

GEORGIA EROSION & SEDIMENTATION CONTROL
EDUCATION AND TRAINING CERTIFICATION PROGRAM

FACT SHEET

**Georgia Environmental Protection Division,
Stakeholder Advisory Board and
Georgia Soil and Water Conservation Commission**

As part of House Bill 285, new education and training certification requirements were included in the 2003 amendments to the Georgia Erosion & Sedimentation Act (Act). These new education and training certification (E&TC) requirements in the Act state that “After December 31, 2006, all persons involved in land development design review, permitting, construction, monitoring or inspection or any land disturbing activity shall meet the education and training certification requirements, dependent on their level of involvement with the process, as developed by the commission in consultation with the division and the Stakeholder Advisory Board created pursuant to Code section 12-7-20.”

The “all persons involved” phrase encompasses a substantial number of people taking one or more of the E&TC courses. Members of the Stakeholder Advisory Board met with the Georgia Environmental Protection Division (EPD) and Georgia Soil and Water Conservation Commission (GSWCC) to discuss the ramifications and the multitude of personnel that would need training under the E&TC requirements. It was collectively agreed that while engaging in land disturbing activities (LDA) at least one person from each work crew/company/entity involved with LDA on a project or site must have completed the E&TC requirement and be certified through the GSWCC. EPD recommends, but does not require, that at least two people from each work crew/company/entity working at a project or site have completed the E&TC requirement. In the event that an E&TC individual is out due to illness, on vacation or called away on an emergency, then another E&TC individual is available on-site to ensure that erosion and sedimentation control issues are under control, regardless of what situation arises. If an E&TC individual leaves the site and he/she is the only individual on-site that is certified with that work crew/company/entity, then all LDA undertaken by that work crew/company/entity should stop until the certified individual returns.

The following is a list of positions/occupations who, if conducting LDA and not otherwise exempt (see pages 3 and 4), will need the required E&TC. The list is not a complete listing of all job titles, but rather is a sample of those that are more common. There may be other titles not included that could benefit from attendance at these E&TC courses. It is useful to consider your specific job responsibilities, and if those responsibilities include involvement with LDA, then your attendance at one or more of these E&TC courses is necessary unless somebody else with your work crew/company/entity has already satisfied this requirement for every project or site. While some LDA is exempt from the Act and its training requirements, many individuals will have to comply with these training requirements due to conditions in the NPDES General Permits.

Fundamentals Course (Level IA):

- Primary/Secondary/Tertiary Permittees (depending on level of involvement)
- Best management practice installation personnel
- Builders

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Contractors
Developers
Grading contractors and Grading, earthmoving equipment operators
Irrigation system personnel (residence, commercial and industrial sites)
Landscape personnel
NPDES monitoring and sampling consultants
Site superintendents
Utility contractors (excludes entities regulated by the PSC or FERC, and other entities listed in O.C.G.A. 12-7-17(10), if within a Common Development)
Wastewater contractors installing on-site systems (includes septic tank excavation and drain fields)
Well drillers (includes directional boring equipment operators)
Plumbers and electricians (will require certification if conducting a land disturbing activity within a permitted project site)
Others involved in land disturbing activities

Advanced Fundamentals Course (Level IB):

Primary/Secondary/Tertiary Permittees (depending on level of involvement)
Regulatory enforcement inspectors (city and county staff)
Non-regulatory personnel inspectors contracted for regulatory work (such as an environmental consultant to a city or county government)

Introduction to Design Course (Level II):

Primary/Secondary/Tertiary Permittees (depending on level of involvement)
Design professionals
Plan reviewers (includes GSWCC and Natural Resources Conservation Service staff)

The 'dependent on their level of involvement with the process' phrase is not applicable to: a) minor land disturbing activities, since these activities are exempt under the Act as specified in Section 12-7-17(3); and b) sites under one acre of land disturbance and the land disturbance is more than 200 feet from State Waters, as specified in Section 12-7-17(8). Therefore, a work crew/company/entity involved in a) or b), as described in the preceding sentence, does not need to have the education and training certification (E&TC) required by the Act. *However*, if the site is part of a larger "common development," then the E&TC requirements will apply for an individual or entity at a site with less than one acre of land disturbance. Please note that the determination of whether an activity is minor land disturbing is made by the local issuing authority, or by EPD in areas where there is no local issuing authority.

In summary, it is important to consider "what are my job responsibilities," and if these responsibilities include involvement with land disturbing activities, then your attendance at one or more of these E&TC courses may be necessary. Georgia's E&TC program does not recognize reciprocity with any other state erosion and sedimentation education certification.

The Education and Training Certification Program is administered and implemented by the E&SC Education and Certification Program of the Georgia Soil and Water Conservation Commission, telephone (706) 542-1840. For additional information, access the Commission's website: www.gaswcc.org; click on Education/Certification. For enforcement inquiries, EPD's Watershed Protection Branch can be reached at (404) 675-6240.

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<p align="center">EXEMPTIONS O.C.G.A § 12-7-17 EROSION AND SEDIMENTATION ACT</p>	<p align="center">APPLICABLE EDUCATION AND TRAINING CERTIFICATION REQUIREMENTS</p>
<p>Surface mining, as the same is defined in Code Section 12-4-72.</p>	<p>All persons involved in the preparation of an ES&PC plan (Level II) and E&SC inspectors (Level IA) for any surface mining project which disturb one or more acres of land subject to the provisions of the state general permit (e.g., office buildings) must complete the appropriate certification course pursuant to Code Section 12-7-19. Such land-disturbing activities and certification requirements are not regulated by the Local Issuing Authorities.</p>
<p>Granite quarrying and land clearing for such quarrying.</p>	<p>All persons involved in the preparation of an ES&PC plan (Level II) and E&SC inspectors (Level IA) for any granite quarrying project which disturb one or more acres of land subject to the provisions of the state general permit (e.g., office buildings) must complete the appropriate certification course pursuant to Code Section 12-7-19. Such land-disturbing activities and certification requirements are not regulated by the Local Issuing Authorities.</p>
<p>Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities that may result in minor soil erosion.</p>	<p align="center">Not Applicable</p> <p>Note: Minor land-disturbing activities are not defined in the state general permit; therefore, this exemption is not applicable to land-disturbing activities occurring within a project subject to the provisions of the state general permit.</p>
<p>Single-family residences, when such construction disturbs less than one acre and is not part of a common development with a planned disturbance equal to or greater than one acre; provided, however, that construction of any such residence shall conform to the minimum requirements in Code Section 12-7-6.</p>	<p align="center">Not Applicable</p>
<p>Agricultural operations as defined in Code Section 1-3-3 to include those practices involving the establishment, cultivation, or harvesting of products of the field or orchard; the preparation and planting of pasture land; farm ponds, dairy operations, livestock and poultry management practices; and the construction of farm buildings.</p>	<p>All persons involved in the preparation of an ES&PC plan (Level II) and E&SC inspectors (Level IA) for any agricultural project which disturb one or more acres of land subject to the provisions of the state general permit (e.g., poultry houses, barns) must complete the appropriate certification course pursuant to Code Section 12-7-19. Such land-disturbing activities and certification requirements are not regulated by the Local Issuing Authorities.</p>
<p>Forestry land management practices, including harvesting; provided, however, that when such exempt forestry practices result in land-disturbing activities otherwise prohibited in the buffer, as established in Code Section 12-7-6, no other land-disturbing activities, except for normal forest management practices, shall be allowed on the entire property for a period of three years after the completion of such forestry practices.</p>	<p align="center">Not Applicable</p>

<p>Any project carried out under the technical supervision of the Natural Resources Conservation Service of the United States Department of Agriculture.</p>	<p>All persons involved in the preparation of an ES&PC plan (Level II) and E&SC inspectors (Level IA) for any NRCS project which disturb one or more acres of land subject to the provisions of the state general permit must complete the appropriate certification course pursuant to Code Section 12-7-19. Such land-disturbing activities and certification requirements are not regulated by the Local Issuing Authorities.</p>
<p>Any project involving less than one acre of disturbed area; provided that this exemption shall not apply to any land-disturbing activity within a common development with a planned disturbance equal to or greater than one acre or within 200 feet of the banks of any perennial state waters; provided, however, any such land-disturbing activity within 200 feet of the banks of any perennial state waters shall conform to the minimum requirements in Code Section 12-7-6, and further, a land-disturbing activity permit will be required by the Local Issuing Authority.</p>	<p>All persons involved in the preparation of an ES&PC plan (Level II), construction contractors (Level IA), water quality monitors (Level IA) and E&SC inspectors (Level IA) for any such land-disturbing activity within 200 feet of the banks of any perennial state waters in jurisdictions where there is a certified Local Issuing Authority must complete the appropriate certification course pursuant to Code Section 12-7-19.</p>
<p>Construction or maintenance projects undertaken or financed in whole or part by the Department of Transportation, the Georgia Highway Authority, the State Road and Tollway Authority, or any county or municipality; provided, however, that any construction or maintenance projects which disturb one or more contiguous acres of land shall be subject to the provisions of the state general permit; in addition, the Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority shall conform to the minimum requirements in Code Section 12-7-6 if a secondary permittee for a project located within a common development.</p>	<p>All persons involved in the preparation of an ES&PC plan (Level II) and E&SC inspectors (Level IA) for any project subject to the provisions of the state general permit must complete the appropriate certification course pursuant to Code Section 12-7-19.</p> <p>The Local Issuing Authority shall enforce compliance with the minimum requirements set forth in Code Section 12-7-6 where the permittee is secondary permittee for a project located within a common development.</p>
<p>Any land-disturbing activities conducted by any public utility under the regulatory jurisdiction of the Public Service Commission or the Federal Energy Regulatory Commission, any cable system as defined in Code Section 36-18-1, or any agency of the United States engaged in the generation, transmission, or distribution of power; except where any public utility under the regulatory jurisdiction of the Public Service Commission or the Federal Energy Regulatory Commission, any cable system as defined in Code Section 36-18-1, or any agency of the United States engaged in the generation, transmission, or distribution of power is a secondary permittee for a project within a common development shall conform to the minimum requirements of Code Section 12-7-6.</p>	<p>All persons involved in the preparation of an ES&PC plan (Level II) and E&SC inspectors (Level IA) for any project subject to the provisions of the state general permit must complete the appropriate certification course pursuant to Code Section 12-7-19; except, for E&SC inspectors where the utility company and utility contractors are secondary or tertiary permittees performing only service line installations.</p> <p>The Local Issuing Authority shall enforce compliance with the minimum requirements set forth in Code Section 12-7-6 where the permittee is secondary permittee for a project located within a common development.</p>
<p>Public water system reservoirs.</p>	<p>All persons involved in the preparation of an ES&PC plan (Level II) and E&SC inspectors (Level IA) for any public water system reservoir project which disturb one or more acres of land subject to the provisions of the state general permit must complete the appropriate certification course pursuant to Code Section 12-7-19. Such land-disturbing activities and certification requirements are not regulated by the Local Issuing Authorities.</p>