

Recertification Notice of Intent (NOI)

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

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

Permittee Name	Permit Tracking Number	AFIN
City of Marion	ARR040040	88-00869

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

	Current Information in ADEQ's database	Corrections/Additions, If Needed
Small MS4 Physical Address	14 Military Road	
County	Crittenden	
Urbanized/Core Areas	West Memphis	
Receiving Stream	Brushy Creek, Fifteen Mile Bayou	
Ultimate Receiving Stream	Mississippi River	
Contact Person & Title	Jerry Kelley, Director, MS4	
Telephone Number	(901) 326-2421	
Cognizant Official & Title	Jerry Kelley, Director, MS4	
Responsible Official & Title	Frank A Fogleman, Mayor	

Are the mailing and invoice addresses the same?

Yes

or No*

*If "No," please provide invoice address:

Additional Comments: _____

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

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

Responsible Official Name: Frank A. Fogleman
 Responsible Official Title: Mayor
 Responsible Official Signature: *Frank A. Fogleman*
 Date: 6-20-19

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

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

Stormwater Management Plan

City of Marion, Arkansas

General Permit ARR040000

Permit Tracking Number ARR040040, AFIN 88-00869

Updated July 31, 2020

Prepared By: Edward W. Cain, Jr., P.E.

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Introduction

The initial Stormwater Management Plan (SWMP) for the City of Marion was prepared in November 2009. This plan was prepared pursuant to requirements for coverage under General Permit ARR040000 for Regulated Small Municipal Separate Storm Sewer Systems (MS4's) located within the State of Arkansas. Marion has since continued coverage under this general permit and has submitted a notice of intent to continue coverage under updated General Permit ARR040000 as issued on November 6, 2018, which became effective August 1, 2019, and will expire on July 31, 2024.

Authorized Discharges

The following types of discharges are authorized by General Permit ARR040000:

- Stormwater discharges: General Permit ARR040000 authorizes stormwater discharges to surface waters of the State from small MS4s identified in Part 1.2, except as excluded in part 1.3.
- Non-stormwater discharges: General permit ARR044000 authorizes MS4s to discharge the following non-stormwater sources, provided ADEQ has not determined and notified the MS4 in writing that these sources are substantial contributors of pollutants to the MS4:
 1. Uncontaminated waterline flushing
 2. Landscape irrigation
 3. Rising ground waters
 4. Uncontaminated ground water infiltration
 5. Uncontaminated pumped ground water
 6. Discharges from potable water sources
 7. Uncontaminated foundation drains
 8. Uncontaminated air conditioning condensate
 9. Irrigation water
 10. Springs
 11. Water from crawl space pumps
 12. Uncontaminated footing drains
 13. Lawn watering
 14. Individual residential car washing
 15. Flows from riparian habitats and wetlands
 16. Dechlorinated swimming pool discharge

17. Uncontaminated street wash water
18. Discharges or flows from emergency firefighting activities
19. Unless otherwise permitted or regulated by ADEQ, discharges of gray water from municipal splash pads as defined in Part 6.35 of the ARR040000 Permit, provided the discharges comply with all applicable municipal or county ordinances enacted pursuant to law. Discharges from recirculation systems shall be de-chlorinated prior to discharge.

Primary Goals of This Stormwater Management Plan

1. Assign responsibilities to the most appropriate City Officials to implement and enforce the plan.
2. Public education, outreach and involvement on features of the plan and the importance of managing stormwater run-off.
3. Interaction with developers, engineers and contractors to ensure their knowledge of the SWMP and the Marion Stormwater Management Manual.
4. Construction site stormwater management.
5. Post-Construction stormwater management.
6. Detection and elimination of illicit discharges.
7. Pollution Prevention for municipal operations.

City Officials Responsible For Implementing The SWMP

See Page 6 for the Table of Organization for Implementation of the Stormwater Management Plan (SWMP). The Mayor is the chief executive officer for the City of Marion, and thus is the Responsible Official for ensuring implementation of the SWMP. The Mayor also interacts with the Marion City Council and is in position to act as a liaison to the Council regarding matters concerning the SWMP. Mayor Frank Fogleman. Telephone: 870-739-3289
Email: mayormarionar@aol.com

The City Attorney is the chief legal authority for the City of Marion, and is available to render legal advice regarding the SWMP, as well as, review proposed City Ordinances deemed necessary for the implementation and enforcement of the SWMP. James Hale. Telephone: 870-739-1888
Email: hhystaff@yahoo.com

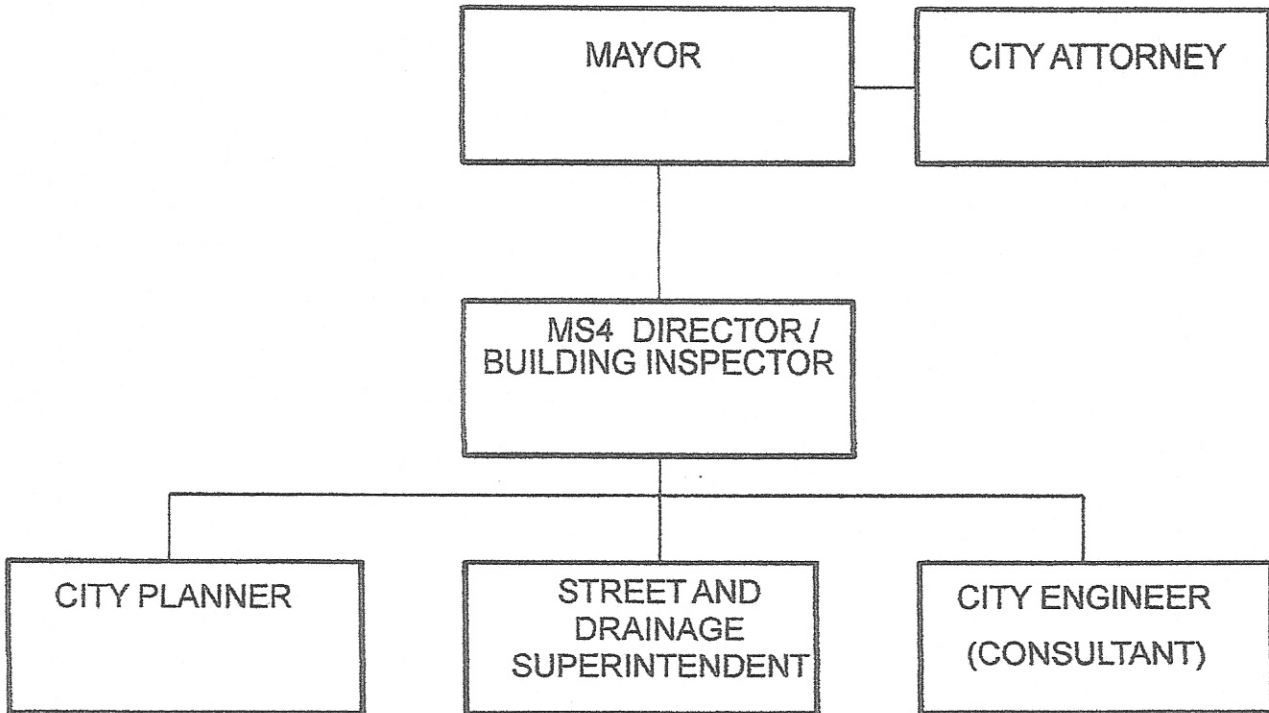
The MS4 Director is also the Building Inspector for the City of Marion and is responsible for the day to day implementation and enforcement of the SWMP. Historically, Marion has been a bedroom community surrounded by agriculture land, consisting primarily of row crops. During the past 30 years, Marion has experienced substantial growth in population and related residential and commercial development. The Building Department is responsible for reviewing development plans, issuing build permits, inspecting the construction thereof, and the issuance of Certificates of Occupation. This activity complements the implementation and enforcement of provisions of the SWMP. Jerry Kelley. Telephone: 870-739-5416 Email: jkelley502mbd@yahoo.com.

The City Planner coordinates activities of the Marion Planning Commission and is responsible for reviewing subdivision and site development plans, and for interacting with developers, architects, engineers and contractors. These duties are complementary to the implementation and enforcement of the SWMP. Ed Cain. Telephone: 901-848-6419 Email: edcain@marionarkansas.org

The Street and Drainage Superintendent is responsible for maintaining the Marion street and drainage systems. As they go about their maintenance activities, the Superintendent and his crews are positioned to observe the condition of stormwater flows and related stormwater infrastructure and alert the MS4 Director of any suspicious out flows. Gordon Floyd. Telephone: 901-574-2448 Email: floydstreet63@yahoo.com

The City Engineer, a local engineer, who works for the City of Marion on a consulting basis, is responsible for checking and recommending approval of construction plans and related calculations for street improvements, site grading and stormwater drainage improvements, sanitary sewers, and erosion control. This entails ensuring compliance with Marion's Stormwater Management Manual, including provisions pertaining to stormwater detention. Phillip Sorrell. Telephone: 870-514-9751 Email: psorrell@citywm.com

CITY OF MARION, ARKANSAS
TABLE OF ORGANIZATION
FOR IMPLEMENTATION OF
STORMWATER MANAGEMENT PROGRAM (SWMP)
PHASE II MUNICIPAL SEPARATE STORM SEWER
SYSTEM (MS4)
PERMIT TRACKING NO. ARR040040



MINIMUM CONTROL MEASURES

Public Education and Outreach on Stormwater Impacts

A concerted effort will be made to implement a public education program which will entail the distribution of educational materials and other outreach activities concerning the impacts of stormwater discharges on local bodies of water and steps that the public can take to reduce pollutants in stormwater runoff. The following Best Management Practices (BMP's) will be employed:

1. Public meetings. At least one public meeting will be conducted annually to educate the general public on the features of the SWMP and to gain input on the public's thoughts on how to better implement and enforce its provisions. Notices for the public meeting will be published in the local newspaper and, as possible, will be conducted in conjunction with a scheduled meeting of the Marion Planning Commission. The targeted audiences are the general public and Planning Commission members. Pollution sources addressed in the public meetings will include stormwater run-off from construction sites, post-construction run-off, illicit discharges from commercial, industrial and residential sources, and pollution from municipal operations. The success of this BMP will be evaluated on attendance numbers at the public meetings.
2. Information pertaining to the proper maintenance of grease traps will be sent to local businesses such as restaurants, convenience stores and automotive repair shops which have grease traps connected to their disposal systems. This information will be distributed annually. The pollution source addressed will be that from the overflow of grease traps due to the failure to properly clean and maintain the grease traps. Evaluation of this BMP will be evaluated on the number of notices distributed and the number of complaints received by the City regarding grease trap overflows and malfunctions.
3. Include stormwater anti-pollution messages on Building Department doorknob hangers used to alert residents of other code violations. The targeted audiences are homeowners and business owners. The discharge or placement of petroleum, chemical and other illicit products into the local stormwater drainage systems will be the pollution source addressed by this effort. Success will be evaluated based on the number of door hangers distributed and the number of violations reported.
4. Prepare articles pertaining to stormwater management for publishing in local newspapers and to show on City web sites and City social media. The targeted audience is the general public. These articles will address pollution sources such as illicit discharges from residential, commercial and industrial sources, stormwater runoff from construction sites, post-construction runoff, and from municipal operations. Evaluation of the success of this BMP will be based on the number of social media responses and inquiries concerning the newspaper articles.
5. Distribute stormwater management educational materials to engineers, contractors, architects, businesses, and civic groups on an annual basis. This information will stress the importance of proper stormwater pollution prevention measures in the design and construction of residential subdivisions and commercial and industrial facilities. The

evaluation of the success of this BMP will be based on interaction and education of local participants in the design and construction of local projects.

The City Planner will be responsible for the Public Education and Outreach control measure.

Public Involvement / Participation

Public involvement activities will be initiated to involve affected stakeholder groups in the stormwater management process. These activities will target specific audiences for the public involvement program including local businesses and industries, trade associations, contractors, engineers, architects, civic groups, homeowners associations and educational organizations. There shall be a minimum of five public involvement activities over the term of the current MS4 permit. The following Best Management Practices (BMP's) will be implemented:

1. Stormwater management workshops with local contractors, engineers and architects. A minimum of two workshops will be conducted during the term of the permit.
2. Dissemination of the SWMP to local businesses, industries and civic groups. Copies of the SWMP will be issued upon its approval. Amendments will be issued during the term of the permit.
3. Participation of the Marion School District in teaching and promoting stormwater management principles to student body. This will be ongoing during the term of the permit.
4. Working with citizen volunteers willing to educate others regarding the stormwater management process. This will be ongoing during the term of the contract.

The City Planner will be responsible for the Public Involvement / Participation control measure.

Illicit Discharge Detection and Elimination

Detection and elimination of illicit discharges into the Marion stormwater drainage system will require input and effort on the part of all who are responsible for the implementation and enforcement of the Stormwater Management Plan (SWMP). This effort will entail the following Best Management Practices (BMP's):

1. Enforce existing city ordinances that forbid illicit discharges into the stormwater and wastewater sewer systems. See City Ordinance No. 259 attached.
2. Adopt a City Ordinance that will prohibit illicit discharges into the MS4. This will require drafting of such an ordinance to be reviewed and approved by the Marion City Attorney. Others having input into such an ordinance include the Marion Police Department, the Mayor of Marion, the Marion Building Inspector, the City Planner and the City Street and Drainage Superintendent. The ordinance will entail a process for citing and fining violators of the ordinance. Once the ordinance is drafted and approved by the City Attorney, it will be considered for adoption by the Marion City Council. Adoption of the ordinance will require approval of the draft ordinance on three separate readings. At the discretion of the City Council, these three readings can be accomplished at one, two or three separate monthly meetings. It is estimated that such an ordinance can be adopted by the end of calendar year 2020.

3. Prepare mapping which shows major ditches and stormwater discharge points into major ditches. Mapping will also show locations where major stormwater ditches exits the MS4 jurisdiction. Stormwater sewer systems will be added to the mapping during the period of the current permit. This information will be obtained from as-built construction plans, and field verification. Mapping will be updated as new subdivisions and other developments are approved and constructed.
4. Annual inspections of discharge points to detect evidence of illicit discharges. If such evidence is detected, perform upstream inspections to ascertain the source of the discharges. Maintain records of such inspections.
5. All discharge points will be dry-weather screened during the term of the permit. Maintain records of such inspections
6. Train Street and Drainage Department, and Water and Wastewater Department crews as they go about their daily duties to detect and report suspicious outflows to the MS4 Director.
7. Submit annual report to ADEQ in required format summarizing activities and efforts to detect and eliminate illicit discharges.

The success of this minimum measure will be evaluated by reductions in reported and investigated illicit discharges.

The MS4 Director and Street and Drainage Superintendent will have primary responsibility for this control measure. They will have assistance of the City Attorney in the development and adoption of relevant City Ordinances.

Construction Site Stormwater Runoff Control

Managing stormwater runoff from construction sites will entail the following Best Management Practices (BMP's):

1. Review and approval of construction plans, including the Stormwater Pollution Prevention Plan (SWPPP), by the City's Consultant Engineer to ensure requirements of the SWMP and the Marion Stormwater Management Manual (City Ordinance No. 408) are followed. By reference, The Marion Stormwater Management Manual, dated August 2003, is hereby appended to this SWMP. This review and approval includes all commercial and industrial construction sites that entail disturbing greater than 1.0 acre of land. This also applies to all residential subdivisions that include the construction of streets and other public improvements.
2. Issuances of construction permits. For projects disturbing greater than five acres of land or greater, issuance of a Marion building permit will require ADEQ approval of the SWPPP and issuance of an ADEQ Construction Permit.
3. On-site inspections by the Marion Building Department. This will include developing a stormwater management inspection checklist and maintaining records of on-site inspections. A minimum of one such inspection will be performed weekly

4. Issuance of timely notifications of violations. Violators will be immediately notified of their violations and expected remedial actions.

5. Response to complaints of violations in a timely manner. Complaints will be investigated by the MS4 Director who also serves as the Chief Building Inspector for the City of Marion. A log of such complaints and their disposition will be maintained by the MS4 Director.

6. Seeding, sodding, mulching and other approved BMPs will be employed for erosion control. Silt fencing, straw bales, inlet barriers and sedimentation basins will be used for sediment control. Ditch checks will be employed to control runoff velocities. During wet weather periods, on-site graveled roadways will be required for construction traffic to minimize off-site sediment tracking. On smaller projects during wet weather, concrete pumps will be required to eliminate the need for ready-mix concrete trucks to access the construction site.

Success of this minimum measure will be evaluated by the reduction in number of run-off and sediment violations found during on-site inspections.

Compliance with sediment and erosion control provisions enumerated herein will be by City Ordinance. A draft City ordinance will be prepared and submitted to the Marion City Attorney for review. Input for the ordinance will be provided by the MS4 Director / Building Inspector, the City Planner, the Street and Drainage Superintendent, the Mayor and the City Attorney. The ordinance could be a stand-alone ordinance or an ordinance which amends Marion's Stormwater Management Manual (City Ordinance No. 408). Enforcement measures will be included in the ordinance. Penalties could include monetary fines and / or stop work orders for the project. Once all concerns are addressed, the draft ordinance will be presented to the Marion City Council for its consideration. For enactment, the draft ordinance must be approved by the City Council on three separate readings. It is anticipated that such an ordinance can be prepared and enacted by the end of calendar year 2020.

The MS4 Director will have primary responsibility for managing this control measure.

Post-Construction Stormwater Management in New Development and Redevelopment

Post-construction stormwater management in new development and redevelopment will include the following Best Management Practices (BMPs):

1. Adoption of a City ordinances to maintain post-construction compliance. A draft city ordinance will be prepared and submitted to the City Attorney for approval and input. Others having input into the draft ordinance will include the Mayor, MS4 Director / City Inspector, City Planner, and Street and Drainage Superintendent. Once the draft ordinance is developed, it will then be submitted to the City Council for its consideration. Enacting the ordinance will require approval by the City Council on three separate readings. It is anticipated that such an ordinance can be enacted by June 30, 2021.

2. During the review and approval of construction plans, check ditch grades to ensure allowable velocity flows are maintained in ditches.

3. Inspections prior to issuance of certificates of occupancy to ensure compliance with approved site / landscaping plans.
4. Prepare a Post-Construction Stormwater Management checklist and maintain records of on-site inspections.
5. Inspect sites post-construction to ensure compliance with approved landscaping and ground cover plans.
6. Identify projects that require long-term agreements with the City of Marion.

Current non-structural BMPs available to the MS4 include the Marion Zoning Ordinance and the Marion Land Subdivision & Development Code. The MS4 also participates in the National Flood Insurance Program and is therefore required to maintain and enforce a floodplain ordinance.

The MS4 Director will have primary responsible for managing this control measure.

Pollution Prevention / Good Housekeeping for Municipal Operations

Relevant city employees will be educated on stormwater pollution prevention, and the reporting of suspicious discharges to the MS4 Director. This will include employees of the Parks Department, Street and Drainage Department, Water and Wastewater Department, and the City Maintenance Shop. The following Best Management Practices (BMPs) will be employed:

1. Conduct training sessions with City employees to educate them on provisions of the Stormwater Management Plan (SWMP) and the importance of stormwater management. A minimum of two such training sessions will be conducted annually.
2. Prepare a Stormwater Pollution Prevention Plan for the City Maintenance Shop.
3. Ensure all above ground storage tanks containing petroleum products, petrol chemicals or other toxic products have adequate spill containment.
4. Inspect all vehicle wash pads and floor drains to ensure they discharge into a sanitary sewer. Discharge will be directed through an Oil / Water separator before discharging into a sanitary sewer.

The success of this minimum measure will be evaluated by the number of employees attending training sessions and the reduction in observed violations.

The MS4 Director will have primary responsibility for managing this control measure.