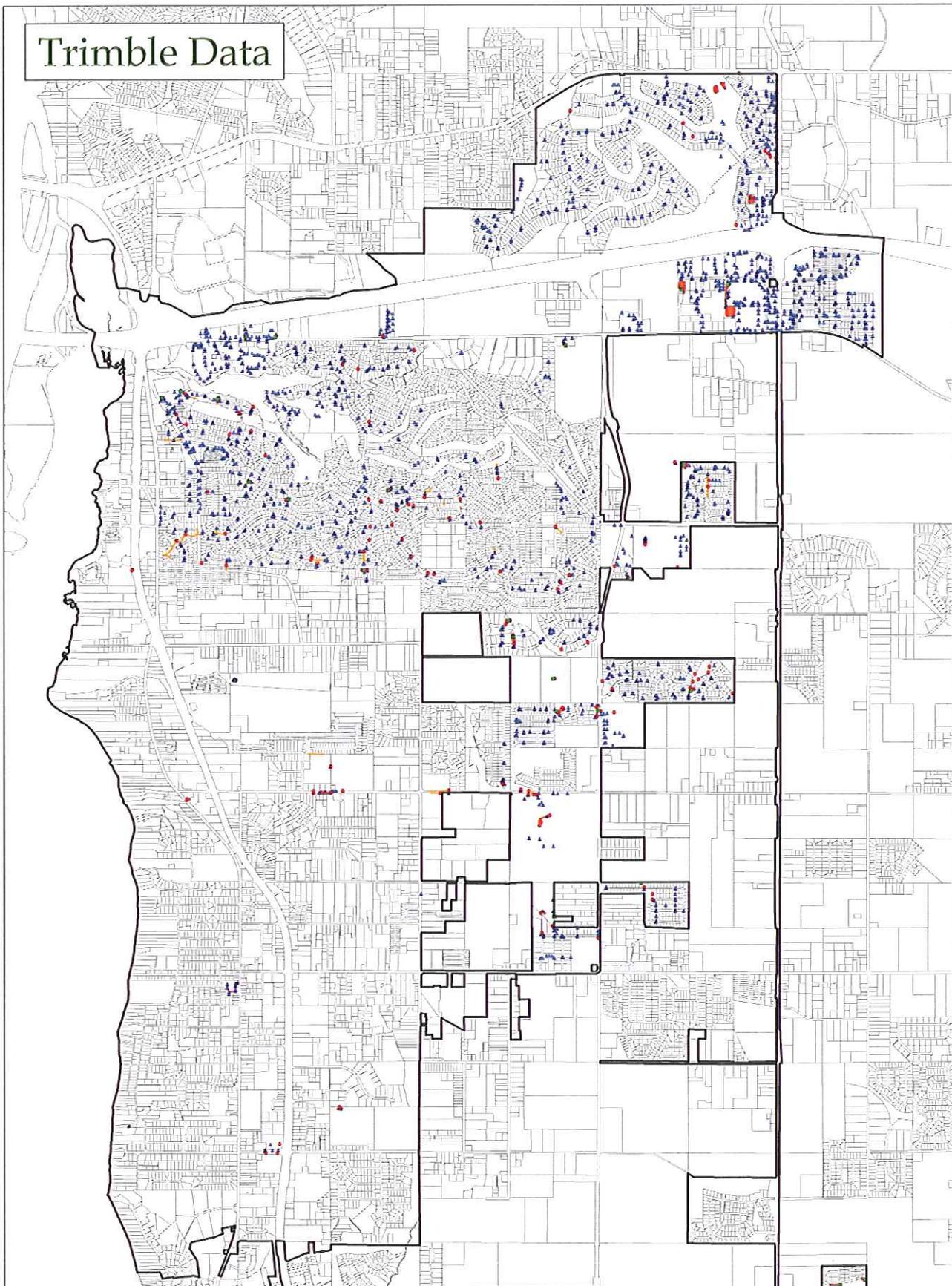
**3.3.1A**

**Stormwater Infrastructure**

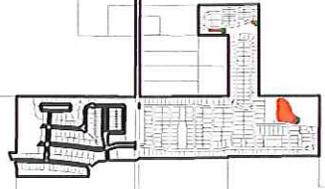
**Data Update**

Dapline

# Trimble Data



- Pipe
- Point\_ge
- CntStruc
- ▲ SWInlet
- VDitch
- Line\_gen
- PubSWF
- Area\_gen



**DRAFT**

# **MCM 3**

## **IDDE**

### **3.3.2**

#### **Review Commercial**

#### **IDDE and Update**



BAILEY YELDING, JR.  
MAYOR

DAVID L. COHEN, MMC  
CITY CLERK

KIMBERLY M. BRILEY  
FINANCE DIRECTOR/TREASURER

DAVID CARPENTER II  
CHIEF OF POLICE

JAMES "BO" WHITE  
FIRE CHIEF



COUNCIL MEMBERS  
TOMMIE CONAWAY  
DISTRICT 1

CATHY BARNETTE  
DISTRICT 2

JOHN L. LAKE  
DISTRICT 3

KELLY REESE  
DISTRICT 4

RON SCOTT  
DISTRICT 5

DEREK BOULWARE  
DISTRICT 6

AUGUST A. PALUMBO  
DISTRICT 7

February 12, 2014

To: Adrienne Jones

Re: Land Use Changes

Adrienne,

The attached proposed changes to the Land Use Ordinance are needed to update our reference to our ADEM MS4 permit, to address some inconsistencies within the Land Use and to add new definitions.

Thanks Ashley

Draft EPM Comments

**1. 10-7 WATER POLLUTION**

The following shall apply:

The City of Daphne's MS4 NPDES Phase II General Permit Number ALR 040039 00000002, shall be adopted as a reference to address storm water discharge within the city limits.

No development or operation shall discharge, cause to be discharged, liquid or solid waste into public waters unless it is in conformance with the provisions of the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Phase II Permit of the City of Daphne, the Alabama Department of Environmental Management (ADEM), the Alabama State Board of Health Statutes and any regulations promulgated there under.

- (a) The developer or operator shall be responsible for meeting established standards and upon request shall supply the City, County, State, Federal, and/or other permitting authority with the information necessary to determine compliance with these standards within ten (10) business days.
- (b) Plans and specifications for proposed sewerage, industrial waste treatment, and disposal facilities shall be submitted to and approval obtained from the Baldwin County Health Department, Daphne Utilities or the appropriate permitting agency.
  - (1) Discharge into the Daphne MS4 (Municipal Separate Storm Sewer System) shall be in compliance with authorized discharges of the National Pollutant Discharge Elimination System (NPDES) permit as provided in part I, Authorized Discharges.
  - (2) All state ADEM NPDES permitted discharges within the City limits of Daphne shall may be required to connect to the sanitary sewer for additional treatment to minimize the potential for pollutants entering the City of Daphne's MS4.
  - (3) No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water.
  - (4) The connection, use, maintenance or continued existence of illicit

connections to the storm drain system is prohibited. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection. A person, firm, corporation, entity or agent is considered to be in violation of the MS4 City's Land Use Ordinance if the person, firm, corporation, entity or agent connects a line conveying a pollutant to the MS4, or allows such a connection to continue.

- (5) The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as prescribed as follows:
- (a) Water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wetland flows, fire fighting activities, and any other water source not containing pollutants.
  - (b) Discharges specified in writing by the authorized enforcement agency as being necessary to protect public health and safety.
  - (c) Dye testing is an allowable discharge, but requires a verbal notification to the authorized enforcement agency prior to the time of testing.
- (6) Access to Facilities
- (a) The City of Daphne's authorized enforcement personnel shall be permitted to enter and inspect facilities subject to regulation under this ordinance as often as may be necessary to determine compliance with this ordinance. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the City.
  - (b) Facility operators shall allow the City of Daphne's authorized enforcement personnel ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge stormwater, and the performance of any additional duties as defined by state and federal law.
  - (c) The City of Daphne's authorized enforcement personnel shall have the right to set up on any permitted facility such devices as are

necessary in the opinion of the City to conduct monitoring and/or sampling of the facility's stormwater discharge.

To provide for the health, safety, and general welfare of the citizens of the City of Daphne, the City's Illicit Discharge Ordinance, as maybe amended form time to time, is hereby adopted as a reference for the regulation of non-stormwater discharges to the storm drainage system. This Ordinance establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the NPDES permit process. The objectives of the Illicit Discharge Ordinance are:

1. To regulate the introduction of pollutants to the MS4 by stormwater discharges by any user.
2. To prohibit illicit connections and discharges to the City's MS4.
3. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with the Ordinance.

## 2. XV Provisions for Site Plan Review

### 15-4 Special Provisions

(a) When a site plan involves the development of roads, drainage and multiple commercial and/or residential units, in regards to the life safety and welfare of the citizens of Daphne, all roads and drainage infrastructure shall be installed for emergency services prior to the issuance of the building permits for the individual units. Recommended by Fire Marshall and Building Official

### 3. 18-3 Drainage and Storm Water Management (A-9)

In a development or re-development site plan review, the Planning Commission may require water quality enhancement.....

**Change:** Development to "development and redevelopment" throughout the entire chapter 18 see below..... We need to do this because.....as a smaller, Phase II MS4 community we are covered by a ADEM MS4 Phase II General Permit. Six (6) Minimum Control Measures are required in our Phase II General Permits. One addresses post-construction stormwater management in new development and redevelopment, including developing, implementing, and enforcing a program to address discharges of stormwater runoff from new and redevelopment areas.

### 4. 18-3 Drainage and Storm Water Management (D-1)

For any onsite or offsite flowing or ephermal water body, a fifty foot wide vegetated non-disturbed buffer (replace: with non-disturbed vegetated buffer) zone shall be provided on both sides of the stream from bank. If the water body is offsite, permissions may need to be acquired from adjacent property owners to survey and delineate the areas... if a survey cannot be acquired, then the assumption will be made that the stream is at the property line.

5. **18-3 Drainage and Storm Water Management (D-2)**

For any onsite or off site wetland area, a thirty foot wide vegetated non-disturbed buffer (replace with non-disturbed vegetated buffer) zone (remove of) shall be provided around the wetlands. Permissions may need to be acquired from adjacent property owners to delineate the areas... if a survey cannot be acquired, then the assumption will be made that wetlands are at the property line.

6. **18-4 Stormwater Management Facility Design (A-1)**

NEW (X) All stormwater points of discharge shall be located at least 25ft from the property line unless a level spreader outfall device or a similar engineered practice is implemented.

7. **18-4 (B) Stormwater Drainage Detention/Retention Facilities (this will remove the inconsistency with our ordinance-see Richard's attached below)**

(1) General Requirements: **Current**

(i) **Developments which produce an increase in the amount of storm water runoff will be required to construct storm water detention ponds or other approved types of detention devices.**

(1) General Requirements: **Proposed**

(i) Developments and re-developments which produce an increase in the amount of storm water runoff will be required to construct storm water detention ponds or other approved types of detention devices. At this time, this section shall not apply to redevelopments with no change in stormwater runoff. In the future, if watershed studies determine that the treatment of stormwater within a specific segment of the watershed is crucial for watershed restoration then, the Planning Commission may require additional stormwater management measures to address these concerns.

8. **18-4 (B-2)**

**Remove xiv:** Wetland areas shall not be used for the purpose of stormwater detention.

9. **18-4 (B-4)**

**Remove xi:** If pond daylights to a channel with dry weather flow, care should be taken to minimize tree clearing....

10. **18-6 (C)**

**Add (3):** Discharges from construction activities that result in a total land disturbance of one acre or greater and sites less than one acre but are part of a common plan of development or sale are required to present coverage under ADEM's NPDES General Permit ALR 100000 prior to the City issuing the site a site disturbance permit and or a building permit.

11. **18-6 (F-4)**

**Addition:** Soil stockpiles are considered part of the site disturbance and therefore must be temporarily stabilized within thirteen days of clearing or inactivity in construction and

permanently stabilized prior to final inspection.

**12. 18-6(m-4-iv-f)**

Addition: Ad by to the last sentence...one year period by the owner.

**13. 18-7 (B)**

~~Remove:Common areas, such as detention basins~~ add All areas disturbed during construction shall be stabilized with permanent vegetation prior to final inspection. Seed and mulch will not be accepted.

**14. New definitions....**

**Authorized Enforcement Personnel** Environmental Programs Manager, Site Containment Inspector, and the Code Enforcement Officer or their designee from the City of Daphne designated to enforce this ordinance.

**Common Plan of Development** means any construction activity where individual lots under construction, cumulatively, disturb more than one acre at a time and are not covered under the original developers General Permit.

**LEVEL SPREADER:** A device for distributing stormwater uniformly over the ground surface as sheet flow to prevent concentrated, erosive flows and promote infiltration.

**Pre-Development:** A term that describes a site's pre-development conditions; meaning: either the state of the site before a particular project is built, or the pre-human development condition of the site. The user provides the percent area of the site covered by different possible land uses, e.g. lawn, trees, impervious, etc.

**Post-Development:** A term that describes a site's conditions after it is developed or re-developed; meaning: either the state of the site after a particular project is built (i.e. – completed). The user provides the percent area of the site covered by different proposed land uses, e.g. lawn, trees, impervious, etc.

**Re-development** - the act of improving by renewing and restoring; or To develop (something) again, or To restore (buildings or neighborhoods, for example) to a better condition: redeveloped the waterfront.

**Richard Johnson Comments Regarding Land Use Changes Regarding 18-4 #7**

Excerpts from the City of Daphne's Land Use and Development Ordinance:

**18-4.B. Stormwater Drainage Detention/Retention Facilities:**

(1) General Requirements:

i. Developments which produce an **increase** in the amount of stormwater runoff shall be required to construct stormwater detention /retention ponds or other approved types of detention devices.

*Commentary: If there is no increase, then the inverse must be true: no requirement for the construction of stormwater detention /retention ponds or other approved types of detention devices.*

## (2) Minimum Requirements for Stormwater Management Detention/Retention Facilities:

i. Differential runoff is the difference in rate and volume of stormwater runoff from a parcel or project in its **undeveloped natural condition** and its developed condition. **Post-development release rates shall not exceed pre-development rates**. Where practical, the differential runoff should be less.

*Commentary: General Requirements (conditions) in specifications are predecessor in nature; they hold supremacy over all other requirements. Thus, they are listed first. In this case note the paragraphs above. The first is a test – is there an increase in runoff: Yes or No? If yes proceed to the all other subsequent requirements. If no, no further action is required. Paragraph 2.i only applies if there is an increase as defined in Paragraph 1.i. it cannot be applied if Paragraph 1.i is not deemed in the affirmative.*

*I want to reiterate that Article 18-4 deals only with volumetric and rate controls of stormwater runoff, there is no treatment component in this section. Post-development stormwater management and treatment are two separate objectives, even though they may use shared infrastructure to accomplish the separate objectives. Stormwater Management deals with the protecting downstream property and features from the impacts of un-controlled (velocity and volume = rate) runoff, the accommodation of runoff created by the development, and the all other offsite flows impacting the site development, there is no consideration for the water quality of the effluent. Post-development treatment deals with the quality of the water being discharged. It may involve a treatment volume such as a “first flush” but is not regulated by pre and post development differential volumes.*

*Commentary Continued:*

*Definitions: the current Ordinance does not define the following terms (I have provided definitions found in many standard guidance documents):*

*Pre-Development: A term that describes a site’s pre-development conditions; meaning: either the state of the site before a particular project is built, or the pre-human development condition of the site. The user provides the percent area of the site covered by different possible land uses, e.g. lawn, trees, impervious, etc.*

*Post-Development: A term that describes a site’s conditions after it is developed or re-developed; meaning: either the state of the site after a particular project is built (i.e. –*

completed). The user provides the percent area of the site covered by different proposed land uses, e.g. lawn, trees, impervious, etc.

**Presettlement:** A term that describes the initial condition of a site before development occurs. Defining precisely what the appropriate initial condition was can be difficult. The term "predevelopment" is used routinely in other drainage guidance documents as a generic statement referring to the site condition before development or re-development. "Presettlement" is a specific reference to that time period before significant human change to the landscape. To simplify drainage design calculations, presettlement is further defined as either woods or meadow in good condition.

It appears many of our Commissioner's desire to interject the "presettlement" concept into the requirement for re-development sites. Unfortunately, it is not an option provided by the Ordinance. The test that stands today is: "Developments which produce an increase in the amount of stormwater runoff shall be required to construct stormwater detention /retention ponds..." The only way I can and will apply this test is: what is the runoff rate today (in situ) verses what the runoff rate will be post-development. If there is an increase, then all applicable regulations shall apply. If not, then there is no requirement for volumetric or rate control.

To address what protections are in place to require redevelopment sites with impaired drainage:

### **18-3 DRAINAGE AND STORMWATER MANAGEMENT**

#### **A. General Requirements:**

(6) No development shall be approved unless adequate drainage is provided to the natural drainage watercourse or an existing drainage facility.

ii. For all developments, downstream drainage areas shall be considered in designing drainage facilities. The design engineer shall review the effect of each development on existing downstream drainage facilities outside the area of the development. These drainage studies, together with such other studies as shall be appropriate, may serve as a guide to **needed improvements and shall be incorporated into the drainage report to be submitted with the development application.**

*Commentary: This gives the Commission broad discretion to require stormwater management in a redevelopment that has inadequate or impaired drainage. These facilities would be required under the "needed improvements" provision above.*

*Finally I missed something important last night. I made the statement that our Ordinance did not have the ability to require post-development treatment. That was not correct.*

### **18-3 DRAINAGE AND STORMWATER MANAGEMENT**

#### **A. General Requirements:**

(9) In a site plan review, the Planning Commission may require additional water quality enhancement through the use of stormwater treatment measures such may include, but shall not be limited to oil/gas/grease separators.

*Commentary: This is a broad and unconstrained regulation. It may be perceived as "arbitrary and capricious" if not applied consistently. When would the Commission apply it and when*

would they not. The MacDonald's site would be a perfect example when runoff treatment was more important than management. What about the Zaxby's, Auto Zone, Urgent Care... Am I to be the one that recommends, or community development, or as clearly stated in the Ordinance: the Planning Commission. This is indeed a potential slippery slope.

I hope this document clarifies how the Ordinance applies. All laws are subject to interpretation. I have done my level best to interpret and apply the Ordinance fairly and consistent.

Draft EPM Comments

**MCM 3**

**IDDE**

**3.3.3E**

**Adopt and Implement Stand  
Alone**

**IDDE**

**Ordinance**

ENVIRONMENTAL PROGRAMS

Daphne

**CITY OF DAPHNE**  
**1705 MAIN STREET, DAPHNE, ALABAMA**  
**MARCH 17, 2014**  
**6:30 P.M.**

**1. CALL TO ORDER**

**2. ROLL CALL / INVOCATION /** Pastor Bryant Evans / Eastern Shore Church of Christ

**3. APPROVE MINUTES:** Council meeting minutes / March 3, 2014  
Council Work Session minutes / March 10, 2014

**PRESENTATION:** Frieda Romanchuk / Master Gardner's Conference

**PUBLIC HEARING :** Amending the Land Use & Development Ordinance /  
Sign Provisions / Ordinance 2014-12

**4. REPORT STANDING COMMITTEES:**

**A. FINANCE COMMITTEE - Conaway**  
Review minutes / March 10<sup>th</sup>

**1. Ordinances:**

a.) Appropriation of Funds: Facility Repair / Ordinance 2014-13

**2. Motions:**

a.) Motion to transfer \$1,000 from Council's available training budget monies to fund a Volunteer Appreciation Day Breakfast and awards

**3. Financial Reports:**

- Treasurers Report / February 2014
- Sales & Use Tax Collections / January 2014
- Lodging Tax Collections / January 2014

**B. BUILDINGS & PROPERTY COMMITTEE - Davis**  
Review minutes / March 3<sup>rd</sup>

**C. PUBLIC SAFETY - Rudicell**

**D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Scott**

**E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY – LeJeune**

**5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:**

**A. Board of Zoning Adjustments – Adrienne Jones**  
Review minutes / February 6<sup>th</sup>

a.) Reappoint Frank Lamb / Term: April 2014 – March 2017

b.) Reappoint Billy Mayhand / Term: April 2014 – March 2017

**B. Downtown Redevelopment Authority – Conaway**

**C. Industrial Development Board – Davis**

**D. Library Board - Lake**

**E. Planning Commission – Scott**

Review minutes / January 23<sup>rd</sup>

Report on the February 27<sup>th</sup> meeting

F. Recreation Board - LeJeune

G. Utility Board - Fry

Review minutes / December 4<sup>th</sup>

6. REPORTS OF OFFICERS:

A. Mayors Report

B. City Attorney's Report

C. Department Head Comments

D. City Clerk Report

7. PUBLIC PARTICIPATION:

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) Participation in the Baldwin County Comprehensive Solid Waste Management Plan. .... /Resolution 2014-11

ORDINANCES:

2<sup>ND</sup> READ

- a.) Regulating Construction Best Management Practices for Residential Dwellings and Other Land Disturbance within the City of Daphne. .... /Ordinance 2014-08
- b.) Regulating Illicit Discharge to the City of Daphne's Municipal Storm Drain System. .... /Ordinance 2014-09
- c.) Amending the Land Use & Development Ordinance / Revisions to Zoning Map. .... /Ordinance 2014-10
- d.) Amending the Land Use & Development Ordinance / Sign Provisions. .... /Ordinance 2014-11

1<sup>ST</sup> READ

- a.) Amending the Land Use & Development Ordinance / Sign Provisions. .... /Ordinance 2014-12
- b.) Appropriation of Funds: Facility Repair. .... /Ordinance 2014-13

9. COUNCIL COMMENTS

10. ADJOURN

# CITY OF DAPHNE

## ORDINANCE 2014-09

### AN ORDINANCE FOR REGULATING ILLICIT DISCHARGES TO THE CITY OF DAPHNE'S MUNICIPAL STORM DRAIN SYSTEM

WHEREAS, the City Council of the City of Daphne, Alabama deems it to be in the best interest of public health, safety, and the general welfare of its citizens to establish regulations for illicit discharges to its municipal storm drain system; and

WHEREAS, this Ordinance for Regulating Illicit Discharges to the City of Daphne's Municipal Storm Drain System (this "Ordinance") establishes methods for controlling the introduction of pollutants into the City's municipal separate storm sewer system (the "MS4") in order to comply with requirements of the National Pollutant Discharge Elimination System (the "NPDES") MS4 Phase II permit process.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA AS FOLLOWS:

**SECTION I: TITLE ORDINANCE 2014-09 "ILLICIT DISCHARGE ORDINANCE"**

**SECTION II: JURISDICTION**

The provisions of this Ordinance shall apply to all lands within the corporate limits of the City of Daphne.

**SECTION III: PURPOSE**

The purpose of this Ordinance is to provide for the health, safety, and general welfare of the citizens of the City of Daphne through the regulation of non-stormwater discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This Ordinance establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the NPDES permit process. The objectives of this Ordinance are:

1. To regulate the introduction of pollutants to the MS4 by stormwater discharges by any user.
2. To prohibit illicit connections and discharges to the City's MS4.
3. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this Ordinance.

**SECTION IV: DEFINITIONS**

For the purposes of this Ordinance, the following words and phrases shall have the meaning respectively ascribed to them by this section unless taken specific exception to elsewhere in this Ordinance:

1. Authorized Enforcement Personnel: Environmental Programs Manager, Site Containment Inspector, and the Code Enforcement Officer or their designee from the City designated to enforce this Ordinance.

2. Best Management Practices (BMPs): Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.
3. Clean Water Act: The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.
4. City: The City of Daphne, Alabama.
5. Construction Activity: The disturbance of soils associated with clearing, grading, excavating, filling of land, or other similar activities which may result in soil erosion. Construction activity does not include agricultural and silvicultural (forestry) practices.
6. Hazardous Materials: Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.
7. Illegal Discharge: Any direct or indirect non-stormwater discharge to the storm drain system, except as exempted in Section VII, 1 (a-c) of this Ordinance.
8. Illicit Connections: Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, swimming pool discharge, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an City or, any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by an City.
9. Industrial Activity: Activities subject to NPDES Industrial Permits as defined in the Code of Federal Regulations, 40 CFR, Section 122.26 (b) (14).
10. National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit: A permit issued by the EPA (or by a State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.
11. Non-Stormwater Discharge:  
Any discharge to the storm drain system that is not composed entirely of stormwater.
12. Person: Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

13. Pollutant: Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; sediment, solid wastes and other residues that result from constructing a building or structure; and/or noxious or offensive matter of any kind.

14. Premises: Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

15. Storm Drainage System: Publicly-owned facilities by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

16. Stormwater: Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

17. Stormwater Pollution Prevention Plan or SWPPP: A document which describes the best management practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.

18. Wastewater: Any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

#### **SECTION V: APPLICABILITY**

This Ordinance shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly exempted by the City.

#### **SECTION VI: ULTIMATE RESPONSIBILITY**

The standards set forth herein and promulgated pursuant to this Ordinance are minimum standards; therefore this Ordinance does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

#### **SECTION VII: DISCHARGE PROHIBITIONS & EXEMPTIONS**

##### **1. Prohibition of Illegal Discharges.**

No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater. The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

a. The following discharges are exempt from discharge prohibitions established by this Ordinance: water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration in to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wetland flows, firefighting activities, and any other water source not containing pollutants.

b. Discharges specified in writing by the City as being necessary to protect public health and safety.

c. Dye testing is an allowable discharge, but requires a verbal notification to the City prior to the time of the test.

## 2. Prohibition of Illicit Connections.

The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited. A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.

## **SECTION VIII: SUSPENSION OF MS4 ACCESS**

### 1. Suspension due to Illicit Discharges in Emergency Situations.

The City may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the City may take such steps as deemed necessary to prevent or minimize damage to the MS4 or waters of the United States, or to minimize danger to persons.

### 2. Suspension due to the Detection of Illicit Discharge.

Any person discharging to the MS4 in violation of this Ordinance may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The City will notify a violator of the proposed termination of its MS4 access. A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the City.

## **SECTION IX: INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES**

Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the City prior to the allowing discharges to the MS4. If warranted, NPDES stormwater permitted sites, may be required to connect its non-stormwater discharges to the sanitary sewer for additional treatment to minimize the potential for pollutants entering the City's MS4.

**SECTION X: MONITORING OF DISCHARGES****1. Applicability**

This section applies to all facilities that have stormwater discharges associated with industrial activity, including construction activity.

**2. Access to Facilities**

a. The City's Authorized Enforcement Personnel shall be permitted to enter and inspect facilities subject to regulation under this Ordinance as often as may be necessary to determine compliance with this Ordinance. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the City.

b. Facility operators shall allow the City's Authorized Enforcement Personnel ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge stormwater, and the performance of any additional duties as defined by state and federal law.

c. The City's Authorized Enforcement Personnel shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the City to conduct monitoring and/or sampling of the facility's stormwater discharge.

d. The City's Authorized Enforcement Personnel has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.

e. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or verbal request of the City. The costs of clearing such access shall be borne by the operator.

f. Unreasonable delay in allowing the City's Authorized Enforcement Personnel access to a permitted facility is a violation of a stormwater discharge permit and of this Ordinance. A person who is the operator of a facility with a NPDES permit to discharge stormwater associated with industrial activity commits an offense if the person denies the City reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this Ordinance.

g. If the City's Authorized Enforcement Personnel has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this Ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this Ordinance or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community,

then the City may seek issuance of a search warrant from the court of competent jurisdiction.

**SECTION XI: REQUIREMENTS TO PREVENT, CONTROL, AND REDUCE  
STORMWATER POLLUTANTS BY THE USE OF BEST  
MANAGEMENT PRACTICES**

The City has requirements within the latest version of the *Construction Best Management Practices Ordinance* and *Article 18 of the Land Use and Development Ordinance* that identifies Best Management Practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of stormwater, the storm drain system, or waters of the U.S. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the municipal separate storm sewer system.

**SECTION XII: WATERCOURSE PROTECTION**

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

**SECTION XIII: NOTIFICATION OF SPILLS**

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into stormwater, the storm drain system, or water of the U.S. said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify one of the City's Authorized Enforcement Personnel in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the same City Authorized Enforcement Personnel within three business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained at the facility for at least three years.

**SECTION XIV: ENFORCEMENT**

Whenever the City finds that a person has violated a prohibition or failed to meet a requirement of this Ordinance, the City may mandate compliance by written notice of violation to the responsible person ("Notice of Violation"). Such Notice of Violation may require without limitation:

1. The performance of monitoring, analyses, and reporting;
2. The elimination of illicit connections or discharges;
3. That violating discharges, practices, or operations shall cease and desist;
4. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property; and
5. Payment of a fine to cover administrative and remediation costs; and
6. The implementation of source control or treatment BMPs.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work must be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

This Ordinance is also subject to enforcement by the issuance of a Municipal Offense Ticket or summons and complaint pursuant to the ordinance titled "Establish Penalties and Enforcement Procedures for Violation of Municipal Ordinances." Each day of documented non-compliance constitutes a separate violation of this Ordinance.

If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, then representatives of the City shall enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

**SECTION XV: COST OF ABATEMENT OF THE VIOLATION**

Within ten (10) days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. If the amount due is not paid within a timely manner as determined by the decision of the municipal authority the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. Any person violating any of the provisions of this article shall become liable to the city by reason of such violation. The liability shall be paid in not more than twelve (12) equal payments. Interest at the rate of percent per annum shall be assessed on the balance beginning on the first (1<sup>st</sup>) day following discovery of the violation.

**SECTION XVI: INJUNCTIVE RELIEF**

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Ordinance. If a person has violated or continues to violate the provisions of this Ordinance, the City may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

**SECTION XVII: ALTERNATE COMPENSATORY ACTION IN LIEU OF ENFORCEMENT**

In lieu of enforcement proceedings, penalties, and remedies authorized by this Ordinance, the City may impose upon a violator alternative compensatory action, such as storm drain stenciling, attending compliance workshops, creek cleanup, etc.

**SECTION XVIII: VIOLATIONS DEEMED A PUBLIC NUISANCE**

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Ordinance is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

**SECTION XIX: CRIMINAL PROSECUTION**

Any person that has violated or continues to violate this Ordinance shall be liable to criminal prosecution to the fullest extent of the law, and be punished by a fine of not less than fifty dollars (\$50.00), but not more than five hundred dollars (\$500.00), or imprisonment not to exceed one-hundred and eighty days (180), or both.

The City may recover all attorneys' fees court costs and other expenses associated with enforcement of this Ordinance, including sampling and monitoring expenses.

**SECTION XX: MINIMUM PENALTIES**

1. Penalty for Violation-Fines

The following schedule of fines is hereby established by the City pursuant to this Ordinance and the laws of the State of Alabama. In addition to the fines so established, the Defendant shall pay, in addition to such fine amount, any court costs which are in effect at the time of such violation occurs. If the Defendant elects to plead guilty before a magistrate to a violation of any of the municipal offenses contained herein for which there is a fine set forth in this section, the fine plus applicable court cost shall apply. In lieu of appearing before a magistrate, the Defendant may sign a guilty plea and waiver of trial provision on the municipal offense citation, and deliver the amount of the fine plus applicable court costs to the Clerk of the Municipal Court or mail such amount to the Clerk of the Municipal Court for the City of Daphne at 1502 Highway 98, Daphne, Alabama 36526.

2. Schedule of Fines

Any person found guilty of the provisions of this Ordinance as referenced herein, the minimum fines shall apply as follows:

- |                           |   |
|---------------------------|---|
| a. First Offense          | \$ 50.00 plus Court Cost                |
| b. All Subsequent Offense | Court Appearance with Fine & Court Cost |

**SECTION XXI: REMEDIES NOT EXCLUSIVE**

The remedies listed in this Ordinance are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the City to seek cumulative remedies.

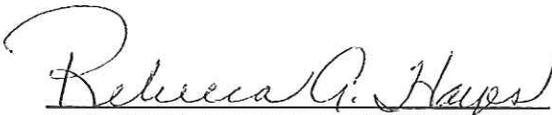
**SECTION XXII: SEVERABILITY**

The provisions of this Ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Ordinance. All ordinances or parts of ordinances, in any manner conflicting herewith are hereby repealed.

**SECTION XXIII: EFFECTIVE DATE**

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,  
ALABAMA, THIS 17<sup>TH</sup> DAY OF MARCH, 2014.**

  
\_\_\_\_\_  
DANE HAYGOOD, MAYOR**ATTEST:**  
\_\_\_\_\_  
REBECCA A. HAYES, CITY CLERK

# **MCM 3**

## **IDDE**

### **3.3.4A**

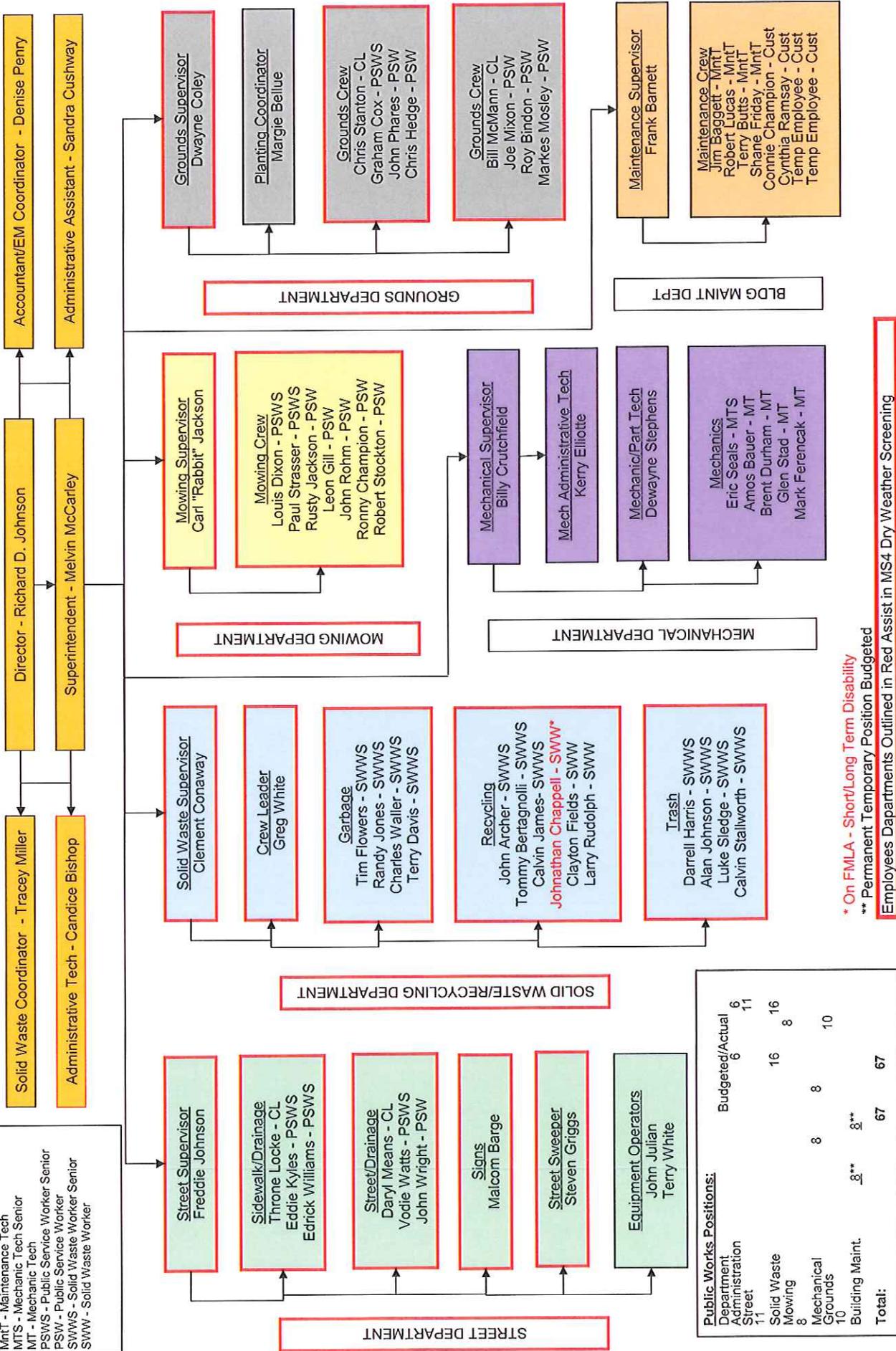
**Designate Responsible  
Personnel for Field  
Assessments and Site  
Inspections**

# DAPHNE PUBLIC WORKS DRY WEATHER SCREENING STAFFING CHART

DATE:  
March 27, 2014

**LEGEND:**

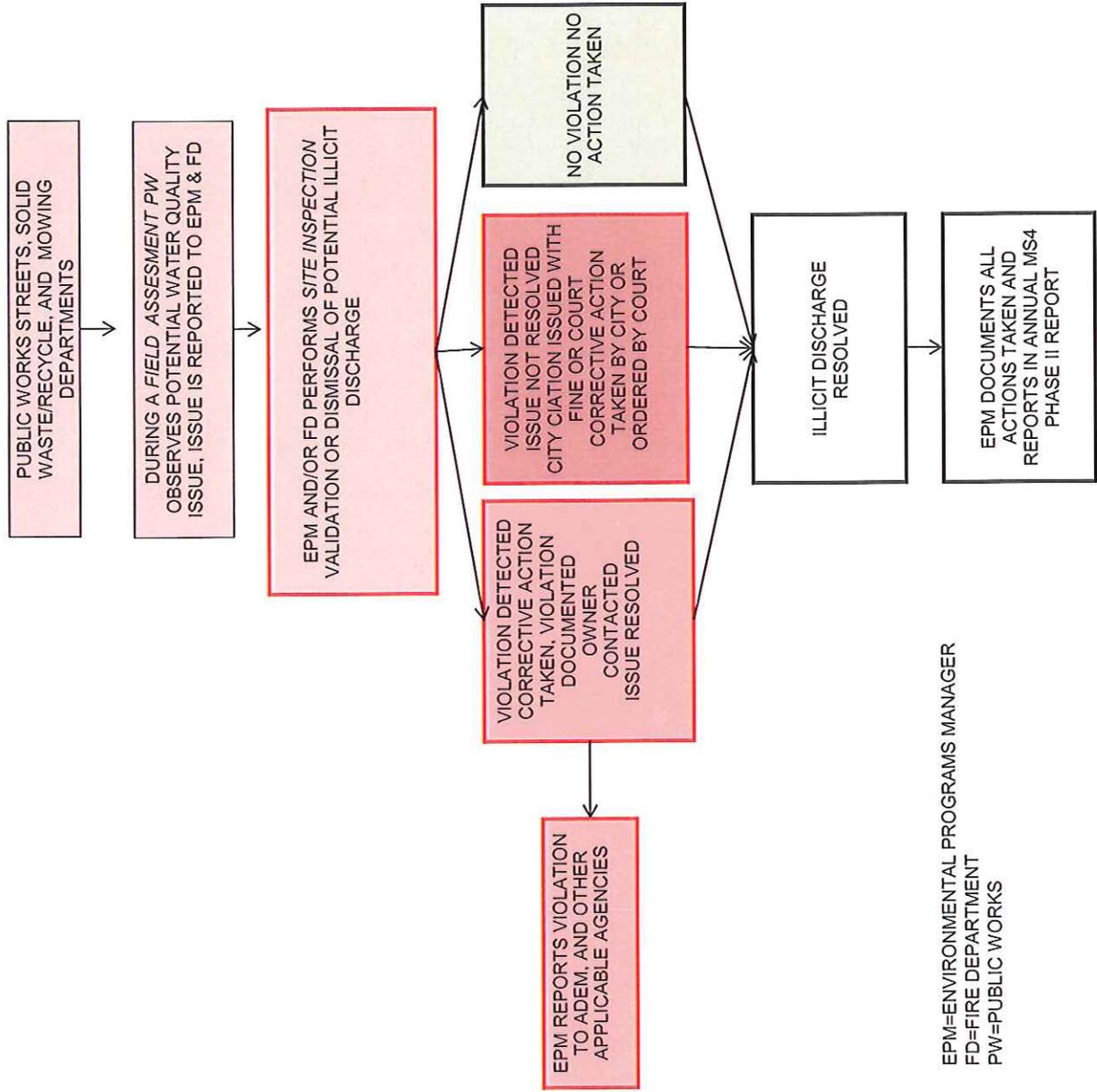
- CL - Crew Leader
- Cust - Custodian
- MntT - Maintenance Tech
- MTS - Mechanic Tech Senior
- MT - Mechanic Tech
- PSWS - Public Service Worker Senior
- PSW - Public Service Worker
- SWWS - Solid Waste Worker Senior
- SWW - Solid Waste Worker



Public Works Positions:	
Department	Budgeted/Actual
Street	6/11
Solid Waste	16/8
Mowing	16/10
Mechanical	8/8
Grounds	8/8
Building Maint.	8/8
<b>Total:</b>	<b>67/67</b>

\* On FMLA - Short/Long Term Disability  
 \*\* Permanent Temporary Position Budgeted  
 Employees Departments Outlined in Red Assist in MS4 Dry Weather Screening

**PUBLIC WORKS  
DRY WEATHER SCREEING FLOW CHART**



EPM=ENVIRONMENTAL PROGRAMS MANAGER  
FD=FIRE DEPARTMENT  
PW=PUBLIC WORKS



# **MCM 3**

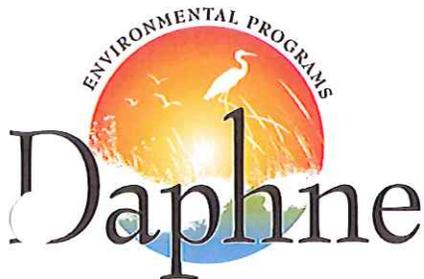
## **IDDE**

### **3.3.4B**

# **SOP for Inspection, Enforcement, and Reporting of IDDE**

ENVIRONMENTAL PROGRAMS

Daphne



**PUBLIC WORKS**  
**DRY WEATHER OUTFALL SCREENING**  
**STANDARD OPERATING PROCEDURE (SOP)**



## **Background and Introduction**

Dry weather screening of stormwater infra-structure is a key element to proper Illicit Discharge Detection and Elimination . Dry weather screening is a requirement of the City's NPDES stormwater permit. The City uses its Public Work's Crews: Street, Solid Waste/Recycling, Mowing, and Grounds Departments (see attachment) to perform general field assessments of City right of ways and stormwater infrastructure during routine job duties.

## **General Concepts**

City public works crews are continuously observing City right of way and stormwater infrastructure. The use of these crews to determine illicit discharges during dry weather is a cost effective and efficient approach to Illicit Discharge and Detection and Elimination. Each employee vehicle will have a Illicit Discharge Reporting Glove Box Guide with local, state, and federal contacts and phone numbers.

## **Field Assessments**

If a potential illicit discharge is detected during a field assessment, the employee will notify his or her supervisor who in turn notifies the City's Environmental Programs Manager and Fire Department.

## **Reporting**

Once the EPM and/or the Fire Department receives the notification of a potential illicit discharge, the EPM will ensure proper notification of other City Departments and environmental agencies

## **Site Inspection**

EPM performs a Site Inspection to validate or dismiss the potential illicit discharge.

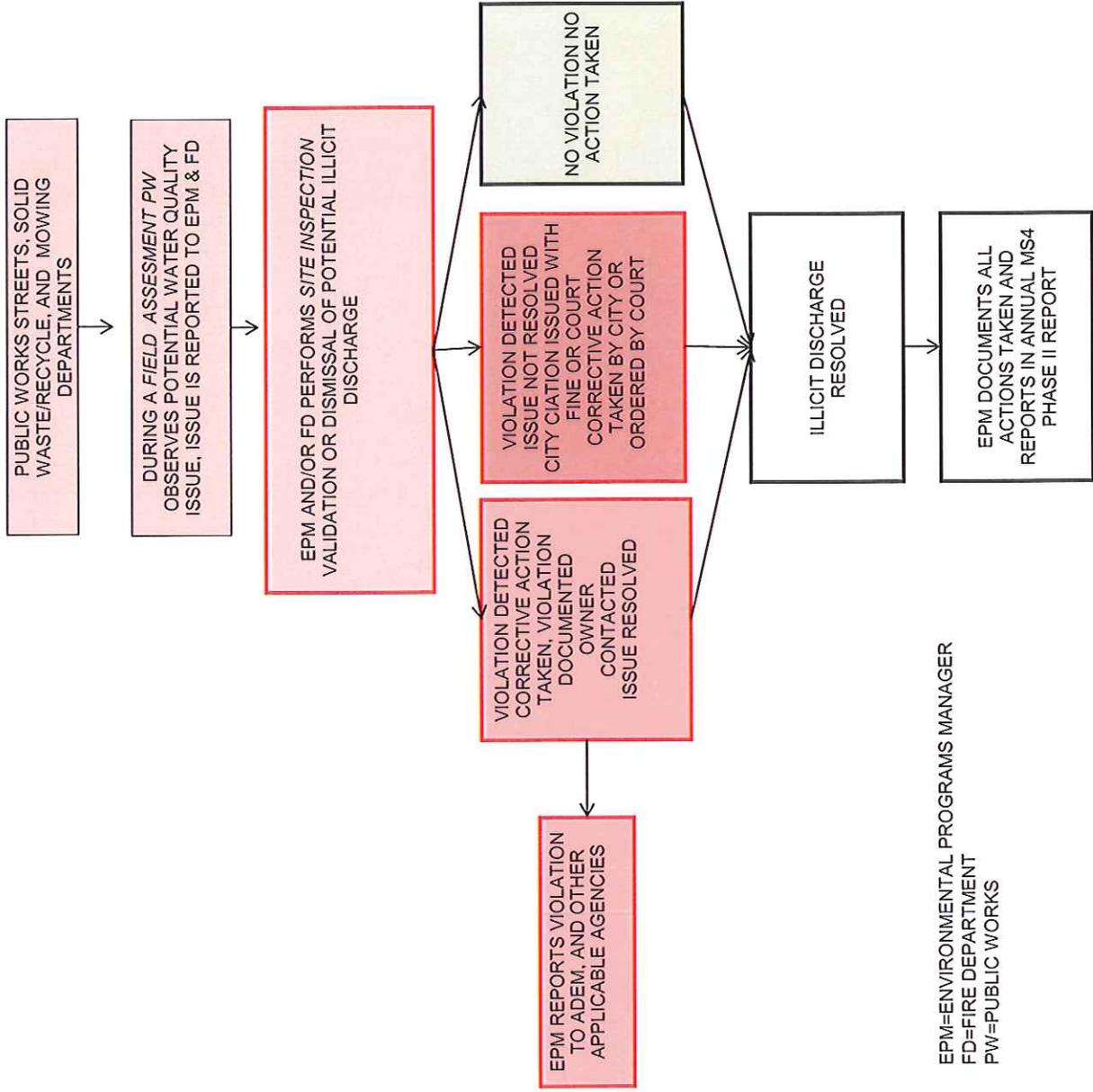
## **Enforcement & Follow-up**

If the report is validated, then EPM will contact the responsible party and take all necessary steps needed to stop the illicit discharge which may include any and all actions documented in the City's Illicit Discharge Ordinance.

## **Documentation**

All observations and actions will be documented in a report which will be tracked in the EPM's database and reported to ADEM in the City's Annual MS4 Phase II Report.

**PUBLIC WORKS  
DRY WEATHER SCREEING FLOW CHART**



EPM=ENVIRONMENTAL PROGRAMS MANAGER  
 FD=FIRE DEPARTMENT  
 PW=PUBLIC WORKS

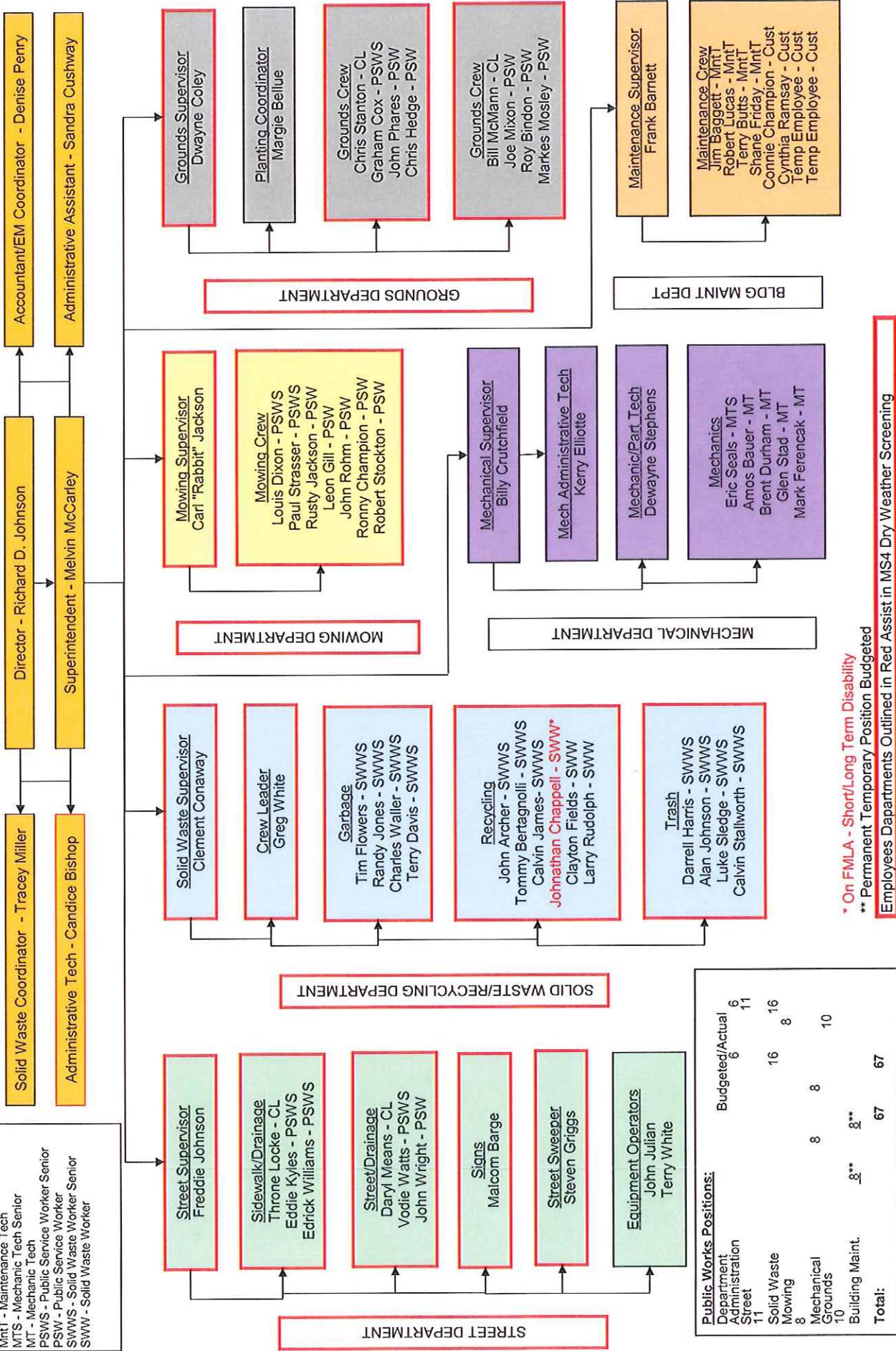


*The Jubilee City*

# DAPHNE PUBLIC WORKS DRY WEATHER SCREENING STAFFING CHART

DATE:  
March 27, 2014

- LEGEND:**  
 CL - Crew Leader  
 Cust - Custodian  
 MntT - Maintenance Tech  
 MTS - Mechanic Tech Senior  
 MT - Mechanic Tech  
 PSWS - Public Service Worker Senior  
 PSW - Public Service Worker  
 SWWS - Solid Waste Worker Senior  
 SWW - Solid Waste Worker



Public Works Positions:		Budgeted/Actual
Department Administration		6
Street		11
Solid Waste		16
Mowing		8
Mechanical		10
Building Maint.		8**
<b>Total:</b>		<b>67</b>

\* On FMLA - Short/Long Term Disability  
 \*\* Permanent Temporary Position Budgeted  
 Employees Departments Outlined in Red Assist in MS4 Dry Weather Screening

Who to call: If you see issues with sewage, trash, oil/gas, large floating objects or other items that concern you, this list should help. Keep the following contact details and organizations names handy.

Issue Seen	Federal	State	Local (Call First)
Hazardous Spills and other chemical spills that enter any waterway	National Response Center (NRC) 1 (800) 424-8802 Coast Guard (251) 441-6215	ADEM (251) 450-3400	City of Daphne Environmental Programs (EP) (251) 234-7122 (Phone or text) Fire Department 911
Navigable Waterways Impacts	National Response Center (NRC) 1 (800) 424-8802 Coast Guard (251)441-6215	ADEM (251) 450-3400	City of Daphne, EP (251) 234-7122 (Phone or text)
Pollutants entering stream, Dirt, Oil, Fuel, Chemical Drums/containers, trash	EPA 1 (800) 241-1754	ADEM (251) 450-3400	City of Daphne, EP (251) 234-7122 (Phone or text) or Fire Marshal (251) 621-2815
Sewage	EPA 1 (800)241-1754	ADEM (251) 450-3400	Daphne Utilities(251) 626-2628 or Daphne EP (251) 234-7122
Wetland Impacts	USCOE (251) 690-2505	NA	City of Daphne, EP (251) 234-7122



# Daphne

Today, we can make a real difference in preventing impacts to our streams by joining together to stop pollutants from entering them. Keep this *Glove Box Guide* handy and be part of the solution at work!

## At Work

- **Make sure our workplaces have adequate trash and recycling facilities.**
- **Keep our construction areas clean and free of litter.**
- **Dispose of all workplace chemicals properly.**
- **Prevent sediment from our building sites from flowing into our streams.**
- **Follow all directions when using herbicides and fertilizers.**

**MCM 3**

**IDDE**

**3.3.5A**

**Hazardous Materials Response  
Program Department  
Meetings**

## **City of Daphne MS4**

### **IDDE/Hazardous Spill Fire Department Meeting**

#### **Agenda and Minutes**

**February 18, 2014**

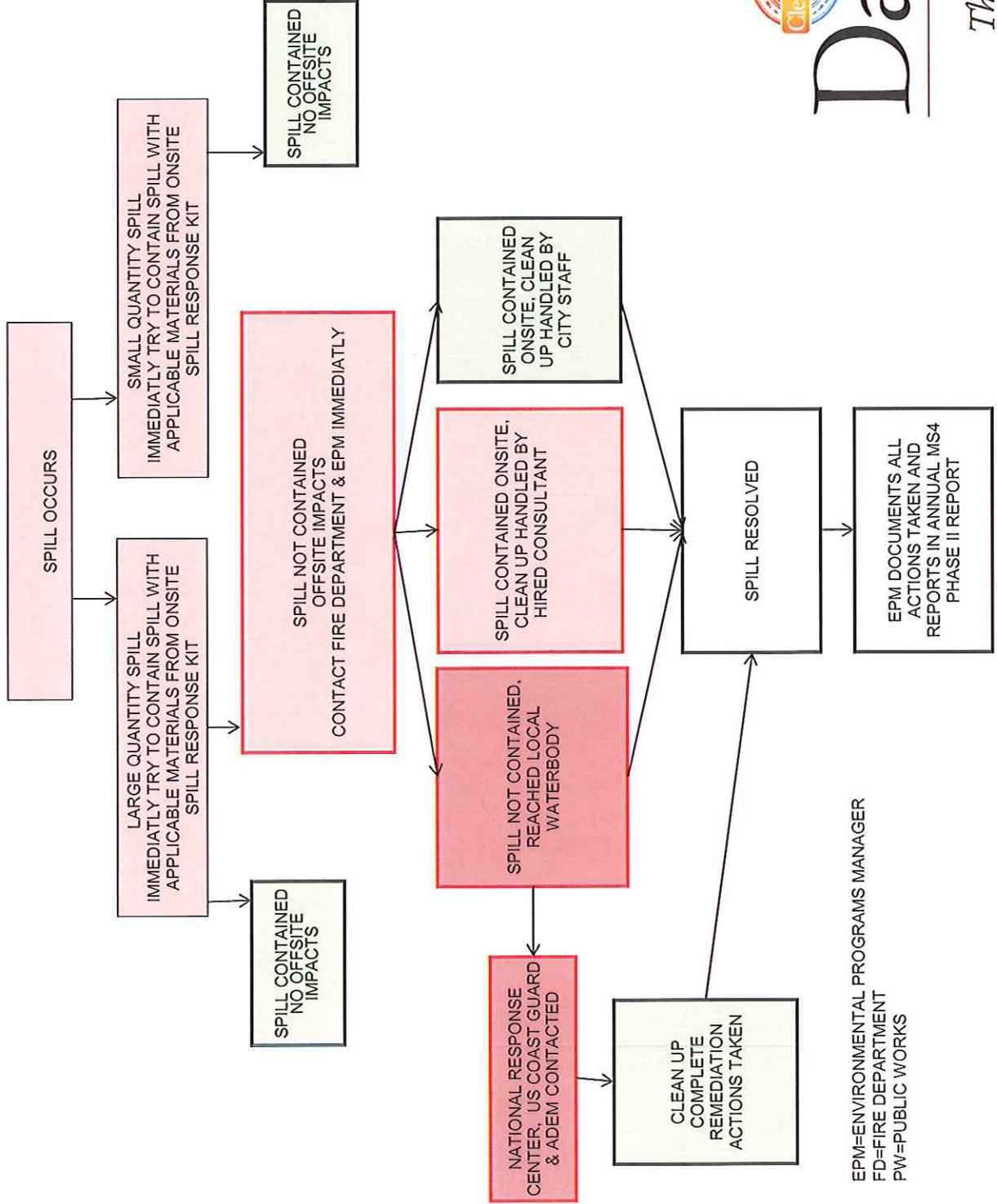
**1:00PM**

*Attendees: Ashley Campbell & Chip Martin*

#### *Topics to Discuss for IDDE*

- *EPM is reviewing all the City's Fire Department Standard Operating Procedures (SOPs) concerning spills and update as necessary.*
- *SOP was given to Chip to review for In-house Hazmat spill response.*
- *Other ideas were discussed in regards to tracking and data management.*

**CITY OF DAPHNE FACILITIES  
HAZ-MAT SPILL RESPONSE SOP**



EPM=ENVIRONMENTAL PROGRAMS MANAGER  
FD= FIRE DEPARTMENT  
PW=PUBLIC WORKS

**MCM 3**

**IDDE**

**3.3.5B**

**Hazardous Materials Response**

**Web Page Update**

Diplôme

Finance / Revenue / Bids  
Building Departments  
Forms



Emergency Alerts  
.....  
Notification Sign Up  
.....  
City Departments  
.....  
Daphne Events  
.....  
Forms & Applications  
.....  
Daphne Police Department  
.....  
Fire Dept. Public Education  
.....  
Daphne Animal Shelter  
.....

[? About](#) [Programs](#) [Contact](#) [Resources](#)

Thank you for visiting the City of Daphne Environmental Management page! To learn more about our efforts or to contact us, please use the menu above.

[Home](#) | [Stormwater Runoff](#) | [Watersheds](#) | [Stormwater Management](#)

**Stormwater Runoff**

**Stormwater runoff** is generated when water from rain or other precipitation flows over land or impervious surfaces (such as paved streets, parking lots, and building rooftops) and does not seep into the ground. As this runoff flows, it accumulates debris, chemicals, sediment and other pollutants that could harm water quality if it is discharged untreated into our local water bodies.

[back to top](#)

**Watersheds**

Information coming soon!

[back to top](#)

**Stormwater Management (MS4)**

Under the 1987 Clean Water Act Amendments, the U.S. EPA developed new stormwater regulations to address storm water that might impact water quality. These new regulations were set up in a two Phase National Polluted Discharge Elimination System (NPDES) permitting approach based upon population and are enforced by the U.S. EPA, delegated to most States. The expression Municipal Separate Storm Sewer System (MS4) was given to the permittees. The regulatory definition of an MS4 (40 CFR 122.26(b)(8)) 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): (i) Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created to or pursuant to state law) 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 Clean Water Act that discharges into waters of the United States. (ii) Designed or used for collecting or conveying stormwater, (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2." In practical terms, operators of MS4s can include municipalities, counties, state and federal departments of transportation, and public universities.

Phase I, issued in 1990, dealt with MS4s serving an urban population greater than 100,000 people and in Alabama. There are approximately 750 Phase I MS4s in the United States (US).

Phase II, issued in 1999, requires regulated small MS4s in urbanized areas, as well as small MS4s outside the urbanized areas that are designated by the permitting authority, to obtain NPDES permit coverage for their stormwater discharges. The City of Daphne fell into this phase of permitting. There are approximately 6,700 Phase II MS4s in the US.

In Alabama, the Alabama Department of Environmental Management (ADEM) enforces the NPDES MS4 permitting program. In 2012, the City of Daphne was designated by ADEM as an owner/operator of a Phase II MS4. The City received its initial MS4 Phase II Stormwater NPDES permit ALR040039 ([Link to permit](#)) on December 21, 2011. The current permit coverage will expire on January 31, 2016.

The intent of the Phase II regulations is to reduce the adverse impacts to water quality and aquatic habitat by the development of a stormwater management program, instituting the use of controls and measurable goals for the following six stormwater related *"Minimum Control Measures (MCM)"*

- **Public Education and Outreach MCM** – The Public Education and Outreach (MCM 1) requires the City to implement and evaluate a public education and outreach program that distributes educational materials to the community or conducts equivalent outreach activities about the impacts polluted discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff to the maximum extent practical.
- **Public Participation / Involvement** – The Public Participation / Involvement (MCM 2) requires the City to develop, implement and evaluate a public participation program centered on the City's Stormwater Management Program and its annual report. Ongoing activities for public involvement may include advisory councils, watershed associations, committees, stewardship programs and other environmental related activities.
- **Illicit Discharge Detection and Elimination (IDDE)** – The Illicit Discharge Detection and Elimination (MCM 3) requires the City to develop, implement, enforce, and evaluate a program to detect and eliminate illicit discharges and improper disposal, including spills not under the purview of another responding authority, into the City's regulated MS4 area, to the maximum extent practicable.
- **Construction Site Runoff Control** – The Construction Site Stormwater Runoff Control (MCM 4) requires the development, implementation, and enforcement of a program to reduce, to the maximum extent practicable, pollutants in any stormwater runoff to the MS4 from construction activities that result in a total land disturbance of greater than or equal to one (1) acre and activities that disturb less than one (1) acre but are part of a larger common plan of development or sale that would disturb one (1) acre or more.
- **Post-Construction Stormwater Management** – The Post-Construction Stormwater Management (MCM 5) goal is to minimize water quality impacts from new development and re-development sites by ensuring the implementation of proper Best Management Practices and their long term maintenance.
- **Pollution Prevention / Good Housekeeping** – The Pollution Prevention / Good Housekeeping for Municipal Operations (MCM 6) requires the City to develop and implement a program for pollution prevention and good housekeeping for its municipal operations. It also requires the development and implementation of an employee training program designed to prevent and reduce stormwater pollutants, to the maximum extent practicable, in areas such as parks maintenance, fleet and building maintenance, new construction and land disturbances, stormwater system maintenance, and all other applicable municipal operations.

[back to top](#)

[Home](#) | [Workshops](#) | [Watershed/Stream Restoration](#) | [Teacher's Corner](#)

#### Workshops

Information coming soon!



- Animal Shelter
- Parks & Recreation
- Schools & Churches
- Medical Facilities
- Utilities
- Community Development
- Senior Opportunities
- Library
- Public Works
- Human Resources
- Fire Department
- Police Department
- IT Department

- All About Daphne
- Tourism
- Bayfront Pavilion
- Civic Center

- Events Calendar
- News
- Notification Sign Up
- Photo Gallery
- Jubilee Breeze Magazine

- Finance / Revenue / Bids
- Building Departments
- Forms

- Emergency Alerts
- Preparedness
- Useful Phone Numbers
- Shelter Information
- Related Links
- Employee Notifications

- Mayor
- City Council
- Council Agenda
- Council Packet
- Ordinances
- City Clerk
- Committees
- Court



Daphne City Hall  
 P.O. Box 400  
 Daphne, Alabama 36526  
 251.621.9000



[back to top](#)

**Watershed/Stream Restoration**

Information coming soon!

[back to top](#)

**Teacher's Corner**

Information coming soon!

[back to top](#)

[Home](#) | [Report Illegal Discharge](#) | [Press](#) | [Contact Information](#)

**Report Illegal Discharge**

If you believe that pollutants are being discharged into Daphne creeks, or the city's storm sewer system, please contact us using one of the following methods:

- Call our office at (251) 621-3080, or
- Fill out the [Reporting Illicit Discharge Form](#). Please submit the form by:
  - Email: [acampbell@daphneal.com](mailto:acampbell@daphneal.com)
  - Mail: P.O. Box 400, Daphne, AL 36526

Please ensure the following information is provided in your e-mail or voice mail:

- Name
- Address
- Phone
- Location or Address of Problem
- Type of Problem
- Date of occurrence
- Name of company and/or description of individuals involved

**IF YOU ARE REPORTING AN EMERGENCY SITUATION THAT COULD RESULT IN IMMINENT AND SUBSTANTIAL DANGER TO THE HEALTH AND SAFETY OF PERSONS, PLEASE DISREGARD THE FORM AND CALL 911.**

The City of Daphne provides this service to allow concerned citizens to file e-mail or telephone/voice mail reports regarding the discharge of pollutants to rivers, creeks, and the storm sewer system within the city limits of Daphne. A tracking number will be assigned to each complaint received and an investigation initiated. The results of the investigation and any actions taken shall be documented and submitted to ADEM in the City's annual storm water program report.

Note: Anonymous complaints received by e-mail or telephone, or complaints with unverifiable contact information cannot be investigated. It is the policy of the City of Daphne to keep contact information confidential.

**False Complaints**

Please remember that reporting violations of environmental laws is a serious matter, and could result in criminal and/or civil sanctions being assessed against the person or company being reported. Knowingly or intentionally making a false complaint is a violation of Alabama Law.

[back to top](#)

**Press**

Click [here](#) to sign up to receive Daphne Environmental Management updates and alerts!

News Articles

- [Algae Systems](#): working with Daphne Utilities to produce fuel from sewage

[back to top](#)

Contact the Environmental Programs Manager

Information coming soon!

[back to top](#)

[Home](#) | [Brochures](#) | [Links](#) | [Documents](#)

**Brochures**

Information coming soon!

[back to top](#)

**Links**

- [Clean Water Future.com](#) : A public service campaign to help Alabamians learn more about stormwater runoff and its impacts; increase demand for stormwater management programs; and provide tools that empower Alabama residents to reduce polluted runoff in our waterways.

[back to top](#)

**Documents**

- [2013 City of Daphne Stormwater Management Programs Plan](#)
- [City of Daphne MS4 Permit](#)

MS4 Phase II Annual Reports:

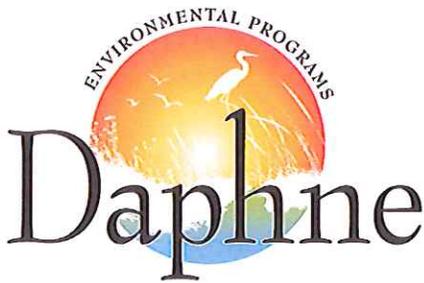
- [2013 Annual Report \(coming soon\)](#)
- [2012 Annual Report](#)
  - [Compliance Graph](#)
  - [MCM 1 Compliance](#)
  - [MCM 2 Compliance](#)
  - [MCM 3 Compliance](#)
  - [MCM 4 Compliance](#)
  - [MCM 5 Compliance](#)
  - [MCM 6 Compliance](#)
- [2011 Annual Report](#)

More coming soon!

[back to top](#)



Created by  
SPACSYNC



City of Daphne  
Illicit Discharge Notification  
Form



**Form Completed By:**

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_  
Address: \_\_\_\_\_ + \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Phone No. : \_\_\_\_\_ Email: \_\_\_\_\_

**Incident Discharge and Description Information:**

Date Discharge Discovered: \_\_\_\_\_ Time Discharge Discovered: \_\_\_\_\_  
Potential Source of Discharge: \_\_\_\_\_  
Street Location: \_\_\_\_\_  
Nearest Water body (if known): \_\_\_\_\_  
Nature of Discharge  Spill  Intermediate  Continuous  
Odor:  None  Sewage  Rancid/Sour  Sulphur (rotten egg)  Gas  
Appearance:  Clear  Sheen  Cloudy  Gray  Other  
Solids/Floatables:  None  Fish Kill  Sewage  Tissue  Unknown

**Other Information/Comments:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Submit this form via email to [epm@daphneal.com](mailto:epm@daphneal.com), via fax at (251)621-3719 or deliver to  
Environmental Programs, City Hall, 1705 Main Street, Daphne AL 36526 .

If you have any questions, please call (251) 621-3080.

If this is an emergency or if you feel that the substance being discharge may be a hazardous or toxic  
substance, please contact the City of Daphne's Police or Fire Department at (251)-621-9100.

**MCM 3**

**IDDE**

**3.3.5C**

**Hazardous Materials Spill**

**Responses**

Dapline

## MCM 3 IDDE

## 3.3.5C Fire Department Hazardous Material Responses

Qty	Date	Material	Spill Location	Status
1	1/5/2014	Gasoline	Main Street/Village Point Park	Resolved
2	11/2/2013	Gasoline	28685 North Main Street	Resolved
	10/1/2013	Gasoline	29279 US Hwy 98	Resolved
	8/25/2013	Gasoline	27521 Us Hwy 98/Murphy Gas Station	Resolved
	7/15/2013	Gasoline	27521 Walmart	Resolved
	6/8/2013	Gasoline	I-10 Mile Maker 39	Resolved
	5/18/2013	Gasoline	29626 State Hwy 181	Resolved
	4/6/2013	Gasoline	29234 US Hwy 98	Resolved
	3/7/2014	Gas Leak	Main Street/Threadgill Way	Resolved
	1/25/2014	Gas Leak	9597 Sherwood Ct	Resolved
	1/13/2014	Gas Leak	28164 4th Ave East	Resolved
	1/3/2014	Gas Leak	Whispering Pines Road & CR 13	Resolved
	11/10/2013	Gas Leak	10026 Cumbria Drive	Resolved
	11/6/2013	Gas Leak	1105 Whispering Pines Road	Resolved
	9/2/2013	Gas Leak	27695 State Hwy 181	Resolved
	8/24/2013	Gas Leak	890 Randal Ave	Resolved
	8/22/2013	Gas Leak	890 Randal Ave	Resolved
	6/29/2013	Gas Leak	1409 Pollard Road	Resolved
	4/18/2013	Gas Leak	27537 Stratford Glenn	Resolved
	2/13/2014	Oil Spill	28960 Hwy 98	Resolved
	12/29/2013	Oil Spill	US Hwy 98/US Hwy 90	Resolved
	4/19/2013	Chemical Hazard	133 Lake Front Drive	Resolved
	10/29/2013	Chemical Spill	6902 Hwy 90	Resolved

**MCM 3**

**IDDE**

**3.3.6B**

**IDDE New Employee**

**Training**

**Daphne**



MCM 6 PP/c Housekeeping  
 3.6.3C New Employee MS4 Training

Employee First Name	Employee Last Name	City Department	Rain Check-New Employee	Grate Concern-IDDE	Ground Cover-Construction	Invasive Species Training
Kristen	Andrews	Police	2/5/2014			
Henry	Banks	Public Works	2/5/2014			
Lance	Bradley	Corrections	2/5/2014			
Joshua	Brewer	Fire	2/5/2014			
Pauls	Brooks	Recreation	2/5/2014			
Amanda	Burgett	Library	2/5/2014			
Leandra	Burks	Court	2/5/2014			
Rayford	Burton	Public Works	2/5/2014			
Brett	Camilleri	Fire	2/5/2014			
Lawrence	Chandler	Police	2/5/2014			
Onisaa	Cornell	Fire	2/5/2014			
Lauretta	Ferrill	Library	2/5/2014			
Cody	Haag	Police	2/5/2014			
Eric	Helms	Police	2/5/2014			
Sarah	Hill	Community Development	2/5/2014			
Michael	Hinson	Finance	2/5/2014			
Ronald	Jemison	Solid Waste	2/5/2014			
Jason	Kalange	Fire	2/5/2014			
Charles	Lett	Public Works	2/5/2014			2/5/2014
Ashley	Mancill	Library	2/5/2014			
Christina	Morris	Library	2/5/2014			
Kenneth	Nichols	Public Works	2/5/2014			
Randy	Penycuff	Public Works	2/5/2014			
Johnathan	Penry	Recreation	2/5/2014			
Angela	Phillips	Revenue	2/5/2014			
Caleb	Reeves	Police	2/5/2014			
Carolyn	Sledge	Dispatch	2/5/2014			
Charles Robbie	Speegle	Corrections	2/5/2014			
Sarah	Toulson	Legislative	2/5/2014			
Adan	White	Solid Waste	2/5/2014			

MCM 6 PP/c 1 Housekeeping  
 3.6.3C New Employee MS4 Training

Employee First Name	Employee Last Name	City Department	Rain Check-New Employee	Grate Concern-IDDE	Ground Cover-Construction	Invasive Species Training
Tonya S.	Woods	Dispatch	2/5/2014			
Phillip	Zirlott	Public Works	2/5/2014			2/5/2014
John W	Archer		6/19/2013	6/19/2013		
James A	Baggett		6/19/2013	6/19/2013		
Malcom	Barge		6/19/2013	6/19/2013		
Frank	Barnett		6/19/2013	6/19/2013		
Amos	Bauer		6/19/2013	6/19/2013		
Marjorie	Bellue		6/19/2013	6/19/2013		2/5/2014
Thomas	Bertnagnolli, Jr		6/19/2013	6/19/2013		
Roy	Bindon		6/19/2013	6/19/2013		
Connie	Champion		6/19/2013	6/19/2013		
Ronny	Champion		6/19/2013	6/19/2013		
Sidney-Dewayne	Coley		6/19/2013	6/19/2013		2/5/2014
Clement	Conaway		6/19/2013	6/19/2013		
Graham	Cox		6/19/2013	6/19/2013		2/5/2014
Willie	Curry		6/19/2013	6/19/2013		2/5/2014
Terry	Davis		6/19/2013	6/19/2013		
Louis	Dixon		6/19/2013	6/19/2013		
Cynthia	Donald		6/19/2013	6/19/2013		
Brent	Durham		6/19/2013	6/19/2013		
Kerry	Elliote		6/19/2013	6/19/2013		
Mark	Ferencak		6/19/2013	6/19/2013		
Clayton	Fields		6/19/2013	6/19/2013		
Timothy	Flowers		6/19/2013	6/19/2013		
Shane	Friday		6/19/2013	6/19/2013		
Leon	Gill		6/19/2013	6/19/2013		
Steven	Grigg		6/19/2013	6/19/2013		
Darrell	Harris		6/19/2013	6/19/2013		
Carl	Jackson		6/19/2013	6/19/2013		
Claude	Jackson		6/19/2013	6/19/2013		
Calvin	James		6/19/2013	6/19/2013		

MCM 6 PP/C J Housekeeping  
 3.6.3C New Employee MS4 Training

Employee First Name	Employee Last Name	City Department	Rain Check-New Employee	Grate Concern-IDDE	Ground Cover-Construction	Invasive Species Training
Burt	Johnson		6/19/2013	6/19/2013		
Freddie	Johnson		6/19/2013	6/19/2013		
Richard	Johnson		6/19/2013	6/19/2013		
Randy	Jones		6/19/2013	6/19/2013		
John	Julian		6/19/2013	6/19/2013		
Throne	Locke		6/19/2013	6/19/2013		
Robert	Lucas		6/19/2013	6/19/2013		
Melvin	McCarley		6/19/2013	6/19/2013		
William	McMann		6/19/2013	6/19/2013		2/5/2014
Daryl	Means		6/19/2013	6/19/2013		
Joseph	Mixon		6/19/2013	6/19/2013		2/5/2014
Markes	Mosley		6/19/2013	6/19/2013		2/5/2014
Cynthia	Ramsey		6/19/2013	6/19/2013		
John	Rohm		6/19/2013	6/19/2013		
Larry	Rudolph		6/19/2013	6/19/2013		
Robert	Salter		6/19/2013	6/19/2013		
Eric	Seals		6/19/2013	6/19/2013		
James	Sewell		6/19/2013	6/19/2013		
Luke	Sledge		6/19/2013	6/19/2013		
Glenn	Stad		6/19/2013	6/19/2013		
Calvin	Stallworth		6/19/2013	6/19/2013		
Chris	Stanton		6/19/2013	6/19/2013		2/5/2014
Robert	Stockton		6/19/2013	6/19/2013		
Paul	Stasser		6/19/2013	6/19/2013		
Charles	Waller		6/19/2013	6/19/2013		
Vodie	Watts		6/19/2013	6/19/2013		
Gregory	White		6/19/2013	6/19/2013		
Terry	White		6/19/2013	6/19/2013		
Edrick	Williams		6/19/2013	6/19/2013		
John	Wright		6/19/2013	6/19/2013		

# **MCM 3**

## **IDDE**

### **3.3.6C**

#### **IDDE Employee**

#### **Yearly Training**

**D**apline

ENVIRONMENTAL PROGRAMS

MCM 6 PP/ J Housekeeping  
3.6.3C New Employee MS4 Training

Employee First Name	Employee Last Name	City Department	Rain Check-New Employee	Grate Concern-IDDE	Ground Cover-Construction	Invasive Species Training
Kristen	Andrews	Police	2/5/2014			
Henry	Banks	Public Works	2/5/2014			
Lance	Bradley	Corrections	2/5/2014			
Joshua	Brewer	Fire	2/5/2014			
Pauls	Brooks	Recreation	2/5/2014			
Amanda	Burgett	Library	2/5/2014			
Leandra	Burks	Court	2/5/2014			
Rayford	Burton	Public Works	2/5/2014			
Brett	Camilleri	Fire	2/5/2014			
Lawrence	Chandler	Police	2/5/2014			
Onisaa	Cornell	Fire	2/5/2014			
Lauretta	Ferrill	Library	2/5/2014			
Cody	Haag	Police	2/5/2014			
Eric	Helms	Police	2/5/2014			
Sarah	Hill	Community Development	2/5/2014			
Michael	Hinson	Finance	2/5/2014			
Ronald	Jemison	Solid Waste	2/5/2014			
Jason	Kalange	Fire	2/5/2014			
Charles	Lett	Public Works	2/5/2014			2/5/2014
Ashley	Mancill	Library	2/5/2014			
Christina	Morris	Library	2/5/2014			
Kenneth	Nichols	Public Works	2/5/2014			
Randy	Penycuff	Public Works	2/5/2014			
Johnathan	Penry	Recreation	2/5/2014			
Angela	Phillips	Revenue	2/5/2014			
Caleb	Reeves	Police	2/5/2014			
Carolyn	Sledge	Dispatch	2/5/2014			
Charles Robbie	Speegle	Corrections	2/5/2014			
Sarah	Toulson	Legislative	2/5/2014			
Adan	White	Solid Waste	2/5/2014			

MCM 6 PP/ul Housekeeping  
 3.6.3C New Employee MS4 Training

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Tonya S.	Woods	Dispatch	2/5/2014			
Phillip	Zirlott	Public Works	2/5/2014			2/5/2014
John W	Archer		6/19/2013	6/19/2013		
James A	Baggett		6/19/2013	6/19/2013		
Malcom	Barge		6/19/2013	6/19/2013		
Frank	Barnett		6/19/2013	6/19/2013		
Amos	Bauer		6/19/2013	6/19/2013		
Marjorie	Bellue		6/19/2013	6/19/2013		
Thomas	Bertnagnolli, Jr		6/19/2013	6/19/2013		2/5/2014
Roy	Bindon		6/19/2013	6/19/2013		
Connie	Champion		6/19/2013	6/19/2013		
Ronny	Champion		6/19/2013	6/19/2013		
Sidney-Dewayne	Coley		6/19/2013	6/19/2013		2/5/2014
Clement	Conaway		6/19/2013	6/19/2013		
Graham	Cox		6/19/2013	6/19/2013		2/5/2014
Willie	Curry		6/19/2013	6/19/2013		2/5/2014
Terry	Davis		6/19/2013	6/19/2013		
Louis	Dixon		6/19/2013	6/19/2013		
Cynthia	Donald		6/19/2013	6/19/2013		
Brent	Durham		6/19/2013	6/19/2013		
Kerry	Elliotte		6/19/2013	6/19/2013		
Mark	Ferencak		6/19/2013	6/19/2013		
Clayton	Fields		6/19/2013	6/19/2013		
Timothy	Flowers		6/19/2013	6/19/2013		
Shane	Friday		6/19/2013	6/19/2013		
Leon	Gill		6/19/2013	6/19/2013		
Steven	Grigg		6/19/2013	6/19/2013		
Darrell	Harris		6/19/2013	6/19/2013		
Carl	Jackson		6/19/2013	6/19/2013		
Claude	Jackson		6/19/2013	6/19/2013		
Calvin	James		6/19/2013	6/19/2013		

MCM 6 PP/c d Housekeeping  
 3.6.3C New Employee MS4 Training

Employee First Name	Employee Last Name	City Department	Rain Check-New Employee	Grate Concern-IDDE	Ground Cover-Construction	Invasive Species Training
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Freddie	Johnson		6/19/2013	6/19/2013		
Richard	Johnson		6/19/2013	6/19/2013		
Randy	Jones		6/19/2013	6/19/2013		
John	Julian		6/19/2013	6/19/2013		
Throne	Locke		6/19/2013	6/19/2013		
Robert	Lucas		6/19/2013	6/19/2013		
Melvin	McCarley		6/19/2013	6/19/2013		
William	McMann		6/19/2013	6/19/2013		2/5/2014
Daryl	Means		6/19/2013	6/19/2013		
Joseph	Mixon		6/19/2013	6/19/2013		2/5/2014
Markes	Mosley		6/19/2013	6/19/2013		2/5/2014
Cynthia	Ramsey		6/19/2013	6/19/2013		
John	Rohm		6/19/2013	6/19/2013		
Larry	Rudolph		6/19/2013	6/19/2013		
Robert	Salter		6/19/2013	6/19/2013		
Eric	Seals		6/19/2013	6/19/2013		
James	Sewell		6/19/2013	6/19/2013		
Luke	Sledge		6/19/2013	6/19/2013		
Glenn	Stad		6/19/2013	6/19/2013		
Calvin	Stallworth		6/19/2013	6/19/2013		
Chris	Stanton		6/19/2013	6/19/2013		2/5/2014
Robert	Stockton		6/19/2013	6/19/2013		
Paul	Stasser		6/19/2013	6/19/2013		
Charles	Waller		6/19/2013	6/19/2013		
Vodie	Watts		6/19/2013	6/19/2013		
Gregory	White		6/19/2013	6/19/2013		
Terry	White		6/19/2013	6/19/2013		
Edrick	Williams		6/19/2013	6/19/2013		
John	Wright		6/19/2013	6/19/2013		