

**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 and Sedimentation Act (Act). House Bill 463 amended the Act during the 2007 session of the General Assembly. The education and training certification (E&TC) requirements (Code Section 12-7-19(a)(1)) in the Act state that “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 his or her level of involvement with the process, as developed by the Commission in accordance with this code section and in consultation with the Division and the Stakeholder Advisory Board created pursuant to Code section 12-7-20.”

The Act (Code Section 12-7-19(a)(2)) also states that for each site on which land-disturbing activity occurs, each entity or person acting as either a primary, secondary or tertiary permittee, as defined in the State General Permit, shall have as a minimum one person who is in responsible charge of erosion and sedimentation control activities on behalf of the permittee and meets the applicable education or training certification requirements (Fundamentals Seminar (Level IA)). This Code Section became effective on May 14, 2007.

The Environmental Protection Division (EPD) recommends, but does not require, that at least two people from each permittee working at a project or site have completed the **Fundamentals Seminar (Level IA)**. In the event that a “certified person” is out due to illness, on vacation or called away on an emergency, then another “certified person” is available on-site to ensure that erosion and sedimentation control issues are under control, regardless of what situation arises. If the “certified person” leaves the site and he/she is the only individual on-site that has completed the Fundamentals Seminar (Level IA), then all land disturbing activities undertaken by that permittee should stop until the “certified person” returns. A “certified person” is an individual who has successfully completed the Fundamentals Seminar (Level IA).

The Act (Code Section 12-7-19(a)(4)) also states that “If a state general permittee who has operational control of land-disturbing activities for a site has met the certification requirements of paragraph (1) of subsection (b) of this code section, then any person or entity involved in land-disturbing activity at that site and operating in a subcontractor capacity for such permittee shall have until December 31, 2007, to meet those educational requirements specified in paragraph (4) of subsection (b) of Code Section 12-7-19 and shall not be required to meet any educational requirements that exceed those specified in said paragraph.”

The last subsection reference of this passage pertains to the ***Subcontractor Awareness Seminar (Level I)***. A “certified subcontractor” is an individual who has successfully completed the Subcontractor Awareness Seminar (Level I). If a “certified subcontractor” is not on-site, the subcontractor should stop all land-disturbing activities on the permitted site. Therefore, the Georgia Environmental Protection Division recommends, but does not require, that each subcontractor have at least two “certified subcontractors” assigned to each permitted site. In the event that one of the “certified subcontractors” is called away from the site, then the other “certified subcontractor” would be available to be on-site during any land-disturbing activities.

The following is a list of positions/occupations who, if conducting land-disturbing activities and not otherwise exempt (Attachment - Exemptions Table) 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 land-disturbing activities, 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 land-disturbing activities are exempt from the Act and its training requirements, many individuals will have to comply with these training requirements due to conditions in the State General Permits.

SUBCONTRACTOR AWARENESS SEMINAR (LEVEL I)

- Grading personnel, as well as grading and earthmoving equipment operators
- Irrigation system personnel (residence, commercial and industrial sites)
- Landscape personnel
- Utility personnel (excludes entities regulated by the PSC or FERC, and other entities listed in O.C.G.A. 12-7-17(10) located within a common development)
- Wastewater personnel installing on-site systems (includes septic tank excavation and drain fields)
- Well drilling personnel (includes directional boring equipment operators)
- Plumbers and electricians (will require certification if conducting a land-disturbing activity within a permitted project site).
- Best Management Practices (BMP) installation and maintenance personnel
- Water quality sampling personnel
- Other personnel involved in land-disturbing activities acting as a subcontractor

If you are working in a subcontractor capacity and possess a Level IA certification you will not be required to take the Subcontractor Awareness Seminar (Level I).

If you are working in a subcontractor capacity and have attended a Fundamentals Seminar (Level IA) but do not possess a Level IA certification, you will not be required to attend the Subcontractor Awareness Seminar (Level I). However, you must submit a Subcontractor Awareness Seminar (Level I) application with a Fundamentals Seminar (Level IA) proof of attendance form to receive a “certified subcontractor” card.

FUNDAMENTALS SEMINAR (LEVEL IA)

- Builders, contractors, developers or site superintendents in responsible charge of erosion and sedimentation control activities on behalf of a primary, secondary or tertiary permittee
- E&SC inspectors (“certified personnel”) contracted by a permittee to ensure compliance with the State General Permit

It is important to note that a “certified subcontractor” (Level I) is not qualified to perform the duties of a “certified person” (Level 1A). Please note that a “certified inspector” (Level IB), “certified design professional” (Level II) or a “certified plan reviewer” (Level II) is qualified to perform the duties of a “certified person” (Level IA).

ADVANCED FUNDAMENTALS SEMINAR (LEVEL IB)

- Regulatory enforcement inspectors (i.e., Local Issuing Authority and EPD staff)
- Non-regulatory personnel inspectors (i.e., contracted by a Local Issuing Authority to do regulatory work)

A “certified inspector” is an individual who has successfully completed the Advanced Fundamentals Seminar (Level IB). It is important to note that a “certified design professional” (Level II) or a “certified plan reviewer” (Level II) is not qualified to perform the duties of a “certified inspector” (Level 1B).

INTRODUCTION TO DESIGN SEMINAR (LEVEL II)

- Design professionals preparing ES&PC plans
- Plan reviewers (including EPD, GSWCC, NRCS and Local Issuing Authorities with “plan review authority”)

In cases where an individual is required to possess a “certified inspector” (Level IB) card and a “certified design professional” (Level II) or “certified plan reviewer” (Level II) card, the individual must attend and obtain:

- A passing exam score for the Advanced Fundamentals Seminar (Level IB) and the Introduction to Design Seminar (Level II), *or*
- A passing exam score for the Introduction to Design Seminar (Level II) and passing exam score for the Advanced Fundamental Seminar (Level IB) “Exam Only Session.”

While some land-disturbing activities are exempt from the Act, many entities or persons will have to comply with the E&TC requirements delineated in the State General Permits (Attachment – Exemptions Table). Please note that the determination of whether an activity is exempt is made by the Local Issuing Authority, or by EPD in areas where there is no Local Issuing Authority. Minor land-disturbing activities are not defined in the State General Permits; therefore, this exemption is not applicable to land-disturbing activities occurring within a project subject to the provisions of the State General Permits.

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 GSWCC website: www.gaswcc.org, *Programs, Education & Certification*. For enforcement inquiries, please contact the EPD Watershed Protection Branch at (404) 675-6240.