

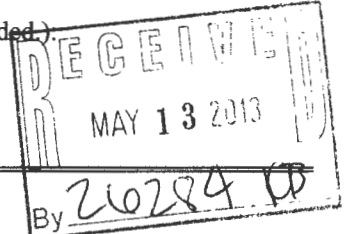
**NOTICE OF INTENT
FOR DISCHARGERS OF STORMWATER RUNOFF
ASSOCIATED WITH REGULATED SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS
AUTHORIZED UNDER NPDES GENERAL PERMIT ARR040000**

I. PERMITTEE INFORMATION New Renewal (Permit Tracking Number ARR04 _____)

Regulated Small MS4 Name: Tontitown, City of Owner Type:
Mailing Address: P.O. Box 305 FEDERAL STATE
Actual Street Address: 235 E. Henri De Tonti Blvd PUBLIC OTHER
City: Tontitown Urbanized Area Fayetteville-
Springdale-Rogers
State: AR Zip: 72770 County(ies): Washington

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

Small MS4 Latitude: 36 degrees 10 minutes 45 seconds
Small MS4 Longitude: 94 degrees 14 minutes 48 seconds



II. PERMITTEE CONTACT INFORMATION

Name: Jack Beckford Telephone: 479-361-2996
Title: Mayor Email Address: mayor@tontitown.com

III. INVOICE MAILING INFORMATION

Invoice Contact Person: Alicia Collins City: Tontitown
Invoice Mailing Company: Tontitown, City of State: AR Zip: 72770
Invoice Mailing Address: P.O. Box 305 Telephone: 479-361-2996

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 duly 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: Norman Beckford Title: Mayor
Responsible Official Signature: [Signature] Date: 8 mar 2013

V. COGNIZANT OFFICIAL DESIGNATION (Optional)

Cognizant Official Printed Name: Ken Bailey Title: Building, Code & Streets Manager
Cognizant Official Signature: [Signature] Date: 5/8/13
Telephone: 479-361-2996 Email: Building2@tontitown.com

VI. PERMIT REQUIREMENT VERIFICATION

Submission of Complete NOI? Yes No Submission of MS4 map? Yes No
Submission of Complete Stormwater Management Program? Yes No



7/5/13

City of Tontitown
235 East Henri De Tonti
P.O. Box 305
PH# 479-361-2700 FAX# 501-421-0012
E-Mail clerk@tontitown.com

May 8, 2013

Mr. John Bailey, PE
Arkansas Department of Environmental Quality
Permits Branch, Water Division
5301 Northshore Drive
North Little Rock, AR 72118-5317


RE: Small Municipal Separate Storm Sewer System (MS4) Application
City of Tontitown

Dear Mr. Bailey:

Pursuant to your November letter regarding requirements for obtaining coverage for stormwater discharges, we are submitting: (1) a Notice of Intent (NOI); (2) a Stormwater Management Program (SWMP); and (3) a \$200.00 permit application fee. These submittals, and our request for coverage, are made in accordance with (MS4) General Permit ARRO40000.

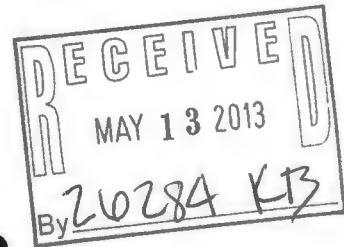
Should additional information be required, please advise.

Sincerely,



Jack Beckford
Mayor

City of Tontitown



STORMWATER

MANAGEMENT PLAN



Permit ARR _____

Written: April 22, 2013

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CITY OF TONTITOWN STORMWATER MANAGEMENT PLAN

1. Background and Context:

The Tontitown Stormwater Management Program (SWMP) has been developed to provide policy and management guidance for activities affecting stormwater in the City of Tontitown. The SWMP shall cover the term of the permit, reviewed annually, and updated as necessary, or as required. The City shall retain the SWMP development in accordance with Parts II and III for at least three (3) years after coverage under this permit terminates. It is intended to help the City fulfill certain State and Federal water quality requirements, and to meet local water resources management objectives. Through the implementation of the policies and management practices embodied in the Stormwater Program over time, Tontitown hopes to preserve urban stormwater quality that negatively impacts local rivers and streams, and to develop and preserve the urban drainage infrastructure in a manner that meets the community's needs for years to come. Implementation of the revised and updated SWMP may be achieved through participation with other permittees, public agencies or private entities in corporate efforts to satisfy the requirement of Part III of the permit. In implementing this SWMP, the City shall provide adequate finances, staff, equipment, and support capabilities to implement their activities under the SWMP to the maximum extent practicable (MEP).

While the State and Federal regulatory programs place significant emphasis on improving water quality and the health of Arkansas's watersheds, Tontitown, as part of the Illinois River Watershed further emphasizes the need for local management of urban stormwater and waterways. It becomes even more important that management of these resources occur in a manner that minimizes destructive long-term impacts to drainage infrastructure and the natural features that help protect water quality and control flooding.

Areas of focus:

1. Pollution incidents and unlawful (illicit) discharges to the City's stormwater drainage system.
2. On-site management of stormwater to reduce the quantity of stormwater and pollution entering the drainage system.
3. Reduction and prevention of pollution at City facilities and resulting from City activities and business practices.
4. Public education geared toward broad community stewardship of water resources.
5. Public awareness and involvement in the City's Stormwater management program.
6. ADEQ-required Municipal Separate Storm Sewer System (MS4) Program elements.

2. Goals:

The goals of the City of Tontitown's SWMP are to reduce discharge pollutants from the urbanized area (MS4) to the maximum extent practicable (MEP). This includes no discharge of toxics in toxic amounts; pollutants in quantities that would cause a violation of the Arkansas Water Quality Standards; floatable debris; oils, scum, foam, and/or grease in other than trace amounts; any non-stormwater discharges from the MS4 (except as provided in Permit); nor any sediment from construction activities into the MS4.

1. Protect citizens and property from flooding.
2. Improve surface and sub-surface waters for aquatic life and other beneficial uses.
3. Preserve and maintain surface waters, wetlands, and riparian areas.
4. Citizens, businesses, and industries understand the need to protect water quality.
5. Urban drainage ways become community amenities.

3. Description of the Permit Area:

According to the 2010 Census, the City of Tontitown (City) has a population of 2,460, with a land area of 11,595.6 acres (or approximately 18.1 square miles). The urbanized area (MS4) portion of the City has 71 people, and 150.5 acres (or approximately 0.235 square miles). The municipality is located directly west of the City of Springdale and south of City of Elm Springs in northern Washington County in northwest Arkansas. The City has complete authority and responsibility for the stormwater drainage system within the city limits. The NPDES permit for which this MS4 program is submitted covers only the urbanized area portion the of the municipality. The City is within the Illinois River Watershed. The drainage areas include Brush Creek, Clear Creek, Wildcat Creek, Little Wildcat Creek and the tributary streams of these streams. The City's stormwater management practices will evolve to include efficient and cost-effective approaches that reduce stormwater pollution and protect the riparian (streambank) areas of open waterways. However, the City has never before had a Stormwater Program intended to provide comprehensive stormwater management guidance. In 2013, the city administration began to review the Federal and State regulatory programs with which Tontitown must comply as a result of the 2010 Census.

Overview of Tontitown's Stormwater Drainage Systems:

The City is responsible for implementing surface water management activities within its boundaries, including the planning, design, construction, operation, and maintenance of the stormwater drainage system. City staff performs all operations and maintenance on the drainage system that is designed and constructed to City standards and located within public easements or rights-of-way, or that is located on real property that has been conveyed or dedicated to the City. The City also maintains open channels throughout the city, and the public outfalls to natural streams within the City's jurisdiction.

Stormwater Drainage Basin Characterization:

The City's stormwater drainage system has three major drainage basins which are Brush Creek, Clear Creek, Wildcat Creek, and Little Wildcat Creek. The City is further broken down into several separate tributaries to these streams. A drainage basin can be described as a geographic area within which stormwater drains from many small systems converging on a larger drainage way, ultimately culminating in outfalls to the aforementioned creeks. The character and condition of the drainage ways varies throughout the basins within Tontitown because of the surrounding land uses and contributing drainages.

4. City Stormwater Management Program - Responsible Parties:

The City is responsible for implementing surface water management activities within its boundaries, including the planning, design, construction, operation, and maintenance of the stormwater drainage system. In response to the NPDES Phase II stormwater requirements, the City is developing a MS4 program addressing each of the six required Minimum Control Measures, as specified in the Federal-NPDES Phase II rules. The City's stormwater management program is the responsibility of the City Administration. The implementation of the City's MS4 program will extend throughout the City organization. Each Department's tasks will include (at a minimum) recognizing stormwater issues of their facility and the field work they do, and noting any event that is stormwater-related. The Northwest Arkansas Regional Planning Commission and the University of Arkansas Cooperative Extension Service has contracted with the City to be responsible for the development and implementation of the public education and involvement efforts.

MS4 Primary Points of Contact:

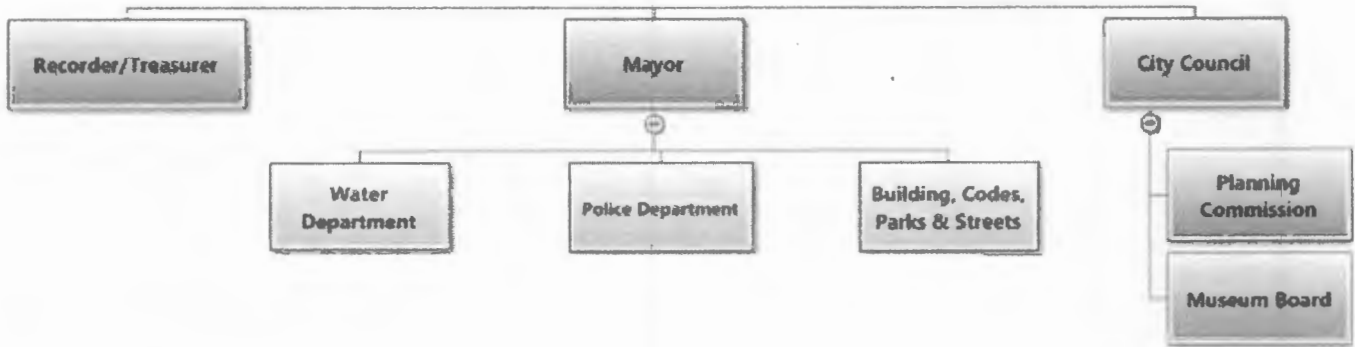
Mayor

P.O. Box 305
Tontitown, AR 72770
Phone: 479-361-2700

Building, Code, & Street Department Manager

P.O. Box 305
Tontitown, AR 72770
Phone: 479-361-2700

City Organizational Chart



Departments & City Administration:

Tontitown Area Fire Department (TAFD) - Tontitown is provided fire protection through an inter-local agreement with the Tontitown Area Volunteer Fire Department. Spill prevention and response is a requirement of the City's MS4 permit. The Tontitown Area Fire Department in conjunction with the Northwest Arkansas Regional Haz-Mat Team works to prevent, contain and respond to spills that have a potential to pollute area streams and waterways. The spill response program includes a combination of spill response by each MS4 permittee and legal requirements for private entities within MS4 permittees' jurisdiction.

Mayor and City Council - The Mayor and the City Council of the City of Tontitown approve ordinances, changes to ordinances, contracts, fees and annual budgets.

Water and Sewer Department - The Water and Sewer Department manages the sewer and water distribution systems for the City. The water distribution system covers a 10.9 square-mile area of the city with 48.6 miles of water main lines. The sanitary sewer collection system includes 16 miles of sanitary sewer lines for providing sewer services. Wastewater from the sewer collection system is treated by the Northwest Arkansas Conservation Authority (NACA) regional wastewater plant.

Planning Commission - The Tontitown Planning Commission places a high priority on implementing new and innovative environmentally friendly development techniques to protect sensitive public and private lands.

Building, Code & Street Department - The Building, Code & Street Department maintains the streets, cleans and maintains roadside ditches, and clean inlets. The department also carries out inspections and ensures compliance to applicable regulations in the City.

5. NPDES Phase II BMP Requirements:

Specific BMPs are proposed for each Minimum Control Measure, which are intended to support the reduction of discharges of pollutants in stormwater runoff to the maximum extent practicable (MEP) as required by the Federal-NPDES Phase II rules. BMPs shall be re-evaluated in situations where an MS4 discharges to an impaired water body where the evaluation of the impairment has determined the MS4

is a contributor to the impairment. The enhanced BMPs shall be specifically addressed within the BMP. In this section, a summary sheet is provided for each Minimum Control Measure, which includes a list of the selected BMPs, the rationale for their development and selection, and a summary of the measurable goals and implementation schedule. The summary sheet is followed by a fact sheet for each of the selected BMPs. Together, the summary sheets and the BMP fact sheets provide the following information in accordance with the Federal rules:

- A list of the responsible parties for the BMP implementation;
- A brief description of the BMP;
- A description of existing conditions;
- The proposed MS4 plan activities;
- Measurable goals; and
- An implementation schedule.

The BMP development/implementation schedule shows when certain activities will be completed on a calendar year basis.

A. Minimum Control Measure #1: Public Education and Outreach

Permit Requirements:

Regulation 40 CFR 122.34(b)(1): “The permittee must 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.”

Decision Process

The City of Tontitown participates in monthly meetings of the NWA Stormwater Compliance Group. The City also has representation on the Stormwater Education Steering committee (public membership comprised of diverse backgrounds/interests) which convenes at least once each year to review and evaluate program accomplishments and plan next steps. Both groups provide the localized input used to identify critical stormwater issues, target audiences, program methods and public relations strategies.

Applicable City of Tontitown BMPs for Public Education (PE):

PE1 - Develop and distribute electronic and printed educational materials

- Input from both the MS4 Stormwater Compliance Group and Education Steering Committee guides are the emphases of electronic and printed educational materials. Once topics have been identified, fact sheets, podcasts, e-learning modules, website content, newsletters, press releases, and PSAs will be developed, adapted, and/or gathered for distribution at public meetings, in support of presentations, and with educational displays.

Measurable Goals

- A minimum of 20 electronic and printed educational materials will be developed.

- The number of educational materials distributed will be documented.
- MS4 Stormwater Compliance Group and Education Steering Committee meetings attendance will be documented.

PE2 - Create displays and staff educational booth

- Displays highlighting the annual topics of emphasis will be created and set up/staffed at libraries, banks, schools, local festivals, county fairs, etc.

Measurable Goals:

- Stormwater displays will be created and used at a minimum of three events/locales

PE3 - Conduct stormwater programs for adult audiences

- Educational presentations will be given to illustrate stormwater dynamics, identify potential pollutants and pathways, describe techniques to reduce stormwater pollution and encourage voluntary BMP implementation according to the annual topic/audience emphases outlined in the SWMP.

Measurable Goals:

- At least five stormwater education programs will be conducted for adult audiences.

PE4 - Conduct hands-on youth stormwater/water quality education programs

- Educational programs for school youth will focus on the water cycle, watersheds, stormwater dynamics, water quality and pollution prevention using the EnviroScape surface runoff model, groundwater simulator, hands-on exercises from Project WET, Project WILD, Project Learning Tree and creek side classrooms. Programs conducted will support the Arkansas State Frameworks required curriculum.

Measurable Goals:

- At least five stormwater education programs will be conducted for youth audiences.

Rationale

In order to cover a wide range of audiences including government staff, the general public, and youth, multiple outreach genres and methods must be used (booths and materials at local festivals, newspaper articles, school programs, etc.). The contract with Regional Planning and the University of Arkansas Cooperative Extension Service allows for more educational activities to be pursued while providing a unified message for the residents of Northwest Arkansas.

There is also a great need to partner with various organizations to maximize the educational impact. Coordinating with other agencies like the cities of Fayetteville, Rogers, Bentonville, Washington and

Benton County, Illinois River Watershed Partnership and others, helps to keep government staff informed and educated on regional stormwater-related issues, such as existing materials and information available for common use (e.g., monitoring data and results of BMP evaluations), and issues such as Endangered Species Act (ESA) implications for the City's stormwater management activities.

The Cooperative Extension Service also partners with these organizations and uses media outlets and Extension Service listings to promote volunteer opportunities for stream clean-ups and water monitoring. Tontitown's strategy for developing and distributing the public education materials is to start with information such as the most typical sources of pollutants in stormwater runoff and the impacts associated with those pollutants, and making this information available as educational handouts, flyers, and mailings handled primarily by the University of Arkansas Cooperative Extension Service.

Future activities will include outreach presentations, advertisements, and workshops for the public, businesses, industry, and various other stakeholders, to educate them on impacts that the City's stormwater management program may have, and what they can do to improve stormwater quality. Outreach presentations, advertisements, and workshops can target development businesses to utilize new technology methods for stormwater runoff control and encourage Low Impact Development (LID) within development planning.

Numerous topics can be covered by these outreach methods and will include recommendations for topics of interest via steering committees. Topic areas are coordinated to target populations that are defined by the different committees. These multiple partners, venues, and materials allow for at least 50% of the population of the MS4 areas to be reached.

Responsible Parties

The Northwest Arkansas Regional Planning and the University of Arkansas' Cooperative Extension Service have contracted with the municipality to be responsible for the development and implementation of the public education efforts. The City of Tontitown shall oversee these efforts and will address any and all short-falls of the contract product to ensure that all permit requirements are met. The City's various departments will coordinate with various community and watershed groups for other educational and outreach activities beyond the scope of the Cooperative Extension Service's educational contract.

Summary of Measurable Goals

University of Arkansas Cooperative Extension Service Staff may use public events, periodic neighborhood surveys, and consultation with community and citizen group leaders to solicit feedback on specific education/outreach efforts. Specific goals are outlined in the contract agreement with the municipality and will not be mentioned here to save space, but will be described in detail in the Educational Plan in the Appendixes attached to this Plan.

Development/Implementation Schedule

B. Minimum Control Measure #2: Public Involvement and Participation

Permit Requirements:

BMP#	PERMIT YR 1	PERMIT YR 2	PERMIT YR 3	PERMIT YR 4	PERMIT YR 5
PE1	Utilize Stormwater Compliance Group and education steering committee to plan outreach/education methods, measurable goals, and evaluate program impacts.				
	Continue meeting with the stormwater compliance group on a monthly basis to receive feedback on educational efforts and regional training needs.				
PE2	Use multiple outreach methods to reach the general public highlighting season-specific and media-driven stormwater management and pollution prevention topics.				
PE3	<i>Topic Emphasis:</i> Pet waste pick-up	<i>Topic Emphasis:</i> Proper use, handling, and disposal of hazardous wastes	<i>Topic Emphases:</i> Yard and garden management	<i>Topic Emphasis:</i> Automotive maintenance	<i>Topic Emphasis:</i> Septic system and pool maintenance
	<i>Target Audience:</i> MS4 residents and college students	<i>Target Audience:</i> Industrial and commercial businesses and households	<i>Target Audience:</i> Homeowners and garden enthusiasts	<i>Target Audience:</i> Vehicle owners	<i>Target Audience:</i> Homeowners with septic systems/pools
	<i>Rationale:</i> Recent newsletters, displays and presentations have revealed an ignorance of the volume and impact of pet waste pollutants on urban stormwater quality	<i>Rationale:</i> Misuse and improper disposal (in sink, toilet, storm drain, and ditch) continue to be a source of stormwater pollution	<i>Rationale:</i> Improper yard waste disposal can clog storm drains and excess fertilizer and pesticide applications can contaminate stormwater with nutrients and chemicals	<i>Rationale:</i> Leaking automotive fluids and washing vehicles on paved surfaces allow oil, grease and chemicals to be carried in stormwater to local waterways	<i>Rationale:</i> Malfunctioning septic systems, improper handling and disposal of pool chemicals and emptying chlorinated pool water can impact stormwater quality
PE4	Conduct hands-on activities with youth through school enrichment, library, and camp programs				

The permittee must, at a minimum, comply with State and local public notice requirements when implementing a public involvement/participation program.

Decision Process

The City of Tontitown participates in monthly meetings of the NWA Stormwater Compliance Group. The

City also has representation on the Stormwater Education Steering committee (public membership comprised of diverse backgrounds/interests) which convenes at least once each year to review and evaluate program accomplishments and plan next steps. Both groups provide the localized input used to identify critical stormwater issues, target audiences, program methods, and public relations strategies.

Applicable City of Tontitown BMPs for Public Involvement (PI):

PI1 - Engage Residents in Stormwater Policy Development

- Input from both the MS4 Stormwater Compliance Group and Education Steering Committee guides the emphases of electronic and printed educational materials. Once topics have been identified, fact sheets, podcasts, e-learning modules, website content, newsletters, press releases, and PSAs will be developed, adapted, and/or gathered for distribution at public meetings, in support of presentations, and with educational displays. Information will be included through multiple outlets (website, newsletters, press releases, etc.) to encourage public input/involvement as MS4 stormwater management policy evolves.

Measurable Goals:

- The number of educational/announcements materials distributed will be documented.
- MS4 Stormwater Compliance Group and Education Steering Committee meeting attendance will be documented.

PI2 - Train and Utilize Volunteer Educators

- “Train-the-trainer” processes will be used to engage public volunteers and educators in teaching stormwater and pollution prevention (e.g. Benton and Washington County Master Gardeners, Master Naturalists, LakeSmart Leaders, etc.)

Measurable Goals:

- At least one train-the-trainer program will be conducted.

PI3 - Conduct Public Participation/Involvement Events

- Citizen and youth groups will participate in public involvement events (litter pick up, establishing demonstration rain gardens, planting riparian vegetation, stenciling storm drain inlets, etc.).

Measurable Goals:

- At least one public participation event will be coordinated.

Rationale

Tontitown is working through the Northwest Arkansas Regional Planning Commission to contract with the University of Arkansas Cooperative Extension Service to continue a public involvement and/or participation program addressing Tontitown and other MS4 jurisdictions, and potentially other natural or constructed features that provide water quality benefits in the County.

Public Involvement/Participation in stormwater management and policy development details the public involvement and participation required under the NPDES program. Outreach is directed at the general public as well as applicable professional and environmental organizations and the development community. These events include informational posters and graphic displays, with staff available to answer questions and solicit feedback.

Responsible Parties

The Northwest Arkansas Regional Planning and the University of Arkansas' Cooperative Extension Service have contracted with the municipality to be responsible for the development and implementation of the public education efforts. The City of Tontitown shall oversee these efforts and will address any and all short-falls of the contract product to ensure that all permit requirements are met. The City's various departments will coordinate with various community and watershed groups for other educational and outreach activities beyond the scope of the Cooperative Extension Service's educational contract.

Summary of Measurable Goals

University of Arkansas' Cooperative Extension Service may use public events, periodic neighborhood surveys, and consultation with community and citizen group leaders to solicit feedback on specific education/outreach efforts. The City will provide opportunities for public input on the stormwater management program on an annual basis in various forms, including surveys and/or public events. Specific goals are outlined in the contract agreement with the municipality and will not be mentioned here to save space, but will be described in detail in the Educational Plan in the Appendixes attached to this Plan.

Additionally, the administration will be periodically updated on the stormwater management program and efforts to meet State water quality standards. Feedback from the administration on annual progress will guide modifications to the stormwater management program as appropriate. The jurisdiction will track these activities on an annual basis. In addition, the University of Arkansas Cooperative Extension Service will utilize Master Gardeners and community volunteers for creek clean-ups, storm drain stenciling, and assisting with PI1 and PI2 programs.

Development/Implementation Schedule

C. Minimum Control Measure #3: Illicit Discharges Detection and Elimination

Permit Requirements:

The permittee must:

- Develop, implement and enforce a program to detect and eliminate illicit discharges [as defined in

BMP#	PERMIT YR 1	PERMIT YR 2	PERMIT YR 3	PERMIT YR 4	PERMIT YR 5
PI1	Utilize education steering committee to plan outreach/education methods, measurable goals, and evaluate program impacts.				
	Continue meeting with stormwater compliance group on a monthly basis to receive feedback on educational efforts and regional training needs.				
PI2	Incorporate stormwater pollution prevention into annual Master Gardener training and use trained volunteers for further public outreach, education, and involvement programs (PE2 and PI2).				
PI3	<i>Program Emphasis:</i> Partner with the Beaver Water District to conduct citizen-based water quality monitoring	<i>Program Emphasis:</i> Partner with the Illinois River Watershed Partnership stream clean-ups	<i>Program Emphasis:</i> Coordinate citizen volunteers for storm drain stenciling	<i>Program Emphasis:</i> Coordinate citizen volunteers for storm drain stenciling	<i>Program Emphasis:</i> Coordinate citizen volunteers for storm drain stenciling
	<i>Target Audience:</i> MS4 residents and University students	<i>Target Audience:</i> Volunteer groups and youth organizations	<i>Target Audience:</i> General public and civic organizations	<i>Target Audience:</i> MS4 residents and college students	<i>Target Audience:</i> Homeowners with septic systems/pools
	<i>Rationale:</i> Connects improper pet waste with stormwater nutrients and bacteria	<i>Rationale:</i> Improper containment, use and disposal of hazardous products continues to be a source of stormwater pollution	<i>Rationale:</i> Storm drain stenciling raises awareness about how yard waste disposal can clog storm drains and excess fertilizer and pesticide applications can contaminate stormwater with nutrients and chemicals	<i>Rationale:</i> Connects improper vehicle maintenance with stormwater quality	<i>Rationale:</i> Increase public awareness of the connection between home/property management decisions and the quality of regional water resources

40 CFR §122.26(b)(2)] into the permittee’s small MS4.

- Continue developing a storm sewer system map, showing the location of all outfalls and the names and location of all waters that receive discharges from those outfalls.
- Develop and implement a plan to locate, address and inspect all home sewage treatment systems at least once per year and implement appropriate enforcement procedures and actions.
- To the extent allowable under State or local law, effectively prohibit, through ordinance, or other regulatory mechanism, non-stormwater discharges into the permittee’s storm sewer system and implement appropriate enforcement procedures and actions. Possible sanctions include

monetary and non-monetary penalties such as stop work orders, fines, bonding requirements, and/or permit denials for non-compliance.

- Develop and implement a plan to detect and address non-stormwater discharges, including illegal dumping, to the permittee's system; include procedures for locating and prioritizing areas likely to have illicit discharges; procedures for tracing and removing the source; and procedures for program evaluation and assessment.
- Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.
- Address the following categories of non-stormwater discharges or flows (illicit discharges) if the permittee identifies them as significant contributors of pollutants to the permittee's small MS4: 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, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, commercial on-the-lot car washing, commercial mobile car washing units, flows from riparian habitats and wetlands, de-chlorinated swimming pool discharges, and street wash water and discharges or flows from fire fighting activities are excluded from the effective prohibition.
- The permittee must also develop a list of other similar occasional incidental non-stormwater discharges (e.g. non-commercial or charity car washes) 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, either because of the nature of the discharges or conditions the permittee have established for allowing these discharges to the permittee's MS4 (e.g., a charity car wash with appropriate controls on frequency, proximity to sensitive water bodies, BMPs on the wash water). The permittee must document in the permittee's stormwater management program plan any local controls or conditions placed on the discharges. The permittee must include a provision prohibiting any individual non-stormwater discharge that is determined to be contributing substantial amounts of pollutants to the permittee's MS4.
- The permittee must develop a process to respond to and document complaints relating to illicit discharges.

Applicable City of Tontitown BMPs for Illicit Discharge Detection and Elimination (IDDE):

IDDE1 - Illicit Discharges Reporting and Tracking System

- Review municipal code and modify as necessary to strengthen mechanisms that prohibit illicit discharges. This is the regulatory mechanism for illicit discharge.
- Public Reports or complaints phoned in to City.
- All reports are documented and a file created for investigation and resolution.

Measurable Goals:

- Compile ordinance for review to provide mechanisms to prohibit illicit discharges.

IDDE2 – Storm Sewer & Outfall Inventory

- Continual inventory collection of stormwater outfall will be done so that it is easier to track back to locate the source of discharges when they occur.

Measurable Goals:

- Document number of outfalls dry-weather screened, number of dry-weather flows, all illicit discharges referencing departments locating the illicit discharge.

IDDE3 – Storm Sewer & Outfall Mapping and Database

- Map all existing outfalls and, when complete, any new outfalls that have been added.
- Inventory mapping of street, inlets, piping and tie-ins will be scheduled.

Measurable Goals:

- Complete mapping of the storm sewer system, and update on an annual basis.

IDDE4 - Citywide Illicit Discharge Detection and Elimination Plan

○ Detection

- City Staff to report any concerns observed while completing their daily responsibilities.
- City Staff will implement procedures based on the 'Illicit Discharge Detection and Elimination – A Guidance Manual for Program Development and Technical Assessment' by the Center for Water Shed Protection and Robert Pitt.
- Public reports or complaints received by the City will be documented.
- All reports will be documented and a file created for investigation and resolution.
- Investigation of all reports will be implemented based on priority.
- Investigation will include notification to responsible party and plan of resolution.

○ Elimination

- City Staff to enforce applicable city ordinances that exist and are developed.
- Report and investigative responses will be filed.
- Severe incidents will be reported to the appropriate state or federal agency.

Measurable Goals:

- Document the number of complaints received, location, type of illicit discharge, response

required and any enforcement administered.

- Review policies and procedures, and implement new protocols for finding and responding to illicit discharges. Create tracking mechanism for documents and files.

IDDE5 - Non-Stormwater Discharge Assessment

- Non-stormwater discharge that is not prohibited, that is allowable, can enter the City's MS4 as long as it does not pose a risk to water quality.
- City to determine if discharge is detrimental to stormwater system. This is the identification of allowable non-stormwater discharges.
- If a discharge is found to be a significant source of pollutants to waters of the United States, it must be prohibited or the City must develop and require the implementation of appropriate BMP's to reduce the discharge of pollutants to the MEP.

Measurable Goals:

- Develop procedures to assess non-stormwater discharge.

Rationale

The City selected the above five BMPs to address the permit requirements. The successful implementation of a tracking and elimination program that includes complete mapping of the storm sewer system, standard forms and procedures, and the ability to track progress of events such as screenings, inspections, and enforcement is important for the City of Tontitown. The BMP's were chosen based on existing partnerships and the resources available to the City.

The City shall assess illicit discharges. If they are found to cause an adverse impact, appropriate management practices or regulations will be used. Dry weather screening, located by maintenance activities, citizens reporting or other means shall be tracked to their source if possible. Tracking may include associating the type of illicit discharge to certain facilities upstream. Based on the appropriate number of known facts, enforcement will follow. Citizen hotline requirements are covered by public knowledge of phone numbers of City Hall, Police Dispatch, and several other City numbers. Complaints and tips phoned in regarding an incident are forwarded to the appropriate City personnel or agency that handles the particular situation. MS4 employees, businesses, industries and general public will be informed of the hazards associated with illicit discharges and improper disposal of wastes, which may be by telephone, e-mail, or a post on www.tontitown.com.

BMP IDDE1 (Reporting and Monitoring) will have several methods of reporting presumed illicit spills, sightings, and discharges. City personnel, while doing their daily jobs, will report potential illicit problem areas to the Building, Code & Street Manager who will work with other departments to assess, enforce, and/or deal with clean-up issues. Reported problems will be investigated as soon as practically possible, depending on the situation. Major infractions will be brought to the property owner's attention, followed-up on, and enforcement protocols (that will be developed during this permit cycle) will be

followed. Other incidents with involving water bodies, fish kills, and other unknown circumstances will be reported to the Arkansas Game & Fish Commission and/or ADEQ for their expertise and water quality measurement capabilities. Both IDDE1 and IDDE4 will include publishing phone numbers of City Hall, Police Dispatch, and other City numbers for the public to provide tips, complaints, and grievances for the most efficient and effective follow-up actions in response to calls.

IDDE2 and IDDE3 will work together to develop a database of the stormwater inventory and map of the City's stormwater system. The map will be updated as needed by the Building, Code, and Street Department, which will coordinate dry-weather screenings with locating previously unmarked outfall locations by GPS, and locating outfalls and recording all pertinent information about the outfall. The condition of streambeds will be observed during the outfall and dry-weather searches for evidence of past illicit discharges. Additionally, as a part of BMP IDDE3, it is proposed to electronically overlay a copy of the sanitary sewer system map with the storm sewer system map. The electronic overlay will show the storm sewer system, sanitary sewer system, and other public infrastructure to show areas within the City limits that has no sanitary system and likely on septic systems. These areas would be prioritized first for site investigations and dry stream observations for potential illicit discharges. Each system investigated will be logged by GPS and include a condition report, and the next scheduled time for inspection. Findings of illicit discharges would be brought to the attention of the owner of the responsible property or the person overseeing the site so the problem(s) can be corrected. Uncorrected or resolved issues will result in regulatory and enforcement action(s) that will be defined in city codes. Commercial and industrial sectors (such as manufacturing facilities, mechanic shops, junk car sites, and restaurants) would also be prioritized for review to help those businesses recognize that improperly handled waste products from these facilities have the potential of illicit discharges. Outfall Inventory and Mapping of the storm draining system will commence and updates will be made as needed. Non-Stormwater Discharge Assessments will occur in conjunction with the mapping schedule and includes dry weather screening activities.

BMP IDDE4 includes the monitoring program conducted by the City to identify and track the sources of illicit discharges. In regards to Illicit Discharges response and enforcement, any pollution complaints and spills in the City of Tontitown will be handled by the Tontitown Area Fire Department and/or the Northwest Arkansas Regional Haz-Mat Team.

In regards to solid waste, the City of Tontitown realizes there are other forms of waste that will need to be disposed. The city has a contractual agreement with Waste Management of Northwest Arkansas to allow residents of Tontitown to recycle/dispose of non-biodegradable items. There is also a process in place to dispose of yard waste at curbside as well. The City of Tontitown also partners with Washington County and Boston Mountain Solid Waste, each of which operate an enforcement program on illegal dumps, solid waste, and junkyards. When necessary, city staff will work with the Boston Mountain Solid Waste District's Environmental Enforcement Officers when illegal dumping occurs since they are commissioned by the State of Arkansas as Illegal Dump Control Officers.

Responsible Parties

- The City of Tontitown Building, Code & Street Department.
- The City of Tontitown Planning Commission.
- The City of Tontitown Water & Sewer Department.
- The Tontitown Area Fire Department.
- Northwest Arkansas Regional Haz-Mat Team.

Summary of Measurable Goals for each calendar year

- Number of outfalls dry-weather screened.
- Number of dry-weather flows identified.
- Number of illicit discharges identified.
- Number of illicit discharges eliminated.
- Number of complaints received, location, type of illicit discharge, response required and any enforcement administered.
- Schedules of elimination of illicit connections that have been identified, but have yet to be eliminated.
- Summary of any stormwater sewer mapping progress.
- Summary of code review.
- Summary of review of policies and procedures, and implement new protocols for finding and responding to illicit discharges assessing non-stormwater discharge.

Development/Implementation Schedule

BMP#	PERMIT YR 1	PERMIT YR 2	PERMIT YR 3	PERMIT YR 4	PERMIT YR 5
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IDDE1	Develop procedures for documenting calls received.	Document number of calls received each year. Review existing Municipal Code.	Document number of calls received each year. Implement program improvements as warranted. Monitor and draft any revisions needed due to permit requirements. Adopt and enforce any revised ordinance requirements.	Document number of calls received each year. Monitor and revise as necessary. Monitor and draft any revisions needed due to permit requirements. Adopt and enforce any revised ordinance requirements.	Document number of calls received each year. Monitor and revise as necessary. Monitor and draft any revisions needed due to permit requirements. Adopt and enforce any revised ordinance requirements.
IDDE2	Develop procedures for inspections.	Conduct dry inspections of existing outfalls, covering 25% of the total number.	Conduct dry inspections of existing outfalls, covering an additional 25% each year until all are inspected by the end of the permit. Identify and inspect new outfalls as they are constructed or found.	Conduct dry inspections of existing outfalls, covering an additional 25% each year until all are inspected by the end of the permit. Identify and inspect new outfalls as they are constructed or found.	Conduct dry inspections of existing outfalls, covering an additional 25% each year until all are inspected by the end of the permit. Identify and inspect new outfalls as they are constructed or found.
IDDE3	Develop procedures for inspections.	Conduct inspections of existing outfalls, in conjunction with IDDE3, develop data to develop a municipal storm sewer map.	Conduct inspections of existing outfalls, in conjunction with IDDE3, develop data to develop a municipal storm sewer map.	Conduct inspections of existing outfalls, in conjunction with IDDE3, develop data to develop a municipal storm sewer map.	Implement the municipal storm sewer map utilizing GIS, and update as necessary.

IDDE4	Gather information to develop applicable protocols for the city.	Continue developing procedures and develop database to handle complaints.	Develop protocols for maintaining data, finding illicit discharges and responding to complaints. Maintain a data base of discharge locations reported.	Adopt and implement protocols for maintaining data, finding illicit discharges and responding to complaints.	Review protocols, reports, etc. to improve the reporting and detecting processes.
IDDE5	Gather information to develop applicable procedures for the Non-Stormwater Discharge Assessment program.	Develop applicable procedures for the Non-Stormwater Discharge Assessment program.	Create Non-Stormwater Discharge Assessment program.	Implement Non-Stormwater Discharge Assessment program.	Monitor and revise as necessary.

D. Minimum Control Measure #4: Construction Site Stormwater Runoff Control

Permit Requirements:

The permittee must develop, implement, and enforce a program to reduce pollutants in any stormwater runoff to the permittee’s small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of stormwater discharges from construction activity disturbing less than one acre must be included in the permittee’s program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. For stormwater discharges associated with small construction activity in accordance with 40 CFR §122.26(b)(15)(i), the permittee will develop, implement, and enforce a program to reduce pollutant discharges from such sites. The permittee’s program must include the development and implementation of, at a minimum:

- 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;
- Requirements for construction site operators to implement appropriate erosion and sediment control Best Management Practices;

- Requirements for construction site operators to prevent or control waste that may cause adverse impacts to water quality such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site;
- Procedures for site plan review and land division that incorporate measures to prevent or control potential water quality impacts;
- Procedures for receipt and consideration of information submitted by the public; and
- Procedures for site inspection and enforcement of control measures.

Applicable City of Tontitown BMPs for Construction Site Waste (CSW):

CSW1 - Erosion and Sediment Control Regulations

- Ordinance No. 2010-06-356 details the city's mechanism used to require erosion and sediment controls at construction sites.
- Ordinances concerning stormwater runoff are in place to require new developments to follow good engineering practices with regard to stormwater and drainage.

Measurable Goals:

- Separately document changes made to all stormwater regulation ordinances to improve construction site requirements.
- Review ordinances for compliance with this permit.

CSW2 - Sediment and Erosion Control Requirements

- Review existing Drainage Manual. Adopt and implement revisions with updated stormwater design and runoff prevention requirements as necessary.
- Prior to construction, all projects will be reviewed by City staff for compliance with ordinances, BMPs are to be installed and maintenance of BMP's during construction will be discussed. Additionally, the site plan review may incorporate consideration of potential water quality impacts.
- Specific requirements for construction site operators will be addressed in ordinances and are shown on the erosion control plan which is required by ordinance. Erosion and sediment control are shown on the erosion control plan as well as measures to control waste. Such waste includes discarded building materials, concrete truck washouts, chemicals, litter, and sanitary waste.
- The Building, Code & Street Department shall manage and ensure implementation of the ordinances.

Measurable Goals:

- Number of applicable sites in the MS4 jurisdiction.
- Number of pre-construction site plan reviews preformed.
- Review ordinances for compliance with this permit

CSW3 - Complaint Reporting and Response System

- A system for citizens to report suspect discharges will be created so city personnel can respond, review, and see that clean-up takes place in a timely manner specified and documented by the responding city personnel. Enforcement may need to also follow-up on reports. Sites receiving complaints are given priority for next-available inspection time over regular site visits and/or inspections.
- The system will annually be monitored, reviewed, evaluated, and assessed.
- Any reports of non-compliance of BMPs on any construction site within the city received by the Building, Code & Street Department will be inspected within 72 hours. The reports and subsequent inspection reports will be tracked using the same tracking system as illicit discharges.

Measurable Goals:

- Number of complaints received and number followed up.

CSW4 - Site Plan Reviews

- Plans for large-scale developments, subdivisions, large-scale waivers are to be reviewed to see how well they adhere to the city's development requirements.
- Grading permits must be applied for and those requirements also met before ground can be broken on any site.

Measurable Goals:

- Number of preconstruction site plan reviews performed.

CSW5 - Site Inspections

- Ordinance No. 2010-06-356 is the city's mechanism used to enforce compliance with erosion and sediment control.
- At least one monthly documented inspection of construction and other development sites to answer questions, resolve potential problems, and prevent failures of stormwater preventative measures as well as structural items will be performed.

- Enforcement requirements will be documented at construction sites. These inspections will address any potential problems from trash, track-out, wash-out areas, sedimentation, dust, and other issues that might and/or will need to be addressed by the contractor.
- Monthly inspections will result in report(s) that the contractor will receive a copy of. If a site-BMP or issue needs to be addressed, the city's inspector will at least mention to the contractor verbally, but may also include it in his written report. Both the verbal and written "results" will be shared with the contractor with deadlines on when the inspector will be back to follow-up on those items that need to be addressed.
- Sites receiving complaints will be given priority for next-available inspection time over regular site visits and/or inspections. Sites with problems and/or public complaints will be inspected more frequently until the problem is resolved.

Measurable Goals:

- Number of applicable sites in the MS4's jurisdiction.
- Number and frequency of site inspections.

CSW6 - Enforcement

- Ordinance No. 2010-06-356 is the city's mechanism to sanction non-compliance of the erosion and sediment control provisions.
- Although prevention of large problems begins with education of owner/operators, enforcement shall be used to help stop the reoccurrence of events.

Measurable Goals:

- Number of enforcement actions taken.
- Number of violation letters issued.

Rationale

The City selected the above BMPs to address each component of the construction site runoff control requirements based on available city resources. Erosion and Sediment Control Regulations (Stormwater Management Manual) will be made available online at www.tontitown.com. The Building, Code & Street Department Manager will be responsible for overall implementation of the program. Construction site operators will be required to implement appropriate erosion and sediment control BMPs and control waste at construction sites that may cause adverse impacts to water quality, as applicable. Such wastes include discarded building materials, concrete truck washouts, chemicals, litter, and sanitary waste. Inspections and enforcement will include pre-construction site plan reviews of 100 percent of projects within the City of Tontitown which incorporate consideration of potential water quality impacts. Policies dealing with non-monetary penalties (such as stop work orders), fines, bonding

requirements, and/or permit denials for noncompliance are in place and will be further developed as need requires. Site Inspections will include a monthly inspection at active construction sites within the City of Tontitown with Stormwater Permits. Sites that have a history of not being in compliance will be inspected on a more frequent basis. Sites are prioritized based on potential hazards. On an ongoing basis, the City will investigate and refer solid waste and stormwater complaints received. The Planning Commission evaluates each project that is submitted to the City of Tontitown Planning Commission; and Conditional Use Permit, Subdivision, Lot Split, or Large Scale Development applications are reviewed by the city engineer for compliance with Draining Criteria Manual and Stormwater Management Manual. The city will evaluate the success on an on-going basis and the measurable goals will be determined because they are essential in developing and maintaining an optimal program.

Responsible Parties

- The City of Tontitown Building, Code & Street Department.
- The City of Tontitown Planning Commission.

Summary of Measurable Goals

Staff shall review the Municipal Code and Development Code provisions related to erosion control and construction site runoff during the permit period and revise as necessary. The measurement of success of the program will be based on monitoring of compliance and avoidance of impacts to water quality from land alteration and construction. The effects of land alteration and construction will be minimized with well-positioned BMPs, systematic monitoring, maintenance, and continued education of site construction personnel as well as City employees.

Development/Implementation Schedule

BMP#	PERMIT YR 1	PERMIT YR 2	PERMIT YR 3	PERMIT YR 4	PERMIT YR 5
CSW1	Review existing Municipal Code for erosion and construction site runoff control effectiveness.	Review existing Municipal Code for erosion and construction site runoff control effectiveness.	Review existing Municipal Code for erosion and construction site runoff control effectiveness and implement new provisions.	Review and modify provisions as necessary.	

CSW2	Implement existing Code authority on an ongoing basis. Review and update drainage manual with updated stormwater design and runoff prevention requirements as necessary.	Implement existing Code authority on an ongoing basis. Review and update drainage manual with updated stormwater design and runoff prevention requirements as necessary.	Implement existing Code authority on an ongoing basis. Review and update drainage manual with updated stormwater design and runoff prevention requirements as necessary.	Implement existing Code authority on an ongoing basis. Review and update drainage manual with updated stormwater design and runoff prevention requirements as necessary.	Implement existing Code authority on an ongoing basis. Review and amend the Code as appropriate.
CSW3	Develop complaint reporting and response system.	Develop complaint reporting and response system.	Implement complaint reporting and response system.	Revise system as necessary. Document number of complaints and those followed up.	Revise system as necessary. Document number of complaints and those followed up.
CSW4	Review plans and enforce applicable rules regulations.				
CSW5	Performing inspections as allowed by city ordinances, review and develop additional applicable inspection procedures as necessary.	Performing inspections as allowed by city ordinances, review and develop additional applicable inspection procedures as necessary.	Perform inspections as necessary, and document applicable sites and the number and frequency of site inspections. Review and revise procedures as necessary.		
CSW6	Continue enforcement as allowed by city ordinances, review and develop additional applicable enforcement procedures as necessary.	Continue enforcement as allowed by city ordinances, review and develop additional applicable enforcement procedures as necessary.	Continue enforcement of the rules and regulations as they pertain to stormwater management. Document actions taken and letters issued.		

E. Minimum Control Measure #5: Post-Construction Stormwater Management for New Development and Redevelopment

Permit Requirements:

The permittee must:

- Develop, implement, and enforce a program to ensure reduction of pollutants in stormwater runoff to the maximum extent practicable (MEP) from new development and redevelopment projects that disturb one acre or more, or less than one acre if they are part of a larger common plan of development or sale, and discharge into the permittee's small MS4. The permittee's program must ensure that controls are in place that would prevent or minimize water quality impacts.
- Develop and implement strategies that include a combination of structural or non-structural BMPs appropriate for the permittee's community.
- 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.
- Ensure adequate long-term operation and maintenance of BMPs; and ensure adequate enforcement of ordinance or alternative regulatory program.

Applicable City of Tontitown BMPs for Development Standards (DS):

DS1 - Review *City Code of Ordinances & Regulations*

- The City will conduct a review of ordinances and propose changes to address post-construction runoff from new developments and redevelopments such that pollutants from stormwater runoff are reduced to the maximum extent practicable, in partial compliance with the requirements of this Minimum Control Measure.
- Non-structural BMP's in the program will be included in a future ordinance.
- Structural BMP's for post construction runoff have not been incorporated into the city code. A code review will be conducted.
- Code will be reviewed for impediments to Low Impact Development (LID)

Measurable Goals:

- Code review to include post construction runoff control and review and revise as necessary, a revised or new drainage manual and begin to use in plan reviews.

DS2 - Post Construction Requirements

- Review and revise stormwater ordinance(s) as needed for post-construction requirements.

Measurable Goals:

- Review city ordinances and revise if necessary, in regards to structural and non-structural standards.

DS3 - Post Construction Site Plan Review

- Plans for large-scale developments, subdivisions, large-scale waivers are to be reviewed to see how well they adhere to City development requirements.

Measurable Goals:

- Review, comment, and/or approve a plan review for each set of documents submitted and document number of applicable sites requiring post-construction BMPs and the number of plans reviewed.

DS4 – Post-Construction Site Inspection

- Regular maintenance and inspections of post-construction stormwater controls are done to answer questions, resolve potential purpose and usage problems, and prevent failures.

Measurable Goals:

- Number and frequency of site inspections.

DS5 - Post Construction Enforcement

- Although prevention of large problems begins with education of owner/operators, enforcement shall be used to help stop the reoccurrence of events.

Measurable Goals:

- Number of violation letters and enforcement actions taken.

DS6 - Long-Term Operations and Management Plans

- Agreements that private property owners, property- or home-owner associations, and/or developers have with the City of Tontitown stating that the maintenance and operation of post-construction BMPs will be paid for and overseen by the non-government party.
- Agreements give the City of Tontitown the right to periodically inspect the BMP and to enforce maintenance, repairs, replacement, upgrades, improvements, and/or other actions to preserve the purpose and function of the BMP.

Measurable Goals:

- Document number of sites requiring plans/agreements and the number of plans developed/agreements in place.

Rationale

The City selected the above BMPs to meet the post-construction Minimum Control Measure requirements. Erosion control regulations, available at <http://www.tontitown.com>, lists city regulations as they pertain to stormwater. Stormwater Management Manual/Draining Criteria Manual will be utilized for additional BMPs. The BMP Manual for the Northwest Arkansas MS4's was chosen because the BMP's are specific to the conditions and needs that are in the NWA area, and addresses many important controls and BMP's. Additionally, the city will review regulations that require new developments in the post construction phase to incorporate stormwater management BMPs to reduce the impacts associated with stormwater runoff generated at the site.

BMP DS1 provides for revisions and maintenance of the selected Code of Ordinances requirements and the more specific design requirements included in the Engineering Drainage Criteria Manual and BMP Manual, such that pollutants from stormwater runoff from new development are reduced to the maximum extent practicable. The city code will also be reviewed for impediments to Low Impact Development (LID). BMP DS1 was selected to improve linkage and cross reference between the Ordinances.

BMP DS2 through DS5 provides for the development of a long-term inspection and enforcement program, which is still needed to fulfill all the requirements, will be an ongoing process during the permit period. Construction Site Inspection will be authorized by city ordinance to be carried out per the Stormwater Management Manual/Drainage Criteria Manual. The Planning Commission will review all plans for development of retention/detention ponds for compliance. Sites with a history of noncompliance will be prioritized.

Responsible Parties

- The City of Tontitown Planning Commission.
- The City of Tontitown Building, Code & Street Department.

Summary of Measurable Goals

The regulatory framework for control of post-construction stormwater runoff contained in Tontitown's Code of Ordinances and will be reviewed on an on-going basis. This framework will seek out refinements and be expanded as needed to improve the City's capability to achieve reductions in stormwater pollution from new developments through periodic evaluations and updates to the Codes.

- Technical Plat Review, Large Scale Development, and Land Division approvals will be monitored for adequacy of stormwater quality management to ensure that compliance for post construction is being met. All new stormwater drainage infrastructures on new developments will be reviewed for incorporation of stormwater quality improvement facilities in place at the final inspection. Projects will be disapproved until these projects have met all

the requirements. The decreasing number of project disapprovals during the year would partially reflect measures of success.

- Stormwater Pollution Plans will be monitored for adequacy of stormwater quality management, and all inspection practices will be reviewed and modified as necessary.
- In addition, compliance achieved in public and private maintenance of stormwater management systems, as required in the development approval process, will be monitored.

Development/Implementation Schedule

BMP#	PERMIT YR 1	PERMIT YR 2	PERMIT YR 3	PERMIT YR 4	PERMIT YR 5
DS1	Review Codes and propose ordinances as appropriate.	Review Codes and propose ordinances as appropriate.	Seek City Council approval & adoption of ordinances. Review Engineering Drainage Criteria Standards and BMP Manual and amend as needed to reflect Best Management Practices.	Continue enforcing existing Codes/ Drainage Manual and monitor/analyze effectiveness at achieving BMPs that comply with pollutant reduction MEP requirement and update as needed.	Continue enforcing existing Codes/ Drainage Manual and monitor/analyze effectiveness at achieving BMPs that comply with pollutant reduction MEP requirement and update as needed.
DS2	Review existing Municipal Code for effectiveness.	Review existing Municipal Code for effectiveness.	Review and modify provisions as necessary.		
DS3	Review plans and enforce applicable rules regulations.				
DS4	Review and develop applicable inspection procedures.	Review, develop, and implement applicable inspection procedures.	Maintain inspection and compliance activities and monitor/analyze program effectiveness and success/failure of BMPs observed over time.		
DS5	Review additional applicable enforcement procedures.	Review and develop additional applicable enforcement procedures.	Continue enforcement of the rules and regulations as they pertain to stormwater management. Document actions taken and letters issued.		

DS6	Review procedures for handling long-term operations and management plans.	Develop procedures for handling long-term operations and management plans.	Maintain and review as necessary.
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F. Minimum Control Measure #6: Pollution Prevention / Good Housekeeping for Municipal Operations

Permit Requirements:

The permittee must:

- Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.
- Using training materials that are available from the ADEQ, EPA, or other organizations, the permittee’s program must include employee training to prevent and reduce stormwater pollution from activities including, but not limited to, park and open space maintenance, fleet and building maintenance, new municipal facility construction and related land disturbances, design and construction of street and storm drain systems, and stormwater system maintenance.

Applicable City of Tontitown BMPs for Operation and Maintenance (OM):

OM1 - Operation & Maintenance Program

- The City of Tontitown’s Building, Code & Street Department manages the cleaning out of curb inlets to remove sediment and debris that could potentially clog storm drains, and continually cleans and reshapes the ditches to maintain positive drainage.
- Updates to the SWMP will be made to include any roadway operation, facility, and management changes.
- The city will develop and implement an operation and maintenance program, which shall include a survey of facilities owned and operated by the city. Stormwater BMPs will be incorporated into these facilities if needed.
- Written procedures for municipal operations will be developed.
- Procedures for the proper disposal of wastes removed from the MS4 and municipal operations.

- Flood management projects will be assessed in conjunction with the approval of Flood Plain Development.

Measurable Goals:

- List of Municipal Facilities.
- Development of BMP's for Facilities as needed.
- Procedures written for operations and procedures.

OM2 - Training Program

- As part of the contract with Northwest Arkansas Regional Planning and the University of Arkansas Cooperative Extension Service, Cooperative Extension Service employees will provide training at least once a year to MS4s. The training will use materials provided by ExCal Visuals and others that include information on construction sites, park & open space maintenance, and fleet and building maintenance.
- Jurisdictional-specific ordinances, policies, and mandates will also be addressed during these trainings and specific system maintenance as departmentally appropriate. Training will stress how the employees are the "eyes and ears" of the city and that they should learn to recognize signs of illicit discharge and how to properly report these instances. Recommendations from the employees are also addressed during the regional Stormwater Compliance Committee's monthly meetings, and these recommendations help to shape the educational outreach messages.

Measurable Goals:

- Summary of employee training program(s) implemented with the number of employees that attended.

Rationale

The city will develop and implement an operation and maintenance program. The Program will include a survey of facilities owned and operated by the city. These facilities include the city maintenance shop, two city hall buildings, park facilities, and the fire department building. Stormwater BMPs will be incorporated into these facilities if needed. The program will also include written procedures for municipal operations and procedures. Maintenance schedules will be developed that have control procedures in place to reduce pollutants to the MS4. Procedures will help reduce the discharges of pollutants (including floatables) from streets, roads, municipal parking lots, maintenance and storage yards, outdoor storage areas, and salt/sand storage locations and snow disposal areas. Procedures for the proper disposal of wastes removed from the MS4 and municipal operations, including dredge spoil, accumulated sediments, floatables, and other debris will be developed. Flood management projects will be assessed in conjunction with the approval of Flood Plain Development as required through the National Flood Insurance Program. Procedures will be developed so that these new projects will be

adequately assessed for impacts on water quality and existing projects are assessed for incorporation of additional water quality protection devices or practices.

Staff training will be part of the contract with the Northwest Arkansas Regional Planning Commission and University of Arkansas Cooperative Extension Service. This regional approach is the most efficient method of delivering staff training. Cooperative Extension Service employees will provide training at least once a year to MS4 jurisdictions. Training will use materials that include information on construction sites, open space maintenance, and fleet and building maintenance. Training will stress how the employees are the “eyes and ears” of the city, and that they should learn to recognize signs of illicit discharge and how to properly report these instances. Recommendations from city employees are also addressed during the regional Stormwater Compliance Committee’s monthly meetings, and these recommendations help shape the educational outreach messages.

Responsible Parties

The Northwest Arkansas Regional Planning and the University of Arkansas Cooperative Extension Service have contracted with the municipality to be responsible for the development and implementation of the education efforts. The City of Tontitown Building, Code & Street Department shall oversee the City’s Operation & Maintenance Program.

Summary of Measurable Goals

The City will develop a list of municipal facilities and develop BMPs for the facilities as needed. Operations and maintenance procedures will be written for applicable facilities, and activities for the operations and maintenance program will be summarized and reported. In addition, the Northwest Arkansas Regional Planning Commission and the University of Arkansas Cooperative Extension Service will provide stormwater related training to employees. This program will be summarized and employee attendance will be recorded.

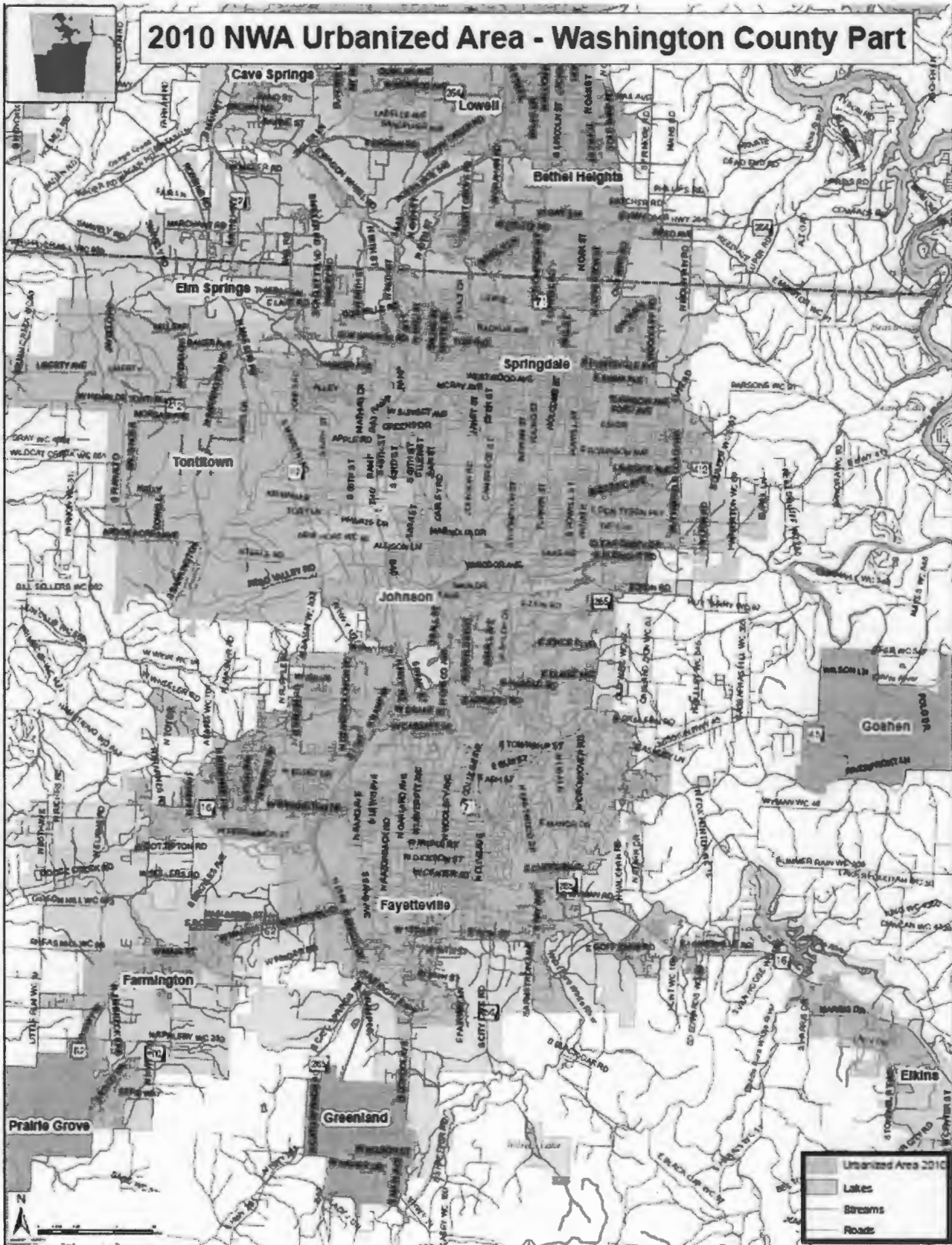
Development/Implementation Schedule

BMP#	PERMIT YR 1	PERMIT YR 2	PERMIT YR 3	PERMIT YR 4	PERMIT YR 5
OM1	Compile list of facilities.	Develop BMP’s as needed.	Develop BMP’s as needed.	Write up procedures for operations and maintenance (O&M).	Monitor and revise as necessary
OM2	Conduct annual training for employees.	Conduct training as necessary for new hires.	Conduct annual training for employees.	Conduct training as necessary for new hires.	Conduct annual training for employees.

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Appendix A – Additional City of Tontitown Map



Appendix B - Relevant City of Tontitown Municipal Ordinances

By clicking on the codified Code of Ordinances at <http://tontitown.com/ordinances.html>, one can view all ordinances pertaining to stormwater. The entire Municipal Code is over 300 pages long. Sections can be printed, without shipping costs, at the city administrative offices for \$0.17 per sheet). Chapter 155 in the codified Code of Ordinances refers to additional fees.

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Appendix C - Educational Contract

Tontitown

MEMORANDUM OF UNDERSTANDING FOR THE MS4 JURISDICTIONS OF NORTHWEST ARKANSAS AND THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION

WHEREAS, eighteen cities in Benton and Washington Counties, the counties themselves, and the University of Arkansas meet the U.S. Environmental Protection Agency's "small" urbanized area municipal separate storm sewer (MS4) criteria, and must comply with national Phase II Stormwater Regulations; and

WHEREAS, the Arkansas Department of Environmental Quality (ADEQ), the state agency authorized by EPA to issue National Pollutant Discharge Elimination System (NPDES) permits requiring and ensuring compliance, will establish dates for affected entities to be covered under Arkansas' general permit for MS4s; and

WHEREAS, said permit requires development, implementation, and evaluation of a stormwater management plan, that addresses each of the six minimum control measures identified in the Phase II Storm Water Regulations contained in 40 CFR 122.26 and outlined in Part I.B.; and

WHEREAS, the Northwest Arkansas Regional Planning Commission (NWARPC) has coordinated meetings between representatives of affected jurisdictions in an effort to determine, in the interest of economy and efficiency, whether certain stormwater permit components could be addressed collectively, rather than individually; and

WHEREAS, it has been determined that a cost effective, regional approach to certain minimum control measures required as part of the permit - namely Public Education and Outreach, Public Involvement and Participation, and the education component of Pollution Prevention/Good Housekeeping - is both logical and appropriate; and

WHEREAS, the NWARPC previously requested and received statements of qualifications from interested institutions and firms with demonstrated water quality educational expertise, and has, in cooperation with representatives of affected MS4 jurisdictions, endorsed the attached proposal from the University of Arkansas Cooperative Extension Service; and

WHEREAS, the ADEQ has endorsed the regional concept and proposal for addressing said minimum control measures; and

WHEREAS, said representatives of affected MS4s have also endorsed the distribution of costs associated with the proposal as shown on the attached cost allocation plan; and

Tontitown

WHEREAS, the Board of Directors of the NWARPC have authorized the Commission to act as the financial clearinghouse and primary contractor, on behalf of said MS4s, in connection with said proposal.


NOW, THEREFORE BE IT RESOLVED THAT WE, THE UNDERSIGNED MS4 JURISDICTION, AND THE BOARD OF DIRECTORS OF THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION, AGREE AS FOLLOWS:

SECTION 1. To participate in a 1-Year Regional Stormwater Education and Coordination Program (January 1, 2013 - December 31, 2013), to be carried out by the University of Arkansas Cooperative Extension Service through an engagement with the Northwest Arkansas Regional Planning Commission, with costs based on each jurisdiction's pro-rated share of region's 2010 urbanized area population; it being understood that said services to be provided shall satisfy requirements for the federally mandated minimum control measures referenced herein. Commitments for participation in said program in future years will require governing body approval on a year-to-year basis.

SECTION 2. To participate financially in accordance with the attached cost allocation plan. Any increases in the costs allocated to the undersigned MS4 due to the failure of other MS4 jurisdictions to participate shall be subject to the approval of the undersigned MS4.

SECTION 3. That all funds received by NWARPC from MS4s shall be utilized in their entirety for stormwater management program services and coordination activities in connection with EPA Phase II Stormwater Program requirements, and shall be accounted for separately from all other Commission funds.

Dated this 21 day of March, 2013.


Tontitown MS4 Jurisdiction


Jeff Hawkins NWARPC

Appendix D - Educational Contract's 5-year Task Plan and Targeted Quantities

Urban Stormwater Education Program 2013-2017

University of Arkansas' Division of Agriculture' Cooperative Extension Service

Introduction

As the public education branch of the University of Arkansas' Division of Agriculture, the mission of the Cooperative Extension Service (CES) is to provide research-based information through non-formal education to help Arkansans improve their economic well-being and the quality of their lives. The City of Tontitown is jointly-contracting with CES through the Northwest Arkansas Regional Planning Commission as a successful and cost-effective means of implementing the following minimum control measures required in our Phase II permits:

- #1) Public Education and Outreach
- #2) Public Involvement and Participation
- #6) Pollution Prevention & Good Housekeeping – municipal employee training component

Program Planning and Evaluation

The City of Tontitown participates in monthly meetings of the NWA Stormwater Compliance Group and has representation on the NWA Regional Stormwater Education Steering Committee. The city also has representation on the Stormwater Education Steering committee (public membership comprised of diverse backgrounds/interests), which convenes at least once each year to review and evaluate program accomplishments and plan next steps. Both groups provide the localized input used to identify critical stormwater issues and target audiences and program methods and public relations strategies.

BMPs and Measurable Goals

Minimum Control Measure #1 - Public Outreach and Education

Develop and distribute electronic and printed educational materials

Input from both the MS4 Stormwater Compliance Group and Education Steering Committee guides the emphases of electronic and printed educational materials. Once topics have been identified, fact sheets, podcasts, e-learning modules, website content, newsletters, press releases, and PSAs will be developed, adapted, and/or gathered for distribution at public meetings, in support of presentations, and with educational displays. Stormwater management and pollution prevention messages will be provided to participating MS4's for inclusion in municipal utility bill mailings to their residents.

Create displays and staff educational booths

Displays highlighting the annual topics of emphasis will be created and set up/staffed at libraries, banks, schools, local festivals, county fairs, etc.

Conduct hands-on youth stormwater/water quality education programs

Educational programs for school youth will focus on the water cycle, watersheds, stormwater dynamics, water quality and pollution prevention using the EnviroScape surface runoff model, groundwater simulator, hands-on exercises from Project WET, Project WILD, and Project Learning Tree and creek-side classrooms. Programs conducted will support the Arkansas State Frameworks required curriculum.

Conduct stormwater programs for adult audiences

Educational presentations will be given to illustrate stormwater dynamics, identify potential pollutants and pathways, describe techniques to reduce stormwater pollution and encourage voluntary BMP implementation according to the annual topic/audience emphases outlined in the SWMP.

Measurable Goals:

- A minimum of 20 electronic and printed educational materials will be developed.
- The number of educational materials distributed will be documented.
- Stormwater displays will be created and used at a minimum of 3 events/locales.
- At least 5 stormwater education programs will be conducted for youth audiences.
- At least 5 stormwater education programs will be conducted for adult audiences.

Performance Standard:

Urban stormwater outreach/education programs will reach at least 36 residents (over 50% of the Tontitown's urbanized area population of 71).

Minimum Control Measure #2 - Public Participation and Involvement

Train and Utilize Volunteer Educators

“Train-the-trainer” processes will be used to engage public volunteers and educators in teaching stormwater and pollution prevention (e.g. Benton and Washington County Master Gardeners, Master Naturalists, LakeSmart Leaders, etc.)

Conduct Public Participation/Involvement Events

Citizen and youth groups will participate in public involvement events (litter pick up, establishing demonstration rain gardens, planting riparian vegetation, stenciling storm drain inlets, etc.).

Engage Residents in Stormwater Policy Development

Information will be included through multiple outlets (websites, newsletters, press releases, etc.) to encourage public input/involvement as MS4 stormwater management policy evolves.

Measurable Goals:

- At least 1 train-the-trainer program will be conducted.
- At least 1 public participation event will be coordinated.

Performance Standard:

At least 5 public participation and involvement activities will be conducted.

Minimum Control Measure #6 – MS4 Employee Training

Train MS4 employees

MS4 employees will be equipped with a knowledge and understanding of how to reduce the potential impact of their municipal operations activities on stormwater quality.

Measurable Goal:

- A minimum of 5 training programs will be conducted for MS4 employees.

Performance Standard:

Training will be conducted for eligible employees annually.

Appendix F - Annual Reports to ADEQ with attached yearly total reports

This section is where Tontitown's annual reports will be kept. After each annual report is completed, it will be inserted in this section.

**FACT SHEET
AND SUPPLEMENTARY INFORMATION
FOR GENERAL PERMIT ARR040000
REGULATED SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4)
IN ARKANSAS**

Information in this part is organized as follows:

- 1.1. Background
- 1.2. Legal Basis
- 1.3. Regulatory Background
- 1.4. Permit Coverage
 - 1.4.1. Non-applicable situations
 - 1.4.2. Notice of Intent to be Covered
 - 1.4.3. Individual Permits
 - 1.4.4. ADEQ Designated Programs
- 1.5. Discharge Characterization
- 1.6. Best Conventional Pollutant Control Technology (BCT) and Best Available Technology Economically Achievable (BAT)
- 1.7. Water Quality Requirements
- 1.8. Description of Permit Conditions
- 1.9. Monitoring
- 1.10. Other Conditions
- 1.11. Public Comment Period
- 1.12. Sources

1.1. BACKGROUND

On February 1, 2004, General Stormwater Permit No. ARR040000 became effective with an expiration date of January 31, 2009. ADEQ is proposing to issue a five-year permit in order to renew general permit coverage for Phase II MS4s.

This is a renewal of the General Municipal Separate Storm Sewer System (MS4) Stormwater permit. As in the case of individual permits, violation of any condition of a general permit constitutes a violation of the Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended) and subjects the discharger to the penalties specified therein. Upon promulgation of the final general permit for this type discharge, operators qualified for coverage must follow the following notification requirements:

- 1.1.1. Operators of currently permitted MS4s are required to submit an NOI and a description of the stormwater management program or apply for an individual NPDES permit within 120 days from the effective date of the permit.

- 1.1.2. Operators of MS4s newly designated for permit coverage are required to submit an NOI and a description of the stormwater management program within 180 days of notice of designation.

1.2. Legal Basis

Section 301(a) of the Clean Water Act (CWA or the Act), 33 U.S.C. 1311(a), makes it unlawful to discharge pollutants to waters of the United States in the absence of authorizing permits. CWA section 402, 33 U.S.C. 1342, authorizes EPA to issue National Discharge Elimination System (NPDES) permits allowing discharges on condition they will meet certain requirements, including CWA sections 301, 304, and 401 (33 U.S.C. 1331, 1314 and 1341). Those statutory provisions state that NPDES permits must include effluent limitations requiring authorized discharges to: (1) meet standards reflecting levels of technological capability, (2) comply with EPA-approved state water quality standards, and (3) comply with other state requirements adopted under authority retained by states under CWA 510, 33 U.S.C. 1370. The State of Arkansas has been authorized by the U. S. Environmental Protection Agency to administer the National Pollutant Discharge Elimination System (NPDES) Program in Arkansas, including the issuance of general permits to categories of dischargers under the provisions of 40 CFR 122.28, as adopted by reference in the Arkansas Pollution Control & Ecology Commission's (APC&EC) Regulation No. 6.

The Agency may issue "general permits" applicable to a class of similar dischargers within a discreet geographical area. See *NRDC v. Costle*, 568 F.2d 1369 (D.C. Cir. 1977) and 40 CFR 122.28. Issuance of such permits is not controlled by the procedural rules EPA uses for individual permits, but is instead subject to section 4 of the Administrative Procedure Act (APA), 5 U.S.C. 553, as supplemented by EPA regulations; e.g., 40 CFR 124.58. EPA must, however, comply with the substantive requirements of the CWA without regard to whether it is issuing an individual or general NPDES permit.

Water Quality Standards guiding permitting decisions may be found in APC&EC's Regulation No. 2. Administrative procedures may be found in APC&EC's Regulation No. 8. Information on applicable permit fees may be found in APC&EC's No. 9.

1.3. Regulatory Background

NPDES permit coverage for small MS4s is required by the federal stormwater regulations contained in 40 CFR 122.26 and 40 CFR 122.30 through 122.37.

1.4. Permit Coverage

Facilities covered by this general permit include small MS4s within designated urbanized areas, as described at 40 CFR 122.32.

- 1.4.1. This general permit shall not apply to:

- 1.4.1.1. Discharges mixed with sources of non-stormwater unless the non-stormwater discharges are determined not to be a significant contributor of pollutants as defined in Part 6 of the permit to waters of the United States;
- 1.4.1.2. Stormwater discharges associated with industrial activity as defined in 40 CFR 122.26(b)(14)(i)-(x) and (xi);
- 1.4.1.3. Stormwater discharges associated with construction activity as defined in 40 CFR 122.26(b)(14)(x) or 40 CFR 122.26(b)(15);
- 1.4.1.4. Stormwater discharges currently covered under an individual or other general NPDES permit;
- 1.4.1.5. Stormwater discharges that will cause or contribute to non-attainment of water quality standards, including failure to protect and maintain existing designated uses of receiving waters.

1.4.2. Notice of Intent (NOI) to be Covered

- 1.4.2.1. An MS4 operator seeking authorization to discharge under this general permit shall submit to ADEQ a completed Notice of Intent (NOI) form, in accordance with the deadlines listed in Part 2.1 of this permit. The NOI form, obtained from the ADEQ, includes the information and attachments required in Part 2.2 of this permit. The NOI must be signed and dated in accordance with Part 5.7 of this permit. **An initial permit fee of \$200.00 must accompany the NOI under the provisions of ADEQ Regulation No. 9.**
- 1.4.2.2. A discharger, who submits a complete NOI by following the information and attachment inclusions as outlined in Part 2.2 and meets the eligibility requirements in Part 1 of this permit, is authorized to discharge stormwater from a small MS4 under the terms and conditions of this general permit the Department has issued a letter of coverage for the MS4. Upon review of the NOI and other available information, the Director may deny coverage under this permit and require submittal of an application for an individual NPDES permit.

1.4.3. ADEQ Designations MS4 Programs

ADEQ has determined that the no communities in the state have met the designation criteria of Parts 1.2.3.1 and 1.2.3.2 of this renewal permit.

ADEQ has determined that the following communities have met the designation criteria of Part 1.2.3.3 of this permit. These communities were designated in the 2004 Phase II MS4 permit:

City / Town	Discharge to 303(d) stream	Discharge to ERW	Percent Population Change
Conway	No	No	63
Maumelle	No	No	57.2

1.4.4. Per 40 CFR 122.32, ADEQ has allowed waivers for the following:

- 1.4.4.1 MS4s serving a population of less than 1,000 and
 - 1.4.4.1.1 are not contributing to pollutant loadings of an interconnect MS4, or
 - 1.4.4.1.2 any pollutant that is discharged does not require additional controls per a wasteload allocation

1.5. Discharge Characterization

1.5.1. Stormwater Discharge from a regulated small MS4

Stormwater discharged from a small MS4 has the potential to be composed of various constituents due to contact with streets, buildings, vehicles, lawns, etc. This runoff is then discharged to creeks, rivers, lakes, ponds, municipal stormwater drainage systems, etc. without treatment or cleaning.

1.5.2. Allowable Non-Stormwater Discharge from an MS4

In accordance with 40 CFR 122.34(b)(3), non-stormwater discharges may be discharged unless they are identified as significant contributors of pollutants to or from the MS4. Please refer to the permit in Part 1.2.6.2 for a complete listing of these non-stormwater discharges.

1.6. Best Conventional Pollutant Control Technology (BCT) and Best Available Technology Economically Achievable (BAT)

National guidelines establishing BPT, BCT and BAT standards have not been promulgated for stormwater discharges from small MS4s. In accordance with 40 CFR 122.34, the general permit includes requirements for to reduce the discharge of pollutants to the maximum extent practicable (MEP), to protect water quality, to satisfy the appropriate water quality requirements of the Clean Water Act, and the development and implementation of Stormwater Management Plans (SWMPs) to address each of the required Six Minimum Control Measures for small MS4s.

1.7. Water Quality Requirements

In accordance with 40 CFR 122.44(d), the general permit must include any requirements necessary to achieve State Water Quality Standards as established under Section 303 of the Clean Water Act. Discussed below are the requirements based on State Water Quality Standards.

1.7.1. ADEQ may require an application for an individual NPDES permit to authorize discharges of stormwater from any activity that ADEQ determines to cause or

makes a contribution to exceed a water quality standard or that ADEQ determines to cause or contribute to the loss of a designated use of receiving waters. These criteria include:

- 1.7.1.1. the discharge(s) is a significant contributor of pollution,
 - 1.7.1.2. the discharger is not in compliance with the terms and conditions of the general permit,
 - 1.7.1.3. a change has occurred in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source,
 - 1.7.1.4. effluent limitation guidelines are subsequently promulgated for the point sources covered by the general permit,
 - 1.7.1.5. a Water Quality Management Plan containing requirements applicable to such point sources is approved, or
 - 1.7.1.6. the requirements listed in 40 CFR 122.28(a) for general permits and identified in the previous paragraphs are not met.
- 1.7.2. Discharges to waters for which there is an approved Total Maximum Daily Load and/or implementation plan (TMDL/IP) addressing discharges of stormwater associated with MS4s are not eligible, unless the MS4 operator develops and certifies a SWMP that is consistent with the assumptions and allocations in the approved TMDL/IP. To be eligible for coverage under this general permit, operators must incorporate into their SWMP any conditions applicable to their discharges necessary for consistency with the assumptions and allocations of the TMDL/IP within any timeframes established in the TMDL/IP. If a specific numeric waste load allocation has been established that would apply to the project's discharges, the operator must incorporate and monitor that allocation into its SWMP and implement necessary steps to meet that allocation. Information regarding existing and proposed TMDLs can be obtained from the Water Quality Section of the ADEQ Water Division at (501) 682-0660 or from the ADEQ website at the following address: http://www.adeg.state.ar.us/water/branch_planning/. Please see Part 3.4.5 for specific detail on the requirements for these discharges.

1.8. Description of Permit Conditions

- 1.8.1. The previous permit required the development and implementation of a SWMP. This document must provide what best management practices (BMPs) the MS4 has selected to address the six minimum control measures in the permit, why those particular BMPs were selected by the MS4 in light of local water quality issues, and milestones for BMP implementation. The six minimum control measures are:
 - 1.8.1.1. Public education and outreach (informing individuals, businesses and organizations within the MS4 as to the impact on surface water quality of contaminated stormwater discharges and how they can help reduce

- stormwater contamination).
- 1.8.1.2. Public participation and involvement (creating opportunities for individuals and organizations to participate in the development and implementation of activities to reduce the contamination of stormwater).
 - 1.8.1.3. Illicit discharge detection and elimination (a program to detect and eliminate cross-connections, dumping of wastes or other non-stormwater discharges not authorized by a separate NPDES permit).
 - 1.8.1.4. Construction site runoff control (a program to require erosion and sediment controls for sites disturbing one or more acres).
 - 1.8.1.5. Post-construction runoff control (a program requiring the development, implementation and maintenance of controls on sites after development and redevelopment to address stormwater pollutants and flow issues).
 - 1.8.1.6. Housekeeping/pollution prevention (a program, including an employee training component, to minimize pollutants from municipal operations such as garages, salt piles, pesticides used for green spaces, etc.)

The MS4 is to implement its selected BMPs (have programs in place and running) within five years of initially being granted permit coverage.

- 1.8.2. The renewal permit contains the same basic framework of requirements as the previous generation general permits and includes some formatting changes for easier reading. However, there are four conditions/requirements in the draft permit, which are noteworthy to identify, that differ from the current MS4 general permit. ADEQ is requesting comments on these seven conditions in particular. The following is a list of these conditions and associated draft permit part number:
 - 1.8.2.1. **Requiring a table of organization, Part 3.1.1.4.** The current MS4 general permits require that the SWMP indicate who is responsible for overall management and implementation of each minimum control measure and, if different, who is responsible for each of the BMPs identified for that minimum control measure. MS4 programs are typically implemented by various departments and other third party entities such as a Soil and Water Conservation Districts. MS4s need to better identify how implementation across multiple positions, agencies and departments will occur. The draft renewal permit requires MS4s to develop a table of organization for overall program development and implementation, including a primary point of contact. This requirement will aid MS4s in better identifying who is responsible for various aspects of their program, including contact information. The table of organization will be required to be updated annually and be included within annual reports.
 - 1.8.2.2. **Requiring performance standards to set minimum permit requirements, Part 3.2.1.3, Part 3.2.2.3, Part 3.2.3.10, Part 3.2.4.3, Part 3.2.5.6 and Part 3.2.6.4.** The current MS4 general permits require MS4s to select their own measurable goals to guide program development and

implementation. The draft renewal permit includes performance standards to set minimum permit expectations for program implementation (i.e., require at least 50 percent of population be reached through outreach efforts over permit term, require at least 5 public involvement/participation events be held over permit term, etc.). This approach will set clear minimum permit requirements. The draft renewal permit provides a two year schedule for MS4s renewing coverage to revise programs, if needed, to satisfy this requirement. This timeframe will allow currently permitted MS4s time to make any necessary adjustments to their programs.

- 1.8.2.3. **Expanding MS4 mapping requirements, Part 3.2.3.2.** The current MS4 general permits require that a storm sewer system map be developed and, at a minimum, only include the location of stormwater outfalls and the names and locations of surface waters of the state that receive discharges from those outfalls. Knowing the locations of outfalls and receiving waters are necessary to be able to conduct dry weather field screening for non-stormwater flows. The draft renewal permit requires the entire MS4 system (i.e., catch basins, pipes, ditches, and public and private stormwater facilities) to be mapped. In order for a MS4 to properly manage their system a complete map of the system is needed. The draft renewal permit provides a five year schedule to complete this additional mapping effort.
- 1.8.2.4. **Requiring the use of an annual report form, Part 4.3 and requiring specific information for each minimum control measure to be included within annual reports, Part 3.2.1.4, Part 3.2.2.4, Part 3.2.3.11, Part 3.2.4.4, Part 3.2.5.7 and Part 3.2.6.5.** MS4s are required to submit annual reports that allow ADEQ to track and assess the development and implementation status of programs. It is not intended for these reports to be overly burdensome. The current MS4 general permit does not contain specific language on the format of the annual report. In order to provide a simplified approach to obtain relevant information, this draft renewal permit requires the use of an annual report form and the general permit includes specific annual reporting requirements for each minimum control measure. The form has been set up to provide a quick and easy mechanism for regulated MS4s to use. Although, MS4s may request approval to use their own reporting format.
- 1.8.2.5. **Updated requirements for MS4s discharging into waters with an approved TMDL. See Part 1.3.4 for specific requirements.**
- 1.8.2.6. **Updated requirements for MS4s discharging into waters with 303(d) listing prior to completion of TMDL. See Parts 1.3.4 & 3.4.5 for details.**

1.9. Monitoring

Monitoring requirements are not required by this general permit in accordance with the

stormwater federal regulations contained in 40 CFR 122.26 and 40 CFR 122.30 through 122.37. No monitoring is required for outfalls discharging to waters not listed as impaired or with an approved TMDL. However, monitoring is required for outfalls discharging to 303(d) listed streams or streams with an approved TMDL. See Part 3.5 for specific details.

1.10. Other Conditions

- 1.10.1. Expiration Date. This general permit will expire 5 years from the effective date of the permit.
- 1.10.2. Continuation of Expired Permit. If this general permit expires prior to a renewal permit being issued, then MS4s covered under this will remain under this permit until such time that a new or renewal permit is issued.

1.11. Public Comment Period

The public notice describes the procedures for the formulation of final determinations and shall provide for a public comment period of 30 days. During this period, any interested persons may submit written comments on the permit and may request a public hearing to clarify issues involved in the permitting decision. A request for a public hearing shall be in writing and shall state the nature of the issue(s) proposed to be raised in the hearing.

A copy of the permit and public notice will be sent via email to the Corps of Engineers, the Regional Director of the U.S. Fish and Wildlife Service, the Department of Arkansas Heritage, the EPA, and the Arkansas Department of Health prior to the publication of that notice.

1.12. Sources

- 1.12.1. ARR040000, previous permit.
- 1.12.2. APCEC Regulation No. 2.
- 1.12.3. APCEC Regulation No. 6.
- 1.12.4. APCEC Regulation No. 8.
- 1.12.5. APCEC Regulation No. 9.
- 1.12.6. 40 CFR Parts 122 and 124.
- 1.12.7. State of Ohio MS4 General Permit, OHQ000002.
- 1.12.8. Continuing Planning Process (CPP).

Building

From: Director [director@tontitownws.com]
Sent: Monday, April 22, 2013 12:34 PM
To: Building
Subject: Tontitown NOI
Attachments: TontitownUZA_2010_MS4.pdf; Tontitown - Notice of Intent.doc

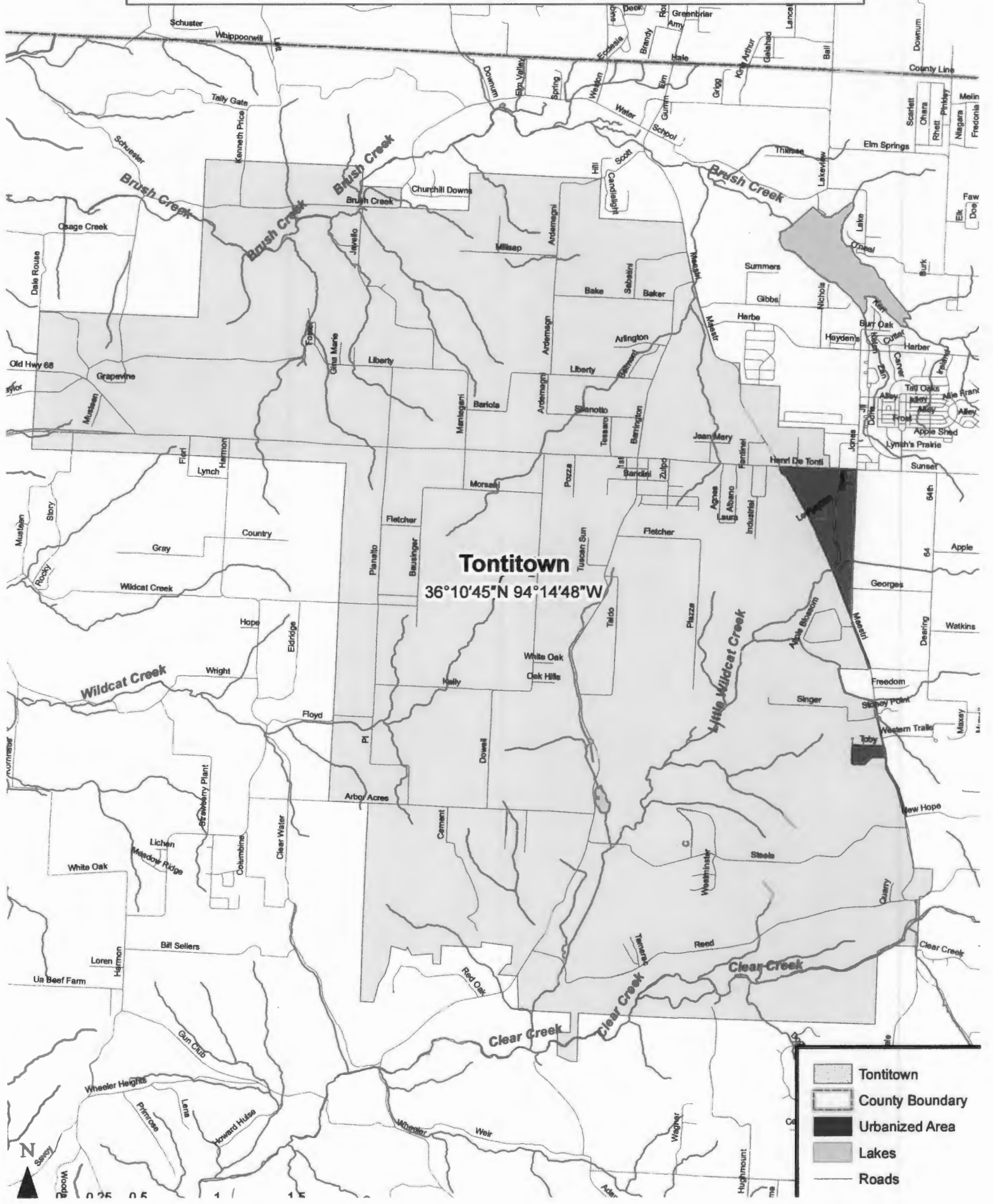
Ken,

Attached is the NOI for Tontitown, and a map that shows the MS4 area. Basically, you'll print these off, along with the storm water management plan you finalize, and mail it to ADEQ.

Please let me know if I can be of any more assistance.

Sincerely,
Tim Hawkins

City of Tontitown and Urbanized Area Territory



Tontitown
 36°10'45"N 94°14'48"W

- Tontitown
- County Boundary
- Urbanized Area
- Lakes
- Roads