

Recertification Notice of Intent (NOI)

Regulated Small Municipal Separate Storm Sewer Systems (MS4's) General Permit ARR040000

You must complete, certify, and sign this Recertification Notice of Intent (NOI) form and return it along with the updated Stormwater Management Program (SWMP) to the Department in order to continue permit coverage under the General Permit ARR040000. You must submit this form **no later than July 1, 2019**. Please keep a copy of this form for your records once completed and signed.

Permittee Name	Permit Tracking Number	AFIN
City of Conway	ARR040007	88-00833

If any changes or additions need to be made to the information shown below, please update the new information in the corrections section below and/or attach documentation.

	Current Information in ADEQ's database	Corrections/Additions, If Needed
Small MS4 Physical Address	1201 Oak Street	
County	Faulkner	
Urbanized/Core Areas	Conway	
Receiving Stream	Tupelo Bayou (via Tucker Creek), Lake Conway - Palarm Creek (via Stone Dame Creek, Gold Creek, & Little Creek)	
Ultimate Receiving Stream	Arkansas River	
Contact Person & Title	Phillip Vick, Civil Engineer	
Telephone Number	(501) 450-6165	
Cognizant Official & Title	B. Finley Vinson, City Engineer, Director Street/Eng. Dept.	
Responsible Official & Title	Bart Castleberry, Mayor	

Are the mailing and invoice addresses the same?

Yes or No*

*If "No," please provide invoice address:

Additional Comments: _____

"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.

Responsible Official Name: Bart Castleberry
 Responsible Official Title: Mayor
 Responsible Official Signature: [Signature]
 Date: 6-5-2019

Return the NOI form to the address below or send it electronically to: water.permit.application@adeq.state.ar.us or via ePortal at the following web address: <https://eportal.adeq.state.ar.us/>

NPDES Permits Section, Office of Water Quality
 Arkansas Department of Environmental Quality
 5301 Northshore Drive
 North Little Rock, AR 72118-5317

Storm Water Management Program (SWMP)

City of Conway, Arkansas



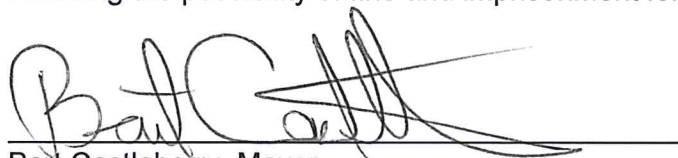
June 2019

City of Conway
Transportation Department
100 E. Robins Street
Conway, Arkansas 72032
(501) 450-6165
streetdepartment@cityofconway.org

Certification

The City of Conway developed this Storm Water Management Program (SWMP) in accordance with requirements of the National Pollutant Discharge Elimination System (NPDES) Regulated Small Municipal Separate Storm Sewer Systems (MS4s) Located within the State of Arkansas, Permit Number ARR040000, issued by the Arkansas Department of Environmental Quality (ADEQ) and effective August 1, 2019.

"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 gathered and evaluated 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."



Bart Castleberry, Mayor
City of Conway, Arkansas

6-5-2019

Date

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1. INTRODUCTION AND OVERVIEW

This storm water management program planning document was developed by the City of Conway to describe the activities that will be implemented, and the metrics to be used, to meet the terms and conditions of the General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) in urbanized areas of Arkansas. The SWMP addresses storm water quality management policies and practices that are or will be implemented in the City. These areas of focus in the Storm Water Plan include the six minimum control measures specified in the City's MS4 NPDES Permit ARR040007.

1.1. Receiving Streams and Waterbodies

The City of Conway's storm water drainage is divided into two watersheds with the west one-half of the City draining into Tucker Creek and on to the Arkansas River and the east one-half draining into Stone Dam Creek, Gold Creek, and Little Creek with each draining into Lake Conway (see attached map).

1.2. Waterbody Impairment and TMDL Issues

Stone Dam Creek has been listed as an impaired stream for various pollutants (e.g., Zn, SO₄) in the past mainly resulting from the City's wastewater treatment plant discharge location. The treatment plant was relocated to Tupelo Bayou in 2014. Stone Dam Creek is listed in the draft 2018 303(d) list as a category 5 impaired waterbody for dissolved oxygen (DO). The source for this contamination is listed as unknown and the actions that could be taken with regards to City's MS4 system to positively impact DO levels are limited. The 2016 303(d) list included DO and total dissolved solids (TDS), both showed the source to be unknown. Due to the growth of Conway over the last couple of decades, a likely source of TDS is erosion from associated land development and construction activity in and around the City. Absence of TDS from the new 303(d) list may be an indication that the City's emphasis over the last few years to address construction site sediment and erosion control in the Stone Dam Creek watershed may be yielding positive results. Conway's updated SWMP will continue to place emphasis on Stone Dam Creek and the other watersheds that drain to Lake Conway.

2. MINIMUM CONTROL MEASURES

2.1. PUBLIC EDUCATION AND OUTREACH

The City of Conway will implement a public education program addressing the impacts of storm water discharges on water bodies and steps the public can take to reduce pollutants in storm water runoff. The City will also provide education and outreach to its employees, contractors, and individuals that utilize the City's facilities.

2.1.1. Best Management Practices (BMP's)

The best management practices the City will use for implementation of Minimum Control Measure One, Public Education and Outreach, are as follows:

- 2.1.1.1.** Public discussion in City Council meetings of existing and pending state and local storm water pollution prevention requirements, presentation of requirements to local Home Builders Association, local newspaper stories, and using social media to inform the public of these storm water requirements.
- 2.1.1.2.** Develop / Distribute information describing the need to prevent contaminants from entering the storm water system and actions individual home owners

can take to reduce the potential for storm water contamination. Information will identify potential common household contaminants including landscaping chemicals, motor oil, grease, and sanitary sewer discharges.

2.1.2. Measurable Goals

The measurable goals for the best management practices are as follows:

- 2.1.2.1.** Presentation to Conway City Council of Draft NOI for the MS4 general permit renewal – June 2019. Periodically present policy requirements for implementation of SWMP and provide annual updates on progress of SWMP compliance.
- 2.1.2.2.** Utilization of social media or other communication mechanisms to inform individual households and keep citizens aware of practices to help ensure storm water system operates effectively to prevent local flooding and to keep contaminants out of storm drainage system – October 2019, and semi-annually.

2.1.3. Responsible Parties

Public education and outreach will be the responsibility of the City of Conway Communications Coordinator with technical support provided by the City Engineer. Topics and educational information will be provided by the City Engineer for the Communications Coordinator to incorporate into the various modes of communications.

2.1.4. Rationale Statement

The audience for education and outreach is primarily made up of developers and builders as the prevalence of construction activities, and the accompanying erosion, tracking of sediments, and suspended solids in runoff has the greatest potential for negative impacts to receiving streams and Lake Conway. Although not considered to have as great a potential for negatively impacting the storm drainage system and receiving streams, commercial businesses that perform vehicle fleet maintenance activities and other potential sources of pollutants will also be targeted for education and outreach. The general public will also be targeted to receive information intended to educate on such things as managing yard waste, maintenance of swimming pools, and other types of activities with potential for introducing pollutants into the storm drainage system. Another focus of the City's education and outreach is to educate the public on ways to help prevent localized flooding caused by leaves, grass clippings, and other debris clogging the drainage system.

The primary outreach mechanism to be utilized will be social media, which the City of Conway has been using successfully to engage the public on various topics of interest. Flyers and/or other types of communications may be developed for handout at events or to include in mailers. Presentations made to business associations (e.g., Home Builders Association) will be also be a part of the City's outreach activities.

Evaluation of the success of the City's public education and outreach activities will be based on feedback received from the public via the City's social media platform and from interaction with the various businesses and interest groups. If there is an increase in awareness of storm water issues and the things individuals and groups can do to mitigate and prevent the negative impacts from potentially polluting activities, then the City's education and outreach will be deemed successful.

2.2. PUBLIC INVOLVEMENT / PARTICIPATION

The City shall at a minimum, comply with State and local public notice requirements when implementing a public involvement/participation program. The City will encourage the involvement of employees, contractors, and individuals utilizing the City's facilities.

2.2.1. Best Management Practices (BMP's)

The best management practices that the City will or already does implement for Minimum Control Measure Two – Public Involvement/Participation, are as follows:

- 2.2.1.1.** Update and clarify City ordinance requirements and provide guidance to developers and builders for complying with the City of Conway MS4 Storm Water Permit and existing local and state requirements.
- 2.2.1.2.** Make presentations to local subdivision homeowner associations, Home Builders Association, civic groups, and other citizen groups to raise awareness of issues affecting the City's storm water system and Lake Conway as well as soliciting their assistance in monitoring, identifying, and reporting suspected illegal and improper water discharges and disposal of waste.

2.2.2 Measurable Goals

The measurable goals for the best management practices for Minimum Control Measure Two – Public Involvement/Participation, the ones the City believes to have the authority to implement, are as follows:

- 2.2.2.1.** Provide subdivision developers and builders opportunity for review and comments to a draft update of the City's storm water management and erosion control ordinance – August 2019, and finalize updated ordinances – October 2019.
- 2.2.2.2.** Offer to meet with organized subdivision Property Owner Associations, Home Builder's Association, and other groups – Annually.

2.2.3. Responsible Parties

Public Involvement/Participation will be the responsibility of the City Engineer and Planning Dept. Director with support provided by the City of Conway Communications Coordinator. The City Engineer is responsible for developing and updating local requirements to ensure compliance with provisions of the City's MS4 permit. The Planning Director is responsible for zoning, development planning, and other activities that can help mitigate negative impacts to the MS4 system; both of these provide opportunity for public input that is part of that responsibility. The Communications Coordinator will be responsible for soliciting various groups for participation in the storm water management program, arranging, and scheduling meetings, presentations, etc., with the various groups and associations.

2.2.4 Rationale Statement

As with public education and outreach, the primary audience is made up of developers and builders. Obtaining as much buy-in as possible to existing and proposed requirements for regulation of their construction activities will provide the best opportunity for gaining and maintaining compliance and the resulting protection of receiving waters from pollutants.

The existing forums that are a normal part of a functioning municipality, i.e., city council meetings, various committee meetings, as well as informal gatherings will be utilized to actively involve the public. Planning activities for events such as Toad Suck Daze, Conway Ecofest, and similar gatherings of the public will also be used to solicit involvement in development and implementation of the storm water management program.

Evaluation of the success of the City's public education and outreach activities will be based on the level and type of feedback from developers and home builders regarding the updates to the City's storm water management and erosion control requirements and on the City's increased emphasis on enforcement. Another indication of success will be the number and type of organizations that show interest in having the City make presentations on various topics related to storm water management and protection of receiving streams and Lake Conway.

2.3 ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

The City shall develop, implement and enforce a program to detect and eliminate illicit discharges, as defined in Part 6 of the Permit, into the small MS4.

2.3.1. Best Management Practices (BMP's)

The best management practices that the City will or already does implement for Minimum Control Measure Three – Illicit Discharge Detection and Elimination are as follows:

- 2.3.1.1.** Publicize the Transportation Department's role as the point of contact for public reporting suspect illicit discharges.
- 2.3.1.2.** Develop program to investigate streams and storm drainage system during dry periods to identify non-storm water discharges in the storm drainage system. The Program shall include visual inspection of low water flows along with sampling and testing as necessary if suspect water flows are identified. Publicize and encourage public reporting of non-storm water flows in storm drainage system.
- 2.3.1.3.** Maintain and regularly update the City's storm sewer system map as new developments are completed.

2.3.2 Measurable Goals

The measurable goals for the best management practices for Minimum Control Measure Three – Illicit Discharge Detection and Elimination, are as follows:

- 2.3.2.1.** Raise awareness for City employee and public reporting of suspect illicit discharges by including it as a topic in various modes of communication and outreach, e.g., social media pages, flyers/door hangers, presentations, etc. Conduct tracking of notifications, findings, and results for annual reporting.
- 2.3.2.2.** Continue inspection and monitoring for illicit discharges of at least 30% annually of the City's storm drainage system and document findings for inclusion in the annual reports.
- 2.3.2.3.** For each new residential / commercial development completed and receiving a Certificate of Occupancy or approved Final Plat, obtain AutoCAD files of drainage systems for incorporation into City's storm sewer system map.

2.3.3 Responsible Parties

Implementation of an illicit discharge detection and elimination program will be the responsibility of the City Engineer while enforcement responsibility will be the City's Code Enforcement Department.

2.3.4 Rationale Statement

The IDDE program for the City of Conway is included as part of Ordinance O-09-13 that includes a listing of approved discharges and, in certain cases, specifying discharges not approved. The most successful mechanism for discovering illicit discharges has been reporting from City employees making observations during their daily work activities, and from utility field personnel and wastewater system inspectors with Conway Corporation. To a lesser extent, reporting of suspect discharges by the public has led to identification of illicit discharges. Raising awareness of the program among all of these groups will continue to improve the probability of identifying illicit discharges allowing for corrective actions to be taken to help mitigate the negative effects.

The ordinance specifies the requirement to develop and maintain a storm sewer system map that is used as a guide in helping to detect illegal discharges during dry weather.

The primary enforcement mechanism utilized for the IDDE program has been the Cease and Desist Order issued to the property owner. In essentially all cases, this initial action results in resolution and additional enforcement actions, i.e., fines, are not necessary.

2.4 CONSTRUCTION SITE STORM WATER MANAGEMENT

The City shall develop, implement and enforce a program to reduce pollutants in any storm water runoff to the small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of pollutants in storm water discharges from construction activity disturbing less than one 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 acre or more. If ADEQ waives requirements for storm water discharges associated with small construction from a specific site(s), the City is not required to enforce the program to reduce pollutant discharges from such site(s).

2.4.1. Best Management Practices (BMP's)

The best management practices that the City will or already does implement for Minimum Control Measure Four – Construction Site Storm Water Management, are as follows:

- 2.4.1.1.** Update the City's Erosion Control and Storm Water Ordinance to require submission of site plans on all sites where any type of land alteration is planned, regardless of size, to determine if sediment and erosion control is necessary.
- 2.4.1.2.** Develop and adopt a Storm Water Management Manual detailing Best Management Practice (BMP) options for all construction sites including residential home building on lots smaller than 1 acre. The manual will be adopted by City ordinance and will include provisions for enforcement, penalties, and sanctions to assure compliance.

2.4.2 Measurable Goals

The measurable goals for the best management practices for Minimum Control Measure Four – Construction Site Storm Water Management, are as follows:

- 2.4.2.1.** Present draft revised Storm Water Pollution Prevention ordinance to City Council for review and input – June 2019. Adopt revised Storm Water Pollution Prevention Ordinance and implement permitting and inspection process – August 2019.
- 2.4.2.2.** Provide builders and contractors with a Sediment and Erosion Control Manual with recommended BMPs to assist with compliance with ADEQ regulations and local ordinance requirements – September 2019.

2.4.3 Responsible Parties

Construction site storm water management program implementation is the responsibility of the City Engineer. Responsibility for enforcement of the provisions of the program lies with the City Code Enforcement Department.

2.4.4 Rationale Statement

The current Erosion Control and Storm Water Ordinance was written over ten years ago and, with the MS4 permit renewal, provides opportunity for updating and clarifying some of the ordinance provisions and for consolidating requirements from other related ordinances into a single document. One of the main objectives of the update is to provide a mechanism for requiring sediment and erosion control on all sites where the ground surface is disturbed, regardless of size. The updated ordinance will require submission of Site Plans of varying detail, depending on the type of project, that will allow the City to determine if appropriate type and location of controls are being installed and to identify potential drainage issues affecting adjacent properties.

The enforcement methodology primarily used to help ensure compliance is verbal directions for corrective actions given by the construction inspector or Code Enforcement Officer and, if that is unsuccessful, issuance of a violation notice with a 30-day period to take corrective action. If the violation continues without being adequately addressed, the Code Enforcement Department will issue a citation of not less than \$100 or more than \$500 per violation per day.

Evaluation of success of construction site storm water management will be largely based on visual observation of the effectiveness of sediment and erosion control measures implemented on construction sites during and after storm events. A decrease in frequency of calls received from the public for clogged storm drains resulting from homeowner property maintenance activities will be the best indication of success for the localized flooding issues plaguing the City.

2.5 POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

The City shall develop, implement and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre 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 that will prevent or minimize water quality impacts.

2.5.1 Best Management Practices (BMP's)

The best management practices that the City will or already does implement for Minimum

Control Measure Five – Post-Construction Storm Water Management, are as follows:

- 2.5.1.1.** Update the City's Erosion Control and Storm Water Ordinance to require permanent stabilization of disturbed areas and BMP's to minimize potential for long-term adverse water quality impact.
- 2.5.1.2.** Develop Storm Water Drainage Manual to include a review of current storm water runoff design criteria and develop alternative design criteria for urbanized watersheds. Will include greater frequency storm events, storm water detention design criteria, and other specific requirements to mitigate post construction issues.
- 2.5.1.3.** Consider implementation of new requirements to manage growth that will maintain and/or increase open space, minimize impervious surfaces, and minimize disturbance of soils and vegetation to help protect sensitive areas; Consider options for developing a funding source for maintenance and improvement of the storm drainage system including routine maintenance of major outfall creek channels.

2.5.2 Measurable Goals

The measurable goals for the best management practices for Minimum Control Measure Five – Post-Construction Storm Water Management, are as follows:

- 2.5.2.1.** Present draft revised Erosion Control and Storm Water Ordinance to City Council for review and input – August 2019. Adopt revised Erosion Control and Storm Water Ordinance and implement permitting and inspection process – September 2019.
- 2.5.2.2.** Submit draft Storm Water Drainage Manual to City Council for review – August 2019.
- 2.5.2.3.** Approval of a storm water maintenance and improvement funding source including storm water utility – October 2020.

2.5.3 Responsible Parties

Post-construction site storm water management program implementation is the responsibility of the City Engineer. Responsibility for enforcement of the provisions of the program lies with the City Code Enforcement Department.

2.5.4 Rationale Statement

Much of the rationale for both construction site and post-construction storm water management is the same; the objective being to ensure proper sediment and erosion control management practices are employed and remain effective long term. Emphasis will be given to the Stone Dam Creek and the other watersheds draining to Lake Conway to help decrease the rate of sedimentation of the lake. Revising the existing ordinance to require sediment and erosion control on all land disturbing activity regardless of size will further contribute to reducing suspended solids. The incorporation of more stringent storm water design criteria in a drainage manual will help mitigate impacts from larger storm events. Additionally for post-construction, an effort will be re-initiated to persuade City leaders to approve some type of mechanism to generate revenue for maintenance and improvement of drainage systems.

New Planning Department leadership will provide opportunity to introduce new, non-structural requirements to manage development within the City to compliment the existing storm water infrastructure to help reduce and prevent the introduction of pollutants.

Determination of success of post-construction management activities will be largely based on visual observation of the effectiveness of sediment and erosion control measures during and after storm events that have been implemented on construction sites. The criteria being communicated to developers and builders for compliance with the undated ordinance is any “muddy water” observed leaving a construction site will be considered a violation. Adoption of new zoning and development guidelines to management growth, and implementation of a funding mechanism for drainage system maintenance and upgrading will be considered as success of the non-structural BMP’s.

2.6 POLLUTION PREVENTION/GOOD HOUSEKEEPING

The City shall develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.

Using training materials that are available from EPA, ADEQ, other organizations or developed in-house, the program shall include employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance.

The City shall include a list of industrial facilities owned or operated by the MS4 that are subject to ADEQ’s Industrial Storm Water General Permit or individual NPDES permits for discharges of storm water associated with industrial activity that ultimately discharge to the MS4. Include the ADEQ permit number or a copy of the Industrial NOI form for each facility. For the municipal facilities that conduct activities described in 40 CFR 122.26(b)(14) that are not required to obtain Industrial Storm Water General Permit coverage, a Storm Water Pollution Prevention Plan (SWPPP) shall be developed and implemented within twelve months of coverage being granted under the Permit. The SWPPP shall conform to the requirements of ADEQ’s Industrial Storm Water General Permit in effect at the time coverage under the Permit is granted.

2.6.1 Best Management Practices (BMP’s)

The best management practices that the City will or already does implement for Minimum Control Measure Six – Pollution Prevention/Good Housekeeping, are as follows:

- 2.6.1.1.** Develop a training program for Transportation Department employees on how to prevent and reduce storm water pollution from facility and open area maintenance activities, vehicle and equipment fleet maintenance, and storm water system maintenance.
- 2.6.1.2.** Evaluate city maintenance facilities, equipment storage areas and material storage areas for compliance with BMP’s. Develop City policy for conforming to Good Housekeeping BMP’s.

2.6.2 Measurable Goals

The measurable goals for the best management practices for Minimum Control Measure Six – Pollution Prevention/Good Housekeeping, are as follows:

- 2.6.2.1. Provide storm water management training program for responsible personnel in the Transportation Department – December 2019, periodic refresher training thereafter.
- 2.6.2.2. Complete review of city facilities to determine if any operational changes have been made that would subject these facilities to storm water management requirements; and compile a list – December 2019.

2.6.3 Responsible Parties

The City Engineer is responsible for communication of Pollution Prevention/Good Housekeeping program requirements for all departments within the City while the Directors of each department are responsible for implementation. The Street Superintendent is responsible for implementing the program for the Transportation Department.

2.6.4 Rationale Statement

The City of Conway industrial facilities that are subject to ADEQ's Industrial Storm Water General Permit are the Transportation Department (Permit ARR001547) and the Sanitation Department Landfill (Permit ARR ARR000200). The landfill has its own storm water pollution prevention plan (SWPPP) that covers training requirements, BMP's, etc., their permit requires.

The Transportation Department facility includes storage areas for construction materials, parking for vehicles and equipment, a fueling station, and a truck wash facility (separately permitted). The maintenance and construction employees receive storm water management training as part of their annual environmental, safety, and health training provided by Safety and Environmental Associates, Inc. The training contains elements addressing best management practices for both operations in and around the department facility, and the activities that are part of their daily construction and maintenance work performed on the streets and drainage system throughout the City.

Success of the City's Pollution Prevention/Good Housekeeping program will be determined by the completion training for each employee and by visual observation of the maintenance areas and storage, parking, and other open space areas within the Transportation Department facility.

3. Monitoring and Reporting

Implementation of each Minimum Control Measure is as per the best management practices. The choice of these practices is described in the rationale statement, the City evaluates the appropriateness of identified BMPs, monitors their effectiveness based on the metrics described in the measurable goals sections, and tracks progress toward achieving the goals and satisfying the performance standards. Copies of reports and documentation required by the Permit are retained and made accessible to the public. Annual reports are prepared detailing the progress in meeting the measurable goals of the program using the reporting forms provided by ADEQ and are filed in accordance with the requirements of Part 4 of Permit.

Watershed Drainage Map

