NOTICE OF INTENT
FOR DISCHARGERS OF STORMWATER RUNOFF
ASSOCIATED WITH REGULATED SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS
AUTHORIZED UNDER NPDES GENERAL PERMIT ARR040000

I. PERMITTEE INFORMATION

New ☐ Renewal ☒ (Permit Tracking Number ARR04 0037)

Regulated Small MS4 Name: Arkansas State University
Owner Type:
Mailing Address: PO Box 1530 ☐ FEDERAL ☒ STATE
Actual Street Address: 2105 Aggie Rd ☐ PUBLIC ☐ OTHER
City: State University Urbanized Area Jonesboro
State: AR Zip: 72467 County(ies): Craighead

Enter the Latitude and Longitude of the approximate center of the Small MS4 (A map must be included.):

Small MS4 Latitude: 35 degrees 50 minutes 37 seconds
Small MS4 Longitude: 90 degrees 40 minutes 12.5 seconds

II. PERMITTEE CONTACT INFORMATION

Name: Robert Clark Telephone: 870-972-3644
Title: EHS Director Email Address: rclark@astate.edu

III. INVOICE MAILING INFORMATION

Invoice Contact Person: Robert Clark City: State University
Invoice Mailing Company: Arkansas State University EHS State: AR Zip: 72467
Invoice Mailing Address: PO Box 1530 Telephone: 870-972-3644

IV. CERTIFICATION OF PERMITTEE (See Part 5.7 of the general permit)

For a municipality, State, Federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of Part VI.H of the general permit, a principal executive officer of a Federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA).

"I certify that the cognizant official designated in this Notice of Intent is qualified to act as a dully authorized representative under the provisions of 40 CFR 122.22(b). If no cognizant official has been designated, I understand that the Department will accept reports signed by the applicant. 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 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."

Responsible Official Printed Name: Lori Winn Title: AVC for HR
Responsible Official Signature: Lori Winn Date: May 30, 2019

V. COGNIZANT OFFICIAL DESIGNATION (Optional)

Cognizant Official Printed Name: Robert Clark Title: EHS Director
Cognizant Official Signature: Robert Clark Date: May 30, 2019
Telephone 870 972 3644 Email rclark@astate.edu

VI. PERMIT REQUIREMENT VERIFICATION

Submittal of Complete NOI? ☑ Yes ☐ No
Submittal of MS4 map? ☑ Yes ☐ No
Submittal of Complete Stormwater Management Program? ☑ Yes ☐ No

REQUEST FOR CHANGE OF AUTHORIZATION
(CERTIFICATION AND SIGNATORY REQUIREMENTS)

NPDES Permit Number: ARR040000 / ARR040037 Facility Name: Arkansas State University

Type of Change: (check one)

- [x] New Cognizant Official (or duly authorized representative) (sections 1 and 2)
- [ ] New Responsible Official (complete section 2 only)
- [ ] Both (sections 1 and 2)
- [ ] Additional Cognizant Official (or duly authorized representative) (sections 1 and 2)

1. NEW **COGNIZANT OFFICIAL** (*or duly authorized representative*) (See 122.22(b); the individual, authorized by the ranking official in writing, as **having responsibility for the overall operation** of the regulated facility or activity responsibility, or having overall responsibility for environmental matters for the company.)

The ranking official hereby designates the following ***individual*** as the cognizant official, (duly authorized representative), for signing the permit required reports, etc., including Discharge Monitoring Reports (DMR) required by the permit, and other information requested by the Director:

Robert R. Clark
Signature of the Cognizant Official (Duly Authorized Representative)

Robert R Clark
Name (First Name, MI, Last Name) Typed or Printed

PO Box 1530 — State University, AR 72467
Mailing Address — *City, State, and Zip*

EHS Director — (870) 972-3644 — 870 972-3584
Title — *A/C Phone* — *Fax*

Email Address: rclark@astate.edu

By signature below, the responsible official certifies that the above named **individual** is qualified to act as the duly authorized representative under the provisions of 40 CFR 122.22(b).

2. **RESPONSIBLE OFFICIAL** (***Note:*** *The responsible official is the person authorized to sign the permit application i/a/w 40 CFR 122.22(a).* For a *Corporation*: it is the responsible corporate officer. Partnership or Sole Proprietorship: the general partner or proprietor. *Municipality, State, Federal or other Public Agency*: the principal executive officer ranking elected official.)

Lori A. Winn — May 29, 2019
Signature of the Responsible Official — *Date*

Lori A. Winn
Name (First Name, MI, Last Name) Typed or Printed

PO Box 1500 — State Univ AR 72467
Mailing Address — *City, State, and Zip*

AVC for Human Resources (870) 972-3995 — (870) 972-3337
Title — *A/C Phone* — *Fax*

Email Address: lwinn@astate.edu

Certification: I certify under penalty of law that this document and all attachments were prepared under my direct 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.

Will the Responsible Official also be the person signing submittals? [x] Yes [ ] No

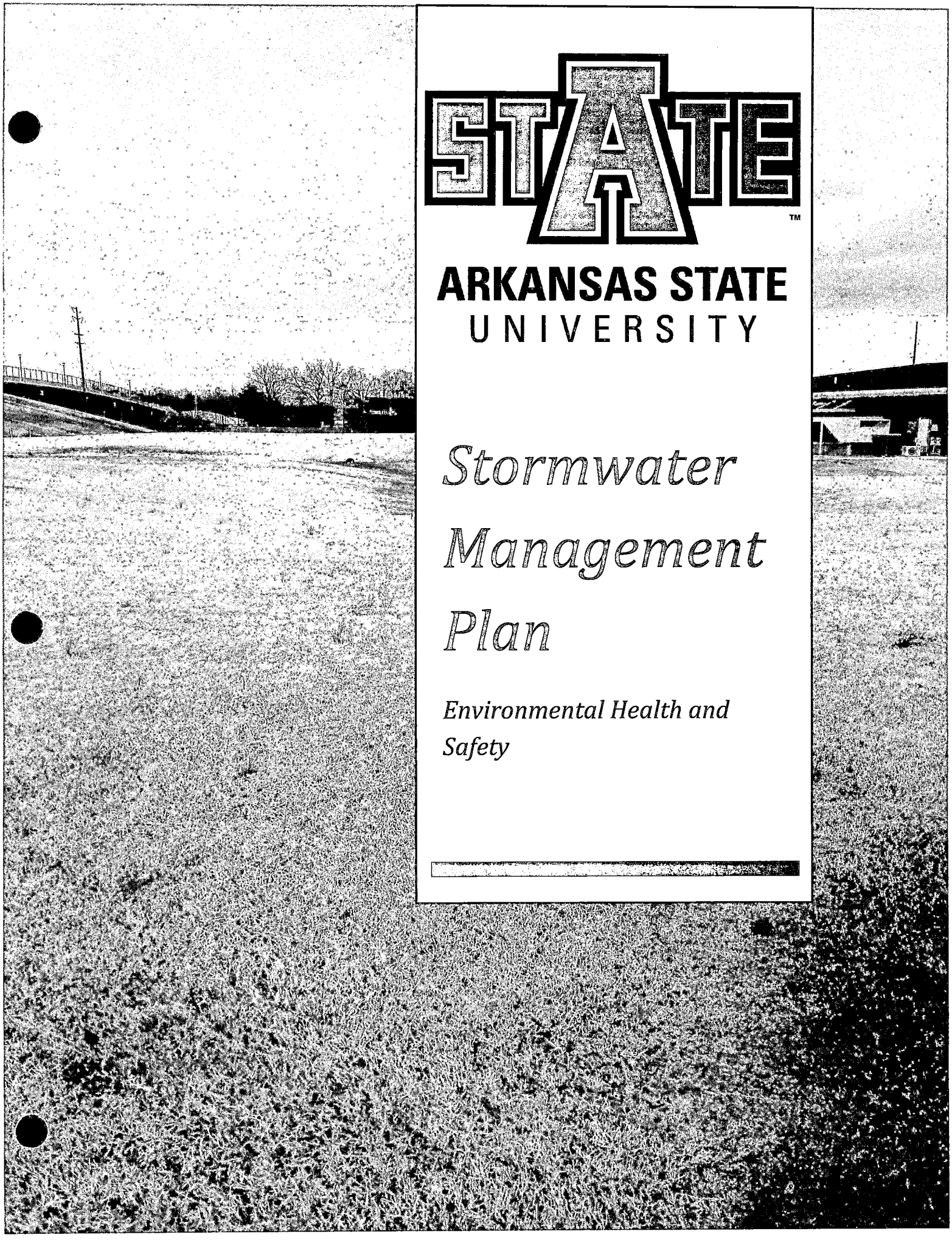
Contents of Package

In the binder:

- Updated stormwater management plan
- All associated appendices

In the envelope:

- Notice of intent
- Request for change of authorization
- MS4 map



ARKANSAS STATE UNIVERSITY

Stormwater Management Plan

Environmental Health and Safety

Executive Summary

The primary purpose of this plan is to meet the requirements of the Arkansas Department of Environmental Quality (ADEQ) issued National Pollutant Discharge Elimination System (NPDES) small Municipal Separate Storm Sewer System (MS4) permit issued to the Arkansas State University (A-State) main campus (Jonesboro). ADEQ enforces the requirement of the Clean Water Act (CWA) and this stormwater management plan (SWMP) outlines how A-State complies with the portions of the CWA that pertain to stormwater by meeting the permit requirements. The SWMP is meant to describe how A-State identifies sources of pollution that might impact stormwater discharges, implements Best Management Practices (BMPs) for activities (such as construction and municipal tasks) to reduce pollution to stormwater and measures the effectiveness of BMPs in reducing discharge of pollutants into stormwater that leaves campus to associated waterways of the state.

A-State Environmental Health and Safety (EHS) has the primary responsibility for ensuring compliance with stormwater requirements and for developing and implementing procedures to that end. A-State also has a Stormwater Advisory Committee (SWAC) that reviews procedures developed by EHS and makes recommendations prior to implementation. The SWAC has the opportunity to review construction plans to provide input on reducing the stormwater impact of those projects. EHS updates the SWAC quarterly on the activities it undertakes to meet the SWMP requirements.

A-State EHS has identified sources of stormwater pollution and ranks them on the basis of the likelihood of each pollutant entering the stormwater conveyance. With the list of sources identified, EHS develops and implements BMPs for each Minimum Control Measure required by the state. Minimum control measures include: public education and outreach on stormwater impacts, public involvement/participation, illicit discharge detection and elimination, construction site stormwater runoff control, post-construction stormwater management in new development and redevelopment and pollution prevention/good housekeeping for municipal operations (for the A-State campus, municipal operations includes Facilities Management). This plan discusses how each BMP addresses the minimal control measures intended to reduce stormwater pollution and how the effectiveness of each BMP at achieving this goal is measured.

In conjunction with the mission of Arkansas State University Environmental Health and Safety, EHS develops and uses training, educational materials and public involvement activities to raise awareness of the campus community to their role in protecting water quality. These activities help prevent some stormwater pollution before it occurs. When the potential for stormwater pollution is high, A-State has BMPs intended to ensure that every reasonable measure is taken to reduce the impact of stormwater pollution. This includes punitive measures for any on campus that violate the requirement set forth in this plan. We believe that the combination of these two approaches is the most effective means of reducing the impact of stormwater pollution on water quality. Reducing the impact of stormwater pollution on campus by these means is in line with university mission of educating leaders, enhancing intellectual growth and enriching lives.

Contents

Chapter 1: Introduction

Stormwater is water that starts to run along the ground rather than soaking into the ground. Stormwater can carry with it unwanted pollutants into the waterways of the state. The pollutants that stormwater can carry include sediment, oil, pesticides, nutrients (like fertilizer), litter and many others. These pollutants can have effects very near to the source of pollution (such as carrying mud and dirt onto a road or sidewalk creating an unsafe situation) and very far away (such as carrying fertilizers from crops planted in the Mississippi River drainage basin causing dead zones in the Gulf of Mexico near the mouth of the Mississippi River). Thus, it is important to take steps to minimize pollution to protect our natural resources including our drinking water. The ultimate purpose of stormwater management is for A-State to do its part in protecting the waterways of the state of Arkansas and the United States.

1.1 Regulatory Background

In 1948, the United States established the Federal Water Pollution Control Act. This was the first law to provide broad protection for our water from pollution. In 1972, the law was amended and became known as the Clean Water Act (CWA). The Environmental Protection Agency (EPA) is the entity responsible for writing the regulations to enforce the CWA. In the state of Arkansas, the Arkansas Department of Environmental Quality (ADEQ) is the agency tasked with enforcing the regulations.

Arkansas State University is classified as a small Municipal Separate Storm Sewer System (MS4); a small MS4 is a municipality that has stormwater discharges from an urbanized area that serves less than 100,000 individuals. Each MS4 must obtain a permit from the state to discharge stormwater to the waterways of the state. This permit, called a National Pollutant Discharge Elimination System (NPDES) permit, requires the covered MS4 to develop a Stormwater Management Plan (SWMP). A-State has had several SWMPs in past years; since the NPDES permit must be renewed in 2019, an update to the SWMP seemed appropriate. This SWMP is the document that A-State uses to provide guidance to university employees, contractors and students and to enforce the stormwater regulations.

The program requirements for Arkansas State University include: application for an NPDES permit for stormwater discharge, development of a stormwater management plan (which describes the required six minimum control measures), implementation of a stormwater management program using appropriate best management practices (BMPs), development of measurable goals for the stormwater program and evaluation of the effectiveness of the program periodically. A copy of the current permit is appendix B to this plan.

1.2 Roles and Responsibilities

Like safety and compliance in other areas, the responsibility for preventing stormwater pollution lies with everyone in the community. Staff, faculty, students and contractors all have an important role in helping ensure that stormwater is polluted as little as practicable. The roles and responsibilities for each person in the community are listed below.

1.2.1 Responsible Official

The responsible official is a person within the organization that has the authority to make decisions on behalf of the MS4. The responsible official at A-State is currently the Assistant Vice Chancellor for Human Resources. The responsibilities of the responsible official include:

- Signing the permit application every time a renewal is required.
- Reviewing and signing the annual report each year.
- Responding to queries, inspections and findings by ADEQ.

1.2.2 Environmental Health and Safety (Cognizant Official)

The Environmental Health and Safety (EHS) office has the primary responsibility for ensuring university compliance with the requirements of the SWMP. The director of EHS is the cognizant official, which is the person authorized by the responsible official to have responsibility for the environmental matters of the campus. The responsibilities of EHS include:

- Development and implementation of the SWMP and any related stormwater pollution prevention plans (SWPPPs).
- Semiannual sampling of outfalls as required by the SWPPPs for certain stormwater-related pollutants.
- Quarterly inspection of sites that have a SWPPP.
- Comprehensive annual inspection of sites that have a SWPPP.
- Review of construction plans to ensure compliance with stormwater regulations.
- Monthly inspection of construction sites to check for compliance with stormwater regulations.
- Communication of inspection findings to the appropriate campus or contractor authority to encourage correction.
- Enforcement of requirements of the SWMP if non-compliant issues are not corrected. This can include work stoppage and levying of fines (upon agreement from Facilities Management and the responsible official).
- Development of literature and training for informing faculty, staff, students, administration and contractors of the impacts of stormwater pollution.
- Organization of events for public involvement in the identification and/or reduction of stormwater pollution.
- Respond to stormwater complaints and issues reported by the campus community.

1.2.3 Stormwater Advisory Committee (SWAC)

The stormwater advisory committee is made up of individuals from various parts of the campus. The committee meets quarterly to discuss stormwater issues on campus. The SWAC includes member from

the following areas: Environmental Health and Safety, Ecotoxicology, Parking Services, Facilities Management (Landscape Architect, Grounds Services or Recycling and Building Services), the student body and from the community outside of A-State. The responsibilities of the SWAC include:

- Review of to ensure compliance with stormwater regulations.
- Periodic review of the SWMP and SWPPPs.
- Providing of ideas for public involvement activities.

1.2.4 Facilities Management

Construction projects on the campus are completed through the construction office of Facilities Management. If the completed project will be managed by the university, Facilities Management has a greater role than projects that will be managed by outside entities. The responsibilities of Facilities Management include:

- Signing of the Notice of Intent and the Notice of Termination for projects that will be managed by the university once completed.
- Support of enforcement actions against construction contractors including stop work orders and fines.
- Compliance with the requirements of the SWPPP written for Facilities Management including corrections of issues found on inspections.
- Communication of projects that could impact stormwater quality to EHS.
- Maintenance of BMPs associated with the Facilities Management site.

1.2.5 Construction Site Management

Construction site management are the individuals that have authority on the construction site to correct stormwater compliance issues that are found. This can be a project manager, engineer, site foreman or any other individual with such authority. The responsibilities of the construction site management include:

- Development of the Notice of Intent and SWPPP for the construction site.
- Completion of field inspection at the interval required by the SWPPP.
- Maintenance of the SWPPP and the site map as changes are made.
- Maintenance of BMPs on the construction site.
- Correction of stormwater compliance issues identified by EHS on monthly inspections.
- Communication of stormwater requirements to all contractors on the construction site.

1.2.6 Other Contract Personnel

Other contract personnel are individuals that work on campus that are not employed by the university that are not construction site management. These contract personnel may be individuals that work on a construction site or individuals that perform other tasks on campus. The responsibilities of other contract personnel include:

- Compliance with the stormwater requirements described in information provided to the contractor by Facilities Management (literature provided by EHS).
- Correction of issues at the direction of construction site management (on construction sites only and only for issues caused by the contractor).

1.2.7 Other Staff, Faculty and Administrators

Most of the individuals on the A-State campus do not have an active daily role in stormwater compliance. However, they do have the opportunity to be additional sets of eyes on the campus at large. Stormwater issues can occur at any time and EHS only performs periodic inspections. The responsibilities of staff, faculty and administrators include:

- Report any issues with stormwater pollution to EHS.
- Complete stormwater awareness training.
- Refrain from littering.

1.2.8 Students and Other Campus Community Members

Everyone else in the campus community has a role in helping control stormwater pollution as well. The responsibilities of everyone else include:

- Report any issues with stormwater pollution to EHS.
- Refrain from littering.

Chapter 2: Site Information

The Arkansas State University Jonesboro campus is located within the city limits of Jonesboro, Arkansas. The city of Jonesboro is a separate MS4 from the A-State MS4; some stormwater leaves the City of Jonesboro MS4 and enters the A-State MS4. All of the stormwater leaves the A-State MS4 into Turtle Creek. Turtle Creek flows into the St. Francis River which in turn empties into the Mississippi River. The Mississippi River empties into the Gulf of Mexico. Any pollution of stormwater within the campus of A-State can have an impact very far from where it initially occurs.

Before entering Turtle Creek, most of the stormwater from the university flows into a stormwater ditch known as Turtle Creek Lateral. In the past, A-State had clear cut this ditch once a year. However, Facilities Management and the Stormwater Advisory Committee agreed that allowing vegetation to grow on the ditch bank is a better way to manage the stormwater that flows on campus. This has the advantage of stabilizing the ditch banks and potentially removing unwanted contaminants from stormwater. For these reasons, A-State no longer clear cuts Turtle Creek Lateral. A-State intends to

study the scientific literature on the subject and perhaps perform novel research regarding storm ditch vegetation during the permit cycle.

A-State has many places where stormwater can enter the waterways of the state. There are stormwater inlets all over campus; EHS is working to ensure that all stormwater inlets are marked with an indicating plate demonstrating that they drain to a waterway (an example is pictured to the right). A map of these inlets is included in appendix D of this plan. EHS plans to have every inlet marked by the end of 2019. Water from these inlets and other places makes its way to about 50 outfalls from the university. EHS inspects these outfalls annually during periods of dry weather to detect any illicit discharges to stormwater conveyance. A map of these outfalls is included in appendix E of this plan. Finally, as of 2019, the Arkansas State University MS4 does not discharge stormwater to any impaired waters.

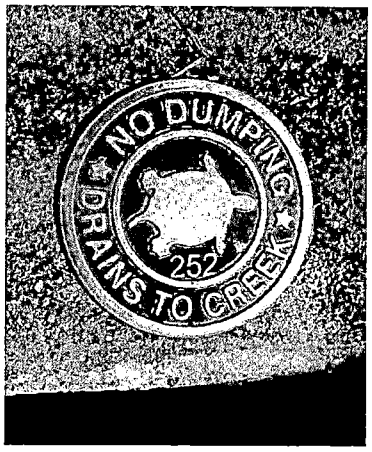


Figure 1: Stormwater Drain Marker

Chapter 3: Potential Sources of Stormwater Contamination

It is important to identify the potential sources of stormwater contamination to maximize the effectiveness of control measures. Identification of these contaminants is determined by past and current sampling of stormwater as well as knowledge of the day-to-day operations of the university. The table below lists the contaminants, their sources and frequency of occurrence.

Animal Waste	Fecal coliforms and nutrients from animal (farm animals and pets) urine and feces	Common, but small quantities
Construction activities	Sediment and construction derbis	Common
Erosion	Sediment and organic matter	Common
Grounds maintenance	Organic matter (grass, leaves, twigs, etc.), sediment, fuel, oil, pesticides, herbicides	Common (fuel, oil, pesticides, herbicides in small quantities
Irrigation runoff	Water, fertilizers, pesticides	Common
Litter and debris	Litter and debris	Common
Vehicle and equipment leaks	Cleaning products, oil/grease, other vehicle fluids	Common, but small quantities
Chemical spills	Cleaning chemicals, fuel, paint, laboratory chemicals	Rare
Other maintenace activities	Wash water, paint chips, cleaning products, dirt, sediment, food residue, solvents, oil and grease	Rare
Outdoor storage	Sand, asphalt, soil, pesticides, herbicides, fertilizer, paint, solvents, fuel	Rare
Sewer line leakage	Raw sewage	Rare
Trash storage areas	Litter, derbis, food residue	Rare

Figure 2: Potential Sources of Contamination of Stormwater.

Most contamination of stormwater can be prevented by simply taking measures to control them. Some sources cannot be controlled so easily, though. For example, oil and fuel that leaks from vehicles while driving on the road is inevitable. These types of pollution contribute little to the overall pollution. Control measures are primarily concerned with educating people to keep the rare events from becoming frequent and controlling the common and large quantity contaminants that are caused by human activity. While A-State strives to eliminate as much pollution as feasible from stormwater conveyance, primary attention is given to controlling sediment runoff due to human activity, which is the most common pollutant to the waterways of the state according to the Environmental Protection Agency. 70 percent of sediment erosion into waterways is caused by human activity.

Chapter 4: Minimum Control Measures

Because of the risk of stormwater pollution to the health of our environment, EPA and ADEQ require as a part of our permit and SWMP certain minimum control measures. The six minimum control measures include:

- Public education and outreach on stormwater impacts,
- Public involvement/participation,
- Illicit discharge detection and elimination,
- Construction site stormwater runoff control,
- Post-construction stormwater management in new development and redevelopment and
- Pollution prevention/good housekeeping for municipal operations.

For each control measure, A-State is required to have best management practices (BMPs) implemented for each measure and measurable goals for determining the success of each BMP including a rationale for why each BMP and associated measureable goals were chosen. The individuals tasked with implementing and coordinating the BMPs described in the SWMP is also required, including an organizational chart. The organizational chart is Appendix F of this plan.

Chapter 5: Best Management Practices

Best management practices are the strategies an entity employs in implementing control measures. The goal of these BMPs is to reduce stormwater pollution. Some BMPs directly influence contaminant levels by actively blocking water or filtering it before it moving into stormwater conveyance. The majority of BMPs are indirect, though. Whether it be inspection of areas to look for risks of contamination or public education and involvement initiatives, the goal of these indirect practices is to increase awareness about stormwater pollution and because of such prevent some pollution before it happens. This section outlines the BMPs that are used by A-State and the rationale behind selecting these BMPs to meet the minimum control measures required by the EPA and ADEQ.

5.1 Public Education and Outreach

This control measure is intended to increase public awareness about stormwater pollution. The more aware the public is of the impacts of stormwater pollution, the more likely they are to take action to prevent or lessen it in their daily activities. Public education and outreach is intended to help the public, which at A-State includes students, faculty, staff and contractors, understand the types of stormwater pollution and what they can specifically do to reduce stormwater pollution.

5.1.1 Rationale

While awareness of pollution in general has grown in the public in the years since the initial first requirements for small MS4s to obtain a permit from the state for the discharge of stormwater, the public in general is still largely unaware of the impacts of stormwater pollution. A-State being an institution of higher learning is uniquely positioned to meet the goal of public education as education is the primary reason for the existence of the university. The public education and outreach goals are approved and updated by the Stormwater Advisory Committee and are chosen to reach as much of the public as possible. It is the goal of A-State to reach 100% of the campus community during the 5 year term of each permit cycle. The BMPs chosen are listed in the next section and are chosen to maximize this potential.

The permit also requires that A-State chose five different themes to highlight during the permit term. These themes were chosen to address the most common forms or stormwater pollution that occur with the greatest frequency. The public education themes include:

- Oil, petroleum products and other process chemicals -- 2019
- Herbicides and pesticides -- 2020
- Erosion control (construction activities and grounds maintenance) -- 2021
- Illicit discharge detection -- 2022
- Litter and debris – 2023

The development and distribution of materials is largely the responsibility of the Director of EHS with input from the Stormwater Advisory Committee and Facilities Management.

5.1.2 Implementation and Measurable Goals

Most of these BMPs have already been implemented in past years, but there are some new BMPs and measurable goals for those BMPs. Each of these is described in the table below. Distribution of brochures reaches more individuals than any of the other methods as students are required to participate in safety week. Over the course of the permit cycle, 100% of the students are reached. The brochures also reach all employees that go through new employee orientation (required for new employees) and any that participate in the benefits fair. Stormwater training reaches Facilities Management personnel (required annually) and many others. New brochures targeted toward contractors should reach close to 100% of contractors on campus.

Distribute Stormwater Awareness Brochures	EHS develops new brochures each year that promote stormwater pollution awareness. The educational theme of each year is highlighted in the brochure. These are distributed at various events that include: the employee benefits fair, new employee orientation and outside of presentations done as a part of safety	Development of materials each year and number of people that participate in the events described.	EHS	Already implemented
Stormwater Awareness Training	Live training and a training video are available to employees about the impacts of stormwater pollution, what the university is doing to prevent it and how	Number of people that participate in the training.	EHS	Already implemented
Stormwater Webpage	A-State has a webpage that supplements the information that is found in the training and in the brochures.	Number of hits on the webpage	EHS	December 2019
Online Links to Stormwater Resources	In the training and on the website, additional resources regarding stormwater pollution are discussed. The Stormwater Advisory Committee (SWAC) will suggest additional links and the links will change on an annual basis to contain the most pertinent information.	Adding of links to the website and updating/changing of those links each year	EHS/SWAC	December 2019
Stormwater Awareness for Contractors	Contractors on campus are a part of the campus community. Information targeted toward contractors will be developed and distributed. This will also be updated annually to highlight the educational	Development of materials each year and number of brochures distributed.	EHS/Facilities Management	December 2019

Figure 3: Best Management Practices for Public Education and Outreach

5.2 Public Involvement/Participation

This control measure is intended to increase public inclusion in and participation in the campus stormwater management. According to EPA Factsheet 2.4 for the Stormwater Phase II Final Rule, "The public can provide valuable input and assistance to a regulated small MS4's municipal stormwater management program..." A-State wants the public (which includes the faculty, staff and students) to have as much involvement as they wish to have in the stormwater management program. Public involvement and participation activities are targeted toward encouraging engagement in our environmental programs, including stormwater management.

5.2.1 Rationale

A-State has historically had several ways that the campus community can be involved in stormwater management at the university. The Stormwater Advisory Committee includes members from various places within the campus community and includes one member from outside the campus community. The A-State Environmental Health and Safety Office participates annually in community awareness activities, like Earth Day, to educate the campus community and beyond on the impacts or stormwater

pollution, preventative measures that the university undertakes and ideas on how the community can impact water quality. We have both of these methods to be effective in meeting the goal of public participation so we have decided to continue both of these best management practices.

The Stormwater Advisory Committee had some additional ideas on how we could increase community involvement. These ideas included continuing to pursue campus community cleanup initiatives and a newsletter to the campus community that highlights stormwater activity. Having a community cleanup involves the community more intimately, but tends not to be very broad in scope. A newsletter is the converse of that; it is lest impactful but reaches more people. Thus, the committee felt that having both types of BMPs would have the maximum impact on the community. Along with these two new ideas, EHS intends to finish marking all storm drains by the end of the permit cycle. We have asked employees to become involved in this endeavor by informing EHS when they observe an unmarked storm drain.

5.2.2 Implementation and Measurable Goals

As mentioned above, two of these BMPs have been implemented in past years. In addition to these two, there are three new BMPs. They are listed in the table below. We feel this combination of BMPs will increase public involvement both in the number of people involved and the depth of their involvement in stormwater pollution prevention. While having 100% of the public involved is not realistic, providing a variety of opportunities for the public involvement gives 100% of the campus community the option of participating.

Best Management Practice	Description	Measurable Goal	Responsible Party	Implentation
Stormwater Advisory Committee	The committee meets quarterly to update the campus community on stormwater activity, discuss current BMPs and brainstorm for new BMPs to make our control measures even more effective.	Number of meetings held	Various	Already implemented
Storm drain marking	All of the drains that receive stormwater are being marked to indicate that they lead to the creek. EHS is in the process of marking all of the drains, but seeks the help of the campus community in identifying unmarked drains.	Number of drains marked	EHS	In process, to be completed by the end of the permit cycle
Participation in community environmental awareness events	Information about the impacts of stormwater pollution are demonstrated at a booth during on campus events (Earth Day).	Number of people participating in the event.	EHS	Already implemented
Participation in environmental cleanup initiatives	EHS organizes events for cleaning up litter from the campus and in the stormwater receving stream several times over the permit cycle.	Number of people participating in the event	EHS	December 2019
Campus Community Newsletter	EHS intends to send a newsletter semiannually updating the campus community on EHS activities. This will include a section dedicated to stormwater activities.	Number of people receiving the communication	EHS	December 2019

Figure 4: Best Management Practices for Public Involvement/Participation

5.3 Illicit Discharge Detection and Elimination

An illicit discharge is defined by federal regulations as "...any discharge to a MS4 that is not composed entirely of stormwater...", although there are a few exceptions to this rule. This control measure is intended to reduce the amount of stormwater pollution that occurs by unauthorized discharges and illegal dumping. This is accomplished by a combination of identification of outfalls, visual inspections, training, reporting mechanisms and response to illicit discharges if they do occur.

There are a number of non-stormwater discharges that are allowed under the NPDES permit conditions. These include:

- Water line flushing
- Landscape irrigation
- Diverted stream flows
- Uncontaminated groundwater infiltration
- Uncontaminated pumped groundwater
- Potable water discharges
- Foundation drains
- Air conditioning condensate
- Street wash water
- Irrigation water
- Springs
- Water from crawl space pumps
- Footing drains
- Lawn watering
- Individual residential car washing
- Flows from riparian habitats and wetlands
- Dechlorinated swimming pool discharges

While these discharges are allowed, the campus community is encouraged to minimize these types of discharges as well. Guidance for reducing these types of discharges to stormwater is given in the stormwater awareness training, literature distributed at events and on the A-State Environmental Health and Safety website on the page dedicated to stormwater.

5.3.1 Rationale

Detection and elimination of illicit discharges to stormwater requires a multi-faceted approach. Identification of potential problem areas, training on how to identify illicit discharges and a mechanism for reporting such issues are all items that A-State considers important for this BMP to be effective. A map of stormwater outfalls (Appendix E) and visual inspection of those outfalls are practices that are currently underway at A-State. The map is reviewed on an annual basis for accuracy and is also updated when new outfalls are added. The response to illicit discharges has also already been implemented; however, the mechanism for correction and enforcement will change with the new permit. Enforcement of stormwater rules is discussed in chapter 7 of this SWMP.

Training of employees on identifying illicit discharges is something that A-State has been doing in training for a number of years, but this had not been counted as a measurable goal. More detail has been added to the training this year. Because of this training, there have been informal reports for illicit discharges (emails, phone calls, etc.), but there has never been an official reporting mechanism. A-State

and the SWAC feel that having a specific reporting mechanism will make reporting concerns easier, thus, adding this as a measurable goal seems appropriate.

5.3.2 Implementation and Measurable Goals

As mentioned above, three of these BMPs have been implemented in past years. In addition to these two, there are two new BMPs. They are listed in the table below. The BMPs that have already been implemented (map of stormwater outfalls, visual inspection of outfalls during dry weather and response to illicit discharges) have been effective in the past and thus will continue to be measured. The new BMPs should enhance our effectiveness in identifying and eliminating illicit discharges.

Map of stormwater outfalls	A map is available that contains has the location of all of the stormwater outfalls from the university. The maps is reviewed annually for changes.	Review of map details	EHS/Facilities Management	Already implemented
Visual inspection of outfalls during dry weather	All outfalls are inspected for illicit discharge. Outfalls at Facilities Management and at the farm are inspected quarterly. All other out falls are inspected annually.	Number of inspections	EHS	Already implemented
Training on identifying and reporting of illicit discharges	This is covered in all training materials and there will be a special focus on this during one year of the permit cycle.	Since training numbers are counted in another BMP, number of times reviewed will be counted	EHS	December 2019
Reporting mechanism for illicit discharges	EHS will add a mechanism on the EHS webpage for reporting environmental concerns.	Adding of mechanism to website	EHS	January 2021
Response to illicit discharges	EHS and Facilities Management responds to issues with stormwater including illicit discharges.	Number of issues corrected	EHS/Facilities Management	Already implemented

Figure 5: Best Management Practices for Illicit Discharge Detection and Elimination

5.4 Construction Site Stormwater Runoff Control

Stormwater runoff from construction sites can cause environmental problems and is unsightly when it is polluted with sediment due to lack of effective BMPs. Sediment is the main pollutant of concern in stormwater according to the EPA. Thus the majority of attention on construction sites is dedicated to allowing the lowest amount of sediment practicable to leave the construction site. The construction site management is responsible for BMPs to control sediment leaving the construction site; A-State is responsible for ensuring that construction sites are using and maintaining the appropriate BMPs on the construction site.

5.4.1 Rationale

A-State EHS and the stormwater advisory committee have determined that the current BMPs used for construction site stormwater runoff control are effective so those BMPs will remain in place. A more well-defined enforcement procedure for non-compliance with stormwater requirements at construction sites is necessary. A-State has been using the city of Jonesboro enforcement procedure up to this point; a simpler procedure has been devised with similar penalties to the city. The end goal being of implementing a new procedure is improvement to the overall performance of BMPs on a construction site when inadequacies are found rather than simply punitive measures.

5.4.2 Implementation and Measurable Goals

Site plan review for construction and monthly inspection of construction sites are BMPs that have long been a part of the stormwater management program. These BMPs will continue to be used as they are required by regulations and have been deemed very effective. A new, formal escalation process for enforcement of stormwater requirements has been developed. This new procedure better explains the expectations and responses to noncompliance issues of Arkansas State University. Enforcement procedures are explained more fully in chapter 7. Lastly, the ability of the public to comment on stormwater concerns relating to construction activities is a permit requirement. The addition of a reporting mechanism for illicit discharges will be added to the EHS website (see previous section). This same mechanism can be used for reporting issues with construction site activities as well. The best management practices for construction site stormwater runoff control are listed in the table below.

Site plan review for construction	New construction that exceeds 1 acre of distrubed ground must submit construction plans, notice of intent and stormwater pollution prevention plans prior to breaking ground.	Number of plans reviewed	EHS/Facilities Management	Already implemented
Monthly inspection of construction sites	EHS inspects every construction site at least monthly to investigate compliance with stormwater regulations and to ensure the protection of stormwater.	Number of inspections performed	EHS	Already implemented
Enforcement of noncompliance with stormwater requirements	When construction contractors fail to correct findings from construction inspections, enforcement actions including fines and stop work orders can be issued depending on the type and severity of the uncorrected findings.	Number of enforcement actions taken	EHS	December 2019
Response to public inquiries, concerns and other information about construction activities	As a small MS4, A-State is required to consider information submitted by the public regarding construction activities as well as respond to complaints and questions. These can be submitted by the online mechanism, by email or by phone.	Number of public concerned, questions and comments addressed	EHS	December 2019

Figure 6: Best Management Practices for Construction Site Stormwater Runoff Control

5.5 Post-Construction Stormwater Management in New Development and Redevelopment

When redevelopment takes place within the A-State MS4 that disturbs an acre or greater, the project is treated the same as a new construction projects. All of the BMPs that apply to construction sites equally apply to redevelopment. The primary purpose for the best management practices that occur in this section is ensuring that the stormwater compliance process is seen through past the end of the construction phase. Furthermore, post-construction stormwater management must be considered in the design phase to achieve the required goal of 80% or greater removal of total suspended solid (TSS) from flows if the TSS exceeds the predevelopment level. Design of systems to retain stormwater for ground infiltration or slow stormwater flow is also encouraged in the design process.

5.5.1 Rationale

As mentioned above, several BMPs that apply to other areas equally apply to post-construction stormwater management. However, there are a few areas that are not addressed in other sections. First, the completion of a Notice of Termination (NOT) is required for any site that has completed construction. Since this is completed after construction has finished, it seems appropriate for it to be included as a post-construction BMP. This is the only BMP for post-construction that is completed after construction.

Planning is necessary prior to construction for some of the post-construction requirements to be implemented. New stormwater outfalls may be constructed if a new construction or redevelopment takes place near the campus perimeter. Other stormwater issues can be identified prior to construction if EHS and the stormwater advisory committee are a part of the design review process. Facilities Management has informally asked for input regarding stormwater from EHS and the SWAC on new construction and redevelopment in the past. EHS and the SWAC will continue to be a part of the design process, specifically as it relates to stormwater management into the future. Thus, identification of new outfalls as the result of new construction or redevelopment and design review for post-construction stormwater management seem appropriate as BMPs. As physical post-construction stormwater BMPs are added as the result of new construction or redevelopment, additional inspections regarding maintenance of these physical BMPs will be added.

5.5.2 Implementation and Measurable Goals

Notices of termination have been completed for construction projects according to the regulations since A-State became a small MS4, but this has not been counted as a measurable goal until now. Adding this as a measurable goal will help ensure that NOTs are completed in a timely manner. Outfalls have also been added in an informal manner in the past; using this as a measurable goal will help ensure that new outfalls are identified early in the design and construction process rather than during or even after construction. Lastly, using design review for post-construction stormwater management as a measurable goal will ensure that EHS and the SWAC continue to have a seat at the table in the design phase. The best management practices for post-construction stormwater management in new development and redevelopment are listed in the table below.

Completion of notices of termination	When construction is complete on a site, a notice of termination must be initiated. The notice of termination (NOT) is completed when the site has achieved 80% or more of vegetative cover.	Number of NOTs completed	EHS/Facilities Management	Already implemented
Identification and screening of new outfalls	New outfalls may result from new construction. These outfalls will be added to the dry weather screening.	Number of new outfalls added	EHS	December 2019
Design review for post-construction stormwater management	A-State intends to ensure that stormwater management post-construction is considered as a part of the design review.	Number of SWAC members that participate in design review	EHS	December 2019

Figure 7: Best Management Practices for Post-Construction Stormwater Management in New Development and Redevelopment

5.6 Pollution Prevention/Good Housekeeping for Facilities

Good housekeeping may be the most important aspect of stormwater pollution prevention. If areas within the MS4 that have the potential to pollute stormwater are kept neat and clean, the likelihood of those areas causing a contamination issue are greatly reduced. The most important elements of a good housekeeping program for municipal operations are training, inspection and procedures directly targeted as maintaining cleanliness. All of these aspects are addressed in the BMPs used by A-State in this section and other sections of the stormwater management plan.

5.6.1 Rationale

Training, inspections and cleaning procedures are the critical components of a good housekeeping program, thus it is appropriate to address all three of these areas with best management practices. Training on good housekeeping (along with other aspects of stormwater management) is included as a best management practices in other sections of this plan; to include it as a BMP in this section would be redundant. Inspection of areas at Facilities Management (the primary area of municipal activities) that have the potential to pollute stormwater and inspection of fuel storage areas all over campus are vital to ensure that these areas are well-maintained. Regular inspections are counted as a BMP. Efforts made to keep the campus clean also contribute to reducing stormwater pollution therefore these items are included as BMPs as well.

5.6.2 Implementation and Measurable Goals

Street sweeping, trash/litter collection and recycling are ongoing BMPs from previous SWMPs. Inspection of municipal operations has been occurring for many years as well, but has not been listed as a BMP in the stormwater management plan until now. Inspection of oil storage areas is a part of another environmental plan, but has not been included in this plan until now. The best management practices for pollution prevention and good housekeeping for are listed in the table below.

Street sweeping	When excess sediment is identified on streets within the A-State campus, a street sweeper is used to remove the sediment from the road.	Volume or weight of sediment collected	Facilities Management	Already implemented
Trash and litter collection	Waste placed in proper receptacles reduces the amount of litter and keeps stormwater cleaner.	Volume or weight of waste collected	Facilities Management	Already implemented
Recycling	Recycling of materials that can be recycled reduces environmental impact.	Volume or weight of recyclable materials collected	Facilities Management	Already implemented
Inspection of municipal operations	Quarterly inspections are conducted to ensure areas that have the potential to pollute stormwater at Facilities Management are kept clean and orderly.	Number of inspections conducted	EHS	Already implemented
Inspection of petroleum/oil storage areas	Recurring inspections are done to ensure that oil and petroleum products do not contaminate rainwater and stormwater.	Number of inspections conducted	EHS	December 2019

Figure 7: Best Management Practices for Pollution Prevention and Good Housekeeping in Facilities

Chapter 6: Recordkeeping

All records regarding stormwater management are kept and maintained by Arkansas State University Environmental Health and Safety department. The records kept include annual reports, inspection reports, email communications (when necessary), testing results (when sampling is performed), stormwater advisory committee meeting minutes and any communication between the state (ADEQ) and the university regarding stormwater. Details on how the records are kept and how long they are maintained is given in section 6.3

6.1 SWMP Updating

By permit requirement, the SWMP must be reviewed annually to see if updates are necessary. A standing item on the fall SWAC meeting agenda is review of the SWMP. Review of the plan will be documented in Appendix A. Changes will also be documented here. If a change requires resubmission of the SWMP to the state, this will be documented in this appendix and the appendix will be transferred to the new SWMP.

6.2 Monitoring

Requires monitoring of stormwater for the A-State MS4 includes inspection of outfalls during dry weather. All outfalls are inspected annually and some outfalls that have the highest risk of having illicit discharge are monitored quarterly. While sampling and testing are not required within the A-State MS4 because of the lack of activities require sampling, EHS reserves the right to sample stormwater when illicit discharge is expected or if there is suspicion of some impact to the environment.

6.3 Recordkeeping

Records for stormwater are kept in two ways: most records for the current year are kept in a notebook with sections for each type of record. Records kept this way include: construction site inspections, municipal activities inspections, monthly stormwater checklists for Facilities Management, annual reports to ADEQ and stormwater advisory committee meeting minutes. Notices of coverage and stormwater pollution prevention plans for construction sites are kept in a filing cabinet in the EHS Director's office.

All records are kept for a minimum of three years. Many records are kept beyond this because the records are used for historical purposes. Notices of coverage for ongoing project are posted on the construction site and are available to the public for viewing. These NOCs are removed once the notice of termination has been accepted by the state.

6.4 SWMP Annual Reports

A-State must complete an annual report to ADEQ each year. According to the permit, the following items must be included in the report:

- The status of compliance with permit conditions;
- An assessment of the appropriateness of the identified best management practices and the progress towards achieving the measureable goal for each of the minimum control measures;
- Results of information collected and analyzed, if any, during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants;
- A summary of the stormwater activities A-State plans to undertake during the next reporting cycle (including an implementation schedule);
- Proposed changes to the stormwater management program, including changes to any BMPs or any identified measurable goals that apply to the program elements;
- Description and schedule for implementation of additional BMPs that may be necessary, based on monitoring results, to ensure compliance with applicable TMDLs and implementation plans and
- Notice that A-State is relying on another government entity to satisfy some of the permit obligations (if applicable).

The last two bullet points do not currently apply to A-State, but they are listed here since they appear in the permit. The annual report is completed using a template downloaded from the ADEQ website. The annual report is completed and submitted by March 31 of each year.

Chapter 7: Enforcement of Stormwater Rules

To ensure that the campus community, including contractors that are on campus, comply with the stormwater regulations, and enforcement mechanism is necessary. Previously, A-State had used the Jonesboro City ordinance as the enforcement procedure for stormwater violations. However, A-State has now developed a separate procedure that is similar to the city ordinance, but is adapted to meet the unique needs of the university community.

7.1 Illicit Discharges

Illicit discharges are any discharges other than stormwater to the waters of the state. A-State has best management practices in place to help prevent illicit discharges; however, unforeseen events, carelessness or purposeful action can lead to illicit discharges that cannot be controlled by any BMPs. Thus, A-State has a SOP that specifically outlines the process for escalating and enforcing the stormwater rules, which includes the prohibition on illicit discharges. The enforcement procedure for illicit discharges is explained in SOP SW-002 *Enforcement of Stormwater Requirements on Campus* and is attached as Appendix G to this plan.

7.2 Construction Site Stormwater

Construction sites have the highest probability of contaminating stormwater and thus need more regular attention. Inspections are performed on construction sites at least monthly. A clearly defined enforcement procedure is necessary to ensure that any non-compliant issues found as a result of inspections are corrected in a timely manner. The enforcement procedure for construction site stormwater is explained in SOP SW-001 *Enforcement of Stormwater Requirements on Construction Sites* and is attached as Appendix H to this plan.

APPENDIX A

REVIEW AND UDPATES OF STORMWATER MANAGEMENT PLAN

APPENDIX A: REVIEW AND UPDATE OF STORMWATER MANAGEMENT PLAN

Revision	Affected Section(s)	Date	Person(s) Revising or Reviewing

APPENDIX A: REVIEW AND UPDATE OF STORMWATER MANAGEMENT PLAN

Revision	Affected Section(s)	Date	Person(s) Revising or Reviewing

APPENDIX B

CURRENT STORMWATER PERMIT

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM AND THE ARKANSAS WATER AND AIR POLLUTION CONTROL ACT

In accordance with the provisions of the Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended, Ark. Code Ann. 8-4-101 et seq.), and the Clean Water Act (33 U.S.C. 1251 et seq.),

Regulated Small Municipal Separate Storm Sewer Systems (MS4s) Located within the State of Arkansas

are authorized to discharge, in accordance with the requirements and other conditions set forth in this permit, to all receiving waters except as stated in Part 1.3 of this permit.

Only those operators of MS4s who submit the required Notice of Intent (NOI) in accordance with Parts 1.5 and 2 and Stormwater Management Program (SWMP) in accordance with Part 3 of this permit, and receive a Notice of Coverage (NOC) are authorized to discharge stormwater under the provisions of this general permit.

For facilities that are eligible for coverage under a general permit, the Department sends a cover letter (Notice of Coverage with a permit tracking number starting with ARR04) and a copy of the general permit to the facility. The cover letter includes the Department's determination that a facility is covered under the general permit and may specify alternate requirements outlined in the permit, such as modified sampling frequencies for certain parameters or the inclusion of monitoring for parameters in addition to those requiring regular monitoring.

Effective Date: August 1, 2019

Expiration Date: July 31, 2024

Caleb J. Osborne
Associate Director, Office of Water Quality

11.6.18
Issue Date

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PART 1 COVERAGE UNDER THIS PERMIT

NOTE: Only a select sub-set of small MS4s, referred to as ***regulated* small MS4s**, is covered by the Phase II requirements, either through automatic designation or designation on a case-by-case basis by the Department.

1.1 Permit Area

This permit covers the State of Arkansas.

1.2 Eligibility

1.2.1 All operators of small municipal separate storm sewer systems (MS4s) meeting the eligibility requirements of this permit are required to comply with permit terms unless the Director of the Arkansas Department of Environmental Quality (ADEQ, or the Department) has given written notification to an MS4 that coverage under this general permit is inappropriate. The operators described in the section below must submit a Notice of Intent (NOI) and Stormwater Management Program (SWMP) in accordance with Part 2 of this permit and will thereafter be authorized to discharge via a Notice of Coverage under the terms and conditions of this general permit.

1.2.1.1 **Operators of MS4s in urbanized areas (Automatic Designation)**: Pursuant to 40 CFR 122.32, all operators of small MS4s, including non-traditional MS4s, fully or partially located in an urbanized area as determined by the 2000, 2010, or 2020 Decennial Census by the Bureau of the Census must apply for permit coverage. Coverage area for the purposes of this permit is the urbanized area at minimum, or as specified by the SWMP.

1.2.1.2 **Operators of designated municipal MS4s**: Pursuant to 40 CFR 122.32, the Department has made the decision to set designation criteria for municipalities outside of designated urbanized areas to be covered under this permit. MS4s designated under this part shall use the city limits as the coverage area or a boundary delineated on maps contained in the SWMP approved by the Department. Municipalities with a population, according to the latest decennial census, of greater than 10,000 persons and with a population density of greater than 1,000 persons per square mile meeting one (1) of following criteria are required to obtain permit authorization:

(1) The MS4 directly discharges to a 303(d) listed Stream with pollutants of concern caused by stormwater, or stream with a completed TMDL citing stormwater as a cause of impairment; or

(2) The MS4 Directly discharges to an Extraordinary Resource Water (ERW), Ecologically Sensitive Waterbody (ESW), Natural and Scenic Waterway (NSW); or

(3) The MS4 has had a 50% population growth rate between the two (2) most recent decennial censuses.

1.2.1.3 **Operators of MS4s that are in an urbanized area and would otherwise qualify as a designated MS4 under the requirements of 1.2.1.2:** shall use the city limits as the coverage area for purposes of this permit.

1.2.1.4 **Operators Discharging to a Physically Interconnected Storm System:** Any small MS4 located outside of an urbanized area that contributes substantially to the pollutant loadings of a physically interconnected MS4 regulated by the NPDES stormwater program. Coverage area will be determined on a case-by-case basis based on area of MS4 control and potential to contribute contaminants and shall be established in the MS4's Stormwater Management Program.

1.2.1.5 **Operators of previously permitted small MS4s:** Operators of small MS4s which have previously been covered under a permit for discharge from their MS4 based on the 2000 or 2010 Censuses must reapply for permit coverage.

1.2.2 **The following are types of authorized discharges**:

1.2.2.1 *Stormwater discharges:* This permit authorizes stormwater discharges to surface waters of the State from the small MS4s identified in Part 1.2, except as excluded in Part 1.3.

1.2.2.2 *Non-stormwater discharges*: The MS4s are authorized to discharge the following non-stormwater sources, provided that ADEQ has not determined and notified the MS4 in writing that these sources are substantial contributors of pollutants to the MS4:

a. uncontaminated waterline flushing;
b. landscape irrigation;
c. rising ground waters;
d. uncontaminated ground water infiltration (infiltration is defined as water other than wastewater that enters a sewer system, including sewer service connections and foundation drains, from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.);
e. uncontaminated pumped ground water;
f. discharges from potable water sources;
g. uncontaminated foundation drains;
h. uncontaminated air conditioning condensate;
i. irrigation water;
j. springs;
k. water from crawl space pumps;

l. uncontaminated footing drains;
m. lawn watering;
n. individual residential car washing;
o. flows from riparian habitats and wetlands;
p. dechlorinated swimming pool discharges;
q. uncontaminated street wash water;
r. discharges or flows from emergency firefighting activities; and
s. unless otherwise permitted or regulated by ADEQ, discharges of gray water from municipal splash pads (also known as spray ponds or spray grounds), as defined in Part 6.35 of this permit, provided the discharges comply with all applicable municipal or county ordinances enacted or pursuant to law. Discharges from recirculating systems shall be de-chlorinated prior to discharge.

1.3 Limitations on Coverage:

This permit does not authorize:

1.3.1 Discharges that are mixed with sources of non-stormwater unless such non-stormwater discharges are:

1.3.1.1 In compliance with a separate National Pollutant Discharge Elimination System (NPDES) permit, or

1.3.1.2 Determined by the Department not to be a substantial contributor of pollutants to surface waters of the State.

1.3.2 Stormwater discharges associated with industrial activity as defined in 40 CFR 122.26(b)(14)(i)-(xi) that are not in compliance with a separate NPDES permit. This includes stormwater discharges associated with construction activity as defined in 40 122.26(b)(14)(x) or 40 CFR 122.26(b)(15).

1.3.3 Discharges that ADEQ, prior to authorization under this permit, determines will cause, have the reasonable potential to cause, or contribute to an excursion above any applicable water quality standard. Where such a determination is made prior to authorization, the Department may notify an MS4 that an alternative general permit or an individual permit application is necessary in accordance with Part 5.17. However, the Department may authorize coverage under this permit after the operator has included appropriate controls and implementation procedures in the SWMP designed to bring any discharges into compliance with water quality standards.

1.3.4 Discharges to impaired waters or waters with an approved TMDL: If an MS4 discharges to waters identified on the current list of impaired waters under Section 303(d) of the Clean Water Act, the operator must review whether changes may be warranted in the SWMP to reduce the impact of MS4 discharges *in accordance with the requirements of Part 3.4.5.* If

a TMDL has been approved for a waterbody, the operator must review the adequacy of the Stormwater Management Program to meet the TMDL's Waste Load Allocation (WLA) set for stormwater sources. If a TMDL assigns an individual WLA specifically for an MS4's stormwater discharges, the operator must include that WLA as a Measurable Goal for the SWMP. If the SWMP is not meeting the applicable requirements of the TMDL, the operator must modify the Stormwater Management Program accordingly prior to receiving coverage. If the SWMP of a regulated municipality does not adequately address the requirements and objectives of the TMDL, ADEQ may notify you that an alternative permit application is necessary in accordance with Part 5.17.

1.4 Waiver from coverage:

1.4.1 The following exclusion may be obtained:

1.4.1.1 The Department may waive permit coverage if an MS4 serves a population of less than 1,000 within the urbanized area and if the MS4 is meeting the following criteria:

1.4.1.1.1 The MS4 system is not contributing substantially to the pollutant loadings of a physically interconnected MS4 that is regulated by the NPDES stormwater program (see 40 CFR § 123.35(b)(4)); and

1.4.1.1.2 The MS4 does not discharge any pollutant(s) that have been identified as a cause of impairment of any waterbody to which it directly discharges, and stormwater controls are not required based on wasteload allocations that are part of an EPA approved or established TMDL.

1.4.1.2 Any waiver provided by the Department pursuant to 1.4.1.1 may be reopened if:

1.4.1.2.1 The MS4 no longer meets the criteria established in 1.4.1.1, 1.4.1.1.1, or 1.4.1.1.2; or

1.4.1.2.2 Upon the renewal of this general permit.

1.5 Obtaining Authorization

1.5.1 To be authorized to discharge stormwater from small MS4s, the MS4 shall submit a completed NOI form, application fee (if new permittee only), and Stormwater Management Program (SWMP) in accordance with Part 3 and the deadlines presented in Part 2.1 of this permit. MS4s with existing permit coverage shall submit a completed NOI form and updated SWMP, but do not need to submit an application fee because they are already annually invoiced.

1.5.2 The NOI, to be completed on a form furnished by the Department, shall be signed and dated in accordance with Part 5.7 of this permit. The NOI shall contain the legal name and address of the MS4, the type of MS4, and the receiving stream(s) of discharges from the MS4.

1.5.3 Until notified in writing by the Department, dischargers who submit an NOI in accordance with the requirements of this permit are not covered by this permit. The Department may deny coverage under this permit and require submittal of an application for an individual NPDES permit or alternative general permit based on a review of the NOI or other information (see Part 5.17).

1.5.4 Where an operator is added, removed or transferred after submittal of an NOI under Part 2 of this permit, a permit transfer form shall be submitted prior to the change.

PART 2 AUTHORIZATION UNDER THIS PERMIT

2.1 Deadlines for Notification

2.1.1 *Renewal.* Existing MS4s must reapply for coverage no later than the effective date of this permit. To reapply, the MS4 shall submit a completed NOI form and SWMP in accordance with requirements in Part 3 of this permit to the Department. MS4s previously covered will receive notification of the renewal along with instructions for obtaining coverage under the renewal permit. MS4s previously covered will continue being covered by the previous permit until authorized by the Department to be covered by this renewed permit as long as they reapplied for coverage no later than thirty (30) days prior to the effective date of this permit.

2.1.2 *New designations.* If the MS4 is designated either by the 2020 census or meets the criteria of Part 1 after the census information has been reviewed, then the MS4 is required to submit an NOI, the SWMP and application fee to the Department within 180 days of notification from ADEQ that permit coverage is required.

2.1.3 *Submitting a Late NOI.* The MS4s are not prohibited from submitting an NOI after the dates provided in Part 2.1.1 or 2.1.2 of this permit. If a late NOI is submitted, the authorization is only for discharges that occur after permit coverage is granted. The Department reserves the right to take appropriate enforcement actions against MS4s that have not submitted a timely NOI.

2.2 Where to Submit

The permittee is to submit the NOI, permit fee (for new permittees only), and SWMP, signed in accordance with the signatory requirements of Part 5.7 of this permit, to ADEQ at the following address:

ADEQ
Office of Water Quality, General Permits
5301 Northshore Drive
North Little Rock, AR 72118

or via ePortal at the following web address: https://eportal.adeq.state.ar.us/

Alternatively, the operator may submit the required documents in electronic format (.pdf) at the following email address: Water-permit-application@adeq.state.ar.us

2.3 Co-Permittees Under a Single NOI

The MS4 may partner with other MS4s to develop and implement the SWMP. The MS4 may also jointly submit an NOI with one (1) or more MS4s. Their SWMP shall clearly describe which permittees are responsible for implementing each of the control measures.

2.4 Public Notification Requirements

After review of the required submitted documents for permit coverage, the Department will give the public access to the Notices of Intent and Stormwater Management Plan (SWMP) for a minimum of thirty (30) days. A link will be provided at the Department's MS4 webpage: https://www.adeq.state.ar.us/water/permits/npdes/stormwater/noi/ms4/p_arr040000.aspx

Public comment and requests for a public hearing will be accepted within a thirty (30) day period, with the end date as specified by the Department's webpage. Methods for submitting comments and requests for a public hearing to the Department will be included on this webpage.

On issues of public or ADEQ comment, the operator of the MS4 must, prior to permit coverage issuance:

2.4.1 Provide the MS4's responses to any unresolved public comments on the NOI and SWMP received either by the MS4 during local participation and involvement efforts, or by the Department during the Department's public participation process, to ADEQ within thirty (30) days of the Director's request. Responses provided by the MS4 will be considered as part of the Department's decision-making process.

2.4.2 Modify, or include a schedule to modify, the SWMP as necessary after consideration of the public comments on the NOI or as required by the Director in response to such comments.

2.5 Modification of the Permit

The permit may be reopened and modified, in accordance with 40 CFR §122.62, §122.63, and §124.5, during the life of the permit.

2.6 Terminating Coverage

To terminate permit coverage, the permittee must submit a written Notice of Termination that contains facts or reasons supporting the request. The permittee is responsible for meeting the terms of this permit until the acceptance of the termination of authorization by the Department. For example, a Notice of Termination should be submitted if the permittee ceases stormwater discharges from the MS4.

PART 3 STORMWATER MANAGEMENT PROGRAMS (SWMP)

NOTE: Existing permitted MS4 programs should already be in compliance with the majority of the following requirements unless the requirements were not covered under the previous permit. Permittees shall continue to implement the existing programs until the renewal is approved by the Department. The SWMP should be updated as necessary to comply with the new requirements of the permit. The SWMP is an integral and enforceable document. Permittees not meeting the requirements of the most currently approved SWMP will be considered in violation of this permit.

3.1 Requirements

3.1.1 The permittee shall develop, implement, and enforce a SWMP designed to reduce the discharge of pollutants from the small MS4, to protect water quality, and to satisfy the appropriate water quality requirements and the Clean Water Act. Permittees may use contracts, interagency agreements, or inter-jurisdictional agreements with other permittees to implement the SWMP based on the requirements outlined in Part 3.3. The SWMP should include management practices; control techniques and system, design, and engineering methods; and shall be modified to include provisions as the Department determines appropriate after its review of the program for the control of such pollutants. The SWMP shall include the following information for each of the six (6) minimum control measures described in Part 3.2 of this permit:

3.1.1.1 The best management practices (BMPs) that the MS4 or another entity will or already implements for each of the stormwater minimum control measures;

3.1.1.2 The measurable goals for each of the BMPs, the ones the MS4 has 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;

3.1.1.3 The person or persons, including position title or titles, 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

3.1.1.4 In addition to the requirements listed above, 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.

3.1.1.5 BMPs shall be reevaluated in situations where an MS4 discharges to impaired waters or waters with an approved TMDL where the evaluation of the impairment has determined the MS4 is a contributor to the impairment, or waters designated as ERW, ESW, or NSW. The enhanced BMPs shall be specifically addressed within the SWMP.

3.2 Minimum Control Measures

The six (6) minimum control measures that shall be included in the SWMP are:

3.2.1 Public Education and Outreach on Stormwater Impacts

3.2.1.1 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.

3.2.1.2 *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:

3.2.1.2.1 How the MS4 plans to inform individuals and households about the steps they can take to reduce stormwater pollution;

3.2.1.2.2 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);

3.2.1.2.3 The target audiences for the MS4's education program that are likely to have significant stormwater impacts (including commercial, industrial, and institutional entities) and why those target audiences were selected;

3.2.1.2.4 The target pollutant sources the MS4 public education program is designed to address;

3.2.1.2.5 The outreach strategy, including the mechanisms (e.g., printed brochures, newspapers, media, social 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;

3.2.1.2.6 Who (person or department) 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; and

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

3.2.1.3 *Performance Standards*. The stormwater public education and outreach program shall include more than one (1) mechanism and target at least five (5) different stormwater themes or messages over the permit term. At a minimum, at least one (1) 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. The stormwater public education and outreach program shall reach at least fifty (50) percent of the population over the permit term.

3.2.1.4 *Annual Reporting*. The annual report shall identify each mechanism used, including each stormwater theme, audience targeted and an estimate of how many people were reached by each mechanism.

3.2.2 **Public Involvement/Participation**

3.2.2.1 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., 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.

3.2.2.2 *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:

3.2.2.2.1 Has the permittee involved the public in the development and submittal of the NOI and SWMP description;

3.2.2.2.2 The MS4's plan to actively involve the public in the development and implementation of the program;

3.2.2.2.3 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;

3.2.2.2.4 The types of public involvement activities included in the program. Where appropriate, consider the following types of public involvement activities: citizen representatives on a stormwater management panel, public hearings, working with citizen volunteers willing to educate others about the program, volunteer monitoring or stream/beach clean-up activities;

3.2.2.2.5 Who (person or department) 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;

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

3.2.2.3 *Performance Standards.* The stormwater public involvement/participation program shall include at least five (5) public involvement activities over the permit term.

3.2.2.4 *Annual Reporting.* The annual report shall identify each public involvement/participation activity conducted, including a brief description of activity and include an estimate of how many people participated.

3.2.3 Illicit Discharge Detection and Elimination

3.2.3.1 The permittee shall develop, implement and enforce a program to detect and eliminate illicit discharges, as defined in Part 6 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 Department in the annual report submission, of their existence);

3.2.3.2 New permittees shall develop a storm sewer system 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 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. MS4s with coverage area increases resulting from the 2020 census must update their storm sewer system maps by the expiration of this permit. MS4s that are required to update storm sewer system maps due to Part 1.2.1.3 of the permit must update their storm sewer system maps within three (3) years of the effective date of this permit;

3.2.3.3 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;

3.2.3.4 The permittee shall develop and implement a plan to detect and eliminate non-stormwater discharges, including illegal dumping, to the system. See 3.2.3.6 for exceptions to this requirement.

3.2.3.5 The permittee shall inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste; and

3.2.3.6 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 CFR 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 fire fighting activities (by definition, not an illicit discharge), and splash pads.

3.2.3.7 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.

3.2.3.8 *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:

3.2.3.8.1 How the MS4 will develop a storm 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 system 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;

3.2.3.8.2 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;

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

3.2.3.8.4 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:

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

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

3.2.3.8.4.3 Procedures for removing the source of the illicit discharge; and

3.2.3.8.4.4 Procedures for program evaluation and assessment.

3.2.3.8.5 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;

3.2.3.8.6 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;

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

3.2.3.9 *Performance Standards*. The stormwater illicit discharge detection and elimination program shall include dry-weather screening of all stormwater outfalls located in the MS4's coverage 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. The storm sewer system map shall be updated annually as needed for changes occurring in the MS4's coverage area boundaries at the time of permit coverage.

3.2.3.10 *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) a summary of any storm sewer system mapping updates.

3.2.4 Construction Site Stormwater Runoff Control

3.2.4.1 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 Department 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:

3.2.4.1.1 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 and not conflicting with the criteria set forth in the current ADEQ NPDES General Stormwater Permit for Construction Activities applicable for the permit area. If the ADEQ 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 ADEQ NPDES General Stormwater Permit for Construction Activities. If initial coverage for this permit was under a previous version of this permit, then the ordinance or other regulatory mechanism, if needed, shall be revised within two years of coverage under this general permit was granted;

3.2.4.1.2 Requirements for construction site operators to implement appropriate erosion and sediment control BMPs;

3.2.4.1.3 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;

3.2.4.1.4 Procedures for site plan review which incorporate consideration of potential water quality impacts;

3.2.4.1.5 Procedures for receipt and consideration of information submitted by the public; and

3.2.4.1.6 Procedures for site inspection and enforcement of control measures.

3.2.4.2 *Decision process.* The permittee shall document the decision process for the development of a construction site stormwater control program. The rationale statement shall address both 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:

3.2.4.2.1 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;

3.2.4.2.2 The plan 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;

3.2.4.2.3 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;

3.2.4.2.4 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;

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

3.2.4.2.6 The procedures for site inspection and enforcement of control measures, including how sites are prioritized for inspection;

3.2.4.2.7 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

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

3.2.4.3 *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.

3.2.4.4 *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.

3.2.5 **Post-Construction Stormwater Management in New Development and Redevelopment**

3.2.5.1 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) 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;

3.2.5.2 The permittee shall develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for the community;

3.2.5.3 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 or 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, ADEQ 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

3.2.5.4 The permittee shall ensure adequate long-term operation and maintenance of BMPs.

3.2.5.5 *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:

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

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

3.2.5.5.3 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 impaired waters, waters with applicable TMDLs, ERWs, ESWs, and NSWs, 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;

3.2.5.5.4 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;

3.2.5.5.5 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;

3.2.5.5.6 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;

3.2.5.5.7 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

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

3.2.5.6 *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 ($\geq$1) 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 are in place for all applicable sites.

3.2.5.7 *Annual Reporting.* The MS4 annual report 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.

3.2.5.8 *Low Impact Development.* The Department recommends that MS4s evaluate their existing codes and planning procedures to remove impediments to low impact development and green infrastructure. The Department 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.

3.2.6 **Pollution Prevention/Good Housekeeping for Municipal Operations**

3.2.6.1 The permittee 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; and

3.2.6.2 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 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 ADEQ'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 ADEQ permit number or a copy of the NOC for each facility.

3.2.6.3 *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:

3.2.6.3.1 The operation and maintenance 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;

3.2.6.3.2 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;

3.2.6.3.3 The program description shall specifically address the following areas:

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

3.2.6.3.3.2 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;

3.2.6.3.3.3 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

3.2.6.3.3.4 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.

3.2.6.3.4 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

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

3.2.6.4 *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 operation and maintenance program shall include appropriate procedures, controls, maintenance schedules and recordkeeping to address Part 3.2.6.3.3 of this permit.

3.2.6.5 *Annual Reporting.* The annual report shall document the following: (1) a summary of employee training program(s) implemented with the number of employees that attended and (2) a summary of activities and procedures implemented for the operation and maintenance program.

3.3 Sharing Responsibility

Implementation of one (1) or more of the minimum measures may be shared with another entity, or the entity may fully take over the measure. The permittee may rely on another entity only if:

3.3.1 The other entity, in fact, implements all or part of the control measure;

3.3.2 The particular control measure, or component of that measure, is at least as stringent as the corresponding permit requirement; and

3.3.3 The other entity agrees to implement the control measure on the permittee's behalf. There shall be written acceptance of this obligation. This obligation shall be maintained as part of their SWMP. If the other entity agrees to report on the minimum measure, the permittee shall supply the other entity with the reporting requirements contained in Part 4.3 of this permit. If the other entity fails to implement the control measure, then the permittee remains responsible for failing to implement the control measure.

3.4 Reviewing and Updating Stormwater Management Programs

3.4.1 *SWMP Review:* The permittee shall do an annual review of the SWMP in conjunction with preparation of the annual report required under Part 4.3 of this permit.

3.4.2 *SWMP Update:* The permittee may change the SWMP during the life of the permit in accordance with the following procedures:

3.4.2.1 Changes adding (but not subtracting or replacing) components, controls, or requirements to the SWMP may be made at any time upon written notification to the Department. This includes any changes that affect the signatory authority of the permit. These changes will be considered a minor modification and are not subject to the public notice requirements in Part 2.4. This does not include changes adding a new BMP based on a newly applicable condition, such as BMPs required by Part 3.4.5 due to a newly impaired waterbody designation. Such changes will be considered a major modification to the SWMP and are required to undergo the process under Part 3.4.2.2.

3.4.2.2 Changes replacing an ineffective or infeasible BMP specifically identified in the SWMP with an alternate BMP may be requested at any time. These changes may be considered a major modification to the SWMP and be subject to the public notice process outlined in Part 2.4. The Department will review and provide a written decision within sixty (60) days of the request. The Department may approve with additional specific additional requirements. The permittee shall implement the revised BMPs immediately upon approval or within the timeframe specified by the approval. If the request is denied, the Department will send a written response giving a reason for the decision. The modification requests shall include the following:

3.4.2.2.1 An analysis of why the BMP is ineffective or infeasible (including cost prohibitive);
3.4.2.2.2 Expectations on the effectiveness of the replacement BMP; and
3.4.2.2.3 An analysis of why the replacement BMP is expected to achieve the goals of the BMP to be replaced.

3.4.2.3 Changes applicable to Parts 3.1.1.3 and 3.1.1.4 are considered minor modifications and do not require any notification to ADEQ.

3.4.2.4 Change requests or notifications shall be made in writing and signed in accordance with Part 5.7 of this permit.

3.4.3 *SWMP Updates Required by ADEQ*: The Department may require changes to the SWMP as needed to:

3.4.3.1 Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;

3.4.3.2 Include more stringent requirements necessary to comply with new Federal statutory or regulatory requirements; or

3.4.3.3 Include such other conditions deemed necessary by the Department to comply with the goals of the Clean Water Act.

3.4.3.4 Changes requested by the Department will be made in writing, set forth the time schedule to develop the changes, offer the opportunity to propose alternative program changes to meet the objective of the requested modification, and discuss whether the changes are subject to the public notification requirements in Part 2.4.

3.4.4 *Transfer of Ownership, Operational Authority, or Responsibility for SWMP Implementation:* The permittee shall implement the SWMP on all new areas added to a portion of the MS4 (or for which the permittee becomes responsible for implementation of stormwater quality controls) as expeditiously as practicable, but not later than one (1) year

from the addition of the new areas. Implementation may be accomplished in a phased manner to allow additional time for controls that cannot be implemented immediately.

3.4.4.1 Within thirty (30) days of a transfer of ownership, operational authority, or responsibility for SWMP implementation, the permittee shall have a plan for implementing a SWMP on all affected areas. The plan may include schedules for implementation. Information on all new annexed areas and any resulting updates required to the SWMP shall be included in the annual report. ADEQ must be notified of permit transfer within thirty (30) days of change of ownership, operational authority or responsibility for SWMP implementation.

3.4.5 **Discharges to Impaired Waters with and without approved TMDLs, as well as waters that are attaining Water Quality Standards, but have an approved TMDL**

a. Discharges of pollutant(s) of concern to water bodies for which there is an approved total maximum daily load (TMDL) are not eligible for this general permit unless they are consistent with the approved TMDL.

b. The permittee shall control the discharges of pollutant(s) of concern to impaired waters and waterbodies with approved TMDLs as provided below, and shall assess the success in controlling those pollutants.

3.4.5.1 Discharges to Waters with an Approved TMDL

If the permittee discharges to an impaired water body with an approved TMDL, the permittee must comply with the WLA in the final permit in accordance with 40 CFR 122.44(d)(1)(vii)(1)(B) and will have three (3) years to comply with the TMDL in accordance with Reg. 2.104. However, until the effective date of the WLA, the permittee shall control the discharges of pollutant(s) of concern to impaired waters and waters with approved TMDLs and shall assess the success in controlling those pollutants.

3.4.5.2 Discharges Directly to Water Quality Impaired Waters or Waters with an approved TMDL(see Part 1.3.4)

3.4.5.2.1 Where the impairment is for a nutrient constituent (e.g. nitrogen or phosphorus), the operator must, at a minimum:

3.4.5.2.1.1 Within one (1) year of the date of permit coverage or new impairment or TMDL for an existing MS4, identify potential significant sources of the pollutant of concern entering the MS4;

3.4.5.2.1.2 Within two (2) years of the date of permit coverage or new impairment or TMDL for an existing MS4, develop (or modify an existing program as necessary) and implement a public education program to reduce the discharge of the pollutant of

concern in municipal storm water contributed by residential and commercial use of fertilizers;

3.4.5.2.1.3 Within two (2) years of the date of permit coverage or new impairment for an existing MS4, develop (or modify an existing program as necessary) and implement a program to reduce the discharge of the pollutant of concern in municipal storm water contributed by fertilizer use at municipal operations (e.g., parks, roadways, municipal facilities);

3.4.5.2.1.4 Within two (2) years of the date of permit coverage or new impairment for an existing MS4, develop (or modify an existing program as necessary) and implement a program to reduce the discharge of the pollutant of concern in municipal storm water contributed by municipal and private golf courses within your jurisdiction;

3.4.5.2.1.5 Within three (3) years of the date of permit coverage or new impairment for an existing MS4, develop (or modify an existing program as necessary) and implement a program to reduce the discharge of the pollutant of concern in municipal storm water contributed by any other significant source identified in the source identification evaluation; and

3.4.5.2.1.6 Include the progress on program implementation, reducing the discharge of the nutrient pollutant(s) of concern into impaired waters or waters with an approved TMDL, and updates to measurable goals for nutrient reduction program elements in the annual reports.

3.4.5.2.1.7 The timelines for Parts 3.4.5.2.1.1 – 3.4.5.2.1.5 are not applicable for permittees that had coverage under the previous ARR0400000 permit that expired July 31, 2019, and discharge into water bodies listed as impaired as of the 2016 303(d) list of impaired waterbodies. Instead, these requirements should be completed by the effective date of this permit.

3.4.5.2.2 Where the impairment is for bacteria, the operator must, at a minimum:

3.4.5.2.2.1 Within one (1) year of the date of permit coverage or new impairment for an existing MS4, identify potential significant sources of bacteria entering the MS4;

3.4.5.2.2.2 Within two (2) years of the date of permit coverage or new impairment for an existing MS4, develop (or modify an existing program as necessary) and implement a public education program to reduce the discharge of bacteria in municipal stormwater contributed (if applicable) by pets, recreational and exhibition livestock, and zoos;

3.4.5.2.2.3 Within two (2) years of the date of permit coverage or new

impairment for an existing MS4, develop (or modify an existing program as necessary) and implement a program to reduce the discharge of the bacteria in municipal storm water contributed by areas within the MS4 served by on-site wastewater treatment systems;

3.4.5.2.2.4 Within two (2) years of the date of permit coverage or new impairment for an existing MS4, review results to date from your Illicit Discharge Detection and Elimination program and modify as necessary to prioritize the detection and elimination of discharges contributing bacteria to the MS4;

3.4.5.2.2.5 Within three (3) years of the date of permit coverage or new impairment for an existing MS4, develop (or modify an existing program as necessary) and implement a program to reduce the discharge of the pollutant of concern in municipal storm water contributed by any other significant source identified in the source identification evaluation; and

3.4.5.2.2.6 Include the progress on program implementation, reducing the discharge of bacteria into impaired waters or waters with an approved TMDL, and updates to measurable goals for bacteria reduction program elements in the annual reports.

3.4.5.2.2.7 The timelines for Parts 3.4.5.2.2.1 – 3.4.5.2.2.5 are not applicable for permittees that had coverage under the previous ARR0400000 permit that expired July 31, 2019, and discharge into water bodies listed as impaired as of the 2016 303(d) list of impaired waterbodies. Instead, these requirements should be completed by the effective date of this permit.

3.4.5.2.3 Where the impairment is for turbidity, the operator must, at a minimum:

3.4.5.2.3.1 Within one (1) year of the date of permit coverage or new impairment for an existing MS4, identify potential significant sources of turbidity entering the MS4;

3.4.5.2.3.2 Within two (2) years of the date of permit coverage or new impairment for an existing MS4, develop (or modify an existing program as necessary) and implement a public education program to reduce the discharge of turbidity contributed by construction activities, bare ground, failing stream banks, and other areas;

3.4.5.2.3.3 Within two (2) years of the date of permit coverage or new impairment for an existing MS4, develop (or modify an existing program as necessary) and implement a program to reduce the discharge of turbidity in municipal stormwater contributed by areas within the MS4 served by on-site wastewater treatment systems;

3.4.5.2.3.4 Within two (2) years of the date of permit coverage or new

impairment for an existing MS4, review results to date from the Illicit Discharge Detection and Elimination program and modify as necessary to prioritize the detection and elimination of discharges contributing turbidity to the MS4;

3.4.5.2.3.5 Within three (3) years of the date of permit coverage or new impairment for an existing MS4, develop (or modify an existing program as necessary) and implement a program to reduce the discharge of turbidity in municipal stormwater contributed by any other significant source identified in the source identification evaluation; and

3.4.5.2.3.6 Include the progress on program implementation, reducing the turbidity of impaired waters or waters with an approved TMDL, and updates to measurable goals for turbidity reduction program elements in the annual reports.

3.4.5.2.4 Where the impairment is for any pollutant other than nutrients, turbidity, or bacteria, the operator must, at a minimum:

3.4.5.2.4.1 Within one (1) year of the date of permit coverage or new impairment for an existing MS4, identify potential significant sources of the pollutant of concern entering the MS4;

3.4.5.2.4.2 Within three (3) years of the date of permit coverage or new impairment for an existing MS4, develop (or modify an existing program as necessary) and implement a program(s) to reduce the discharge of the pollutant(s) of concern in municipal storm water contributed by any significant source identified in the source identification evaluation; and

3.4.5.2.4.3 Include the progress on program implementation, reducing the discharge of pollutant(s) of concern into impaired waters or waters with an approved TMDL and updates to measurable goals for the pollutant of concern reduction program elements.

3.4.5.2.2.4 The timelines for Parts 3.4.5.2.4.1 and 3.4.5.2.4.2 are not applicable for permittees that had coverage under the previous ARR0400000 permit that expired July 31, 2019, and discharge into water bodies listed as impaired as of the 2016 303(d) list of impaired waterbodies. Instead, these requirements should be completed by the effective date of this permit.

3.5 Monitoring

3.5.1 *Discharges into waters identified on the 303(d) list or waters with an approved TMDL.* The permittee must evaluate program compliance, the appropriateness of identified best management practices, and progress toward achieving identified measurable goals. If the permittee discharges to waters for which a TMDL and implementation plan has been

established, then the permittee must monitor to determine if the stormwater controls are adequate to maintain compliance with the MS4's wasteload allocation. The monitoring program should be designed to assess the effectiveness of the permittee's stormwater management program, assess the impacts to receiving waters resulting from stormwater discharges, identify sources of elevated pollutant loads and specific pollutants, and detect and eliminate illicit discharges and illegal connections to the MS4. This monitoring must include quarterly grab samples for the pollutant(s) listed in the TMDL.

3.5.2 For MS4s discharging into 303(d) listed streams with an impairment identified as caused by stormwater, monitoring must include quarterly grab samples for the pollutant(s) listed in the 303(d) listing. The MS4 must develop a sampling plan which, over time, will help to identify those outfalls responsible for the discharge of the pollutant(s). The initial outfall(s) to be sampled shall be representative of the varying land uses of the MS4. Based upon initial results of sampling, the MS4 may revise its sampling plan as appropriate. The initial sampling plan must be submitted to the Department for review. All sampling results must be submitted with the MS4's annual report.

3.5.3 When additional information is required in the determination of the cause or status of a stream impairment, in the development or implementation of a TMDL, or in the development or implementation of a comprehensive watershed management plan, the Department may require an MS4 to develop and submit a sampling plan development timeline for review. The Department will notify the MS4 of the decision in writing regarding the proposed action items and schedule for deliverables. Upon notification, the MS4 will be required to develop a monitoring plan and submit it to the Department according to an agreed schedule, generally within ninety (90) days. Upon Departmental approval of a monitoring plan, the MS4 must take samples for the pollutant(s) in accordance with the approved plan. Based upon initial results of sampling, the MS4 may submit a revised sampling plan to the Department for approval. The monitoring plan and schedule shall be followed to maintain compliance as it is considered an integral part of the SWMP upon approval. All sampling results must be submitted with the MS4's annual report.

3.5.4 *Analytical Methods.* Analysis and collection of samples should be done in accordance with the methods specified at 40 CFR §136. Where an approved 40 CFR §136 method does not exist, any available method may be used unless a particular method or criteria for method selection (such as sensitivity) has been specified in the permit. Screening level tests may utilize less expensive "field test kits" using test methods not approved by EPA under 40 CFR 136, provided the manufacturers published detection ranges are adequate for the illicit discharge detection purposes.

3.5.5 The addition of a new sampling plan, as required by Parts 3.5.1, 3.5.2, or 3.5.3, will be considered a major modification to the SWMP and will be required to follow the public notice procedures laid out in Part 2.4 of the permit. Changes to an existing sampling plan may constitute a major modification to the SWMP. If, in the Department review, it is

determined that the changes to the sampling plan are considered a major modification, the changes will have to undergo the public notice procedures laid out in Part 2.4 of this permit.

PART 4 EVALUATING, RECORD KEEPING AND REPORTING

4.1 Evaluating

The permittee shall evaluate program compliance with the terms and conditions of the permit and SWMP, the appropriateness of identified BMPs, and progress toward achieving identified measurable goals and satisfying performance standards.

4.2 Recordkeeping

4.2.1 The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart or other recordings for continuous monitoring instrumentation, copies of all reports required by this permit, a copy of the NPDES permit, and records of all data used to complete the application (NOI) for this permit, for a period of at least three (3) years from the date of the sample, measurement, report or application, or for the term of this permit, whichever is longer. This period may be extended by request of the permitting authority at any time.

4.2.2 The permittee shall submit any records to the permitting authority upon request. The permittee must retain the SWMP required by this permit (including a copy of the permit language) at a location accessible to the permitting authority. The permittee must make all records, including the notice of intent (NOI) and the description of the SWMP, available to the public if requested in writing.

4.3 Reporting

4.3.1 New permittees must submit annual reports to the Department for each year of the permit term. The first report is due fifteen (15) months from the effective date of the permit, covering the activities of the permittee during the twelve (12) month period beginning on the effective date of the permit for the permittee. Subsequent annual reports are due on the same date for each of the following years during the remainder of the permit term (and continuing into any administrative continuance of the permit, should it not be reissued prior to expiration). Prior to submitting annual reports to the Department, MS4s must make a good faith effort to allow their citizens an opportunity for involvement and input. MS4s shall include a copy of the annual report in electronic format on their websites and at local centers of information, i.e. public libraries, city halls, county courthouses, community centers, etc. Existing permittees must submit their annual reports, which covers the previous twelve (12) months from January 1st to December 31st of a calendar year, no later than March 31st of the following year (i.e. 2019 report would be due no later than March 31, 2020). Annual reports will be publicly available on ADEQ's website. The report must include:

4.3.1.1 The status of compliance with permit conditions, an assessment of the appropriateness of the identified best management practices, and the progress towards achieving the

measurable goals for each of the minimum control measures;

4.3.1.2 Results of information collected and analyzed, if any, during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants;

4.3.1.3 A summary of the stormwater activities the permittee plans to undertake during the next reporting cycle (including an implementation schedule);

4.3.1.4 Proposed changes to the stormwater management program, including changes to any BMPs or any identified measurable goals that apply to the program elements;

4.3.1.5 Description and schedule for implementation of additional BMPs that may be necessary, based on monitoring results, to ensure compliance with applicable TMDLs and implementation plans; and

4.3.1.6 Notice that the permittee is relying on another government entity to satisfy some of the permit obligations (if applicable).

4.3.1.7 Reports must be submitted using the appropriate ADEQ reporting forms.

4.3.2 Where to Submit. Annual reports shall be submitted to the Department at the following address:

ADEQ
Office of Water Quality, General Permits
5301 Northshore Drive
North Little Rock, AR 72118

Alternatively, the MS4 may submit the required documents in electronic format (.pdf) at the following email address: Water-permit-application@adeq.state.ar.us

or via ePortal at the following web address: https://eportal.adeq.state.ar.us/

All annual reports must be submitted through ePortal at the following web address after December 20, 2021: https://eportal.adeq.state.ar.us/

PART 5 GENERAL CONDITIONS

5.1 Duty to Comply. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Federal Clean Water Act and the Arkansas Water and Air Pollution Control Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

5.2 Continuation of the Expired General Permit. An expired general permit continues in force and effect until a renewal general permit is issued. If this permit is not re-issued or replaced prior to the expiration date, it will be administratively continued in accordance with the A.C.A. 8-4-203(m) and remain in force and effect. If permit coverage is granted prior to the expiration date, the MS4 will automatically remain covered by the continued permit until the earliest of:

5.2.1 Re-issuance or replacement of this permit, at which time the permittee must comply with the conditions of the new permit and submit a renewal NOI and SWMP no later than thirty (30) days prior to the effective date of this renewal permit to maintain authorization to discharge; or

5.2.2 Submittal of a Notice of Termination and approval by the Department; or

5.2.3 Issuance of an individual permit for the MS4's discharges; or

5.2.4 When a formal permit decision by ADEQ to not re-issue this general permit, and the permittee seeks and obtains an individual permit.

5.3 Need to Halt or Reduce Activity Not a Defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

5.4 Duty to Mitigate. The permittee must take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

5.5 Duty to Provide Information. The permittee must furnish to the permitting authority any information that is requested to determine compliance with this permit or other information.

5.6 Other Information. If the permittee becomes aware that the permittee has failed to submit any relevant facts or submitted incorrect information in the Notice of Intent, Stormwater Management Plan, annual reports, or in any other report to the permitting authority, the permittee must promptly submit such facts or information.

5.7 Signatory Requirements. All Notices of Intent, Notices of Termination, reports, certifications, or information submitted to the permitting authority, or that this permit requires be maintained by the permittee shall be signed and certified as follows:

5.7.1 All Notices of Intent must be signed and certified as follows:

5.7.1.1 For a corporation: By a responsible corporate officer. For the purpose of this Part, a responsible corporate officer means:

5.7.1.1.1 A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

5.7.1.1.2 The manager of one (1) or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

5.7.1.2 For a partnership or sole proprietorship: By a general partner or the proprietor, respectively; or

5.7.1.3 For a Municipality, County, State, Federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a Federal agency includes

5.7.1.3.1 The chief executive officer of the agency, or

5.7.1.3.2 A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA).

5.7.2 All NOTs, SWMPs, reports, certifications, or other information required by this permit must be signed by a person described in Part 5.7.1 above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

5.7.2.1 The authorization is made in writing by a person described in Part 5.7.1;

5.7.2.2 The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for

environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and

5.7.2.3 The signed and dated written authorization is included in the SWMP. A copy must be submitted to the Department, if requested.

5.7.3 Changes to Authorization. If an authorization is no longer accurate because a different operator has the responsibility for the overall operation of the MS4, a new authorization satisfying the requirement of Part 5.7.1 above must be completed prior to or together with any reports, information, or notices of intent to be signed by an authorized representative.

5.7.4 Any person signing documents under the terms of this permit shall make the following certification:

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.

5.7.5 Falsification

Arkansas law imposes penalties and fines for persons who knowingly make false statements or knowingly swear or affirm the truth of a false statement previously made.

5.8 Local, State, and Federal Laws. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable local, state, or federal law or regulation, or any applicable State law or regulation under authority preserved by section 510 of the Act.

No condition of this permit releases the permittee from any responsibility or requirements under other environmental statutes or regulations.

5.9 Property Rights. The issuance of this permit does not convey any property rights of any sort, nor any exclusive privilege, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

5.10 Proper Operation and Maintenance. The permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used to achieve compliance with the conditions of this permit and with the conditions of the permittee's stormwater management program. Proper operation and maintenance also

includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed only when the operation is necessary to achieve compliance with the conditions of the permit.

5.11 Inspection and Entry. The permittee shall allow the Department or an authorized representative upon the presentation of credentials and other documents as may be required by law, to do any of the following:

5.11.1 Enter the premises at reasonable times where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

5.11.2 Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;

5.11.3 Inspect at reasonable times any facilities or equipment (including monitoring and control equipment) practices, or operations regulated or required under this permit; and

5.11.4 Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the CWA, any substances or parameters at any location.

5.12 Permit Actions. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

5.13 Anticipated Noncompliance. The permittee shall give advance notice to the Department of any planned changes in the permitted small MS4 or activity which may result in noncompliance with this permit.

5.14 Reserved.

5.15 Severability. The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

5.16 Procedures for Modification or Revocation. Permit modification or revocation will be conducted according to 40 CFR 122.62, 122.63, 122.64 and 124.5.

5.17 Requiring an Individual Permit or an Alternative General Permit

5.17.1 *Request by permitting authority:* The Department may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or coverage under an alternative NPDES general permit. Any interested person may petition the Department

to take action under this paragraph. Where the Department requires the permittee to apply for an individual NPDES permit or coverage under an alternative NPDES general permit, the Department will notify the permittee in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for to file the application, and a statement that on the effective date of issuance or denial of the individual NPDES permit or the alternative NPDES general permit coverage as it applies to the individual permittee, coverage under this general permit shall automatically terminate. ADEQ may grant additional time to submit the application upon request of the applicant. If the MS4 fails to submit in a timely manner an individual NPDES permit application or an NOI for coverage under an alternative NPDES general permit as required by the Department under this paragraph, then the applicability of this permit is terminated at the end of the day specified by the Department.

5.17.2 *Request by permittee:* Any discharger authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual NPDES permit with reasons supporting the request. The request may be granted by issuance of any individual permit or an alternative general permit if the reasons cited by are adequate to support the request.

5.17.3 *General permit termination.* When an individual NPDES permit is issued to a discharger otherwise subject to this permit, or the permittee is authorized to discharge under an alternative NPDES general permit, the applicability of this permit to the MS4 is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to an operator otherwise subject to this permit, or the operator is denied for coverage under an alternative NPDES general permit, the applicability of this permit to the MS4 is automatically terminated on the date of such denial, unless otherwise specified by the Department.

5.18 Re-opener Clause. In accordance with 40 CFR Part 122.62(a)(2), the permit may be modified, or alternatively, revoked and reissued, if new information is received that was not available at the time of permit issuance that would have justified the application of different permit conditions at the time of permit issuance.

PART 6 DEFINITIONS

All definitions contained in Section 502 of the Act and 40 CFR 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 Regulation takes precedence.

6.1 **"ADEQ"** is referencing the Arkansas Department of Environmental Quality. The Department is the governing authority for the National Pollutant Discharge Elimination System program in the state of Arkansas.

6.2 **"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.

6.3 **"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.

6.4 **"Coverage area"** is the area for which the permittee must implement the requirements for this permit.

6.5 **"CWA"** means the Clean Water Act or the Federal Water Pollution Control Act, 33 U.S.C. 1251 et seq.

6.6 **"Department"** is referencing the Arkansas Department of Environmental Quality. The Department is the governing authority for the National Pollutant Discharge Elimination System program in the state of Arkansas.

6.7 **"Director"** means the Director, Arkansas Department of Environmental Quality, or a designated representative.

6.8 **"Discharge"** when used without qualification means the "discharge of a pollutant."

6.9 **"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.

6.10 **"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.

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

6.12 **"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.

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

6.14 **"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 fire fighting activities.

6.15 **"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.

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

6.16.1 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

6.16.2 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

6.16.3 Owned or operated by a municipality other than those described in paragraphs 6.12.1 or 6.12.2 and that are designated by the Director as part of the large or medium municipal separate storm sewer system.

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

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

6.18.1 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

6.18.2 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

6.18.3 Owned or operated by a municipality other than those described in paragraphs 6.15.1 or 6.15.2 and that are designated by the Director as part of the large or medium municipal separate storm sewer system.

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

6.20 **"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):

6.20.1 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;

6.20.2 Designed or used for collecting or conveying stormwater;

6.20.3 That is not a combined sewer; and

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

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

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

6.23 **"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.

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

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

6.26 **"Outfall"** means a point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States 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.

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

6.28 **"Permitting Authority"** means the Arkansas Department of Environmental Quality.

6.29 **"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.

6.30 **"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.

6.31 **"Pollutant"** is defined at 40 CFR 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.

6.32 **"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.

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

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

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

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

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

APPENDIX C

CAMPUS MAP

35° 50' 36.9024" N
90
12.5256" W
Catholic Newman Center
Equine Center and Garry Meadows Arena
Student Activity Center
Centennial Bank Athletics Operation Center Under Construction
Centennial Bank Stadium
Football Offices
Luter Family Academic Success Center
Student Health Center
Kays Foundation
Pavilion
Cooper Alumni Center
Judd Hill Center
First National Bank Arena
Hotel/ Convention Center Under Construction
Baseball Complex
Farmers Market
Collegiate Park
Kays Hall
Northpark Quads
Red Wolf Den
University Hall
North Parking Deck
Reynolds Center
Reng Student Union
Heritage Plaza
Richmond Hall
Military Science ROTC
The Circle
Wilson Hall
Humanities and Social Sciences Building
Red WOLF Center
Arkansas Hall
Sorority Row
Dean B. Ellis Library
Fine Arts Center
HPESS
Agriculture
Education/ Communications Building
The Village Houses
Pack Place
The Village Apartments
Band Outdoor Classroom
Information and Technology Services
Facilities Management
Red Wolves Sports Park
Rugby Complex
Farm Complex/ Petting Zoo
Agric Road
Red Wolf Blvd.
U.S. Highway 49
University Loop East
University Loop West
Union Pacific Railroad
Burlington Northern Santa Fe Railroad
Alumni Boulevard
Olympic Drive
Hereford Drive
Matthews Ave.
0
500
1000
Feet

APPENDIX D

STORMWATER INLET MAP

Equine Center
Student Activity Center
Centennial Bank Stadium
Kays Foundation
Pavilion
Football Offices
Luter Academic Success Center
Red Wolf Den
Cooper Alumni Center
Judd Hill Center
Student Health Center
Alumni Boulevard
Johnson Avenue
Northpark Plaza
WolfLIFE
Shelton Street
Collegiate Park
Kays Hall
Northpark Quads
Convocation Center
Hotel/ Convention Center
Under Construction
University Loop
Danner Avenue
BCM
Reynolds Center
North Parking Deck
Wilson Advising Center
Eugene W. Smith Hall
Sigma Pi
Kappa Alpha
ROTC
Living Learning Communities
STEM Den
University Hall
U.S. Post Office
A-State Bookstore
Nursing
Reng Student Union
Heritage Plaza
Intl. English Studies
Honors Avenue
Pi Kappa Alpha
Fowler Center
Bradbury Art Museum
Baseball Complex
Aggie Apartments
Marion Berry Parkway
Education & Leadership Studies
Chi Omega Fountain
Unity Park
Aggie Road
Aggie Circle
Zeta Tau Alpha
Alpha Gamma Delta
Alpha Omicron Pi
Kays House
Chi Omega
Delta Zeta
Sorority Row
Lambda Chi Alpha
Graduate Housing
Under Construction
Military Science ROTC (Armory)
Administration Building
NYIT
Wilson Hall
ITStore
Sigma Chi
Kell Field/ Tomlinson Stadium
Farmer's Market
Red Wolf Blvd.
Business Building
Admin Annex
Humanities and Social Sciences Building
Red WOLF Center
Arkansas Hall
Olympic Drive
Delta Center
ASU Museum
Dean B. Ellis Library
Learning Commons
Honors College
Computer Science/ Math
Fine Arts Annex
Fine Arts Center
Quapaw Street
HPESS
University Loop Extension
Under Construction
The Village Houses
Farm Complex/ Petting Zoo
Burlington Northern Santa Fe Railroad
Education Communication Building
Lab Sciences West
Lab Sciences East
Osage Street
Undergraduate Housing
Under Construction
Dinner Street
The Village Apartments
Agriculture
Farm Shop
University Loop
Arkansas Biosciences Institute
Hereford Dr
Varsity Tennis Courts
Red Wolf Trail
Cherokee Street
Union Pacific Railroad
Varsity Soccer Field
Varsity Soccer and Tennis Facility
Varsity Track and Field Complex
Red Wolves Sports Park
University Loop
Childhood Services
Residence Life Maintenance
University Police
Pawnee Street
Information and Technology Services
Procurement Services
Facilities Management
Iroquois Street
Robinson Street
Intramural Fields
Red Wolf Trail
Environmental Research Safety & Training
Washington Ave
Matthews Ave
Curt Huckaby Field
Rugby Complex

APPENDIX E

STORMWATER OUTFALL MAP

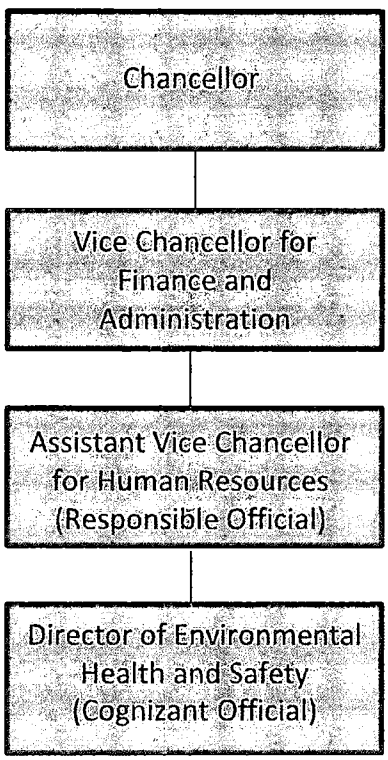
Catholic Newman Center
Equine Center and Garry Meadows Arena
Student Activity Center
Centennial Bank Athletics Operation Center Under Construction
Centennial Bank Stadium
Allison Field
Football Offices
Kays Foundation
Pavilion
Cooper Alumni Center
Judd Hill Center
Student Health Center
Alumni Boulevard
First National Bank Arena
Hotel/ Convention Center Under Construction
Collegiate Park
Johnson Avenue
Northpark Quads
Kays Hall
North Parking Deck
Reynolds Center
Danner Avenue
University Hall
Reng Student Union
U.S. Post Office
A-State Bookstore
Heritage Plaza
Honors Avenue
Fowler Center
Baseball Complex
Kell Field/ Tomlinson Stadium
Farmers Market
Aggie Road
Richmond Hall
Military Science ROTC
The Circle
Administration Building
Wilson Hall
Business Building
Humanities and Social Sciences Building
Red WOLF Center
Arkansas Hall
Sorority Row
Sigma Chi
Dean B. Ellis Library
Museum
Learning Commons
Honors College
Fine Arts Center
HPESS
Agriculture
Arkansas Biosciences Institute
The Village Houses
Pack Place
Building 1
Building 2
Cherokee Street
The Village Apartments
Band Outdoor Classroom
University Loop West
University Loop East
Childhood Services
Information and Technology Services
Facilities Management
Burlington Northern Santa Fe Railroad
Union Pacific Railroad
Varsity Tennis Courts
Varsity Soccer Field
Red Wolves Sports Park
Red Wolf Trail
Rugby Complex
Washington Ave.
Marion Berry Parkway
Red Wolf Blvd.
Farm Complex/ Petting Zoo
Farm Shop
Hatcher Drive


Catholic Newman Center
Equine Center and Garry Meadows Arena
"A" Street
Student Activity Center
Centennial Bank Athletics Operation Center Under Construction
Centennial Bank Stadium
Allison Field
Football Offices
Luter Family Academic Success Center
Student Health Center
Kays Foundation
Pavilion
Cooper Alumni Center
Judd Hill Center
Alumni Boulevard
Hotel/ Convention Center Under Construction
First National Bank Arena
Olympic Drive
Fowler Center
Bradbury Art Museum
Baseball Complex
Kell Field/ Tomlinson Stadium
Red Wolf Blvd.
Farmers Market
Farm Complex/ Petting Zoo
The Bill & Alice Nix Petting Zoo
Farm Shop
Horticulture Greenhouses
Hereford Drive
Stella Drive
Swine
Finishing
Finishing & Nursery
Farrowing
Storage
Gestation
Plant Science West
Plant Science East
Sheep Unit
Show Barn
Biology Storage Sheds
Feed Mill Complex
Animal Science Storage
Ram Barn
Animal Science Classroom & Laboratory
Animal Science Loafing Barn
Animal Science Feeder Barn
Johnson Avenue
Northpark Plaza
Red Wolf Den
Shelton Street
Collegiate Park
Kays Hall
Northpark Quads
Danner Avenue
Caraway Road
Dean Street
Baptist Collegiate Ministry
Reynolds Center
North Parking Deck
Wilson Advising Center
Wesley Foundation
University Hall
Eugene W. Smith Hall
Nursing and Health Professions
International Programs
U.S. Post Office
A-State Bookstore
Reng Student Union
Heritage Plaza
Education & Leadership Studies
Chi Omega Fountain
Aggie Circle
Welcome Center
Unity Park
Honors
ROTC
Living Learning Communities
STEM Den
Honors Classrooms
Honors Avenue
Sigma Pi
Kappa Alpha
Pi Kappa Alpha
Lambda Chi Alpha
Sigma Chi
Zeta Tau Alpha
Alpha Gamma Delta
Alpha Omicron Pi
Kays House
Chi Omega
Delta Zeta
Sorority Row
Aggie Road
Administration Building
NYIT
Wilson Hall
ITStore
Memorial Arch
Humanities and Social Sciences Building
Red WOLF Center
Arkansas Hall
Business Building
Admin Annex
Delta Center
Museum
Dean B. Ellis Library
Learning Commons
Honors College
Computer Science/ Math
Fine Arts Annex
Fine Arts Center
Central Plant
Quapaw Street
The Village Houses
Building 1
Building 2
Osage Street
Pack Place
University Loop East
The Village Apartments
Iroquois Street
Cherokee Street
Pawnee Street
Band Outdoor Classroom
Childhood Services
University Police
Residence Life Operations
Child Development & Research Center Building A
Child Development & Research Center Building B
Robinson Street
Information and Technology Services
Procurement Services
Facilities Management
Environmental Research, Safety, & Training
Burlington Northern Santa Fe Railroad
U.S. Highway 49
Education/ Communications Building
Lab Sciences West
Lab Sciences East
Agriculture
Arkansas Biosciences Institute
Wolf Den Plaza
HPESS
Marion Berry Parkway
Richmond Hall
Smith Hall
Strickland Hall
Gaines Hall
Academic Circle
The Circle
Military Science ROTC
University Loop West
Union Pacific Railroad
Washington Ave.
Matthews Ave.
Red Wolf Trail
Varsity Tennis Courts
Varsity Soccer and Tennis Facility
Varsity Track and Field Complex
Varsity Soccer Field
Red Wolves Sports Park
Intramural Fields
Curt Huckaby Field
Rugby Complex

APPENDIX F

ORGANIZATIONAL CHART

Appendix F: Organizational Chart for Arkansas State University MS4



APPENDIX G

ENFORCEMENT PROCEDURE FOR STORMWATER VIOLATIONS ON CAMPUS

CONTENTS:

1. PURPOSE

1.1 The purpose of this procedure is to specify the process by which Environmental Health and Safety enforces stormwater requirements on areas other than construction sites on campus.

2. SCOPE

2.1 This procedure applies to all EHS inspectors, Facilities Management personnel and all developers, contractors and subcontractors on campus.

3. DEFINITIONS

3.1 Stormwater: Water that begins to flow along the ground after rainfall.

3.2 Illicit Discharge: Discharge of anything other than stormwater to any water of the state (stormwater ditches, creeks, rivers, etc.).

3.3 Outfall: Any place the stormwater leaves campus to the waters of the state.

3.4 SWMP: Stormwater Management Plan

3.5 SWPPP: Stormwater Pollution Prevention Plan

3.6 NOV: Notice of Violation

3.7 NOC: Notice of Coverage

3.8 CAP: Corrective Action Plan

3.9 NOI: Notice of Intent

3.10 EHS: Environmental Health and Safety

4. RESPONSIBILITIES

4.1 AVC for Human Resources (Responsible Official according to regulations)

4.1.1 Issue NOVs based on the information provided by EHS.

4.2 Environmental Health and Safety (Cognizant Official according to regulations)

4.2.1 Inspect all outfalls during dry weather on at least an annual basis for illicit discharges.

4.2.2 Inspect areas of campus that have a higher potential for illicit discharges (Facilities Management and the Farm) on at least a quarterly basis.

4.2.3 Respond to complaints/concerns from the campus community or other members of the public regarding stormwater issues.

4.2.4 If non-compliant issues are found, identify the responsible party for correction of the issues and provide a timeline for correction.

4.2.4.1 If the non-compliant issues is an illicit discharge, determine a course of action for cleanup including a cost estimate.

4.2.5 Inform the AVC for Human Resources if non-compliant issues are not corrected in a timely manner or if illicit discharges are found that require cleanup.

4.2.6 Provide NOVs to AVC for Human Resources for issuing when necessary.

4.2.7 Provide training and information to the campus community regarding stormwater requirements.

4.3 Campus Community

4.3.1 Ensure compliance with all local, state and federal regulations regarding stormwater management while on campus. This includes compliance with the university SWMP any applicable SWPPPs.

4.3.2 Correct non-compliant items found on inspections within timeline provides by EHS or provide a plan in writing to EHS for correcting non-compliant items within the prescribed timeline.

4.4 Facilities Management

4.4.1 Ensure inspection results and NOVs are communicated effectively to contractors.

4.4.2 Issue stop worker orders to contractors when necessary.

4.4.3 Procure a contractor to correct non-compliant issues whenever an entity in the campus community that has violated stormwater regulations fails to correct the issue or does not have the ability to correct the issues.

4.4.4 Aid in collecting fines and recouping costs for non-compliant stormwater issues.

5. PROCEDURES

5.1 Non-Compliant Stormwater Issues

5.1.1 Non-compliant stormwater issues can be found as a result of inspections, observations or complaints/comments from the campus community or public.

5.1.2 When a non-compliant stormwater issue is identified, EHS will determine who the responsible party is and inform them.

5.1.3 The escalation process (section 5.3 of this SOP) will be explained to the responsible party.

5.1.4 The responsible party will have three business days to respond to the non-compliant issue before the escalation process begins.

5.1.5 If a non-compliant stormwater issue is deemed immediately dangerous to life or health or an imminent threat to the environment, EHS has the right per the university safety procedure to shut a site down or stop work until the issue is corrected.

5.2 Illicit Discharges

5.2.1 Illicit discharges are not allowed according to the stormwater regulations.

5.2.2 Illicit discharges can be found as a result of inspections, observations or complaints/comments from the campus community or public.

5.2.3 When an illicit discharge is identified, EHS will determine what the best course of action is. This includes:

5.2.3.1 Contacting local, state or federal authorities as appropriate,

5.2.3.2 Contacting a contractor for environmental remediation if necessary,
5.2.3.3 Determining the responsible party,
5.2.3.4 Cleaning up the discharge (if possible).

5.2.4 EHS will inform the responsible party and the university administration once it is determined who is responsible for the illicit discharge.

5.2.5 Any part of the escalation process (section 5.3) may be used at the discretion of the responsible official or other university administration. At a minimum, the responsible party must pay the cost associated with any cleanup or remediation required as a result of the illicit discharge.

5.2.6 If an illicit discharge is deemed immediately dangerous to life or health or an imminent threat to the environment, EHS has the right per the university safety procedure to shut a site down or stop work until the issue is corrected.

5.3 Escalation

5.3.1 If the non-compliant issues found are not corrected in the prescribed timeline, a NOV will be provided to the responsible party (a copy will also be sent to the Facilities Management). The NOV shall be issued by the AVC for Human Resources.

5.3.2 After the issuance of a NOV, EHS will provide a timeline for correction of the non-compliant issue or submission of a corrective action plan. Failure to correct the non-complaint issue or to provide a CAP in the prescribed timeframe will result in correction of the violations by an outside contractor at the expense of the responsible party or a fine of $200 per day from the date the violation was noted, whichever is greater.

5.3.3 The CAP shall be provided to EHS, Facilities Management and the AVC for Human Resources in writing.

5.3.4 If a CAP is provided, it must be implemented and completed within 10 business days. Failure to complete the CAP in the prescribed timeframe will result in correction of the violations by an outside contractor at the expense of the responsible party or a fine of $200 per day from the date the violation was noted, whichever is greater.

5.3.5 Extension of any of these timeframes can be requested in writing at any point in the process. Approval of these requests is at the discretion of EHS and the AVC for Human Resources.

APPENDIX H

ENFORCEMENT PROCEDURE FOR STORMWATER VIOLATIONS ON CONSTRUCTION SITES

CONTENTS:

1. PURPOSE

1.1 The purpose of this procedure is to specify the process by which Environmental Health and Safety enforces stormwater requirements on construction sites on campus.

2. SCOPE

2.1 This procedure applies to all EHS construction site inspectors, Facilities Management personnel and all developers, contractors and subcontractors on construction sites.

3. DEFINITIONS

3.1 Stormwater: Water that begins to flow along the ground after rainfall.

3.2 SWMP: Stormwater Management Plan

3.3 SWPPP: Stormwater Pollution Prevention Plan

3.4 NOV: Notice of Violation

3.5 NOC: Notice of Coverage

3.6 CAP: Corrective Action Plan

3.7 NOI: Notice of Intent

3.8 EHS: Environmental Health and Safety

4. RESPONSIBILITIES

4.1 AVC for Human Resources (Responsible Official according to regulations)

4.1.1 Issue NOVs based on the information provided by EHS.

4.1.2 Issue stop worker orders and approve corrective actions based on information provided by EHS.

4.2 Environmental Health and Safety (Cognizant Official according to regulations

4.2.1 Perform inspections on at least a monthly basis and report non-compliant items to construction site management and the Facilities Management construction office.

4.2.2 If non-compliant items are found on an inspection, revisit the site to ensure these items are corrected within three days.

4.2.3 If non-compliant items have not been corrected, provide information to AVC for Human Resources so that a NOV can be issued to the construction site management.

4.2.4 Communicate corrective action plans provided by construction site management to the AVC for Human Resources to ensure the prescribed timeline is being followed.

4.2.5 Inform the AVC for Human Resources if construction site management has not provided a CAP within the prescribed time frame so that a Stop Work Order can be issued.

4.2.6 Inform the AVC for Human Resources if the CAP timeline has not been followed so that a Stop Work Order can be issued.

4.2.7 Provide the AVC for Human Resources with a CAP to correct violations if construction site management has failed to so do in the prescribed timeframe.

4.3 Construction Site Management

4.3.1 Ensure compliance with all local, state and federal regulations regarding stormwater management on the construction site. This includes compliance with the university SWMP and the site SWPPP.

4.3.2 Correct non-compliant items found on inspections within three business days or provide a plan in writing to EHS for correcting non-compliant items within three business days.

4.3.3 Provide a CAP whenever a NOV is issued.

4.4 Facilities Management

4.4.1 Ensure inspection results, NOVs and stop work orders are communicated effectively to construction site management.

4.4.2 Assist in the development of CAPs when construction site management has failed to do so in the prescribed timeframe.

4.4.3 Procure a contractor to implement the CAP developed by EHS and Facilities Management.

5. PROCEDURES

5.1 Stormwater Construction Permits and Plans

5.1.1 Prior to disturbance of the ground on any construction site greater than 1 acre in size, a SWPPP shall be submitted to EHS for review.

5.1.2 For sites smaller than 5 acres, once EHS has reviewed and approved the SWPPP, an automatic coverage permit can be posted on the site. This permit shall be posted before any ground on the site is disturbed. Failure to post this permit prior to the disturbing the ground will result in an immediate Stop Work Order.

5.1.3 For sites 5 acres or larger, a SWPPP and NOI must be submitted to the state, EHS and Facilities Management. These must be submitted at least 10 business days prior to disturbing ground on the construction site.

5.1.4 Once the state issues a NOC for the site, it must be posted. No disturbance of the ground shall occur until the NOC and the SWPPP are posted on the site. Failure to comply with this requirement will result in an immediate Stop Work Order.

5.2 Disturbing of the Ground Near Bodies of Water

5.2.1 No ground may be disturbed within 10 feet of a body of water without a Short Term Activity Authorization from the state. This is independent of the size of the construction site.

5.2.2 Short Term Activity Authorizations must also be submitted to EHS.

5.2.3 Failure to comply with this requirement will result in remediation of the site at the expense of construction site management and a potential fine.

5.3 Construction Site Stormwater Inspections

5.3.1 Site inspections will be performed at least monthly by EHS. All non-compliant items shall be noted on the inspection form.

5.3.2 At the completion of the inspection, EHS shall send an email to the construction site management and the Facilities Management construction office outlining in detail all non-compliant items along with pictures as appropriate.

5.3.3 Construction site management shall have three business days to correct non-compliant items.

5.3.4 If a non-compliant item can reasonably be expected to take more than three business days to correct, the construction site management shall provide, in writing, a plan to correct this item and a timeframe for correction. Reasonableness is at the discretion of EHS.

5.3.5 EHS will revisit the construction site after three business days to ensure correction of all non-compliant issues. If some items remain unresolved, the escalation procedure shall be utilized.

5.3.6 Results of the second inspection (revisit) shall be sent to construction site management, Facilities Management construction office and the AVC for Human Resources.

5.4 Escalation

5.4.1 If the non-compliant issues found on the first inspection are not corrected by the time of the second inspection, a NOV will be provided to construction site management (a copy will also be sent to the Facilities Management construction office). The NOV shall be issued by the AVC for Human Resources.

5.4.2 After the issuance of a NOV, construction site management has 15 business days to provide a CAP. Failure to provide a CAP in the prescribed timeframe will result in a Stop Work Order and correction of the violations by an outside contractor at the expense of the construction site management or a fine of $200 per day from the date the violation was noted, whichever is greater.

5.4.3 The CAP shall be provided to EHS, the Facilities Management construction office and the AVC for Human Resources in writing.

5.4.4 Construction site management shall have 10 business days to implement the CAP provided. Failure to complete the CAP in the prescribed timeframe will result in a Stop Work Order and correction of the violations by an outside contractor at the expense of

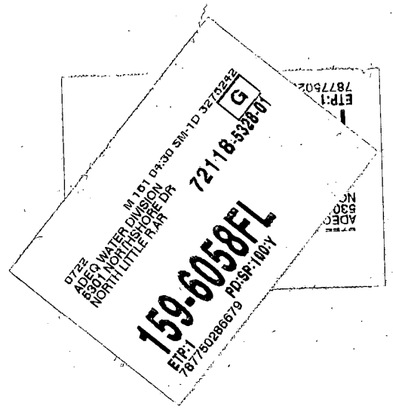
the construction site management or a fine of $200 per day from the date the violation was noted, whichever is greater.

5.4.5 Extension of any of these timeframes can be requested in writing at any point in the process. Approval of these requests is at the discretion of EHS and the AVC for Human Resources.


35° 50' 36.9024" N
90° 40' 12.5256" W

Water and Tear Resistant

Arkansas State University EHS
PO Box 1530
State University, AR
72467



ADEQ Water Division
5301 Northshore Drive
North Little Rock, AR
72118