

## **Environmental Committee Update**

Submitted by: Liz Porter, P.G., S&ME Inc.

ACEC Environmental Committee Members met with regulatory personnel on August 7, 2008 for an informative update on regulatory issues. The meeting began with a presentation on brownfield opportunities by Andy Binford, Director of the Tennessee Department of Environment and Conservation (TDEC), Division of Remediation (DoR). Mr. Binford provided information on the Environmental Protection Agency (EPA) Brownfields Program, which has over \$70 million to be used for Brownfields Assessment, Revolving Loans, and Cleanup Grants. These funds help states and communities around the country clean up and revitalize brownfield sites. The DoR is currently working with communities across the state to provide assistance as they identify potential sites for the next round of EPA brownfield grants.

Paul Davis and Saya Qualls, the Director and Chief Engineer, respectively, of the TDEC, Division of Water Pollution Control (DWPC) presented a Tennessee Water Regulatory Update to the fifteen consultants in attendance. The presentation covered a large range of topics, beginning with a summary of DWPC permitting activities. Also included in the presentation was a discussion regarding an unusual enforcement issue now facing TDEC, namely the impact of off-road vehicle parks to surface water quality. TDEC presented compelling evidence demonstrating the impact of off-road vehicles on jurisdictional waters, including photographs of significant sediment deposits in streams used for this activity.

A recently approved Bill of Rights for Permit Applicants (Senate Bill No. 3796) was also discussed. The Bill is intended to assist applicants understand permitting rules, and it provides for timely decisions on permit applications. This discussion included input from William James, Chief of the Eastern Section, Regulatory Branch, US Army Corps of Engineers Nashville District. Mr. James and Dan Eagar, DWPC Environmental Program Manager, fielded questions regarding efforts to streamline the permitting process. These discussions also included an update of the impact of the Rapanos decision, and the significance of jurisdictional waters determinations.

The meeting concluded with an update on the Municipal Separate Storm Sewer System (MS4) Permit presented by Robert Karesh, the TDEC Storm Water Coordinator. Mr. Karesh also provided information on a stakeholder advisory committee recently formed to develop criteria for Qualified Local Programs. Ken Barry, P.E., D. WRE, of S&ME will represent the engineering community on the stakeholder advisory committee.

The ACEC Environmental Committee welcomes the opportunity to represent ACEC members during these meetings with regulatory personnel. Specific questions or topics of concern can be submitted to [lporter@smeinc.com](mailto:lporter@smeinc.com) for discussion in upcoming meetings.