

ARR040000 Recertification Notice of Intent for Regulated Small Municipal Separate Storm Sewer Systems (MS4s) General Permit

version 1.17

(Submission #: HQ3-Z4Z5-NTN6V, version 1)

Digitally signed by:
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Date: 2024.05.28 10:43:46 -0500
Reason: Copy Of Record
Location: North Little Rock, Arkansas



Details

AFIN 88-00851
Submission ID HQ3-Z4Z5-NTN6V
Submission Reason Renewal

Form Input

Permit Information

Recertification Instruction

Please review all fields carefully for typos or inaccurate information. If the information in the corresponding field is incorrect, please update the corresponding field with the correct information by typing over the existing information.

If the Permittee (Legal Name) changes, you will need to also submit a permit transfer form.

The update SWMP must be submitted in accordance with the permit.

Permittee (Legal Name)

The permittee means any person (an individual, association, partnership, corporation, municipality, state, or federal agency) who has the primary management and ultimate decision-making responsibility over the operation of a facility or activity.

Permit No.
ARR040002

AFIN
88-00851

Permittee (Legal Name)
City of Van Buren

Site Contact Person

Contact Person Information

First Name	Last Name
JOE	HURST

Title MAYOR

Phone Type	Number	Extension
Business	4794741541	

Email joehurst@vanburencity.org

Urbanized/Core Areas

Fort Smith, Arkansas-Oklahoma

Receiving Stream

Arkansas River

Is this MS4 identified on the list of the EPA approved Total Maximum Daily Loads (TMDL)?

NO

From our database, the Responsible Official are listed in the following**Responsible Official First Name**

JOSEPH

Responsible Official Last Name

HURST

Responsible Official Title

Mayor

Did the Responsible Official Change?

No

Please provide the Responsible Official Email Address

joehurst@vanburencity.org

From our database, the Cognizant Official are listed in the following**Cognizant Official First Name**

Joseph

Cognizant Official Last Name

WILLOUGHBY

Cognizant Official Title

Mayor

Did the Cognizant Official Change?

No

Please provide the Cognizant Official Email Address

joehurst@vanburencity.org

Mailing Address

1003 Broadway

VAN BUREN, Arkansas 72956

Is the invoice address the same as the mailing address?

Yes

Attach Updated SWMP and Updated Storm Sewer System Map

[VB Stormwater Management Program \(SWMP\).pdf - 05/28/2024 10:11 AM](#)

[Stormwater Inventory Map.pdf - 05/28/2024 10:11 AM](#)

[ADEQ Stormwater Observations Map.pdf - 05/28/2024 10:11 AM](#)

Comment

NONE PROVIDED

Agreements and Signature(s)

SUBMISSION AGREEMENTS

- ☒ I am the owner of the account used to perform the electronic submission and signature.
- ☒ I have the authority to submit the data on behalf of the facility I am representing.
- ☒ I agree that providing the account credentials to sign the submission document constitutes an electronic signature equivalent to my written signature.
- ☒ I have reviewed the electronic form being submitted in its entirety, and agree to the validity and accuracy of the information contained within it to the best of my knowledge.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

I certify that I have read and will comply with all the requirements of the Regulated Small Municipal Separate Storm Sewer Systems(MS4's) General Permit ARR040000.

Signed
By Joseph Hurst on 05/28/2024 at 10:43 AM

STORM WATER MANAGEMENT PLAN (SWMP)

City of Van Buren, Arkansas

Small Municipal Separate Storm Sewer System (MS4)



2024-2029 Update

CITY OF VAN BUREN
STORMWATER MANAGEMENT PROGRAM (SWMP)

The City of Van Buren (permittee) shall develop, implement, and enforce a SWMP designed to reduce the discharge of pollutants from the small MS4 to the maximum extent practicable (MEP), to protect water quality, and to satisfy the appropriate water quality requirements and the Clean Water Act. The SWMP should include management practices; control techniques and system, design, and engineering methods; and shall be modified to include provisions as ADEQ determines appropriate after its review of the program for the control of such pollutants.

The City of Van Buren's SWMP includes the following information for each of the six minimum control measures (MCMs):

- A. The best management practices (BMPs) that the MS4 or another entity will or already does implement for each of the stormwater minimum control measures;

1. Public Education and Outreach on Stormwater Impacts

An informational flyer is distributed twice each year with all City water bills. Van Buren has adopted a storm sewer manhole cover design that provides a visual reminder that no dumping is allowed in the storm water system. A code enforcement door hanger is being distributed to educate residents concerning clean-up ordinances and penalties associated with non-compliance.

Information on stormwater pollution prevention is being added to the city website. A separate link will direct the public to Van Buren's construction standards as well as State of Arkansas permit requirements. The website will also include the stormwater pollution prevention ordinance. A storm sewer map has been completed which shows the locations of all outfalls and the names and locations of all surface waters of the State that receive discharges from these outfalls. The map is included on the website.

2. Public Involvement/Participation

Storm water ordinances and regulations receive a public hearing before the Planning Commission before adoption by the City Council. The city also has bi-annual citywide cleanups. The public is informed on stormwater pollution and then citizens go out into the city to clean up trash that could contaminate water. The City will document all public involvement including meetings and various activities.

3. Illicit Discharge Detection and Elimination

The storm sewer map was developed in a Geographic Information System (GIS) using high resolution aerial photography and field surveys using GPS equipment. The storm sewer map shows the locations of all outfalls and the names and locations of all surface waters of the State that receive discharges from these outfalls.

Ordinance No. 14-2009 prohibits dumping in streets, alleys, gutters, ditches or storm drains.

Ordinance 2-2013 creates stormwater pollution prevention regulations. This ordinance maintains and improves the quality of surface water and groundwater within the City, region, and state.

An annual report has been generated that will record the number of illicit discharges and the number of illicit discharges that were eliminated.

Dry weather screenings for outfalls are being scheduled for outfalls and these will be documented in order to confirm findings of the inspections.

4. Construction Site Stormwater Runoff Control

Ordinance No. 11-2004 was adopted 7/19/04. Ordinance No. 14-2009 provides for a \$50.00 to \$500.00 fine per violation. Single-family residence construction requires a minimum standards permit. Multi-family residential, commercial and industrial projects must submit a project specific erosion control plan that is reviewed and approved by the Engineering Department.

Ordinance 2-2013 creates stormwater pollution prevention regulations. This ordinance maintains and improves the quality of surface water and groundwater within the City, region, and state.

A documentation system is being instituted to confirm that the applicable stormwater sites are being inspected on a monthly basis.

5. Post-Construction Stormwater Management in New Development and Redevelopment

Ordinance No. 2-2013 contains post-construction erosion control measures. Ordinance 2-2013 creates stormwater pollution prevention regulations. This ordinance maintains and improves the quality of surface water and groundwater within the City, region, and state.

Additionally, Van Buren enforces Minimum Drainage Standards for all subdivision construction (Ord. No. 28-2023).

The city is also creating a system to better document low impact development and green infrastructure waivers.

6. Pollution Prevention/Good Housekeeping for Municipal Operations

A stormwater system work order system was implemented during 2007. In 2007 Van Buren began a fall leaf pickup program to reduce the volume of yard waste entering the drainage system. The City purchased a street sweeper in 2008 and operates it full time to clean streets and reduce the volume of silt and trash entering the drainage system. All in-house and contract construction projects comply with ADEQ and City storm water ordinances. All areas disturbed by construction activities are re-vegetated with seed and mulch or Bermuda sod. A yard waste/drainage maintenance department was established in 2010. The City purchased a brush chipper and a sewer flusher to allow improved stormwater system maintenance in 2010.

The City has developed an annual program that will train all employees with regard to reducing stormwater pollution from public facilities. Documentation will be maintained in order to confirm participation. All municipal facilities which are not required to obtain permit coverage shall have an implemented Storm Water Pollution Prevention Plan (SWPPP).

- B. The measurable goals for each of the BMPs, the ones the MS4 believes to have the authority to implement, including, as appropriate, the months and years in which the MS4 will undertake required actions, including interim milestones and the frequency of the action. At a minimum, measurable goals shall be implemented to satisfy this general permit's performance standards;
- *Van Buren believes it has implemented and met the requirements of its stormwater permit.*
- C. The person(s), including position title(s), or just the position title and contact information responsible for implementing or coordinating the BMPs for the SWMP. The SWMP shall include a Table of Organization, including a primary point of contact, which identifies how implementation across multiple positions, agencies and departments will occur, and;

Table of Organization

Position/Department	Name/Contact Information	Responsibilities
Planning Director Planning Department	Wally Bailey 1003 Broadway Van Buren, Arkansas 72956 479.471-5006	SWMP, Plan Review, Record Keeping of SWMP, NOI, Enforcement Items, Minimum Control Measures
Street Superintendent Public Works Department.	John Karstens 1003 Broadway Van Buren, Arkansas 72956 479.471-5009	Plan Review for Public Works Projects
Chief Building Official Building Department	David Martin 1003 Broadway Van Buren, Arkansas 72956 479.474.8943	Plan Review, Building Code Enforcement Construction Site Inspection
City Clerk/Treasurer City Clerk Office	Shawwna Reynolds 1003 Broadway Van Buren, Arkansas 72956 479.474.8936	Record Keeping
Parks & Recreation Maintenance Super Parks & Recreation Maintenance Department	Paul Dunn 1003 Broadway Van Buren, Arkansas 72956 479.471.5006	Building Maintenance Housekeeping Parks Mowing
Code Enforcement Superintendent Code Enforcement Department	Steve Gunter 1003 Broadway Van Buren, Arkansas 72956 479.689.0075	Enforce City Ordinances
Van Buren Municipal Utilities Director Van Buren Municipal Utilities	Steve Dufresne 2806 Bryan Rd Van Buren, Arkansas 72956 479.474-5067	Water Main Flushing/Leaks Sanitary Sewer Leaks Water Quality Testing Plan Review
City Mayor	Joseph Hurst 1003 Broadway Van Buren, AR 72956 479.474.1541	Cognizant Official

D. The permittee shall provide a rationale for how and why the permittee selected each of the BMPs and measurable goals for the SWMP. The MS4 shall develop and implement the program within five (5) years of initially being granted Small MS4 general permit coverage. If an MS4 initially had coverage under a previous version of this permit, then the MS4 shall revise the program and its implementation to satisfy this general permit's performance standards within two (2) years of when the MS4 coverage under this general permit was granted.

- *The Public Work Director determined that this seemed to be the quickest way to obtain full compliance.*

E. BMPs shall be reevaluated and updated if the receiving streams are impaired or have an improved TMDL where the MS4 is identified as a substantial contributor to the impairment, or the receiving waters are designated as ERW, ESW, or NSW. The enhanced BMPs shall be specifically addressed within the SWMP.

- *Agreed.*

Minimum Control Measures

The six (6) MCMs that shall be included in the SWMP are:

A. Public Education and Outreach on Stormwater Impacts

a. The permittee shall implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff. In the case of non-traditional MS4s (e.g., Arkansas Department of Transportation (ARDOT), universities, hospitals, prisons, military bases, and other government complexes), the permittee is only required to provide educational materials and outreach to the MS4 employees, on-site contractors, and individuals using the MS4's facilities.

b. *Decision process.* The permittee shall document the decision process for the development of a stormwater public education and outreach program. The rationale statement shall address both the overall public education program and the individual BMPs, measurable goals and responsible persons for the program. The rationale statement shall include the following information, at a minimum:

- (1) How the MS4 plans to inform individuals and households about the steps they can take to reduce stormwater pollution.

An informational flyer is distributed twice each year with all City water bills. Van Buren has adopted a storm sewer manhole cover design that provides a visual reminder that no dumping is allowed in the storm water system. This informational flyer is integrated into the City's website on a page that will deal

exclusively with stormwater pollution prevention.

- (2) How the MS4 plans to inform individuals and groups on how to become involved in the stormwater program (with activities such as local stream and beach restoration activities);

Newspaper articles run periodically that highlight various stormwater issues and waterway cleanup activities. Public notices are used to advertise meetings that will address stormwater issues and/or actions.

- (3) The target audiences for the MS4s education program who are likely to have significant stormwater impacts (including commercial, industrial and institutional entities) and why those target audiences were selected;

Every household and business within the city limits are targeted through water bill flyers and print media.

- (4) The target pollutant sources the MS4 public education program is designed to address. Topics may include, but are not limited to, litter disposal, yard waste, pet waste, chlorinated pool discharges, household hazardous waste disposal, vehicle maintenance, used fluid and oil disposal, vehicle washing, pavement washing, external building washdown, proper use of fertilizer and pesticides, as well as maintenance of individual septic system, if applicable;

Residential yard waste, illegal dumping and construction site runoff are the primary pollutant sources that are being targeted.

- (5) The outreach strategy, including the mechanisms (e.g., printed brochures, newspapers, media, workshops, etc.) the MS4 will use to reach the target audiences, and how many people does the MS4 expect to reach by the outreach strategy over the permit term;

Every household and business within the city limits are targeted through water bill flyers and print media. The city's website is being utilized in order to reach a wider audience and inform them about MS4 public education.

- (6) Who (person or entity) is responsible for overall management and implementation of the stormwater public education and outreach program and, if different, who is responsible for each of the BMPs identified for this program;

Van Buren Planning Department.

- (7) How will the MS4 evaluate the success of this minimum measure, including how the measurable goals were selected for each BMP.

Watch for visible reduction of pollutants in storm water. So far progress has been

easily observed. An annual report has been generated that will record the number of illicit discharges and the number of illicit discharges that were eliminated.

- c. *Performance Standards.* The stormwater public education and outreach program shall include:
 - (1) more than one mechanism;
 - (2) at least five (5) different storm water themes or messages over the permit term. At a minimum, at least one theme or message shall be targeted to the land development community. For non-traditional MS4s, the land development community refers to landscaping and construction contractors working within its boundaries; and
 - (3) The stormwater public education and outreach program shall reach at least fifty (50) percent of the population over the permit term.
- d. *Annual Reporting.* The annual report shall identify each mechanism used, including each stormwater theme, audience targeted and estimate of how many people were reached by each mechanism.

B. Public Involvement/Participation

- a. The permittee shall at a minimum, comply with State and local public notice requirements when implementing a public involvement/participation program. In the case of non-traditional MS4s (e.g., Arkansas Department of Transportation (ARDOT), universities, hospitals, prisons, military bases, and other government complexes), the MS4 is required to involve employees, on-site contractors, and individuals using the MS4 facilities.
- b. *Decision process.* The permittee shall document the decision process for the development of a stormwater public involvement/participation program. The rationale statement shall address the overall public involvement/participation program and the individual BMPs, measurable goals, and responsible persons for the program. The rationale statement shall include the following information, at a minimum:
 - (1) Has the permittee involved the public in the development and submittal of the NOI and SWMP description;

Storm water ordinances and regulations receive a series of public hearings before the Planning Commission before adoption by the City Council. Public input to help shape community standards is welcomed at these meeting.

The City created a page on the website that informs the public about the NOI and

the SWMP along with other stormwater practices.

- (2) The MS4's plan to actively involve the public in the development and implementation of the program;

Storm water ordinances and regulations receive a series of public hearings before the Planning Commission before adoption by the City Council. Public input to help shape community standards is welcomed at these meetings. The City website is being utilized in order to inform a wider range of citizens.

- (3) The target audiences for the public involvement program, including a description of the types of ethnic and economic groups engaged. The MS4 is encouraged to actively involve all potentially affected stakeholder groups, including commercial and industrial businesses, trade associations, environmental groups, homeowners' associations, and educational organizations, among others;

All Van Buren citizens have been welcomed to meetings to develop storm water ordinances.

- (4) The types of public involvement activities included in the program. Where appropriate, consider the following types of public involvement activities: a water quality hotline (report spills, dumping, construction sites of concern, etc.), citizen representatives on a stormwater management panel, public hearings, working with citizen volunteers willing to educate others about the program, stewardship activities (e.g. waterbody or swim beach cleanup, wetland restoration, volunteer water quality monitoring, etc.);

Newspaper articles run periodically that highlight various stormwater issues and waterway cleanup activities. Public notices are used to advertise meetings that will address stormwater issues and/or actions.

- (5) Who (person or entity) is responsible for the overall management and implementation of the stormwater public involvement/participation program and, if different, who is responsible for each of the BMPs identified for this program, and;

Van Buren Planning Department.

- (6) How the MS4 will evaluate the success of this minimum measure, including how the MS4 selected the measurable goals for each of the BMPs.

Watch level of public support for community involvement projects, watch for improved cleanliness of stream banks and watch for visible reduction of pollutants in storm water.

The City Building Department inspects all stormwater sites on a monthly basis.

- c. *Performance Standards.* The stormwater public involvement/participation program shall include at least five (5) public involvement activities over the permit term.
- d. *Annual Reporting.* The annual report shall identify each public involvement/participation activity conducted, including a brief description of activity, estimate of how many people participated, and the volume or mass of trash and litter removed if applicable.

C. Illicit Discharge Detection and Elimination

- a. The permittee shall develop, implement and enforce a program to detect and eliminate illicit discharges, as defined in Part VI of this permit, into the small MS4 (for illicit discharges to the MS4 via an adjacent, outside of the MS4's jurisdiction, interconnected MS4, the MS4 are only required to inform the neighboring MS4 and the Division in the annual report submission, or their existence).
- b. New permittees shall develop a storm sewer map showing the location of all outfalls and the names and location of all surface waters of the State that receive discharges from those outfalls. Within five (5) years of when the coverage under this general permit was granted, the storm sewer system map shall also include the entire MS4 system, including catch basins, pipes, ditches, and public and private stormwater facilities.

The storm sewer map has been developed in a Geographic Information System (GIS) using high resolution aerial photography and field surveys using GPS equipment.

- c. The permittee shall, to the extent allowable under State or local law, effectively prohibit, through ordinance or other regulatory mechanism, illicit discharges into the storm sewer system and implement appropriate enforcement procedures and actions.

Ordinance No. 14-2009 prohibits dumping in streets, alleys, gutters, ditches or storm drains.

Ordinance 2-2013 creates new stormwater pollution prevention regulations. This ordinance seeks to maintain and improve the quality of surface water and groundwater within the City, region, and state. This ordinance explicitly prohibits illicit discharges into the MS4.

- d. The permittee shall develop and implement a plan to detect and eliminate non-stormwater discharges, including illegal dumping, to the system.
- e. The permittee shall inform public employees, businesses, and the general public of

hazards associated with illegal discharges and improper disposal of waste; and

- f. The permittee shall address the following categories of non-stormwater discharges or flows (i.e., illicit discharges) only if the MS4 identifies them as significant contributors of pollutants to the small MS4: uncontaminated water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (as defined at 40 C.F.R. 35.2005 (20)), uncontaminated pumped ground water, discharges from potable water sources, uncontaminated foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, uncontaminated footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, uncontaminated street wash water, and discharges or flows from emergency firefighting activities (by definition, not an illicit discharge), and splash pads.
- g. The permittee may also develop a list of other similar occasional incidental non-stormwater discharges (e.g., non-commercial or charity car washes, etc.) that will not be addressed as illicit discharges. These non-stormwater discharges must not be reasonably expected (based on information available to the permittees) to be significant sources of pollutants to the MS4, because of either the nature of the discharges or conditions the MS4 have established for allowing these discharges to the MS4 (e.g., a charity car wash with appropriate controls on frequency, proximity to waters such as impaired waters, waters with an applicable TMDL, ERWs, ESWs, or NSWs, BMPs on the wash water, etc.). The MS4 must document in the SWMP any local controls or conditions placed on the discharges. The MS4 must include a provision prohibiting any individual non-stormwater discharge that is determined to be contributing significant amounts of pollutants to the MS4.
- h. *Decision process.* The permittee shall document the decision process for the development of a stormwater illicit discharge detection and elimination program. The rationale statement shall address both the overall illicit discharge detection and elimination program and the individual BMPs, measurable goals, and responsible persons for the program. The rationale statement shall include the following information, at a minimum:
 - (1) How the MS4 will develop a storm water sewer system map showing the location of all outfalls and the names and location of all receiving waters. Describe the sources of information used for the storm sewer maps and the plan to verify the outfall locations with field surveys. If already completed, describe how the map was developed. Also, describe how the storm sewer system map will be regularly updated;
 - (2) The mechanism (ordinance or other regulatory mechanism) the MS4 will use to effectively prohibit illicit discharges into the MS4 and why the MS4 chose that mechanism. If this mechanism needs to be developed, then describe in the plan and a schedule to do so. If an ordinance or regulatory mechanism is

already developed, include a copy of the relevant sections with the program;

Ordinance No. 14-2009 prohibits dumping in streets, alleys, gutters, ditches or storm drains.

Ordinance 2-2013 creates new stormwater pollution prevention regulations. This ordinance seeks to maintain and improve the quality of surface water and groundwater within the City, region, and state. This ordinance explicitly prohibits illicit discharges into the MS4.

- (3) The plan to ensure through appropriate enforcement procedures and actions that the illicit discharge ordinance (or other regulatory mechanism) is implemented;

Ordinance No. 14-2009 provides for a \$50.00 to \$500.00 fine per violation.

Ordinance 2-2013 created stormwater pollution prevention regulations. This ordinance seeks to maintain and improve the quality of surface water and groundwater within the City, region, and state. This ordinance explicitly prohibits illicit discharges into the MS4. It also includes a section about enforcement and violation fines.

- (4) The plan to detect and address illicit discharges to the MS4 system, including discharges from illegal dumping and spills. The plan shall include dry weather field screening for non-stormwater flows and ADEQ recommends field tests of selected chemical parameters as indicators of discharge sources. The description shall address the following, at a minimum:

- i. Procedures for locating priority areas which include areas with higher likelihood of illicit connections (e.g., areas with older sanitary sewer lines, for example) or ambient sampling to locate impacted reaches;

Van Buren Municipal Utilities inspects and monitors all sanitary sewer lines in the city and reports to the city building department, Inspector's Office, if any issues occur. The city street department inspects and monitors all city storm water systems for illicit occurrences.

- ii. Procedures for tracing the source of an illicit discharge, including the specific techniques that will be used to detect the location of the source;

Will use storm drain maps to trace discharge upstream to source.

- iii. Procedures for removing the source of the illicit discharge; and

Enforce compliance with Ordinance No. 14-2009 which prohibits dumping in streets, alleys, gutters, ditches or storm drains.

Enforce compliance with Ordinance 2-2013.

- iv. Procedures for program evaluation and assessment.

Visual monitoring for illicit discharges in storm water.

- (5) How the MS4 plans to inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste. Include in the description how this plan will coordinate with the public education minimum measure and the pollution prevention/good housekeeping minimum measure programs;

An informational flyer is distributed annually with all City water bills. Van Buren has adopted a storm sewer manhole cover design that provides a visual reminder that no dumping is allowed in the storm water system.

The City developed an annual program that will train all employees with regard to reducing stormwater pollution from public facilities.

- (6) Who is responsible for overall management and implementation of the stormwater illicit discharge detection and elimination program and, if different, who is responsible for each of the BMPs identified for this program, and;

Van Buren Planning Department

- (7) How the MS4 will evaluate the success of this minimum measure, including how the MS4 selected the measurable goals for each of the BMPs.

Watch level of public support for community involvement projects, watch for improved cleanliness of stream banks and watch for visible reduction of pollutants in storm water. So far progress has been easily observed.

- i. *Performance Standards.* The stormwater illicit discharge detection and elimination program shall include:

- (1) Dry-weather screening of all stormwater outfalls located in the MS4's urbanized area at the time of this permit coverage over the permit term. Only those outfalls draining undeveloped watersheds do not need to be screened for illicit discharges; and
- (2) The storm sewer system map shall be updated annually as needed for changes occurring in the urbanized area boundaries at the time of permit coverage.

j. *Annual Reporting.* The annual report shall document the following:

- (1) number of outfalls dry weather screened;
- (2) number of dry-weather flows identified;
- (3) number of illicit discharges identified;
- (4) number of illicit discharges eliminated;
- (5) provide schedules for elimination of illicit connections that have been identified but have yet to be eliminated; and
- (6) summary of any storm sewer system mapping updates.

D. Construction Site Stormwater Runoff Control

a. The permittee shall develop, implement, and enforce a program to reduce pollutants in any stormwater runoff to the small MS4 from construction activities that result in a land disturbance of greater than or equal to one (1) acre. Reduction of pollutants in stormwater discharges from construction activity disturbing less than one (1) acre shall be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one (1) acre or more. If the Division waives requirements for stormwater discharges associated with small construction from a specific site(s), the permittee is not required to enforce the program to reduce pollutant discharges from such site(s). The program shall include the development and implementation of, at a minimum:

- (1) An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State or local law. The ordinance or other regulatory mechanism shall be at least as stringent as not conflicting with the criteria set forth in the current DEQ NPDES General Stormwater Permit for Construction Activities applicable for the permit area. If the DEQ NPDES General Stormwater Permit for Construction Activities is renewed during the duration of this permit, the permittee shall update ordinances or other regulatory mechanisms as needed within two years of the renewal of the DEQ NPDES Stormwater Permit for Construction Activities. If initial coverage for this permit was under a previous version of the permit, then the ordinance or other regulatory mechanism, if needed, shall be revised within two years of coverage under the general permit was granted;
- (2) Requirements for construction site operators to implement appropriate erosion and sediment control BMPs;

- (3) Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;
 - (4) Procedures for site plan review which incorporate consideration of potential water quality impacts;
 - (5) Procedures for receipts and consideration of information submitted by the public; and
 - (6) Procedures for site inspection and enforcement of control measures.
- b. *Decision process.* The permittee shall document the decision process for the development of a construction site stormwater control program. The rationale statement shall address the overall construction site stormwater control program and the individual BMPs, measurable goals, and responsible persons for the program. The rationale statement shall include the following information, at a minimum:
- (1) The mechanism (ordinance or other regulatory mechanism) that will be used to require erosion and sediment controls at construction sites and why the MS4 chose that mechanism. If it is needed to develop this mechanism, describe the plan and a schedule to do so. If the ordinance or regulatory mechanism is already developed, include a copy of the relevant sections with the SWMP description;

Ordinance No. 2-2013 deals directly with this.
 - (2) The plan is to ensure compliance with the erosion and sediment control regulatory mechanism, including the sanctions and enforcement mechanisms that will be used to ensure compliance. Describe the procedures for when certain sanctions will be used. Possible sanctions include non-monetary penalties (such as a stop work orders), fines, bonding requirements, and/or permit denials for non-compliance;

Ordinance No. 11-2004 provides for Stop-work orders, permit revocation and a per day fine.

Ordinance No. 2-2013 also includes enforcement and violation procedures.
 - (3) The requirements for construction site operators to implement appropriate erosion and sediment control BMPs and control waste at construction sites that may cause adverse impacts to water quality. Such waste includes discarded building materials, concrete truck washouts, chemicals, litter, and sanitary waste;

Ordinance No. 14-2009 prohibits dumping in streets, alleys, gutters, ditches or storm drains.

Ordinance 2-2013 created stormwater pollution prevention regulations. This ordinance seeks to maintain and improve the quality of surface water and groundwater within the City, region, and state. This ordinance explicitly prohibits illicit discharges into the MS4.

- (4) The procedures for site plan review, including the review of pre-construction site plans, which incorporate consideration of potential water quality impacts. Describe the procedures and the rationale for how certain sites will be identified for site plan review, if not all plans are reviewed. Describe the estimated number and percentage of sites that will have pre-construction site plans reviewed;

Single-family residence construction requires a minimum standards permit. Multi-family residential, commercial and industrial projects must submit a project specific erosion control plan that is reviewed and approved by the Engineering Department.

- (5) The procedures for receipt and consideration of information submitted by the public. Consider coordinating this requirement with the public education program;

Public input is received by the Mayor's office and referred to the appropriate department, board or commission for appropriate action.

- (6) The procedures for site inspection and enforcement of control measures, including how sites are prioritized for inspection;

Ordinance No. 2-2013 contains control measures. All sites are inspected by the building inspector periodically throughout duration of construction. No occupancy certificate can be issued for buildings with non-compliant erosion control conditions. Code enforcement issues citations to non-compliant contractors.

- (7) Who is responsible for overall management and implementation of the construction site stormwater control program and, if different, who is responsible for each of the BMPs identified for this program; and

Van Buren Building Department.

- (8) Describe how the MS4 will evaluate the success of this minimum measure, including how the measurable goals were selected for each of the BMPs.

Watch for improvement in construction site erosion control practices.

- c. *Performance Standards.* The construction site stormwater control program shall include pre-construction site plan reviews (reviews of construction site Stormwater Pollution Prevention Plans) of 100 percent of projects from construction activities that result in a land disturbance of greater than or equal to one (1) acre. These applicable sites shall be inspected at least on a monthly basis to ensure compliance.
- d. *Annual Reporting.* The annual report shall document the following:
 - (1) number of applicable sites in the MS4's jurisdiction;
 - (2) number of pre-construction site plan reviews performed;
 - (3) number and frequency of site inspections;
 - (4) number of violation letters issued;
 - (5) number of enforcement actions taken; and
 - (6) number of complaints received, and number followed up on.

E. Post-Construction Stormwater Management in New Development and Redevelopment

- a. The permittee shall develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one (1) acre, including projects less than one (1) acres that are part of a larger common plan of development or sale, that discharge into a small MS4. The program shall ensure that controls are in place will prevent or minimize water quality impacts;
- b. The permittee shall develop an implement strategies which include a combination of structural and/or non-structural BMPs appropriate for the community;
- c. The permittee shall use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under State and local law. The ordinance or other regulatory mechanism shall be at least as stringent as the criteria set forth in the current, at time of issuance of this permit, DEQ NPDES General Stormwater Permit for Construction Activities applicable for a permitted area. Of specific note is that a goal of at least 80% removal of total suspended solids from these flows which exceed predevelopment levels should be used in designing and installing stormwater management controls. If initial coverage was under a previous version of this permit, then the ordinance or other regulatory mechanism, if needed, shall be revised within two years of when coverage

under this general permit was granted; and

- d. The permittee shall ensure adequate long-term operation and maintenance (O&M) of BMPs.
- e. *Decision process.* The permittee shall document the decision process for the development of a post-construction SWMP. The rationale statement shall address both the overall post-construction SWMP and the individual BMPs, measurable goals, and responsible persons for the program. The rationale statement shall include the following information, at a minimum:

- (1) A program to address stormwater runoff from new development and redevelopment projects. Include in this description any specific priority areas for this program;

Ordinance No. 2-2013 contains post-construction erosion control measures. Additionally, Van Buren enforces Minimum Drainage Standards for all subdivision construction (Ord. No. 28-2023). Ordinance No. 11-2004 and 28-2023 are available on the Van Buren website at <http://www.vanburencity.org>. Ordinance No. 2-2013 has been integrated into a webpage on the city website that will deal exclusively with stormwater pollution prevention.

- (2) How the program will be specifically tailored for a local community, minimize water quality impacts, and attempt to maintain pre-development runoff conditions;

Ordinance No. 2-2013 contains post-construction erosion control measures. Additionally, Van Buren enforces Minimum Drainage Standards for all subdivision construction (Ord. No. 28-2023).

- (3) Any non-structural BMPs in the program, including, as appropriate: policies and ordinances that provide requirements and standards to direct growth to identified areas, protect sensitive areas such as wetlands and riparian areas, maintain and/or increase open space (including a dedicated funding source for open space acquisition), provide buffers along sensitive water bodies, minimize impervious surfaces, and minimize disturbance of soils and vegetation; policies or ordinances that encourage infill development in higher density urban areas, and areas with existing storm sewer infrastructure; education programs for developers and the public about project designs that minimize water quality impacts; and other measures such as minimization of the percentage of impervious area after development, use of measures to minimize directly connected impervious areas, and source control measures often thought of as good housekeeping, preventive maintenance and spill prevention;

Ordinance No. 2-2013 contains post-construction erosion control measures.

Additionally, Van Buren enforces Minimum Drainage Standards for all subdivision construction (Ord. No. 28-2023).

- (4) Any structural BMPs in the program, including, as appropriate: storage practices such as wet ponds and extended-detention outlet structures; filtration practices such as grassed swales, bio-retention cells, sand filters and filter strips; and infiltration practices such as infiltration basins and infiltration trenches;

Ordinance No. 2-2013 contains post-construction erosion control measures. Additionally, Van Buren enforces Minimum Drainage Standards for all subdivision construction (Ord. No. 28-2023).

- (5) The mechanisms (ordinance or other regulatory mechanisms) used to address post-construction runoff from new developments and redevelopments and why they were chosen. If a mechanism needs to be developed, then describe a plan and a schedule to do so. If an ordinance or regulatory mechanism is already developed, include a copy of the relevant sections with the program;

Ordinance No. 2-2013 contains post-construction erosion control measures. Additionally, Van Buren enforces Minimum Drainage Standards for all subdivision construction (Ord. No. 28-2023).

- (6) How the permittee will ensure the long-term operation and maintenance (O&M) of the selected BMPs. Options to help ensure that future O&M responsibilities are clearly identified include an agreement between the permittee and another party such as the post-development landowners or regional authorities;

The City of Van Buren Street Department assumes responsibility for O&M stormwater improvements.

- (7) Who is responsible for overall management and implementation of the post-construction SWMP and, if different, who is responsible for each of the BMPs identified for this program; and

Van Buren Building Department.

- (8) How the MS4 will evaluate the success of this minimum measure, including how the MS4 selected the measurable goals for each of the BMPs.

Visual inspection for reduction of pollutants in storm water.

- f. *Performance Standards.* The post-construction SWMP shall include pre-construction site plan review (for compliance with local requirements for post-construction management of stormwater) of 100 percent of projects from

construction activities that result in a land disturbance of greater than or equal to one acre to ensure that required controls are designed per requirements. These applicable sites shall be inspected to ensure that controls are installed per requirements. The program shall also ensure that long-term operation and maintenance (O&M) plans are developed and agreements in place for all applicable sites.

g. *Annual Reporting.* The MS4 annual reports shall document the following:

- (1) number of applicable sites in the jurisdiction requiring post-construction controls;
- (2) number of pre-construction site plan reviews performed;
- (3) number of inspections performed to ensure as built per requirements;
- (4) compliance rates with MS4 requirements; and
- (5) number of long-term operation and maintenance (O&M) plans developed and agreements in place.

h. *Low Impact Development (LID).* The Division recommends MS4s to evaluate their existing codes and planning procedures to remove impediments to low impact development and green infrastructure. The Division also encourages municipalities to evaluate proposed developments using green infrastructure for waivers from local requirements in their community planning process. The operator must include information on efforts to identify and remove impediments to LID in the post-construction program element of the Annual Report covering the 4th year of this renewal permit term.

F. Pollution Prevention/Good Housekeeping for Municipal Operations

- a. The permittee shall develop and implement an O&M program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations; and
- b. Using training materials that are available from EPA, DEQ, other organizations, or developed in-house, the program shall include employee training to prevent and reduce stormwater pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance; and

The permittee shall include a list of industrial facilities owned or operated by the MS4 that are subject to DEQ's Industrial Stormwater General Permit or individual NPDES permits for discharges of stormwater associated with industrial activity that ultimately discharge to the MS4. Include the DEQ permit number or a copy of the

NOC for each facility.

City of Van Buren Yard Waste Facility - Industrial Stormwater General Permit No.: ARR000197; AFIN: 17-00277.

- c. *Decision process.* The permittee shall document the decision process for the development of a pollution prevention/good housekeeping program for municipal operations. The rationale statement shall address both the overall pollution prevention/good housekeeping program and the individual BMPs, measurable goals, and responsible persons for the program. The rationale statement shall include the following information, at a minimum:

- (1) The O&M program to prevent or reduce pollutant runoff from the municipal operations. The program shall specifically list the municipal operations that are impacted by this operation and maintenance program;

City street and storm drain maintenance operations.

- (2) Any government employee training program that will be used to prevent and reduce stormwater pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance. Describe any existing, available materials planned for use. Describe how this training program will be coordinated with the outreach programs developed for the public information minimum measure and the illicit discharge minimum measure;

Stormwater training is incorporated into normal safety training sessions for Street Department employees.

- (3) The program description shall specifically address the following areas:

- i. Maintenance activities, maintenance schedules, and long-term inspection procedures for controls to reduce floatables and other pollutants to the MS4;

A stormwater system work order system was implemented during 2007. In 2007 Van Buren began a fall leaf pickup program to reduce the volume of yard waste entering the drainage system. The City purchased a street sweeper in 2008 and operates it full time to clean streets and reduce the volume of silt and trash entering the drainage system. All in-house and contract construction projects comply with ADEQ and City storm water ordinances. All areas disturbed by construction activities are re-vegetated with seed and mulch or Bermuda sod. A yard waste/drainage maintenance department was established in 2010. The City purchased a brush chipper and a sewer flusher to allow improved stormwater system maintenance in 2010.

- ii. Controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt/sand storage locations and snow disposal areas the permittee operates;

Ordinance No. 14-2009 prohibits dumping in streets, alleys, gutters, ditches or storm drains. Ordinance 2-2013 creates stormwater pollution prevention regulations. This ordinance seeks to maintain and improve the quality of surface water and groundwater within the City, region, and state. This ordinance explicitly prohibits illicit discharges into the MS4.

A stormwater system work order system was implemented during 2007. In 2007 Van Buren began a fall leaf pickup program to reduce the volume of yard waste entering the drainage system. The City purchased a street sweeper in 2008 and operates it full time to clean streets and reduce the volume of silt and trash entering the drainage system. All in-house and contract construction projects comply with ADEQ and City storm water ordinances. All areas disturbed by construction activities are re-vegetated with seed and mulch or Bermuda sod. A yard waste/drainage maintenance department was established in 2010. The City purchased a brush chipper and a sewer flusher to allow improved stormwater system maintenance in 2010.

- iii. Procedures for the proper disposal of waste removed from the MS4 and the municipal operations, including dredge spoil, accumulated sediments, floatables, and other debris; and

Waste generated by street sweeping operations are placed in a properly monitored construction fill site.

- iv. Procedures to ensure that new flood management projects are assessed for impacts on water quality and existing projects are assessed for incorporation of additional water quality protection devices or practices.

All flood management projects are reviewed by the Van Buren Engineering Department and Floodplain Administrator.

- (4) Who is responsible for overall management and implementation of the pollution prevention/good housekeeping program and, if different, who is responsible for each of the BMPs identified for this program; and

Van Buren Street Department.

- (5) How will the MS4 evaluate the success of this minimum measure, including how the MS4 selected the measurable goals for each of the BMPs.

Visible inspection for reduction of pollutants in storm water.

- d. *Performance Standards.* The pollution prevention/good housekeeping program shall include, at a minimum, an annual employee training for all eligible employees. An eligible employee is a new or veteran employee whose day-to-day work activities have the potential to impact stormwater quality. MS4s shall evaluate all current municipal-owned facilities to ensure that industrial general stormwater permit coverage (ARR000000), if needed, is obtained. This evaluation shall be included in the first annual report. Annual inspections for all municipal facilities not requiring industrial stormwater permit coverage are required for municipal facilities performing maintenance activities on mechanical equipment, facilities with fueling stations, facilities involved in waste storage, transfer or recycling, facilities with material stockpiles, and facilities storing fertilizers or pesticides. The O & M program shall include appropriate procedures, controls, maintenance schedules and recordkeeping.
- e. *Annual Reporting.* The annual reports shall document the following:
 - (1) A summary of employee training program(s) implemented with number of employees that attended; and
 - (2) A summary of activities and procedures implemented for the operation and maintenance program.

DEFINITIONS

All definitions contained in Section 502 of the Act and 40 C.F.R. § 122 shall apply to this permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided, but in the event of a conflict, the definition found in the Statute or Rule takes precedence.

1. **"Best Management Practices (BMPs)"** means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
2. **"Control Measure"** as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the United States.
3. **"Coverage area"** is the area for which the permittee must implement the requirements for this permit.
4. **"CWA"** means the Clean Water Act or the Federal Water Pollution Control Act, 33 U.S.C. 1251 et seq.
5. **"DEQ"** refers to the Arkansas Department of Energy and Environment – Division of Environmental Quality. The Division is the governing authority for the National Pollutant Discharge Elimination System program in the state of Arkansas.
6. **"Director"** means the Chief Administrator, Division of Environmental Quality, or a designated representative.
7. **"Division"** is referencing the Division of Environmental Quality. The Division is the governing authority for the National Pollutant Discharge Elimination System program in the state of Arkansas.
8. **"Discharge"** when used without qualification means the "discharge of a pollutant."
9. **"Discharge of Stormwater Associated with Construction Activity"** as used in this permit, refers to a discharge of pollutants in stormwater runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavation), construction materials or equipment storage or maintenance (e.g., fill piles, borrow area, concrete truck washout, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located.
10. **"Discharge-related activities"** include: activities which cause, contribute to, or result in stormwater point source pollutant discharges; and measures to control stormwater discharges, including the siting, construction and operation of best management practices (BMPs) to control, reduce or prevent stormwater pollution.

11. **"Eligible"** means qualified for authorization to discharge stormwater under this general permit.

12. **"Facility"** or **"Activity"** means any NPDES "point source" or any other facility (including land or appurtenances thereto) that is subject to regulation under the NPDES program.

13. **"Illicit Connection"** means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

14. **"Illicit discharge"** means any discharge to a municipal separate storm sewer that is not composed entirely of stormwater except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from emergency firefighting activities.

15. **"Impaired waters"** are waters that have been identified pursuant to Section 303(d) of the Clean Water Act as not meeting applicable surface water quality standards. This may include both waters with approved Total Maximum Daily Loads (TMDLs) and those for which a TMDL has not yet been approved.

16. **"Large Municipal Separate Storm Sewer System"** means all municipal separate storm sewer systems that are either:

A. Located in an incorporated place with a population of 250,000 or more as determined by the latest Decennial Census by the Bureau of Census; or

B. Located in the counties with unincorporated urbanized populations of 250,000 or more, except municipal, separate storm sewers that are located in the incorporated places, townships or towns within such counties; or

C. Owned or operated by a municipality other than those described in paragraphs VI.16.A or VI.16.B and that are designated by the Director as part of the large or medium municipal separate storm sewer system.

17. **"Measurable Goal"** means a quantitative measure of progress in implementing a component of a stormwater management program.

18. **"Medium Municipal Separate Storm Sewer System"** means all municipal separate storm sewer systems that are either:

A. Located in an incorporated place with a population of more than 100,000 but less than 250,000 as determined by the latest Decennial Census by the Bureau of Census; or

B. Located in the counties with unincorporated urbanized populations of more than 100,000 but less than 250,000, except municipal, separate storm sewers that are located

in the incorporated places, townships or towns within such counties; or

C. Owned or operated by a municipality other than those described in paragraphs VI.18.A or VI.18.B and that are designated by the Director as part of the large or medium municipal separate storm sewer system.

19. **"MS4"** means Municipal Separate Storm Sewer System.

20. **"Municipal Separate Storm Sewer"** means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, and storm drains):

A. Owned or operated by a state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the Clean Water Act (33 U.S.C. 1288) that discharges to waters of the United States;

B. Designed or used for collecting or conveying stormwater;

C. That is not a combined sewer; and

D. That is not part of a publicly owned treatment works.

21. **"NOI"** means Notice of Intent to be covered by this permit.

22. **"NOT"** means Notice of Termination.

23. **"Non-Traditional MS4"** means systems similar to separate storm sewer systems in municipalities, such as systems at military bases, hospitals, public universities or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewer systems in very discrete areas such as individual buildings.

24. **"Off-Lot Home Sewage Treatment System (HSTS)"** means a system designed to treat home sewage on-site and discharge treated wastewater off-lot.

25. **"On-Lot Home Sewage Treatment System (HSTS)"** means a system designed to treat home sewage on-lot with no discharges leaving the lot.

26. **"Outfall"** means a point source as defined by 40 C.F.R. § 122.2 at the point where a municipal separate storm sewer discharges to waters of the State and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and that are used to convey waters of the United States.

27. **"Owner or operator"** means the owner or operator of any "facility or activity" subject to regulation under the NPDES program.

28. **"Permitting Authority"** means the Division of Environmental Quality.

29. **"Physically Interconnected"** means that one municipal separate storm sewer system is connected to a second municipal separate storm sewer system in such a way that it allows for direct discharges into the second system.

30. **"Point Source"** means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

31. **"Pollutant"** is defined at 40 C.F.R. § 122.2. A partial listing from this definition includes: dredged spoil, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial or municipal waste.

32. **"Qualified personnel"** means staff knowledgeable in the operation and maintenance of Municipal Separate Storm Sewer Systems (MS4) and possessing the skills necessary to gather and evaluate information regarding an MS4 program.

33. **"Significant contributors of pollutants"** means any discharge that causes or could cause or contribute to a violation of surface water quality standards.

34. **"Small MS4"** means any MS4 not already covered by the Phase I stormwater program.

35. **"Splash Pad"** refers to an outdoor recreational bathing area with sprinklers, fountains, nozzles, and other devices or structures that spray water.

36. **"Total Maximum Daily Load (TMDL)"** the sum of individual waste load allocations (WLAs) for point sources, load allocations (LA's) for non-point sources, and natural background levels.

37. **"Uncontaminated"** means that the water will not exceed the water quality standards as set forth in APC&EC Rule 2; also, not containing a harmful quantity of any substance.